

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

July 27, 2020, 6:00 PM

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

APPROVED BY CITY COUNCIL

DATE: August 10, 2020

A. CALL TO ORDER

Mayor Anderson called the meeting to order at 6 p.m.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	6:00 PM
Judy Casper	Councilor Ward 3	Present	6:00 PM
Diana Hinton	Councilor Ward 1	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Late	6:42 PM
Diane Kusz	Councilor Ward 2	Present	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Excused	6:00 PM

Staff present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Alison Robertson, Urban Renewal and Economic Development Director; Jodi Mescher, Economic Development Coordinator; Debbie Bridges, Finance Director; Stephanie Reid, City Engineer; Abigail Donowho, Human Resources Supervisor; Richard Townsend, Interim Planning Director; David Twigg, I.T. Support Specialist.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was skipped as this meeting was held remotely.

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – July 13, 2020 6:00 PM

Mayor Anderson noted the vote result listed for Resolution 2020-02 was incorrect. It should have been a 4-3 vote. Instead, it was listed as a 5-2 vote. Councilor Parsons voted "Nay", not "Aye". Councilor Mark noted the word "subsidizing" was mistyped as "subsiding" twice.

MOTION:	Motion to Approve the Minutes from July 13, 2020, with changes.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed

E. COUNCIL DELIBERATIONS

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

2. Public Comments

Mayor Anderson reminded the public that public comments could be emailed to publiccomment@lincolncity.org, or public comments could be made in the Council Chambers during the meeting.

Mr. Chandler read a summary of public comments pertaining to COVID-19, 4th of July fireworks, Pickleball, Police service, and the renaming of The Villages at Cascade Head. All comments not included with the July 27, 2020 agenda packet will be attached to these minutes once they are approved by Council.

G. PRESENTATIONS

3. Lincoln City Cultural Center 2020 Annual Report

Niki Price, Lincoln City Cultural Center Executive Director, presented Powerpoint slides to Council. Ms. Price discussed the Cultural Center's performance during 2019, the first quarter of 2020, including programs and actions taken during the COVID-19 pandemic, and the Cultural Center's plans to adapt and move forward beyond COVID-19.

During 2019 the Cultural Center hosted 344 events, including 128 performances and 30 visual arts events. 43,741 patrons attended these events- a slight uptick from 2018.

Building upgrades were also made in 2019, including the windows on the west side. The HVAC system was improved and technological improvements were made to the theater.

Program revenue and income in 2019 was about the same as in 2018. The Cultural Center received more donations in 2019 compared to 2018- approximately 2 / 3 of these donations are restricted for the Cultural Plaza capital project. 2019 expenses increased compared to 2018.

The Cultural Center has received the necessary \$250,000 in donations to start the Cultural Plaza project.

At the end of 2019 the Cultural Center balance sheet was healthy. Ms. Price noted \$400,000 of Cultural Center assets are restricted for the Cultural Plaza project.

The first quarter of 2020 was very successful. The musical "We the People" was seen by every school class in Lincoln City from grades 3 - 8.

Once COVID-19 started, the Cultural Center initially ramped up cleaning and sanitizing procedures and cancelled some programs. Then, they faced full closure. The Cultural Center was closed to the public from March 17 until May 31. The Cultural Center is now open to the public and is following all state and County recommendations.

COVID-19 has had serious consequences for the Cultural Center. The Cultural Center depends on personal connection and hands-on learning, and these are very difficult at this time. The hardest loss to day-to-day operations was the closing of the Lincoln City Visitor Information Center, which also led to the Cultural Center Gift Shop closing. Yoga and other classes and workshops have been suspended.

During closure, 4 staff members were laid off and others worked reduced hours. With the help of a PPP loan all staff were reinstated. Since reopening on June 1, one staff member has been laid off permanently and other payroll costs are at about 60% of what they were prior to COVID-19. Volunteering is about 10% of what it was prior to COVID-19.

During COVID-19, The Cultural Center did Creative Quarantine programs, assembling and distributing 2,600 art kits via drive-through to local children over a 9 week period. Artists and musicians were also given the opportunity to perform on the Cultural Center Facebook Page via a Creative Quarantine program.

