

**CITY OF LINCOLN CITY
CITY COUNCIL AGENDA**

MONDAY JULY 22, 2024, 6:00 PM

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

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

Public comments submitted by email to publiccomment@lincolncity.org will be entered into the official record, distributed to the governing body, and summarized; however, due to personal privacy issues they are not generally published in the online Agenda packet.

****PUBLIC COMMENT VIA EMAIL WILL ONLY BE RECOGNIZED UPON RECEIPT OF AN EMAIL SENT TO publiccomment@lincolncity.org****

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

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing-impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting. To request information in an alternate format or other assistance, please contact the City's ADA Coordinator, Kevin Mattias, at [541-996-1013](tel:541-996-1013) or kmattias@lincolncity.org. 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.

Agenda materials for this meeting are available at www.lincolncity.org under "Government", then select "Public Meeting Agendas, Packets & Videos". To stream the meeting in HD, please visit www.lincolncity.org/government/streaming. This meeting will be televised live on Channel 4, and rebroadcast on Channel 4 multiple times a day.

If you wish to speak on an agenda or non-agenda item, please sign up on the sheet near the entrance door to the Council Chambers. You will be called to speak during the "Public Comment" section. Comments or testimony on agenda items listed under "public hearing/public comment" will be taken at that time.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – July 8, 2024, 6:00 PM

E. COUNCIL DELIBERATIONS

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

Article I, Section 8, of the Oregon Constitution provides: No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right. Be advised: Comments by citizens under this Public Comments Section of the Agenda or under Public Hearings are solely the opinions and statements of the speakers and are not statements by the City of Lincoln City and do not represent the opinions of the City of Lincoln City, its officers and employees.

G. PRESENTATIONS

2. Lincoln County Wildfire Recovery Efforts

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

J. ORDINANCES

1. Ordinance No. 2024-08 An Ordinance Amending the City of Lincoln City Ordinance 2017-20, Municipal Code, Title 2, Section 2.04.180 (Council Rules) Sections 5.6 and 10.3

K. RESOLUTIONS

2. Resolution No. 2024-22 A Resolution of the City of Lincoln City Regarding Human Trafficking and Allowing Informational Signs to Be Posted on City Property
3. Resolution No. 2024-23 A Resolution of the City of Lincoln City, Adopting and Directing Budget Transfers for the City of Lincoln City, Oregon in the 2024-2025 Fiscal Year Budget
4. Resolution No. 2024-24 A Resolution authorizing the Planning and Community Development Department to apply for a Transportation Growth Management Program Grant to develop a plan for pedestrian safety, traffic calming, and shared streets in the Roads End Neighborhood of Lincoln City

L. SPECIAL ORDER OF BUSINESS

5. Water Service Outside City Limits

M. CITY MANAGER/CITY ATTORNEY REPORTS

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

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

Article I, Section 8, of the Oregon Constitution provides: No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but

every person shall be responsible for the abuse of this right. Be advised: Comments by citizens under this Public Comments Section of the Agenda or under Public Hearings are solely the opinions and statements of the speakers and are not statements by the City of Lincoln City and do not represent the opinions of the City of Lincoln City, its officers and employees.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Q. ADJOURNMENT

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

July 8, 2024, 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

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

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Marci Baker	City Councilor	Present	
Todd Barker	City Councilor	Present	
Judy Casper	Councilor Ward 3	Present	
Riley Hoagland	Councilor Ward 2	Excused	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	
Susan Wahlke	Mayor	Present	

Staff Present: Daphnee Legarza, City Manager; David James Robinson, City Attorney; Lt. Winn, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Stephanie Reid, Public Works Director; Debbie Bridges, Finance Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

MOTION:	Consent Agenda
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Mark, Parsons, Wahlke
ABSENT:	Hoagland
RESULT:	Passed

1. Regular Meeting – Minutes of Regular Meeting – June 24, 2024, 6:00 PM
2. Regular Meeting – Minutes of Work Session – July 1, 2024, 5:00 PM

E. COUNCIL DELIBERATIONS

None

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

Kevin Shluka commented via phone in favor of the new payment options for SDCs.

Garland Akenson of Lincoln City spoke regarding people living on the beach in Cutler City.

G. PRESENTATIONS

Moved from agenda item L3

1. Motion to Approve a \$20,000 Grant in FY24-25 to the Economic Development Alliance of Lincoln County to Support Regional Economic Development activities

Paul Schuytema, Executive Director at the Economic Development Alliance of Lincoln County, spoke regarding the current projects in Lincoln County and the need for grant funding. The Council and Mr. Schuytema discussed the information provided. Mr. Schuytema will send links to Ms. Legarza or Ms. Robertson for the maps that show the broadband information.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

None

J. ORDINANCES

1. Ordinance 2024-07: New Payment Option for SDCs for Multi-Unit Dwellings

Alison Robertson, Economic Development Director explained the ordinance. The Council and Staff had a discussion.

MOTION: Motion to Approve First Reading of Ordinance 2024-07: New Payment Option for SDCs for Multi-Unit Dwellings
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Todd Barker, Councilor Ward 1
AYES: Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED: Hoagland
RESULT: Passed by Roll Call Vote

2.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2024-07: New Payment Option for SDCs for Multi-Unit Dwellings
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Todd Barker, Councilor Ward 1
AYES: Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED: Hoagland
RESULT: Passed by Roll Call Vote

K. RESOLUTIONS

3. Resolution No. 2024-21 A Resolution Rescinding Resolution No. 2022-40 of the City of Lincoln City; and Redesignating Bank Depositories and Authorized Signatories for Checks and Drafts of the City of Lincoln City

MOTION: Motion to Approve Resolution 2024-21: Updating Bank Signatories with Correction
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED: Hoagland
RESULT: Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

4. Increase Contingency for NE 21st St. Sidewalks

Mayor Wahlke recused herself due to a conflict. Stephanie Reid, Public Works Director presented the staff report. The Council and Staff had a discussion regarding the information.

MOTION: Move to Approve an Increased Contingency from \$104,850.00 (10 percent of bid amount) to a New Total of \$191,730.00.
MOVER: Todd Barker, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Baker, Barker, Casper, Mark, Parsons
EXCUSED: Hoagland
RECUSED: Wahlke
RESULT: Passed by Roll Call Vote

5. Electric Vehicle Charging Stations Update & Next Steps

Alison Robertson, Economic Development Director, reviewed the staff report. The Council and Staff had a discussion.

