

**CITY OF LINCOLN CITY  
CITY COUNCIL AGENDA**

**MONDAY SEPTEMBER 25, 2023, 6:00 PM**

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

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

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

**\*\*PUBLIC COMMENT VIA EMAIL WILL ONLY BE RECOGNIZED UPON RECEIPT OF AN EMAIL SENT TO: [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org)\*\***

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

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

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

Agenda materials for this meeting are available at [www.lincolncity.org](http://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](http://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 – September 11, 2023, 6:00 PM
2. Regular Meeting – Minutes of Work Session – September 18, 2023, 5:00 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**

3. Building Division Audit FYE June 30, 2022
4. Lincoln County Homeless Advisory Board Presentation by Tim Johnson, County Administrator
5. Moving to a Tri-County Continuum presented by Pegge McGuire, Executive Director of the Community Service Consortium (CSC)

**H. PUBLIC HEARING / ORDINANCE**

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

6. Public Hearing ZOA 2023-04 Mobile Food Unit exception

**J. ORDINANCES**

7. Ordinance 2023-22 for ZOA 2023-04 Mobile Food Unit Exception

**K. RESOLUTIONS**

**L. SPECIAL ORDER OF BUSINESS**

8. Lincoln County Winter Shelter Proposal
9. Construction Award for NE 14th St. Sidewalk Ph. 3

**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**

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

**Q. ADJOURNMENT**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

September 11, 2023, 6:00 PM

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

APPROVED BY CITY COUNCIL

DATE:

**A. CALL TO ORDER**

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

**B. ROLL CALL**

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

*Staff Present: Daphnee Legarza, City Manager; Lt. Henderson, Lincoln City Police Department; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Jamie Young, City Recorder.*

**C. PLEDGE OF ALLEGIANCE**

*Mayor Wahlke spoke about the recent passing of retired School Resource Officer Sgt. Escalante. There was a moment of silence observed.*

*Mayor Wahlke led The Pledge of Allegiance.*

**D. CONSENT AGENDA**

**MOTION:** Consent Agenda  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed

1. Regular Meeting – Minutes of Regular Meeting – August 28, 2023, 6:00 PM

## **E. COUNCIL DELIBERATIONS**

*None*

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

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*Nora Sherwood and Gary Berman spoke about the Agnes Creek Open Space and extending the trail.*

*Ms. Legarza summarized public comments received against the rate increase for North Lincoln Sanitary from the following people: Darlene Evans, Eldon Mains, Tim Gutfleisch, and Marisa Roskelley.*

## **G. PRESENTATIONS**

*None*

## **H. PUBLIC HEARING / ORDINANCE**

*None*

## **I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Sole Source for HVAC Units

*Mayor Wahlke opened the public hearing at 6:13 PM. The Council had no abstentions or disqualifications. Stephanie Reid, Public Works Director, presented the staff report. There were no citizens present or emails sent for public comment. Council and Staff had a discussion regarding the replacement. Mayor Wahlke closed the public hearing at 6:17 PM.*

**MOTION:** Motion to Approve Exemption Sole Source for HVAC Units  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed by Roll Call Vote

2. Public Hearing ZOA 2023-03 (Fencing R1RE and Housekeeping Items)

*Mayor Wahlke opened the public hearing at 6:19 PM. The Council had no abstentions or disqualifications.*

*Anne Marie Skinner, Planning and Community Development Director, reviewed the staff report.*

The following people submitted testimony regarding ZOA 2023-03 via email: Ken Mergentime, Eileen Mergentime, Melissa Birch, Janet Knipe, Elizabeth Crane, Jessica Chapagain, Annette Guido & Carolyn Ofiara, Elaine Walsh, Russ Smith, Shannon Loch, and Linda Thorson.

The following people spoke about the ZOA 2023-03: Kim Blackerby, Janet Knipe, Elaine Walsh, Ken Mergentime, Annette Guido, and Jessica Chapagain.

<b>MOTION:</b>	<b>Motion to Close the Public Hearing and Record for ZOA 2023-03</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**J. ORDINANCES**

- 3. ORDINANCE NO. 2023-20 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.28 (RECREATION COMMERCIAL (RC) ZONE), SECTION 17.28.020 (USES PERMITTED), PARAGRAPH E; CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE), SECTION 17.32.020 (USES PERMITTED), PARAGRAPH N; CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS), SECTION 17.52.160 (REQUIRED SETBACKS – EXCEPTIONS), PARAGRAPH C (FENCES); AMENDING CHAPTER 17.17 (SINGLE-UNIT RESIDENTIAL ROADS END (R1-RE) ZONE), SECTION 17.17.050 (RESTRICTIONS) AND CHAPTER 17.77 (APPLICATIONS), SECTION 17.77.010 ADJUSTMENT – DESIGN STANDARD; PARAGRAPH C. MAKING VARIOUS CLARIFICATIONS OF SETBACKS, HEIGHT AND OTHER REQUIREMENTS

Ms. Skinner did the first reading of ordinance 2023-20.

<b>MOTION:</b>	<b>Motion to Approve First Reading of Ordinance 2023-20/ZOA 2023-03</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**4.**

Ms. Skinner did the second reading of ordinance 2023-20.

<b>MOTION:</b>	<b>Motion to Approve Second Reading and Adoption of Ordinance 2023-20 / ZOA 2023-03</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**K. RESOLUTIONS**

None

**L. SPECIAL ORDER OF BUSINESS**

- 5. Planning Commission Interview- Jason Corso

**MOTION:** Motion to Appoint Jason Corso to the Planning Commission for the Term Beginning 9/12/2023, Expiring 12/31/2025  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

6. Reappointment to the Boards and Committees

**MOTION:** Motion to Reappoint Krista Eddy to the Public Arts Committee for a "City Resident" position with a three-year term. The term begins 1/1/24 expires 12/31/2026  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

7.

**MOTION:** Motion to Reappoint Kim Blackerby to the Planning Commission for a "City Resident" Position with a four-year term. The term begins 1/1/24 expires 12/31/2027  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed by Voice Vote

8. OPRD Proposed Changes to OAR 736-024-0025

Jeanne Sprague, Parks and Recreation Director, reviewed the proposed changes to OAR 736-024-0025.

**MOTION:** Motion to Approve OPRD Proposed Changes to OAR 736-024-0025  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

9. Interim Contract to provide City Attorney Services for Lincoln City

**MOTION:** Motion to Approve the Interim City Attorney Services Contract and Authorize the City Manager to Make Minor Changes  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

10.

<b>MOTION:</b>	<b>Motion to Approve Jason Corso to the Arts Committee for a Term beginning 1/1/24 Expiring 12/31/26</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

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

*Ms. Legarza gave an update on current events.*

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

*Jeanne Sprague spoke regarding the Agnes Creek Trail. The Council gave consensus to look into extending the trail at SW 11th Street.*

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

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*Jason Corso spoke regarding the Agnes Creek trail extension.*

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

*Councilor Hoagland spoke regarding lighting at the parks 12.16.010. The Council gave consensus for looking into hours of the parks and lighting.*

*Councilor Hoagland spoke about 12.16.040 to include other items. The Council gave consensus to check into the ordinance.*

*Councilor Hoagland also spoke about the ADA parking and Senior Center parking at the Community Center. The Council had a discussion. The Council gave consensus to check into the parking.*

*Councilor Hoagland said that Meals on Wheels is still looking for volunteers. Councilor Hoagland spoke about the Emergency preparedness event. Councilor Hoagland and Ms. Legarza spoke about the Human Trafficking class at the Casino. Councilor Hoagland gave an update on current events.*

*Councilor Mark spoke about the public comment regarding the rate increase for North Lincoln Sanitary. Councilor Mark spoke about the water in Lincoln City. Ms. Legarza said that she would speak with the Public Works Director.*

*Councilor Casper spoke about the Waste Advisory Committee that she attended and the lack of trash. There is a tire clean-up on September 16th. Councilor Casper spoke about the deceased sea lion on Nelscott and it must decompose naturally. Councilor Casper also spoke about the broadband issues. Councilor Casper spoke about the pilot program for sharps and the station at NW 15th.*

*Councilor Parsons said the meeting streaming has changed. The Council asked for an announcement to be made.*

*Mayor Wahlke spoke about the comments made about out-of-the-area employees.*

**Q. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 7:56 PM.*

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY  
CITY COUNCIL  
MINUTES OF THE WORK SESSION

September 18, 2023, 5:00 PM

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

APPROVED BY CITY COUNCIL

DATE:

1. CALL TO ORDER

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

*Staff Present: Daphnee Legarza, City Manager; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Debbie Bridges, Finance Director; Jamie Young, City Recorder.*

2. DISCUSSION ITEMS

**A. Streetlights**

*Jason Tanko, Tanko Lighting, gave a presentation regarding street lights via Zoom. Staff and Council had a discussion with Mr. Tanko regarding the street lights.*

**B. Mid-Block Crossing (Oceanlake)**

*Stephanie Reid, Public Works Director, spoke about the mid-block crossings in Oceanlake. Ms. Reid showed City Council the locations of the two mid-block crossings via Google Maps. The Council and Staff had a discussion regarding the information provided and the other crosswalk locations in town.*

**C. Water Service Outside of the Urban Growth Boundary**

*Stephanie Reid, Public Works Director, spoke about providing water outside the UGB. Staff and Council talked about the options and effects of providing services.*

**D. Miscellaneous**

*Mayor Wahlke listed events that she will be attending to avoid a quorum.*

*Ms. Legarza distributed a handout for climate health that will be discussed at a future Council Meeting.*

*Councilor Casper said that the tides had moved the deceased sea lion.*

**3. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 6:42 PM.*

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER

# Planning Staff Report

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## Building Division Audit FYE June 30, 2022

Meeting Date:	September 25, 2023	Primary Staff Contact:	AnneMarie Skinner
Department:	City Council	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

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Senate Bill 866 (passed in 2021) requires an audit of Lincoln City's Building Division.

...

Section 2.

(6)(a) A city that procures services from a contract building official shall have an independent auditor examine the finances of the city's building inspection program at least once every two years. The city may have the audit performed in conjunction with an audit under ORS 297.425. A county that procures services from a contract building official shall have an audit performed that covers the period of time during which the contract building official performed services for the county.

(6)(b) At a minimum, an audit under this subsection must examine all collections and usage of permit fees and all expenditures of moneys that have occurred from the proceeds of the fees since the last audit or since a municipality began procuring services from the contract building official, whichever period is shorter, and must verify that the municipality dedicates all fees the municipality collects for plan review, permit issuance, or administering and enforcing specialty codes only to the purposes specified in ORS 455.210 and 479.845.

(6)(c) A municipality shall make the results of each audit available to the public by easily accessible electronic means, including by posting the results on the municipality's website.

...

Attached is the required audit report for fiscal year ending June 30, 2022. The report can also be found on the city's website.

### Attachments:

Final LC AUP Report-FY'22 (PDF)

Final Letter (PDF)



Talbot, Korvola & Warwick, LLP 14945 SW Sequoia Parkway, Suite 150, Portland, Oregon 97224  
P 503.274.2849 F 503.274.2853 [www.tkw.com](http://www.tkw.com)

## INDEPENDENT ACCOUNTANT'S REPORT

Debbie Bridges  
Finance Director  
City of Lincoln City, Oregon

We have performed the procedures enumerated in attached Appendix A on the City of Lincoln City's (the City) collections and expenditures of building permit fees and other proceeds related to the City's contracted building official for the year ended June 30, 2022.

The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of ensuring the proper collections and expenditures of permit fees and other proceeds and ensuring such were used only for allowed purposes related to the City's contracted building official. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are included in attached Appendix A.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on collections and expenditures of permit fees and other proceeds and ensuring such were used only for allowed purposes related to the City's contracted building official. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the City and the State of Oregon Department of Consumer & Business Services, and is not intended to be, and should not be, used by anyone other than the specified parties.

*Talbot, Korvola & Warwick LLP*

Portland, Oregon  
August 9, 2023

APPENDIX A**Building Official Audit Agreed-Upon Procedures**

ORS 455.202(6) states: (a) A city that procures services from a contract building official shall have an independent auditor examine the finances of the city's building inspection program at least once every two years. The city may have the audit performed in conjunction with an audit under ORS 297.425. (b) At a minimum, an audit under this subsection must examine all collections and usage of permit fees and all expenditures of moneys that have occurred from the proceeds of the fees since the last audit or since a municipality began procuring services from the contract building official, whichever period is shorter, and must verify that the municipality dedicates all fees the municipality collects for plan review, permit issuance or administering and enforcing specialty codes only to the purposes specified in ORS 455.210 and 479.845. And (c) A municipality shall make the results of each audit available to the public by easily accessible electronic means, including by posting the results on the municipality's website.

The following procedures were performed:

1. Collections of permit fees – For a selection of collections received, identify:
  - a. if fees exceed 130% of the fee schedule printed in the “Uniform Building Code” 1979 Edition and in the “Uniform Mechanical Code” 1979 edition
  - b. if the fee is for a limited plan review for fire and life safety
    - i. if the fee the Director of the Department of Consumer and Business services prescribed exceeds 40% of the prescribed permit fee, which is disallowed under ORS 479.155 (Plan of proposed construction or alteration)
  - c. if the City has adopted fees to provide for the administration and enforcement of specialty code(s) for which the City has assumed responsibility under ORS 455.148 (Comprehensive municipal building inspection programs) or 455.150 (Selective municipal building inspection programs)
    - i. was notice provided to the Director at the time the municipality provided the opportunity for public comment under ORS 294.160 (Opportunity for public comment on new fee or fee increase) regarding the fee or, if the proposed fee was contained in an estimate of municipal budget resources, at the time notice of the last budget meeting was published under ORS 294.426 (Budget committee meeting)
    - ii. were the fees submitted for a vote and approved by a majority of the electors voting on the question (if so, the appeal process does not apply)?
    - iii. was the adoption of the fee appealed?
      1. was the appeal filed within 60 days of the Director receiving notice or within one year after adoption of the new or increased fee if no notice was provided to the Director?
      2. was the fee approved by the Director (and therefore the fee is in effect)?
  - d. if surcharges were charged and if so:
    - i. if a surcharge equaling four percent of total permit fees (alternatively four percent of total hourly charges collected) was charged to defray state administrative costs
    - ii. if a surcharge equaling two percent of total permit fees (alternatively two percent of total hourly charges collected) was charged to defray state inspection costs
    - iii. if a surcharge not exceeding one percent of total permit fees (alternatively one percent of total hourly charges collected) was charged to defray the cost of administering and enforcing the state building code
    - iv. if a surcharge equaling four percent of total permit fees (alternatively four percent of total hourly charges collected) was charged to defray the cost of developing and administering the electronic building codes information system

**FINDINGS:**

1. a. & b. Per correspondence with an official from the Building Codes Division (BCD) of the Oregon Department of Consumer & Business Services (DCBS) and ORS 455.210 (1) and (2), these limitations only apply to the DCBS and the City may adopt its own fee schedule without these limitations.

APPENDIX A (Continued)

c. Per inquiry with the City's Director of Planning and Community Development, the City has not increased building fees since the City adopted its own fee schedule in 2012. We inspected the agenda for the June 25, 2012 City Council meeting, as minutes were not readily available, that indicated that there was a public hearing for proposed increases to Planning Department fees with a reference to Resolution 2012-15: A Resolution of the City of Lincoln City Adopting an Amended Comprehensive Planning and Community Development Administrative Fee Schedule. No other documentation of the adoption, including Resolution 2012-15 and notice to the Director of the DCBS of the adoption, was able to be located per inquiry with the City's Director of Planning and Community Development. More recently, we inspected City Resolution 2019-18 which indicated that the City adopted a resolution to set a City-Wide Fee Schedule, which includes building fees. The minutes for the June 24, 2019 City Council meeting, indicate that a public hearing was held to provide "an opportunity for public comment on proposed changes to the City-Wide Fee Schedule as noted in Resolution 2019-18." Per inquiry with the City's Director of Planning and Community Development and an official from the BCD, there were no appeals of the building fees filed.

d. Out of a population of 576 building permits, with fees totaling \$1,531,546.47, issued between July 1, 2021 and June 30, 2022, we haphazardly selected 30 permits, with fees totaling \$96,235.57, and recalculated the surcharge collected by the City for structural building permit fees, mechanical fees, and manufactured home placement permit fees for the 30 permits selected. Of the 30 permits selected, 29 had fees that required the state surcharges. Of the fees that required state surcharges, the surcharges equaled 12% of those fees. In addition to the 11% in surcharges imposed by ORS 455.210 (4), there is an additional 1% surcharge imposed by ORS 455.220 that is collected by the City.

2. Expenditures of permit fees – For a selection of expenditures incurred, identify:
  - a. if fees collected by the City for the enforcement of the electrical specialty code and rules adopted under ORS 479-730 (Adoption of rules by Director of Department of Consumer and Business Services) are used only for the enforcement and administration of those laws
  - b. if the fees collected were used for the administration and enforcement of a building inspection program for which the City assumed responsibility under 455.148 (Comprehensive municipal building inspection programs) or 455.150 (Selective municipal building inspection programs)
  - c. if the surcharges collected by the City (as noted in 1.d. above) were remitted to the Director as provided in ORS 455.220 (Surcharge on building permit fees)

**FINDINGS:**

2. a & b. Per review of the City's accounting records for July 1, 2021 to June 30, 2022 that were used to prepare the audited financial statements for the fiscal year ending June 30, 2022, there were 3 revenue accounts identified that are used to record the relevant revenue that total \$429,221. Additionally, the City's accounting records for July 1, 2021 to June 30, 2022 had \$495,935 of expenditures by the City's Building Department. Of the \$495,935 of expenditures, there were monthly payments totaling \$326,838 to a contract building official for services received. We agreed these payments to City's records, such as the City's Third Party Provider Report, Accounts Payable Request Form, and Invoices, without exception. The City's Building Department expenditures, excluding payments for services from a contract building official, (\$169,097) exceeded the City's share of relevant revenue (\$102,384) by \$66,713.

c. Out of the 4 quarterly payments made to DCBS, we haphazardly selected and traced the payments for Quarter 2 (October 2021- December 2021) and Quarter 4 (April 2022 - June 2022) from the monthly Local Government Surcharge Fee Reports for the quarter to bank statement showing the checks clearing the City's checking account with no exceptions. We then compared the surcharge payments made to DCBA to the surcharges collected by the City for July 1, 2021 to June 30, 2022. The total of the surcharge payments made to DCBA per the monthly Local Government Surcharge Fee Reports and the City's check register (\$27,122.29) exceeded the surcharges collected by the City per the City's Third Party Provider Report (\$26,742.31) by \$379.98.

