

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY APRIL 26, 2021 6:00 PM

6:00 PM - The Lincoln City Council for April 26, 2021 will be held via Zoom. The City Council Chambers will be open and the meeting will be broadcast live in the Council Chambers. It will also be live on Channel 4 and through streaming on the web at www.lincolncity.org.

Public comments can be submitted to publiccomment@lincolncity.org, by attending the City Council meeting, or by attending through Zoom invitation.

Public comments submitted by email to publiccomment@lincolncity.org will be summarized and entered into the record.

Citizens present in the Council Chambers will be given the opportunity to comment via Zoom. Laptops will be set up for those comments. Citizens present in the Council Chambers will be required wear a face covering and must observe social distancing. A member of the Information Technology staff will be present during the meeting to assist with any technical issues.

Citizens requesting to give public comment via Zoom must email publiccomment@lincolncity.org no later than 12 pm on the meeting day. The request must include the person's name, the subject the person wishes to address and the Zoom screen name the person intends to use for the meeting. A Zoom invitation will be sent to the person requesting prior to the meeting. Persons who will give public comment via Zoom will be placed in a Zoom waiting room upon entering the meeting until the public comment portion of the meeting at which time they will be admitted into the meeting through Zoom.

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 the City Recorder, 541-996-1203.

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 under "Agenda, Packets & Video". This meeting will be televised on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – April 12, 2021 6:00 PM

E. COUNCIL DELIBERATIONS

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

2. Public Comments

G. PRESENTATIONS

3. Staff report on the South End Devils Lake Canals
4. Request to Change Use of NW 5th Court to Pedestrian Area with crossings

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

J. ORDINANCES

K. RESOLUTIONS

1. RESOLUTION NO. 2021-15 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND ESTABLISHING THE FORMATION OF THE "NE 14TH STREET LOW PRESSURE SEWER LOCAL IMPROVEMENT DISTRICT" AND ORDERING THE CONSTRUCTION OF IMPROVEMENTS, CONSISTING OF LOW PRESSURE SANITARY SEWER FACILITIES AND RELATED APPURTENANCES AND AUTHORIZING THE CITY TO BORROW MONEY AND ISSUE AND SELL NOTES FOR THE PURPOSE OF PROVIDING FOR THE ACTUAL COST OF THE LOCAL IMPROVEMENT.
2. A RESOLUTION AUTHORIZING AND DIRECTING BUDGET TRANSFERS FOR THE CITY OF LINCOLN CITY, OREGON IN THE 2020-2021 FISCAL YEAR BUDGET
3. RESOLUTION NO. 2021-18 A RESOLUTION OF THE CITY OF LINCOLN CITY, CONCERNING AUTHORIZATION FOR SPECIFIC PROPERTIES TO ENGAGE IN EMERGENCY OPERATIONS USES (EMERGENCY HOUSING) TO BENEFIT DISPLACED LINCOLN COUNTY RESIDENTS DUE TO THE ECHO MOUNTAIN COMPLEX FIRE, AMENDING RESOLUTION 2020-22, AS AMENDED

L. SPECIAL ORDER OF BUSINESS

4. Construction Award for NE 14th Street Sidewalk and Sewer LID Project
5. NE 36th Dr. Overlay and SW 29th Street Improvement Project Construction Award
6. COVID-19 & Echo Mountain Resources

M. CITY MANAGER/CITY ATTORNEY REPORTS

7. D River and Schooner Cr. Bridge Railings

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**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

April 12, 2021, 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 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

Council President Casper called the meeting to order. Council President Casper advised the public that there are now three ways to provide public comment.

1. Comments can be made through email to publiccomment@lincolncity.org;
2. Comments can be made via Zoom if a request is emailed to publiccomment@lincolncity.org by 12 pm on the meeting day;
3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken).

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Judy Casper	Councilor Ward 3	Present	6:00 PM
Diana Hinton	Councilor Ward 1	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Present	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM
Anne Marie Skinner	Councilor Ward 2	Present	6:00 PM
Vacant	Mayor		

Councilor Skinner temporarily left the meeting at 7:18 PM and returned at 8:47 PM. There were no votes missed.

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Lt. Broderick, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Lila Bradley, Public Works Director; Sungman "Simon" Kim, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director; Debbie Bridges, Finance Director; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

D. MOTION TO CONSENT AGENDA WITH CORRECTIONS

1. Regular Meeting – Minutes of Work Session – March 15, 2021, 4:30 PM

MOTION: City Council - Work Session - Mar 15, 2021, 4:30 PM
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed

Councilor Mark asked for a correction regarding his statement about Taft Park; it should read there is plenty of demand for a dog park.

2. Regular Meeting – Minutes of Work Session – March 29, 2021, 5:00 PM

MOTION: City Council - Work Session - Mar 29, 2021, 5:00 PM
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed

3. Regular Meeting – Minutes of Regular Meeting – March 22, 2021, 6:00 PM

MOTION: City Council - Regular Meeting - Mar 22, 2021, 6:00 PM
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed

4. Regular Meeting – Minutes of Joint Meeting with North Lincoln Fire – April 5, 2021, 6:00 PM

MOTION: City Council - Joint Meeting with North Lincoln Fire - Apr 5, 2021, 6:00 PM
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed

5. Oregon Liquor Control Commission - Request for Off-Premises Liquor License for Olde Line Lanes

MOTION: Motion to Approve Oregon Liquor Control Commission - Request for Off-Premises Liquor License
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

E. COUNCIL DELIBERATIONS**F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS****6. Public Comments**

No Citizens present for comment and no comments were received after the agenda was published.

G. PRESENTATIONS**7. Presentation by Salmon Drift Creek Watershed Council**

Paul Katen, Chairperson of the Salmon Drift Creek Watershed Council, gave a presentation. Mr. Katen spoke about the Schooner Creek Sediment Reduction Projects.

***Council gave unanimous consent to waive rent for July 1, 2021-June 30, 2022. ***

H. PUBLIC HEARING / ORDINANCE**I. PUBLIC HEARINGS / PUBLIC COMMENTS****J. ORDINANCES****K. RESOLUTIONS**

1. RESOLUTION NO. 2021-14 A RESOLUTION OF THE CITY OF LINCOLN CITY UPDATING FEES AND CHARGES (FORMULA) FOR LICENSED RIGHT-OF-WAY OCCUPANCY / USE

MOTION:	Motion to Approve Resolution 2021-14 (ROW Occupancy / Use Fee Calculation) with the Exception for Coastal Vegetation
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

2. RESOLUTION 2021-16 A RESOLUTION OF THE CITY OF LINCOLN CITY, OREGON, SETTING FORTH CORRECTIVE MEASURES FOR DEFICIENCIES IDENTIFIED IN THE 2019-20 ANNUAL FINANCIAL REPORT

MOTION:	Motion to Adopt Resolution 2021-16 Audit Deficiencies
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Roll Call Vote

Councilor Mark asked for a correction on packet page 38, first bullet. Should read, "Finance will distribute copies of the monthly invoice for fuel card usage to each of the respective department heads for review and approval."

L. SPECIAL ORDER OF BUSINESS**3. Appointment to Explore Lincoln City Committee - Applicant Mellissa Sumner**

Councilor Mark and Councilor Skinner interviewed Ms. Sumner for the ELCC and both recommend the appointment.

MOTION: Motion to Appoint Applicant Mellissa Sumner to Explore Lincoln City Committee
MOVER: Anne Marie Skinner, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

4. Interim City Manager, Consultant Contract & Recruitment of City Manager

MOTION: Motion to Appoint an Interim City Manager Subject to a Contract Executed by the Council President and Agreed Upon By the Council President and Lila Bradley.
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

5.

MOTION: Motion to Contract with Mr. Hawker as a Consultant as needed.
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

6.

MOTION: Motion to Hire Prothman for the City Manager Search Starting with the Attached Job Description and Existing Salary Range \$115,000-\$135,000.
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Anne Marie Skinner, Councilor Ward 2
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

7. Order Approving Real Property Lease - McKay's Market Building

MOTION: Motion to Continue Consideration of the Lease to June 14, 2021, and Authorize the Council President to Sign a 60-day Extension of the Existing Lease [from April 16, 2021] Under the Same Terms and Conditions to Facilitate Negotiation.
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

Councilor Mark asked about correcting the date in the lease agreement.

8. Lincoln City Goals, Priorities, and Tasks for Fiscal Year 2022

MOTION: Motion to Adopt City Council Goals, Priorities, and Tasks as presented
RESULT: Failed for Lack of a Second

Councilor Mark made a motion to adopt the City Council goals, priorities, and tasks as presented; the motion dies for a lack of a second.

9.

MOTION: Motion to Postpone the Adoption and Approval of Goals Until After the Next Work Session.
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Voice Vote

10. Department Update: Economic Development

Alison Robertson, Urban Renewal and Economic Development Director, gave a presentation on Economic Development.

11. Department Update: Human Resources

Abigail Edwards, Human Resources Director, gave a presentation about the Human Resources Department.

12. COVID-19 Update

Mr. Chandler did not have any updates other than the information in the packet.

13. Echo Mountain Complex Update

Mr. Chandler did not have any updates other than the information in the packet.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Mr. Chandler and Mr. Appicello did not have any items for the Council.

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

Councilor Parsons said that he has received several calls about a strong chlorine odor in the City's tap water.

Councilor Parson mentioned a mobile app in conjunction with the City's website; as a means for the public.

Councilor Skinner had a follow-up from the Joint Meeting with NLFR (North Lincoln Fire & Rescue) about fire hydrant maintenance and would like to have a maintenance plan. Lila said all the hydrants are on a GIS Map and NLFR will relay issues. The Seasonal worker will generally take care of the maintenance; they will get back to that this year, hopefully.

Councilor Hoagland attended a meeting that spoke about Youth Suicide; it has decreased during COVID. It is felt that less stress and more supervision. Sena Benson-Arb, Supervisor with Lincoln County Health and Human Services, has a direct line if people are feeling suicidal; they can contact her at 541-265-0607 or sbenson-arb@co.lincoln.or.us. Also, if the County gets the Johnson & Johnson vaccine they are going to try distributing it to the homeless population, as it is harder to get them back for a second vaccine.

Councilor Mark spoke about his compost bin. Councilor Mark also stated that he is getting his second vaccine and thanked North Lincoln Fire and Rescue.

Councilor Mark inquired about a post on social media regarding the street sweeper coming through at 2 AM and a truck being towed. Ms. Bradley said the Police Department answered that question and she would get that to Council; the person in question had their vehicle parked in the road. Ms. Bradley stated that the street sweeper was not operated at night, generally between 7 AM and Noon to avoid traffic.

Councilor Casper had a meeting with the County Mayors and they stated that the motels are giving trash bags for SOLVE clean-up day. Councilor Casper said that another concern is with the amount of take-out food; there is an immediate need for more trash bins. Councilor Casper said it is been noticed by other Mayors, some serious entitlement attitudes coming with visitors to the Cities.

Councilor Casper also spoke about the canals on 3rd and 5th street. Lila said that she is reporting at the next Council meeting on the 26th. Councilor Casper also asked for a historic summary during that report.

Councilor Hoagland spoke about the tsunami sirens and that we need to look at the permanent signs.

Councilor Casper spoke about the Citizen Climate Meeting on Earth Day; Councilor Hoagland said he also received that email and will investigate how to participate.

Councilor Hinton spoke about the comprehensive plan and appointing a couple of people to assist; Councilor Hinton feels that City Councilor Skinner and Planning Commission Vice-Chair Patty Kroen have the experience to be an added asset. Councilor Hinton reminded it is a vision plan and should be forward-looking.

Councilor Hinton said that Councilor Hoagland spoke about the steel girder on the D River Bridge and suggested working with ODOT (Oregon Department of Transportation) to apply art and suggested local artist Nora Sherwood.

Councilor Hinton read a letter announcing her resignation from the City Council. Councilor Casper also shared a poem regarding Councilor Hinton.

14.

MOTION:	Motion to Direct Staff to Do What is Necessary Create a Foundation and Bring Back to Council by the May 24th Meeting.
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Voice Vote

15.

MOTION:	Motion to Add to the Next Agenda, a Transfer of \$500,000 from General Fund to a New Line Item to be Held for the Potential Creation of a Parks and Recreation Foundation.
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Parsons
NAYS:	Mark, Skinner
RESULT:	Passed by Roll Call Vote

Councilor Mark and Councilor Skinner both agree that they do not want to put a dollar figure on the motion but are interested in hearing the discussion.

Q. ADJOURNMENT

Councilor Casper adjourned the meeting at 9:11 PM

JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Public Comments

Meeting Date: April 26, 2021

Department: City Council

Secondary Dept:

Approval: Lila Bradley

Primary Staff Contact: Jamie Young

E-Mail: JYoung@lincolncity.org

Secondary Contacts:

Estimated Time:

We received the following public comments at publiccomment@lincolncity.org.

Attachments:

Beach Access Cover Letter to Report.pdf (PDF)

April 18, 2021

Dear Lincoln City Council Members,

I retired to North Lincoln City a year ago from living in Portland. My main reason for moving here was to walk the beaches with my dog to improve my health. But, I soon found, after several falls, there were few beach access points that I could safely use.

You see, I have double knee replacements and while I walk forward well, I'm limited in bending and balance. So, I have mainly used the Chinook Winds beach access at NW 40th Street because it has a short asphalt ramp that leads smoothly to the sand. However, in February 2021 the winter storms caused erosion that brought a foot drop off at the end of the ramp to the sand. To make it safer for me and others, I started going there every 5 days to shovel sand to fill the gap and sweep away sand from the ramp to avoid slipping. This then led me to the idea of visiting all the LC beach access points to prepare a chart with pictures that highlight my observations.

My intention is not to ask the Lincoln City Council to make major expenditures, but simply to bring about modifications to a number of specific beach access points across town, so seniors and the disabled have more options with safer conditions (like adding railings, safety mats on steps, smoothing out cement ramps, filling ruts, posting signs, and maybe a few staircases or ramps in Roads End and Cutler City. I call these "Senior Friendly" locations. Of course, if you determine after a review of my request and REIA that more work should be performed, then great!

I spoke with Jeanne Sprague (Director of LC Parks and Rec) about her department's role in maintaining and improving beach accesses, and I found we both are on the same page – "we understand that the improvement and maintenance of Lincoln City beach accesses must be addressed and budgeted for."

Jeanne Sprague recently gave a presentation to the Roads End Improvement Association (REIA) to address their concerns for "undeveloped right-away" beach entrances that used to be under the county's jurisdiction. Lincoln City took over their care a few years ago, but due to budget constraints, the Parks & Rec Dept has only been able to do minor maintenance tasks like laying gravel on beach trails.

Both Jeanne Sprague and Alison Robertson (LC Urban Renewal Director) say Roads End beach accesses can be included in the "Roads End/Villages at Cascade Head Urban Renewal Area Plan" that was approved in August 2020, but the funding process can take 7-10 years before the work is performed.

In the meantime, a slide from the REIA presentation says for FY20-21 the Parks & Rec Department had a tight budget of \$102k for "all Parks Operations in Lincoln City" including restrooms, trash cans, graffiti, parking, bus shelters, lawn areas, parks/open space maintenance, and 17 beach access locations. So to address the REIA's urgent needs, Janet Knipe the president of REIA shared that Jeanne plans to soon request \$25,000 funding through the city's budget process for Roads End access upgrades.

It's currently my understanding that most LC beach access points are the responsibility of Lincoln City with at least one special PUD at the Chinook Winds Casino. Maintenance of the beaches is handled by the State of Oregon with the only exception being their two local parks ("D River" and "Roads End") where the State takes care of both the beaches and accesses.

Attached you will find my 36 page report title *Senior Friendly Maintenance and Improvement Consideration* that includes a summary chart with photos of 29 LC beach access locations. The report's premise is it contains all "ocean or bay beach access points," and not interior parks, rivers, or lakes. As referenced in the report, here is an article to understand the State Safety Numbers that are used for emergency purposes (https://www.oregonlive.com/pacific-northwest-news/2015/05/oregon-coast-beach-signs-pinpo.html#incart_2box).

I am not an ADA expert, my suggestions come from my own life experience, common sense, and knowing what works for me as a disabled senior. My background is 40 years working in the field of law as a paralegal and I had a side career as a freelance writer for such publications as the *Silicon Valley Business Journal*. I've authored two books and have hundreds of published articles. I also have extensive non-profit volunteer experience and founded "Operation Raindrop" that gave rain gear to the Portland's homeless.

Making slight improvements to specific beach access points would not only enhance the beach experience of residents and visitors, but it has the potential of protecting the city from personal injury lawsuits. I read in the 2016 Lincoln City ADA Transition Plan that 4 locations were proposed for ADA improvements but priority was based on "location and how much use they receive" – this may be helpful to groups of people but it doesn't address the needs for individual residents to have safe beach access options; and it allows lesser used locations to become disrepaired or overlooked.

I think Lincoln City might have "the most beach access points" of any city in Oregon, and "retirement" is one of its top three primary economic resources, so seniors deserve consideration. The time is now to upgrade the beach accesses because as the pandemic subsides, the number of beach goers will only increase.

Thank you for consideration.