MOTION:	Motion to Decommission and Declare Surplus the City-Owned EV Charging Stations Because the Private Market has now Been Able to Provide Public EV Charging Opportunities. Grant Opportunities and Existing Partnerships with Utility Providers are Likely to Open up Transitioning the City Owned Stations to Arrangements More Similar to the Lincoln City Cultural Center Location, Saving City Costs and Staff Time
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza said the stats for the 4th of July are still being tallied at the Police Department.

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

Mayor Wahlke asked for some feedback regarding enforcement on the beach. Ms. Legarza said they would follow up on the information.

6.

MOTION:	Motion to Remove the Language that Requires the Farmers Market to Have 50% Food Booths
RESULT:	Died Without a Second

7.

Councilor Mark moved and second by Councilor Barker.

MOTION:	Motion to Direct Staff to Communicate with the Lincoln City Sunday Market to Consider Revision to the Food Vendor Requirement at Farmers Market
RESULT:	Withdrawn

8.

MOTION:	Motion to Direct Staff to Communication with the Lincoln City Sunday Market and Other Cities to Explain the Best Option for Requirements for Food and Non-Food Vendors
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

9.

MOTION:	Motion to Direct Staff to Bring Forward an Ordinance
MOVER:	Todd Barker, Councilor Ward 1
SECONDER:	Marci Baker, Councilor Ward 2
AYES:	Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

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

None

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark asked for a timeline of complaints to see if the numbers are going down.

Councilor Barker said there was a reduction compared to the previous years. The Council and Staff had a lengthy discussion regarding fireworks laws.

Councilor Parsons spoke about the City Manager review. The Council and Staff had a discussion.

Councilor Casper spoke about Helping Hands and the presentation that was made in April. Councilor Casper said that a contestant won a trip to Lincoln City on the Prices Right. Councilor Casper will have a report and summary of the trash picked at the August meeting. Councilor Casper spoke about the Double R podcast. Councilor Casper also spoke about fireworks.

Councilor Baker spoke about the fireworks and possible solutions. Councilor Baker gave details about the Oregon Recycler's Conference that she attended.

Mayor Wahlke said that she received a letter from the Lincoln County Commissioners Office about 2 bears that were trapped and euthanized. There was contact information provided in case of a sighting. Mayor Wahlke said that she was invited to Mayor Monday again next Monday.

10.

Moved by Barker, Seconded by Mark

MOTION:	Motion to Direct Staff to Explore Increasing the Fines for Fireworks Violations, Considering Additional Penalties for Repeat Offenders, as a Way to Strengthen and Ensure Compliance with the Fireworks Ban
RESULT:	Withdrawn

11.

MOTION:	Motion to Hold an Executive Session for Council and Department Heads for Council to Interview Department Heads Individually for Feedback for the City Manager Review
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Baker, Barker, Casper, Mark, Parsons, Wahlke
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 8:26 PM.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Lincoln County Wildfire Recovery Efforts

Meeting Date:	July 22, 2024	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	15 min

Lincoln County Commissioner Kaety Jacobson will be reporting regarding wildfire recovery efforts across Lincoln County.

Council Communication

Ordinance 2024-08 Clarifying Direction to Staff During Executive Session

Meeting Date:	July 22, 2024	Primary Staff Contact:	David James Robinson
Department:	City Attorney	E-Mail:	drobinson@lincolncity.org
Secondary Dept:		Secondary Contacts:	David Robinson
Approval:	Daphnee Legarza, Daphnee Legarza	Estimated Time:	15 minutes

Question: Should the City Council conduct and approve First Reading and Second Reading of Ordinance 2024-08, an ordinance clarifying that Council may not direct staff during an executive session?

Staff Recommendation:

Staff recommends Council conduct and approve First Reading of Ordinance 2024-08 and, *if unanimous*, Conduct and approve Second Reading and adopt Ordinance 2024-08.

Authority:

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

ORS 192.660(6) reads: "No executive session may be held for the purpose of taking any final action or making any final decision." The City Attorney advises that this prohibition also prohibits a city council from directing staff during an executive session.

Background:

This matter was brought to staff during open session and work session of City Council.

The Council requested clarity about suggestions in its code that the Council could direct staff during an executive session. Common practice during an executive session is for the Council to achieve some consensus about a path forward during executive session discussion, however, no final decision may be made during executive session. Discussions and consensus can take on the appearance of direction to staff. It is important that the consensus made during executive session be delivered as a direction to staff in open session.

Council Options:

1. Conduct and approve First Reading. Read changes, if any. Conduct and Approve Second Reading and Adopt the Ordinance.
2. Conduct and approve First Reading. Continue Second Reading to a later date
3. Do not proceed with proposed ordinance.

Potential Motions to approve in one meeting:

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

Ordinance No. 2024-08

An Ordinance Amending the City of Lincoln City Ordinance 2017-20, Municipal Code, Title 2, Section 2.04.180 (Council Rules) Sections 5.6 and 10.3

Council:

1. Motion to approve First Reading of Ordinance 2024-08.

If unanimous: Conduct Second Reading

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

Ordinance No. 2024-08

An Ordinance Amending the City of Lincoln City Ordinance 2017-20, Municipal Code, Title 2, Section 2.04.180 (Council Rules) Sections 5.6 and 10.3

Council:

1. Motion to approve Second Reading and adopt Ordinance 2024-08.

Attachments:

Ord. 2024-08 Ex. 1. amending LCMC 2.04.180 (DOCX)

Ord. 2024-08 amending LCMC 2.04.180 to eliminate directing staff in executive session
(DOCX)

Exhibit 1

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

LCMC 2.04.180 (Council Rules)

Section 5 – Use and Disclosure of Confidential Information

5.6 Executive Session. Council members shall not communicate any information from any executive session to the media or to anyone who was not present at the executive session unless authorized by the affirmative vote of the Council. ~~If staff is given direction in executive session to proceed with negotiations or litigation in a specific manner,~~ Council members shall not have any contact or discussion on the matter or subject **of the executive session** with any other party or its representative, or otherwise take steps that might interfere with the direction given to staff by Council.

Section 10 – Executive Sessions

10.3 **No executive session may be held for the purpose of taking any final action or making any final decision, however Council may arrive at consensus about the subject matter during executive session. Direction to staff shall be done in open session. If the Council meets in executive session, Councilors should attempt to provide direction or input to designated staff on proposed terms and conditions for negotiations including but not limited to real property transactions, litigation, labor negotiations, or other matters.**

Ordinance No. 2024-08
An Ordinance Amending the City of Lincoln City Ordinance 2017-20, Municipal Code,
Title 2, Section 2.04.180 (Council Rules) Sections 5.6 and 10.3

Whereas, Chapter 2, Section 2.1 and 2.2 of the City of Lincoln City Charter provide:

2.1 Powers of the City

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

2.2 Construction of Charter

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

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

Whereas, Section 4.1 of the Lincoln City Charter provides that the "Council shall by ordinance prescribe rules to govern its members and proceedings;" and

Whereas, The City Council desires to amend City Council Rules Chapter 2.04 to add and amend Council Rules adopted by Ordinance 2017-20.