August 9, 2023

**Talbot, Korvola & Warwick, LLP**  
**14945 SW Sequoia Pkwy, Ste 150**  
**Portland, OR 97224**

**In connection with your engagement to perform, in accordance with attestation standards established by the American Institute of Certified Public Accountants, specified agreed-upon procedures solely to assist the City of Lincoln City (the City) in evaluating the City's compliance with the requirements related to the proper collections and expenditures of building permit fees related to the City's contracted building official as listed in Attachment A of the arrangement letter dated December 5, 2022 (the Specified Requirements) during the year ended June 30, 2022, we confirm, to the best of our knowledge and belief, the following representations made to you during the course of your engagement:**

1. We understand that the City has the responsibility for compliance with the Specified Requirements.
2. We acknowledge that the procedures performed during your engagement are appropriate for the intended purpose of the engagement.
3. We have obtained all necessary parties' agreement to the procedures and acknowledgment that the procedures are appropriate for their purposes.
4. We are responsible for establishing and maintaining effective internal control over the City's compliance with the Specified Requirements.
5. We have performed an evaluation of the City's compliance with the Specified Requirements. Based on our evaluation, the City has complied with the Specified Requirements during the year ended June 30, 2022 based on the requirements related to the proper collections and expenditures of building permit fees related to the City's contracted building official as listed in Attachment A of the arrangement letter dated December 5, 2022.
6. There has been no known noncompliance with the Specified Requirements during the year ended June 30, 2022 or through the date of this letter
7. There are no known communications from regulatory agencies, internal auditors or other practitioners concerning the City's possible noncompliance with the Specified Requirements received by us during the year ended June 30, 2022 or through the date of this letter.
8. We have made available to you all documentation related to the City's compliance with the Specified Requirements.
9. We are not aware of any material misstatements concerning the City's compliance with the Specified Requirements.
10. We are not aware of any events subsequent to the year ended June 30, 2022 that would have a material effect on the City's compliance with the Specified Requirements.



11. There has been no knowledge of fraud or suspected fraud affecting the City involving:
  - a. Management.
  - b. Employees who have significant roles in internal control.
  - c. Others where fraud could have a material effect on the City's compliance with the Specified Requirements.
12. We acknowledge our responsibility for the design and implementation of programs and controls to provide reasonable assurance that fraud is prevented and detected.
13. We have no knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, analysts, regulators, or others.
14. We have responded fully to all inquiries made to us by you during your engagement.
15. During the course of your engagement, you may have accumulated records containing data that should be reflected in our books and records. All such data have been so reflected. Accordingly, copies of such records in your possession are no longer needed by us.

## City of Lincoln City

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Anne Marie Skinner, Director – Planning & Community Development



## Council Communication

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### Lincoln County Homeless Advisory Board (HB4123)

Meeting Date:	September 25, 2023	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	Daphnee Legarza
Approval:	Daphnee Legarza	Estimated Time:	15 minutes

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County Administrator, Tim Johnson, will be providing an update to the City Council on the collaborative effort that has been going on county-wide utilizing the funding, as one of eight pilot projects, provided by the State of Oregon to address various homelessness issues within Lincoln County. Overall, this is been a very collaborative process with active involvement of all the cities in the county, Lincoln County and the Community Services Consortium. This effort was initiated during the summer of 2023 with a Declaration of Cooperation being executed by all seven cities in the county as well as the tribe, which was followed up by execution of an intergovernmental agreement making a five-year commitment to work jointly on the issues relating to homelessness in Lincoln County. The various governmental entities will be receiving a draft five-year strategic plan this fall as recommended by the Homeless Advisory Board that will outline specific steps that will be taken to reduce homelessness in Lincoln County and to provide services to individuals in the county. Updates are being provided to each of the member municipalities in preparation for receiving and reviewing the draft strategic plan.

#### **Attachments:**

Status Report(PDF)

MEMO-Projects 101123 (PDF)

10.01.22 HOMELESSNESS IGA V2 (PDF)

6.28.22 Declaration of Cooperation Homelessness Issue (PDF)

DRAFT - LCHAB Interim Report - State of Oregon DAS - v3 (PDF)

# HOMELESS ADVISORY BOARD

## 5-Year Strategy

### Status Report



# ACCOMPLISHMENTS

- Selected as of 1 of 8 Communities Awarded State Program
- Formulation of Homeless Advisory Board
  - Declaration of Cooperation
  - IGA
- Selection of Consultants
  - Strategy
  - Homeless Advisory Board



# ACCOMPLISHMENTS

- Stood up Advisory Board & Subcommittees
  - Service Provision & Policy
  - Community Engagement
  - Mental Physical Health
  - Finance & Economics
- Unified Program
- Regular Meetings hosted across countywide
- Over 200 participants
- Formulation of Website and Social Media
- HB 4123 & HB 5019 \$1,750,000
- Winter Shelter & Tri-County CoC
- Submission of draft Report to State Dept. of Admin Services



# VISION & MISSION

*“Eliminate Homelessness Countywide  
Except due to emergencies and voluntary reasons.”*

*“To ensure that every member of our community has access to the  
resources they need, while also working to prevent the circumstances  
that lead to homelessness.”*

*RESPONSE & PREVENTION ORIENTED*



# GOALS

- Funding to support the ongoing operations of the System; (Sustainable & Permanent-Mayor Cross)
  - Increasing or streamlining resources and services to people at risk of or experiencing homelessness within the participating cities, county and Tribe;
  - Incorporating national best practices for ending homelessness;
  - Eliminating racial disparities within homeless services within the service area; and
  - Creating pathways to permanent and supportive housing that is affordable to local populations experiencing or at risk of homelessness.
- 
- Ensure communication, coordination and accountability between community agencies, local governmental programs and vulnerable populations (Mayor Kaplan)

# COUNTYWIDE CHALLENGES & OPPORTUNITIES

- There are over 100 entities helping the homeless. This number climbs when health services are included.
- Nonprofits and faith-based organizations act as primary service providers.
- Most service providers are located along the coast, yet services are needed throughout the county
- Strategy to illustrate how to work together in support of housing, homeless services and economic prosperity



# COUNTYWIDE CHALLENGES & OPPORTUNITIES

## Housing

*Opportunities for Public, Private, Nonprofit Faith-Based and Partnerships*

- Emergency
- Transitional
- Supportive
- Affordable
- Market Rate



# PRESENTATION OF DRAFT STRATEGY

**Preface**

**Overview**

**Executive Summary**

**Identification of Mission, Vision and Required Goals**

**Background and Analysis**

**Findings/Challenges**

**Opportunities**

Housing, Services, Economic Prosperity

**Budget Resources and Timeline for Implementation**

Navigation Center



# NEXT STEPS

- Status Report to Cities and County – Late Sept.-Oct
- Publication of draft Strategy-Late Oct.-first of November
- Presentation of Strategy – Late October into December
- Submission of draft to State- November 15th
- Cities and County Approve Strategy - Resolution
- Submission to State of Oregon- end of 2023

# IMPLEMENTATION

## PHASE II- January/June 2024

- Organizational Operations
- Further thoughtful review and examination by Homeless Advisory Board on Strategy
- Discussion and implementation of workplan
  - Recommendations on sustaining the operation of the Homeless Advisory Board and Navigation Center recommended programs in alignment with goals & objectives

## PHASE III – July 2024- 2028

- Implementation of Value Proposition Efforts
- Following Programs:
- Homeless Services
  - Economics
  - Transportation
  - Housing Development



# THANK YOU



## MEMORANDUM

**DATE:** September 11, 2023  
**TO:** Countywide Homeless Advisory Board  
**FROM:** Tim Johnson, Lincoln County  
**SUBJECT:** Housing projects for homeless

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According to Karen Rockwell of the Housing Authority of Lincoln County, the following housing projects have received a combined \$68 million for projects that are either in development and/or close to completion:

- The Housing Authority of Lincoln County, (HALC) has been awarded Local Innovation Fast Track (LIFT) and Disaster Recovery funding for Townhomes (in Depoe Bay) of \$5.7 million
- Stewardship Group & HALC received Local Innovation Fast Track Funding (LIFT) for 44 units of multifamily housing (in Lincoln City) of \$6.8 million for gap financing
- NW Coastal Housing received Veteran's Funding for Blackberry Hills (Toledo) 11 units of veteran housing consisting of 3 permanent supportive housing units of \$2.32 million
- Innovative Housing acquired awards and loans for 110 units of multifamily (in Lincoln City) of \$50 million in awards/loans
- Helping Hands Re-entry Outreach Center (Lincoln City) has received from the Oregon Housing & Community Services Turnkey 2.0 a grant of \$977,000
- Northwest Coastal Housing – Coastal Phoenix Rising is preparing to open a facility that received a grant from Oregon Housing & Community Services for a Project Turnkey of \$3.348 million

Preliminary analysis illustrates over the past two-three years there has been over \$24 million in grant awards for housing/sheltering in Lincoln County.

Additionally, countywide in less than a year, through HB4123 (\$1 million) and the HB5019 for \$750k there has been nearly \$2 million in capacity building grants for homelessness for Lincoln County.

## Intergovernmental Agreement Coordinated Office on Homelessness

This Agreement is entered into by and between Lincoln County, a political subdivision of the State of Oregon ("County"), the Cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport, and Yachats and the Confederated Tribes of the Siletz Indians.

### RECITALS

- A. ORS 190.010 authorizes units of local government to enter into Intergovernmental Agreements ("IGA") for the performance of any or all functions which a Party to the IGA has the authority to perform.
- B. The County has signed a grant agreement with the State of Oregon for \$1,000,000 to establish a coordinated homeless response system. Lincoln County will administer the funding and consulting agreements necessary to meet the requirements of this grant. The grant agreement is entered pursuant to the terms of HB 4123.
- C. Lincoln County, the Cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport and Yachats and the Confederated Tribes of the Siletz Indians (Parties) have entered into a Declaration of Cooperation to implement preliminary steps to develop a Homeless Response System for Lincoln County.
- D. The Parties to this IGA wish to implement HB 4123 and establish a coordinated homeless response system. The System shall, at a minimum, consist of a homeless response office (the "Office") and a Homeless Response Advisory Board (the "Advisory Board"). The Parties wish to create a System that will fulfill all requirements set forth in Exhibit A, attached hereto and incorporated by this reference herein.

NOW, THEREFORE, the Parties on the terms and conditions set forth herein, and for consideration of which the existence and sufficiency is mutually acknowledged, enter into the following Agreement:

### AGREEMENT

1. **Effective Date/Duration.** This IGA shall be effective when signed by all nine Parties hereto. Unless extended or earlier terminated in a writing signed by a majority of the Parties, this IGA automatically terminates on June 30, 2027.
2. **Homeless Response Office.** The Parties agree that the Office shall be organized as follows and shall perform the following functions:
  - a. The Office will operate under the general policy guidance of the Homeless Response Advisory Board ("Advisory Board").
  - b. The Office will be operated through a professional services agreement with a consultant approved by the Advisory Board and contracted by the Lincoln County. The consultant will be any individual or entity duly qualified and willing to serve in the role.
  - c. The Office will coordinate with and develop partnerships with local and regional stakeholders as specified in House Bill 4123, including plans for coordination with the local continuum of care receiving funding under 24 C.F.R. part 578.
  - d. The Office will be managed under a contract with Lincoln County and report to the Advisory Board. The Director will be charged with the general operation of the office.
  - e. The office shall work to coordinate with the Advisory Board for the

development of a five-year strategic plan conducted under a separate agreement with a consultant and otherwise ensure that the coordinated homeless response system meets the project goals set forth in Exhibit A.

- f. For the first two fiscal years, the Office will be funded with a portion of the funding of \$1,000,000 provided through a grant by the State of Oregon.
- g. The Office shall also include an Advisory Panel ("Panel") comprised of homelessness experts drawn from the community, to include representatives with knowledge and experience in the areas of youth services, lives experiences, accessibility, housing, homelessness, land use, public education, public health, education, and philanthropy.
- h. The office shall create a work group of homeless individuals to advise the panel and Advisory Board on aspects of homelessness relating to the operation of the office and to complete that work.

3. **Homeless Advisory Board.** The Parties agree that the Advisory Board shall be organized as follows and shall perform the following functions:
- a. An Advisory Board, consisting of one representative and alternate from each party to this IGA, shall be formed for the purposes of providing general policy guidance to the Office.
  - b. Initial Advisory Board members shall have the opportunity to make important decisions at the inception of the coordinated homeless response system, including the following:
    - i. The Advisory Board shall approve the hiring of a consultant by the Lincoln County Health Department to establish and operate a coordinated homeless response office.
    - ii. The Advisory Board shall approve the hiring of a consultant to develop a five-year strategic plan that identifies goals and strategies to provide a sustainable partnership to reduce homelessness in Lincoln County.
    - iii. The Board shall approve a five-year plan the Strategic Plan and will provide policy direction to the Office.
  - c. By June 27, 2023, the Advisory Board shall review, approve, and adopt a strategic plan that identifies and sets goals as set forth in HB 4123.
  - d. Advisory Board members shall serve as a liaison between their elected body and the Office.
  - e. As an entity authorized by statute and governed by this IGA with the authority to make formal advice and recommendations on public policy and administration, the Advisory Board is considered a public body for the purposes of Oregon Public Meetings law, will hold noticed meetings open to the public, and otherwise act in accordance with Oregon Public Meetings Law.
  - f. The Advisory Board shall adopt formal Bylaws sufficient to ensure compliance with Oregon Public Meetings Law and the orderly functioning of the Advisory Board. The Bylaws must establish a regular meeting schedule to be observed by the Advisory Board.
4. **Obligations of the Parties**
- a. The Parties to this IGA commit to support the Office for a total of not less than five (5) fiscal years. The Parties understand that this IGA will need to be amended as the funding and commitments for years 3-5 are further defined and clarified by the Parties. The Parties further agree to work

together and use best efforts to seek out and obtain grant funding to further this objective.

- b. All Parties to this IGA agree to cooperate in good faith to ensure that the goals of the System are achieved. The Parties shall work in good faith to amend this IGA when necessary to achieve the System goals set forth in Exhibit A.
  - a. The County shall serve as the fiscal agent responsible for funding the operations of the Office created under this IGA. The County shall be responsible for all contracting, procurement, or other activities necessary to retain consultants as approved by the Advisory Board. The County will retain fiscal and contractual oversight of the Office and shall retain the authority to terminate the contractual with the consultants as necessary. In such an event, the County shall seek a new consultant with the approval and input of the Advisory Board. This IGA does not create any employment or contractual relationship between the Parties to this IGA or the Office.
  - b. The Coos County Office of Legal Counsel may be called upon to provide legal advice to the Advisory Board and the Office as necessary. Such advice may include, but is not limited to, advice on public meetings law, the requirements of HB 4123, and the formulation of necessary bylaws.

#### 5. General Terms.

- a. Notice. The designated representatives of the Parties for the administration of this IGA are as follows:
  - i. Lincoln County  
Claire Hall, County Commissioner  
Phone: 541-265-4100  
Email: [whall@co.lincoln.or.us](mailto:whall@co.lincoln.or.us)
  - ii. City of Depoe Bay  
Kimberly Wollenberg, City Recorder  
Phone: 541-765-2361  
Email: [recorder@cityofdepoe.org](mailto:recorder@cityofdepoe.org)
  - iii. City of Lincoln City  
Daphnee Legarza, City Manager  
Phone: 541-996-1200  
Email: [dlegarza@lincolncity.org](mailto:dlegarza@lincolncity.org)
  - iv. City of Newport  
Spencer Nebel, City Manager  
Phone: 541-574-5876.  
Email: [s.nebel@newportoregon.gov](mailto:s.nebel@newportoregon.gov)
  - v. City of Siletz  
Name Title  
Phone:  
Email:

- vi. City of Toledo  
 Judy Richter, City Manager  
 Phone: 541-635-2003  
 Email: [judy.richter@cityoftoledo.org](mailto:judy.richter@cityoftoledo.org)
  
- vii. City of Waldport  
 Dann Cutter, City Manager  
 Phone: 541-563-3561 X7  
 Email: [dann.cutter@waldport.org](mailto:dann.cutter@waldport.org)
  
- viii. City of Yachats  
 Heide Lambert, City Manager  
 Phone: 541-547-3565  
 Email: [citymanager@yachatsmail.org](mailto:citymanager@yachatsmail.org)
  
- ix. Confederated Tribes of the Siletz Indians  
 Sami Jo Difuntorum, Housing Executive Director  
 Phone: 541-444-2532 X1312  
 Email: [SamiJoD@ctsi.nsn.us](mailto:SamiJoD@ctsi.nsn.us)
  
- b. Entire Agreement. This IGA constitutes the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written not specified herein regarding this IGA. No waiver, consent modification or change of terms of this IGA shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given.
- c. Severability. If any portion of this IGA is illegal, void, or otherwise found by a Court to be unenforceable, the offending provision shall be severed from the contract and the remaining provisions shall remain enforceable and in full effect.
- d. Counterparts. This IGA may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- e. Access to Records/Record Retention. The County shall maintain fiscal records and all other records pertinent to this IGA.
  - i. All fiscal records shall be maintained pursuant to generally accepted accounting standards, and other records shall be maintained to the extent necessary to clearly reflect actions taken.
  - ii. All records shall be retained and kept accessible for at least three years, or as otherwise required to be retained by Oregon law.
  - iii. If an audit, litigation or other action involving this IGA is started before the end of the three-year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three- year period, whichever is later.
  - iv. All Parties to this IGA and their authorized representatives shall have the right to direct access to all of associated books, documents, papers and records related to this IGA for the purpose of conducting audits and examinations and making copies, excerpts and transcripts.

f. Indemnification. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, each Party shall defend, indemnify, and hold each other Party, and its officers, agents, employees and volunteers, harmless against all liability, claims, losses, demands, suits, fees and judgments (collectively referred to as "claims") that may be based on, or arise out of, damage or injury (including death) to persons or property caused by or resulting from any act or omission of the Party in connection with the performance of this IGA or by conditions created thereby or based upon violation of any statute, ordinance or regulation. This indemnification shall not apply to claims caused by the sole negligence or willful misconduct of the other Party, its officers, agents, employees and volunteers. The Parties agree that they are not agents of each other and are not entitled to indemnification and defense under ORS 30.285 and ORS 30.287

**SIGNATURES:**

Lincoln County: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Claire Hall, County Commissioner

City of Depoe Bay: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Lincoln City: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Newport: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Siletz: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Toledo: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Waldport: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

City of Yachats: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

CTSI: Signature \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

DECLARATION OF COOPERATION  
PRELIMINARY STEPS TO DEVELOP A HOMELESS RESPONSE SYSTEM FOR  
LINCOLN COUNTY

**Introduction and Purpose of this Declaration of Cooperation**

This declaration of cooperation is a non-legally binding statement of good faith to initiate certain actions required under House Bill 4123, a bill that provides grant funding in the amount of \$1,000,000 to eight counties in Oregon to create coordinated homeless response systems. Lincoln County is one of the eight counties to receive \$1,000,000 of funding for this purpose.