Suzan Lindstrom

People consulted for this report:

Rob Dahlman – North Lincoln Fire Chief
 Alan Freudenthal – State of Oregon, Parks and Rec. Coastal Regional Office
 Riley Hoagland – LC City Council Member
 Kevin Hohnbaum – LC Budget Committee
 Helena Kesch – State of Oregon, Parks and Rec. ADA Coordinator
 Janet Knipe – President Roads End Improvement Association (REIA)
 Kevin Mattias – LC ADA Coordinator, Public Works
 Michael Phillips – LC Executive Assistant to City Manager Ron Chandler
 Jim Prinzing – Pelican Brewing Company CEO
 Alison Robertson – LC Urban Renewal Director
 Jeanne Sprague – LC Parks and Rec. Director
 Jeff Syrup – North Lincoln City Historical Museum Director

My Analysis:

- Cement Drop Offs – On ramps that have eroded drop offs at the sand, the asphalt could be sloped under the sand and extended to limit winter damage that results in these gaps.
- Safety Mats on Stairs – Like the stairs at NW 26th and SW 35th Streets, safety mats with metal strips could be added to steps at other locations to minimize slipping.
- Railings and Staircases Inspection – Periodic inspections of railings and staircases should take place to make sure they are sturdy. At NW 66th Street there is a broken wooden railing.
- Railings Missing – A number of locations have stairs without railings for all or part of the path. See NW 5th Street, NW 15th Street, NW 41st Street, and NW 66th Street, the Agnes Creek Open Space, and more.
- Beach Wheelchair – The Chamber of Commerce was unable to reserve the beach wheelchair for a person at a time when the beaches were open during COVID time. Kevin Mattias explained they continued non-use of the chair because of concerns about spreading COVID through the wheelchair. It's available now, but he has to drive there several times a week to clean the wheelchair. Perhaps policy options can be explored to both keep it available at all times the beach is open and protect the city from liability. For instance, if the "Adopt a Beach Access Program" is started, a volunteer could go there to clean the chair, and health risk waiver language could be added to the reservation form (if it's not there already)?
- Structures – I noticed in Roads End and Cutler City a lack of beach access ramps or stairs. In Roads End there is one staircase at NW 66th Street and no cement ramps. In Cutler City there is only one staircase at SW 68th Street and no cement ramps. If you wait one year for the Cutler City Pelican Brewing Company to be built that will add a set of stairs to the beach.
- Signage – Another issue that I experienced in Cutler City was a lack of signage. Most locations do not have state safety signs or other signage to indicate beach access points – so it's confusing where to enter and exit. While walking the beach one day at the SW 62nd Street location, when I tried to go back to my car I couldn't find the beach access. I then wandered for an extended period of time before finally exiting the beach using private property.
- Repair of Trails – A number of trails that lead to beaches need repair of dirt ruts and drop offs, for instance NW 50th Street, NW 68th, NW 73rd Street, SW 62nd Street, and SW 69th Street.
- Beach Obstructions – There are lots of logs that have washed ashore that block access points and beaches in Lincoln City, see NW 5th Street, NW 61st Street, NW 61st Street, SW 62nd Street, SW 69th Street and especially at SW 51st Street and Siletz Bay Park. This is a State of Oregon matter that needs to be addressed. I understand the State of Oregon likes to leave beaches in their natural state, but at least the access paths to the water should be cleared.
- Handicap Parking – For locations that become designated "Senior Friendly," they should also have at least one handicap parking spot.
- Cars on the Beach – There are two car beach access ramps in Lincoln City. These locations need to be identified with signs that contain the rules. While walking on the sand at Chinook Winds 40A on Sunday, April 11, 2021, a new model red SUV came from behind me at a high rate of speed heading north to south from Roads End and passing my location. There was a large group of perhaps 30 people with 10 children nearby who scrambled and screamed to get out of the way. The SUV only slowed and curved around them at the last minute. I walked south to see if I could spot the red SUV to get the license number but was unsuccessful. However, I did notice the car probably came onto the beach at NW 35th (in my report see a picture of the SUV's tire tracks in the sand and other cars parked at the NW 35th location). I later discovered that cars in LC are only allowed to "park on the beach," not drive (see article at <https://www.onlyinyourstate.com/oregon/lincoln-city-beach-vehicle-access-or/>). I also saw in this article a picture of large cement-based signs on the sand that are probably block cars beyond a certain point, but they were missing on April 11th? Kevin Mattias then told me the State removes the sand signs during the winter, so they don't get washed away.

Possible Solutions

1. Identify: Identify the best locations to be “Senior Friendly” access points, then make improvements for their safer use. These spots can be designated one in each LC district or simply spread across town.
2. Grading System: As suggested to me by Councilor Riley Hoagland, LC could start a grading system for beach accesses based from the easiest to most challenging.
3. Adopt a Beach Access: Start an “Adopt a Beach Access” program where residents volunteer to do simple upkeep tasks like sweeping steps/ramps, moving small obstructions off the path (rocks, seaweed, twigs), fill-in minor ruts, and report issues. Of course, more substantial work would be handled by the designated owners (city, county, state, or casino).

The program could be started under existing organizations like SOLVE’s Adopt-A-Beach Program or the Surfrider Foundation that is dedicated to the protection and enjoyment of the worlds’ oceans including full and fair beach access for all to enjoy. Lincoln City could also decide to start their own program under Parks & Rec or a new community organization could be formed. Councilman Riley Hoagland mentioned there is already a group of people who maintain one beach access in town.

Having this program would encourage community involvement and increase goodwill for Lincoln City. Each time I go to the Chinook Winds to maintain the gap and ramp, a steady stream of people walk by smiling and thanking me for making it safer.

4. Clarify Ownership: Identify ownership of each ocean beach access location toward finding out who is responsible for its upkeep. This info could be updated on my chart and published as noted below. This way, the public will know where to report problems (city, county, state or casino). At the moment, Jeanne Sprague says she receives beach calls daily that should be directed to the State of Oregon.

Oregon State Parks and Rec sent me this link to locations that have their Beach Safety Signs <https://geo.maps.arcgis.com/apps/webappviewer/index.html?id=6d540cdb3495432bab7edd35f79d3b80>. They explained the signs do not appear at all access points because of a complexity of ownerships. If ownership is determined, this 2015 program could be updated include more sites and this would give greater safety to rescues on the beach.

5. Publish: A new page or the current LC website could be revised to cover beach accesses. This might include: beach access info, the grading system, senior friendly spots, instructions on the beach wheeler chair, volunteering for the “Adopt a Beach Access” program, a central phone number (or separate owner phones numbers) for reporting problems, and safety tips (like the State’s safety numbers, king tides, sneaker waves, and car ramp access rules).
6. Notify Local: Also residents and visitors could be notified about beach access matters through local publications like event magazines, handouts at Chamber of Commerce and hotels, Explore Lincoln City, Nextdoor, Vacasa and other vacation rental businesses, handouts at Community and Senior Centers, and local agencies that support the handicapped and seniors.
7. Relationships: A working group could be formed between all the beach access owners where they meet periodically to coordinate best practices, share project news, and discuss remediation of beaches accesses. And you could add the people who head the “Beach Cleanup Project” and “Adopt a Beach Access Program” to a once a year meeting to gain their insights.

8. Budget: If it’s a question of the city lacking funds to make beach access improvements now rather than later, money from other sources could be explored. For example, grant money from charitable organizations, online crowdfunding, or hosting a local fund drive (similar to the Cultural Center’s “Invest in Inspiration” plaza project). I also found the State of Oregon has awarded over \$13 million in Recreation Grants to

[https://www.oregon.gov/DES/Programs/Pages/Recreation-Grants.aspx](#)

Council Communication

Devils Lake South End Canals

Meeting Date:	April 26, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 min

Background:

This presentation is on two water bodies on the southwest end of Devils Lake; one is a lagoon and the other is a canal beginning at SE 1st Street and ending at SE 2nd Court.

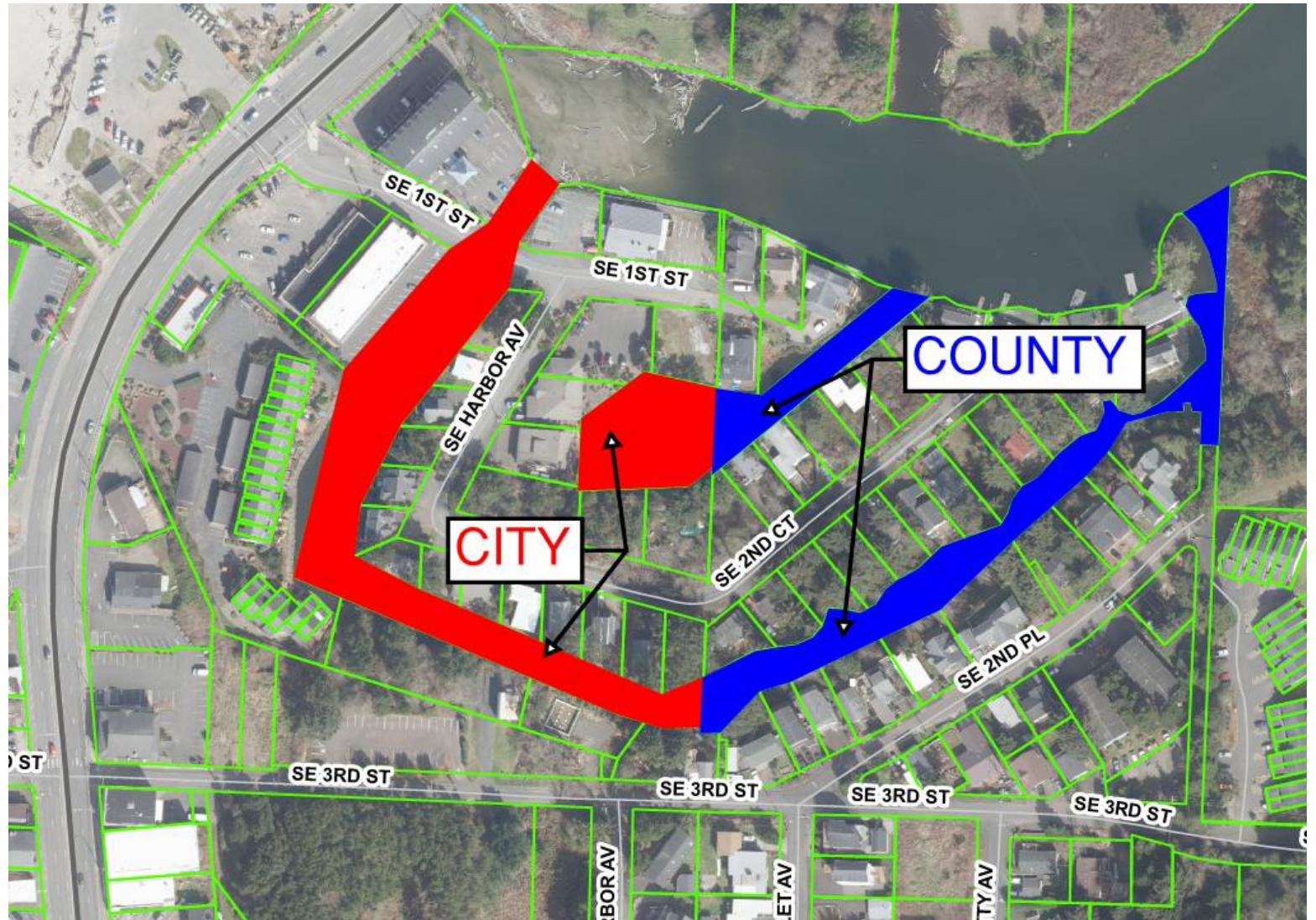
Questions about flooding were raised at a previous Council meeting. Further, public comments at previous Council meetings and complaints received from staff asking for the canal to be cleaned up.

A brief report on the history, flooding conditions and water quality conditions will be presented.

Attachments:

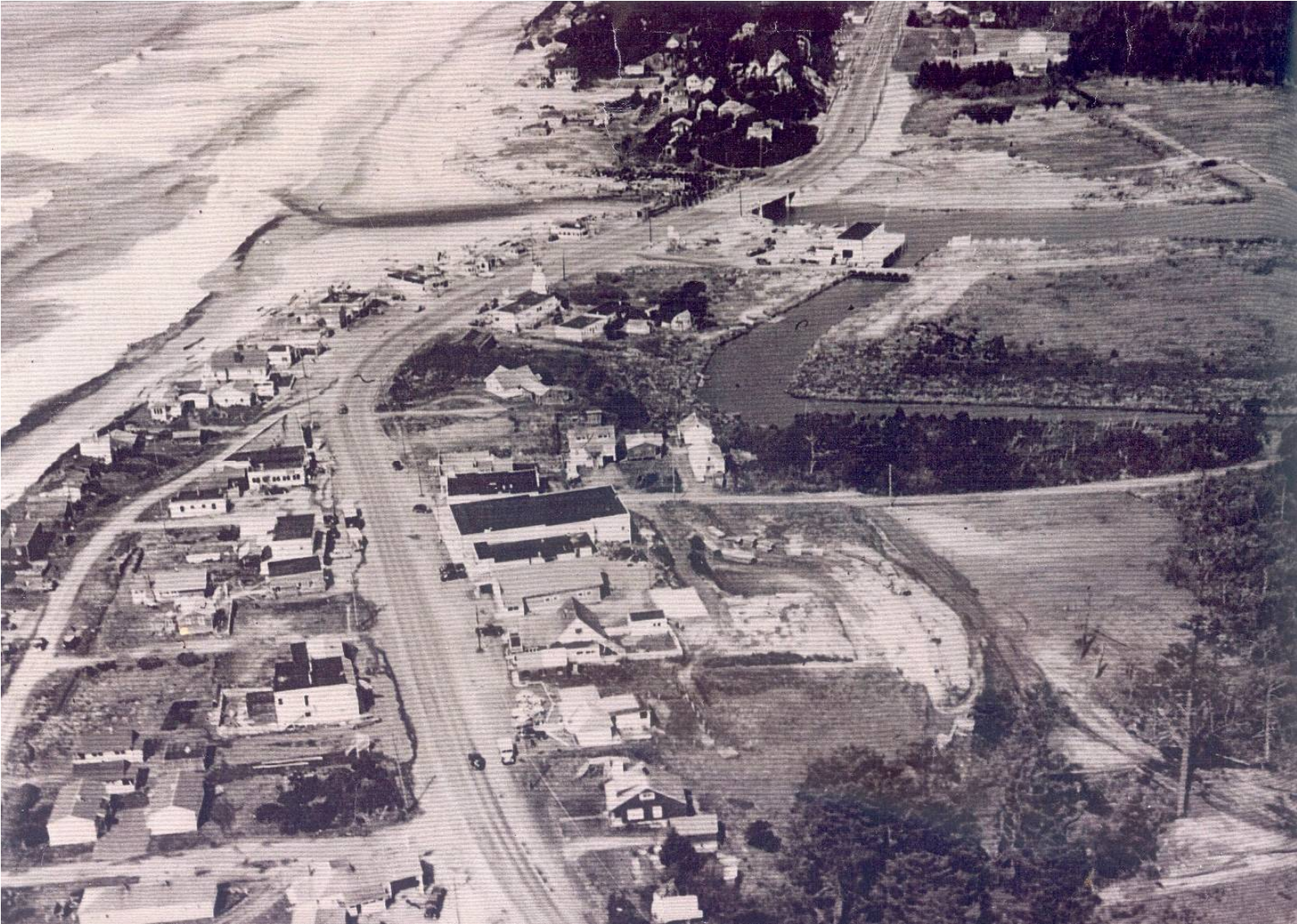
Devils Lake Canals (PPTX)

Aerial photo of the canals





1942



1942

5/25/1932
North Lincoln
Beach Resort News

4/8/1948
North Lincoln
News Guard

Recreational Facilities Being Put In At Delake

Swimming Pools, Picnic Park And Boat-docks Are Now Being Constructed

At the regular weekly meeting of the Delake Planning Committee held Tuesday evening at the Point of View, plans were discussed and reports made on the work done toward the construction of the recreational playground being built on the island near the bridge in the Devils Lake outlet, and the picnic park that will be adjacent.

The island has been completely cleared of brush and leveled. It will be sanded and equipped with swings, teeters, slides and other devices for juvenile amusement. Pools of various depths to accommodate children of all sizes are being constructed. Both high and low diving boards will be available for the more experienced swimmers. A picnic ground will be adjacent to the playground, and a new dock will grace the outlet. Both the picnic park and boat-dock will be on the south side of the outlet.

Steps will be constructed at the south end of the bridge to the grounds and walks will be built to the island. At all times a supervisor will be in charge of the playgrounds and pools. Mrs. G. E. Baker, an excellent swimmer, has been appointed recreational superintendent. All facilities will be free to the general public.

This project is one of the most noteworthy undertaken in North Lincoln and is one that has been sorely needed for some time, as it has always been difficult for those who enjoy swimming in the refreshing waters of the lake to find a place close enough to the highway that would not cause too much inconvenience to get to. And it is a project that Delake may well feel proud of.

Pizzuti-Floyd Partnership Purchases D-River Moorage; Opening Set May 1

DELAKE, April 8.—Clair Floyd of Neotsu and Johnnie Pizzuti of DeLake this week announced their association in a new North Lincoln business partnership, the Devils Lake Anchorage, to be located on the banks of D-River at DeLake.

The partners have leased the property on a long term lease from Mr. and Mrs. George Calkins of the Calkins Craft boat company in DeLake. They have purchased boats and equipment from Calkins.

The D-River boat rental concession and swimming pool were operated last summer by Calkins.

Swimming Still Free

The two new partners have announced that the popular, free swimming pool will remain open to the public again this year, and that dressing rooms will be built with the cooperative support of the surrounding community.

Floyd and his wife for the past two years have operated their speedboat, Garylyn; on the lake, specializing in scenic rides, enjoyed by both local residents and vacation visitors. Mr. and Mrs. Pizzuti have purchased half interest in the Garylyn.

To Be Open Every Day

At the present time Floyd and Pizzuti are painting and reconditioning their fleet of rental boats in preparation for the grand opening of the Devils Lake Anchorage

on Saturday, May 1. The anchorage will be open seven days a week from 6 a. m. to 10 p. m. throughout the summer season.

Motorboats, rowboats, canoes and other equipment for water sports will be available for rental. Outboard oil and gas, mobile marine service and bait and tackle for fishermen will be on sale.

Pizzuti is well known in the North Lincoln area as a recreation and youth leader, who has been active in local sports.

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North Lincoln News Guard

Dredge To Rebuild Isle in Devils Lake

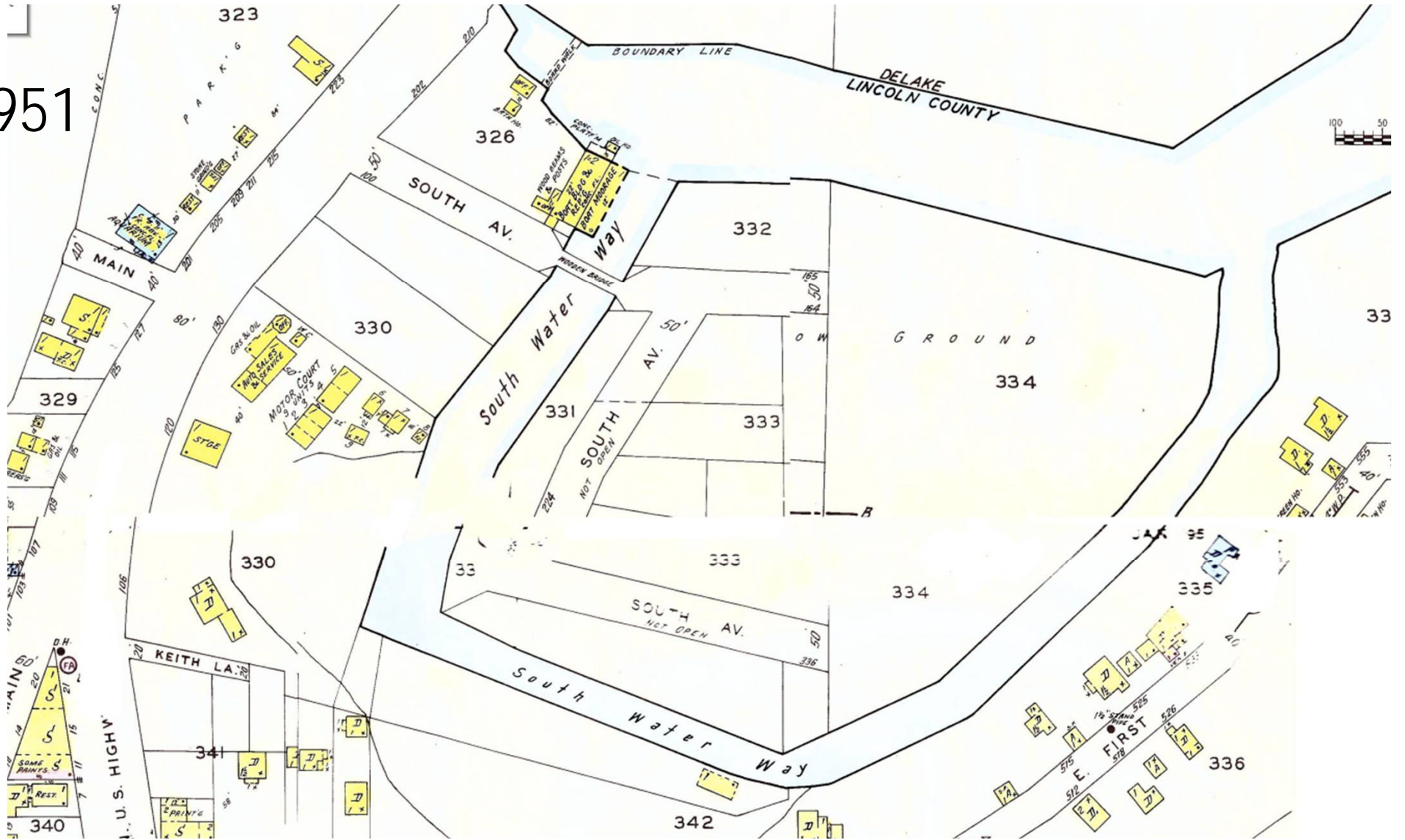
A 1,000 cubic yards per day dredge will move onto Devils Lake within a week or two with the primary purpose of preparing the island (behind Calkins Boat Works) for development, Phil Rinehart announced this week.