The Lincoln City Farmer's Market has reopened on Sundays. There's also a Tuesday night market, from 4 pm until 7 pm. The Cultural Center is starting a series of concerts called "Quarantunes" with a hybrid performance model of in-person and internet performances. The Cultural Center is renting studio space and is doing a pop-up Art project.

Looking into the future, the Cultural Center is looking for long-term solutions to meet their mission of cultural enrichment while keeping everyone safe. They look to invest in any performing or visual arts event that can be done in a socially distanced way. The Cultural Center is working on ways to allow students to access the building, including by appointment. The Cultural Center is concentrating on monthly rentals to artists and culturally compatible non-profits. During the next school year, teachers and parents will need new ways to provide art education, and the Cultural Center is well placed to help with this.

The Cultural Center did not receive the \$1.5 million Lottery Bond funds that were necessary to start the Cultural Plaza project. The Cultural Center will reapply for those funds next year and they think they have a good chance of getting them.

Mayor Anderson said "Well Done". He advised that the City is glad to do what it can for the Cultural Center. Ms. Price has been a good steward and has done what she said she would do. The City understands the flexibility needed due to the pandemic and the City is there for the Cultural Center as we work out of this situation.

Councilor Hinton said she was shocked that the \$1.5 million did not get to the Cultural Center. She encouraged Ms. Price to hang in there and thanked her for the presentation and update.

H. PUBLIC HEARINGS / PUBLIC COMMENTS

4. Roads End/Villages at Cascade Head Urban Renewal (Tax Increment Finance) Area

Elaine Howard from Elaine Howard Consulting used a Powerpoint to present to Council. Ms. Howard explained how Urban Renewal works in Oregon. Urban Renewal does not increase property taxes. It divides out property taxes that a property tax payer already pays.

Ms. Howard noted that many coastal cities in Oregon have Urban Renewal districts. Urban Renewal Districts have to be "blighted", but "blight" in this context means "underdeveloped or underused property" and "inadequate infrastructure".

Urban Renewal in Oregon is capped by "Maximum Indebtedness", which is the total amount of money that can be spent over the life of the project on projects, programs, and administration. Once Maximum Indebtedness is reached, the Urban Renewal district ends.

Ms. Howard displayed a hypothetical property tax bill to explain how Urban Renewal is funded. Ms. Howard explained how all properties in an Urban Renewal boundary are subject to tax reallocation - not just those in the active Urban Renewal District.

Jodi Mescher provided information on how this proposed project developed. A feasibility study of two different Lincoln City areas was performed in 2019. In April 2019, City Council approved the creation of a plan for further review - staff and Elaine Howard have been working on that since. Public input has been gathered. An advisory committee consisting of City, County and Tribal officials and two area residents met 4 times. 2 public forums were held- these were open to all Lincoln City residents and lots of input on potential projects was received. A briefing with the overlapping taxing districts was held to advise them of taxing implications. There have been 2 City Council briefings on the plan. Letters were sent to the overlapping taxing districts on May 6, 2020. The Urban Renewal Agency met on June 15, 2020 for final review of the plan, which was approved. The Lincoln City Planning Commission met and provided a recommendation- their comments are in the packet for this meeting. Finally, a meeting also took place with the Lincoln County Board of Commissioners.

Projects that will be accomplished by the new Urban Renewal District would fall under the following categories: Transportation, Economic Development, Parks, Trails and Open Space, Public Works / Utilities, Community Connections / Appearance, Emergency Preparedness, Resiliency and Mitigation and Plan Administration. Projects will be discussed and prioritized at Community Visioning meetings.

Ms. Mescher discussed how amending the plan would work, with substantial amendments having to go before the Urban Renewal Agency, Planning Commission, and the Lincoln County Board of Commissioners before going to City Council for final approval. Substantial amendments are those that increase the Maximum Indebtedness or increase the acreage within an Urban Renewal district.

Ms. Mescher discussed revenue sharing. In February 2020 the City Council made a voluntary decision to make a 15% underlevy of the total annual tax increment finance to decrease the impact of the new district on overlapping taxing districts. As the district would receive less revenue each year, the City Council decided to extend the plan from 25 years to 27 years.