House Bill 4123 requires that an advisory board be created with representatives from the governing bodies of each participating member of government. The governing bodies that are invited to participate on the advisory board include the Confederated Tribes of Siletz Indians, Lincoln County, and the cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport and Yachats.

On Wednesday June 22, 2022 a meeting was convened among local units of government to discuss implementation of House Bill 4123. At this meeting there was a consensus to take several initial steps in order to implement the requirements of HB 4123. The financial administration of this grant will be handled by the Lincoln County Health and Human Services Department. Lincoln County will proceed with a request for proposals to hire a consultant to help create the establishment of the coordinated Homeless Response Office and a second consultant to formulate the creation of a 5-year strategic plan. It was the consensus of the group that a declaration of cooperation be drafted and sent to Lincoln County, the Confederated Tribes of Siletz, and all the cities of Lincoln County to determine who is able and willing to participate on a preliminary advisory committee to help guide this process. A formal agreement has to be entered into with participating communities and non-profit corporations within 90 days of receipt of the grant funding by Lincoln County. The preliminary advisory committee established through this declaration of cooperation will meet to address the requirements that fall within the first 90 days following receipt of the grant funding. It is likely that a formal agreement and successor advisory board will be created at the conclusion of this 90-day timeframe.

**Required Timetables for Implementing House Bill 4123 Requirements**

House Bill 4123 requires counties receiving the grant funding to conduct various activities during certain prescribed time frames. These requirements are as follows:

1. Within 90 days of receiving the grant funding enter into an agreement among member governments and non-profit corporations, if any, to create a coordinated homeless response system that consists of, at a minimum;
  - a. The establishment of a coordinated homeless response office.
  - b. An advisory board with representatives from the governing body of each member of government.

- c. Specific roles of each member to support the advisory board and office.
  - d. Plans for coordination with any local continuum of care receiving funding under 24C.F.R.part578.
  - e. Establishment of a centralized point of contact for the office.
2. No later than November 15, 2023 each coordinated homeless response system shall provide a report to the Housing and Community Services Department, Oregon Housing Stability Council, and one or more appropriate interim committees of the legislative assembly in the manner provided in ORS 192.245 describing any goals adopted, changes in services, and challenges and opportunities in addressing homelessness services and planning, needs for technical assistance, and addressing racial disparities.
  3. Within one year of receiving a grant under this section, a coordinated homeless response system, through the advisory board or each member of government to the agreement shall adopt a 5-year strategic plan that will identify and set goals for addressing funding to support operations, increasing or streamlining resources and services, incorporating national best practices for ending homelessness, eliminating racial disparities, and creating pathways to permanent and supportive housing.
  4. By November 15, 2024 each coordinated homeless response system shall provide a second annual report to the Housing and Community Services Department, Oregon Housing Stability Council, and one or more appropriate interim committees of the legislative assembly in the manner provided in ORS 192.245 describing any goals adopted, changes in services, and challenges and opportunities in addressing homelessness services and planning, needs for technical assistance, and addressing racial disparities.

### **Declaration of Cooperation Commitments**

Lincoln County, the Confederated Tribes of Siletz Indians, and the Cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport and Yachats are invited to participate on a preliminary advisory committee to implement preliminary steps to develop a Homeless Response System for Lincoln County. Each participating government is requested to have their governing body approve this Declaration of Cooperation and name a governing body member and an alternate governing body member to participate in the tasks described below.

During the first 90 days following receipt of the grant funding the advisory committee will guide the development of an agreement among member governments and non-profit corporations to create a coordinated homeless response system that consists of the establishment of a coordinated homeless response office, an advisory board with representation from the governing body of each member of government, specific roles of each member organization to support the advisory board and office, plans for coordinating any local continuum of care receiving funding under 24C.F.R.part578 and establishing a centralized point of contact for the office.

The advisory committee will be seated through the initial development of the items described in the declaration of cooperation commitments. A successor advisory board will be created under the terms of the Coordinated Homeless Response Agreement developed with the advisory committee following this 90-day period. Those governmental units electing to continue participating in this effort will be asked at that time to enter into a Coordinated Homeless Response Agreement for Lincoln County through the duration of the grant period.

MOTION APPROVING A DECLARATION OF COOPERATION FOR PRELIMINARY STEPS TO DEVELOP A HOMELESS RESPONSE SYSTEM FOR LINCOLN COUNTY

I move to approve a non-binding Declaration of Cooperation to develop a Homeless Response System for Lincoln County and appoint from the Governing Body \_\_\_\_\_ as a committee member and \_\_\_\_\_ as an alternate committee member.

Approved          Ayes \_\_\_\_\_          Nays \_\_\_\_\_

Unit of Government \_\_\_\_\_

Signed \_\_\_\_\_  
(Mayor, Chair)

Signed \_\_\_\_\_  
(Recorder, Secretary)

Date Motion is Approved  
\_\_\_\_\_, 2022

LINCOLN COUNTY



HOMELESS  
ADVISORY BOARD

# Lincoln County Homelessness Strategic Plan Interim Report

Issued for:  
State of Oregon  
Department of Administrative Services

## Introduction

Lincoln County (the “county”) on behalf of a coalition comprised of the cities of Depoe Bay, Lincoln City, Newport, Toledo, Waldport and Yachats along with the Confederated Tribes of Siletz Indians plus homeless providers and community stakeholders sought to prepare a 5-Year Homeless Strategic Plan (HSP) and the creation of a Sustainable Navigation Center. The coalition has named itself the Lincoln County Homeless Advisory Board (LCHAB, advisory board), and acts as a key body to meaningfully engage local unhoused communities with representatives from each municipality within the county with the intent to create positive change.

The county has been focused on finding community solutions since before its 2007 plan, “At Home in Lincoln County: A Ten-Year Housing Plan for Lincoln County with a Special Focus on Chronic Homelessness<sup>1</sup>” was enacted. The 2007 plan specifies 10 action steps and identifies tasks to meet each step, along with responsible parties and due dates. Many of the city leaders, community leaders, and responsible parties from the 2007 plan are present within the LCHAB body. Many of the tasks specified within the 2007 plan have been seen through to fruition, and where obstacles remain to complete tasks, the LCHAB body has maintained their commitment to creating solutions.

Lincoln county is a unique region comprising approximately 50,000 residents along the Central Oregon Coast. In recent years, homelessness in the Central Coast has been on the rise and is now a countywide concern. Pursuant to HB4123<sup>2</sup>, the LCHAB body is called to enact a response to the statewide homelessness crisis within its local region through the development of a five-year strategic plan. LCHAB has sought Morant McLeod to research the issue, collaborate with the community stakeholders, and facilitate the strategic planning process.

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<sup>1</sup>[https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/6838/Lincoln\\_County\\_Housing\\_Plan.pdf?sequence=1&isAllowed=y](https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/6838/Lincoln_County_Housing_Plan.pdf?sequence=1&isAllowed=y)

<sup>2</sup><https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/HB4123/Enrolled>

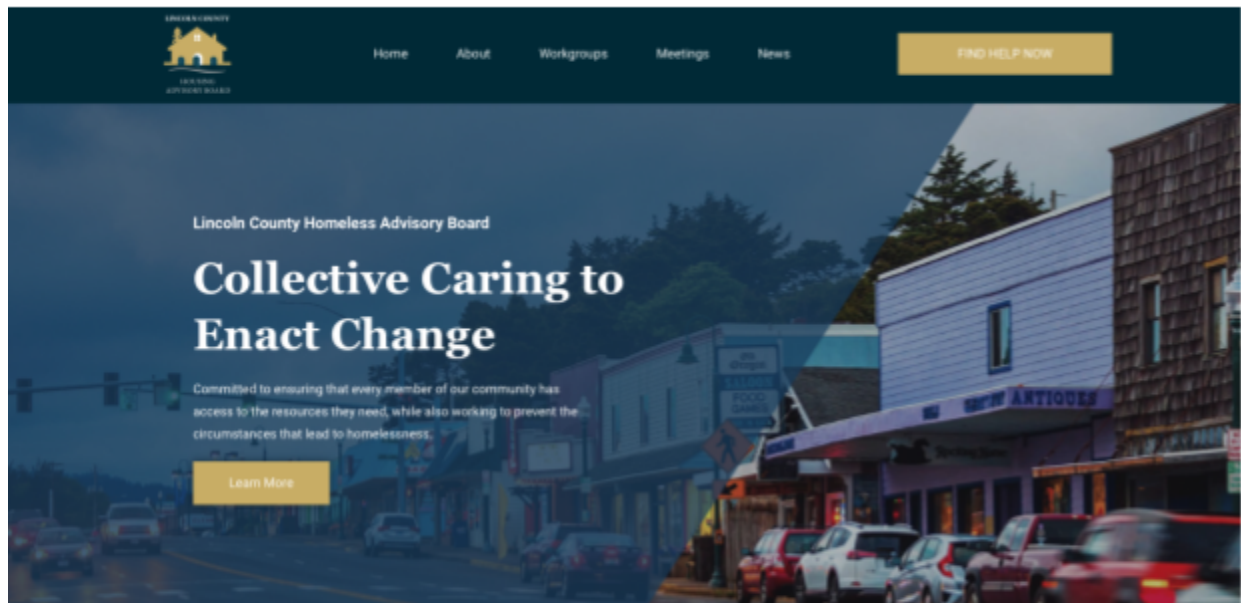
# Approach to Addressing Community Challenges: A Timeline of Strategic Action

When tasked with addressing a community-centric issue, Morant McLeod employed a phased approach spread over a year, ensuring that every step was rooted in thorough research, community engagement, and iterative development. Here's a detailed breakdown of their strategy and execution timeline:

## January: Setting the Stage for a Collaborative Vision

The first month was dedicated to laying down the foundation for the entire process:

1. **Drafting a Shared Goal:** Before diving into the intricacies, the first order of business was to draft a shared goal. This goal was a concise statement capturing the essence of the initiative's purpose.
2. **Preparation for Community Validation:** Recognizing that the strength of the initiative lay in its community acceptance, preparations were made to validate the shared goal with the community. This included setting up feedback mechanisms and engaging local organizations to foster community participation.



Lincoln County Homeless Advisory Board website. [www.lchab.org](http://www.lchab.org)  
Developed by Morant McLeod

## February - May: Grassroots Engagement through Workgroups

The following months were earmarked for genuine community engagement:

1. **Launching Workgroups:** Multiple workgroups were launched, each dedicated to a specific facet of the broader challenge. This ensured specialized attention to each component.
2. **Organizing into Workgroups:** Stakeholders, including community leaders, subject matter experts, and representatives from various demographics, were organized into these workgroups.
3. **Conducting Community-Driven Research:** The workgroups began shared desktop and field level research. This involved surveys, interviews, field studies, and community workshops to gather data, insights, and perspectives.

## June - September: Crafting a Comprehensive Strategy

With a wealth of information at hand, the next phase was dedicated to analysis and strategy formulation:

1. **Data Analysis:** The accumulated data was meticulously analyzed to discern patterns, challenges, opportunities, and nuances.
2. **Drafting the Strategic Plan:** Drawing from the insights, a comprehensive draft of the strategic plan will be developed. This plan will propose interventions, initiatives, and programs to achieve the shared goal.
3. **Creating Work Plans for Stakeholder Groups:** Recognizing the role of various stakeholder groups, specific work plans tailored to each group's capacity and role will be crafted. These plans ensure alignment and collaborative effort toward the shared goal.

## October - November: Iterative Finalization and Laying the Groundwork

The penultimate phase focused on refining the strategy:

1. **Community Review:** The draft strategic plan is to be presented to the community for review. Feedback sessions, town hall meetings, and open forums will be organized for an inclusive review process.
2. **Finalization:** Incorporating the community's feedback, the plan will be refined and finalized.

- 3. Initiating a Sustainable Navigation Center:** Steps will be initiated to create a sustainable navigation center. This center will serve as a hub for implementing the strategic plan, coordinating stakeholder efforts, and monitoring progress.

The systematic, phased approach underscores LCHAB's commitment to community-driven, sustainable solutions. By integrating rigorous research, wide engagement, and iterative development, it's not only crafting a strategy that resonates with Lincoln County's unique needs but also sets the stage for enduring success and community upliftment.

## Mission Articulation

Homelessness is a complex issue, often rooted in a myriad of interrelated factors. Addressing it requires a deep understanding of these factors and a comprehensive approach to remedy them. In this context, the Lincoln County Homelessness Advisory Board embarked on a strategic planning process to shed light on the intricacies of homelessness within the county.

The Lincoln County Homelessness Advisory Board's initial step was the acknowledgment of the complexity of the problem. Recognizing that a single-pronged approach would be inadequate, the Board embarked on a holistic planning process. This involved gathering diverse stakeholders, from homeless individuals themselves to local businesses, nonprofits, and government entities, ensuring a spectrum of perspectives were considered.

With data collection and analysis, a thorough research process was initiated. Initial data pinpointed several drivers of homelessness, such as economic downturns, mental health issues, substance abuse, and a lack of affordable housing. However, to create an effective strategy, it was vital to determine the primary drivers – those core issues that, if addressed, could have a cascading positive effect on the others.

Armed with these insights, the Board was in a position to craft a mission that wasn't just aspirational, but also actionable. The mission emphasizes both proactive and reactive measures, understanding that while immediate relief is crucial, long-term solutions lie in prevention.

**“To ensure that every member of our community has access to the resources they need, while also working to prevent the circumstances that lead to homelessness.”**

- Lincoln County Homelessness Advisory Board mission

# Diving Deeper: The Four Workgroups

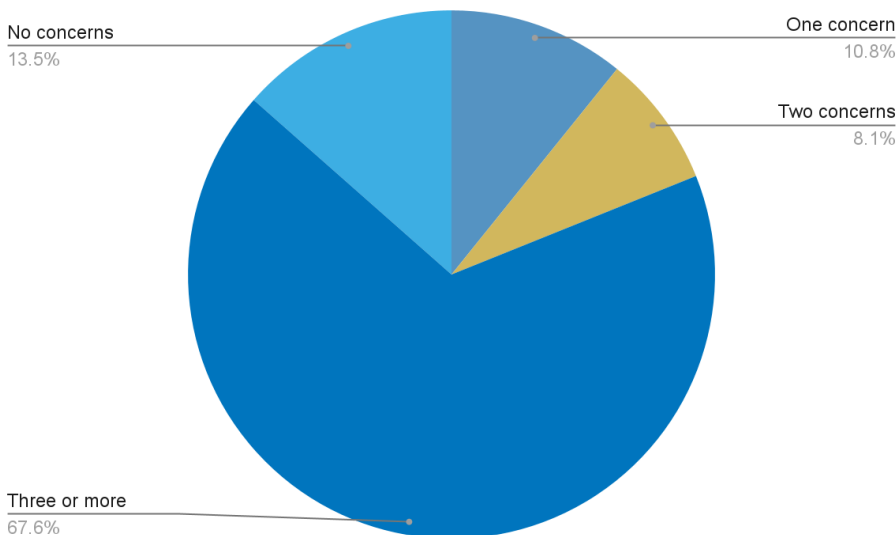
## Approach to Lincoln County's Strategic Plan

A nuanced problem like homelessness necessitates an equally nuanced approach to solution-building. The Lincoln County Homelessness Advisory Board recognized this and further refined their strategy by segmenting the research process into four specialized workgroups: "Finance & Economics", "Mental & Physical Health", "Community Engagement", and "Service Provision & Policy". Each group focused on distinct dimensions of homelessness, ensuring a comprehensive understanding and approach.

### Mental & Physical Health Workgroup

This workgroup focused on the health challenges faced by the homeless population. With research identifying mental health as a primary driver of homelessness in Lincoln County, this group's role was pivotal. Their research explored the accessibility of mental and physical health services, the prevalence of chronic illnesses among the homeless, and the barriers to obtaining consistent medical care. The workgroup also liaised with local healthcare providers, aiming to devise collaborative solutions to bridge the health service gaps.

**Serious health concerns experienced by Lincoln County unhoused community**



Source: Morant McLeod

### Community Engagement Workgroup

Recognizing that the community's perception and involvement are integral to resolving homelessness, the "Community Engagement" workgroup targeted public awareness and involvement. They gauged community sentiment towards the unhoused, organized awareness campaigns, and created digital platforms for community members to contribute. By fostering empathy and dispelling myths, this group sought to create a community united in its approach to tackle homelessness.

### Service Provision & Policy Workgroup

This workgroup operated at the intersection of service delivery and policy-making. They assessed the existing services provided to the homeless, identifying inefficiencies, overlaps, or gaps. Moreover, they worked to understand the legislative landscape and identify areas for policy reform. Their goal was to ensure that services and policies were not just well-intentioned but were also effective and streamlined.

### Finance & Economics Workgroup

The "Finance & Economics" workgroup delved into the workforce related and economic aspects of homelessness. By investigating the cost of living, job market dynamics, and economic barriers faced by the unhoused population, this group sought to understand the financial realities contributing to homelessness. Furthermore, the group researched potential economic solutions and opportunities for affordable housing investments in the county.

By dividing their research into these specialized workgroups, the Lincoln County Homelessness Advisory Board ensured that every facet of homelessness was meticulously explored. Each group dove deep into its domain, providing insights and recommendations that were both in-depth and holistic. This collaborative, multi-pronged approach stands as a model for other counties and cities, showcasing the importance of specialized, collaborative research in crafting impactful, sustainable solutions.