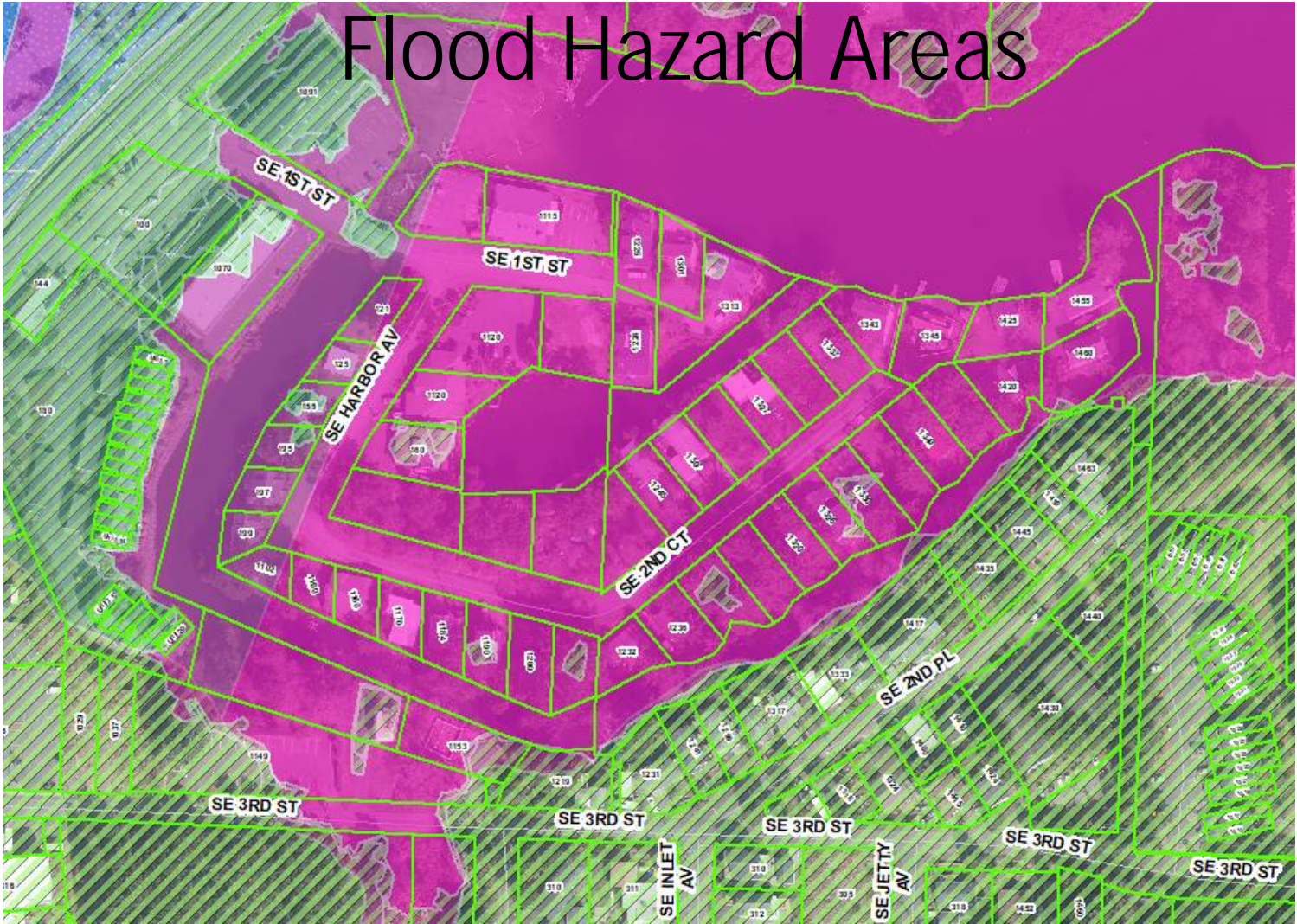
Owner of the island, Marvin C. Lewis, plans to dredge out a lagoon in the center, using the dirt to build up the lots around the perimeter to give every lot a lake front access. Thirty-five to 40 waterfront lots will be ready for homes when the development is complete, Rinehart said.

The dredge will be made available for other projects around the lake, Rinehart said, at a nominal fee for convenience of other property owners. It will not be a commercial operation, however. Inquiries regarding the development or use of the dredge should be directed to Rinehart. Originally planned to start this week, the work has been postponed

North Lincoln County Historical Museum Director Jeffrey Syrop found a few articles describing notable developments from 1932, 1948, and 1960

1951





Current Canal Water Quality Conditions

- Sediment and
vegetation in the
waterway
- Overgrown
vegetation along bank
- Invasive species in
waterway and bank



Condition results in:

- Limit recreational
use
- Limited access
- Poor habitat for
aquatic life





-limited activity allowed without permits

-mowing using DLWID contract this year



Options

- Design and Permit a Restoration Project
- Observe any changes after D River Dredging Project is complete
- Delineate the wetland boundary and remove overgrown vegetation outside of boundary

Council Communication

Request for Change of Use of City right-of-way NW 5th Court

Meeting Date:	April 26, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Planning Department	Secondary Contacts:	Sungman Kim
Approval:	Lila Bradley	Estimated Time:	15 minutes

Question:

After hearing the presentation, should the City Council approve [by future Resolution] the requested change to pedestrian-only use of City right-of-way with associated license agreement for private driveway crossings?

Staff Recommendation:

Staff recommends the council approve the change with revisions to the planned improvements according to the staff recommendations previously outlined in the conditions of approval and direct staff to return with a Traffic/Parking Control Resolution and right of way use license hold harmless agreement, as additionally recommended by staff. Staff can administratively permit required plan revisions for donated improvements in the right-of-way with permits under LCMC 12.12. (Public works permits).

Authority:

12.02 Control of public right-of-way.

A. The city has jurisdiction and exercises regulatory control over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way.

B. The city has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure, or other means.

C. Except when authorization is granted as provided in this municipal code, no person or entity may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use public rights-of-way, by franchises, licenses, concessions and permits.

D. Fees and charges for franchises, licenses, concessions and permits, including application and ongoing usage fees, shall be established by council resolution based on actual cost, or, when

applicable, set by federal authority, or, when applicable, as negotiated and set forth in applicable license or franchise agreements.

See also **Fee Resolution 2021-14** (fee formula for private use of the right-of-way)

10.08.010 Powers of the city council.

A. Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated by this title or another ordinance.

B. The powers of the council, which may be exercised by resolution, include, but are not limited to:

- 1. Designation of through streets;**
- 2. Designation of one-way streets;**
- 3. Designation of truck routes;**
- 4. Designation of parking meter zones;**
- 5. Designation of certain streets as bridle paths and prohibition of horses and animals on other streets, parks or property;**
- 6. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law;**
- 7. Initiation of proceedings to change speed zones;**
- 8. Establishment and revision of speed limits and traffic regulations in parks;**
- 9. Temporary blocking or closing of streets;**
- 10. Establishment of bicycle lanes and paths and traffic controls for such facilities;**
- 11. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage;**
- 12. Authorization of issuance of oversize or overweight vehicle permits;**
- 13. Establishment, maintenance, removal or alteration of the following classes of traffic controls:**
 - a. Crosswalks, safety zones and traffic lanes,**
 - b. Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when such prohibitions apply,**
 - c. Truck parking areas, parking for disabled persons, parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal),**
 - d. Loading zones and stops for vehicles,**
 - e. Traffic-control signals. (Ord. 88-8 § 4.01)**

Background:

In short, the Developer would like the right-of-way to be converted to a pedestrian way or plaza; the developer is however requesting private driveway crossings. The former can be accomplished with a Resolution pursuant to LCMC Chapter 10.08; the latter can be permitted with a temporary license hold harmless indemnification agreement under LCMC 12.02 and fee resolution 2021-14.

Jeremy Cogdill of Open Concept Architecture has submitted the attached application materials for the change in use for NW 5th Court to a pedestrian way. [See Attachments 1 and 2]. Mr. Cogdill is the Project Manager working with O'Brien & Company, and Lincoln Sands Hotel Partners, LLC.

Staff has seen the proposal at site plan review. Condition 12 required the applicants to apply to Council as site plan review cannot make the decision on the use of the city right-of-way; this decision is reserved to Council.

Staff is still in the process of reviewing the proposal for changes from what was submitted for site plan review. All conditions of site plan review are carried forward.

At a minimum, staff notes the following staff recommendations of Condition 12 of SPR 2020-04 have not been met or will need to be met:

- a. Engineered plans shall be submitted to Public works for approval of proposed work on NW 5th Court. Plans shall be at a 1"=10' scale and detail the proposed work, surfacing, elevations, pedestrian/vehicle areas, and key cross sections.
- b. The applicants shall enter into a contract for construction of the required improvements with completion by date certain. Financial security (clean irrevocable standby letter of credit at 110% cost estimate) may be required to secure completion of the work.
- c. A permit including indemnity / hold harmless agreement benefitting the city shall be required, concerning the requested private traffic crossings and improvements completed on NW 5th court.
- d. All new improvements shall be compliant with ADA PROWAG recommendations. At a minimum, the applicant shall replace the existing catch basin lids with pedestrian/bike friendly grates, identify a new or existing, five foot wide, ADA accessible route from NW Inlet to the public beach access, and improve non-compliant items of the beach access stairway.
- e. The applicant shall distinguish the Right-of-way pedestrian area from both the applicant's private development and the vehicle crossings of the Right-of-way. This shall be done in a manner consistent with the location within the city. (i.e. Delake district kite). This shall consist of striping and tactile dome placement, or pavement replacement within the pedestrian areas.
- f. Additional bollards (or equivalent proposed by the applicant) shall be installed to prevent non-emergency vehicle access onto the pedestrian designated portions of NW 5th Court.

- g. Pedestrian down-lighting shall be installed to illuminate NW 5th per 17.52.150[G]. Lighting shall be maintained by the applicant. Taxlots boundaries on NW 5th court may exceed the zero luminance requirement at property lines outlined in 17.52.150[C].
- h. The design submitted by the applicant shall propose clear signage and access from NW Inlet and highlight the public nature of the existing beach access.
- i. Signage shall be installed by the applicant at the noted vehicle crossings to notify motorists of pedestrian priority. This shall be either "STOP" or "YIELD TO PEDESTRIAN" signage per applicable MUTCD standards.
- j. Applicant shall sign a maintenance agreement for the proposed improvements, lighting, striping, and surfacing of NW 5th court. (May be combined with permit in [8.][c.] above)
- k. The applicant shall underground the existing overhead power on the south side of NW 5th court in kind with the previously proposed and required undergrounding of electrical service drops per LCMC 17.52.230(f)

Such conditions will be reflected in the Resolution and License Agreement to be approved by Council.

ADA review is attached with required changes and comments (Attachment 4)

Engineering Staff also notes:

The base improvement requirements under LCMC 17.52.230 include curb, gutter, and sidewalk along both sides of the NW 5th Court Right-of-way. Alternative improvements have been recommended by staff in accommodation of both (1) the applicants request, (2) enhanced public benefit, and (3) comparable improvement cost. Neither the base improvements required by LCMC or the alternatives recommended by staff have been met in this proposed plan.

Finally, Planning Staff notes:

Any differences in the site plan must be addressed with an amendment per the site plan review process and cannot be approved by Council.

Council Options:

Approve the request and direct staff to return with an appropriate Resolution and agreement.

Continue consideration to May 10, 2021.

Deny the request.

Potential Motions:

Move to approve the request for a limitation in the use of the subject right-of-way and direct staff to return with a Resolution and license agreement with appropriate conditions.

Attachments:

ATTACH 1 - NW 5th Court_Change of Use_Open Concept Letter (PDF)

ATTACH 2 - NW 5th Court_Change of Use__Proposed Site Plan_OCA(PDF)

ATTACH 3 Final Staff Report SPR 2020-04 (DOCX)

ATTACH 4 ADA review NW 5th Court_Change of Use__Proposed Site Plan_OCA Kevin's comments (PDF)



April 16, 2021

Lincoln City Council
City Hall, Third Floor
801 SW Highway 101
Lincoln City, OR 97367

Dear Lincoln City Council Members,

This letter is in response to the Public Work's Conditions of Approval letter dated 02/12/2021 for the Lincoln Sands project located at 515 NW Inlet Ave., Lincoln City, OR 97367. One of the conditions includes submission of an official request to City Council for a proposed change in use of NW 5th Court to a pedestrian way. This change would create a more pedestrian friendly and attractive beach access for the neighborhood and eliminate an otherwise dead-end road. Removeable site bollards with a Knox lock would be utilized to block vehicular circulation from Inlet Avenue except in the case of emergency or deliveries to the hotel. This solution was reviewed and found acceptable by the Fire Department in our pre-app meeting in 2020. Each vehicular crossing along 5th court from the neighboring parking areas would be delineated with striping and signage to ensure pedestrians retain the right of way. New site lighting would be provided to meet 17.52.150[G] requirements. The hotel owner intends to adopt the stairs at the end of 5th court leading to the beach to ensure they are properly maintained moving forward. All open grates along NW 5th Court would also be replaced to be ADA and bike friendly.

If you have any questions or concerns, please contact me at j.cogdill@openconceptarchitecture.com or 503-505-0790.

Regards,

A handwritten signature in black ink that reads 'Jeremy Cogdill'.

Jeremy Cogdill - Project Architect



Office Locations:

249 SW 9th Ave. Dundee, OR 97115; 208 NW 21st Ave, Ste 201, Portland, OR 97209
139 W. 2nd Ave, Suite 6, Cannon Beach, OR 97110 Mailing: PO Box 4008, Wilsonville, OR 97070

CCB# 195235
www.obrien-co.com

Staff Report, Decision, and Conditions of Approval Case File SPR 2020-04

Date: February 17, 2021

Case File: SPR 2020-04 Lincoln Sands/Cozy Cove

Applicant: Jeremy Cogdill, Open Concept Architecture, 208 NW 21st Avenue, Suite 201, Portland, OR 97209; jcogdill@openconceptarchitecture.com

Property Owner: Lincoln Asset Management, 15924 Quarry Road, Lake Oswego, OR 97035; torrem@lamhotels.com

Situs Address: 317, 515, 525, 535 NW Inlet Avenue and 1067 NW 5th Court

Location: West side of NW Inlet Avenue, between NW 2nd Drive and NW 6th Drive

Tax Map and Lot: 07-11-15-AB-08400/08700/08800/09000/10200/10300/10400, Delake, Lots 1-13, Block 7, and Lots 1-4, 20-23, Block 6

Comprehensive Plan Designation: Recreational Commercial District (R-C)

Zoning District: Recreational Commercial (R-C) Zone

Site Size: 2.62 ac or 114,127 sf

Proposal: To redevelop the interior of the subject property that includes modifications to the off-street parking area. The detached rental on the subject property is proposed to be re-purposed into a food and meeting area with a pool. Parking area improvements include modification of the interior circulation patterns to connect all the hotels onsite. Landscaping will be added to the perimeter and interior of the site, unifying the properties into a cohesive hotel destination.

Surrounding Land Uses and Zones:
 North: NW 6th Ct and Single-Family Residential; Multiple Use Residential (R-M)
 South: Hotel; Recreational Commercial (R-C)
 East: residences; Multiple Use Residential (R-M)
 West: Undeveloped, Beach; Recreational Commercial (R-C)



Public Notice: The Planning and Community Development Department mailed notice to the owners of all properties within 250 feet of the site on February 1, 2021.

Comments received: Comments were received via email from Tom Lichy on February 10th, 2021. Mr. Lichy states that, he has three questions and concerns regarding the plan map.

“1. The map is showing the parking lots of both places being connecting which gives more run off water on to Inlet Ave. The drain on the Eastside of Inlet Ave right now is not at the lowest spot to drain all water off the road. The low spot is about a 100 feet to the south. When it rains about a third of the road is covered with water which is a hazard. When it rains heavily the road is covered for over a day. This needs to be corrected.”

Response: This concern is addressed by the Public Works Department required Stormwater conditions.

“2. With the update of the area and higher visitor’s traffic at the end of 5th Ave at the access to the beach needs to be improved which I believe is city area. But Lincoln Sands should be accountable for this improvement with a wider concrete steps with stainless steel railings. I don’t want see the city being sued by someone.”

“3. I have concerns with reflecting pool that it is new construction to close to the beach that meets Oregon coast laws. From the drawing I cannot tell if how high it is it may be too high. But my understanding it will have a fence around the pool. This fence needs be a cyclone fence that you can see through so it does not block the ocean view for people.”

Response: The applicant is required to meet all setback requirements according to City Code.

Comments were received via email from Meggie Chapman on February 11th, 2021. Ms. Chapman states that, “There are errors in the Site Plan Review Meeting notice. The Notice refers to the project as SPR 2020-04 in paragraph one and refers to the project as SPR 2020-03 under the “For More Information” section of the Notice. Additionally, the application materials that should be accessible online, as per the Notice, are not listed on the website. Further, the notices that typically go out from the City usually provide a description of the ordinances rather than just listing them, so that residents can understand what is under review. The Notice does not provide enough information about the project for residents to understand the proposed project details.