Ms. Howard explained how the closure of the Urban Renewal Development Plan of 2000 will impact other local taxing districts. Other taxing districts will receive substantial revenue now that the 2000 plan is coming to a close.

Ms. Howard discussed projected impacts on other local taxing districts that would occur as a result of a new Urban Renewal district being established. She shared input received from other local taxing districts after the May 6, 2020 letter was sent. North Lincoln Fire and Rescue like the underlevy plan. They would like to see a shorter time frame for the district and would like to see less publicly owned property in the

district area. Ms. Howard said that the time frame and public property issues were presented to City Council in February and March 2020 and Council's response was to set up the 15% underlevy. North Lincoln Fire and Rescue also asked for an economic impact study bearing in mind the COVID-19 situation. Ms. Howard said that financial impacts of a new Urban Renewal district would not go into effect until fiscal year 2022, at which point more information regarding COVID-19 impacts should be available and Council would be able to make appropriate changes to the Urban Renewal district if necessary.

Lincoln County School District sent a letter in general support of the project.

Mr. Chandler read public comments that were received regarding the Urban Renewal area, starting with comments that were in the July 27 packet. Public Comments were also read from:

Michelle Reeves (asking for more time to consider this plan given the current economic situation and asking if the City could make URA funds available to businesses that are struggling)

Kevin Koffel (commenting on Nelscott changes, Olivia Beach appearance, a cap on VRD dwellings, VRD occupancy, the location of the proposed district, and calling for more clarity in the plan)

Michael Holden (a long-term City resident and former Mayor / City employee supporting the new proposed plan)

Joyce Sherman (comments that over urbanization will stop visitors coming to Lincoln City. Sidewalks don't constitute a trail. The charm of walking in a rural area will be gone with urbanization. Roads End isn't a blighted area. If blight is gravel roads and trees, please bring it on)

Fair Housing Council of Oregon and Housing Land Advocates (state that Urban Renewal proposed plan doesn't include Findings for Statewide Goal 10 regarding effects of the plan on the housing supply in Lincoln City. Concerned about single-family housing zoning patterns taking precedence over multi-family use. Concerned that rising property values created by district would conflict with affordable housing goals.)

Mayor Anderson asked Ms. Howard and City Attorney Appicello for their thoughts on the Fair Housing Council of Oregon public comment. Mr. Appicello said that he understood findings were not required since the establishment of this district is not changing zoning; however, he would be willing to draft findings with the proviso that second reading of the Ordinance could not be completed at this meeting. Ms. Howard said she thinks Council doesn't have to draft findings, but Council might want to so there's no possibility of an appeal.

Mayor Anderson asked about how an appeal would work. Mr. Appicello said that an appeal would stall the project. Ms. Howard said appeals go to the Land Use Board of Appeals and they take up a considerable amount of time. Mr. Appicello recommended performing first reading tonight and doing second reading later, with appropriate findings. This delays things by two weeks but an appeal could delay things by two months.

MOTION:	Motion to Close the Public Hearing and the Record
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed

POST MOTION DELIBERATIONS:

Councilor Hinton said her instinct is to have first and second reading of the Ordinance tonight. However, she understands the timing issues and can wait one meeting for second reading to allow Mr. Appicello time to write appropriate findings.

Councilor Mark appreciates the letters from past community leaders. They said that Urban Renewal works and the City has benefitted from it. Councilor Mark reviewed constituent concerns and says, again, this is not a tax increase. On the Housing issue, Councilor Mark agrees with Mr. Appicello and supports delaying second reading until August 10. Councilor Mark addressed the revenue that would be gained from this program and how it would apply to the economic impact of COVID-19. As the revenue is not a whole lot in the beginning, it wouldn't go very far in helping the COVID crisis. Once the revenue grows to a point where it could help, hopefully a vaccine will be found. Councilor Mark said that the Urban Renewal district will help with traffic issues raised by some objectors.

Councilor Casper would like to delay 2nd reading as well.

Mayor Anderson appreciates the public outreach that has been done. However, he expects that questions regarding how Urban Renewal works will be submitted frequently during the 27 year life of the new district. The funds generated will be one source of many that will make the projects happen. The City needs to leverage these dollars and find partners to improve the community.