# Field Research: A Ground-Level Understanding of Homelessness in Lincoln County

In developing effective solutions to complex issues like homelessness, one cannot solely rely on statistical data and broad-scale surveys. Direct interaction with those affected provides invaluable insights, ensuring solutions are both effective and empathetic. With this philosophy at its core, LCHAB took an immersive approach to their research in Lincoln County.

## Developing Research Tools

To facilitate this ground-level research, Morant McLeod first developed a set of research tools tailored for the unique context of Lincoln County's homeless population. Recognizing the sensitive nature of the subject, the tools were designed to be non-invasive, ensuring the dignity and comfort of the participants. These tools included structured questionnaires that focused on understanding the daily struggles, aspirations, and immediate needs of the homeless. Additionally, there were open-ended sections allowing participants to share personal stories and insights in their own words.

## Engaging with the Homeless Community

Rather than expecting the homeless community to come to them, Morant McLeod consultants went to the places these individuals frequented. Food pantries, soup kitchens, food shares, and other community programs became the primary settings for these interactions. Such settings provided a more relaxed environment, allowing the homeless individuals to feel at ease and encouraging honest conversations.

*“Get into a house, back on my feet, and find a full time job... but it’s impossible when you’re camping.”*

*- Lincoln County Resident*

These community programs also offered insights into the effectiveness and reach of existing initiatives. Observing the operations and interacting with both the beneficiaries

and the service providers offered a dual perspective. It helped the consultants identify best practices, potential gaps, and areas for improvement in service provision.

**Outcomes of the Field Research**

The stories, feedback, and data gathered from these interactions were enlightening. Not only did they validate some of the findings from the broader research conducted by the four workgroups, but they also highlighted nuances that might have been missed in a more detached research approach.

For instance, while the "Mental & Physical Health" workgroup had identified health service gaps, the personal stories shed light on the emotional toll of being homeless and seeking healthcare. Similarly, while the "Finance & Economics" workgroup researched job market dynamics, the direct interactions revealed the personal challenges of job-seeking while homeless, such as the lack of a permanent address or the stigma attached to homelessness.



Source: Morant McLeod

Morant McLeod's field research approach reaffirmed the value of direct, human-centric research. By embedding themselves in the community, the consultants were able to grasp the multifaceted nature of homelessness in Lincoln County truly. These ground-level insights, when combined with the broader findings of the workgroups, equipped the Lincoln County Homelessness Advisory Board with a comprehensive understanding, which will enable them to devise a strategy that is both impactful and compassionate.

# A Multi-Stakeholder Approach: Engagement with Lincoln County's Service Ecosystem

For a holistic view of homelessness in Lincoln County, the board recognized the necessity of not only understanding the challenges faced by the homeless but also the perspective of those who serve and interact with them daily. This dual focus would ensure that the resulting strategies would be both grounded in reality and optimized for efficiency.

## Engaging Community Service Providers

Community service providers are the front-liners, offering immediate aid to those in need. By interviewing these providers, Morant McLeod gained insights into the operational dynamics of the aid ecosystem. They looked into challenges such as resource allocation, demand surges, and logistical difficulties. By understanding these practical challenges, recommendations could be made on how to enhance the efficiency and effectiveness of service provision.

## Conversations with Non-profit Organizations

Non-profit organizations also have a broad scope, just like other service providers. They work on awareness campaigns, fundraising, policy advocacy, and long-term initiatives. Engaging with them provided Morant McLeod with an understanding of the broader challenges and opportunities in the homelessness sector. These interactions also highlighted potential areas of collaboration and synergy, where different entities could pool resources or share expertise for amplified impact.

## Tapping into Health Experts

Given the significant overlap between health issues and homelessness, it was crucial to engage with health experts. Health professionals offered insights into the physical and mental health challenges faced by the homeless. This engagement further solidified the findings of the "Mental & Physical Health" workgroup, providing deeper perspectives and suggesting potential initiatives tailored for the homeless demographic.

### Stakeholder Engagement

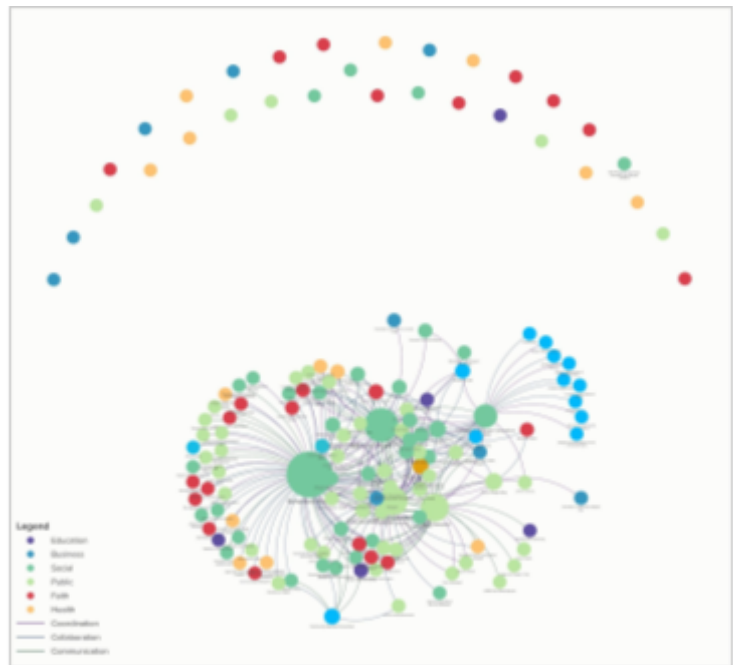
Beyond the direct service providers, there are numerous stakeholders, from local organizations to policymakers, whose decisions and opinions have an impact on homelessness dynamics. By interviewing a cross-section of these stakeholders, the board could gauge the broader community sentiment, understand potential areas of resistance, and identify allies in the quest to address homelessness.

### Benefits of the Multi-Stakeholder Approach

This comprehensive engagement strategy painted a complete picture of homelessness in Lincoln County. While the homeless community provided insights into their direct challenges and needs, the service providers and stakeholders offered perspectives on the systemic challenges, potential solutions, and resources available.

Moreover, these engagements fostered a sense of collective responsibility. By actively involving multiple entities in the research phase, Morant McLeod was setting the stage for a collaborative approach to solution implementation.

The extensive interview approach underscores the principle that addressing complex societal issues like homelessness requires understanding and collaboration at multiple levels. By weaving together the narratives of the homeless, service providers, health experts, non-profits, and other stakeholders, they crafted a multi-dimensional view of the challenge. This depth and breadth of understanding would become the bedrock upon which sustainable, effective, and compassionate strategies to combat homelessness in Lincoln County would be built.



*Relational service network map of Lincoln County's community service organizations who support the unshoused community.*

Source: Morant McLeod

# Diving into Numbers: Quantitative and Economic Research Approach

Beyond the qualitative insights gleaned from interviews and direct interactions, the board recognized the importance of a robust quantitative foundation to fully comprehend the scope and nuances of homelessness in Lincoln County. Morant McLeod employed a meticulous quantitative and economic research approach to validate findings, identify trends, and predict potential outcomes of various strategic interventions.

## Quantitative Research

Morant McLeod utilized an array of tools and methodologies for their quantitative analysis:

1. **Surveys & Questionnaires:** Distributed across various community touchpoints, these tools captured data about the homeless demographic, their needs, and the challenges they face.
2. **Data Mining:** By analyzing past records, reports, and databases related to homelessness in Lincoln County, the firm was able to identify historical trends and patterns.
3. **Predictive Analytics:** Using the gathered data, the team constructed predictive models to gauge the impact of potential interventions and predict future trends in homelessness based on various socio-economic variables.

## Economic Research

Understanding the economic landscape is pivotal, as economic factors often intertwine with homelessness. Morant McLeod's research delved into:

1. **Economic Indicators:** Analysis of local unemployment rates, cost of living, and wage trends provided context about the economic challenges contributing to homelessness.
2. **Economic Impact Analysis:** This evaluated the economic ramifications of homelessness on Lincoln County, including potential loss in business revenues, increased health care costs, and impact on property values.

3. **Cost-Benefit Analysis:** For proposed solutions, an evaluation of the financial implications versus the potential benefits ensured that the strategies recommended were both impactful and fiscally responsible.

### Connecting the Homelessness Strategic Plan with Broader Contexts

One of the crucial mandates was ensuring that the Homelessness Strategic Plan didn't exist in isolation. Instead, the board needed to:

1. **Provide a Root Cause Context:** While immediate solutions are vital, understanding and addressing the root causes of homelessness ensures long-term success. The plan delved deep into the socio-economic, cultural, and systemic causes, ensuring that strategies weren't just band-aid solutions but addressed core issues.
2. **Integrate with Government Reports:** Government data and reports offer a wealth of information and insights. The strategic plan was designed to dovetail seamlessly with existing and future government reports on homelessness, housing, health, and economic development. This integration ensures consistency in approach, facilitates collaboration between public and private entities, and harnesses the collective resources of various stakeholders.

The approach to developing the Homelessness Strategic Plan for Lincoln County was both holistic and meticulous. By coupling human-centric qualitative research with rigorous quantitative and economic analysis, the board will craft a strategy that is comprehensive, grounded in reality, and primed for impactful implementation. Moreover, by ensuring the plan's alignment with broader governmental initiatives, it will position Lincoln County to harness collective energies and resources in its mission to effectively address and mitigate homelessness.

## Next Steps

### August - September: Public engagement through online webinars and meetings.

#### Activities:

- **Educate the Community:** Break down the proposed strategies for tackling homelessness.
- **Gather Feedback:** Open forums for community members to share perspectives and suggestions.
- **Further Cultivate the Shared Vision:** Foster collective understanding and ownership of the plan.

### September - October: Consultations with cities and municipalities within Lincoln County.

#### Activities:

- **Localized Discussions:** Address challenges unique to each city and municipality.
- **Constructive Negotiations:** Adapt proposals to suit local needs and constraints.
- **Seek Ratification:** Secure preliminary approvals from local bodies to ensure alignment and feasibility.

### October - November: Final presentation to LCHAB.

#### Activities:

- **Ensure Alignment:** Evaluate the plan's cohesion with broader county goals.
- **Assess Operational Feasibility:** Incorporate LCHAB's insights on the plan's practicality and potential impact.
- **Aim for Final Adoption:** Refine the strategy based on feedback and seek official endorsement for implementation.

### November: Send finalized plan to State of Oregon DAS prior to November 15, 2023.

As the timeline indicates, the upcoming months are meticulously planned to ensure a strategic, inclusive, and effective approach to address homelessness in Lincoln County. Through constant engagement and collaboration, we aspire to make meaningful and lasting change.

# Funds Spent to Date

<b>Item</b>	<b>Contracted Entity</b>	<b>Contracted Amount</b>
Administrator	<i>Housing Authority of Lincoln County</i>	\$200,000.00
Consultant	<i>Morant McLeod</i>	\$200,000.00
<b>Total</b>		<b>\$400,000.00</b>

## Council Communication

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### Moving to a Tri-County Continuum

Meeting Date:	September 25, 2023	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	Daphnee Legarza
Approval:	Daphnee Legarza	Estimated Time:	15 minutes

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Pegge McGuire, Executive Director of the Community Services Consortium will be presenting information regarding the creation of a new Continuum of Care (CoC) for Linn, Benton, and Lincoln Counties. As you may recall, currently Lincoln County is included in a Continuum of Care that consists of all the rural counties in the state of Oregon. By not having your own Continuum of Care, the focus on these three counties is significantly diluted. Pegge McGuire will provide an update on this process to the City Council.

**Attachments:**

Moving to a Tri-County Continuum (PPTX)



## Continuum of Care Basics & Forming a Tri-County Continuum

Pegge McGuire, Executive Director  
Community Services Consortium  
[pmcguire@communityservices.us](mailto:pmcguire@communityservices.us)

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## Why am I here today?

- An opportunity to provide information and answer your questions
- A request for a resolution of support next month

## What is a Continuum of Care and Why Do We Need One ?



Required by HUD beginning in 1994 for:  
Awarding and Distribution of competitive funds  
To inform local homeless planning and response

Who makes up the members of a CoC?

- Community Action Agencies
- Public Housing Authorities
- Behavioral Health Providers
- CCOs
- Veteran Service Providers (including county Veteran Service Officers)
- Culturally Specific Service Providers
- Shelter Providers
- Affordable Housing Developers
- Housing and Supportive Services Providers
- Faith Based Organizations



## Continuum of Care Structure

Who provides administration of a CoC?

- Municipalities

- Community Action Agencies (CAAs)

- Non-profit service providers

What is the geographic make-up of a CoC

- City or County

- Multiple counties

- State

- Regional communities

What is a CoC responsible for doing?

- Homeless response systems planning

- Homeless Management Information System oversight/reporting

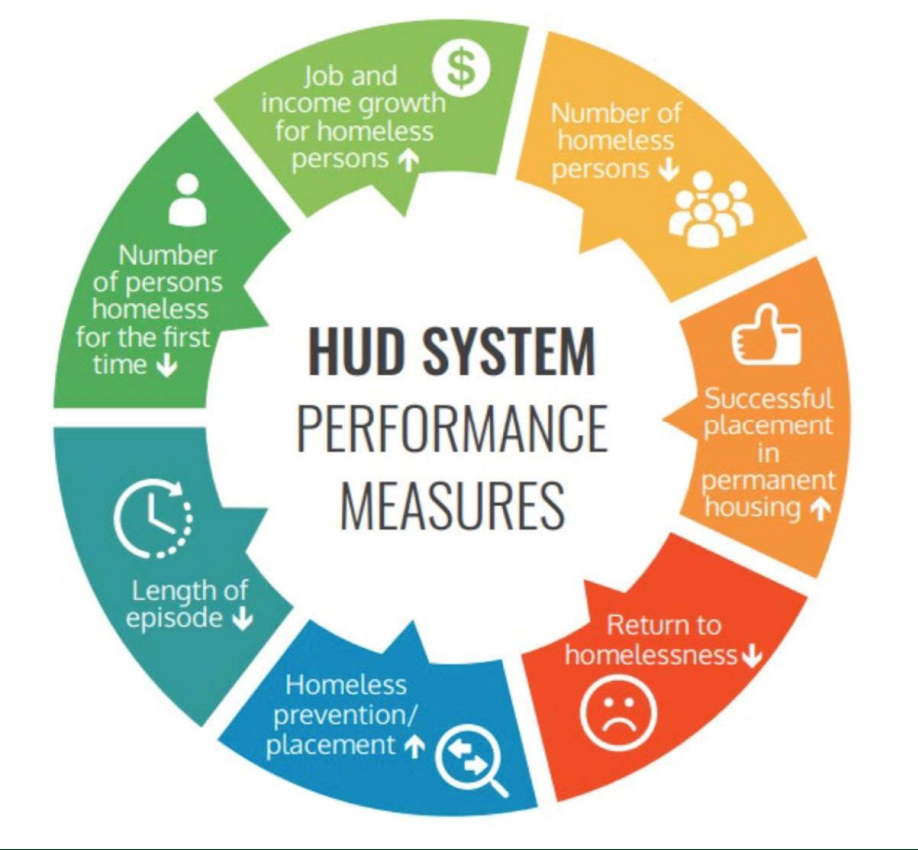
- Coordinated Entry and Assessment

- Data gathering and analytics

- Annual Point in Time Count of the unhoused

- Coordinating requests and applying for competitive funds from HUD

# How HUD Evaluates the Effectiveness of a CoC

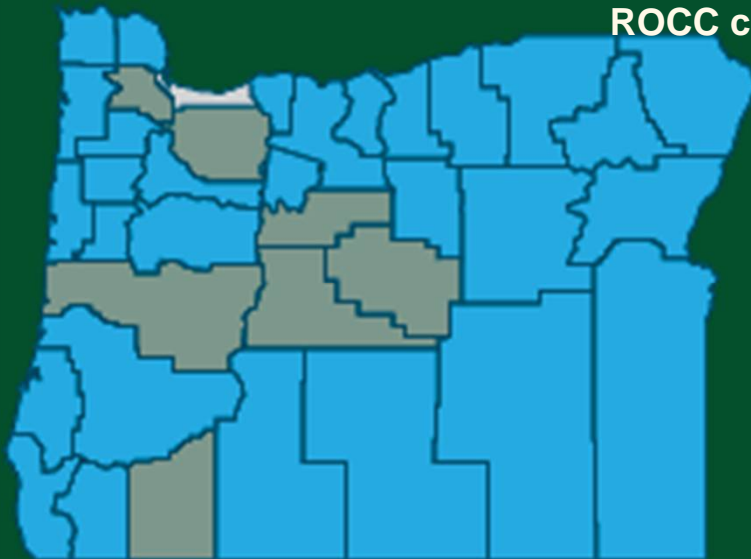


# Current CoC: Rural Oregon Continuum of Care (ROCC)



ROCC= counties in blue

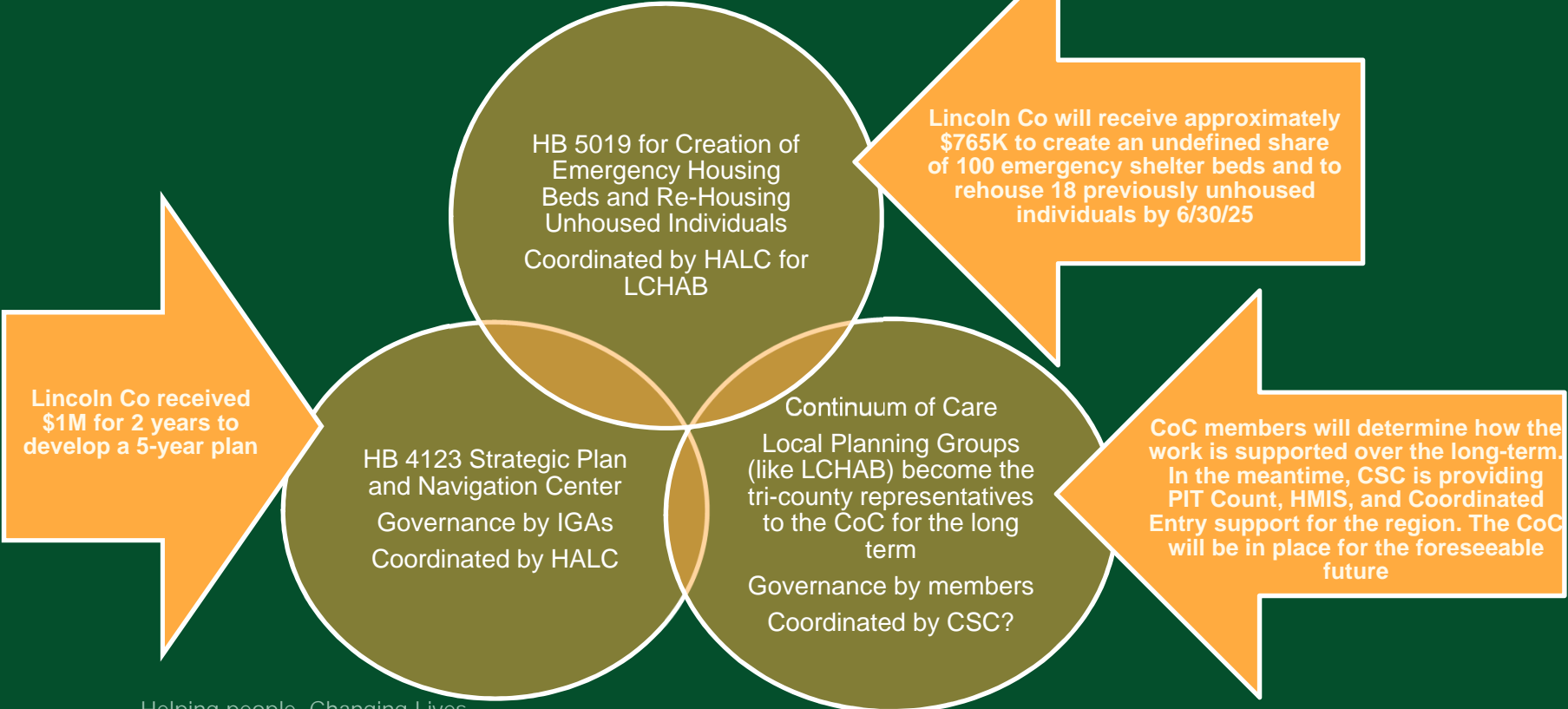
The other areas in grey are distinct CoCs and received direct funding from the Governor in EO-23-02. We received a formulaic share of \$26M for the ROCC counties in HB 5019 (\$3.7M for LBL combined\*)



