

CITY OF LINCOLN CITY  
CITY COUNCIL AGENDA

**MONDAY MAY 8, 2023, 6:00 PM**

**6:00 PM** - The Lincoln City Council will hold a Regular Meeting in the Council Chambers, 801 SW Highway 101 - 3rd Floor, Lincoln City, OR 97367.

Public comments can be submitted to [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org), by attending the City Council meeting, or by telephone.

Public comments submitted by email to [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org) will be entered into the official record, distributed to the governing body, and summarized; however, due to personal privacy issues they are not generally published in the online Agenda packet. **\*\*PUBLIC COMMENT VIA EMAIL WILL ONLY BE RECOGNIZED UPON RECEIPT OF AN EMAIL SENT TO [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org)\*\***

Citizens requesting to give public comment via telephone must email [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org) no later than noon on the meeting day. The request must include the person's name, the subject the person wishes to address, and the phone number the person intends to use for the meeting. Instructions will be sent to the person requesting prior to the meeting. Persons who will give public comment via telephone will need to leave the microphone muted until the public comment portion of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing-impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting. To request information in an alternate format or other assistance, please contact the City's ADA Coordinator, Kevin Mattias, at [541-996-1013](tel:541-996-1013) or [kmattias@lincolncity.org](mailto:kmattias@lincolncity.org). Visit the [ADA Accessibility | City of Lincoln City, OR](#) webpage to view how the City continues to remain in compliance with Title II of the Americans with Disabilities Act regarding City programs, services, processes, and facilities.

The Lincoln City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

All information for this meeting is available at [www.lincolncity.org](http://www.lincolncity.org) under "Government" then select "Public Meeting, Agendas, Packets & Video". This meeting will be televised live on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour. If you wish to speak on an agenda or non-agenda item, please sign up on the sheet near the entrance door to the Council Chambers. You will be called to speak during the "Public Comment" section. Comments or testimony on agenda items listed under "public hearing/public comment" will be taken at that time.

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. PLEDGE OF ALLEGIANCE**

**D. CONSENT AGENDA**

1. Reappointment to the Library Board
2. FIRST AMENDMENT TO EMPLOYMENT AGREEMENT - MUNICIPAL COURT JUDGE
3. Agreement for Abandoned RV Abatement
4. Regular Meeting – Minutes of Regular Meeting – April 24, 2023, 6:00 PM

**E. COUNCIL DELIBERATIONS**

**F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**

**G. PRESENTATIONS**

**H. PUBLIC HEARING / ORDINANCE**

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Public Comment Resolution 2023-08 Proposed Revisions to City Public Works fee schedule

**J. ORDINANCES**

2. ORDINANCE NO. 2023-07 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE
3. ORDINANCE NO. 2023-08 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 4, (REAL PROPERTY), AMENDING CHAPTER 4.04 (ACCEPTANCE OF REAL PROPERTY INTERESTS, LEASES, AND IGA RENEWALS), SECTION 4.04.010 (CITY MANAGER-DELEGATION), ADDING MOU / MOA TO DELEGATED IGA AUTHORITY

**K. RESOLUTIONS**

4. RESOLUTION NO. 2023-07 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING STRATEGIC PRIORITIES AND INITIATIVES AS IDENTIFIED AT THE MARCH 1, 2023 COUNCIL RETREAT
5. RESOLUTION 2023-08 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING ADDITIONAL PUBLIC WORKS FEES - IRRIGATION METER

**L. SPECIAL ORDER OF BUSINESS**

6. Partnership with Economic Development Alliance of Lincoln County (EDALC)
7. Update on Proposed Nelscott Urban Renewal (Tax Increment Finance) Plan
8. Nelscott Force Main Phase 1 Construction Award

**M. CITY MANAGER/CITY ATTORNEY REPORTS**

**N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**

- O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**
- P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**
- Q. ADJOURNMENT**

# Council Communication

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## Reappointment to the Library Board

Meeting Date:	May 8, 2023	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	

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### Question:

Should the City Council reappoint Robert Pfohman and Brittany Anderson to the Library Board?

### Staff

### Recommendation:

Staff recommends that Council reappoint Robert Pfohman and Brittany Anderson to the Library Board for a full four-year term.

### Authority:

Reappointment to the Lincoln City Budget Committee is authorized under LCMC Chapters 2.06.015 Recruitment and appointment process.

G. Reappointment. Requests for reappointment of appointive public officers (only for those who have previously completed the interview, reference and background check) may be processed using this abbreviated procedure. The council, by motion, may direct the city recorder to place appointive officers on the agenda for reappointment, subject only to an update of the background investigation (pursuant to a current release). Unless council by motion directs the use of the abbreviated procedure, all reappointments shall follow the procedure identified herein for original applicants. (Ord. 2021-20 § 1; Ord. 2017-05 § 1)

### Background:

There are two City Resident positions on the Library Board that will become vacant on June 30, 2023. On April 10, 2023, Council asked that Mr. Pfohman and Ms. Anderson be moved forward to the next agenda after a background check using the reappointment process listed in 2.06.015 (G).

### Council

### Options:

Review and discuss the recommendation for reappointment of Robert Pfohman and Brittany Anderson to a "City Resident" position on the Library Board for a full-term expiring December 31, 2025.

**Potential Motions:**

- 1. I move to reappoint Robert Pfohman to the Library Board for a "City Resident" position with a four-year term. The term expires 6/30/2027.**
- 2. I move to reappoint Brittany Anderson to the Library Board for a "City Resident" position with a four-year term. The term expires 6/30/2027.**

**Attachments:**

MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS\_FAIL DETERMINATION-Brittany Anderson.docx (PDF)

MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS\_FAIL DETERMINATION-RobertPfohman (PDF)



## MEMORANDUM

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**To: City of Lincoln City Mayor and Council**  
**From: Abigail Edwards, Human Resources Director**  
**Date: April 19, 2023**  
**Re: Council Volunteer Reappointment—Background Report**

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have *passed* the background check.

Name: Brittany Anderson

Position Applied For: Library Board

Respectfully,

Abigail Edwards  
HR Director



## MEMORANDUM

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**To: City of Lincoln City Mayor and Council**  
**From: Abigail Edwards, Human Resources Director**  
**Date: April 21, 2023**  
**Re: Council Volunteer Reappointment—Background Report**

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have *passed* the background check.

Name: Robert Pfohman  
Position Applied For: Library Board

Respectfully,

Abigail Edwards  
HR Director

# Council Communication

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## First Amendment to Employment Agreement - Judge

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Administration	Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 mins.

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**Question:** Should the City Council approve the First Amendment to the January 3, 2023 Employment Agreement between Arnold Poole and the City of Lincoln City?

### Staff Recommendation:

Staff recommends Council approve the amendment.

### Authority:

#### 3.6 Appointive Officers.

(1) The city manager, municipal judge, and city attorney are appointive officers of the city who shall be appointed by the affirmative vote of four or more members of the council for an indefinite term, to hold office at the pleasure of the council and who may be removed at any time by the affirmative vote of four or more members of the council.

(2) The council may combine any two or more appointive offices, except the offices of the city manager and the municipal judge, or city attorney and municipal judge. In no instance shall the municipal judge in the exercise of judicial functions or the city attorney be subject to supervision by any other officers.

#### 3.7 Compensation

The council may prescribe the compensation for city officers and employees. No councilor or mayor, however, may receive compensation for serving in that capacity. The council may prescribe the plan for reimbursing city officers or personnel for expenses that they incur in serving the city.

### Background:

The attached contract amendment clarifies the minimum monthly compensation for the Municipal Judge and makes other changes requested by the finance department. All other provisions of the original Agreement not amended shall continue in full force and effect.

**Council Options:**

1. Approve amendment.
2. Do not approve amendment.

**Council Motions:**

Motion to approve the First Amendment to the January 3, 2023 Agreement with Judge Arnold Poole.

**Attachments:**

First Amendment Employment Contract Poole for 5-8-2023 (DOCX)

**FIRST AMENDMENT TO JANUARY 3, 2023 EMPLOYMENT AGREEMENT BETWEEN  
ARNOLD POOLE, AND THE CITY OF LINCOLN CITY**

**RECITALS:**

The City desires to clarify Section 1, Section 6 and Section 10 of the Employment Agreement between the City of Lincoln City and Arnold Poole originally signed on January 3, 2023.

**NOW THEREFORE**, the City and Arnold Poole agree as follows:

**1. Section 1. (Appointment and Job Duties), Paragraph B of the Agreement is hereby replaced with the following amended language:**

- B. City agrees to employ the Employee and the Employee agrees to accept City employment as a part-time contract employee in the position of Municipal Court Judge.

**2. Section 6, (Salary) of the Agreement is hereby is hereby replaced with the following amended language:**

- A. City agrees to pay Employee for Municipal Court Judge services rendered pursuant to this Agreement a minimum base salary of not less than one-thousand six-hundred dollars (\$1,600.00) per month, payable according to the City pay schedule.
- B. In the event that Employee works more than 16 hours in a one-month period, Employee shall be paid at a set rate of one-hundred dollars (\$100.00) per hour for each additional hour worked.
- C. The City shall provide to Employee, as additional salary, a cost of living adjustment (COLA). The COLA shall be provided to the Judge in the same percentage as the COLA provided to employees represented by AFSCME and based on the same index and methodology; provided, however that the annual COLA increase provided to the Judge shall not be less than one percent (1%) nor more than five percent (5%). COLA shall be applied on July 1<sup>st</sup>, in the same manner as other staff.