The City of Lincoln City Ordains as follows:

Section 1:

5.6 Executive Session. Council members shall not communicate any information from any executive session to the media or to anyone who was not present at the executive session unless authorized by the affirmative vote of the Council. Council members shall not have any contact or discussion on the matter or subject of the executive session with any other party or its representative, or otherwise take steps that might interfere with the direction given to staff by Council.

Section 2:

No executive session may be held for the purpose of taking any final action or making any final decision, however Council may arrive at consensus about the subject matter during executive session. Direction to staff shall be done in open session.

1 **Section 3:** Findings Adopted. The findings contained in the Whereas Clauses of this ordinance,
2 together with the Findings set forth in Exhibit A, as well as the competent substantial evidence in
3 the whole record of this legislative proceeding are incorporated into this section by reference as
if fully set forth herein, and are adopted in support of this legislative action.

4 **Section 4.** Severability. The sections, subsections, paragraphs and clauses of this ordinance are
5 severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the
6 validity of the remaining sections, subsections, paragraphs and clauses.

7 **Section 5.** Ordinance Effective Date. Pursuant to Chapter IX, Section 9.3, this ordinance takes
8 effect 30 days after the date of its adoption.

9 **Section 6.** Codification. Provisions of this Ordinance shall be incorporated in the City of Lincoln
10 City Municipal Code and the word “ordinance” may be changed to “code”, “article”, “section”,
11 “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered,
12 provided that any Whereas clauses and boilerplate provisions (i.e. Sections 1-38) need not be
13 codified and the City Recorder is authorized to correct any cross-references and any
14 typographical errors.

15 The foregoing ordinance was distinctly read by title only, in accordance with Chapter IX, Section
16 9.2 of the City of Lincoln City Charter on the 22nd day of July, 2024 (First Reading) and on the
17 22nd day of July, 2024 (Second Reading).

18 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 22nd day of July,
19 2024.

20 _____
21 Susan Wahlke, Mayor

22 Attest:

23 _____
24 Jamie Young, City Recorder

25 Approved as to form:

26 _____
27 David Robinson, City Attorney
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Council Communication

Resolution 2024-22 Human Trafficking Signs

Meeting Date:	July 22, 2024	Primary Staff Contact:	David James Robinson
Department:	City Attorney	E-Mail:	drobinson@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	20 Minutes

Question:

Should the City Council enact a resolution that allows nonprofits to post informational signs about how victims of human trafficking can obtain help

Staff Recommendation:

Staff has no recommendation regarding Resolution 2024-22.

Aiding victims of human trafficking is a mission of Chapel by the Sea Presbyterian Church, a religious membership organization and domestic nonprofit corporation. Representatives of Chapel by the Sea contacted city staff to draw our attention on ORS 377.880 (Exhibit 1), a statute that specifically authorizes posting signs on state property controlled by the Oregon Department of Transportation, State Parks and Recreational Department, and the Travel Information Council.

As background, posting of private interest signs on public property is generally prohibited. In addition, when a unit of government allows an organization to post signs on public property there is a chance that a public forum or limited public forum is created and thereby opening that space to other signs. ORS 377.880 authorizes state agencies to post human trafficking signs but does not authorize local government to post the human trafficking information signs. The statute does not preempt or prohibit local government from making a local rule that follows the state legislature's lead in allowing a narrow carve-out for human trafficking signs.

Authority:

Lincoln City Charter 2.1

Council Options:

1. Motion to approve Resolution 2024-22.

2. Motion to approve with revisions Resolution 2024-22.
3. Motion to not approve Resolution 2024-22

Attachments:

Res 2024-22 Auth to post human trafficking signs (DOCX)
Res. 2024-22 Ex 1 Human Trafficking (DOCX)

1 **Section 6:** Except as provided in this subsection, the city shall allow informational materials to
2 be posted in conspicuous locations in any roadside rest area that the city manages, including, but
3 not limited to, in rest room stalls. If the city determines that the materials have offensive or
4 inappropriate content, the city may refuse to display the materials or otherwise assist in
5 distributing the materials.

6 **Section 7:** The city may administer a volunteer program to assist with posting and maintaining
7 the informational materials described in this section. The city may adopt rules it considers
8 necessary for the implementation of the volunteer program.

9 **Section 8: Effective Date:** This resolution is effective as of the date of its adoption.

10 PASSED AND ADOPTED by the City Council of the City of Lincoln City this ____ day of
11 _____ 2024.

12 _____
13 Susan Wahlke, Mayor

14 Attest:

15 _____
16 Jamie Young, City Recorder

17 Approved as to form:

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19 David Robinson, City Attorney

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ORS 377.880 Informational materials in roadside rest areas; rules.

- (1) As used in this section, “nonprofit organization” means an organization described in section 501(c)(3) of the Internal Revenue Code that is exempt from income tax under section 501(a) of the Internal Revenue Code.
 - (2) A nonprofit organization may supply to the Department of Transportation, the State Parks and Recreation Department and the Travel Information Council copies of informational materials about human trafficking.
 - (3) The organization may not charge the agencies for the informational materials.
 - (4) The informational materials may not include information on topics other than human trafficking. The materials must be limited in content to objectively verifiable information, except that the materials may include logos, symbols, graphics or similar devices, and must include the following:
 - (a) At least one toll-free hotline telephone number;
 - (b) At least one hotline text messaging number; and
 - (c) Translated versions of the information in languages other than English that are most commonly spoken in this state.
 - (5) The form of the informational materials must include, but need not be limited to, posters.
 - (6) Except as provided in this subsection, each agency described in subsection (2) of this section shall allow informational materials to be posted in conspicuous locations in each roadside rest area that the agency manages, including, but not limited to, in each rest room stall. If an agency determines that the materials have offensive or inappropriate content, the agency may refuse to display the materials or otherwise assist in distributing the materials.
 - (7) Each agency described in subsection (2) of this section may administer a volunteer program to assist with posting and maintaining the informational materials described in this section. Each agency may adopt rules it considers necessary for the implementation of the volunteer program.
- [2017 c.646 §1]

Council Communication

Resolution 2024-23: Budget Transfer FY2024-25

Meeting Date:	July 22, 2024	Primary Staff Contact:	Debbie Bridges
Department:	Finance	E-Mail:	dbridges@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	15 Minutes

Authority:

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

Background:

Staff is requesting a budget transfer for the following:

Street Operations Fund

- Street Maintenance: add \$66,790 for payroll costs associated with changing 0.50 FTE Seasonal Maintenance to a 1.0 full time benefitted position. This is funded by a reduction in contingency of \$66,790.