“Based on the rendering provided, and the responses that I have received from Mr. Mattison related to the project, here is my feedback and/or additional questions for consideration, below.”

“The rendering is a significant improvement from the rendering neighbors received over two years ago. Many of us have been on pins and needles wondering what will take place. It is nice to see the blight of the Cozy Cove disappear, and a new property take shape. I have no concerns with the plans south of NW 5th Ct.; my questions/concerns for consideration are regarding the beach access, NW 5th Ct., and the development plans north of NW 5th Ct.”

“Development of the property at 1067 NW 5th Ct. (tax lot 07-11-15-AB-08700-00) is demonstrated visually in the Notice yet is not a listed address. Has this address/property been combined with the other lots referenced or is it still subject to the ordinances on its own consideration?”

Response: These issues will be discussed at the meeting. Corrections will be made in the Staff Report and Notice of Approval. The property at 1067 NW 5th Court is part of this notice and has been identified in the site address, tax map and lot in the Final Staff Report.

“The property at 1067 NW 5th Ct. (red house and side yard) is a significant concern of the neighbors living between NW 2nd Ave. and NW 6th Ave., of which approximately 75% are full time residents. The side yard is where many homes get their ocean view. It appears this tax lot will be fully developed. The side yard has already been excavated. Mr. Mattison indicated the deck would be built at the same elevation as the existing deck. At that elevation, the deck that will be added to the property with a spa will obstruct and/or partially obstruct the ocean view for residents. Is the development of this lot within the buildable ratio? If so, can this deck be built at a lower elevation? Possibly a ground level deck with clear glass railing?”

Response: As presented by the applicant in response to this concern, “The spa area is intended to be at the same height as the existing oceanfront deck, with a glass guardrail facing the ocean along the west, south, and part of the north elevation. The east edge of the spa deck would be a mix of cast concrete with vertical metal pickets to increase visibility.”

“The deck should not be able to have any overhead covering. In Oregon, beaches are public. The Beach Bill is a highly revered law. The Oregon Beach Access Plan, and Oregon Statewide Land Use Plan (Goal 17) requires local governments to protect public beach access – both physical and visual. It appears the developers would like to make NW 5th Ct. pedestrian only. I am not opposed to this; yet, if this takes place, it should go through the proper process and committees, and remain a public street. Further, the beach access must stay public, not slowly restricted from the public. It should be noted the developers have already put 6x6 posts with ropes on the beach and in the sand dunes at the public beach access points shepherding where they want public to go.”

Response: The proposed use of NW 5th Ct is identified in the City Public Works Conditions, and may require an additional approval process.

In addition, as presented by the applicant, “As discussed, we will revise the plans to retain access along 5th court and will not convert it to pedestrian only. The new property owner also plans to adopt the beach access stairs and the end of 5th court and ensure they are properly maintained and cared for moving forward.”

“Will the “future 6’ tall fence” be installed around the entire property?”

“Will the trees being added east and west of the bocce ball court be limited to a certain height?”

“Are there models of what the plans look like from a street view?”

“Will the cable and other utility lines on the old power poles that were recently replaced be transferred to the newly installed power poles with new transformers? Now, there are even more lines and poles cluttering the street.”

Response: These comments will be presented to the applicant to address at the time of the scheduled meeting.

Authority: Section 17.52.240.H of the Lincoln City Municipal Code (LCMC) gives the Planning and Community Development Director authority to review the application for compliance with all the requirements of Title 17, with comments and recommendations from site plan review officials, and approve with conditions or disapprove the application.

Applicable Substantive Criteria: LCMC Chapter 17.28 Recreational Commercial (R-C) Zone
LCMC Chapter 17.52 Supplementary Regulations and Exceptions
LCMC Chapter 17.74 Commercial Design Standards

BACKGROUND

This is a site plan design review for file SPR 2020-04, which proposes to redevelop the interior of the subject property that includes modifications to the off-street parking area and re-purposing a detached rental into a food and meeting area with a pool. Parking area improvements include modification of the interior circulation patterns to connect all the hotels onsite. Landscaping will be added to the perimeter and interior of the site, unifying the properties into a cohesive hotel destination.

The subject site is located in the Recreational Commercial (RC) zone. The purpose of the zone as stated in 17.28.010 is as follows: “The recreation-commercial zone (RC) is provided for those commercial uses having a definite relationship to the community’s resort and recreation industry. Allowed herein are uses that provide food, lodging, recreational activities and services that have a resort rather than a carnival character. Residential multifamily housing is also permitted which meets demands for housing in areas of concentrated recreation services, including seasonal and retirement homes.”

The uses listed in LCMC 17.28.020 as permitted uses are given as examples of those uses that meet the intent of the zone. These uses include motels and resorts, eating and drinking establishments, and gift shops.

The subject site (site) is a previously developed lot containing motels and resorts, a single-family home and an off-street parking area.

A pre-application conference was held on December 1, 2020.

ANALYSIS

The specific findings in granting a site plan review must be factual and supported by substantial evidence. The burden of producing substantial evidence to support the requisite findings is on the applicant seeking the approval of the site plan review.

Chapter 17.28 Recreational Commercial (R-C) Zone

17.28.050 Setback requirements.

Finding: No new building construction or relocation of buildings onsite is occurring. The proposed pool is required to meet the 5-foot rear yard setback as well.

17.28.060 Minimum lot area.

Finding: Not applicable. No new lots are proposed for new development.

17.28.070 Maximum building height.

Finding: Not applicable. No new buildings are proposed on the subject property.

17.28.075 Landscaping. Landscaping shall be provided in accordance with Chapter [17.55](#) LCMC.

Finding: This section is addressed under Chapter 17.55 in this report.

17.28.080 Signs. Signs shall be permitted in accordance with the provisions of Chapter [17.72](#) LCMC.

Finding: Not applicable. No new signs are proposed in this application.

17.28.090 Off-street parking and loading. Off-street parking and loading shall be provided in accordance with Chapter [17.56](#) LCMC.

Finding: Off-street parking and loading is provide onsite in accordance with Chapter 17.56 LCMC. This requirement is met.

17.28.100 Other required conditions. A. No development shall occur in the RC zone unless all city services (sewer and water) are available to serve such development.

Finding: All City services are available onsite.

B. Design Features. All single-family units (site-built, modular and manufactured homes) to be constructed or located in the zone shall utilize at least two of the following design features to provide visual relief along the front of the home.

Finding: Not applicable. No single-family units are proposed on the subject properties.

C. All commercial or mixed use buildings in the RC zone must conform to Chapter [17.74](#) LCMC, Design Standard

Finding: The detached rental on the subject property proposed to be re-purposed into a food and meeting area with a pool shall conform to the requirements listed in Chapter 17.74.

Chapter 17.52 Supplementary Regulations and Exceptions

17.52.060 Clear-vision requirement

Finding: The project proposes multiple entrances from NW Inlet Avenue. The submitted site plan needs to show the required clear vision triangle, with no obstructions taller than 2.5 feet. This requirement is met.

17.52.100 Landscaping

Finding: The applicant submitted a landscape plan that exceeds the required 15% landscaping requirement. The applicant will be required to show compliance with landscaping as detailed in Chapter 17.55. Landscaping will be inspected by city staff for compliance prior to issuance of a certificate of occupancy. This requirement will be met.

17.52.120 Utilities

Finding: All electrical, telephone, and cable television services are required to be placed underground in accordance with city standards. This will be confirmed during the structural permitting process by City staff, the applicant's plan submittal, and has been addressed in the Required conditions. This requirement will be met.

17.52.170 Lighting

Finding: An exterior lighting plan that shows compliance with all exterior lighting requirements will need to be submitted by the applicant. All light fixtures are required to avoid glare, light pollution, and light spillover onto residential properties. This will be confirmed by city staff for compliance during the structural permitting process. This requirement will be met.

17.52.170 Trash receptacle enclosure

Finding: The submitted site plan shows the proposed trash enclosure that is separate from the main building. The enclosure will effectively block from view the trash and recycling containers contained therein. Accordingly, the trash receptacles will not be visible from public right-of-way or neighboring properties. This requirement is met.

17.52.180 Screening of mechanical equipment

Finding: Not applicable. No mechanical equipment is identified in the site plan. Therefore, this requirement is met.

17.52.220 Tree protection and removal

Finding: The applicant and site plan indicates that approximately 19 trees will be retained onsite and 17 new ones are proposed to be planted. The applicant is required to obtain a tree removal permit application for the removal of any existing trees onsite. The tree protection and removal requirements have been met.

17.52.240 Site plan review

Finding: The site is developed, and the applicant proposes repurposing a detached single-family residence from a residential structure to a food and beverage and meeting room, with accompanying landscaping and parking. The proposed new development requires site plan review prior to proceeding to submittal of structural permit applications. The required site plan review application, fee, and drawing set were submitted for review. Applicable agencies and departments were notified of the request. Properties within 250 feet of the site were notified of the request. Comments from the public were received. Via email, Dan Wentz with Lincoln City Public Works submitted comments via email with recommended conditions of approval which are incorporated herein. The site plan review requirement has been met.

Chapter 17.55 Landscaping

17.55.040 Landscaping requirements for all development other than detached single-unit dwellings, attached single-unit dwellings, manufactured dwellings, and duplexes.

A. Landscaping is required on all portions of the site not covered by buildings, structures, or impervious surfaces.

Finding: The applicant and submitted site plan identify that landscaping in the portions of the subject property not covered by a building, structure or impervious surface. This requirement has been met.

B. Fifteen percent of the total gross area of the site shall be landscaped with live vegetation according to the standards contained within this chapter. Existing plants and trees that are healthy and noninvasive count towards the 15 percent live vegetation requirement, provided they will be protected during development adequately enough to ensure future preservation.

1. At a minimum, the site shall contain three distinct and separate landscape areas, containing an overall total of the following spaced and/or grouped according to best planting practices and aesthetics:

- a. One tree per 20 feet of total lot perimeter; and*
- b. One shrub per 10 feet of total lot perimeter; and*
- c. Living ground cover.*

2. If islands are required in parking areas, each island must contain at least one tree, sized appropriately for the area of the island. The remainder of the island must be covered with shrubs and/or living or nonliving ground cover, subject to the standards set out in subsection (C) of this section and LCMC 17.55.050. Islands count towards both the parking landscaping requirement and the 15-percent landscaping requirement.

C. Ground Cover and Mulch.

1. Ground cover used as mulch between plantings shall be placed at a minimum two- to three-inch-thick layer to ensure effective erosion control and to avoid leaching of excessive nutrients.

2. Acceptable mulch materials are straw, well-aged compost and leaves, wood mulch or bark dust, or wood nuggets that are a minimum diameter of one inch. Mulching with manure that has not been composted or aged is prohibited.

3. Nonliving ground cover materials such as noncompacted pea gravel, river rock, pumice, stones, boulders, bark dust, and cedar chips are acceptable ground cover.

4. Standards for living ground cover are those set out in LCMC 17.55.050.

Finding: The applicant and submitted site plan identify 26% of the subject property (14,869 sq ft) as landscaped. The landscaping is broken up into many different areas – new landscaped areas, infiltration swale and existing landscaping. The amount of trees identified on the proposed site plan exceeds the tree requirements per lot perimeter. The applicant will need to identify the number of shrubs required for every 10 feet of lot coverage. This requirement will be met.

Chapter 17.56 Off-street Parking and Loading Regulations

Finding: Off-street loading is required for hotels and commercial buildings having a gross floor area of 10,000 square feet or more. The proposed repurposed building is less than 10,000 square feet, so no new off-street loading spaces are required. Additional off-street parking spaces are required for the changed occupancy of a building only if the building is increased in size. Here the proposed repurposed building is not increased in size. Therefore no additional off-street parking spaces are required. The parking plan shows 86 parking spaces are being provided. The parking area must be screened from view in the R-M zone. The parking lot will be surfaced with impervious asphaltic or Portland cement. The parking stalls must either have curbing or wheel stops. All parking spaces must meet City standards listed in LCMC 17.56 including the standard 10 feet wide by 20 feet long, the compact spaces and required ADA spaces provided. The applicant meets the required area layout and dimensions, the landscape. The required accessible parking is being provided. The required landscaping is being provided. Bicycle parking spaces shall be identified onsite. The off-street parking requirements will be met.

Chapter 17.74 Commercial Design Standards

17.74.060 Site design

Finding: The standards for site design are applicable for projects located in the R-C zone.

17.74.070 Pedestrian circulation

Finding: Pedestrian facilities are provided in accordance with the site design standards in LCMC 17.74.060. The site design standards in LCMC 17.74.060 are applicable to sites in the R-C zone. This requirement is met.

17.74.080 Building design

B. Standards

1. Height.

Finding: The minimum height requirement is 18 feet. The maximum height requirement is 45 feet. The applicant must submit the elevations showing that the building has a height that meets City requirements. The height requirement must be met.

2. Building Form.

a. Overall Design. Architectural designs shall address all four sides of a building, for example by continuing architectural elements around building corners. New buildings should not mimic any other building in their form or detailing, but instead should reflect the predominant forms within each pearl or string, as applicable, while expressing individuality.

Finding: The submitted elevations must address all four sides of the building. This requirement must be met.

b. Stepped Rooflines. Height should vary from building to building to avoid a homogenous appearance.

Finding: The heights of the proposed repurposed building varies in height from the surrounding buildings. This requirement is met.

c. Roof Forms. Roof designs shall conform predominately to one of the following: flat with stepped parapet, gabled, or hipped. Secondary roof forms may include towers, dormers, turrets or other features with rounded (e.g., split-barrel), shed (e.g., dormer), pyramidal, or crossing elevations. Gambrel, dual-pitched (e.g., hipped “mansard”), deck (flat-topped, hipped), A-frame, and similar roof forms are discouraged.

Finding: The applicant must state the roof form meets the requirements. This requirement shall be met.

- 1. Window Transparency*
- 2. Building Orientation*

Finding: The applicant must identify the location of the windows and building orientation. This requirement shall be met.

- 3. Primary Entrance*

Finding: The applicant must identify the location of the primary entrance of the repurposed building. This requirement shall be met.

- 4. Secondary entrances*

5. *Armature of Block*
6. *Building Mass*

Finding: The standards for secondary entrances, block armature, and building mass are required. This requirement shall be met by the applicant.

7. *Accessibility*

Finding: The required accessible parking is being provided as shown on the submitted materials. Accessibility requirements for the structures will be reviewed for compliance as part of the structural permitting process. This requirement is met.

8. *Openings*

Finding: The submitted materials shall show the storefront openings. The openings requirements shall be met.

9. *Horizontal Rhythms*

Finding: The applicant shall identify a horizontal roof overhang provides visual articulation along the façade, protection from the elements, and adds an overall sense of enclosure for the users. This requirement shall be met.

10. *Vertical Lines*

Finding: The building is a single-story building. Any vertical lines must be submitted to the City by the applicant as part of the permit process. This requirement shall be met.

11. *Materials and Color*

Finding: The applicant shall identify the materials and colors of the repurposed building. This requirement shall be met.

12. *Pedestrian Shelters*

Finding: Not applicable. The pedestrian shelter requirements only apply to ground floor elevations where the building abuts a sidewalk, plaza, pedestrian access way or outdoor seating area. None of those are the case, so this requirement is not applicable.

13. *Mechanical Equipment*

Finding: Not applicable. No new mechanical has been identified.

17.74.090 Transportation and streetscape standards

Finding: The Public Works Department provided recommended conditions of approval addressing street and right-of-way improvements. With the recommended conditions of approval, this requirement will be met.

17.74.110 Parking

Finding: Parking requirements have been found to be in compliance with the code as discussed previously in this document. This requirement is met.

17.74.120 Landscaping

Finding: The submitted materials show all the required landscaped areas, tree protection for remaining trees, number and types of plantings, and the required percentage of landscaping. Staff finds this requirement is met provided the landscaping is installed as portrayed in the submitted materials.

17.74.130 Exterior Lighting

Finding: An exterior lighting plan that shows compliance with all exterior lighting requirements will need to be submitted by the applicant. The submitted lighting plan and photometric analysis shall also show that none of the light poles will be taller than 20 feet, and all lights will be shielded and down facing, and that none of the parking area exceeds four-foot candles of luminance, with all light fixtures required to avoid glare, light pollution, and light spillover onto adjacent properties. This will be confirmed by city staff for compliance during the structural permitting process. This requirement will be met.

DECISION AND CONDITIONS OF APPROVAL

Based upon an analysis of the submitted application and accompanying materials against applicable criteria and requirements, staff concludes all criteria and requirements have or will be met, and thus APPROVES WITH CONDITIONS the requested site plan design review for the permitted use of a mixed-use development of an existing commercial building and a new residential building,

Engineering Plans:

- 1) The applicant shall submit two copies of engineering plans for all public improvements and site development to the Department of Public Works for review and approval either as submitted or as modified in accordance with requirements of the City Engineer. The City Engineer's review and any required modifications shall be for the purpose of assuring that the improvements shall be consistent with Lincoln City Public Works Standards and the provisions of this condition of approval.
- 2) Prior to issuance of the building permit or any site work, construction activity, demolition, clearing, grubbing, or excavating, a Combined Public Works Permit application shall be submitted with permit application. All Right-of-Way work planned shall be noted on the approved plans and performed as shown. Applicant shall be responsible for obtaining and adhering to required ODOT permits
- 3) The approved plan set and permits shall be kept on the site, at all times, until construction is complete and all final inspections have been passed.

Erosion Control Plans:

- 4) The applicant shall submit two copies of erosion control plans to the Department of Public Works. The City Engineer will review and approve all erosion control plans. Approved soil erosion control measures must be in place and inspected by the Department of Public Works prior to any construction activities.
- 5) If disturbing one (1) or more acres of land during construction activity the applicant is responsible for application, acquisition, and compliance with Oregon DEQ 1200-C Stormwater permit.

Street Improvements (17.52.230):

- 6) Sidewalk, curb and gutter, and necessary pavement repair shall be completed along street frontage in compliance section 17.52.230 of the Lincoln City Municipal Code. Based on the site plan review application and most recent site plan this shall include the NW Inlet ROW frontage of lots 1-13 and block 7 lots 1, 2, 3, 4, 20, 21, 22, and 23. NW 5th court improvements shall be addressed through condition 12) below (please note if the proposal for a pedestrian way for NW 5th Ct is withdrawn, requirements of this condition (#6) shall be applicable to NW 5th Ct.).