**3. Section 10 (Days and Hours of Work) of the Agreement is hereby is hereby replaced with the following amended language:**

Employee will hold regular court sessions two days a month every other Tuesday. The City reserves the right to modify which day of the week court sessions are held, as determined and approved by the City Manager, pursuant to the operational needs of the City. Other days/hours of work shall be scheduled with the Court Clerk after taking into account the Judge’s other obligations. Court normally begins at 9am and ends no later than 5pm. Employee will submit a record of all time worked via the specified electronic timekeeping program, in the same manner and time frame as other employees.

**4. All other provisions of the original Agreement not specifically amended herein shall continue in full force and affect.**

**ARNOLD POOLE**

**CITY OF LINCOLN CITY, OREGON**

\_\_\_\_\_

\_\_\_\_\_

**DATE:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

# Council Communication

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## Agreement for Abandoned RV Abatement

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Administration	Secondary Contacts:	Daphnee Legarza
Approval:	Daphnee Legarza	Estimated Time:	5 mins.

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### Question:

Should the City Council approve the attached Agreement with the County concerning administration of the abandoned RV abatement program by Lincoln County?

### Staff Recommendation:

Staff recommends Council approve the Agreement.

### Authority:

ORS Chapter 190

### Background:

The County has proposed an Agreement with the City of Lincoln City concerning Lincoln County's administration of a program to remove and dispose of abandoned RV units. The City will be given credit for two removals. The County's program does not accept responsibility for hazardous materials. The City will be responsible for any such materials.

### Council Options:

1. Approve the Agreement
2. Postpone discussion
3. Do not approve the Agreement.

### Potential Motions:

*Council:*

1. Motion to approve Agreement with Lincoln County to use the RV Abatement program.

**Attachments:**

City MOU final (DOCX)

**MEMORANDUM OF UNDERSTANDING**

**MOU BETWEEN LINCOLN COUNTY AND THE CITIES OF DEPOE BAY, LINCOLN CITY, NEWPORT, SILETZ, TOLEDO, WALDPORT, AND YACHATS REGARDING ABANDONED RV ABATEMENT PROGRAM**

This MOU is entered into by and between Lincoln County (hereinafter, “County”) and the cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport, and Yachats (hereinafter “City”) for purposes of memorializing their collaborative working relationship in the provision of abandoned recreational vehicle abatement within the geographic boundaries of Lincoln County, and for purposes of outlining the expectations of the parties.

**BACKGROUND:**

During the pandemic, abandoned dilapidated motorhomes, recreational vehicles, and travel trailers, along with associated piles of debris and sewage sourced from once occupied now abandoned vehicles, began to spring up along roads and on private property, creating blight and probable public health issues. There is a lack of dedicated monies budgeted for the high cost of abandoned RV removal. Driving this cost up is the issue of abatement of asbestos as a component of RV manufacturing and repair. As such, asbestos testing and abatement is necessary on all RVs older than 2004. Removal is prohibitively expensive (\$3K-\$15K) per vehicle depending on size, location, and the hazardous materials found onboard. Absent finding another funding source, local funds would have to draw down funds from other critical budget lines to address this emergent issue.

Lincoln County BOC approved Order #01-23-029 to help fund the removal of abandoned motorhomes, recreational vehicles, and travel trailers from within both incorporated and unincorporated areas of Lincoln County. The one-time allocation, based partly upon the Regional Solid Waste Advisory Committee’s recommendation of distributing \$100K to local cities, is expected to enable a fast-response, community-wide RV abatement program to function through June 30, 2024.

This MOU outlines the process for local cities to access this limited funding source. The MOU also provides a universal process framework to remove abandoned RVs should other sources of funding be identified by either the City or County.

**PROCESS:**

For purposes of this MOU an “RV” shall include abandoned motorhomes, recreational vehicles, and travel trailers; AND shall include all associated trailers, boats, and garbage within the solid waste debris field of the abandoned RV. This includes removal of items found standard in abandoned RVs, such as car batteries, fuel, asbestos, and black water. This interpretation of an abandoned RV may be flexible and expanded as long as the definition reasonably represents a similar end result of solid waste debris being cleared, and the City and County are in mutual agreement. An example of an expanded definition may include a modified bus that has been made into a living space. The demolition of permanent building

structures such as stick built homes, office buildings, sheds, etc. is not a function of the Abandoned RV Abatement Program.

At the time of this MOU, it is anticipated that each participating City will have credit to remove 2 RVs and all associated solid waste associated with those RVs. The credit of number of RV's granted to cities may be expanded equitably between cities by the County if funding allows, and at the sole discretion of the County. It is understood that the costs of RV abatement are unpredictable as they are dependent on many factors for each specific situation and that funding is limited and this MOU and the Abandoned RV Abatement Program may end at any time based upon the limited funding source at the sole discretion of the County.

This MOU may be amended from time to time as needed, by mutual written consent of the parties.

To utilize the program, the City shall follow the appropriate application formats as defined by:

- Attachment A  
Removal of Abandoned RV from the Public Right-of-Way or from Public Property
- Attachment B  
Removal of Abandoned RV from Private Property\*
- Attachment C  
Sample Right of Entry Form (for access to private property)

\*Responsibility for costs related to private property cleanup shall be a function in the scope and responsibilities of each executed three-party contract and are not necessarily defined by this MOU.

#### **CITY OBLIGATIONS:**

City ensures that:

- The abandoned RV is within City's City jurisdiction and the City has authority to remove it.
- City law enforcement has verified the abandoned RV is vacant, properly tagged all vehicles/trailers, and the required posting and notification period has expired.
- The City currently has credit to remove RVs under this Abandoned RV Abatement Program and understands this request utilizes one of these credits.
- City understands the discovery and removal of hazardous materials or environmental remediation from hazardous spills is not a function of this MOU and remains the responsibility of the City.
- To access Abandoned RV Abatement Program funds, City must utilize the process of this MOU.
- City agrees to utilize the local franchised hauler to request removal and destruction of the identified abandoned RV.
- Unless expressly identified in this MOU, City does not convey any liability or responsibility to the County for activity regarding this MOU.
- City will notify the County of any prosecution related to an abandoned RV that the City requests the removal of under this MOU.

**COUNTY OBLIGATIONS:**

County ensures that:

- Lincoln County Solid Waste District operates the Abandoned RV Abatement Program under the guidelines set forth by Order #01-23-029 and provides an equal opportunity for each City under this MOU to participate.
- Lincoln County Solid Waste District coordinates with local law enforcement and local franchised hauler on RV removal activities performed under this MOU.
- Lincoln County Solid Waste District will provide participating cities with administrative assistance as necessary to utilize Abandoned RV Abatement program funds.
- Lincoln County Solid Waste District monitors and tracks the number of abandoned RV removals credited to each city.
- Within the scope of credits and the funding parameters identified by BOC, Lincoln County Solid Waste District is to receive and pay in full for the removal and disposal of solid waste (including asbestos abatement) related to RVs within city limits which are properly identified for disposal under this MOU.
- Upon receipt of the City letter requesting action under Abandoned RV Abatement Program, Lincoln County Solid Waste District will coordinate next steps with the City and the hauler.

So Understood and Agreed:

Lincoln County:

City of \_\_\_\_\_

\_\_\_\_\_  
Chair

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Commissioner

On the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Commissioner

On the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Approved as to form by:

Approved as to form by:  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brian Gardner  
Lincoln County, Assistant County Counsel

## Attachment A

***[to be typed on City letterhead]***

Lincoln County Solid Waste District  
880 NE 7<sup>th</sup> St  
Newport, OR 97365

REQUEST TO REMOVE  
ABANDONED RV FROM PUBLIC ROW OR PUBLIC PROPERTY  
**[City Law Enforcement Casefile #]**

City law enforcement has identified and tagged an abandoned RV for removal and destruction. This letter is a formal request for **[Dahl Disposal Service/Thompson's Sanitary Service/ North Lincoln Sanitary Service]** to immediately remove the following abandoned RV and all associate solid waste under the County's Abandoned RV Abatement Program funding.

**ABANDONED RV:** *Provide brief description of the RV: Tan, with gold stripe. License plate xxx 123*

**ASSOCIATED SOLID WASTE:** *Provide a brief description if there are additional materials surrounding the RV, such as boats, garbage piles, tires, trailers, etc. that are also to be removed*

**LOCATION:** *Provide a brief description of the location, north side of ZZYX street, east of 3rd Avenue*

The City verifies that:

- The abandoned RV is within City's City jurisdiction and authorizes its removal.
- The abandoned RV and associated vehicles with registration are vacant and have passed the required posting and notification period.
- The City currently has credit to remove xx RVs under this Abandoned RV Abatement program and understands this request utilizes one of these credits.

I will be your contact ***[insert city contact, usually law enforcement]*** at ***(541) 111-5555*** for any questions or concerns regarding this request.

[Signed]

cc. Hauler

Attach Photos or pertinent identifying narratives

## Attachment B

***[to be typed on City letterhead]***

Lincoln County Solid Waste District  
880 NE 7<sup>th</sup> St  
Newport, OR 97365

### REQUEST TO REMOVE ABANDONED RV FROM PRIVATE PROPERTY **[City Law Enforcement Casefile #]**

City law enforcement has identified a private property within the city's jurisdiction that the City would like to pursue funding under the Abandoned RV Abatement program. If an agreement can be reached, the owner would remain in 5-years of code compliance in lieu of enforcement to have an abandoned RV removed from their property.