The FY2024-25 budget includes 1,040 hours (0.50 FTE) for seasonal Street Maintenance worker(s); we were not successful filling this position, nor were we able to find anyone in the past several years. Seasonal workers are very hard to get in the current market.

We currently have 7.52 FTEs in Streets. Of this amount, 2.02 FTEs are allocated hours from Public Works Administration, 0.50 FTE is for a Seasonal part-time position, and 5.0 FTEs are full time Street Maintenance positions. We have had these 5.0 Street positions for at least 25 years with no staffing increase. Yet in the past 25 years we have added: Roads End, West Devils Lake Road, seven subdivisions adding approximately 16.5 miles to the 51.5 miles of streets in the City (roughly 25% additional streets). We have also added seven parking lots (Street crews maintain striping and sweep the lots) and 87 decorative poles.

We cannot maintain the level of service we want to and the community expects. An additional full-time Street Maintenance Worker is very much needed. This request will change the FTEs in the Street Operations fund from 7.52FTEs to 8.02 FTEs.

Council Options:

1. Motion to approve Resolution 2024-23 adopting budget transfers for FY2024-25.
2. Motion to approve Resolution 2024-23 adopting budget transfers for FY2024-25, as amended.
3. Do not approve Resolution 2024-23.

Attachments:

Resolution 2024-23 Budget Transfer FY24-25 (DOCX)

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Resolution No. 2024-23
A Resolution of the City of Lincoln City, Adopting and Directing Budget Transfers for the City of Lincoln City, Oregon in the 2024-2025 Fiscal Year Budget

Whereas, the Finance Director has proposed certain budget appropriation transfers within the funds of the 2024-2025 Lincoln City budget; and

Whereas, the change 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 That the City Council of the City of Lincoln City, As Follows: that the proposed budget transfers for Lincoln City 2024-2025 Budget are hereby ratified and approved and the Finance Director is hereby authorized and directed to make said appropriation transfers.

Effective Date: This resolution is effective as of the date of its adoption.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 22nd day of July 2024.

Susan Wahlke, Mayor

Attest:

Jamie Young, City Recorder

1 Approved as to form:

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David Robinson, City Attorney

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**Exhibit A
Summary of Budget Transfers**

Fund: Street Operations

Resource	Amount	Expenditure	Amount
1		1 Street Maintenance	66,790
2		2 Contingency	-66,790
Revised Total Resources		Revised Total Requirements	
3,106,492		3,106,492	

To provide appropriation to change seasonal 0.50 FTE to permanent 1.0 FTE with benefits.

Council Communication

Resolution 2024-24: Transportation Growth Management Program Grant

Meeting Date:	July 22, 2024	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	15 Minutes

Background:

In preparation for upcoming community visioning for the Roads End/Villages at Cascade Head Urban Renewal Area, staff would like to apply for a Transportation Growth Management Program grant to develop a plan for shared streets, traffic calming, and pedestrian safety in the Roads End neighborhood.

Lincoln City's Roads End neighborhood character includes streets with narrow driving areas (20 feet or less) that are used simultaneously by pedestrians, cyclists, and vehicles. Many of the existing streets in Roads End lack curbs and are unpaved, also virtually none have sidewalks, making this neighborhood an ideal starting point for formally developing a system of "Shared Streets" on the streets of Roads End. Roads End has seven beach access points and two forest trailheads for which safe pedestrian access is essential.

A funding match of 10.27% of the total project amount is required and can be provided through in-kind staff labor or a monetary match, and the city has the staff capacity and/or funds available to meet this match requirement

The grant funds, if awarded, will be used for consultant assistance to facilitate a public process leading to a plan that specifies Shared Street design standards for Roads End, including but not limited to, gateway treatments, signing and markings, volume and speed reduction measures, walking and biking amenities, and placemaking and urban design elements

Council Options:

1. Motion to approve Resolution 2024-24.
2. Motion to not approve Resolution 2024-24.

Attachments:

Resolution No 2024-24 (DOCX)

Transportation and Growth Management Programs 2024 Application Packet (PDF)

Resolution No. 2024-24

A Resolution of the City of Lincoln City, Authorizing the Planning & Community Development Department to Apply for a Transportation Growth Management Program Grant to Develop a Plan for Pedestrian Safety, Traffic Calming, and Shared Streets in the Roads End Neighborhood of Lincoln City

Whereas, the Transportation Growth Management Program provides grants to local governments to help fund planning projects that lead to more livable, economically vital, transportation-efficient, sustainable, pedestrian-friendly communities, and

Whereas, Lincoln City’s Planning & Community Development Department staff wishes to apply for a Transportation Growth Management Program grant to develop a plan for “Shared Streets,” traffic calming, and pedestrian safety in the city’s Roads End neighborhood, and

Whereas, Lincoln City’s Roads End neighborhood character includes streets with narrow driving areas (20 feet or less) that are used simultaneously by pedestrians, cyclists, and vehicles, and

Whereas, most existing streets in Roads End lack curbs, many are unpaved, and virtually none have sidewalks, making this neighborhood an ideal starting point for formally developing a system of “Shared Streets” on the streets of Roads End, and

Whereas, Roads End has seven beach access points and two forest train trailheads for which safe pedestrian access is essential; and

Whereas, it is recognized that a funding match of 10.27% of the total project amount is required and can be provided through in-kind staff labor or a monetary match, and the city has the staff capacity and/or funds available to meet this match need, and

Whereas, the grant funds, if awarded, will be used for consultant assistance to facilitate a public process leading to a plan that specifies Shared Street design standards for Roads End including gateway treatments, signing and markings, volume and speed reduction measures, walking and biking amenities, and placemaking and urban design elements,

Now, Therefore, Be It Resolved by the City Council of the City of Lincoln City, As Follows:

- 1. That** the City Council authorizes the Planning & Community Development Department to apply to the Oregon Department of Land Conservation and Development for a Transportation Growth Management grant for funds to support preparation of a plan for “Shared Streets,” traffic calming, and pedestrian safety in the city’s Roads End neighborhood.
- 2. That** the City Manager is authorized to sign any documents needed to apply for and execute the grant.

Effective Date: This resolution is effective as of the date of its adoption.

1 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 22nd day of July
2 2024.