I. ORDINANCES

5. ORDINANCE NO. 2020-20 AN ORDINANCE OF THE CITY OF LINCOLN CITY, MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE ROADS END/VILLAGES AT CASCADE HEAD URBAN RENEWAL (TAX INCREMENT FINANCE) PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED

MOTION:	Motion to Approve First Reading of Ordinance 2020-20
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Diane Kusz, Councilor Ward 2
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed

6. ORDINANCE NO. 2020-10 AN ORDINANCE OF THE CITY OF LINCOLN CITY, AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING); AMENDING ALL OF CHAPTER 17.20 (MULTIPLE-FAMILY RESIDENTIAL (R-M) ZONE); AMENDING: CHAPTER 17.24 (PROFESSIONAL CAMPUS (PC) ZONE), SECTION 17.24.020 (F.); CHAPTER 17.28 (RECREATION-COMMERCIAL (GC) ZONE), SECTION 17.28.040 (F.); CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE), SECTION 17.32.040 (K.) AND 17.32.110 (E.); CHAPTER 17.34 (NELSCOTT PLAN (NP) DISTRICT), SECTION 17.34.060, TABLE 17.34.060.B; CHAPTER 17.45 (TAFT VILLAGE CORE (TVC) ZONE), SECTION 17.45.040, TABLE TVC LAND USE ACTIVITY; CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS AND EXCEPTIONS), SECTION 17.52.210(E).(2.) AND AMENDING ALL OF CHAPTER 17.74 (COMMERCIAL DESIGN STANDARDS)

MOTION: Move Second Reading of Ordinance 2020-10 to August 10, 2020
AYES: Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED: Parsons
RESULT: Passed by Unanimous Consent

7. ORDINANCE NO. 2020-13 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING NUMEROUS CHAPTERS TO CONSOLIDATE AND ORGANIZE LANDSCAPING AND OFF STREET PARKING AND LOADING REQUIREMENTS

Mr. Appicello read changes made to cross-referencing of sections. Mr. Appicello advised that Councilor Hinton had contacted him about text that wasn't bolded in a table. Mr. Appicello will fix this. Councilor Hinton also asked why VRD parking was not in the table. Mr. Appicello said VRD parking has its own separate requirements but he doesn't see any harm with adding a cross-reference to that section.

MOTION: Motion to Approve Second Reading of Ordinance 2020-13 with the noted changes and adopt the Ordinance.
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED: Parsons
RESULT: Passed

8. Request to Continue Second Reading to August 10, 2020 ORDINANCE NO. 2020-14 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.72 (SIGN REGULATIONS), AMENDING AND UPDATING CITY SIGN REGULATIONS REMOVING PROVISIONS FOR TEMPORARY SIGNS AND PLACING THEM IN CHAPTER 9.34

Mr. Appicello asked for this item to be continued to August 10 to give Interim Planning Director Richard Townsend time to review the ordinance.

MOTION: Postpone Second Reading of Ordinance 2020-14 to August 10, 2020
AYES: Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED: Parsons
RESULT: Passed by Unanimous Consent

9. Continuance of Second Reading to August 10, 2020 ORDINANCE NO. 2020-15 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.76 (ADMINISTRATIVE PROVISIONS), REPLACING EXISTING PROCEDURES WITH A NEW UNIFORM PROCEDURAL CHAPTER 17.76 (PROCEDURES), ADDING A NEW CHAPTER 17.77 (APPLICATIONS), MODIFYING, CONSOLIDATING, RELOCATING OR REMOVING OTHER PROCEDURES AND STANDARDS FOR A MORE EFFICIENT REVIEW PROCESS

Mr. Appicello asked for more time so that Interim Planning Director Townsend could review the ordinance.

MOTION:	Postpone Second Reading of Ordinance 2020-15 to August 10, 2020
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed by Unanimous Consent

10. Second Reading : ORDINANCE NO. 2020-17 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.08 (DEFINITIONS), AMENDING AND UPDATING CITY DEFINITIONS BASED ON CHANGES PROPOSED IN THREE OTHER ORDINANCES 2020-10, 2020-13, and 2020-14

Mr. Appicello said that Councilor Hinton had requested that the term "Common Open Space" be changed to "Common Use Space". Mr Appicello suggested "Common Area" instead. Councilor Hinton liked that change.