# Rural Oregon Continuum Of Care

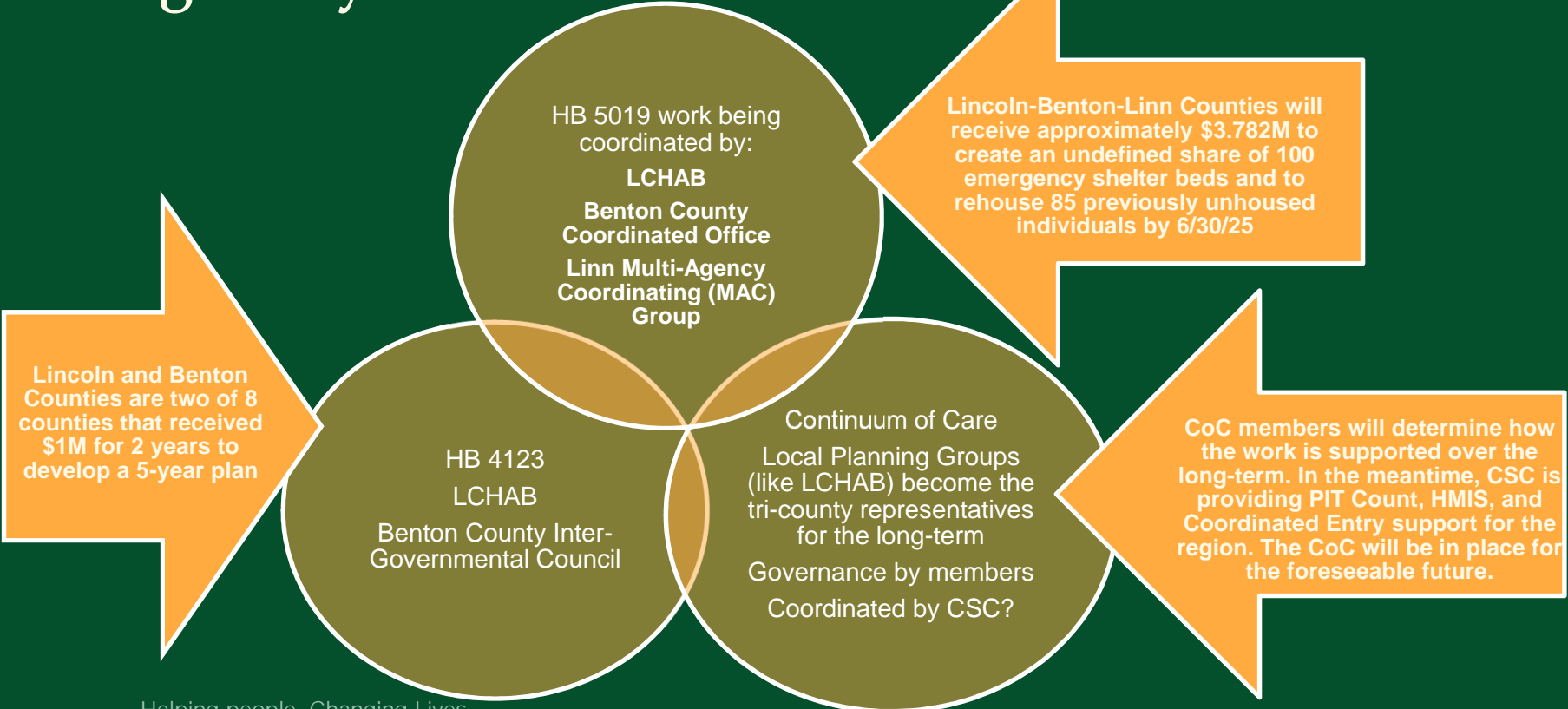
\* In comparison, Jackson County received \$8.8M for a smaller population than our tri-county region

# How is this connected to everything else going on to address homelessness in LC?



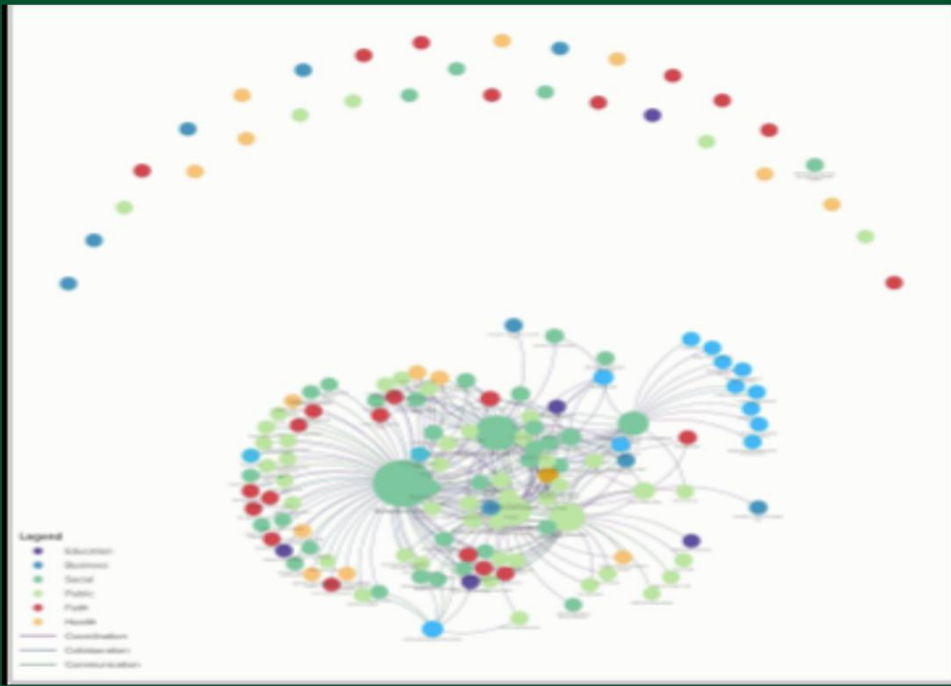
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# How is this connected to everything else going on regionally?



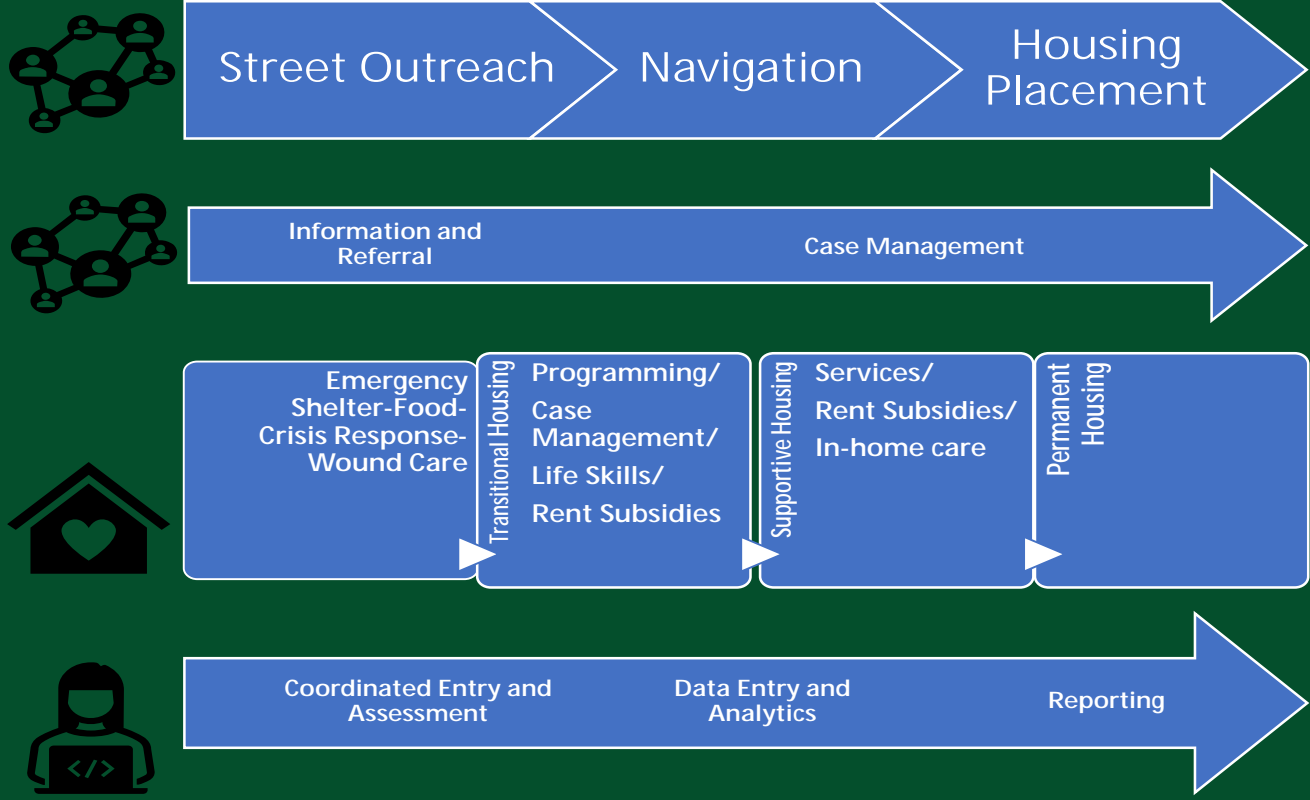
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# Lincoln County Service Delivery Providers



- Lincoln County has over 150 service providers. This number increases to over 200 when health related services are included
- Nonprofits and faith community organizations act as primary service providers
- Most of these service providers are interconnected and many are participating in the LCHAB

# Our partners provide a continuum of services-not to be confused by the formal entity CoC



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## CoC Formation Process Next Steps

Documentation that the stakeholders in the impacted region have voted to form a new CoC:

- Resolutions from participating communities
- Letters of support from partners
- **Vote at each LPG** – Many members participated in the forum in July
- **Vote at Stakeholder Forum** – July 20<sup>th</sup>, 2023, Corvallis



## More Next Steps

- Documentation that the new CoC notified the ROCC of its intent to form a new CoC (informal notice already provided to ROCC and CAPO)
- A governance charter that documents the CoC's governance structure is in compliance with the CoC Program Interim Rule
- Evidence of efforts to establish a coordinated entry system
- Documentation that the new CoC has selected a Collaborative Applicant (CSC proposed until the CoC is more firmly established)
- Evidence a compliant HMIS system is being used (Service Point/Wellsky currently required by OHCS)
- Full package of documentation submitted to HUD with a formal notice of request for recognition



# Questions?

Pegge McGuire  
[pmcguire@communityservices.us](mailto:pmcguire@communityservices.us)  
541-704-7627

# Planning Staff Report

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## Public Hearing ZOA 2023-04 Mobile Food Unit exception

Meeting Date:	September 25, 2023	Primary Staff Contact:	AnneMarie Skinner
Department:	City Council	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

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### Question:

Should the City Council conduct a public hearing on ZOA 2023-04 (Ordinance 2023-22 *later on this agenda*)?

### Staff Recommendation:

Staff recommends the Council conduct the public hearing.

### Authority:

Legal authority for ordinance amendments is as follows:

17.76.060 Type IV procedure (legislative).

- A. General Description. Type IV procedures apply to legislative matters. Legislative decisions are made by the city council and involve the adoption or amendment of policy by ordinance. Legislative decisions may also apply to applications involving a geographic area containing many properties. Type IV procedures require general public notice and a public hearing.
- B. When Applicable. Table 17.76.020-1 identifies Type IV applications. Applications not listed on Table 17.76.020-1 may be identified as Type IV by the director based on the general description in this section.
- C. Pre-application Conference. Pre-application conferences are not required for Type IV applications.
- D. Application Requirements.
  1. Application Forms. Legislative applications must be made on forms provided by the department.

2. Submittal Information. The application shall contain all of the following information:
  - a. The information requested on the application form;
  - b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable); and
  - c. The required fee as adopted by city council resolution, except when the city initiates the request.
- E. Mailed Notice of Public Hearing. The notification procedure for Type IV requests must conform to state land use laws (ORS 227.175) and as follows:
  1. In accordance with procedures required by the Oregon Department of Land Conservation and Development (DLCD), the department shall notify DLCD of legislative amendments at least 35 days before the first public hearing at which public testimony or new evidence will be received.
  2. At least 20 days, but not more than 40 days, before the date of the first public hearing, a notice shall be prepared in conformance with ORS 227.175 and mailed to:
    - a. Each owner whose property would be directly affected by the proposal (e.g., rezoning or a change from one comprehensive plan land use designation to another); see ORS 227.186 for instructions;
    - b. Any affected governmental agency;
    - c. Any person who requests notice in writing; and
    - d. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.
- F. Published Notice of Public Hearing. Notice of the public hearings for Type IV applications shall be published two times in a newspaper of general circulation in the city, at least 10 days but not more than 21 days before the first scheduled public hearing on the proposal.
- G. Public Hearing Procedure. The planning commission shall conduct the public hearing on Type IV applications in accordance with the procedures set forth in LCMC 17.76.160. In addition to the public hearing held by the planning commission, the city council shall also conduct a public hearing on Type IV

applications.

H. Recommendation Authority.

1. Following receipt of testimony and deliberation at the public hearing held before the planning commission, the planning commission shall provide a recommendation to the City council for all Type IV applications. The planning commission shall recommend that the city council approve or deny the proposed amendments, with or without changes. The planning commission's recommendation shall be issued as a final recommendation, and shall include findings supporting the recommendation, based on public testimony and the application's success or failure to satisfy the applicable criteria.
2. Decision Authority. Upon receiving the planning commission's final recommendation, the city council shall hold a public hearing on the Type IV application.

I. Notice of Decision.

1. Not more than seven days after the date the city council approves a Type IV application, the director shall mail a notice of decision to persons of record who appeared orally or in writing before either the planning commission or the city council.
2. The director shall also notify DLCD of the decision within the timeframe and method prescribed by DLCD.
3. The city council's decision is final for purposes of appeal on the date the notice is mailed.

- J. Appeal. The final decision of the city council to approve or deny a Type IV application may be appealed to the Land Use Board of Appeals (LUBA) only when such appeal is authorized under applicable state law.

**Background:**

The proposed zoning ordinance amendment is the result of a motion made by City Council on July 24, 2023. The motion directing staff to bring back options for outdoor cooking for mobile food units was made by Councilor Hoagland and seconded by Councilor Casper. The motion passed unanimously. Staff notes that the county health department regulations allow for one outdoor cooking unit, like a smoker or barbecue unit, to be separate from the mobile food unit. Staff consulted with the county health

department and the county health department has no objections to the city's rule being consistent with the health department's rule regarding a separate cooking unit. Staff consulted with the citizen who provided public comment to City Council regarding this issue as to the size of such a unit. The proposed amendment specifies maximum dimensions for a separate cooking unit, as well as providing for approval from the fire marshal for its placement.

2. Mobile food units must be fully contained, and equipment must be integral to the unit **except that a Class IV mobile food unit may have one and only one separate outdoor cooking unit, such as a barbecue or smoker unit, that is not integral to the mobile food unit itself. The distance of the one separate outdoor cooking unit from the mobile food unit and from any structure is subject to approval by the fire marshal. The one separate outdoor cooking unit cannot exceed the following dimensions: 44 inches tall by 24 inches wide by 16 inches deep.** External generators are prohibited.

There was a public hearing with the Planning Commission on September 11, 2023. The Planning Commission unanimously recommended that City Council approve the proposed amendment as written.

See Ordinance 2023-22 later on this agenda.

### **Council Options:**

- Hold the required public hearing scheduled for this evening and review all the evidence in the record. If the hearing is closed and the record is closed, deliberate on the proposed ordinance amendment.

# Council Communication

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## Ordinance 2023-22 for ZOA 2023-04

Meeting Date:	September 25, 2023	Primary Staff Contact:	AnneMarie Skinner
Department:	City Council	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	

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### Question:

Should the City Council conduct and approve First and Second Reading and adopt Ordinance 2023-22?

### ORDINANCE NO. 2023-22

**An ordinance amending the Lincoln City Municipal Code, Title 17, (Zoning), amending Chapter 17.80 (Provisions applying to special uses) amending Section 17.80.170 (mobile food units and mobile food unit pods) adding an exception**

### Staff Recommendation:

Staff recommends the Council conduct and approve First and Second Reading and adopt Ordinance 2023-22.

### Authority:

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

### Background:

See public hearing staff report for background on ZOA 2023-04.