3
4 _____
Susan Wahlke, Mayor

5 ATTEST:

6
7 _____
Jamie Young, City Recorder

8
9 APPROVED AS TO FORM:

10
11 _____
David Robinson, City Attorney



Better Ways To Better Places
Since 1993

TGM BY THE NUMBERS

- Over 2.5 million dollars available this year
- Over 800 planning grants funded since 1993
- In the last 10 years, TGM has awarded 136 grants to:
 - 71 cities
 - 13 counties
 - 3 tribal governments
 - 15 districts

TGM MISSION

Oregon's Transportation and Growth Management Program supports community efforts to expand transportation choices.

By linking land use and transportation planning, TGM works in partnership with local governments to create vibrant, livable places in which people can walk, bike, take transit, or drive where they want to go.

www.oregon.gov/LCD/TGM

Transportation and Growth Management Program

2024 APPLICATION PACKET

JOINT PROGRAM OF THE OREGON DEPARTMENT OF
TRANSPORTATION AND THE OREGON DEPARTMENT OF
LAND CONSERVATION AND DEVELOPMENT

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Application and Selection Overview

Application Deadline

11:59 p.m. PDT on Wednesday, July 31, 2024

Application Portal

TGM uses an [online form](#).

Application Scoring and Ranking

Projects are selected on a competitive basis within each of the five ODOT regions. The regional allocation - funds available for projects - is based on a formula that considers the number of cities and the population within a region. Award amounts generally range between \$150,000 and \$300,000.

Projects are selected primarily on the points scored under the grant award criteria. TGM also considers the amounts requested, the estimated amounts TGM believes may be required to complete a project, the amount available for award within a geographic region, the balance between Category 1 and Category 2 projects, and a fair distribution of funds to smaller or economically distressed communities. TGM also consults with other state agencies to gain insights into proposed projects.

Award Announcements

Late September 2024

Assistance

For general questions about the application process and eligibility, contact [Elizabeth Ledet](#) at 503-986-3205 or [Bill Holmstrom](#) at 971-375-5975.

For advice on preparing an application for your specific project, contact our lead TGM planners, listed below.

Region 1 Clackamas, Hood River, Multnomah, and eastern Washington counties	Glen Bolen	503-539-8454
Region 2 Clatsop, Columbia, Tillamook, Yamhill, Polk, Marion, Lincoln, Linn, Benton, Lane, and western Washington counties	David Helton	541-726-2545
Region 3 Douglas, Curry, Coos, Josephine, and Jackson counties	Virginia Elandt	541-957-3635
Region 4 Wasco, Sherman, Gilliam, Jefferson, Wheeler, Crook, Deschutes, Lake, and Klamath counties	Devin Hearing	541-480-7532
Region 5 Morrow, Umatilla, Union, Wallowa, Baker, Grant, Harney, and Malheur counties	Cheryl Jarvis-Smith	541-963-1574

Application Basics

Eligible Applicants

Eligible applicants include cities, counties, councils of government on behalf of a city or county, and tribal governments. Certain special districts are eligible, such as transportation districts, metropolitan planning organizations, ports, mass transit districts, parks and recreation districts, and metropolitan service districts.

School districts, and public colleges and universities, may be eligible as part of a joint application with a local government for an otherwise eligible project. Eligible applicants may partner to propose a project, such as a multi-county TSP or multi-city or city-county corridor plan.

Eligible Projects

There are two categories of grants: Transportation System Planning (Category 1) and Integrated Land Use and Transportation Planning (Category 2).

Category 1- Transportation System Planning

Purpose

To help local governments develop and update transportation system plans (TSPs) and implementing measures that implement the Transportation Planning Rules (OAR 660-012-0045); implement the Oregon Transportation Plan and other statewide modal and topic plans; increase opportunities for walking, biking, and transit; or reduce reliance on the state highway for local travel needs.

Eligible Uses

Projects in this category will result in a transportation decision. Projects will plan for transportation facilities inside Urban Growth Boundaries (UGB's), in urban unincorporated communities, and along rural highway corridors. Projects proposed for areas being considered in a UGB amendment process may be eligible, but must demonstrate they are timely and reasonably achievable. Category 1 projects typically include preparation and adoption of:

- TSPs and TSP updates, in whole or part, to address transportation needs for all users, comply with new state or federal regulations, maintain consistency with a regional transportation plan, plan for areas newly brought into the UGB, reduce greenhouse gas emissions, or make the transportation system more resilient to the impacts of natural hazards. TSP implementation, such as streetscape plans, cost estimate refinement, capital improvement and other funding plans, and land use regulations required by the Transportation Planning Rules.
- TSP refinement, such as corridor plans, multimodal safety plans, interchange area management plans, or other planning to implement Oregon statewide modal and topic plans.

Projects that primarily do research or outreach, study an issue, compile data, or inventory information are generally not eligible for grant funding. TGM grants also cannot fund preliminary engineering, surveying, or construction work. If in doubt, discuss with your [Region TGM planner](#) about whether your proposed work is eligible.

- Transit Development Plans that provide long term vision and policy for existing and future transit service.
- Other innovative transportation-related planning projects that are consistent with TGM Objectives.

Category 2- Integrated Land Use and Transportation Planning

Purpose

To help local governments develop integrated land use and transportation plans and implementing measures that encourage livable, affordable, and accessible communities for all ages and incomes; promote compact, mixed-use, walkable development to increase walking, biking, and transit; or support physical, social, and economic needs.

Eligible Uses

Projects in this category will result in a land use decision. Projects will combine land use planning with supportive transportation facility planning inside UGBs, urban unincorporated communities, and urban reserve areas. Category 2 projects typically include preparation and adoption of:

- Specific area plans for land uses in a downtown, main street, commercial or employment area, neighborhood, corridor, or interchange area.
- Land use and transportation concept plans for areas brought in to a UGB.
- Transportation-efficient land use plans for an entire urban area, such as location efficiency of housing and employment or reducing greenhouse gas emissions from transportation.
- Implementing measures, such as code amendments, infill and redevelopment strategies, and intergovernmental agreements.
- Other innovative land use and transportation-related planning projects that are consistent with TGM Objectives.

Housing

TGM is emphasizing projects that reduce barriers to a broader range of housing types and prices and increase accessibility.

See page 19 for more information.



Eligible Applications

Applications are reviewed on a pass/fail basis on each of the following three criteria. Applications found to not meet each of these requirements will not be scored against the award criteria and will not be awarded a grant.

1) Clear Transportation Relationship

A proposed project must have a clear transportation relationship and produce transportation benefits. A project must address a transportation problem, need, opportunity, or issue of local or regional importance.