Mr. Appicello asked Councilor Mark about his comment regarding Day Care Centers. Councilor Mark said that Mr. Appicello's solution (referring to the State of Oregon) solved the issue.

Councilor Hinton said that Corbels do not have to come out of a masonry wall. They can come out of wood or brick walls as well. Mr. Appicello said he would fix that.

Councilor Casper stated that Variances are only reviewed by the Planning Commission. Mr. Appicello suggested adding language clarifying that but also giving the option to designate to another review board / authority if necessary. Council were satisfied with the designee option after they asked clarifying questions of Mr. Appicello.

Councilor Mark noted terms on page 466 of the packet were not in alphabetical order. Mr. Appicello said he would correct that.

MOTION:	Motion to Approve Second Reading of Ordinance 2020-17 and adopt the Ordinance as read
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Diane Kusz, Councilor Ward 2
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed, with read changes

11. ORDINANCE 2020-18 AN ORDINANCE OF THE CITY OF LINCOLN CITY PROVIDING FOR THE LEVY OF FINAL ASSESSMENTS FOR THE CONSTRUCTION OF A SEWER IMPROVEMENT PROJECT KNOWN AS THE "SW BARD ROAD SANITARY SEWER LOCAL IMPROVEMENT DISTRICT" SAID LID FORMED BY RESOLUTION 2019-26; FIXING AND SPREADING SAID FINAL ASSESSMENT AMOUNTS AGAINST BENEFITTED PROPERTIES WITHIN THE DISTRICT

Mr. Appicello advised that he had changed the language to reflect options for deferral of potential units. However, Finance and Public Works are not in favor of deferral. Mr. Appicello asked Council if they were in favor of deferral?

Mayor Anderson asked Stephanie Reid, City Engineer, about deferrals on previous LID's. Ms. Reid advised that one deferral was done on the NE 36th LID. The impacted piece of property was very large compared to others in the LID and LID payments would have been around \$2,000 a month.

Ms. Reid advised that Bard Road was a more equally distributed LID and that staff thought everyone should pay the assessed amount.

Debbie Bridges, Finance Director, advised that Finance wasn't in favor of deferring payments because the fund is used for future LID's. If the City doesn't get paid back it can't do LID's in the future. Also, long deferral periods are hard to enforce.

FAILED MOTION

Councilor Mark moved to Approve Ordinance 2018-18 removing the deferral language. No second to this motion was made, so the motion died.

FAILED MOTION

Councilor Hoagland moved to Approve Ordinance 2018-18 with the deferral language. No second to this motion was made, so the motion died.

Councilor Casper asked if hardship cases could be approved if the deferral language is removed? Mr. Appicello said only the Ordinance gives the option to defer.

Discussion was held regarding how LID liens work. Triggers for payment include sale of property or death of property owner. Other triggers include septic tank replacements or development of property.

Councilor Mark asked about if someone wanted to develop less than they were entitled to. Mr. Appicello said that the City assesses LID charges based on the highest development potential for a lot. A property owner can come forward with a development agreement proposing less units and then the City can agree to charge the property owner less. However, the lot is then permanently bound by those development conditions. No-one in the Bard Road area came forward with any such development agreement during this project.

MOTION:	Motion to Approve Second Reading of 2020-18, removing the deferral language
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Kusz, Mark
EXCUSED:	Parsons
RESULT:	Passed

J. RESOLUTIONS

K. SPECIAL ORDER OF BUSINESS

12. Villages at Cascade Head Renaming

Councilor Hinton presented this item. A subcommittee reviewed survey results and consulted with the Siletz Tribe.

The subcommittee put forward two names: The Villages at Elk Ridge and The Villages at Sitka Woods.

The committee didn't have a strong preference between these two names.

The subcommittee also suggested keeping the current name for The Knoll.

Mayor Anderson asked if this would be a dba. Mr. Appicello said that he didn't know if the City needed to do a dba but it could do that for homeowner's association purposes. There would be more formal processes to go through to change the name for plat maps. This process is not the "formal" change. Councilor Hinton suggested changing the name formally when a new masterplan for the area is filed.