- 7) All city right-of-way work planned shall be noted on the approved plan set and performed as shown. Work shall include ADA-accessible transitions at all terminations and ADA compliance with local, state, and federal standards.
- 8) The existing roadway width shall be maintained as the minimum drive width adjacent to all curb and sidewalk development. Where the existing Right-of-way width is not adequate for required sidewalk, curb, and gutter construction a public access easement shall be dedicated for required improvements per 17.52.230[2][d]. Easements shall be prepared by the applicant and recorded prior to public works final inspection.
- 9) **Within 30 days after construction** field verified, stamped as-builts for all public improvements, including relevant survey data, shall be provided to the City Public Works Department in AutoCAD format. All discovered utilities and changes to the approved site-plan shall be noted with callouts indicating location, depth, and material. The record drawings shall be established in model space using the state plane coordinate system, Oregon North Zone 3601, with horizontal survey control of NAD 83 and vertical control of NAVD 88.
- 10) The clear vision triangle, 50'Lx10'W visibility at highway access, shall be maintained in site plan layout.
- 11) All materials shall adhere to LCPW standards including, but not limited to: asphalt paving depth, striping, pipe, fittings, and structures.
- 12) In regards to NW 5th Court - The Lincoln City Municipal code provides:

12.02 Control of public right-of-way.

A. The city has jurisdiction and exercises regulatory control over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way.

B. The city has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure, or other means.

C. Except when authorization is granted as provided in this municipal code, no person or entity may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use public rights-of-way, by franchises, licenses, concessions and permits.

D. Fees and charges for franchises, licenses, concessions and permits, including application and ongoing usage fees, shall be established by council resolution based on actual cost, or, when applicable, set by federal authority, or, when applicable, as negotiated and set forth in applicable license or franchise agreements.

The applicant does not have prior approval to make the requested changes in the City's right-of-way. Within 30 days of site plan review approval, applicant shall submit and timely process to completion an official request to the City Council for the proposed change in use of NW 5th court to a pedestrian way with the requested vehicle crossings. This request should identify the public benefit to the conversion and overview of the work to be completed by the applicant, at the applicant's sole cost and expense. This change in use shall be made in the sole discretion of City Council. At this time, Public Works recommends the following conditions, in the event the Council looks favorably upon the request:

- a. Engineered plans shall be submitted to Public works for approval of proposed work on NW 5th Court. Plans shall be at a 1"=10' scale and detail the proposed work, surfacing, elevations, pedestrian/vehicle areas, and key cross sections.
- b. The applicants shall enter into a contract for construction of the required improvements with completion by date certain. Financial security (clean irrevocable standby letter of credit at 110% cost estimate) may be required to secure completion of the work.
- c. A permit including indemnity / hold harmless agreement benefitting the city shall be required, concerning the requested private traffic crossings and improvements completed on NW 5th court.
- d. All new improvements shall be compliant with ADA PROWAG recommendations. At a minimum, the applicant shall replace the existing catch basin lids with pedestrian/bike friendly grates, identify a new or existing, five foot wide, ADA accessible route from NW Inlet to the public beach access, and improve non-compliant items of the beach access stairway.

- e. The applicant shall distinguish the Right-of-way pedestrian area from both the applicant's private development and the vehicle crossings of the Right-of-way. This shall be done in a manner consistent with the location within the city. (i.e. Delake district kite). This shall consist of striping and tactile dome placement, or pavement replacement within the pedestrian areas.
- f. Additional bollards (or equivalent proposed by the applicant) shall be installed to prevent non-emergency vehicle access onto the pedestrian designated portions of NW 5th Court.
- g. Pedestrian down-lighting shall be installed to illuminate NW 5th per 17.52.150[G]. Lighting shall be maintained by the applicant. Taxlots boundaries on NW 5th court may exceed the zero luminance requirement at property lines outlined in 17.52.150[C].
- h. The design submitted by the applicant shall propose clear signage and access from NW Inlet and highlight the public nature of the existing beach access.
- i. Signage shall be installed by the applicant at the noted vehicle crossings to notify motorists of pedestrian priority. This shall be either "STOP" or "YIELD TO PEDESTRIAN" signage per applicable MUTCD standards.
- j. Applicant shall sign a maintenance agreement for the proposed improvements, lighting, striping, and surfacing of NW 5th court. (May be combined with permit in [8.][c.] above)
- k. The applicant shall underground the existing overhead power on the south side of NW 5th court in kind with the previously proposed and required undergrounding of electrical service drops per LCMC 17.52.230(f)

Storm Water:

- 13) All public utility work and connections must be noted on the submitted, engineering plan set. Engineering plans shall additionally identify proposed grading, drainage, and stormwater facilities according to LCMC 17.52[E][3][h].
- 14) All new impervious paving shall be treated according to the Lincoln City Public Works Stormwater Design Standards. Treatment shall be sized according to 50% of the 2-year, 24-hour rain event.
- 15) All increase from the existing sites total impervious area shall be detained according to Lincoln City Public Works Stormwater Design Standards: 2-year, 10-year, 25-year 24-hour rain event
- 16) Calculations for conveyance, infiltration, detention, water quality, and drainage facilities shall be submitted with permit application and demonstrate that the system is capable of handling the increased flows and/or proposed work on the system will adequately increase system size.
- 17) Any construction or extension of the public system required to meet the above requirements shall be designed by a Licensed Professional Engineer.
- 18) Public storm system shall be adjusted to accommodate new infrastructure. Catch basins added shall be adequate to accommodate increased concentration of impervious area and/or changes in surface drainage. Roadway catch basins shall have an 18" sump, with a grease/oil separator, and adhere to LCPW standards.

Water & Sewer Utilities:

- 19) All public utility work and connections must be noted on the submitted, engineering plan set.
- 20) The applicant shall show the net change in units occurring through redevelopment. Any increase in units shall be charged according to 2021 system development charges.
- 21) The applicant is responsible for ensuring that requested fire and domestic service ensures adequate flow & pressure for required water supply. The applicant shall be responsible for conducting any flow tests required to establish water pressure and flow information. The applicant shall give the Public Works Department 48 hours advance notice of any flow testing to be performed. A water distribution city staff member shall be on site at the time of flow testing
- 22) Applicant is responsible for the verification of existing private infrastructure and any repairs required. Applicant shall be responsible for verifying the existing condition of utilities proposed for use.
- 23) All connections to the water system, assemblies, and meter assemblies shall be designed and completed according to Lincoln City Public Works Design Standards. Connections larger than 1"

shall be completed by contractor, utilizing a line-size, NRS resilient seat gate valve. All hot taps shall be completed with a Water Distribution staff member on-site after 48-hour notice.

Planning and Community Development:

- 24) As required in LCMC 17.52.170 Lighting and LCMC 17.74, an exterior lighting plan that shows compliance with all exterior lighting requirements will be submitted by the applicant and reviewed by City staff. All light fixtures are required to avoid glare, light pollution, and light spillover onto residential properties.
- 25) As required in LCMC 17.55.040, a detailed landscaping plan will be required to be submitted by the applicant and reviewed by City staff as part of the permit application process.
- 26) As required in LCMC 17.56, the applicant shall identify the lighting for the parking area, reviewed by City staff as part of the permit application process.
- 27) As required in LCMC 17.74, the applicant shall identify the following items for the repurposed building required in Design Review:
 - A) Height;
 - B) Building Form;
 - C) Roof Form;
 - D) Window Transparency;
 - E) Orientation;
 - F) Primary Entrance;
 - G) Secondary Entrance;
 - H) Block Armature;
 - I) Building Mass;
 - J) Openings;
 - K) Horizontal Rhythms;
 - L) Vertical Lines; and
 - M) Materials and Colors
 Elevation drawings will be required to be submitted by the applicant addressing the above listed items and reviewed by City staff.
- 28) All setback requirements must be met prior to permit approval.
- 29) The applicant and property owner are responsible for compliance and conformance with all local, state and federal requirements.
- 30) The project must generally conform to the plans as reviewed and approved during the Site Plan Design and Review meeting with the inclusion of the revision necessary to comply with the conditions stated herein. Notwithstanding the project shall comply with all applicable codes and master plan standards and requirements of Lincoln City.

Approved by:

David Mattison

February 18, 2021

David Mattison
Senior Planner,
Lincoln City Planning and Community Development

Date

Council Communication

Resolution 2021--15 (14th Street LID formation)

Meeting Date:	April 26, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	City Attorney	Secondary Contacts:	Richard Appicello
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Should the City Council approve Resolution 2021-15, the formation Resolution for the "NE 14th Street Low Pressure Sewer Local Improvement District"?

Staff Recommendation:

Staff recommends the Council approve Resolution 2021-15.

Authority:

13.04.050 Hearing – Decision by council.

A. At the time of the public hearing, the council shall hear and consider testimony, both oral and written, on the proposed local improvement; and may continue the hearing as it deems necessary. After such hearing the council may, in its discretion, order the improvement to be made. If the council elects to order such improvement, it shall, within 90 days after the date of the hearing, provide by resolution for the establishment of the local improvement district and the construction of the improvement.

B. Notwithstanding the fact that the proposed improvement was petitioned for by the owners of 50 percent of the property to benefit, the council may refuse to proceed with the improvement if it finds the proposed improvement to be untimely or not in the best interests of the city.

C. At the public hearing, the council may direct a modification of the proposed local improvement by revising the scope of the improvement, by reducing or enlarging the local improvement district which it deems will be benefitted by the improvement, or may make such other modifications in the proceedings as it finds reasonable. If the council modifies the scope of the improvement so that assessment is likely to be

substantially increased upon one or more lots, or if the council enlarges the local improvement district, or if the council causes a substantial change in any of the particulars contained in the improvement resolution, a new improvement resolution shall be adopted, new estimates made and new notices mailed to the owners within the proposed local improvement district. However, no new publication shall be required.

Background:

On January 25, 2021 Council approved Resolution 2021-07 declaring its intention to construct the "NE 14th Street Low Pressure Sewer Local Improvement District" project and to assess the benefitted properties. On February 22, 2021 Council conducted the required public hearing and directed staff to return with a formation resolution.

Council Options:

Approve Resolution 2021-15.

Continue consideration to May 10, 2021.

Do not proceed with construction of the Local Improvement.

Do not proceed with the Local Improvement District.

Financial Impact

City will incur expenses (see Engineer's Report) but will be repaid from the LID assessment.

Potential Motions:

Move to approve Resolution 2021-15 forming the "NE 14th Street Low Pressure Sewer Local Improvement District."

Attachments:

LID formation 4-19-21 (DOC)

Engineer's Report (PDF)

1 the improvements, said construction and assessment to be in substantial
2 conformity with the initiation resolution.

3
4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
5 **LINCOLN CITY, AS FOLLOWS:**

6
7 **SECTION 1. RECITALS.** The above Recitals are true and correct and are incorporated
8 herein by this reference.

9
10 **SECTION 2. FORMATION.** A Local Improvement District is hereby created and shall
11 consist of all the benefitted properties described in the "NE 14th Street Low Pressure
12 Sewer Local Improvement District" Engineer's Report (hereinafter "January 2021 Final
13 Engineer's Report) within the map boundaries in Exhibit "A" and further described in
14 Exhibit "D" of the January 2021 Final Engineer's Report, being attached hereto as
15 "Attachment 1", and incorporated herein by reference. The District created herein
16 shall be referred to as the "NE 14th Street Low Pressure Sewer Local Improvement
17 District".

18
19 **SECTION 3. ORDER.** The City Council orders and directs the construction of the local
20 improvements described herein and in substantial conformity with the incorporated
21 January 2021 Final Engineering Report, this resolution, Resolution 2021-07, and
22 Chapter 13.04 of the Lincoln City Municipal Code. Such improvements will be in
23 accordance with costs estimated to be \$74,715.57, of which 100% will be paid by
24 special assessments on benefitted properties. Costs will be allocated based on the
25 estimated \$5,747.35 per connection with two of the eleven lots receiving two
26 assessments based on the potential for division of those lots. These lots may be
27 subject to deferral under LCMC 13.04.155, if the lots have not been created by
28 division at the time of final assessment.

29
30 **SECTION 4. INTERIM FINANCING.** The City of Lincoln City is authorized to borrow
31 money and issue and sell notes for the purpose of providing interim financing for the
32 actual cost of the local improvement. The notes may be payable from the proceeds
33 of any bonds, issuance of additional notes or from any other sources from which the
34 bonds are payable. The borrowing shall be issued according to the terms of the ORS
35 223.235.

36
37 **SECTION 5. REIMBURSEMENT AUTHORIZED.** The City of Lincoln City expects to
38 make expenditures from its available funds to pay for the costs of the improvement
39 project. The City reasonably expects to issue bonds or other obligations (the
40 "Reimbursement Bonds") and to use the proceeds of the Reimbursement Bonds to

1 reimburse the City for the expenditures it makes from its available funds for the
 2 improvement project. To permit interest on the Reimbursement Bonds to be
 3 excludable from gross income, the Internal Revenue Code of the United States
 4 requires that the City declare its intent to reimburse itself from Reimbursement Bond
 5 proceeds within 60 days after the expenditures are made. The City expects that the
 6 principal amount of the Reimbursement Bonds will not exceed the actual project cost.

7
 8 **SECTION 6. ASSESSMENT.** The assessment imposed upon benefitted properties is
 9 characterized as an assessment for local improvement pursuant to **ORS 305.583.**

10
 11 **SECTION 7. LIEN.** The city recorder is directed to prepare the estimated assessment
 12 of the respective lots within the local improvement district and file it in the lien
 13 records of the city.

14
 15 **SECTION 8. INSTALLMENTS.** Pursuant to LCMC 13.04.120, if the council by
 16 ordinance decides that the property benefitted shall bear all or a portion of the cost
 17 of the LID Project, the council will permit the owner of any property assessed for the
 18 improvements at any time within 20 days after the notice of assessment is mailed, to
 19 file with the city recorder a written application to pay the whole of the assessment in
 20 equal semiannual installments over a period not to exceed twenty (20) years as
 21 described in the January 2021 Engineering Report. Interest shall be 2.0% over the
 22 Local Government Investment Pool, a processing fee shall be assessed, covering
 23 recording costs.

24
 25 **SECTION 9. INSTALLMENT PAYMENT OF SDC CHARGES.** Pursuant to LCMC
 26 13.08.085, the Council authorizes the owner of a parcel of land within this LID for
 27 which a final assessment is made against the property, to make application for
 28 payment of applicable sewer SDC charges in installments, plus interest on the unpaid
 29 balance in accordance with ORS 223.208. The installment payment agreement may
 30 be secured by property lien, bond(s), deposits, letter of credit or other security
 31 acceptable to the city manager. The installment payment agreement may also be
 32 enforced by disconnection of water service.

33
 34 All requirements of LCMC 13.08.085 shall be strictly adhered to by the applicant for
 35 SDC installment payment. The frequency of installment payments shall be monthly
 36 and the interest rate shall be the same as the LID improvements as set forth in
 37 Section 8 above. The processing fee shall be a flat rate (\$100.00) to cover the costs of
 38 processing the application and installment agreement. The amount of the county
 39 recording fee for the lien or other security instruments shall also be paid by the
 40 applicant.

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SECTION 10. ABANDONMENT. LCMC 13.04.200 reserves to the City Council the full power and authority to abandon or rescind proceedings for local improvements made pursuant to Chapter 13.04 at any time prior to final completion of such improvements. If liens have been assessed upon any real property, under such procedures they shall be canceled and any payments made on such assessments shall be refunded to the person paying the assessment or his assigns or successors.

SECTION 11. CONNECTION TO SEWER SERVICE: LCMC 13.12.160 permits Councils to excuse properties in a Local Improvement District from the six-month gravity and four-year pressure sewer connection timeframes in the code. Council relieves properties in this LID of the above-referenced connection timeframes; however, the properties remain subject to all other connection triggers in LCMC 13.12.160.

SECTION 12. FINDINGS ADOPTED. The City Council finds and determines that the public hearing was properly noticed and conducted. The Council further finds that the establishment of the LID boundary includes all directly benefitted properties, is logically configured based on topography and engineering constraints, is in the best interest of the City and the public. The City further finds that the allocation of assessment units and the cost of the improvement is a logical and reasonable allocation of costs based upon the benefits received by the affected properties. The Council adopts the findings and competent evidence contained in Attachment A (January 2021 Final Engineering Report) as supporting its conclusion that the improvements are in the public interest of the City of Lincoln City.

SECTION 13. EFFECTIVE DATE. This resolution is effective as of the date of its adoption and signature by the Council President.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 26th day of April, 2021.

JUDY CASPER, COUNCIL PRESIDENT

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ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

RICHARD APPICELLO, CITY ATTORNEY

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ATTACHMENT A
JANUARY 2021 FINAL ENGINEERING REPORT

CITY ENGINEER'S REPORT
NE 14th Street Sewer Improvements
SANITARY SEWER LOCAL IMPROVEMENT DISTRICT
January 20, 2021

Background

Lincoln City Public works is completing roadway improvements over a portion of NE 14th without sanitary sewer service. Additionally, one property has a reported an inadequate septic system, and additional properties have requested sanitary sewer service. The planned & budgeted roadway improvements allow sewer improvements to be constructed at a fraction of the stand-alone cost. Staff is proposing a design to construct a low-pressure sewer to serve the eleven (11) properties on NE 14th St, from NE Oar Ave to NE Port Ave. Six (6) of the lots in the local improvement district are zoned multi-family, five (5) are zoned R-1-7.5.

Pursuant to the City of Lincoln City's Municipal Code of Ordinances Chapter 13.04, the City Engineer is submitting the following report pertaining to the formation of a local improvement district.

Location of the Improvements

Exhibit "A" presents a map outlining the Local Improvement District boundary.

Wastewater Facilities Plan

The proposed NE 14th Sewer LID flows to the SE 3rd St. Pump Station. This pump station is part of the "System Backbone" and has a current capacity rating of 4000 gallons per minute. The identified flow in 2004 was 2800 gallons per minute.

Budget for the design, maintenance, and improvement of this pump station has been put forward for the 2021-2022 & 2022-2023 fiscal year.

Description of the Improvements

An overview of the Local Improvement District design is put forward in Exhibit "B". This will construct 515' of low pressure sewer system. The system will be 2" High-density polyethylene (HDPE) pipe. This will provide a service lateral to each lot of record at the

time of construction, and an additional lateral for the two (2) multifamily lots with the of subdividing; This is shown in Exhibit "B". Property owners will need to install an E-One grinder pump when connecting to the public sewer system.

Project Cost Summary

The estimated LID cost is \$74,715.57; See Exhibit "C". Project design was completed in-house and, because of the concurrent roadway improvements, project cost is expected to be substantially less than a comparable sanitary sewer project. The additional project cost of administration of construction, labor and material for the low-pressure sewer systems and the additional roadway restoration have all been included in this estimate.

Zoning and Method of Assessment

Within the local improvement district there are 11 properties. These vary in size from 5,000 – 10,000 square feet. Six (6) properties benefitting are zoned Residential-Multifamily (R-M), with five (5) lots zoned Residential, 1-7.5 (R-1-7.5).

Nine (9) of the eleven (11) benefitting lots have existing single family homes and/or development potential requiring only 1 standard lateral connection. Two (2) of the benefitting RM lots have the potential for subdivision; Staff has designed additional lateral connections on these lots and proposed an additional portion of LID costs assessed to these lots.