**Council Options:**

1. Conduct and approve First and Second Reading and adopt the ordinance.
2. Continue to October 9, 2023.
3. Continue Second Reading to October 9, 2023.
4. Do not proceed with proposed ordinance.

**Potential Motions:**

*Planning Director:* [Conduct First Reading of Ordinance by Title only]

**ORDINANCE NO. 2023-22**

**An ordinance amending the Lincoln City Municipal Code, Title 17, (Zoning), amending Chapter 17.80 (Provisions applying to special uses) amending Section 17.80.170 (mobile food units and mobile food unit pods) adding an exception**

*Council:*

Motion to approve First Reading of Ordinance 2023-22.

*Planning Director:* [Conduct Second Reading of Ordinance by Title only]

**ORDINANCE NO. 2023-22**

**An ordinance amending the Lincoln City Municipal Code, Title 17, (Zoning), amending Chapter 17.80 (Provisions applying to special uses) amending Section 17.80.170 (mobile food units and mobile food unit pods) adding an exception**

*Council:*

Motion to approve Second Reading and adopt Ordinance 2023-22.

**Attachments:**

Ord 2023-22 for ZOA 2023-04 (DOCX)  
Exhibit A for ORD 2023-22 (DOCX)



1 the one separate outdoor cooking unit from the mobile food unit and from any structure is  
2 subject to approval by the fire marshal. The one separate outdoor cooking unit cannot exceed  
3 the following dimensions: 44 inches tall by 24 inches wide by 16 inches deep. External  
4 generators are prohibited.

5 **SECTION 2. Findings Adopted.** The findings contained in the Whereas Clauses of this  
6 ordinance, together with the Findings set forth in Exhibit A, as well as the competent substantial  
7 evidence in the whole record of this legislative proceeding are incorporated into this section by  
8 reference as if fully set forth herein, and are adopted in support of this legislative action.  
9

10 **SECTION 3. Severability.** The sections, subsections, paragraphs and clauses of this ordinance  
11 are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the  
12 validity of the remaining sections, subsections, paragraphs and clauses.  
13

14 **SECTION 4. Ordinance Effective Date.** Pursuant to Chapter IX, Section 9.3, this ordinance  
15 takes effect 30 days after the date of its adoption.  
16

17 **SECTION 5. Codification.** Provisions of this Ordinance shall be incorporated in the City of  
18 Lincoln City Municipal Code and the word "ordinance" may be changed to "code", "article",  
19 "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or  
20 re-lettered, provided that any Whereas clauses and boilerplate provisions (i.e. Sections 6-9) need  
21 not be codified and the City Recorder is authorized to correct any cross-references and any  
22 typographical errors.  
23

24 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section  
25 9.2 of the City of Lincoln City Charter on the 25<sup>th</sup> day of September, 2023 (First Reading) and on  
26 the 25<sup>th</sup> day of September, 2023 (Second Reading).  
27

28  
29 PASSED AND ADOPTED by the City Council of the City of Lincoln City this \_\_\_\_\_ day of  
30 \_\_\_\_\_, 2023.  
31

32  
33 \_\_\_\_\_  
34 SUSAN WAHLKE, MAYOR

35 ATTEST:  
36  
37 \_\_\_\_\_  
38 JAMIE YOUNG, CITY RECORDER  
39

40 APPROVED AS TO FORM:  
41 \_\_\_\_\_  
42  
43

## EXHIBIT A – FINDINGS FOR ORDINANCE 2023-22 (ZOA 2023-04)

### Procedural Posture:

The above-referenced proposed ordinance was properly noticed pursuant to ORS 197.610. No city-wide notice was provided as the amendment does not rezone property or change permitted uses. Notice to DLCDC was properly made on July 31, 2023. Notice for the public hearings before the Planning Commission on September 5, 2023, and the City Council on September 25, 2023, were published in the local newspaper on August 8, 2023, and August 15, 2023.

### Summary:

**Ordinance 2023-22** proposes amending Lincoln City Municipal Code (LCMC) Title 17 to add an exception for one cooking unit separate from the mobile food unit with maximum size dimensions and placement approval by the fire marshal.

The findings in support of the application as contained in the staff supporting materials and the Planning Commission staff report, together with other correspondence in favor of the amendment, are hereby incorporated herein by this reference.

No written or oral comments were received regarding the items.

### Applicable Criteria:

#### LCMC 17.77.130 provides, (emphasis added):

##### 17.77.130 Text amendment.

A. Purpose. The text amendment process shall be used for legislative amendments to LCMC Title 16, this title, or the comprehensive plan. Such amendments are necessary to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in state law.

B. Procedure. Text amendments are subject to the Type IV procedure, as described in LCMC 17.76.060. However, the director is authorized to make typographical, grammatical and cross-referencing corrections as needed without initiating the text amendment process.

C. Submittal Requirements. Type IV application submittal requirements are set forth in LCMC 17.76.060.

**D. Approval Criteria. In order to approve a text amendment, the review authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:**

**1. The text amendment is consistent with relevant goals and policies of the comprehensive plan and any applicable adopted master plans; and**

**2. The text amendment is consistent with relevant provisions of the statewide planning goals, the Oregon Administrative Rules, and state statutes.**

E. Appeal of a Decision. Refer to LCMC 17.76.180.

F. Expiration of a Decision. Text amendments are not subject to expiration.

G. Extension of a Decision. Text amendments are not subject to extension.

**Staff analysis of Statewide Planning Goals and Comprehensive Plan provisions:**

- A. Statewide Planning Goals  
 (1) Goal 1: Citizen Involvement

*"To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."*

All documents relating to the proposal (amendment) were made available for public review and/or purchase, and were posted on the city's website. Staff was available to interpret and explain the technical information. The local newspaper published hearing notices in accordance with notice requirements. The planning commission and city council each held a public hearing at which citizens were invited to participate. Therefore, the amendment is consistent with Goal 1.

- (2) Goal 2: Land Use Planning

*"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."*

The City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revisions of the plan and implementing ordinances. The City Council considered the proposed amendments to the Lincoln City

Zoning Ordinance in accordance with the process and based on the criteria provided in the Municipal Code. Therefore, the amendment is consistent with Goal 2.

(3) Goal 3: Agricultural Lands

*"To preserve and maintain agricultural lands."*

The area affected by the proposed zoning ordinance amendment is located within the city's urban growth boundary. The city is currently designated and zoned for urban development. There is no agricultural land in Lincoln City. The amendment does not affect agricultural lands. Goal 3 is not applicable.

(4) Goal 4: Forest Lands

*"To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture."*

The area affected by the proposed zoning ordinance amendment is within the city's urban growth boundary. The affected area does not include any designated forest lands; therefore, Goal 4 is not applicable.

(5) Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

*"To protect natural resources and conserve scenic and historic areas and open spaces."*

The amendment only affects areas intended for urban development. The amendment by itself does not permit development in any areas of protected natural resources, scenic or historic areas, or open spaces. The amendment is consistent with Goal 5.

(6) Goal 6: Air, Water and Land Resources Quality

*"To maintain and improve the quality of the air, water and land resources of the state."*

The amendment will not adversely affect the quality of the air or water. The amendment by itself does not permit development that might affect water or air quality. The existing ordinances and plan requirements relating to water and air quality will continue to apply to all properties that might be affected. Therefore, the amendment is consistent with Goal 6.

(7) Goal 7: Areas Subject to Natural Disasters and Hazards

*"To protect people and property from natural hazards."*

The amendment by itself does not allow development within any natural hazard area. The existing ordinances and plan requirements relating to natural hazards will continue to apply to all properties that might be affected by natural hazards. Therefore, the amendment is consistent with Goal 7.

(8) Goal 8: Recreational Needs

*"To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts."*

The proposed ordinance amendment does not relate to recreation as that term is used in this goal and does not adversely affect the provision of or ability to site recreational areas in the city. The amendment is consistent with Goal 8.

(9) Goal 9: Economic Development

*"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."*

The proposed ordinance amendment does not directly relate to economic development as that term is used in this goal and does not adversely affect the provision of or ability to site businesses in the city. The amendment to allow one separate cooking unit separate from the mobile food unit provides opportunity for additional commercial activity in the form of mobile food units who utilize a cooking unit that is not integrated into the mobile food unit. The amendment is consistent with Goal 9.

(10) Goal 10: Housing

*"To provide for the housing needs of citizens of the state."*

The amendment does not relate to housing and does not adversely affect the provision of or ability to develop housing in the city. The amendment is consistent with Goal 10.

(11) Goal 11: Public Facilities and Services

*"To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."*

The amendment does not relate directly to public facilities and services. Goal 11 is not applicable.

## (12) Goal 12: Transportation

*"To provide and encourage a safe, convenient and economic transportation system."*

The amendment does not relate directly to the development of the city's transportation system. Goal 12 is not applicable.

## (13) Goal 13: Energy Conservation

*"To conserve energy."*

The amendment does not relate directly to energy conservation. Goal 13 is not applicable.

## (14) Goal 14: Urbanization

*"To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities."*

The amendment does not directly relate or pertain to the urbanization of Lincoln City. Accordingly, Goal 14 is met or is not applicable.

## (15) Goal 15: Willamette River Greenway

*"To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway."*

The affected area is not located within the Willamette River Greenway; therefore, Goal 15 is not applicable.

## (16) Goal 16: Estuarine Resources

*"To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries."*

The amendment on its own does not allow development in areas adjacent to the city's designated estuarine resource (i.e., Siletz Bay). All development in such areas is already controlled by existing ordinances and comprehensive plan standards. The amendment, therefore, is consistent with Goal 16.

## (17) Goal 17: Coastal Shorelands

*"To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands."*

The city's coastal shorelands include all land west of Highway 101, land within 500 feet of the ordinary high-water elevation of Devils Lake and Spring Lake, and land within 1,000 feet of the shoreline mean higher-high-water elevation of Schooner Creek, Drift Creek, and Siletz Bay estuaries. All development in such areas is controlled by existing ordinances and comprehensive plan standards. The amendment, therefore, is consistent with Goal 17.

## (18) Goal 18: Beaches and Dunes

*"To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas."*

Lincoln City has a large amount of coastal beach. Inventory maps show active dunes and deflation plains on the Salishan spit, but not within Lincoln City, with the possible exception of a few isolated spots in Cutler City. For Roads End, inventory maps show older, stabilized dunes. The amendment does not, by itself, allow any development in or near beach and dune areas. All development in such areas is controlled by existing ordinances and comprehensive plan standards. The amendment is consistent with Goal 18.

## (19) Goal 19: Ocean Resources

*"To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations."*

The amendment does not, on its own, affect an ocean resources. Therefore, the amendment is consistent with Goal 19.

## B. Comprehensive Plan Goals

## (1) Planning Goal

*"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."*

The City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed it on a periodic cycle to take into account changing public policies and circumstances. The city provided opportunities for review and comment by citizens and affected governmental units during preparation, review, and revision. Review of the proposed amendment was in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions. Accordingly, the amendment is in conformance with this goal.

(2) Citizen Involvement Goal

*"Develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process."*

The City has developed a citizen involvement program, outlined in Resolution No. 94-33. The City has a Committee for Citizen Involvement (the Planning Commission). In addition, the public hearing process, with two notices to the public through publication in the local newspaper and review of the amendment by the Planning Commission (the Committee for Citizen Involvement/local appointed citizen board) and the City Council (elected citizen representatives) establishes conformance with this goal.

(3) Public Services and Utilities Goal

*"To Plan and develop a timely, orderly, and efficient arrangement of public facilities and services, which complement the area and serve as a framework for urban and rural development."*

The proposed amendment does not directly relate to public services and utilities. Accordingly, this goal is not applicable.

(4) Urbanization Goal

*"To promote an orderly and efficient transition of land uses from rural to urban."*

The amendment does not relate directly to urbanization, so this goal is not applicable.

(5) Natural Hazard Goal

*"The City shall control development in hazardous areas to protect life and property from natural disasters and hazards."*

The amendment on its own does not allow development in hazardous areas. Development in such areas is controlled by existing comprehensive plan and zoning ordinance standards, as well as building code requirements. The amendment is consistent with this goal.

(6) Housing Goal

*"To provide for the housing needs of all citizens."*

The amendment does not directly impact housing and does not adversely affect the provision of or ability to develop housing in the city. The amendment is consistent with this goal.

(7) Economy Goal

*"To support the tourist industry and achieve a degree of diversity in the community, which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area."*

The proposed ordinance amendment does not directly relate to economic development as that term is used in this goal and does not adversely affect the provision of or ability to site businesses in the city. The amendment to allow one separate cooking unit separate from the mobile food unit provides opportunity for additional commercial activity in the form of mobile food units who utilize a cooking unit that is not integrated into the mobile food unit. The amendment is consistent with this goal.

(8) Aesthetic Goal

*"To develop a livable and pleasing city which enhances man's activities while protecting the exceptional aesthetic quality of the area."*

The amendment does not specifically relate to aesthetics. This goal is met or is not applicable.

(9) Transportation Goal

*"To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people."*

The amendment does not directly relate to transportation. This goal is not applicable.

(10) Energy Goal

*"To conserve energy."*

The amendment does not pertain to energy conservation, so this goal is not applicable.

(11) Overall Environmental Goal

*"To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environment of the city."*

By itself, the amendment does not allow development in sensitive natural resource areas. The existing ordinances and plan requirements relating to protection the natural environment will continue to apply to all properties with natural resource areas. This amendment will contribute to this goal.

(12) Shoreland, Beaches, Dunes, Estuary and Ocean Resources Goal

*"To conserve, to protect, to enhance the coastal resources of the city."*

The amendment on its own does not allow development in areas adjacent to the city's designated estuarine resource (i.e. Siletz Bay), in the city's coastal shorelands, beach and dune areas, or in ocean resource areas. The existing ordinances and comprehensive plan standards apply to any areas impacted by this amendment, thereby protecting these resources. The amendment is consistent with this goal.

## Council Communication

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### Lincoln County Winter Shelter Proposal 2023-24

Meeting Date:	September 25, 2023	Primary Staff Contact:	Daphnee Legarza
Department:	City Council	E-Mail:	DLegarza@lincolncity.org
Secondary Dept:		Secondary Contacts:	Daphnee Legarza
Approval:	Daphnee Legarza	Estimated Time:	15 minutes

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#### Question:

Should the City Council authorize funding to Lincoln County for a winter sheltering program for the 2023-2024 winter season, subject to approving an intergovernmental agreement with Lincoln County to provide the described services?

#### Staff Recommendation:

Staff recommends Council authorize funding to Lincoln County for a winter sheltering program for the 2023-2024 winter season, subject to approving an intergovernmental agreement with Lincoln County to provide the described services.

#### Authority:

ORS Chapter 190

#### Background:

Earlier this year Council heard a report from County Commissioner, Kaety Jacobson, and Human Services Director, Jane Romero, on a proposal to operate county-wide winter shelter for 2023 in Newport and Lincoln City. The County has hired a coordinator to develop a winter housing program from October 1 through March 31. The shelter will be open from 6 PM to 7 AM each day and will be managed and supervised by paid County employees. The shelter will provide low-barrier or no-barrier access focusing on getting people out of the winter weather. The County is requesting financial assistance from the Cities based on a contribution of \$4.50 per city resident. The County is asking for \$44,167.50 from the Lincoln City to support this program for this winter. There are a number of plans that are moving forward to provide a more permanent solution in future years. Staff recommends funding this request from the \$300,000 currently in the FY23-24 budget for Outside Agency Contributions.

**Council Options:**

1. Approve funding for the Lincoln County winter sheltering program for 2023-2024 winter season.
2. Do not approve funding for the Lincoln County winter sheltering program for 2023-2024 winter season.

**Potential Motion:**

Motion to approve funding in the amount of \$\_\_\_\_\_ from the City's approved FY23/24 outside agency contributions budget, to Lincoln County for a winter sheltering program for the 2023-2024 winter, subject to approving an intergovernmental agreement with Lincoln County to provide the described services.

**Attachments:**

A Countywide Proposal for Winter Sheltering (PDF)  
To cities - Request for assistance with winter shelter (PDF)  
Plan - Winter Shelter Program (PDF)

## A Countywide Proposal for Winter Sheltering

### Lincoln County, Oregon

**PROPOSAL:** The purpose of this proposal is to request funding support from the cities/ municipalities to, along with the County, contribute towards the development and operation of a daily winter shelter program. If adequate funding is generated, the proposed winter shelter program would be operated by the County, through its Health and Human Services Department, and be available October 1 through March 31, in two locations in the county.

While the county, cities and tribe are working on a strategy for long-term solutions to homelessness, there is recognition that a plan is needed to address the more immediate needs that arise during severe weather conditions, specifically during the winter months.

This proposal identifies the items and funding needed to address this issue including logistical challenges, with overnight staffing, meal preparations, scheduling of facilities.

**BACKGROUND:** Information available through the National Weather Service suggests that a hypothermia risk exists an average of 90 days a year in Lincoln County. While the current number of unhoused individuals is unknown (the 2023 PIT Count is still being processed), it is known that there was a minimum of 414 unhoused individuals in 2020. In 2019 35% of the unhoused were experiencing chronic homelessness (vs 31% in Oregon) and 67% of our unhoused veterans were experiencing chronic homelessness (vs 43% statewide). And sadly, in school year 21-22, 12.1% (754) of youth aged birth through 12<sup>th</sup> grade experienced homelessness, with 152 being completely unsheltered. Emergency warming shelters have operated during extreme conditions in both Newport and Lincoln City by non-profit organizations. Both have identified challenges including, but not limited to, the unpredictable nature of the weather resulting in scheduling/volunteer commitment challenges, drug use/sales in the shelter, security issues stemming from conflicts among participants, problems reported by facility sponsors, and lack of overall funding support.

**PROGRAM OVERVIEW:** The winter shelter will operate from October 1<sup>st</sup> through March 31<sup>st</sup>. Proposed hours of operation are from 6:00 p.m. to 7:00 a.m. During the hours of operation, the shelter will be managed and supervised by paid county employees. Two employees will be always present. Through partnerships with churches and non-profit organizations, volunteers will be recruited to provide additional support and oversee specific services that will be made available to participants (e.g., showers, food/snack preparation and distribution, recreational activities). Support from community organizations will also be solicited to secure needed supplies (e.g., shampoo, laundry detergent, snacks, towels, paper products, food from the food banks, etc....). Partnerships with other government agencies will be developed such as with the County Jail (for food preparation support); County Probation and Parole (shelter cleaning and laundry by community service workers), Lincoln County Transit, local law enforcement (for referrals of unhoused individuals to the shelters, immediate response to disruptive/threat of violence situations, and ongoing safety sweeps of the perimeter), and the Health and Human Services Mental Health Crisis Response Team (for MH crisis situations). Translation and interpretation support will be provided as needed.