Attached is a Right-of-Entry form granting permission for local law enforcement, the City, and County to enter the property.

This letter is a formal request to begin the process of reviewing a three-party contract with Lincoln County, the property owner, and city to abate the property and bring into compliance. The city understands this is a cursory review and the next step is to work with the local hauler and County to establish a cost estimate and identify if scope of work. Our intent is to come together and find a path forward to mutually agreed upon contract.

The City verifies that:

- The abandoned RV is within City's City jurisdiction and authorizes its removal.
- The abandoned RV is vacant and has passed the required posting and notification period.
- The City currently has credit to remove xx RVs under this Abandoned RV Abatement program and understands that if a three-party contract is executed, this would use one or all of this credit.
- City has a Right-of-Entry signed by the property owner

I will be your contact ***[insert city contact, usually law enforcement]*** at ***(541) 111-5555*** for any questions or concerns regarding this request.

[Signed]

cc. Hauler

Attach Photos, executed Right of Entry, and pertinent identifying narratives

## Attachment C

**RIGHT OF ENTRY AUTHORIZATION – Debris Assessment****What this Authorization Does:**

By signing this authorization, you allow Lincoln County staff and its contractors to enter your property, including sheds, dilapidated structures, abandoned RV's and vehicles to inspect, photograph, and take samples of onsite debris for the express purpose of assessing a potential onsite cleanup.

**Grant of Right of Entry:** By signing below, the property Owner, Owner's authorized agent and tenant, if any, collectively ("Owner"), hereby unconditionally authorizes **Lincoln County staff and contractors** ("Assistance Providers"), to have the right of access and to enter in and onto the property for the purpose of performing work described below. It is fully understood that this Right-of-Entry Authorization (ROE) does not create any obligation on the part of the Assistance Providers to perform inspections, remove debris, and undertake emergency protective measures to the Property.

**Time Period:** The ROE shall expire the earlier of either: when Owner enters into a Solid Waste Removal Agreement with Lincoln County; or, 1-year after this form is signed, unless it is cancelled sooner than that according to the terms herein. The Assistance Providers – Indemnification- Hold Harmless provisions, once signed, survive the termination of the ROE.

**Scope of Work and Disclosures:** Inspecting and identifying solid waste debris, sampling for potential hazardous materials, mapping piles and debris location(s), and estimating costs for debris removal on the Owner's property.

**Assistance Providers – Indemnification- Hold Harmless:** The Owner acknowledges that the Assistance Providers' decisions on whether, when, where, and how to assess, map, and test debris on Owner's property are discretionary functions. Additionally, the Owner hereby agrees to indemnify, defend and hold harmless the Assistance Providers and Lincoln County against any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, personal injury, death, and charges or costs of any kind or character, including attorneys' fees and court costs (hereinafter, collectively referred to as "Claims"), as well as any and all actions, either legal or equitable, which the Owner has, or that might arise, of any nature whatsoever and by whomever made, or may have, by reason of or incident to any decision or action of aforesaid Assistance Providers taken or not taken in connection with entry onto the Property or to accomplish the aforementioned work.

### Attachment C

**Authority to Sign:** Owner represents and warrants that Owner has full power and authority to execute and fully perform Owner's obligations under this ROE. If Owner is an entity, Owner also represents and warrants that Owner has such power and authority pursuant to its governing instruments, without the need for any further action, and that the person(s) executing this ROE on behalf of Owner are the duly designated agents of Owner and are authorized to do so. Owner expressly represents and warrants that fee title to the Premises is vested solely in Owner(s).

**Property Access:** This ROE includes the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Assistance Providers. All tools, equipment, and other property taken upon or placed upon the property by the Assistance Providers shall remain the property of the Assistance Providers and may be removed by the Assistance Providers at any time within a reasonable period after the expiration of this ROE, if necessary.

**Information Sharing:** Information is collected to make it possible for the Assistance Providers and their assigns, officers, employees, agents, volunteers, contractors and/or representatives to enter your property and inspect debris for potential removal. Information submitted will be shared with other government agencies, local, state, federal, and their assigns, officers, employees, agents, volunteers, contractors and subcontractors, as well as with authorized volunteer agencies performing services, for official use only in accordance with the purposes stated in this ROE.

**Contact Information:**

Lincoln County Solid Waste and Recycling

Paul Seitz, District Manager

880 NE 7<sup>th</sup> Street, Newport,  
Oregon 97365 Phone (541) 574-  
1285

solidwaste@co.lincoln.or.us

Attachment C

**Property Address:**  
 Owner's \_\_\_\_\_ Name: \_\_\_\_\_

Tenant's Name (if applicable): \_\_\_\_\_

Assessor's Parcel Number (APN): \_\_\_\_\_

Property Address: \_\_\_\_\_

**Owner's Contact Information:**  
 Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Phone: 1 ( ) \_\_\_\_\_

Phone: 2 ( ) \_\_\_\_\_

E-mail: \_\_\_\_\_

I understand the terms and requirements of this Debris Assessment ROE Authorization. I am the property owner of the subject property, and I am authorized to sign this Right of Entry Authorization

**Signatures:**

I agree to the terms of the Right of Entry Authorization:

_____	_____	_____	_____
Owner Signature	Date	Co-Owner Signature (if applicable)	Date

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

April 24, 2023, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at [www.lincolncity.org](http://www.lincolncity.org) under the tab "Agendas, Packets, and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

**APPROVED BY CITY COUNCIL**

**DATE:**

**A. CALL TO ORDER**

Mayor Wahlke called the meeting to order at 6:00 PM.

**B. ROLL CALL**

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	
Sydney Kasner	Councilor Ward 2	Present	
Judy Casper	Councilor Ward 3	Present	
Riley Hoagland	Councilor Ward 2	Excused	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Sgt. Bomar, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Jamie Young, City Recorder.

**C. PLEDGE OF ALLEGIANCE**

Mayor Wahlke led The Pledge of Allegiance.

**D. CONSENT AGENDA**

<b>MOTION:</b>	<b>Consent Agenda</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Kasner, Casper, Mark, Parsons
<b>EXCUSED:</b>	Hoagland
<b>RESULT:</b>	<b>Passed</b>

1. Oregon Liquor Control Commission Change of Ownership for a Full On-Premises Liquor License Kathi's Nauti Mermaid Beach House
2. OLCC- Request for Full On-Premises, Nonprofit Private Club Elks BPOE #1886
3. Regular Meeting – Minutes of Regular Meeting – April 10, 2023, 6:00 PM
4. Regular Meeting – Minutes of Work Session – April 12, 2023, 5:00 PM

**E. COUNCIL DELIBERATIONS**

*None*

**F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**

*Jaqueline Carlson of Lincoln City spoke regarding issues in her neighborhood with criminal activities. Tiffany Jones of Lincoln City echoed what Ms. Carlson said about the neighborhood issues and went into further detail.*

*Mikos Mills of Lincoln City echoed what Ms. Carlson said about the neighborhood issues and went into further detail.*

*Ms. Legarza summarized a public comment received via email from Leland Marshall regarding City employees living out of State.*

**G. PRESENTATIONS**

*None*

**H. PUBLIC HEARING / ORDINANCE**

*None*

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

*None*

**J. ORDINANCES**

*None*

**K. RESOLUTIONS**

*None*

**L. SPECIAL ORDER OF BUSINESS**

1. Lincoln City Senior Center presentation

**MOTION:** Motion to Approve the Waiver of the Fees for the Senior Center Requested Hours During FY2023-24  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Sydney Kasner, Councilor Ward 2  
**AYES:** Wahlke, Kasner, Casper, Mark, Parsons  
**EXCUSED:** Hoagland  
**RESULT:** Passed by Roll Call Vote

*Tamara Staples, President of the Lincoln City Senior Center gave an update on activities. Ms. Legarza read questions from Councilor Hoagland as he was unable to attend.*

2.

**MOTION:** Motion to Approve Participation on the Advisory Board for the Countywide Homelessness Advisory Board Under HB 4123 in an effort to Create a 5-year Strategic Plan on Addressing the Reduction of Homelessness Through an Intergovernmental Agreement  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Kasner, Casper, Mark, Parsons  
**EXCUSED:** Hoagland  
**RESULT:** Passed by Voice Vote

*Ms. Legarza explained the intergovernmental agreement. Council and Staff had a discussion regarding the agreement and grammatical errors. Ms. Legarza said she would follow up on The Confederated Tribes of the Siletz Indians being a part of the declaration.*

3. City Council appointed subcommittee Nonprofit grant award recommendations.

**MOTION:** Motion to Approve the Nonprofit Grant Recommendations as Read  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Kasner, Casper, Mark, Parsons  
**EXCUSED:** Hoagland  
**RESULT:** Passed by Roll Call Vote

*Councilor Casper inquired what the Cultural Center would use the fund for. Mayor Wahlke said it would be for the art kits. Mayor Wahlke reviewed the recipients of the grant funds.*

4. Arbor Day 2023 Proclamation

**MOTION:** Move to Approve the Proclamation Establishing 4/28/23 as Arbor Day 2023 for Lincoln City, to Celebrate Trees and Continue with our Tree City USA designation  
**MOVER:** Sydney Kasner, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Kasner, Casper, Mark, Parsons  
**EXCUSED:** Hoagland  
**RESULT:** Passed via Voice Vote

*Ms. Sprague read the Arbor Day Proclamation. Mayor Wahlke read the Proclamation.*

**M. CITY MANAGER/CITY ATTORNEY REPORTS**

*Ms. Legarza gave an update on "Ron's Report", the Oregon Library Conference, National Library Week, the first Taft Park Community Open House, and the retirement celebration for Ed Dreistadt.*

**N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**

5.