Staff proposes that sanitary assessment be divided among the 13 available connections; this results in a cost of \$5,747.35 per connection. This number is based on the estimated construction and administrative cost; actual construction cost will be used to calculate the final reimbursement amount. See Exhibit "D".

Financing

Each lot owner will be given the option to finance the cost of the Local Improvement District. The City will finance up to 20 years, at a rate 2% over the current Local Government Investment Pool (LGIP) rate. The LGIP rate is 0.75% as of October 21, 2020. Each property's monthly cost for 20 year financing at 2.75% has been estimated using the project estimate. See Exhibit "D".

The City will place a lien on the property until the LID cost is paid in full. The City assessment lien shall be superior to all other liens or encumbrances on property insofar as Oregon Law permits. The property owner will have 60 days after the final assessment public hearing to either pay the LID assessment off in full or apply for the City financing. Property owners must pay or finance at least the base unit cost. Additional assessment may then be deferred until property sale or issuance of a building permit.

When a property has applied for financing of the LID cost, the owner shall pay at the time of submission of the application a processing fee in the amount of \$100.00. The property owner will also pay the amount for the county recording fee, if any, for the assessment lien.

If the property owners have signed applications to pay in installments, the owner at any time may pay to the City the unpaid balance of the amount of the assessment. This includes interest to the next installment date, charges, and lay payment penalties and/or charges accrued to the date of payment. LID lot assessments must be paid in full at (1) change in ownership of the property or (2) issuance of a building permit.

The estimated \$5,747.35 per connection is to reimburse the City for the cost to install the public sewer. The total cost to connect to the sewer system would additionally include the items outlined in Exhibit "C":

- System Development Charges (\$4,048.00 in 2019)
- Inspection Fees/Permit Fees
- On-site construction costs
- Abandoning existing septic tank (if applicable)

SEWER CONNECTION MANDATES

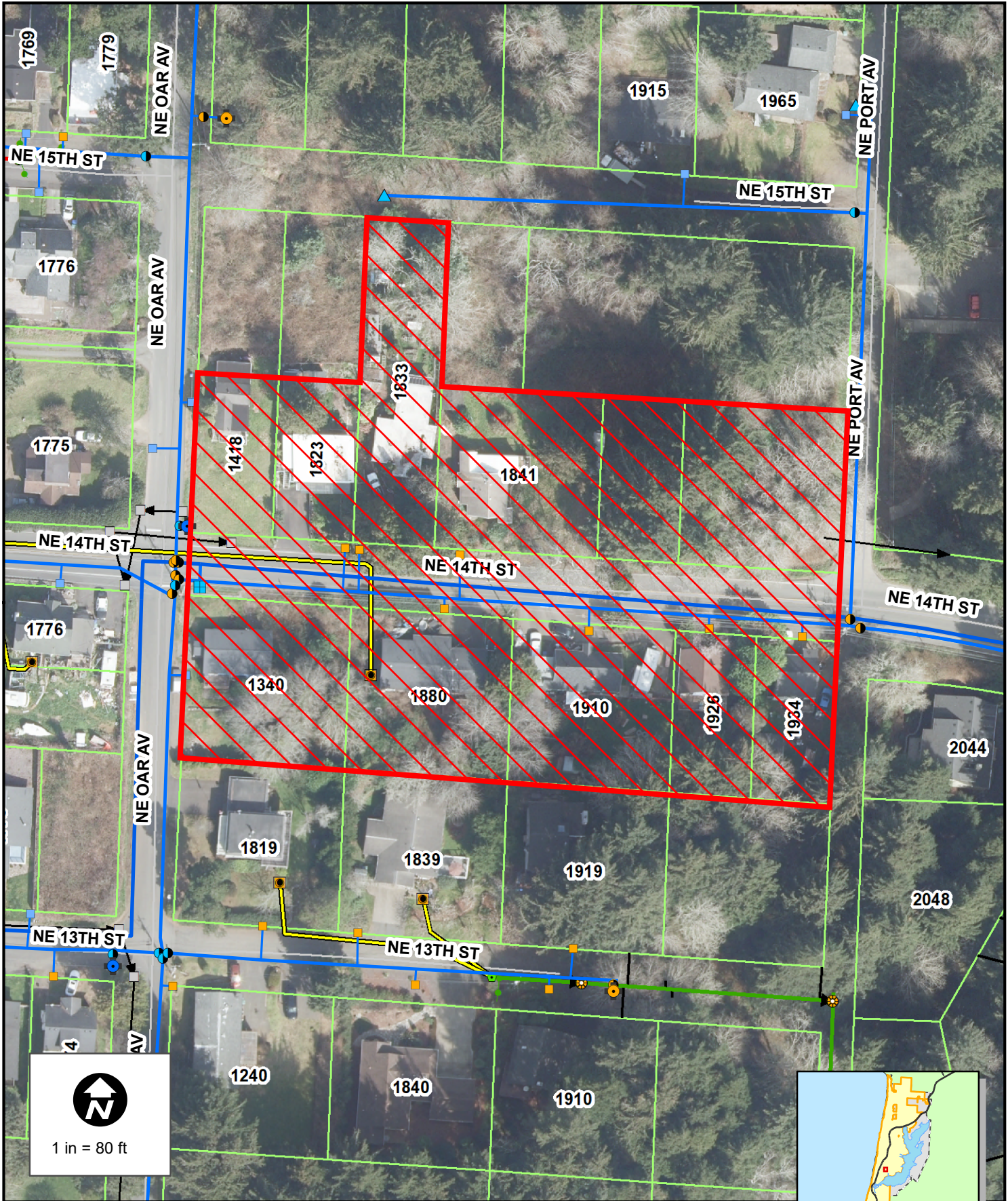
Existing developed properties in the LID will be required to connect to the sewer system under the following circumstances:

1. Septic tanks must be inspected at 5, 10, and 15 years. If the septic system fails an inspection, the owner will not be allowed to fix the septic system but must connect to the public sewer system
2. If an existing home is sold, a condition of the sale is for the home to be connected to the public sewer system.

3. If an existing home is remodeled or enlarged more than 50% of the existing value, or the remodel requires the expansion of the septic system, the home will be required to connect to the public sewer system.
4. All existing homes within the LID must connect to the public sewer system within the LID financing period of 20 years.

City Engineer's Signature:

Stephanie Reid P.E



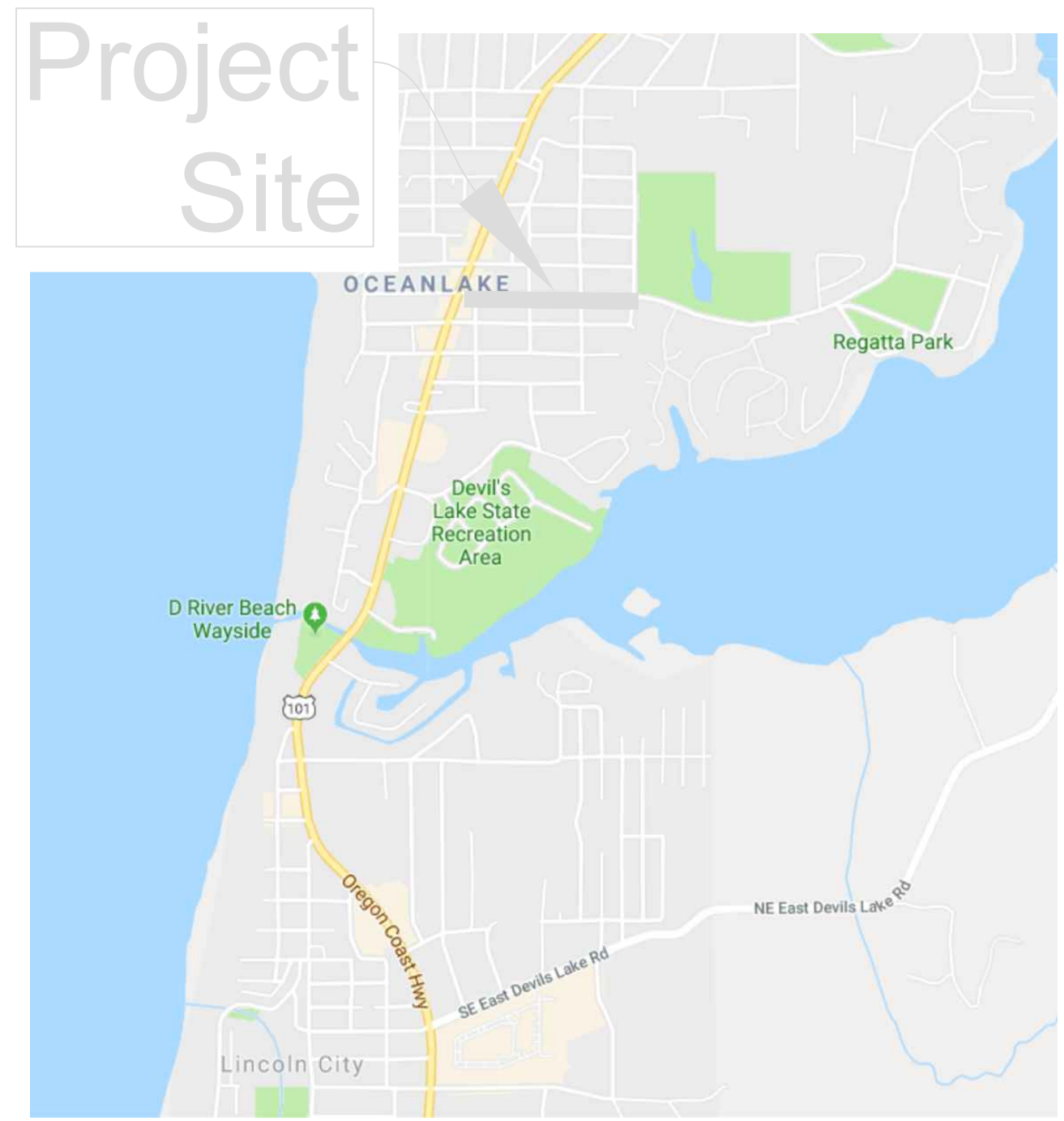
Vicinity Map

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.

EXHIBIT "B"

CITY OF LINCOLN CITY

NE 14th STREET LID OVERVIEW



Lincoln City Vicinity Map NTS

PROPOSED CONDITIONS:

- TYPE CG-2 CATCH BASIN
- TYPE CG-3 CATCH BASIN
- TYPE 3 CATCH BASIN
- DITCH INLET CATCH BASIN
- SIDEWALK HATCH
- DW HATCH
- GRIND AND RE-PAVE 2" AC
- REMOVE AND REPLACE 4" TO 8" AC
- GUTTER
- GRAVEL/2"-0" RIVER ROCK/RIP RAP
- SOD
- GRASS SEED

- CATCH BASIN
- WATER VALVE
- WATER METER
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- CLEAN OUT
- IRRIGATION CONTROL VALVE
- GAS VALVE
- GAS METER
- MAIL BOX
- LUMINAIRE
- TV RISER
- TELEPHONE RISER
- SIGNAL JUNCTION BOX
- ELECTRIC METER
- ELECTRIC JUNCTION BOX
- UTILITY POLE
- GUY ANCHOR

Existing Conditions:

- FIRE HYDRANT
- SIGN
- LINE CONTINUES TO UNKNOWN LOCATION
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND STORM DRAIN LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND CABLE TV LINE
- UNDERGROUND WATER LINE
- UNDERGROUND NATURAL GAS LINE
- OVERHEAD UTILITY LINE
- FENCE LINE
- EDGE OF PAVEMENT
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- CATCH BASIN
- FIELD INLET

- CONCRETE
- ASPHALT
- DECIDUOUS TREE (DTR)
- EVERGREEN TREE (ETR)

ABBREVIATIONS

APPX	APPROXIMATE	LF	LINEAR FEET
CB	CATCH BASIN	ODOT	OREGON DEPARTMENT OF TRANSPORTATION
EP	EDGE OF PAVEMENT	EX	EXISTING
IE	INVERT ELEVATION	STA	STATION
SD	STORM DRAIN	MUTCD	MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES
PVC	POLY VINYL CHLORIDE	APWA	AMERICAN PUBLIC WORKS ASSOCIATION
HDPE	HIGH DENSITY POLYETHYLENE	C&G	CLEAR AND GRUB
AC	ASPHALT CONCRETE	SS	SANITARY SEWER
HMAC	HOT MIX ASPHALT CONCRETE	F	FILL
MH	MANHOLE	C	CUT
DW	DW		
SW	SIDEWALK		
NTS	NOT TO SCALE		
LC	LINCOLN CITY		

GENERAL NOTES:

- PRIOR TO THE START OF CONSTRUCTION OF STORM LINE, CONTRACTOR SHALL POT HOLE FOR DEPTH AND LOCATION OF ALL UTILITY CROSSINGS
- PRIOR TO BEGINNING WORK, THE EROSION CONTROL PLAN MUST BE APPROVED BY THE CITY. EROSION CONTROL DEVICES MUST BE INSTALLED AND MAINTAINED MEETING CITY AND DEQ REQUIREMENTS
- CONSTRUCTION WILL RUN ADJACENT TO PRIVATE RESIDENCES. RESIDENTS SHALL BE AFFORDED REASONABLE ACCESS TO THEIR PROPERTIES AT ALL TIMES DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING SURVEY MONUMENTATION. MONUMENTS DISTURBED OR DESTROYED BY CONSTRUCTION ACTIVITIES SHALL BE RESET AT NO COST TO THE CITY BY A PROFESSIONAL LAND SURVEYOR CURRENTLY REGISTERED IN THE STATE OF OREGON.
- MOVE MAILBOX - MOVE MAILBOX IN ACCORDANCE WITH LINCOLN CITY DETAIL #100. REPLACE THE EXISTING POST WITH NEW 4"x4" TREATED POST. ATTACH THE EXISTING MAILBOX ON THE NEW POST.
- MOVE WATER METER - MOVE WATER METER INDICATED IN ACCORDANCE WITH LINCOLN CITY DETAIL #100 & #515. REPLACE THE EXISTING METER VAULT WITH AN ARMORCAST A6000485 (12"x12"x20") IN THE SIDEWALK A MINIMUM OF 4" FROM EDGE OF SIDEWALK. THE METER VAULT SHALL BE ANCHORED INTO CONCRETE WITH ANCHOR BOLTS.
- ASPHALT DRIVEWAY TRANSITION - CONTRACTOR SHALL GRIND EXISTING ASPHALT DRIVEWAY AT TRANSITION TO EXISTING ASPHALT. APPLY ASPHALT AS NEEDED.
- WHERE STORM OR SANITARY SEWER INSTALLATION <=6" OF EXISTING GAS MAIN CONTRACTOR SHALL COORDINATE WITH NWN ON PROTECTION AND WRAPPING OF THE EXISTING GAS MAIN WITH ROCK FABRIC PER NWN SPECIFICATION.

General Notes

OWNER:
 CITY OF LINCOLN CITY
 801 SW HIGHWAY 101
 PO BOX 50
 LINCOLN CITY, OREGON 97367
 CONTACT: TERRY CHAMBERLAIN, PE
 PH: (541) 996-1238

SHEET INDEX

- SHEET 1 COVER SHEET
- SHEET 2 SW & PAVING PLAN
- SHEET 3 SW & PAVING PLAN
- SHEET 4 SW & PAVING PLAN
- SHEET 5 SW & PAVING PLAN
- SHEET 6 SW & PAVING PLAN
- SHEET 7 SW & PAVING PLAN
- SHEET 8 UTILITY PLAN & PROF
- SHEET 9 UTILITY PLAN & PROF
- SHEET 10 UTILITY PLAN & PROF
- SHEET 11 UTILITY PLAN & PROF
- SHEET 12 UTILITY PLAN & PROF
- SHEET 13 UTILITY PLAN & PROF
- SHEET 14 ESCP 1
- SHEET 15 ESCP 2
- SHEET 16 ESCP 3
- SHEET 17 ESCP 4
- SHEET 18 ESCP 5
- SHEET 19 DETAILS
- SHEET 20 DETAILS
- SHEET 21 DETAILS
- SHEET 22 DETAILS
- SHEET 23 DETAILS
- SHEET 24 DETAILS
- SHEET 25 DETAILS

UTILITY LOCATE:

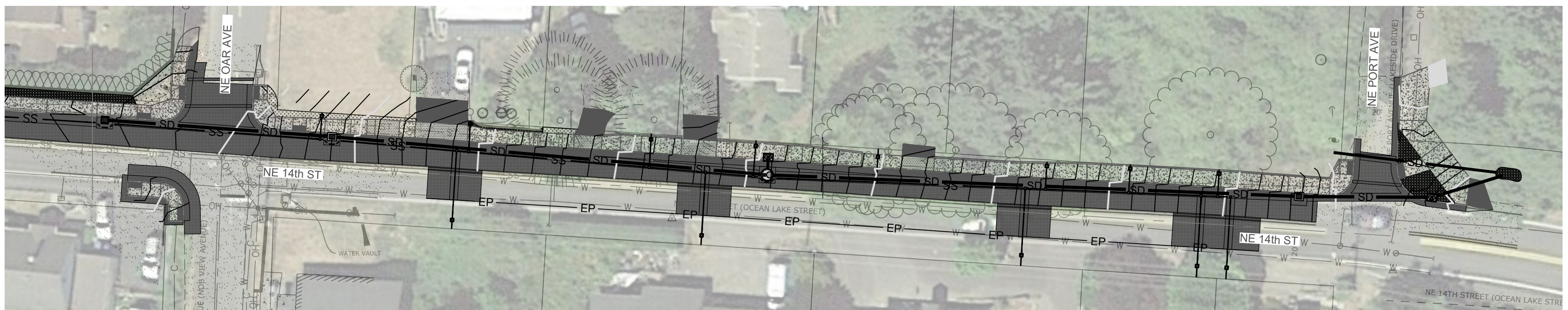
(48 HOUR NOTICE PRIOR TO EXCAVATION)
 OREGON LAW REQUIRES YOU TO FOLLOW THE RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH 757.562 AND ORS 757.993. YOU MAY OBTAIN COPIES OF THE RULES FROM THE CENTER BY CALLING (503) 246-1987. ONE CALL SYSTEM NUMBER 1-800-332-2344.