2) Adoption of Products to Meet Project Objectives

A proposed project must include preparation of an adoption-ready product or products that lead to a local policy decision and that directly address the project objectives, such as a transportation system plan, comprehensive plan amendment, land use plan, code amendment, implementation program, or intergovernmental agreement. Projects are expected to include adoption hearings (or equivalent) by the governing body or to prepare products which will be adopted as part of a larger project.

3) Support of Local Officials

A proposed project must clearly demonstrate that local officials, both the primary applicant and any co-applicants, understand the purpose of the grant application and support the project objectives. Application must include from the governing body of all applicants either 1) a resolution of support or 2) an authorized letter with associated meeting minutes.

Advice

Please schedule your governing body meeting well in advance of the application deadline.

Grant Basics

The grant award is not final until the Intergovernmental Agreement (IGA) between ODOT and local grantee is signed by all parties. Grantees must meet a number of state and federal requirements.

Grant Timeline

Grants generally have three years after award to be negotiated, conducted, and completed; projects that will take longer than four years from award to completion are not suitable for TGM grant funds. Project extensions are subject to available funding and continued project eligibility.

February - March 2025	<u>Certified Local Public Agencies</u> - Supplemental Project Agreement executed. <u>OR</u> <i>All others</i> - Have an agreed upon statement of work sufficiently detailed to select a consultant or to prepare an IGA if no consultant will be used.
Mid-Late 2025	Projects underway.
June 2027	Expected 2024 TGM project completion.
May 31, 2028	All 2024 TGM Projects <u>must</u> be completed for TGM to meet its obligations.

Grantee Obligations

Match

TGM requires a local grant match of 10.27% of the total project costs, approximately 11.5% of the TGM funds. Grantees typically provide match in the form of:

- Payment of non-federal funds when the IGA is signed or
- documenting direct project costs incurred after the IGA is executed. Eligible costs include salary of local government employees assigned to the project, postage, travel, supplies, and printing. Grantees being paid will be reimbursed at a percentage to capture the required match amount.

Local expenses for persons or firms who contract with a local government to provide planning or other services are *not* eligible for reimbursement but may be counted as match. Time of volunteers, such as project committee members may also be counted as match.

If awarded, communities defined as "distressed" by the Oregon Business Development Department may request a partial match waiver, typically 50% of the full match requirement. Match waiver requests will be reviewed by TGM managers when the IGA is prepared; match waiver approval is *not* guaranteed.

Project Management

Local commitment is key to a successful project. Grantees must provide a project manager who has the time and the capability to oversee project work from beginning to end.

Note: As an award condition, grantees with unmet project obligations from earlier TGM projects must fulfill their obligations within three weeks of notice of new grant award, or TGM will withdraw the award. Obligations include but are not limited to: interim match reports, completion of final project documentation, or payment of the balance of unmet final match obligations.

Title VI/Environmental Justice/Americans with Disabilities

Awarded projects are expected to abide by [Title VI](#) and related authorities including [Executive Order 12898 \(Environmental justice\)](#) which prohibit discrimination on the basis of race, color, national origin, or income, and other demographic characteristics. They are intended to make planning and decision-making more inclusive and to more equitably share the impacts and benefits of projects that receive federal funding. The public involvement program must include specific steps to provide opportunities for participation by federal Title VI communities. In addition, grants that include planning for pedestrians must consider [Americans with Disabilities Act requirements](#).

Use of Consultants

ODOT will contract with consultants for most projects using ODOT policies and procedures that meet state and federal requirements. TGM staff will work with grantees to select the project consultant that best fits the specific planning services needed.

[Certified Local Public Agencies](#) will prepare the solicitation and contract themselves.

The Application

Instructions

Required information is presented on the left and instructions are on the right; instructions are not provided for all required information.

Applicants are encouraged to familiarize themselves with the [online form](#) well in advance of the deadline.

You can begin your application and save your progress by clicking the "Save" button at the bottom of the form; you will receive a link to return to your form to complete your submission.

Documents to upload as part of application

Required

- A resolution of support or authorized letter from the governing body of all applicants (e.g. City Council, Board of Commissioners, or Transit Board) for Eligibility Criterion 3
- [Title VI: Racial & Ethnic Impact Statement](#)

Recommended

- Project Area Map
- Letters of Support for Award Criterion 4

More online resources

[Developing a Project Approach and Budget](#)

General questions about the application process

[Elizabeth Ledet](#) at 503-986-3205 or [Bill Holmstrom](#) at 971-375-5975

Assistance with filling out the [online form](#)

Contact [Rachael Levasseur](#) at 503-986-4155

TGM is hosting a webinar to answer your questions about changes to the application, how to fill out the online form, and what are common mistakes.

Webinar Date: June 11, 2024 from 10:30 AM to 12:00 PM Pacific Time

[Register in advance here.](#) Contact [Kathy Kleczek](#) if you have problems registering.

Applicant Information

Primary applicant jurisdiction

Mailing address

Website (optional)

Contact person name

Contact person title (optional)

Contact phone

Contact email

The contact person is the primary contact during the application phase and typically the proposed project manager.

Name of person empowered to sign the agreement with ODOT, if different from the applicant contact (optional)

Title of above named person (optional)

Phone (optional)

Email (optional)

The person who is authorized to make decisions and sign a funding agreement with ODOT should your project be chosen for funding. This is usually a department head, City or County Administrator, or the Mayor or County Commission Chair.

**List co-applicants if a joint project (optional)
Providing match?**

List other jurisdictions if a joint project. You do not need to list jurisdictions who are only in a review or advisory role.

Upload your resolution or authorized letter with associated meeting minutes from the governing body of applying jurisdiction(s) here

A resolution of support, or authorized letter from the governing body of all applicants (e.g. City Council, Board of Commissioners, or Transit Board).

This document corresponds to Eligibility Criterion #3: Support of Local Officials on page 5.

Project Information

Project title	The project name should be brief and often matches the name of the final document. The name you provide will be used in summary reports, ODOT web pages, and other published materials.
Project area	Either attach a map of the project area or describe the area your project is located in. <i>Maps must be pdfs only, 1 file maximum, 2mb file size limit.</i>
ODOT region (1-5)	Refer to the region map if you are unsure.
Type of grant	Category 1 will result in a transportation decision. Category 2 will result in a land use decision. See pages 3 and 4 for more detail
Summary description of project	Provide a brief description of the proposed project to be used in summary reports, ODOT web pages, and other published materials. The summary should describe the purpose of your project and how the expected outcomes will address a transportation problem, need, opportunity, or issue. (Maximum characters: 750)

Project Cost Table

TGM funds requested

Consultant
Local reimbursement
Total TGM funds requested (calculated)

See [Developing a Project Approach and Budget](#) and the Advice on page 12 for more assistance in preparing your funds request.