<b>MOTION:</b>	<b>Motion to Direct City Staff to Draft VRD/STR Ordinance Changes as Discussed at the April 12, 2023, Work Session, Associated VRD License Ordinance Changes, and Other Staff Recommended Changes to Title 17 VRD Provisions to Consolidate Measure 56 Notices into One Mailing.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>AYES:</b>	Wahlke, Kasner, Casper, Mark, Parsons
<b>EXCUSED:</b>	Hoagland
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

6.

<b>MOTION:</b>	<b>Motion to Direct Staff to Draft a Resolution Reflecting Strategic Priorities and Initiatives as Identified at the March 1, 2023, Council Retreat</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Kasner, Casper, Mark, Parsons
<b>EXCUSED:</b>	Hoagland
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**

*None*

**P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**

*Councilor Casper spoke about the new Homeless Advisory Board website [www.lchab.org](http://www.lchab.org). Councilor Parsons invited the public to the Budget Committee meeting on May 1st. Councilor Parsons asked for an update on the construction needed at City Hall on the 2nd and 3rd floors. Councilor Kasner spoke about the Community Days events over the weekend, the compost pick-up, and the Culture Passes at the Library. Mayor Wahlke thanked the Community Days Committee and spoke about the video that was put together and said it's available on YouTube. Mayor Wahlke spoke regarding the public comment received during the meeting.*

**Q. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 7:04 PM.*

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER

# Council Communication

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## Public Comment Resolution 2023-08 Fee Revisions

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Public Works	Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	10 minutes

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**Background:** See staff memo under Resolution 2023-08

**Authority:**

**294.160 Opportunity for public comment on new fee or fee increase.** (1) The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.

(2) Where a local government exercises authority to assume the responsibility for a program delivered by the state, the local government shall provide an opportunity to comment on the difference between the fee amount charged by the state for such service and the proposed local fee for the service.

# Council Communication

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## Ordinance 2023-07 Amending Authority for Citizen Involvement Committee

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 mins.

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**Question:** Should the City Council conduct and approve First Reading and Second Reading of Ordinance 2023-07?

### ORDINANCE NO. 2023-07

**AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE**

#### Staff Recommendation:

Staff recommends Council conduct and approve First Reading of Ordinance 2023-07 and, *if unanimous*, Conduct and approve Second Reading and adopt Ordinance 2023-07.

#### Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

#### Background:

The Council previously approved this Ordinance on February 27, 2023. Due to a numbering error, the adoption is being repeated.

The City Manager and Planning Director have requested that the Committee for Citizen Involvement provisions of the Code be amended to refer to the current Oregon Administrative Rules, rather than thirty-year-old Council resolutions. The Code currently contains the following reference in LCMC 2.14.030 (Powers and Duties), Paragraph B:

B. The committee shall operate consistent with citizen involvement Resolution 93-12 and Resolution 94-33 until the comprehensive plan citizen involvement program is amended pursuant to the procedures in ORS 197.610.

Staff recommends updating the reference to the Current OAR:

B. The committee shall operate consistent with ~~citizen involvement Resolution 93-12 and Resolution 94-33~~ **OAR 660-015-0000(1)** until the comprehensive plan citizen involvement program is amended pursuant to the procedures in ORS 197.610.

**Council Options:**

1. Conduct and approve First Reading. Read changes, if any. Conduct and Approve Second Reading and Adopt the Ordinance.
2. Conduct and approve First Reading. Continue Second Reading to May 22, 2023.
3. Continue First Reading to May 22, 2023.
4. Do not proceed with proposed ordinance.

**Potential Motions:**

*City Attorney:* [Conduct First Reading of Ordinance by Title only]

**ORDINANCE NO. 2023-07**

**AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE**

*Council:*

1. Motion to approve First Reading of Ordinance 2023-07.

*If unanimous: Conduct Second Reading*

*City Attorney:* [Conduct Second Reading of Ordinance by Title only]

*Council:*

1. Motion to approve Second Reading and adopt Ordinance 2023-07.

**Attachments:**

Ordinance 2023-07 (repeat of February 27 ordinance) (DOCX)

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE

Annotated to show deletions and additions to the code sections being modified. Deletions are bold lined through and additions are bold underlined.

WHEREAS, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provides:

2.1 Powers of the City

The city has all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

2.2 Construction of Charter

In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution; and

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop, 20 Or. App. 293; 531 P 2d 730, 734 (1975); LaGrande/Astoria v. PERB, 281 Or 137, 142 (1978), aff'd on reh'g 284 Or 173 (1978); and

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

SECTION 1. Lincoln City Municipal Code Title 2 (Administration and Personnel), Chapter 2.14 (Committee for Citizen Involvement), Section 2.14.030 (Powers and Duties), Paragraph B. is amended to read as follows:

B. The committee shall operate consistent with citizen involvement Resolution 93-12 and Resolution 94-33 OAR 660-015-0000(1)(Goal 1) until the comprehensive plan citizen involvement program is amended pursuant to the procedures in ORS 197.610.



## Council Communication

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### Ordinance 2023-08 - Add MOU MOA to IGA Delegation

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Daphnee Legarza
Approval:	Daphnee Legarza	Estimated Time:	5 minutes

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#### Question(s):

Should the City Council conduct and approve First and Second Reading of Ordinance 2023-08 entitled:

#### **ORDINANCE NO. 2023-08**

#### **AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 4, (REAL PROPERTY), AMENDING CHAPTER 4.04 (ACCEPTANCE OF REAL PROPERTY INTERESTS, LEASES, AND IGA RENEWALS), SECTION 4.04.010 (CITY MANAGER-DELEGATION), ADDING MOU / MOA TO DELEGATED IGA AUTHORITY**

#### Staff Recommendation:

Staff recommends Council conduct First Reading of Ordinance 2023-08 and, *if unanimous*, Conduct and approve Second Reading. Any changes must be read.

#### Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

#### Background:

The attached ordinance only expressly adds MOU and MOAs with other governments to the delegated authority of the City Manager. While we can argue such agreements are actually ORS

Chapter 190 agreements, it is better to expressly acknowledge the tendency of other entities to use these terms.

**Council Options:**

1. Conduct and approve First Reading. Read changes, if any. Conduct and Approve Second Reading and Adopt the Ordinance.
2. Conduct and approve First Reading. Read changes, if any. Continue Second Reading to May 22, 2023 [or]
3. Continue First Reading to May 22, 2023.

**Potential Motions:**

*City Attorney:* [Conduct First Reading of Ordinance by Title only]

**ORDINANCE NO. 2023-08**

**AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 4, (REAL PROPERTY), AMENDING CHAPTER 4.04 (ACCEPTANCE OF REAL PROPERTY INTERESTS, LEASES, AND IGA RENEWALS), SECTION 4.04.010 (CITY MANAGER-DELEGATION), ADDING MOU / MOA TO DELEGATED IGA AUTHORITY**

Motion to approve First Reading of Ordinance 2023-08.

*If unanimous: City Attorney conducts Second Reading*

*City Attorney:* [Conduct Second Reading of Ordinance by Title only]

*Council:*

1. Motion to approve Second Reading and adopt Ordinance 2023-08.

**[or]**

2. Motion to set Second Reading for May 22, 2023.

**Attachments:**

Ordinance 2023-08 (DOCX)

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**ORDINANCE NO. 2023-08**

**AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 4, (REAL PROPERTY), AMENDING CHAPTER 4.04 (ACCEPTANCE OF REAL PROPERTY INTERESTS, LEASES, AND IGA RENEWALS), SECTION 4.04.010 (CITY MANAGER-DELEGATION), ADDING MOU / MOA TO DELEGATED IGA AUTHORITY**

*Annotated to show deletions and additions to the code sections being modified. Deletions are **~~bold lined through~~** and additions are **bold underlined**.*

**WHEREAS**, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provides:

2.1 Powers of the City

The city has all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

2.2 Construction of Charter

In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution; and

**WHEREAS**, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. *City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop*, 20 Or. App. 293; 531 P 2d 730, 734 (1975); *LaGrande/Astoria v. PERB*, 281 Or 137, 142 (1978), *aff'd on reh'g* 284 Or 173 (1978); and

**WHEREAS**, Lincoln City Municipal Code Title 4 (Real Property), Chapter 4.04 (Acceptance of Real Property Interests, Leases, and IGA Renewals), Section 4.04.010 (City Manager- Delegation) sets the delegated authority over IGAs; and

**WHEREAS**, notwithstanding ORS Chapter 190 authority over IGAs, agreements with other local governments are sometimes presented as "Memorandums of Agreement" or

1 "Memorandum of Understanding"; City Administration requests that the delegation of  
2 aouthority to the City Manager, expressly include such agreements;

3

4 **THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:**

5

6 **SECTION 1.** Lincoln City Municipal Code Title 4. (*Real Property*), Chapter 4.04  
7 (*Acceptance of Real Property Interests, Leases, and IGA Renewals*), Section 4.04.010 (*City*  
8 *Manager- Delegation*) paragraph B. (*Intergovernmetal Agreements*) is hereby amended to  
9 read as follows:

10

11 B. Intergovernmental Agreements. Except when a public hearing before the  
12 governing body is required by federal, state or local law, the city council hereby  
13 authorizes and expressly delegates to the city manager the authority to enter into  
14 an intergovernmental agreements, memorandum of agreement, or  
15 memorandum of understanding with another governmental entity, provided  
16 the amount of any such agreement does not exceed fifty thousand dollars  
17 (\$50,000) and the ~~intergovernmental~~ agreement is approved as to form by the  
18 city attorney. Further, the city council hereby authorizes and expressly delegates  
19 to the city manager the authority to renew such intergovernmental agreements,  
20 provided the agreement provides for renewal, terms of the ~~intergovernmental~~  
21 agreement remain the same, or will be modified only as contemplated in the  
22 original agreement, and the renewal is approved as to form by the city attorney.