No.	Revision/Issue	Date

LINCOLN CITY PUBLIC WORKS
 801 S.W. HWY 101
 P.O. BOX 50
 LINCOLN CITY, OREGON 97367
 PHONE: (541) 996-2154
 FAX: (541) 994-4881
 www.lincolncity.org

Project Name and Address
 14th Street Sidewalk
 NE Most Ave to NE Port Ave
 Lincoln City, OR 97367

Project	18002	Page	
Date	1/31/2020		
Scale	1" = 80'		



Site Map 1" = 30'

3/19/2007 15013 14th Street - Lincoln City 2.dwg

EXHIBIT C

ESTIMATED LID COST SUMMARY

Sewer

Engineering	In-House	
Total Engineering	\$0.00	
Total Surveying	\$0.00	
Estimated Construction Cost	\$67,615.90	
Art Commission (.5% of Construction Cost)	\$338.08	
Administration (10% of Engineering + Construction Cost)	\$6,761.59	
Total Administration Cost	\$7,099.67	
LID Total Project Cost (Engineering, Construction and Administrative)	\$74,715.57	\$74,715.57
Number of Connections	13	
Estimated Cost per Sewer Connection	\$5,747.35	

2020 SYSTEM DEVELOPMENT CHARGES AND ESTIMATED ON-SITE COST

Sewer System Development Charge in 2020	\$4,129.00
On-Site Improvements (Estimated Average Cost)	
Pump and Control Panel	\$6,000.00
Installation of System and Decommission Septic	\$5,500.00
Sewer Connection Inspection	\$100.00
Total Estimated On-Site Improvements	\$11,600.00

Exhibit "D" - Benefitted Lots & Cost Estimate

Summary			Per Connection Assessment		Financing
Tax Map	Address (If Existing)	Owner	Proposed Sanitary Sewer Connections	Cost	Monthly LID Payment
					20 years @2.7%
7-11-10DD-02900	1833 NE 14th St Lincoln City, Or. 97367	Mark & Gail Clarambeau	1.0	\$5,747.35	\$31.02
7-11-10DD-03200	PO Box 12087 Portland, Or 97212	Fishtrap Farms LLC	1.0	\$5,747.35	\$31.02
7-11-10DD-03201	1823 NE 14th St. Lincoln City, Or 97367	Edelita Kozachenko	1.0	\$5,747.35	\$31.02
7-11-10DD-03400	17675 SW Alexander St. Aloha, Or 97006	Christina Wale	2.0	\$11,494.70	\$62.04
7-11-10DD-03600	54829 Mountain View Bend, Or 97707	Neal & Patricia Ehlen	1.0	\$5,747.35	\$31.02
7-11-10DD-03700	PO Box 1343 Depoe Bay, Or 97341	Mary Thomson	2.00	\$11,494.70	\$62.04
7-11-10DD-03800	1934 NE 14th St. Lincoln City, Or 97367	Alfred Holland, IV	1.0	\$5,747.35	\$31.02
7-11-10DD-03900	1926 NE 14th St. Lincoln City, Or 97367	Jesse & Salina Slover	1.0	\$5,747.35	\$31.02
7-11-10DD-04000	PO Box 12 Montague, Ca. 96064	Theresa Setzer	1.0	\$5,747.35	\$31.02
7-11-10DD-04100	PO Box 212 Neotsu, Or 97364	Daron Wilson	1.0	\$5,747.35	\$31.02
7-11-10DD-04200	1340 NE Oar Ave. Lincoln City, Or 97367	Timothy Tuffield	1.0	\$5,747.35	\$31.02
TOTALS:			13.0	\$74,715.57	
Total Estimated LID Cost:			\$74,715.57	LID Rate per Sewer Connection	
Number of Connections			13	\$5,747.35	

Council Communication

Resolution 2021-17 Budget Transfer

Meeting Date:	April 26, 2021	Primary Staff Contact:	Debbie Bridges
Department:	Finance	E-Mail:	dbridges@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	

Authority:

ORS 294.463 provides for transfers of appropriations within a fund or between funds

Background:

The attached budget transfer resolution would make two changes to the 2020-2021 budget.

1. Increase City Administration materials and services by \$150,000 for October 2020 settlement (funded by reduction in contingency)
2. Increase transfer from the General Fund to Parks Operations Fund by \$500,000 (funded by Contingency). There was discussion at the last City Council meeting (April 12th) of establishing an endowment fund for the Parks Operations Fund by utilizing \$500,000 of the General Fund Contingency. Should City Council still wish to proceed with this, the attached resolution will provide the necessary budget appropriation.

Council Options:

1. Approve Resolution 2021-17.
2. Modify Resolution 2021-17 to include some, or none, of the requested changes.

Potential Motions:

Motion to approve Resolution 2021-17.

Attachments:

Resolution 2021-17 - Budget Transfer FY2020-21 (DOC)

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RESOLUTION 2021-17

**A RESOLUTION AUTHORIZING AND DIRECTING BUDGET TRANSFERS
FOR THE CITY OF LINCOLN CITY, OREGON IN THE 2020-2021 FISCAL YEAR
BUDGET**

WHEREAS, the Finance Director has proposed certain budget appropriation transfers within the funds of the 2020-2021 Lincoln City budget; and

WHEREAS, the changes in departmental needs and staffing have resulted in needed changes to previously budgeted appropriations; and

WHEREAS, Oregon Budget Law allows the transfers of appropriations within a given fund when authorized by an official resolution of the City Council; and

WHEREAS, the City routinely budgets certain amounts and contingencies to provide budget resources to fund appropriations not anticipated at the time of adoption of the budget; and

WHEREAS, said transfers of appropriations are needed and will be used for purposes consistent with originally authorized expenditures in the budget; and

WHEREAS, said proposed budget appropriation transfers are set forth in the attached Exhibit "A"; and

WHEREAS, it appears to this Council that said proposed budget appropriation transfers are appropriate and should be made in conformance with the provisions of Oregon Revised Statutes 294.463.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln City, that the proposed budget transfers for Lincoln City 2020-2021 Budget are hereby ratified and approved and the Finance Director is hereby authorized and directed to make said appropriation transfers.

1

EXHIBIT A

2

SUMMARY OF BUDGET TRANSFERS

FUND: GENERAL FUND

Resource	Amount	Expenditure	Amount
1 _____		1 City Administration	150,000
2 _____		2 Transfers Out	500,000
3 _____		3 Contingency	-650,000
Revised Total Resources	15,855,297	Revised Total Requirements	15,855,297

To provide appropriation for \$150,000 legal settlement. To provide appropriation for \$500,000 transfer from General Fund to the Parks Operations Fund.

FUND: PARK OPERATIONS FUND

Resource	Amount	Expenditure	Amount
1 Transfer from General Fund	500,000	1 Contingency	500,000
Revised Total Resources	3,081,199	Revised Total Requirements	3,081,199

To receive \$500,000 transfer from the General Fund.

3

Council Communication

Resolution 2021- 18 Amending Authorized Emergency Operations Uses Resolutions

Meeting Date:	April 26, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Emergency Preparedness	Secondary Contacts:	Sungman Kim
Approval:	Lila Bradley	Estimated Time:	10 Minutes

Question:

Should the City Council approve Resolution 2021-18 amending Resolution 2020-22, as amended, to, *inter alia*, add two new properties to the list of private properties where emergency operations uses (in this case extended stay hotel uses) are authorized and extending the housing emergency?

Staff Recommendation:

Staff recommends the Council approve Resolution 2021-18.

Authority:

Chapter 2.72 (Emergency Operations)

Background:

See attached Draft Resolution

Council Options:

The City Council may:

Approve the attached Resolution. [or]

Do not approve the attached Resolution.

Potential Motions:

I move to approve Resolution 2021-18.

Attachments:

Resolution 2021-18 (DOC)

20210421132344229 Applicant (PDF)

1 RESOLUTION NO. 2021-18

2
3 A RESOLUTION OF THE CITY OF LINCOLN CITY, CONCERNING
4 AUTHORIZATION FOR SPECIFIC PROPERTIES TO ENGAGE IN EMERGENCY
5 OPERATIONS USES (EMERGENCY HOUSING) TO BENEFIT DISPLACED
6 LINCOLN COUNTY RESIDENTS DUE TO THE ECHO MOUNTAIN
7 COMPLEX FIRE, AMENDING RESOLUTION 2020-22, AS AMENDED
8

9 WHEREAS, several resolutions of the City Council have addressed temporary
10 emergency operations uses, based on the loss of housing due to the Echo Mountain
11 Complex Fire including but not limited to Temporary FEMA trailers (Resolution 2021-
12 03), Temporary RV parks (Resolution 2020-06), Extended Stay Hotel Authorizations
13 (2021-06).
14

15 WHEREAS, the legal representative of two additional private property owners has
16 requested to be designated for emergency operations uses, (extended stay hotel
17 housing) and the City Council is not opposed to such use provided the requirements
18 of this Resolution and the Lincoln City Municipal Code LCMC 17.80.140 are strictly
19 observed; and
20

21 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
22 LINCOLN CITY, AS FOLLOWS:
23

24 SECTION 1. RECITALS. The above recitals in the Whereas clauses are true
25 and correct and are incorporated herein by this reference.
26

27 SECTION 2. AMENDMENT – DURATION PARAGRAPH F. Section 3,
28 Paragraph G of Resolution 2020-22, as amended by Resolutions 2020-26,
29 2021-06 and 2021-10, is hereby extended and replaced with the following
30 text:
31

32 F. An estimate of the length of time during which the designated area will
33 remain under the emergency declaration; and
34

35 Through September 28, 2022, to accommodate the process of repairing,
36 rebuilding and reconstructing homes destroyed or damaged by fire in an
37 area with a shortage of suitable contractors for such works. The duration of
38 the emergency may be extended by the City Manager without further
39 Order of the Council for up to one additional year, [September 28, 2023] if
40 needed for recovery.

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SECTION 3. AMENDMENT. AUTHORIZED EMERGENCY OPERATIONS USES DESIGNATED PARAGRAPH G. Section 3, Paragraph G of Resolution 2020-22, as amended by Resolutions 2020-26, 2021-06 and 2021-10, is hereby replaced with the following text:

G. Any special regulations or emergency measures, powers or orders imposed as a result of the declared emergency; and

The City Manager, the City Emergency Preparedness Coordinator, and all City Department Heads, and their designees, (hereinafter Designated City Staff) are authorized, without further Order of the City Council to use any and all emergency powers, including those specifically listed in Lincoln City Municipal Code [LCMC 2.72.070] to appropriately respond to the emergency and to minimize loss of life.

Designated City Staff are to assist in the implementation of any order of the federal government, the Governor, State Officer, County or Special District related to emergency, as directed, ORS 401.165, or other applicable statute or order.

The Emergency Preparedness Coordinator is expressly authorized to take all actions authorized by law to coordinate the City’s response to this emergency, including but not limited to requesting assistance from State, County and Federal authorities.

The following emergency powers are operative, without limitation or prejudice to other authorized powers:

- Pursuant to the authority granted in LCMC 17.80.140, the following private property is designated for emergency operations uses for the duration of the emergency as detailed in Resolution 2020-22, as amended, specifically for temporary recreational vehicle park use for suitable recreational vehicle, trailer and camper camping and associated campground use, subject to the agreement of the owner and subject to strict compliance with the terms and conditions of such use included in Exhibit A, attached hereto to Resolution 2020-22 and made a part hereof by this reference:

- 1 1. 5040 SE Highway 101, Map #07-11-34-AA-01900-
 2 00/01000-00, [Rachel and Ross Rehberg]
 3 2. 1029/1037 SE Third Street, Map #07-11-15AC-02100-
 4 00/02200-00, [Chris Dragoo].
 5 3. 4934 SW Fleet Street, Map #07-11-27-DC-04600-00
 6 Alvin Haunch Trustee c/o Deonna Frichtl, Trustee
 7
- 8 • Pursuant to the authority granted in LCMC 17.80.140, the following
 9 private property is designated for emergency operations uses,
 10 specifically for extended stay hotel accommodations for fire victims, for
 11 the duration of the housing emergency as detailed in Resolution 2020-
 12 22, as amended:
 - 13 ○ Ashley Inn, 3430 NE Highway 101 Lincoln City, OR
 - 14 ○ Comfort Inn & Suites, 136 NE HWY 101 Lincoln City, OR
 - 15 ○ Motel 6, 3517 NW Hwy 101 Lincoln City, OR
 - 16 ○ Seagull Beachfront, 1511 NW Harbor Ave Lincoln City, OR
 - 17 ○ Travelodge by Windham, 1713 NW 21st St. Lincoln City, OR
 - 18 ○ Paradise Inn, 1014 NE Highway 101 Lincoln City, OR.
 - 19 ○ Inn at Lincoln City, 1091 SE 1st St, Lincoln City, OR
 - 20 ○ Ocean Breeze Hotel, 1070 SE 1st St, Lincoln City, OR
 - 21 • The applicants for such use are solely responsible for obtaining any and
 22 all applicable federal, state and local approvals and authorizations for
 23 the development and operation of temporary use (e.g. county permits
 24 for plumbing) and the City does not waive any such state or local
 25 requirements, except for certain city requirements expressly provided in
 26 LCMC 17.80.140 for such use.
 - 27 • All necessary city funds shall be redirected for emergency use, and
 28 standard city procurement procedures shall be suspended for any
 29 contract or purchase necessary to combat the emergency.
 - 30 • Price gouging is prohibited – specifically no person or business may sell
 31 or attempt to sell any goods or services [including specifically housing]
 32 for a price in excess of the “normal market price,” which shall mean that
 33 person’s or business’s average of the regular price of the goods or
 34 services for the 30 days preceding the declaration of the State of
 35 Emergency.
 - 36 • All mutual aid agreements are operative and Designated Staff may
 37 make application for such emergency assistance as is needed from local,
 38 state or federal sources.

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- Without further order of the Council, Designated City Staff may restrict, regulate or prohibit vehicular or pedestrian traffic for such distance or degree as may be deemed necessary under the circumstances, including the closing to the public of any or all public places, including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings.
- The City Manager or his designee may establish a curfew during specified hours in specified geographic areas and locations.
- The City Manager or his designee may prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area.
- The City Manager or his designee may curtail or suspend commercial activity.
- The City Manager or his designee may take such other measures [by written order] as are found to be necessary for the protection of life, property, infrastructure, the environment, or for the recovery from the emergency.

SECTION 4. NO OTHER AMENDMENT. All other Sections and Exhibits to Resolution 2020-22, as amended (other than Section 3, Paragraph G), remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This resolution is effective as of the date of its adoption and signature by the Mayor.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 26th day of April, 2021.

JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

CITY RECORDER

1 APPROVED AS TO FORM:
2
3 _____
4 CITY ATTORNEY
5

REQUEST FOR ORDER ALLOWING FOR EMERGENCY OPERATIONS USES

Current Use & Property Location: Ocean Breeze, 1070 SE 1st Street, Lincoln City
Inn at Lincoln City, 1091 SE 1st Street, Lincoln City

Current Owner / Seller: SM Ziar Rahman, et al (see signature page)

Contract Purchaser / Applicant: CV The Haven at D River, LLC

Request:

Pursuant to Lincoln City Municipal Code (LCMC) 17.80.140, the Applicant CV The Haven At D River, LLC respectfully requests a temporary emergency operation declaration allowing for extended stay accommodations for fire victims within the above-referenced existing hotel / motels.

Reason for the Request:

Over the past few months, this Applicant, by and through its parent-entity, has managed an extended stay-converted hotel in the Medford area hosting victims of the Almeda Fire. This accommodation has been so successful that the Oregon Department of Human Services has encouraged this parent-entity to engage in offering the same shelter opportunity to Echo Mountain Complex Fire victims in Lincoln City. In furtherance of that effort, this Applicant has contracted with the Emergency Management Unit at the Oregon Department of Human Services for the purchase of hotel rooms in Lincoln City to house displaced families and is prepared to operate these emergency accommodations immediately upon authorization by the City Council.

The City has a practice of allowing the use of private hotels and motel property for emergency shelters. LCMC 7.80.140, allows the City to suspend zoning limitations that might otherwise restrict temporary emergency operations upon an emergency declaration. The City has relied on this provision adopting Resolution 2020-22, coupled with subsequent amendments 2020-26 and 2021-06, designating other private hotel properties to accommodate extended stay accommodations for fire victims. The Applicant asks that the two properties identified above be added to this list through the adoption of another emergency order amending those previously adopted.

This emergency accommodation shall be limited in duration and will terminate when either the emergency has ended, the LCMC is amended to allow extended stay emergency accommodation within existing hotels / motels making the declaration unnecessary, or the Applicant ceases this use. The Applicant understands that it may be required to discontinue this emergency shelter use within 60 days after the end of the declared emergency.

The current property owner, along with the applicant, consent to this request:

[SIGNATURE PAGE FOLLOWS]

SELLERS:

Inn at Lincoln City Property

DocuSigned by:
Zaur Rahman
5094F82D2684404
Zaur Rahman

DocuSigned by:
Sazzadur Rahman
DB8C25B768DE455
Sazzadur Rahman

DocuSigned by:
Nazmul Kabir
5DEEC4A7AF18421...
Nazmul Kabir

DocuSigned by:
Masrur Khan
Masrur Khan

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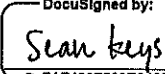
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Applicant:

CV The Haven at D River, LLC,
an Oregon limited liability company

By: 
Name: Sean Keys
Title: Manager

Council Communication

Construction Award for NE 14th St. Sidewalk and Sewer LID Project

Meeting Date:	April 26, 2021	Primary Staff Contact:	Lila Bradley
Department:	Public Works	E-Mail:	LBradley@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Should the City Council award the Best Value Construction Contract for NE 14th Street Sidewalk Improvement and Sanitary Sewer LID Project to K&E Excavating, Inc?

Staff Recommendation:

Staff recommends the City Council award the Best Value Construction Contract for NE 14th Street Sidewalk Improvement and Sanitary Sewer LID Project to K&E Excavating, Inc.

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) In this case, the Council approved the exemption from competitive bid.

Background:

The Public Works Department advertised the "Invitation to Submit Proposals for Best Value" on March 1, 2021 and received three proposals on March 25, 2021.

PROPOSERS	BID
K&E Excavating Inc.	\$794,957.00
Jesse Rodriguez Construction LLC	\$839,683.34
HP Civil Inc.	\$1,107,601.50

The proposals were reviewed and scored by a selection committee. The highest scoring proposer was K&E Excavating, Inc.

Council Options:

City Council can award the Best Value Construction Services for NE 14th Street

Sidewalk Improvements and Sanitary Sewer LID Project to K&E Excavating, Inc. or not award the project to K&E Excavating, Inc.

Financial Impact

The project is funded under the approved FY2020-2021 Street Capital Budget in the amount of \$800,000.00.

The construction cost of the Sewer LID portion of the Proposal is \$70,935.00. (The Engineer estimate was \$67,615.90.) The \$70,935.00 will come from the unbonded funds for local improvement districts, approved in the Formation Resolution 2021-15 and prior Initiation Resolution 2021-07.

NW Natural is reimbursing the project \$43,170.00. Conflicts with the gas line were identified early in the design phase, working with NW Natural, we determined it was less expensive and less disruptive to customers to modify the stormwater alignment rather than relocate the existing gas line; therefore NW Natural will be contributing \$43,170.00 for the extra work to avoid the gas line.

Subtracting the Sewer LID and NW Natural costs, \$766,211.06 will come from the Capital Street Fund. The following table shows the costs to date and cost to complete.