Local match (calculated)

TGM requires a local grant match of 10.27% of the total project amount, approximately 11.5% of the TGM funds. See the Advice on page 12 for more on match.

Match to be provided

Labor, supplies and services during project
Payment when Intergovernmental
Agreement is signed

If applicant is providing a cash match, it will be applied to the consultant amount so be certain to account for that after developing your cost estimate and while entering your request above. See Advice on page 12.

Advice

How to find your perfect match (and funds request)

How can the 10.27% match requirement be fulfilled?

- Funds provided to ODOT at IGA signing for the full match amount or for a portion of the match with the remainder provided through match reports,
- Quarterly match reports, or
- If being paid, reimbursement requests for direct costs eligible for reimbursement; ODOT will reimburse the grantee at a percentage to capture the required match amount.

What counts as eligible direct costs?

- *Direct Costs Eligible for both Match and Reimbursement* - Most direct project costs incurred by the local government are eligible for use as match or for reimbursement. This includes Labor Costs for public employees actively engaged in direct project-related activities. Supplies and Services that are purchased and used entirely as part of the project are also eligible.
- *Direct Costs Eligible Only for Match* - Contract staff, the direct project costs of local governments which are not party to the IGA, and monetized volunteer hours can be counted towards the match requirement.

Examples please!

Consultant Contract of \$220,000, No Local Reimbursement

1. Cash Match: \$22,600 cash match (ODOT funds request is \$197,400)
2. Direct costs during project: \$25,180 of costs eligible for match or reimbursement. (ODOT funds request is \$220,000)
3. Combo: \$15,000 cash match + \$8,465 costs eligible for match or reimbursement. (ODOT funds request is \$205,000)

No Consultant, Local Reimbursed \$220,000

4. Grantee incurs \$245,180 of costs eligible for reimbursement and is reimbursed at 89.73% to meet the \$25,180 match. (ODOT funds request is \$205,000)

Consultant Contract of \$200,000, Local Reimbursed \$20,000

5. Grantee incurs \$56,885 of costs eligible for reimbursement and is reimbursed at 44.3% to meet the \$25,180 match. (ODOT funds request is \$220,000) *Note: Applicants are strongly urged to contact [Elizabeth Ledet](#) if considering this option.*

Award Criterion 1

Proposed Project Addresses a Need and Supports TGM Objectives (up to 40 points)

The application demonstrates the proposed project clearly and effectively addresses a local or regional transportation or transportation-related land use issue, problem, need, or opportunity and will achieve one or more of the TGM Objectives.

Prompts

What is the transportation or transportation-related land use issue, problem, need, or opportunity the proposed project will address?

Describe the issues the proposed project will address.

Provide context for the proposed project and the issues. This can include the history of the problem, the regulatory context, or other initiatives or events that affect the project area or need to be coordinated with, as well as constraints or controversies.
(Maximum characters: 3,000)

What are the proposed Project Objectives? How will the Project Objectives achieve one or more of the TGM Objectives?

Describe what the proposed project is hoping to achieve and how the desired outcomes correspond to larger goals of the community. Describe specific, measurable deliverables and strategies and how they will address the issue, problem, need, or opportunity. Identify the related TGM Objectives.
(Maximum characters: 3,000)

Eligibility Criteria

This response corresponds to Eligibility Criterion #1: Clear Transportation Relationship.

TGM Objectives

The TGM Program works in partnership with local governments and other stakeholders to accomplish the following interrelated goals and objectives:

- 1 **Provide transportation choices** to support communities with the balanced and interconnected transportation networks necessary for mobility, equity, and economic growth.
 - 1.1 A balanced, interconnected, and safe transportation system that provides a variety of transportation options and supports land uses.
 - 1.2 Appropriately sited, designed, and managed local, regional, and state transportation facilities and services that support the movement of goods and provide for services.
 - 1.3 Mobility choices for underserved communities and those with limited options.
 - 1.4 Safe and convenient walking, biking, and public transportation opportunities to support a healthy, active lifestyle.

- 2 **Create communities** composed of vibrant neighborhoods and lively centers linked by accessible transportation.
 - 2.1 Livable towns and cities with a mix of housing types, work places, shops, schools, and parks for people of all ages, incomes and abilities.
 - 2.2 Well-located activity centers, including schools and other government services, which are accessible to pedestrians, bicyclists, and transit users.
 - 2.3 A safe and appealing physical environment supportive of the social, cultural, and health needs of all the community residents.

- 3 **Support economic vitality and growth** by planning for land uses and the movement of people and goods.
 - 3.1 Thriving existing neighborhoods and centers and well-planned new growth that accommodate existing and future residents, businesses, and services.
 - 3.2 Well-located and accessible industrial and employment centers.
 - 3.3 Housing with access to education, jobs, and services.

- 4 **Save public and private costs** with compact land uses and well-connected transportation patterns.
 - 4.1 Urban growth accommodated within existing communities, thus minimizing, delaying, or providing an alternative to an urban growth boundary expansion.
 - 4.2 Future transportation needs accommodated within the existing or improved system, thus minimizing, delaying, or providing an alternative to constructing additional major infrastructure projects.

- 5 **Promote environmental stewardship** through sustainable land use and transportation planning.
 - 5.1 Transportation systems and land use patterns that protect valuable natural resources, promote energy efficiency, and reduce emissions of air pollution and greenhouse gases.

Award Criterion 2

Proposed Project is Timely and Urgent (up to 25 points)

The application demonstrates timeliness and urgency. The project is needed now to:

- address pressing local transportation and land use issues;
- make amendments to local plans or regulations necessitated by changes in local conditions or in federal regulations, state requirements, or regional plans;
- build on, complement, or take a necessary step toward completing or implementing other high priority community initiatives, including supporting a Governor's Regional Solutions Team priority; or
- resolve transportation- or land use-related issues affecting the project readiness of local, regional, or state transportation projects for which funding is expected to be obligated within the near future.

Prompts

Why it is important to do the proposed project in this grant cycle?

This response will necessarily relate to the need identified in Award Criterion #1.
(Maximum characters: 2,500)

What local actions are needed to move the proposed project forward? Have these actions been taken and if so, when? If those efforts are underway, when will they be completed?

Examples of local actions include adopting an urban growth boundary amendment or completing a buildable lands inventory.
(Maximum characters: 1,000)

How does the proposed project relate to other planning efforts, developments, or initiatives? Which of those are completed, underway, or waiting on the completion of this project?

Examples of related efforts include the development or update of a regional plan, a corridor scheduled for construction in 10 years, or private development interest in an area.
(Maximum characters: 1,000)

Advice

Keep in mind that most TGM planning grants will start in mid to late 2025 and end two to three years later.