23

24 **SECTION 2. Findings Adopted.**

25

26 The findings contained in the Whereas Clauses of this ordinance, as well as the  
27 competent substantial evidence in the whole record of this legislative proceeding are  
28 incorporated into this section by reference as if fully set forth herein, and are adopted in  
29 support of this legislative action.

30

31 **SECTION 3. Severability.**

32

33 The sections, subsections, paragraphs and clauses of this ordinance are severable. The  
34 invalidity of one section, subsection, paragraph, or clause shall not affect the validity of  
35 the remaining sections, subsections, paragraphs and clauses.

36

37 **SECTION 4. Ordinance Effective Date.**

38

39 Pursuant to Chapter IX, Section 9.3, this ordinance takes effect 30 days after the date of  
40 its adoption.

1 **SECTION 5. Codification.**

2  
3 Provisions of this ordinance shall be incorporated in the City of Lincoln City Municipal  
4 Code and the word "ordinance" may be changed to "code", "article", "section", "chapter"  
5 or another word, and the sections of this ordinance may be renumbered, or re-lettered,  
6 provided that any whereas clauses and boilerplate provisions (i.e. Sections 2-5) need not  
7 be codified and the City Recorder is authorized to correct any cross-references and any  
8 typographical errors.

9  
10 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX,  
11 Section 9.2 of the City of Lincoln City Charter on the 8<sup>th</sup> day of May, 2023 (First Reading)  
12 and on the 8<sup>th</sup> day of May, 2023 (Second Reading).

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14 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 8<sup>h</sup> day of May,  
15 2023.

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19 SUSAN WAHLKE, MAYOR

20 ATTEST:

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23 \_\_\_\_\_  
24 JAMIE YOUNG, CITY RECORDER

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26 APPROVED AS TO FORM:

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29 \_\_\_\_\_  
30 RICHARD APPICELLO, CITY ATTORNEY

## Council Communication

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### Resolution 2023-07- Adopting Strategic Priorities Identified at Council Retreat

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 minutes

---

#### Question:

Should the City Council approve Resolution 2023-07 Adopting City of Lincoln City Strategic priorities and Initiatives as identified at the March 1, 2023 Council Retreat?

#### Staff Recommendation:

Staff recommends approval of Resolution 2023-07.

#### Background

City Council attended a Strategic Visioning Retreat moderated by SGR in which six key priorities were identified and milestones were set. The attached report summarized those priorities and milestones.

#### Council Options:

Approve the Resolution.  
 Do Not approve the Resolution.  
 Approve the Resolution (with amendments).

#### Potential Motions:

Move to approve Resolution 2023-07.  
 Move to approve Resolution 2023-07, with the following amendments.

#### Attachments:

2023-07 Resolution (DOC)  
 Resolution 2023-07 Exhibit A (PDF)

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**RESOLUTION NO. 2023-07**

**A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING STRATEGIC PRIORITIES AND INITIATIVES AS IDENTIFIED AT THE MARCH 1, 2023 COUNCIL RETREAT**

**RECITALS**

**WHEREAS**, the City of Lincoln City City Council conducted a publicly advertised Strategic Visioning Retreat at City Hall on March 1, 2023;

**WHEREAS**, the Strategic Visioning Retreat was facilitated by Strategic Government Resources (SGR). During the retreat the City Council identified six key priorities, in no particular order:

- Emergency Management Preparedness
- Financial Health
- Economic Development
- Housing
- Infrastructure
- Environment

**WHEREAS**, Council further identified milestones for each of the priorities; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2. ADOPTION.** The City of Lincoln City hereby adopts the City of Lincoln City Strategic Priorities and Initiatives as Identified in the March 1, 2023 Council Retreat Summary, attached hereto as "Exhibit A" and incorporated herein by this reference.

**SECTION 3. EFFECTIVE DATE.** This resolution is effective as of the date of its adoption and signature by the Mayor.

1 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 8<sup>th</sup> day of  
2 May 2023.

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\_\_\_\_\_  
7 SUSAN WAHLKE,  
8 MAYOR

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11 ATTEST:

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15 JAMIE YOUNG  
16 CITY RECORDER

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19 APPROVED AS TO FORM

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\_\_\_\_\_  
23 RICHARD APPICELLO  
24 CITY ATTORNEY

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## Lincoln City Council Retreat Report

During the Council Retreat on March 1, 2023, the Council identified six strategic priorities for the City as they focus on creating a future for Lincoln City that will continue to provide a high quality of life for residents and other stakeholders. Under each strategic priority, the Council listed milestones that give some clarity and definition to what the Council desires. The City Staff, under the guidance of the City Manager, will now develop initiatives that support these priorities and milestones. The strategic priorities are listed below in no particular order.

### Strategic Priorities

#### Strategic Priority: Emergency Management Preparedness

##### Milestones:

1. Evaluate our current plans and update them as required.
2. Develop an internal and external communication plan and action plan.
3. Implement the plan, including internal and external feedback loops.
4. Review lessons learned from previous emergencies with Council and Staff.

#### Strategic Priority: Financial Health

##### Milestones:

1. Maintain reserve ratios.
2. Prioritize projects and identify funding needs.
3. Use utility rates to fund infrastructure maintenance.
4. Create revenue diversification for funding.
5. Utilize debt financing for CIPs.

#### Strategic Priority: Economic Development

##### Milestones:

1. Adopt the Urban Renewal Plan that will provide for a lite industrial park.
2. Do economic opportunities analysis and buildable land inventory.
3. Consider re-zoning areas to be planned industrial.
4. Seek funding for economic development tools.

**Strategic Priority: Housing****Milestones:**

1. Allow all housing types in all mixed use, residential, and commercial zones.
2. Eliminate conditional uses and make permitted uses with standards.
3. Create code language that establishes homeless shelter standards.
4. Phase out VRD from residential zoning and expand VR zone.
5. Eliminate lot size requirements, while keeping the same setback standards.

**Strategic Priority: Infrastructure****Milestones:**

1. Create a master plan of facilities and assets so that they are all identified along with a list of their upgrade and maintenance needs.
2. Prioritize repairs that are needed.
3. Create a long-term schedule with possible funding mechanisms.
4. Communicate the needs creatively to the community.

**Strategic Priority: Environment****Milestones:**

1. Develop a climate action plan.
2. Begin implantation of climate action plan.
3. Create a plan to protect the watershed and Devil's Lake and other resources and assets that are not addressed by the climate action plan.

# Council Communication

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## Resolution 2023-08 Adopting Additional Public Works Fees - Irrigation Meter

Meeting Date:	May 8, 2023	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Public Works	Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 min

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**Question:** After public comment, should the City Council approve Resolution 2023-08 - ADOPTING ADDITIONAL PUBLIC WORKS FEES - IRRIGATION?

**Staff Recommendation:** Staff recommends City Council approve Resolution 2023-08.

### Authority:

**294.160 Opportunity for public comment on new fee or fee increase.** (1) The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.

(2) Where a local government exercises authority to assume the responsibility for a program delivered by the state, the local government shall provide an opportunity to comment on the difference between the fee amount charged by the state for such service and the proposed local fee for the service.

### Background:

The following costs are incurred by the City when an irrigation meter is permitted.

- IPEARL METER-- \$ 175.68
- STRAIGHT SERVICE STOP--\$ 63.78
- CUSTOMER VALVE--\$ 58.79
- BRASS TEE-- \$ 12.40
- BRASS FITTINGS FOR TEE--\$ 29.32 (x3) = \$87.96
- METER BOX--\$ 105.00
- METER BOX LID--\$ 99.05
- LABOR--2 HOURS - \$88.00

- SERVICE TRUCK--2 HOURS - \$31.00

Total \$ 721.66

Staff is proposing the Council take public comment on the proposed fees associated with irrigation meter installation.

**Council Options:**

Approve Resolution 2023-08 to establish fees as proposed.

Approve Resolution 2023-08, to establish fees as modified.

Do Not approve Resolution 2023-08.

**Financial Impact**

The fees are to recover the actual cost.

**Potential Motions:**

Motion to approve Resolution 2023-08.

Motion to approve Resolution 2023-08 as modified.

Motion to not approve Resolution 2023-08.

**Attachments:**

Resolution 2023-08ra (DOCX)

Exhibit A cost to install irrigation meter (DOCX)

**RESOLUTION NO. 2023-08**

**A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING ADDITION PUBLIC WORKS FEES – IRRIGATION METER**

**WHEREAS**, the City of Lincoln City has established fees and charges for various applications; and

**WHEREAS**, ORS 294.160 mandates that the City provide an opportunity for public comment when fees or charges are established or increased; and

**WHEREAS**, Council desires to establish new fees and charges and/or increase fees and charges as set forth herein; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:**

**Section 1.** The recitals set forth above are true and correct and incorporated herein by this reference.

**Section 2.** The Council hereby establishes the Fees and charges set forth in Exhibit A attached hereto and made a part hereof by this reference.

