

**CITY OF LINCOLN CITY
CITY COUNCIL
SPECIAL MEETING AGENDA**

WEDNESDAY JANUARY 17, 2024, 6:00 PM

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

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

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

Agendas and Agenda packet items for this meeting are available at www.lincolncity.org under "Government" then select "Public Meeting Agendas, Packets & Videos". This meeting is being streamed live at <https://www.lincolncity.org/government/media-streaming> and will be available there for viewing after this meeting concludes. This meeting will be televised live on Channel 4.

A. CALL TO ORDER

B. ROLL CALL

C. SPECIAL ORDER OF BUSINESS

1. Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm

D. ADJOURNMENT

Council Communication

Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm

Meeting Date:	January 17, 2024	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	

Question:

Should the City Council approve the Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm?

Staff Recommendation:

Approve Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm

Background:

Pursuant to LCMC 2.72.040.A.2, the City Manager is authorized to issue a Declaration of Emergency if the City Council is not in session or available, subject to the City Council ratification and confirmation, modification or rejection at a public meeting as soon as practicable, but not more than seven days after the declaration.

Council Options:

Adopt, modify or reject Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm.

Potential Motions:

Motion to approve Emergency Order 2024-01 Declaring an Emergency as a Result of a Winter Ice Storm.

Attachments:

LC Emergency Declaration 01152024 (PDF)

EMERGENCY #2024-01
CITY OF LINCOLN CITY DECLARATION OF STATE OF EMERGENCY

Findings:

1. Chapter 2.72.020 of the Lincoln City Municipal Code reads, "An emergency situation exists whenever any part of the City of Lincoln City is suffering or in imminent danger of suffering from a tornado, storm, high water, wind-driven water, earthquake, tsunami, volcanic eruption, landslide, mudslide, snow or ice storm, drought, fire, explosion, health hazard, infestation, toxic substance, civil disorder, disruption of community services, or any other catastrophe whereby extraordinary measures must be taken to save lives, to protect public health, safety and welfare, to minimize destruction of property or the environment, or to avert or lessen the threat of a major disaster.
2. In accordance with Chapter 2.72 of the Lincoln City Municipal Code, the City Manager is expressly authorized to issue an emergency declaration, subject to council ratification and confirmation, modification or rejection at a public meeting as soon as practicable, but not more than seven days after the declaration.
3. The City Manager or designee must declare the existence of an emergency, which pursuant to Chapter 2. 72.070 shall authorize the city to take any of the following necessary actions during the emergency:
 - A. Redirect funds for emergency use.
 - B. Suspend standard procurement procedures to obtain necessary goods, services and/or equipment.
 - C. Prohibit "price gouging." Specifically, no person or business may sell or attempt to sell any goods or services for a price in excess of the "normal market price," which shall mean that person's or business's average of the regular price of the goods or services for the 30 days preceding the declaration of the state of emergency.
 - D. Implement mutual aid agreements, and to enter into any new such agreements or amend existing agreements, under the signature of the emergency manager.
 - E. Turn off water, gas or electricity.
 - F. 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.
 - G. Enter or pass through private property for the purpose of responding to the emergency and/or for the conduct of damage assessment.
 - H. Evacuate persons from the area designated as an emergency area. A mandatory evacuation order may be authorized by the emergency manager only when necessary for public safety or for the efficient conduct of activities that minimize or mitigate the effects of the emergency.
 - I. Establish a curfew during specified hours in specified geographic areas and locations.

- J. 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.
- K. Assist in the implementation of any order of the federal government, the Governor, State Public Health Director, or local public health representative related to public health or public health emergency, as directed, pursuant to ORS 431.270, 431.264, 433.411 or 401.455, or order.
- L. Prohibit possession of loaded firearms, weapons or explosives or any instrument which is capable of producing harm to person or property on public streets, public places or any outdoor place; provided, that any such order shall not apply to firearms possessed by individuals specified in ORS 166.173
- M. Prohibit or restrict the sale, distribution or giving away of gasoline or other flammable liquids, except that such prohibition normally shall not extend to the filling of a gasoline tank properly affixed to a motor vehicle or equipment responding to emergency circumstances, nor to any police or military or other official acting under color of government authority.
- N. Curtail or suspend commercial activity.
- O. Prohibit or restrict the sale of alcoholic beverages or other intoxicants.
- P. Designate any developed or undeveloped city property for temporary emergency operations uses, including but not limited to use as an emergency facility, shelter, overnight shelter, bivouac, mess hall, temporary campground, staging area, inoculation center, distribution center, or similar emergency operation uses. Private or other public property may similarly be designated by the city, with the permission of the property owner, for such emergency uses. The duration of such authorized uses is only during the period of the emergency and for a reasonable period of time after the end of the declared emergency.
- O. Make application to Lincoln County or any other municipal entity for further assistance by way of any existing or newly negotiated mutual aid or intergovernmental agreement, and to make application for a Governor's declaration of emergency or other such emergency assistance as becomes available under local, state or federal law.
- R. Order such other measures as are found to be necessary for the protection of life, property, infrastructure, the environment, or for the recovery from the emergency. Such other measures shall be set forth *in* writing on the emergency declaration, or added to the declaration when such measures become necessary.
- S. On a case-by-case basis, the emergency manager may authorize a written exemption from any emergency measure or order for an individual or group of volunteer emergency responders.

IT IS RESOLVED:

At 8:45am on *Monday January 15, 2024* the City of Lincoln City declared an Emergency due to Winter Ice Storm impacts:

The ice storm began on Saturday January 13th. This unprecedented ice storm has resulted in long term power outages, icy/dangerous road conditions, blocked roads and damaged property due to fallen trees throughout Lincoln City.

There are approximately 10,000+ residents at risk and up to an additional 5,000 tourists.

Parks, Public Works, Fire, Police and designated local contractors are all engaged in responding to the numerous downed trees and power/utility lines that are damaging property and blocking roadways, maintaining accessible main roadways (those to and from the hospital) and ensuring the continual operation of numerous sewer and water pump stations along with the sewer and water treatment plants. Power has been out since Saturday to areas in Lincoln City north of D-River.

Routes in/out of areas of the City are limited due to fallen trees and icy road conditions.

It is likely that trees will continue to fall and power will continue to be out through the early part of the week beginning January 15, 2024.

The City of Lincoln City has taken actions and committed resources to identify, assess and prioritize response and may need assistance with:

- Search and rescue
- Operational communications
- Damage assessment
- Debris management
- Private sector coordination
- Resource staging
- Healthcare system support
- Emergency repairs or augmentation to infrastructure
- Medical transportation
- Commodities distribution

The City of Lincoln City strives through this emergency declaration, and other ongoing measures taken to protect its citizens, visitors, and staff.

The City Manager hereby declares an emergency and will take necessary actions to preserve the health and safety of those in Lincoln City during this event. I respectfully request, as appropriate, support from State agencies and/or the Federal government.



 Daphnee Legarza City Manager

1/15/24 - 8:45 AM

 Date/Time