Item	Project Cost in FY2018 through 2020	Estimated Cost to Complete FY2020 through 2022
Drafting	\$28,147.00	NA
Surveying/Easements	\$14,418.00	NA
Bid Advertise	\$613.07	\$1,094.32
Bureau of Labor and Industries		\$794.96
Construction Bid		\$794,957.00
Art (1/2 of one percent of the construction bid)		\$3,974.78
Construction Contingency		\$79,495.00
Total	\$43,178.07	\$880,316.06

Potential Motions:

Move to award the Best Value Construction Contract for NE 14th Street Sidewalk Improvement and Sanitary Sewer LID to K&E Excavating, Inc. in the amount of \$794,957.00 with a contingency amount of \$79,495 (10%) for a total amount of \$874,452.00.

Council Communication

SW 29th Street Improvement and NE 36th Drive Project

Meeting Date: April 26, 2021
 Department: Public Works
 Secondary Dept:
 Approval: Lila Bradley

Primary Staff Contact: Stephanie Reid
 E-Mail: SReid@lincolncity.org
 Secondary Contacts:
 Estimated Time: 10 min

Question:

Should the City Council Award a construction contract to Advanced Excavation Inc for the SW 29th Street and NE 36th Drive Improvements?

Staff Recommendation:

Staff recommends the construction contract be awarded to Advanced Excavation Inc in the amount of \$366,751.00.

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:

Both the SW 29th Street improvements and the NE 36th Drive Overlay projects have been designed & planned since FY 19-20.

The SW 29th Street road surface is in need of substantial repair, and the addition of sidewalks will connect SW Coast and SW Highway 101 sidewalks.

The NE 36th Drive roadway surface is still in need of repair due, in part, to the NE 36th Sewer LID. This will prepare the sidewalk installation connection and strengthen the roadway for Northwest Natural's future development.

Project Description

This project includes two improvement areas, roadway improvements on SW 29th Street and NE 36th Dr. These were packaged together for more competitive pricing.

The SW 29th portion of the project includes the construction of sidewalks on the north side of SW 29th, reconstructing the existing sidewalk ramps at SW Coast Ave to meet ADA Standards, the addition of 8 parking spaces on the south side of SW 29th, and an asphalt overlay of SW 29th Street between Hwy 101 and SW Coast Ave. This work as

planned will include a daytime closure for through traffic on SW 29th. Access for residents will still be allowed during work, and the roadway will be re-opened at night.

The NE 36th portion of the project includes reconstruction of the curb ramps at NE 36th and West Devils Lake Road for ADA compliance, grinding and overlay of NE 36th and portions of West Devils Lake Road, striping of the roadway, and miscellaneous utility and grading work.

Bids

Public Works Department advertised the project for bid on March 22nd & 23rd, 2021. The City Public Works Department opened bids for the project on April 15, 2021. Three bids were received:

Bidder	Bid Amount
Advanced Excavation Inc.	\$333,410.00
RK Concrete Construction	\$366,494.66
K&E Excavating Inc.	\$424,943.00

The lowest responsive and responsible bidder was Advanced Excavation Inc. in the amount of \$333,410.00.

Financial Impact:

This project was approved in the FY20-21 budget, Street Overlay Projects. The budgeted amount for the two projects combined was \$450,000.00.

The following table shows design costs incurred in FY2019-20, FY 20-21 and the estimated cost to construct and complete the project in FY2021-22.

Item	Project Cost in FY2019-20 and 20-21	Estimated Cost to Complete FY2019-21
Surveying	\$8,118.00	
CAD Assistance	\$12,437.00	
Bid Advertise (2019)	\$591.05	
Bid Advertisement (2021)	\$693.09	
Bureau of Labor and Industries		\$333.41
Construction Bid		\$333,410.00

Art (1/2 of one percent of the construction bid)		\$1,667.05
Construction Contingency		\$33,341.00
Total	\$21,839.14	\$368,751.46

Council Options:

The Council may approve the construction award.
The Council may not approve the construction award.

Potential Motions:

Move to award the construction contract to Advanced Excavation Inc. in the amount of \$333,410 with a construction contingency of \$33,341.00 (10 percent of bid amount) for a total amount of \$366,751.00 and approve a daytime closure of the SW 29th Street during construction to accommodate work and public safety.

Attachments:

Bid Tab

Attachments:

Bid Tab (PDF)

BID TAB

SW 29th Street Improvements			Engineer's Estimate		Advanced Excavation Inc		RK Concrete Construction		K&E Excavation	
ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
GENERAL BID ITEMS										
Mobilization	1	LS	\$19,000.00	\$19,000.00	\$23,000.00	\$23,000.00	\$9,000.00	\$9,000.00	\$28,000.00	\$28,000.00
Temporary Work Zone Traffic Control, Complete	1	LS	\$10,000.00	\$10,000.00	\$8,500.00	\$8,500.00	\$12,000.00	\$12,000.00	\$18,000.00	\$18,000.00
Inlet Protection	3	EA	\$500.00	\$1,500.00	\$150.00	\$450.00	\$110.00	\$330.00	\$100.00	\$300.00
Silt Fence	130	FT	\$10.00	\$1,300.00	\$3.50	\$455.00	\$4.50	\$585.00	\$5.00	\$650.00
Remove Asphalt and Preparation of Road Base	780	SF	\$15.00	\$11,700.00	\$3.00	\$2,340.00	\$6.15	\$4,797.00	\$9.00	\$7,020.00
Clear & Grubbing	1	LS	\$4,000.00	\$4,000.00	\$5,000.00	\$5,000.00	\$8,126.00	\$8,126.00	\$9,000.00	\$9,000.00
Slope Grading	1	LS	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00	\$4,500.00	\$4,500.00	\$1,600.00	\$1,600.00
Existing 12" Pipe Removal	117	FT	\$2.00	\$234.00	\$32.00	\$3,744.00	\$19.00	\$2,223.00	\$35.00	\$4,095.00
12" Corrugated Polyethulene Pipe, Class "B" Backfill, 0-10 feet	160	FT	\$90.00	\$14,400.00	\$93.00	\$14,880.00	\$72.00	\$11,520.00	\$105.00	\$16,800.00
Connect Existing Downspout to Storm	2	LS	\$250.00	\$500.00	\$1,300.00	\$2,600.00	\$400.00	\$800.00	\$800.00	\$1,600.00
Connect Existing Downspout to Curb	1	LS	\$250.00	\$250.00	\$600.00	\$600.00	\$350.00	\$350.00	\$400.00	\$400.00
Connect 4-inch pipe to SDCB #2	1	LS	\$100.00	\$100.00	\$600.00	\$600.00	\$500.00	\$500.00	\$1,500.00	\$1,500.00
Sewer Lateral Connection & Extension	10	FT	\$40.00	\$400.00	\$100.00	\$1,000.00	\$80.00	\$800.00	\$300.00	\$3,000.00
4" Sewer Lateral Cleanout (3034 PVC) & Cap	1	EA	\$400.00	\$400.00	\$500.00	\$500.00	\$450.00	\$450.00	\$750.00	\$750.00
Remove Existing CB Grate & Install Solid Removable LID, ADA Approved	3	EA	\$1,500.00	\$4,500.00	\$1,400.00	\$4,200.00	\$600.00	\$1,800.00	\$1,200.00	\$3,600.00
Place Clean Out Lid Over Existing Clean Out	1	LS	\$250.00	\$250.00	\$150.00	\$150.00	\$200.00	\$200.00	\$300.00	\$300.00
Catch Basin, G-1	1	EA	\$3,000.00	\$3,000.00	\$2,720.00	\$2,720.00	\$2,200.00	\$2,200.00	\$2,700.00	\$2,700.00
Catch Basin, CG-3	1	EA	\$4,000.00	\$4,000.00	\$2,840.00	\$2,840.00	\$2,600.00	\$2,600.00	\$2,700.00	\$2,700.00
Nyoplast 8" Drain & Connet to Existing Storm with 4" pvc	1	LS	\$500.00	\$500.00	\$1,450.00	\$1,450.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00
Adjust Existing Valves	3	EA	\$200.00	\$600.00	\$115.00	\$345.00	\$300.00	\$900.00	\$150.00	\$450.00
Minor Manhole Adjustment	4	EA	\$1,000.00	\$4,000.00	\$380.00	\$1,520.00	\$300.00	\$1,200.00	\$1,300.00	\$5,200.00
Major Manhole Adjustment	2	EA	\$4,000.00	\$8,000.00	\$1,230.00	\$2,460.00	\$1,200.00	\$2,400.00	\$1,900.00	\$3,800.00
Truncated Dome	2	EA	\$500.00	\$1,000.00	\$340.00	\$680.00	\$1,500.00	\$3,000.00	\$650.00	\$1,300.00
Concrete Curb (6" Reveal)	516	FT	\$35.00	\$18,060.00	\$47.00	\$24,252.00	\$54.80	\$28,276.80	\$50.00	\$25,800.00
Back of Sidewalk Curb	39	FT	\$45.00	\$1,755.00	\$32.00	\$1,248.00	\$51.50	\$2,008.50	\$60.00	\$2,340.00
Concrete Sidewalks & Ramps (4" Thick)	1470	SF	\$12.00	\$17,640.00	\$13.00	\$19,110.00	\$11.46	\$16,846.20	\$16.00	\$23,520.00
Concrete Path (795 SW 29th)	140	SF	\$20.00	\$2,800.00	\$14.00	\$1,960.00	\$12.70	\$1,778.00	\$21.00	\$2,940.00
Concrete Step	2	EA	\$200.00	\$400.00	\$835.00	\$1,670.00	\$500.00	\$1,000.00	\$850.00	\$1,700.00
Concrete Driveway (6" Thick)	1010	SF	\$20.00	\$20,200.00	\$19.00	\$19,190.00	\$24.75	\$24,997.50	\$19.00	\$19,190.00
Concrete Driveway (6" Thick) - Reinforced	120	SF	\$30.00	\$3,600.00	\$23.00	\$2,760.00	\$26.75	\$3,210.00	\$35.00	\$4,200.00
Aggregate Base Rock 3/4"-0	140	CY	\$100.00	\$14,000.00	\$60.00	\$8,400.00	\$76.00	\$10,640.00	\$120.00	\$16,800.00
Cold Plane	1235	SF	\$3.00	\$3,705.00	\$3.00	\$3,705.00	\$11.50	\$14,202.50	\$5.00	\$6,175.00
Level 2, 1/2" Dense ACP, 2" depth	126	Ton	\$120.00	\$15,120.00	\$152.00	\$19,152.00	\$161.50	\$20,349.00	\$160.00	\$20,160.00
Level 2, 1/2" Dense ACP, 3" Depth (Parking)	35	Ton	\$200.00	\$7,000.00	\$152.00	\$5,320.00	\$176.50	\$6,177.50	\$195.00	\$6,825.00
Level 2, 1/2" Dense ACP, 4" Depth	50	Ton	\$175.00	\$8,750.00	\$152.00	\$7,600.00	\$170.00	\$8,500.00	\$195.00	\$9,750.00
Level 2, 1/2" Dense ACP, Extra depth	40	Ton	\$175.00	\$7,000.00	\$152.00	\$6,080.00	\$173.50	\$6,940.00	\$160.00	\$6,400.00
Driveway Asphalt Transition	318	SF	\$9.00	\$2,862.00	\$4.00	\$1,272.00	\$4.50	\$1,431.00	\$11.00	\$3,498.00
Driveway Concrete Transition	135	SF	\$20.00	\$2,700.00	\$20.00	\$2,700.00	\$20.95	\$2,828.25	\$24.00	\$3,240.00
Longitudinal Pavement Marking, 4" White Parking	96	FT	\$2.50	\$240.00	\$5.00	\$480.00	\$7.16	\$687.36	\$5.00	\$480.00
Longitudinal Pavement Marking, 4" Yellow Broken Line	90	FT	\$2.50	\$225.00	\$7.00	\$630.00	\$8.95	\$805.50	\$6.00	\$540.00
Relocate Water Meter to Sidewalk	1	EA	\$250.00	\$250.00	\$900.00	\$900.00	\$900.00	\$900.00	\$650.00	\$650.00
Adjust WM Box to FG	2	EA	\$500.00	\$1,000.00	\$255.00	\$510.00	\$250.00	\$500.00	\$300.00	\$600.00

BID TAB

Rip Rap Wall Adjustment	1	LS	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00	\$800.00	\$800.00
Relocate Mail Box post in Sidewalk	3	EA	\$250.00	\$750.00	\$75.00	\$225.00	\$250.00	\$750.00	\$300.00	\$900.00
Remove & Replace Fence	35	FT	\$50.00	\$1,750.00	\$70.00	\$2,450.00	\$40.00	\$1,400.00	\$90.00	\$3,150.00
Concrete Block Retaining Wall	138	SF	\$25.00	\$3,450.00	\$95.00	\$13,110.00	\$46.00	\$6,348.00	\$70.00	\$9,660.00
Construction Surveying	1	LS	\$3,000.00	\$3,000.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
Total Schedule 1				\$228,891.00		\$238,258.00		\$238,457.11		\$293,583.00
Mobilization	1	LS	\$12,000.00	\$12,000.00	\$9,000.00	\$9,000.00	\$6,000.00	\$6,000.00	\$12,000.00	\$12,000.00
Temporary Work Zone Traffic Control, Complete	1	LS	\$10,000.00	\$10,000.00	\$6,500.00	\$6,500.00	\$12,000.00	\$12,000.00	\$7,500.00	\$7,500.00
Grinding, Sawcutting & Demolition	1	LS	\$15,000.00	\$15,000.00	\$5,400.00	\$5,400.00	\$39,045.00	\$39,045.00	\$15,000.00	\$15,000.00
12 Gauge, Blue Tracer Wire, Sawcut & Install	340	FT	\$3.00	\$1,020.00	\$7.00	\$2,380.00	\$5.25	\$1,785.00	\$20.00	\$6,800.00
Level 2, ½" Dense ACP, 1-1/2" Depth	355	TN	\$135.00	\$47,925.00	\$111.00	\$39,405.00	\$113.90	\$40,434.50	\$150.00	\$53,250.00
Level 2, ½" Dense ACP, 3" Depth	2	TN	\$150.00	\$300.00	\$111.00	\$222.00	\$109.00	\$218.00	\$200.00	\$400.00
Minor Manhole Adjustment	3	EA	\$250.00	\$750.00	\$400.00	\$1,200.00	\$300.00	\$900.00	\$1,300.00	\$3,900.00
Adjust Existing Valves	4	EA	\$300.00	\$1,200.00	\$200.00	\$800.00	\$300.00	\$1,200.00	\$150.00	\$600.00
Asphalt Berm	240	FT	\$3.00	\$720.00	\$25.00	\$6,000.00	\$2.70	\$648.00	\$9.00	\$2,160.00
Reflective Paint Striping (4") Double Yellow	1895	FT	\$2.50	\$4,737.50	\$1.30	\$2,463.50	\$1.25	\$2,368.75	\$0.90	\$1,705.50
Reflective Paint Stripe (4") Single White	3210	FT	\$1.75	\$5,617.50	\$0.70	\$2,247.00	\$0.63	\$2,022.30	\$0.45	\$1,444.50
Aggregate Base Rock ¾"-0	5	CY	\$250.00	\$1,250.00	\$60.00	\$300.00	\$39.00	\$195.00	\$175.00	\$875.00
Thermosplastic Pavement Marking (12") White	115	FT	\$13.00	\$1,495.00	\$13.00	\$1,495.00	\$16.10	\$1,851.50	\$11.00	\$1,265.00
Concrete Sidewalks & Ramps (4" Thick)	300	SF	\$16.00	\$4,800.00	\$14.00	\$4,200.00	\$22.80	\$6,840.00	\$26.00	\$7,800.00
Standard Concrete Curb & Gutter, 6" Reveal	49	FT	\$45.00	\$2,205.00	\$65.00	\$3,185.00	\$85.50	\$4,189.50	\$80.00	\$3,920.00
Standard Concrete Curb, 6" Reveal	15	FT	\$45.00	\$675.00	\$65.00	\$975.00	\$36.00	\$540.00	\$140.00	\$2,100.00
Truncated Dome	2	EA	\$1,000.00	\$2,000.00	\$340.00	\$680.00	\$750.00	\$1,500.00	\$820.00	\$1,640.00
Storm Adjustment & Reconnection (PVC)	1	LS	\$1,200.00	\$1,200.00	\$1,500.00	\$1,500.00	\$1,800.00	\$1,800.00	\$3,500.00	\$3,500.00
Construction Survey	1	LS	\$5,000.00	\$5,000.00	\$7,200.00	\$7,200.00	\$4,500.00	\$4,500.00	\$5,500.00	\$5,500.00
TOTAL SCHEDULE 2				\$117,895.00		\$95,152.50		\$128,037.55		\$131,360.00
Total Project Bid				\$346,786.00		\$333,410.50		\$366,494.66		\$424,943.00

Council Communication

COVID-19 & Echo Mountain Resource List

Meeting Date:	April 26, 2021	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Jamie Young	Estimated Time:	

COVID-19

➤ Lincoln City

Lincoln City COVID-19 website – click here:

<https://www.lincolncity.org/covid19>

➤ Lincoln County

Lincoln County COVID-19 website - click

here: <https://www.co.lincoln.or.us/hhs/page/2019-novel-coronavirus>

All public information updates - click

here: <https://www.co.lincoln.or.us/hhs/page/public-information-updates>

➤ State of Oregon

State of Oregon COVID-19 Main website click here:

<https://coronavirus.oregon.gov/Pages/default.aspx>

Oregon Health Authority Main website click here:

<https://govstatus.egov.com/OR-OHA-COVID-19>

➤ Centers for Disease Control and Prevention (CDC)

CDC COVID-19 website – click here:

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

September 2020 Wildfires

➤ Lincoln City

Lincoln City wildfire website – click here:

https://www.lincolncity.org/index.asp?SEC=26F6CE11-8668-45FA-9437-D7383FE72B62&Type=B_BASIC

➤ Lincoln County

Lincoln County Wildfire website – click here:

<https://www.co.lincoln.or.us/emergencymanagement/page/north-lincoln-rebuilds>

➤ State of Oregon

State of Oregon Wildfire Recovery website – click here:
<https://wildfire.oregon.gov>

Council Communication

D River and Schooner Cr. Bridge Railings

Meeting Date:	April 26, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 min

Questions were raised in previous City Council meetings about the new railings on the bridges.

For the two bridge rehabilitation projects, the designs started development in early 2016 and finalized early 2018. Over this time, the plans were shared with the City and were reviewed by ODOT Historians.

The Schooner Creek Bridge railings are installed. The D River Bridge railings are under construction. The concrete pillars will be re-constructed to look much like the old ones, however, green steel tubes will be installed along the face, much like the Schooner Creek Bridge railings. The tube railings are powder coated steel. If there is a desire to beautify them, we will need to contact ODOT to see what would be allowed.