**Section 3.** The above referenced fees and charges will be incorporated into the omnibus fee resolution to be adopted later this year.

**Section 4.** This Resolution is effective as of the date of its adoption.

**PASSED AND APPROVED** by the City Council of the City of Lincoln City, Oregon, this 8<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
SUSAN WAHLKE  
MAYOR

ATTEST:

\_\_\_\_\_  
JAMIE YOUNG  
CITY RECORDER

1 APPROVED AS TO FORM

2

3

4

5 \_\_\_\_\_  
RICHARD APPICELLO

6 CITY ATTORNEY

## EXHIBIT A

- IPEARL METER-- \$ 175.68
- STRAIGHT SERVICE STOP--\$ 63.78
- CUSTOMER VALVE--\$ 58.79
- BRASS TEE-- \$ 12.40
- BRASS FITTINGS FOR TEE--\$ 29.32 (x3) = \$87.96
- METER BOX--\$ 105.00
- METER BOX LID--\$ 99.05
- LABOR--2 HOURS - \$88.00
- SERVICE TRUCK--2 HOURS - \$31.00

Total \$ 721.66

## Council Communication

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### Partnership with Economic Development Alliance of Lincoln County (EDALC)

Meeting Date: May 8, 2023                      Primary Staff Contact: Seth Lenaerts  
 Department: Economic Development              E-Mail: SLenaerts@lincolncity.org  
 Secondary Dept:                                      Secondary Contacts:  
 Approval: Daphnee Legarza                      Estimated Time: 10 Mins

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#### Question:

Should the City Council approve a \$20,000 grant to the Economic Development Alliance of Lincoln County (EDALC) to support regional economic development activities?

#### Staff Recommendation:

Staff recommends approving a \$20,000 grant to EDALC to support regional economic development activities.

#### Background:

The Economic Development Alliance of Lincoln County (EDALC) is an independent Oregon 501(c)(6) nonprofit economic development organization that has served Lincoln County for over 28 years. EDALC's board of directors and staff members work every day to attract, support and grow businesses in Lincoln County to ensure community-wide economic well-being and an improved quality of life. EDALC is funded by local governmental units, the business community and grant dollars.

EDALC is led by Executive Director Paul Schuytema who has over 14 years of rural economic development experience. Paul is supported by a Project Manager with a specialization in economic data analysis (Sarah Buddingh) and a driven and active Community Connector (Leslie Palotas). EDALC is recognized as the official Economic Development Organization (EDO) for Lincoln County by the Governor's Office, Business Oregon, the Cascades West Economic Development District (EDALC serves as the Vice-Chair for the CWEDD), and the Oregon Economic Development Association (OEDA).

EDALC is a strong partner with the City and offers Economic Development support to the community. Services include:

- Continued management and marketing of the Lincoln County Enterprise Zone
- Entry and management of commercial properties for sale/redevelopment in Oregon Prospector (State Software)
- Host entrepreneurial networking events in Lincoln City

- Keeping the City informed on Broadband initiatives
- Creative economy sector support through our ROI (Rural Opportunities Initiative) grant-funded projects
- Engage Lincoln City (and relevant Lincoln City businesses) in our Blue Sector work
- Plan and present an annual county-wide economic summit (September 2022)
- Continued management of Lincoln County's Community and Economic Development grant program

**Need:**

EDALC relies on a variety of funding sources to support their regional Economic Development work. In FY19-20, the County discontinued their financial support of EDALC (reinstated at a much lower level for FY22-23). The reasons: perceived lack of results (which directly lead to the hiring of the current Executive Director), desire to allocate funds elsewhere (housing development, etc.) and not wanting to be the sole funder of County-wide economic development - they wanted municipalities to share the financial costs. EDALC strongly supports this approach, and has been working to develop a long-term shared funding strategy since hiring their current director.

EDALC currently receives operational funding from local governments in the County, educational institutions, grant funds and the support of our local business community. Their funding partners for FY22-23 include:

Other local governments contributing to EDALC for FY22-23:

- City of Newport
- City of Toledo
- Lincoln County

Other stakeholders contributing to EDALC for FY22-23:

- Hatfield Marine Science Center
- Lincoln County School District
- Oregon Coast Aquarium
- Oregon Coast Community College
- Samaritan (Lincoln City and Newport)
- US Bank
- Plus a number of small Lincoln County businesses (\$100-\$300/year)

Grant fund support for FY22-23:

- Business Oregon (Rural Opportunity Initiative)
- Congressionally Directed Spending Award (via SBA, Blue Economy)
- Ford Family Foundation (via City of Newport)
- Lincoln County (ARPA grant)

**Financial Impact:**

In February 2013 the City's Urban Renewal Agency approved the Local Program Support Grant as part of the Agency's Economic Development Toolbox. In January 2020 the City approved the same tool to be made available (as funding permits) to those located within City limits, rather than those only located within the Year 2000 Development (Urban Renewal) Plan District/Area.

Lincoln City benefits from being part of a regional Economic Development agency that helps to coordinate County-wide action. In addition, EDALC's scope is generally broader than the City's and they bring important programming to the area and support to City staff.

The goal of the Local Support Grant is to provide an annual financial assistance program for local organizations involved in Economic Development activities that support City goals and provide services to businesses within City limits. EDALC meets these criteria and respectfully requests \$20,000 from Lincoln City for the 2022-23 fiscal year to provide valuable and needed economic development services within the structure of our growing economic development partnership.

\$25,000 has been allocated in City Economic Development Grant for EDALC for fiscal year 2022-2023.

**Potential Motions:**

Staff recommends the following motion:

Motion to approve a \$20,000 grant in FY22-23 to the Economic Development Alliance of Lincoln County to support regional Economic Development activities.

Alternative Motions/Action:

Motion to approve an alternative amount of funding.

Do not make a motion approving grant funding for the Economic Development Alliance of Lincoln County.

# Council Communication

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## Update on Proposed Nelscott Urban Renewal (Tax Increment Finance) Plan

Meeting Date: May 8, 2023                      Primary Staff Contact: Alison Robertson  
 Department: Economic Development            E-Mail: alisonr@lincolncity.org  
 Secondary Dept:                                      Secondary Contacts:  
 Approval: Daphnee Legarza                      Estimated Time: 10 Mins

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### Background and Update

City Council made a motion on April 10<sup>th</sup> to direct staff “to continue drafting the proposed Nelscott Urban Renewal Plan based on Boundary 2 – Modified” henceforth referred to as *the Boundary*. Since that vote there have been a couple of updates:

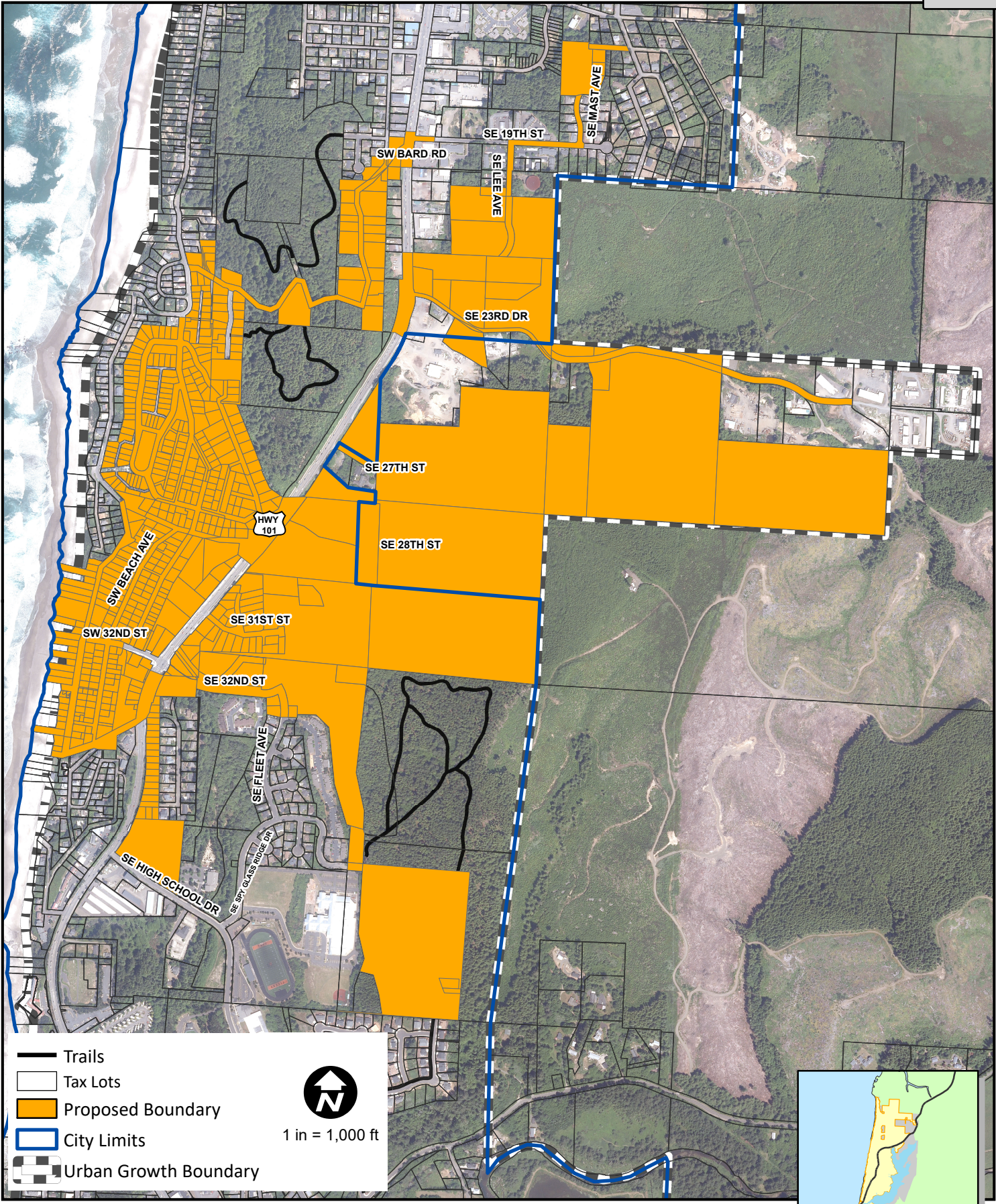
- April 19<sup>th</sup>: Staff attended the County Board of Commissioners meeting to provide an update on the proposed Urban Renewal Area and present the boundary that was approved by the Advisory Committee and City Council.
- April 26<sup>th</sup>: The Nelscott Plan Advisory Committee held their last of 5 meetings. Elaine Howard Consulting presented the Draft Plan and associated Report to the Committee. The Committee made a motion to approve the Nelscott Urban Renewal Plan for next steps for City Council, with allowing other UGB property owners to be added if they request to be added by May 15<sup>th</sup>.