Award Criterion 3

Proposed Project Approach Supports Policy Decision (up to 20 points)

The application demonstrates a clear approach to achieving the expected outcome and includes consideration for adoption. Where substantial coordination with other local, regional, and state planning efforts will need to occur, the mechanisms and responsibilities for the coordination are clear.

Prompts

For each project task, describe the major deliverables and who is responsible for its preparation, decisions to be made, and expected timeline. Clearly identify which local plans or regulations the final document(s) will create, amend or update and which entity or entities will need to take action to adopt them.

See [Developing a Project Approach and Budget](#) and Advice box below.
(Maximum characters: 750 per task)

How will the project approach support investment decisions for Safe Systems, Climate Action, and Equitable Outcomes?

Explain how the work described in the tasks furthers the goals of the Oregon Transportation Plan and the Transportation Planning Rules.
(Maximum characters: 1,000)

If adoption hearings will be held as part of a larger project, when will that be and as part of what project? (optional)

Explain how the governing body will accept the proposed project's final document(s) and how the proposed project's findings and recommendations fit into the larger planning effort.
(Maximum characters: 500)

Advice

Clearly identify which tasks or deliverables will be done by the applicant and which by the consultant (if one is used). Where local reimbursement is requested, identify specific deliverables developed by the applicant that support the development of the final document(s) and the adoption decision.

Award Criterion 4

Proposed Project has Community Support (up to 5 points)

The application demonstrates that there is local support for the project objectives, a commitment to participate, and a desire to implement the expected outcome.

Prompt

Upload letters of support here

Letters of support should demonstrate a clear understanding of the proposed project and support for its objectives and outcomes. A letter of support will score higher if it shows willingness of the signer to participate in project processes.

A single combined .pdf of the letters is highly appreciated.

Advice

Request letters of support well in advance of the application deadline.

Applicants who score well for community support have typically submitted letters from:

- A diverse range of interest groups such as community institutions and groups, businesses, and especially community-based organizations that serve historically and currently underserved communities, and
- Partner jurisdictions and key agencies with a clear interest in the project.

In all cases, the letters should be specific to the writer's interest in the proposed project.

The resolution or authorized letter of the governing body does not count as a letter of support for Award Criterion 4.

Letters of support should be addressed (but not sent) to the [Region Lead](#).

Award Criterion 5

Proposed Project Sponsor is Ready and Capable (up to 10 points)

The application demonstrates that the local government is ready and able to begin the project within the TGM timetable and that there is local commitment and capability to manage and complete the project. The application demonstrates, if applicable, successful performance on previous TGM projects.

Prompts

Describe the experience and availability of key staff.

Describe the applicant's project manager capabilities and experience relative to the complexity of the proposed project.
(Maximum characters: 1,500)

Explain how the applicant has the capacity to scope the proposed project during the next 15 months and manage it to completion within 3 years

Describe the availability of the applicant's project manager and other staff to scope the proposed project and participate in tasks.
(Maximum characters: 1,500)

If applicable, list applicant's TGM projects within last 10 years and their status

Search the list of [TGM grant projects](#) and address the status of any projects between 2012 and 2021 that involved the applicant.
(Maximum characters: 300)

Bonus Points

Up to 10 bonus points may be awarded if the project addresses barriers to a broad range of housing types and affordability or works to link the location of future workforce housing to walkable/bikeable areas with good transit. Examples of this could include:

- Policies and strategies to repurpose or redevelop remnant lands owned by governmental entities and to increase infill and redevelopment of privately owned lands.
- Reassessment of development requirements such as lot size, setbacks, and parking mandates.
- Plans to improve transportation choices through identification of site-specific multimodal needs in existing residential areas.

Prompt

How will the adoption of the final document(s) address barriers to a broad range of housing types and affordability or work to link the location of future workforce housing to walkable/bikeable areas with good transit? (optional)

List the specific elements of the final document(s) that will address barriers or plan for linkages. Estimate the additional dwelling units that could be developed/redeveloped or that would have better accessibility.
(Maximum characters: 500)

Required Forms

Title VI: Racial & Ethnic Impact Statement form

Upload your form here. *pdfs only*

Certifications

Eligibility Criteria

1. This application demonstrates a clear transportation relationship

A proposed project must have a clear transportation relationship and produce transportation benefits. A project must address a transportation problem, need, opportunity, or issue of local or regional importance.

Check the box if met.

2. This application demonstrates adoption of products to meet project objectives

A proposed project must include preparation of an adoption-ready product or products that lead to a local policy decision and that directly address the project objectives, such as a transportation system plan, comprehensive plan amendment, land use plan, code amendment, implementation program, or intergovernmental agreement. Projects are expected to include adoption hearings (or equivalent) by the governing body or to prepare products which will be adopted as part of a larger project.

Check the box if met.

3. This application demonstrates support of local officials

A proposed project must clearly demonstrate that local officials, both the primary applicant and any co-applicants, understand the purpose of the grant application and support the project objectives. Application must include from the governing body of all applicants either 1) a resolution of support or 2) an authorized letter with associated meeting minutes.

Check the box if met.

Preparation of Application

- This application was prepared by staff of the primary applicant or staff of one of the involved jurisdictions
- This application was prepared by the following COMPENSATED consultant (indicate below):
- This application was prepared by the following UNCOMPENSATED consultant (indicate below):

Check the appropriate box. Enter information if prepared by consultant.

Council Communication

Water Service Outside City Limits

Meeting Date:	July 22, 2024	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	10 minutes

Question:

Should the City Council allow one water connection during the moratorium of water connections outside the City Limits?

Staff Recommendation:

Staff recommends the Council allow one water connection during the moratorium of water connections outside the City Limits.

Background:

On September 25, 2023, acting based on a work session, Council passed a motion to "Direct Staff to Place a Moratorium on all Approval of potential new waterline connections and Services Outside City Limits and the Urban Growth Boundary until the System Plan has been Completed"

A property on NE H Avenue in Neotsu was issued a building permit by the County and the owners proceeded with construction and have completed the septic system. When they came to the City for water service we had to inform them that there was a moratorium on new services outside the City Limits. The owners are asking us to allow this service.

We contacted the County and let them know not to issue building permits that assume City water until we notify them of the outcome of the pending study on the impacts to City supply and service costs. This is the only building permit that was issued by Lincoln County after Council issued the moratorium.

Financial Impact

There are no financial impacts other than revenue from the System Development Charges and service would not be collected.

Potential Motions:

Move to allow one water service connection for the property on NE H Avenue, Neotsu.

Move to not allow one water service connection for the property on NE H Avenue, Neotsu.