Of note, the shelter will provide low barrier/no barrier access to the program. Individuals will not be excluded because of substance use but will be prohibited from using or selling substances on site at the

shelter. Additionally, the shelter will not discriminate on the basis of race, gender identity, sexual orientation and/or religion.

**FACILITY:** The ability to find a facility that can be used a minimum of 6 months out of the year will be difficult in Lincoln County where facility space is limited. Ideally, if funding is sufficient, two facilities will be identified, one in Newport and one in Lincoln City. A review by county staff, determined that countywide, during the winter sheltering of 2022/23, there were a minimum of 50 to 60 people per evening that were supported in the warming shelters each evening. Therefore, each facility should have, at a minimum, capacity to support up to 50 people on any given night (75 if just one shelter is available), and have the ability to house families, and singles including women and men. The facilities will also need to meet ADA standards, and have adequate bathrooms, showers, community space, kitchen facilities, storage, and parking space. Ideally the facilities will be available, not only for the winter shelter, but also to provide office space for staff dedicated to this program and possible use as a year-round day shelter.

An example of how to configure a facility given previous pandemic public health spacing suggests it would require an estimated 350 square feet for 9 people, or approximately 2500 square feet for 50 people in any composition of singles, or families. With the need for restrooms and showers along with kitchen and office space, the need for 5,000 to 7,000 square feet for each facility is reasonable.

**PERSONNEL:** It is proposed to have a permanent, full time “Housing and Human Services Coordinator,” that manages all shelter activities. This position is fully funded through the county’s General Fund. While full time throughout the year, primary responsibilities will focus on operating winter shelter facilities between the months of October and through the end of March. April through September will be focused on volunteer recruitment, developing community partnership, supply donations, grant writing, and developing operational policies and procedures.

Additionally, the Housing and Human Services Manager will coordinate the facility personnel. This will include the need for eight (8) additional part time staff per facility (at 2 per shift, 2 shifts per evening, 7 days/week, with each person working 3 to 4 shifts per week). They will be comprised of “Shelter Hosts,” who oversee the shelter operations and act as hosts on day or night shifts, greet guests at the door and provide facility information, and security. Others, along with volunteers, will act as “Meal Coordinators,” arranging for meals for shelter guests and/or “Logistic Coordinators” assigned the task of providing services in support of the shelter operations from shopping for shelter necessities, arranging transportation, etc....

**PROJECTED PROGRAM COST:** The cost of standing up one facility serving 50 individuals per night is estimated at \$344,000. The cost of standing up two facilities is estimated at \$580,000 or \$291,000 per facility. Spreading the coordinator position expense across two facilities lowers the cost per facility.

Overview of Budgeted Expenses:

- The program coordinator is proposed to be budgeted at \$107,034 (salary plus benefits), based on a preliminary county pay equity education/skills/responsibilities assessment. A candidate is currently in the background check process for hiring.
- The PTNB staff are budgeted at \$21/hour, plus applicable payroll taxes (\$146,628 per shelter)
- Food expense is budgeted at \$25,000 per facility.
- Miscellaneous expenses are budgeted at \$15,000 (e.g., translation expenses, office supplies, supply needs not met by donations, etc., per facility).
- An additional estimate of \$50,000 per facility per year is budgeted to cover rent/utilizes.



## Commissioner Kaety Jacobson

Courthouse, Room 110  
 225 W. Olive Street  
 Newport, Oregon 97365  
 (541) 265-4100  
 FAX (541) 265-4176

21 August 2023

To: Mayors and City Mangers

Subject: Lincoln County Warming Shelter

Dear Mayors and City Managers,

As many of you may know, the Lincoln County Board of Commissioners has decided to take direct action this winter by tasking Lincoln County Health and Human Services (HHS) with operating winter shelters. Our goal is simple: save lives.

The latest shelter proposal from HHS Director Jayne Romero is attached for your review. The county desires to have two shelters, one in Newport and one in Lincoln City, where our largest population centers and primary county services are located. These shelters would run every night starting October 1 through March 31 and would not be triggered by temperatures.

We are serious in our intent to bring consistent winter sheltering to our county to save lives. We have allocated American Rescue Plan Act funding towards this endeavor and have placed a permanent shelter manager position in our General Fund budget.

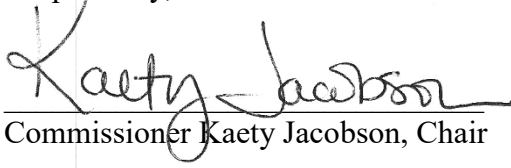
We are reaching out to all the cities in Lincoln County asking for financial assistance. Specifically:

We are asking for a contribution from each city of either General Fund money, ARPA money, or other financial resources you may have. We suggest a contribution of \$4.50 per city resident. Using the 2020 Census, this comes out to: Depoe Bay, \$6,817; Lincoln City, \$44,167.50; Newport, \$46,152; Siletz, \$5,535; Toledo, \$15,957; Waldport \$10,120.50; and Yachats, \$4,473.

There will be other kinds of support needed when we stand up the shelter, such as volunteers and tangible goods, but for now we are focusing on help to get our financial needs met. Please review the attachment, which will explain in detail the shelter operational model we are proposing. If you have any questions, you can reach out to myself and Jayne Romero.

We ask that you respond with any financial commitment by September 15 so that we can plan an approach that aligns with available resources. We look forward to hearing from you soon and having additional partnership to serve one of our most vulnerable populations.

Respectfully,

A handwritten signature in black ink that reads "Kaety Jacobson". The signature is written in a cursive style with a horizontal line underneath the name.

Commissioner Kaety Jacobson, Chair

## Lincoln County Winter Shelter Program Brief Business Plan

### Mission Statement:

The Lincoln County Winter Shelter Program will provide emergency shelter, safety, and access to needed resources/supports to unhoused individuals in a no-low barrier setting from October 1<sup>st</sup> to March 31<sup>st</sup> of any given year. As experience and financial and community support grows, the program will expand to year-round nightly shelter as well as offer space for daytime shelter activities (provided by community partners) and navigational support for unhoused individuals.

### Executive Summary

There is a critical need to develop consistent, wintertime emergency overnight shelter for people experiencing houselessness in Lincoln County. There are no nightly winter emergency shelters in operation in the County.

In the recent past, temperature-triggered warming shelters have operated during extreme conditions in both Newport and Lincoln City by non-profit organizations. Both organizations (one now closed and the status of the second uncertain) have identified challenges including, but not limited to, the unpredictable nature of the weather resulting in scheduling/volunteer commitment challenges, drug use/sales in the shelter, security issues stemming from conflicts among participants, problems reported by facility sponsors, and lack of overall funding. Further, given the often-severe winter weather on the central coast, temperature alone is not a good indicator of when emergency shelter is needed.

The proposed winter shelter program will be operated by Lincoln County, through its Health and Human Services (HHS) Department and be available October 1 through March 31. Shelters will be located in both Newport and Lincoln City. Hours of operation will be nightly from 6:00 p.m. to 7:00 a.m. During the hours of operation, the shelter will be managed and supervised by paid employees. Two employees will always be present. A program coordinator will oversee the operation of the program. Through partnerships with churches, non-profit organizations and interested citizens, volunteers will be recruited to provide additional support and oversee specific services that will be made available to participants (e.g., showers, food/snack preparation and distribution, recreational activities). Support from community organizations will also be solicited to secure needed supplies (e.g., shampoo, laundry detergent, snacks, towels, paper products, food from the food banks, etc.). Additionally, partnerships with municipalities and organizations that serve the community in a leadership capacity will be solicited for funding support and to serve as a champion for this much needed service.

A key program component will include service navigation to link shelter guests to needed health care and other services. Translation and interpretation support will be provided as needed.

As the program grows and secures reliable funding support, the shelter program will expand to year-round nightly shelter support as well as provide space community partners to provide daytime shelter support.

### Provider/Partnership Description

The Winter Shelter Program will be operated by the County HHS department, which includes the service divisions of behavioral health (treatment, skill building, case management, crisis response, and peer support), primary care/community health centers (primary care in 7 locations, including medication assisted treatment), public health (harm reduction, maternal/child family support, communicable disease prevention and health education) and developmental disabilities. Additionally, through the Behavioral Health Resource Network (BHRN)/Measure 110, the County has strong collaborative relationships and referral pathways with agencies that include: Northwest Coastal Housing (Project Turnkey transitional housing in Lincoln City), C.H.A.N.C.E. Recovery (peer support), Community Services Consortium (training and employment), Phoenix Wellness Center (substance abuse treatment), Reconnections (substance abuse treatment and project turnkey housing), and the Confederated Tribes of the Siletz.

Outside of HHS, the County has a strong partner in the Housing Authority of Lincoln County (HALC). HALC is taking the lead in locating and securing shelter sites and working to engage a broad range of community partners. A facility is currently under a purchase contract in Newport and the search is ongoing in Lincoln City. Through their management of HUD funded Housing Choice Vouchers (formerly the Section 8 program), HALC can offer a pathway to affordable housing.

Other non-profits that have supported the unhoused in the past have indicated an interest in providing day shelter services in the emergency shelter settings (space permitting) and/or have indicated an interest in providing housing navigation services.

The faith-based community has indicated a willingness to assist with volunteers and resources and several have offered their facilities to provide temporary space while permanent locations are identified.

Beyond the service delivery related partners, efforts are underway to secure financial partners as well. The County Board of Commissioners has approached the County's municipalities for funding support, and efforts are underway to approach local businesses as well as national chains to solicit help for funding or supplies to support the operation of the winter shelter program.

And, in addition to all of the above, the county has approached the InterCommunity Health Network Community Care Organization (IHN-CCO) with a request to join the LC HHS and the HALC to champion this effort and provide tangible financial and other supports to help ensure the success of this endeavor. Given that access to health care ties to the work of the IHN-CCO, and it along with housing is key to addressing the

social determinants of health as well as 3 of the 4 regional Community Health Plan priorities, a partnership among these 3 community leaders is a natural fit.

### Organization, Management, and Program Design

As noted, the proposed winter shelter program will be operated by Lincoln County, through its Health and Human Services (HHS) Department, and be available October 1 through March 31, in two locations in the county (Newport and Lincoln City). Hours of operation will be nightly from 6:00 p.m. to 7:00 a.m. Each shelter will serve up to 50 individuals on any given night. Through partnerships with churches, non-profit organizations and interested citizens, volunteers will be recruited to provide additional support and oversee specific services that will be made available to participants (e.g., showers, food/snack preparation and distribution, recreational activities). Support from community organizations will also be solicited to secure needed supplies (e.g., shampoo, laundry detergent, snacks, towels, paper products, food from the food banks, etc.). Partnerships with other government agencies will be developed, such as with the County Jail (for food preparation support), County Probation and Parole (shelter cleaning and laundry by community service workers), Lincoln County Transit, local law enforcement (for referrals of unhoused individuals to the shelters, immediate response to disruptive/threat of violence situations, and ongoing safety sweeps of the perimeter), and the Health and Human Services Mental Health Crisis Response Team (for mental health crisis situations).

The program will serve unhoused and unsheltered adults. Depending upon the facilities that are secured, families with children may be served in shelter facilities if dedicated entrances are available and safety can be assured. Otherwise, the program will offer hotel vouchers to families with children.

Regarding personnel, the program will have a permanent, full time Shelter Coordinator that manages all shelter activities. Primary responsibilities will focus on operating the winter shelter facilities between the months of October and through the end of March. April through September the work will be focused on volunteer recruitment, developing community partnerships, generating supply donations, grant writing, and developing operational policies and procedures. As of the writing of this plan, an applicant has been selected and is in background with the Lincoln County Human Resources Department.

Additionally, the Shelter Coordinator will coordinate the facility personnel. This will include the need for eight (8) additional part time staff per facility (at two per shift, two shifts per evening, seven days/week, with each person working three to four shifts per week). They will be comprised of "Shelter Hosts," who oversee the shelter operations and act as hosts to greet guests at the door and provide facility information and security. Others, along with volunteers, will act as "Meal Coordinators," arranging for meals for shelter guests and/or "Logistic Coordinators" assigned the task of providing services in support of the shelter operations from shopping for shelter necessities, arranging transportation, etc. When possible, part time staff will be hired from among the unhoused individuals who would otherwise access the shelter for support. This will

provide members of the unhoused community with a modest income while building a resume leading to more permanent employment.

In addition to addressing the urgent need for emergency shelter, the program will also provide hands on referrals to supportive services. The County HHS Department directly provides primary healthcare (through its Federally Qualified Health Centers), behavioral health treatment and crisis response, harm reduction, medication assisted treatment, and a variety of health education programs. HHS also coordinates one of the County's two Behavioral Health Resource Networks (BHRNs) and is a partner in both, and therefore has strong referral ties to the organizations that make up both BHRNs. Referral pathways to these existing services will be developed and offered to shelter guests. And, as noted above, HHS is a sister department to other County departments that can bring supports and resources to those that access the shelters as well. In addition to service supports, shelter participants will also be referred to transitional shelters and other housing related supports to carve a pathway from unhoused to permanently/sustainably housed. Furthermore, information and linkages to employment opportunities will be made, including (as noted above) hiring shelter guests to serve as part time staff for the operation of the shelter program.

The shelter will provide no barrier/extremely low barrier access to the program. Individuals will not be excluded because of substance use but will be prohibited from using or selling substances on site at the shelter. Recent reports suggest that houseless individuals who are found deceased on the streets often have substances in their systems. Additionally, the shelter will not discriminate based on race, gender identity, sexual orientation and/or religion.

In the day-to-day operation of HHS services, translation and interpretation support is standard practice. This support will also be integrated into the winter shelter program.

Creating a shelter is a key (and missing) link in the Lincoln County housing and service support continuum and will transform county systems by building capacity to offer shelter and connect the unhoused to supportive services. Developing this shelter program will include establishing new connections and referral pathways among non-profit organizations, government entities, the faith-based community, health care, housing and other providers in our community and encourage increased coordination among the many entities that serve Lincoln County's unhoused population.

### Statement of Need

There is a critical need to develop consistent, wintertime emergency overnight shelter for people experiencing houselessness in Lincoln County. **There are no nightly winter emergency shelters in operation in the County.**

In the recent past, temperature-triggered warming shelters have operated during extreme conditions in both Newport and Lincoln City by non-profit organizations. One has closed and the status of the second one is uncertain. Both organizations have identified challenges, as noted above, herein. Further, given the often-severe nature of

winter weather on the central coast that includes nighttime temperatures in the 30s and 40s range, pelting rain and gale force winds, freezing temperature alone is an inadequate measure on which to base decisions about opening a warming shelter. According to the Center for Disease Control, hypothermia can occur even at temperatures above 40 degrees Fahrenheit, and victims are often people who remain outdoors for long periods of time, including those who are unhoused.

According to research done by Morant McLeod, the strategic planning consultant engaged for the development of the County’s HB 4123 consolidated plan, the number of unhoused individuals in Lincoln County is estimated to be around or exceeding 2,000 (see graphic below).

**The size of the unhoused population across Lincoln County is believed to be around 2,000 individuals**

	ESTIMATES	KEY ASSUMPTIONS	LIMITATIONS
School Data Estimate Method	1,748	There is a relationship between the number of unhoused adults and children that are known via PIT and school district counts.	Individuals without children may be under-represented.
Community Size Estimate Method	1,420	There is a relationship between the size of the unhoused community in Yachats and the size of the unhoused community in the rest of Lincoln County.	Larger cities may be under-represented.
Under & Over 18 Allocation Estimate Method	3,101	The children to adult allocation is consistent between unhoused communities and the rest of the county.	Individuals without children may be under- or over-represented. Children under the age of 5 may be under-represented.
Mean	2,090		
Standard Deviation	+/- 891		

Morant McLeod has done extensive in-person interviews with 37 individuals experiencing homelessness in Lincoln County during the last two months. Their data is also informed by in person visits to the area service providers. According to a presentation to the Lincoln County Homeless Advisory Board on July 12, 2023, the firm demonstrated that “Many within the unhoused community are currently working, recently without permanent housing, or actively searching for both housing and gainful employment. It’s common for them to reach dead-ends in their pursuit.”

Based on Morant McLeod’s field research, the average age of the unhoused community is 46 years (with a range of 19 to 72 sampled), it’s been an average of two years and eight months since the most recent date of employment, and an average of three years and seven months since the most recent date of permanent housing.

In addition, the research also shows that at least 48% of those interviewed report they have had difficulty receiving local housing services. Alarmingly, **86.5% suffer from one or more serious health concerns, including 46% with a mental health condition and 58% percent with a history of anxiety, depression, or bipolar disorder.**

On average, research participants have gone 2.7 years since their last medical visit, report having vision concerns for an average of 4.8 years and have had dental concerns for 4.1 years.

Sentiments collected from individuals that were unhoused during the firm's research include:

- “I want a roof over my head, or maybe a boat, RV, or apartment...anything to get off the streets in the winter”
- I want to “get into a house, back on my feet, and find a full-time job...but it’s impossible when you’re camping”
- and “I would like an apartment or even a shelter, I don’t want a homeless camp.”

### Health Equity Focus:

It is well known that people experiencing houselessness are at increased risk for developing and leaving untreated any number of serious health conditions. As noted above, 86.5% of the Lincoln County houselessness community suffer from one or more serious health problems, with 68% having three or more conditions (Morant McLeod). The Morant McLeod field research suggests that, on average, unhoused individuals have not had a medical appointment for 2.7 years. Yet, 78% have medical insurance, mostly from the Oregon Health Plan. Additionally, based on the 2022 Point in Time (PIT) counts and current U.S. Census data, Hispanic, Black and Native American populations are overrepresented in people experiencing houselessness in Lincoln County.

A no-low barrier shelter for Lincoln County unhoused individuals will provide a starting point for this vulnerable population to access services. It is common for people experiencing houselessness to be hesitant to engage with institutions and other “official” systems, especially the Hispanic/Latino population. Creating a safe, trusted shelter space can encourage connection with and service to people who are ready to seek support.