### Next Steps


- May 17<sup>th</sup>: The Nelscott boundary confirmation will be considered at the County Board of Commissioners meeting. This timing will accommodate the May 15<sup>th</sup> deadline for property owners in the UGB who opted out of the Boundary before, to opt back in up until May 15, 2023.
- June 12<sup>th</sup>: Urban Renewal Agency is presented with draft Nelscott Urban Renewal Plan and decides whether or not to send the Plan out for public review.
- June / July: Consult and Confer process with all overlapping taxing districts.
- June / July: Planning Commission Review & Conformance with City Comprehensive Plan.
- July / August: Presentation to County and Vote (due to unincorporated properties within the proposed boundary).
- July / August: Presentation to City Council, Public Hearing and Vote.
- July / August: Public Notice to all Citizens in the City and Boundary Area.

### Attachments:

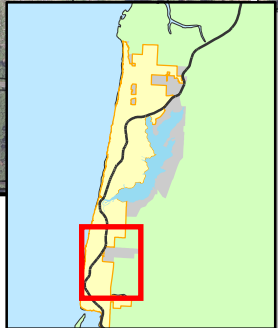
Proposed Nelscott Boundary (as of 5/1/23) (PDF)



-  Trails
-  Tax Lots
-  Proposed Boundary
-  City Limits
-  Urban Growth Boundary



1 in = 1,000 ft



## Nelscott Boundary

City of Lincoln City government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date: 4/25/2023

# Council Communication

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## Nelscott Force Main Phase 1 Construction Award

Meeting Date:	May 8, 2023	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 minutes

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### Question:

Should the City Council award the Nelscott Force main Phase 1 Construction Project to K&E Excavating?

### Staff Recommendation:

Staff recommends the Council award the Nelscott Force main Phase 1 Construction Project to K&E Excavating?

### Authority:

**LCMC 2.05.060** (Public Improvement contracts shall be awarded by competitive bid or as provided by the Public Contracting Code or these rules)

### Background

The City identified problems with the force main and pressure gravity line that convey sewer flows from Nelscott Pump Station to the Treatment Plant which contributed to overflows. Problems included inadequate capacity to convey wet weather flows from the Nelscott Pump Station and odor issues at the elementary school where the force main converts to pressure gravity. In 2018 the City hired PACE Engineers, Inc. to conduct a hydraulic study of the system. In 2019 the City hired PACE Engineers, Inc. to design an upgrade to the system. In 2022 the City received a \$1,789,577.67 ARPA Funds Grant.

### Project Description

The first phase is the construction of 2,042 feet of 20-inch force main, overlay SE High School Drive (867 Tons of Asphalt) and upgrade the ADA ramps which added 1,013 feet of curb, 3,241 SF of sidewalk. Phase 2 is the construction of the pressure gravity line which extends from the elementary school to SE 48<sup>th</sup> Place. This phase will be advertised for construction in July 2023.

### Bids

Public Works Department advertised the project for bid on April 3 & 4, 2023 and opened bids for the project on April 27, 2023. Three bids were received:

<b>Bidder</b>	<b>Bid Amount</b>
K&E Excavating, Inc.	\$1,581,412.50
HP Civil	\$1,764,480.43
Jesse Rodriguez Construction, LLC	\$2,084,555.50

The lowest responsive and responsible bidder was K&E Excavating in the amount of \$1,581,412.50

### **Project Budget and Costs**

This project was approved in the FY22-23 budget, Sewer Capital Fund (252-000-6340203). The budgeted amount was \$1,789,000.

The following table shows the estimated cost to construct and complete the project in FYs 2022-24.

<b>Item</b>	<b>Estimated Cost to Complete FY2022-24</b>
Bureau of Labor and Industries	\$1,518.40
Construction Bid	\$1,581,412.50
Art (1/2 of one percent of the construction bid)	\$7,907.06
Construction Contingency	\$151,841.25
<b>Total</b>	<b>\$1,742,679.21</b>

### **Recommendation**

Staff recommends the construction contract be awarded to K&E Excavating, Inc. in the amount of \$1,581,412.50 with a construction contingency of \$151,841.25 (10 percent of bid amount) for a total of \$1,733,253.75.

### **Attachments:**

Bid Tab

### **Attachments:**

Bid Tab Results (PDF)