Providing emergency shelter addresses both immediate and long-term health outcomes for IHN-CCO/OHP members. In the short term, shelter provides a safe, warm space where people can rest and stabilize, tending to immediate survival needs like food and shelter. With these basic needs met, people are then better positioned to address more complex, long-term needs like health and stable housing and access the service and supports that will enable them to do so.

Also, it should be restated that this program will be operated by the County HHS Department. HHS offers directly, or through partnerships, a wide range of health-related services and supports, which will be available to shelter participants.

### Outcomes and Measurable Goals

Providing emergency shelter addresses both immediate and long-term health outcomes for unhoused individuals. In the short term, shelter provides a safe, warm space where people can rest, stabilize, and tend to immediate survival needs like food and shelter.

With these basic needs met, people are then better positioned to address more complex, long term needs like health and stable housing. A more targeted list of outcomes and goals are as follows:

**Outcome 1:** Unhoused individuals do not die on the streets.

Goal:

- The number of unhoused individuals found dead “on the streets” between 10/1/23 and 3/31/24, is lower than compared to each of the prior two years

**Outcome 2:** Permanent emergency no barrier/extremely low barrier shelter is available in two accessible locations in Lincoln County.

Goals:

- Two locations are operational by 10/1/23
- There is combined capacity to support up to 100 people per night in the shelter program.

**Outcome 3:** Shelter participants are linked to housing, health care, and needed support services.

Goal:

- A data collection process is established to gather base line information related to the following:
  - Number of individuals referred to transitional and other housing resources.
  - Number accepted into transitional beds.
  - Number of referrals made to health care, behavioral health, substance abuse and employment resources.
  - Number of ER visits by unhoused individuals

**Outcome 4:** Community support is mobilized to provide volunteers and supply resources for the Emergency Winter Shelter Program.

Goals:

- 75% of volunteer slots are filled each night.
- Supply drives are launched in at least 10 locations.
- Evening meal support is secured every night for both settings.
- Continental breakfast support is secured every day for both settings.

**Outcome 5:** Programmatic aspects of the winter shelter are defined, written and implemented.

Goals:

- A program advisory council, comprised of community partners, is established and operational.

- A program manual defining shelter rules, policies, activities and referral procedures is completed.
- A strategy for hiring part time staff, to some extent from among the unhoused population, is developed.
- Volunteer recruitment is initiated. Volunteers are trained and then scheduled on a rotating basis.
- Community support is secured for volunteers and meal preparation.

#### Potential Risks:

The obvious potential risk is that funding support will be inadequate to sustain the operations of the program years into the future. However, given the broad-based community engagement that has, and is, occurring around the development of this program, that seems unlikely. Financial commitments have been made at the county level, future grant opportunities are on the horizon, and talks with leadership at the IHN-CCO and Samaritan Health Plan have been launched to support the program in future years. In addition, with the high level of concern state-wide funding is also more readily available (compared to previous years) both through Oregon Housing and Community Services as well as through Oregon Health Authority.

Another risk is NIMBYism and the negative media coverage that can generate. But the lead partners in this endeavor, the County HHS department and HALC and others, have experience to bring to this type of reaction and will address any issues that present.

Another risk is safety in the shelter's themselves, and policies and procedures will be developed to ensure the safety and security of shelter guests and staff, including the development of quick response procedures with local law enforcement personnel and development of a volunteer training program.

#### Financial Needs/Projections for the Winter Shelter Program

The operational cost of standing up two shelter facilities is conservatively estimated to be approximately \$600,000 per year (with each shelter operating for a six-month period).

#### Overview of Budgeted Expenses:

- The program coordinator is budgeted at \$107,034 (salary plus benefits), based on the County pay equity education/skills/responsibilities assessment.
- The PTNB staff are budgeted at \$21/hour, plus applicable payroll taxes (\$146,628 per shelter)
- Food/supply expense in excess of donated items is budgeted at \$25,000 per facility.
- Miscellaneous expenses are budgeted at \$24,85 (e.g., translation expenses, office supplies, Insurance costs, line-item overruns, supply needs not met by donations, etc., per facility)

- An additional estimate of \$50,000 per facility is budgeted to cover rent/utilities for a six-month period for each Facility

A budget is attached for reference.

As of the writing of this plan/funding request, the County has already provided \$40,000 in funding support for startup furnishings and supplies. Furnishings include bunk beds, mattresses, appliances, and equipment.

The Housing Authority of Lincoln County has committed funding to purchase and renovate a facility in Newport Oregon. A facility in Lincoln City is still needed.

Operational funding support has been secured as Follows:

- Lincoln County has allocated \$200,000 per year of ARPA funding, for the first two years of operations. Note: this funding cannot be used for staff funding and is only available for the first two years of the shelter operation.
- Lincoln County has committed to funding the Shelter Coordinator Position through the county general fund (estimated at \$107,000).
- The LC HHS Behavioral Health Division has committed \$125,000 per year.
- Total Operational funding secured to date for each of the first 2 years totals: \$432,000.00 (\$168,000 short of the amount needed to operate two facilities for a six-month period).

Additional funding has been requested through the IHN-CCO DST grant process to help with additional start up and operational costs.

A letter has been sent to the municipalities within the County requesting funding support. None have responded as of the writing of this plan. Additionally, a funding request has been made to Samaritan Health Plan/InterCommunity Health Network Coordinated Care Organization leadership.

### Sustainability Plan

As noted above broad-based community support, both financial and resource oriented, has been and will continue to be solicited for ongoing operation of this shelter program. Though ARPA funding is only available for a two-year period, ongoing financial commitments have been made by the Lincoln County Board of Commissioners and the LC HHS Department. Funding commitment from the SHP/IHN, if forthcoming, will help stabilize baseline funding.

Ongoing financial commitments are being solicited from elected officials and managers from the county's cities. Financial contributions are being requested from larger companies operating within the region and resource donations will be solicited from

organizations and large outlets like Walmart and Fred Meyers. There are known future grant opportunities on the horizon that will be pursued and toward this end, the county has set aside funding to support future grant writing projects. Additionally, direct funding will be solicited from community members through the auspices of a HALC affiliated non-profit corporation.

# Council Communication

## Construction Award for NE 14th St. Sidewalk Ph. 3

Meeting Date: September 25, 2023      Primary Staff Contact: Stephanie Reid  
 Department: Public Works                      E-Mail: SReid@lincolncity.org  
 Secondary Dept:                                      Secondary Contacts:  
 Approval: Daphnee Legarza                      Estimated Time:

**Question:**

Should the City Council award the construction contract for the NE 14<sup>th</sup> Street Sidewalk Project, Phase 3 to K&E Excavating?

**Staff Recommendation:**

Staff recommends the City Council award the construction contract for the NE 14<sup>th</sup> Street Sidewalk Project, Phase 3 to K&E Excavating.

**Authority:**

LCMC 2.05.060 (Procurement of goods and services shall be awarded as provided in the Public Contracting Code, ORS Chapter 279B, the Model Rules, and these rules.) This project follows the bids awarded by competitive bid.

**Background**

The City constructed Phase 1 of the NE 14<sup>th</sup> Sidewalk project in 2021, from Hwy 101 to NE Port. Phase 2, currently under construction continues the sidewalk from NE Port to Spring Lake Open Space and is 10 feet wide. This phase will continue the 10 foot (transitioning to 8 foot wide) Head to Bay Trail from Spring Lake Open Space to the entrance of Regatta Park.

**Project Description**

This project includes installing 660 feet of storm sewer, 1,100 feet of sidewalk from Spring Lake Open Space to Regatta Park, and a soil-nail wall to accommodate the new infrastructure.

**Bids**

Public Works Department advertised the project for bid on August 21 & 22, 2023. The City Public Works Department opened bids for the project on September 14, 2023. Five bids were received:

Bidder	Bid Amount
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K&E Excavating	\$989,919.00
HP Civil	\$1,090,709.74
Kodiak Pacific Construction	\$1,116,813.00
Jesse Rodriguez	\$1,340,409.00
Dan Kauffman Excavating	\$1,338,422.26

The lowest responsive and responsible bidder was K&E Excavating in the amount of \$989,919.00.

### **Project Budget and Costs**

This project was approved in the FY23-24 budget, Street Capital Fund-Sidewalk Construction (211-000-6340208). The budgeted amount for construction was \$900,000.00, the total estimated cost is \$1,094,850.42. The difference of \$194,850.42 would be from Street Capital Fund Reserve which has a balance of \$525,921.00.

The following table shows estimated cost to construct and complete phase 3 of the project in FY 2023-24.

<b>Item</b>	<b>Estimated Cost to Complete FY2023-24</b>
Bureau of Labor and Industries	\$989.92
Construction Bid	\$989,919.00
Art (1/2 of one percent of the construction bid)	\$4,949.60
Construction Contingency	\$98,991.90
<b>Total</b>	<b>\$1,094,850.42</b>

### **Recommendation**

Staff recommends the construction contract be awarded to K&E Excavating. in the amount of \$989,919.00 with a construction contingency of \$98,991.90 (10 percent of bid amount) for a total of \$1,088,910.90.

### **Attachments:**

Bid Tab

### **Attachments:**

Bid Tab - Phase 3 (PDF)

NE 14th Sidewalk - Phase 3			Engineer's Estimate		K&E Excavating		HP Civil		Kodiak Pacific		Dan Kauffman		Jesse Rodriguez		
ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	PRICE	
<b>GENERAL BID ITEMS</b>															
00210	Mobilization	1	LS	\$60,000.00	\$60,000.00	\$97,000.00	\$97,000.00	\$109,070.97	\$109,070.97	\$170,000.00	\$170,000.00	\$46,877.31	\$46,877.31	\$99,950.00	\$99,950.00
00225	Temporary Work Zone Traffic Control, Complete	1	LS	\$50,000.00	\$50,000.00	\$90,000.00	\$90,000.00	\$75,000.00	\$75,000.00	\$41,000.00	\$41,000.00	\$79,497.00	\$79,497.00	\$63,975.00	\$63,975.00
00280	Inlet Protection	5	EA	\$150.00	\$750.00	\$80.00	\$400.00	\$250.00	\$1,250.00	\$290.00	\$1,450.00	\$194.75	\$973.75	\$55.00	\$275.00
00280	Sediment Fence/straw Wattles	691	FT	\$8.00	\$5,528.00	\$5.00	\$3,455.00	\$6.00	\$4,146.00	\$8.00	\$5,528.00	\$3.69	\$2,549.79	\$11.00	\$7,601.00
00320	Clear & Grubbing	1	LS	\$15,000.00	\$15,000.00	\$36,000.00	\$36,000.00	\$5,000.00	\$5,000.00	\$15,500.00	\$15,500.00	\$4,464.00	\$4,464.00	\$42,950.00	\$42,950.00
00310	Demolition	1	LS	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00	\$1,100.00	\$1,100.00	\$11,328.00	\$11,328.00	\$13,650.00	\$13,650.00
0330	General Excavation & Grading	1	LS	\$20,000.00	\$20,000.00	\$48,000.00	\$48,000.00	\$40,000.00	\$40,000.00	\$46,000.00	\$46,000.00	\$23,876.00	\$23,876.00	\$65,000.00	\$65,000.00
00445	Storm Sewer Pipe, 12 PVC, 3034, Class B Backfill	665	FT	\$120.00	\$79,800.00	\$120.00	\$79,800.00	\$140.00	\$93,100.00	\$136.00	\$90,440.00	\$121.52	\$80,810.80	\$145.00	\$96,425.00
00470	Storm Sewer Pipe, 10 PVC 3034, Class A Backfill	79	EA	\$100.00	\$7,900.00	\$90.00	\$7,110.00	\$115.00	\$9,085.00	\$128.00	\$10,112.00	\$101.26	\$7,999.54	\$130.00	\$10,270.00
00470	Flat Top Storm Manhole	6	EA	\$4,000.00	\$24,000.00	\$5,200.00	\$31,200.00	\$8,000.00	\$48,000.00	\$8,700.00	\$52,200.00	\$5,609.33	\$33,655.98	\$6,250.00	\$37,500.00
00470	Catch Basin, CG-3	1	EA	\$5,000.00	\$5,000.00	\$3,100.00	\$3,100.00	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00	\$3,112.00	\$3,112.00	\$5,500.00	\$5,500.00
	Catch Basin, G-2	2	EA	\$4,000.00	\$8,000.00	\$3,300.00	\$6,600.00	\$6,000.00	\$12,000.00	\$3,350.00	\$6,700.00	\$3,814.00	\$7,628.00	\$5,500.00	\$11,000.00
00470	Catch Basin (G-1) & Connect to Existing 12"	1	LS	\$3,000.00	\$3,000.00	\$3,900.00	\$3,900.00	\$6,000.00	\$6,000.00	\$6,400.00	\$6,400.00	\$2,896.00	\$2,896.00	\$7,695.00	\$7,695.00
00490	Minor MH Adjustment	1	EA	\$750.00	\$750.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$1,290.00	\$1,290.00	\$838.00	\$838.00	\$3,250.00	\$3,250.00
	Major MH Adjustment	3	EA	\$3,000.00	\$9,000.00	\$2,700.00	\$8,100.00	\$3,000.00	\$9,000.00	\$5,300.00	\$15,900.00	\$1,929.00	\$5,787.00	\$9,790.00	\$29,370.00
	Major MH Adjustment with Lid in Sidewalk	3	EA	\$4,000.00	\$12,000.00	\$2,700.00	\$8,100.00	\$2,500.00	\$7,500.00	\$6,500.00	\$19,500.00	\$2,049.00	\$6,147.00	\$6,235.00	\$18,705.00
00641	Aggregate Base Rock 3/4"-0	275	CY	\$120.00	\$33,000.00	\$95.00	\$26,125.00	\$65.00	\$17,875.00	\$113.00	\$31,075.00	\$80.61	\$22,167.75	\$41.00	\$11,275.00
00759	Standard Concrete Curb, 6" Reveal	1132	FT	\$50.00	\$56,600.00	\$44.00	\$49,808.00	\$50.00	\$56,600.00	\$51.00	\$57,732.00	\$54.85	\$62,090.20	\$43.00	\$48,676.00
00759	Back of Sidewalk Curb with Rebar	20	FT	\$200.00	\$4,000.00	\$210.00	\$4,200.00	\$250.00	\$5,000.00	\$87.00	\$1,740.00	\$33.43	\$668.60	\$550.00	\$11,000.00
	Back of Sidewalk Curb with Thicken Edge	215	FT	\$100.00	\$21,500.00	\$165.00	\$35,475.00	\$200.00	\$43,000.00	\$87.00	\$18,705.00	\$48.02	\$10,324.30	\$550.00	\$118,250.00
00759	Concrete Sidewalk & Ramps, 4" Thick	10321	SF	\$12.00	\$123,852.00	\$11.00	\$113,531.00	\$10.50	\$108,370.50	\$20.00	\$206,420.00	\$11.61	\$119,826.81	\$15.00	\$154,815.00
	Concrete Sidewalk Driveway, 6" Thick	150	SF	\$20.00	\$3,000.00	\$25.00	\$3,750.00	\$16.00	\$2,400.00	\$22.00	\$3,300.00	\$16.33	\$2,449.50	\$17.00	\$2,550.00
00759	Truncated Dome	4	EA	\$500.00	\$2,000.00	\$680.00	\$2,720.00	\$50.00	\$200.00	\$47.00	\$188.00	\$218.40	\$873.60	\$750.00	\$3,000.00
00744	Level 2, 1/2" Dense ACP, 4" depth	65	Ton	\$200.00	\$13,000.00	\$230.00	\$14,950.00	\$215.00	\$13,975.00	\$184.00	\$11,960.00	\$318.46	\$20,699.90	\$225.00	\$14,625.00
	Asphalt Transition Driveway	85	SF	\$100.00	\$8,500.00	\$6.00	\$510.00	\$10.00	\$850.00	\$15.00	\$1,275.00	\$126.25	\$10,731.25	\$24.00	\$2,040.00
	Reconstruct Road (NE Regatta Way), Rock Base & 4" Asphalt	1	LS	\$10,000.00	\$10,000.00	\$2,400.00	\$2,400.00	\$6,500.00	\$6,500.00	\$12,000.00	\$12,000.00	\$13,052.00	\$13,052.00	\$14,765.00	\$14,765.00
	Thermoplastic, Extruded, Stop Bar	1	EA	\$500.00	\$500.00	\$1,100.00	\$1,100.00	\$500.00	\$500.00	\$2,300.00	\$2,300.00	\$2,700.00	\$2,700.00	\$495.00	\$495.00
	Soil Nail Wall, All Heights, Drainage, fence & Misc.	1	LS	\$250,000.00	\$250,000.00	\$140,000.00	\$140,000.00	\$250,922.27	\$250,922.27	\$155,450.00	\$155,450.00	\$449,240.30	\$449,240.30	\$247,452.00	\$247,452.00
	CIP Wall, Fence & Misc	1	LS	\$12,000.00	\$12,000.00	\$24,000.00	\$24,000.00	\$35,000.00	\$35,000.00	\$60,000.00	\$60,000.00	\$8,550.00	\$8,550.00	\$18,245.00	\$18,245.00
	Carved Wall on Soil Nail Wall	1	LS	\$7,000.00	\$7,000.00	\$105,000.00	\$105,000.00	\$75,000.00	\$75,000.00	\$39,713.00	\$39,713.00	\$257,798.20	\$257,798.20	\$110,000.00	\$110,000.00
	Top Soil	89	CY	\$100.00	\$8,900.00	\$90.00	\$8,010.00	\$110.00	\$9,790.00	\$115.00	\$10,235.00	\$57.42	\$5,110.38	\$95.00	\$8,455.00
01040	Hydro-Seeding	4100	SF	\$3.00	\$12,300.00	\$0.75	\$3,075.00	\$0.75	\$3,075.00	\$1.00	\$4,100.00	\$0.48	\$1,968.00	\$1.50	\$6,150.00
	Construction Surveying	1	LS	\$30,000.00	\$30,000.00	\$16,000.00	\$16,000.00	\$25,000.00	\$25,000.00	\$13,000.00	\$13,000.00	\$31,739.00	\$31,739.00	\$55,500.00	\$55,500.00
<b>TOTAL BID ITEMS</b>					<b>\$901,880.00</b>		<b>\$989,919.00</b>		<b>\$1,090,709.74</b>		<b>\$1,116,813.00</b>		<b>\$1,338,429.96</b>		<b>\$1,340,409.00</b>