BID TAB

Nelscott FM & ADA Improvements			Engineer's Estimate			K&E Excavating		HP Civil		Jesse Rodriguez	
	ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	Unit Price	Total	Unit Price	Total	Unit Price	Total
00210	Mobilization	1	LS	\$130,000.00	\$130,000.00	\$124,000.00	\$124,000.00	\$178,400.00	\$178,400.00	\$200,000.00	\$200,000.00
00220	Pedestrian Management Plan	1	LS	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00
00225	Temporary Work Zone Traffic Control, Complete	1	LS	\$50,000.00	\$50,000.00	\$65,000.00	\$65,000.00	\$97,400.00	\$97,400.00	\$117,000.00	\$117,000.00
	Utility Potholing	28	EA	\$1,500.00	\$42,000.00	\$600.00	\$16,800.00	\$1,500.00	\$42,000.00	\$1,200.00	\$33,600.00
00280	Wattles or Silt Fence	300	FT	\$10.00	\$3,000.00	\$6.00	\$1,800.00	\$12.00	\$3,600.00	\$10.00	\$3,000.00
00280	Inlet Protection	11	EA	\$100.00	\$1,100.00	\$70.00	\$770.00	\$100.00	\$1,100.00	\$65.00	\$715.00
00290	Remove & Dispose of 12" AC Pipe	1712	FT	\$20.00	\$34,240.00	\$29.00	\$49,648.00	\$9.00	\$15,408.00	\$145.00	\$248,240.00
00310	Demolition - General	1	LS	\$15,000.00	\$15,000.00	\$25,500.00	\$25,500.00	\$50,000.00	\$50,000.00	\$35,000.00	\$35,000.00
00329	Clean & Grubbing	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$9,000.00	\$9,000.00	\$8,500.00	\$8,500.00
00445	Storm Sewer 3034 PVC, 12", Class "B", 0-10 Feet	8	FT	\$120.00	\$960.00	\$215.00	\$1,720.00	\$360.00	\$2,880.00	\$245.00	\$1,960.00
00470	Remove Air Release MH	1	LS	\$250.00	\$250.00	\$1,950.00	\$1,950.00	\$8,000.00	\$8,000.00	\$4,500.00	\$4,500.00
00470	Remove Catch Basin & Install G-1 Catch Basin	1	LS	\$5,000.00	\$5,000.00	\$3,250.00	\$3,250.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00
00470	Drain Manhole	1	EA	\$30,000.00	\$30,000.00	\$35,400.00	\$35,400.00	\$40,000.00	\$40,000.00	\$19,400.00	\$19,400.00
00490	Adjust Minor Manholes	5	EA	\$1,000.00	\$5,000.00	\$1,450.00	\$7,250.00	\$1,600.00	\$8,000.00	\$900.00	\$4,500.00
00490	Adjust Valves	7	EA	\$750.00	\$5,250.00	\$150.00	\$1,050.00	\$1,000.00	\$7,000.00	\$550.00	\$3,850.00
00490	Adjust Catch Basin	1	EA	\$1,500.00	\$1,500.00	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00	\$750.00	\$750.00
00620	Cold Plane Removal (1 1/2")	534	SF	\$3.00	\$1,602.00	\$5.50	\$2,937.00	\$4.00	\$2,136.00	\$1.00	\$534.00
00620	Cold Plane Removal, Minimum 2"	41545	SF	\$3.50	\$145,407.50	\$1.00	\$41,545.00	\$0.75	\$31,158.75	\$0.50	\$20,772.50
00759	Standard Concrete Curb & Gutter	916	FT	\$35.00	\$32,060.00	\$58.00	\$53,128.00	\$69.70	\$63,845.20	\$55.00	\$50,380.00
00759	Standard Concrete Curb, 6" Reveal	97	FT	\$25.00	\$2,425.00	\$80.00	\$7,760.00	\$64.80	\$6,285.60	\$45.00	\$4,365.00
00759	Backside Sidewalk Curb, 6" Reveal Max.	41	FT	\$35.00	\$1,435.00	\$80.00	\$3,280.00	\$65.00	\$2,665.00	\$45.00	\$1,845.00
00759	Concrete Sidewalk & Ramps, 4" Depth	2879	SF	\$13.00	\$37,427.00	\$14.00	\$40,306.00	\$16.22	\$46,697.38	\$21.00	\$60,459.00
00759	Concrete Driveway, 6" Depth	207	SF	\$15.00	\$3,105.00	\$22.00	\$4,554.00	\$30.50	\$6,313.50	\$47.00	\$9,729.00
00759	Concrete Driveway, 6" Depth with Wire Mesh Reinforcement	155	SF	\$25.00	\$3,875.00	\$39.00	\$6,045.00	\$39.80	\$6,169.00	\$55.00	\$8,525.00
00759	Truncated Domes	10	EA	\$500.00	\$5,000.00	\$1,350.00	\$13,500.00	\$680.00	\$6,800.00	\$900.00	\$9,000.00
00759	Repair Concrete Crosswalk with 6" Depth Concrete with Wire Mesh	150	SF	\$30.00	\$4,500.00	\$23.00	\$3,450.00	\$40.00	\$6,000.00	\$55.00	\$8,250.00
	Aggregate (3/4"-0)	63	CY	\$125.00	\$7,875.00	\$82.00	\$5,166.00	\$90.00	\$5,670.00	\$95.00	\$5,985.00
01140	Connect 20" PVC to Existing 16" DI Force Main Including 1 - 16" Alpha Restraint Coupling, 16" C-900 Spool, 20" x 16" Reducer (MJ x MJ) & Misc.	1	LS	\$20,000.00	\$20,000.00	\$58,000.00	\$58,000.00	\$32,500.00	\$32,500.00	\$19,000.00	\$19,000.00
01140	Connect 16" Force Main to Existing Manhole	1	LS	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$7,750.00	\$7,750.00	\$12,994.00	\$12,994.00
01140	20" PVC C-900, DR 18, Class B, 0-10 ft	1902	FT	\$250.00	\$475,500.00	\$307.00	\$583,914.00	\$355.00	\$675,210.00	\$407.00	\$774,114.00
01140	20" PVC C-900, DR 18, Class B, 10-15 ft	140	FT	\$300.00	\$42,000.00	\$405.00	\$56,700.00	\$392.00	\$54,880.00	\$525.00	\$73,500.00
01140	16" PVC C-900, DR 18, Class B, 0-10 ft	21	FT	\$200.00	\$4,200.00	\$274.00	\$5,754.00	\$500.00	\$10,500.00	\$568.00	\$11,928.00
01140	6" PVC C-900, DR18, Class B, 0-10 ft	40	FT	\$150.00	\$6,000.00	\$139.00	\$5,560.00	\$300.00	\$12,000.00	\$345.00	\$13,800.00
01140	16" - 45 Degree Bend, MJ x MJ	2	EA	\$3,000.00	\$6,000.00	\$2,970.00	\$5,940.00	\$2,500.00	\$5,000.00	\$1,500.00	\$3,000.00
01140	20" - 45 Degree Bend, MJ x MJ	1	EA	\$500.00	\$500.00	\$7,000.00	\$7,000.00	\$3,500.00	\$3,500.00	\$2,276.00	\$2,276.00
01140	6" EBAA 2500 Joint Restraints	1	EA	\$1,500.00	\$1,500.00	\$565.00	\$565.00	\$260.00	\$260.00	\$175.00	\$175.00
01140	20" EBAA 2500 Joint Restraints	22	EA	\$2,000.00	\$44,000.00	\$1,475.00	\$32,450.00	\$1,080.00	\$23,760.00	\$525.00	\$11,550.00
01140	6" PVC to 6" PVC Coupling	1	EA	\$500.00	\$500.00	\$3,300.00	\$3,300.00	\$747.00	\$747.00	\$150.00	\$150.00
01140	20"- 11 1/4 Degree Bend, MJ x MJ	6	EA	\$1,000.00	\$6,000.00	\$4,100.00	\$24,600.00	\$3,710.00	\$22,260.00	\$2,975.00	\$17,850.00
01140	20" - 22 1/2 Degree Bend, MJ x MJ	4	EA	\$1,500.00	\$6,000.00	\$4,130.00	\$16,520.00	\$3,740.00	\$14,960.00	\$3,786.00	\$15,144.00

BID TAB

01140	20" x 12" Tee (FL x FL)	1	EA	\$5,000.00	\$5,000.00	\$13,630.00	\$13,630.00	\$13,300.00	\$13,300.00	\$4,856.00	\$4,856.00
01140	20" X 6" Tee, MJ x MJ	1	EA	\$1,000.00	\$1,000.00	\$4,700.00	\$4,700.00	\$4,420.00	\$4,420.00	\$2,250.00	\$2,250.00
	6"-90 Degree Bend, MJ x MJ	2	EA	\$750.00	\$1,500.00	\$850.00	\$1,700.00	\$500.00	\$1,000.00	\$358.00	\$716.00
01140	Tap Existing 20" AC Water & replace 3" Water Service W/ PVC Pipe & Repair Sidewalk	1	LS	\$10,000.00	\$10,000.00	\$8,890.00	\$8,890.00	\$21,500.00	\$21,500.00	\$9,500.00	\$9,500.00
01150	Air Release Valve including 12" PVC Pipe, Enclosure, Fittings & Misc.	1	LS	\$10,000.00	\$10,000.00	\$33,150.00	\$33,150.00	\$44,200.00	\$44,200.00	\$34,950.00	\$34,950.00
	Replace 3/4" Water Service Including Connection to Water Main(No new Meter)	1	LS	\$1,000.00	\$1,000.00	\$2,450.00	\$2,450.00	\$8,170.00	\$8,170.00	\$1,800.00	\$1,800.00
01170	Replace 1" Water Service Including Connection to Water Main (No new Meter)	2	EA	\$1,000.00	\$2,000.00	\$2,200.00	\$4,400.00	\$8,170.00	\$16,340.00	\$2,000.00	\$4,000.00
	Level 2, 1/2" Dense ACP, 1 1/2" depth	8	Ton	\$200.00	\$1,600.00	\$143.00	\$1,144.00	\$125.00	\$1,000.00	\$155.00	\$1,240.00
00744	Level 2, 1/2" Dense ACP, 2" depth	610	TON	\$175.00	\$106,750.00	\$143.00	\$87,230.00	\$125.00	\$76,250.00	\$155.00	\$94,550.00
	Level 2, 1/2" Dense ACP, 3" depth	8	TON	\$200.00	\$1,600.00	\$295.00	\$2,360.00	\$125.00	\$1,000.00	\$155.00	\$1,240.00
00744	Level 2, 1/2" Dense ACP, 8" depth	18	TON	\$220.00	\$3,960.00	\$190.00	\$3,420.00	\$125.00	\$2,250.00	\$395.00	\$7,110.00
00744	Level 2, 1/2" Dense ACP, 4" Depth	223	TON	\$175.00	\$39,025.00	\$218.00	\$48,614.00	\$125.00	\$27,875.00	\$155.00	\$34,565.00
00860	Thermoplastic, Extruded, Surface, Profile -Single Yellow Centerline Stripe	1280	FT	\$2.00	\$2,560.00	\$5.00	\$6,400.00	\$4.50	\$5,760.00	\$7.00	\$8,960.00
00860	Thermoplastic, Extruded, Surface, Profile -Double Yellow Centerline Stripe	500	FT	\$4.00	\$2,000.00	\$5.00	\$2,500.00	\$3.50	\$1,750.00	\$9.00	\$4,500.00
00860	Thermoplastic, Extruded, Surface, Profile -White Bike Lane Stripe 8"	110	FT	\$4.00	\$440.00	\$5.00	\$550.00	\$6.00	\$660.00	\$18.00	\$1,980.00
00865	Crosswalk @ Hwy 101- Thermoplastic, Extruded, 12" White	1	LS	\$3,000.00	\$3,000.00	\$1,725.00	\$1,725.00	\$2,000.00	\$2,000.00	\$1,800.00	\$1,800.00
	Pavement Legend, Type AB-Arrow	2	EA	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$400.00	\$800.00	\$500.00	\$1,000.00
00865	Crosswalk @ SE Spyglass Ridge Dr-Thermoplastic, Extruded, 12" White	1	LS	\$750.00	\$750.00	\$1,350.00	\$1,350.00	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00
00905	Move Signs	2	EA	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$2,150.00	\$4,300.00	\$750.00	\$1,500.00
01040	Topsoil	10	CY	\$200.00	\$2,000.00	\$100.00	\$1,000.00	\$400.00	\$4,000.00	\$125.00	\$1,250.00
	Barkdust - 3" Depth	325	SF	\$10.00	\$3,250.00	\$1.50	\$487.50	\$6.00	\$1,950.00	\$5.00	\$1,625.00
	Construction Staking	1	LS	\$30,000.00	\$30,000.00	\$17,500.00	\$17,500.00	\$20,000.00	\$20,000.00	\$37,323.00	\$37,323.00
	Total Force Main				\$1,424,646.50		\$1,581,412.50		\$1,784,480.43		\$2,084,555.50