Mayor Anderson likes Sitka Woods.

Councilor Kusz likes both options but prefers Sitka Woods as she feels the elk will leave the area after it is developed.

Councilor Mark likes Sitka Woods. Councilor Mark asked whether the word "the" should be capitalized in "The Villages at Sitka Woods". Councilor Mark would not capitalize the "The" in "the Knoll".

Councilor Casper prefers Sitka Woods because, like Councilor Kusz, she thinks the elk will leave the area once developed.

Councilor Hinton reported that committee members Councilor Parsons and Laurel Barton were fine with either name. Councilor Hinton likes Sitka Woods.

Councilor Hoagland likes both names. Councilor Hoagland wonders why we are doing this now? He feels that only 55 responses to the survey is not enough for this process. Of the two names, Councilor Hoagland prefers Sitka Woods. However, he doesn't want to vote for this at this point since it's not formal. Councilor Hinton says changing the name is a step in the right direction to get the project started.

Councilor Mark said that "The Villages at Cascade Head" name has been in place for a long time, and nothing has happened there. Perhaps there will be a psychological nudge forward by changing the name? Mayor Anderson agreed.

Mayor Anderson asked:

- 1. Is Council ready to change the name?*
- 2. If so, should it be changed to The Villages at Sitka Woods?*

Councilor Hoagland disagreed with changing the name now. All other Councilors agreed to change the name now.

All councilors agreed with the Sitka Woods name.

Councilors agreed to keep the "T" capitalized in "The Villages".

MOTION:	Motion to change the name of The Villages at Cascade Head to The Villages at Sitka Woods
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Kusz, Mark
NAYS:	Hoagland
EXCUSED:	Parsons
RESULT:	Passed

13. Performance Review Process for Employees of the City Council

Abigail Donowho, Human Resources Supervisor, presented this item. Ms. Donowho is seeking Council's approval of performance review processes for Council's employees- the City Attorney, City Manager, and Municipal Court Judge.

Councilor Casper said that Councilors could benefit from training from HR staff regarding evaluation techniques. Councilor Casper said the International City/County Management Association (ICMA) recommend that staff perform self-evaluations. Councilor Casper likes that idea, along with more communication and discussion between staff and Council.

Councilor Hoagland said he would like to alter the timing of evaluations to avoid newly-elected councilors having to evaluate employees. If Councilors are leaving, they should evaluate staff before they leave since their evaluation will be more relevant than that from a newly-elected councilor.

Councilor Hinton doesn't like the City Manager form as it only has 3 options to grade performance, with no numbering. Councilor Hinton prefers 5 grading options, and prefers the number system of grading since you can gather averages that way.

Councilor Mark also likes the numbering system, with 5 grading options. Councilor Mark asked if evaluations should be at the end of the year rather than the beginning of the year to avoid the problem Councilor Hoagland brought up? Mayor Anderson said that staff hire date and fiscal year considerations should be taken into account. Abigail Donowho said there's nothing specific about what month an employee should be evaluated, so that can be redefined if Council wishes.

Councilor Casper suggested that employees provide anonymous input to the Council. Councilor Hoagland agreed with Councilor Casper.

Mr. Chandler said that he would like a fiscal year evaluation period, in particular August / September. January is right in the middle of budget season. He likes Councilor Casper's ideas about more discussion. Mr. Chandler prefers more frequent evaluations. One of the hardest things for Mr. Chandler to ascertain is whether Councilors are getting enough information for their personal needs. Mr. Chandler doesn't have a preference on the numbering / grading system. He would not support an anonymous survey of employees. He would support Council speaking directly to employees.

Mr. Appicello is OK with his current form. He said he's overdue for an evaluation- his evaluation was due in February. He agrees with Councilor Hoagland about not having brand new councilors review the performance of staff. Mr. Appicello agrees with Mr. Chandler about anonymous polling of staff.

Councilor Casper will work with Abigail Donowho to revise the forms and bring them back to Council for final approval. Mr. Appicello will share the International Municipal Lawyer's Association evaluation forms with Ms. Donowho.

Ms. Donowho asked about the Judge's evaluation? Mayor Anderson said there aren't many criteria. Councilor Casper said that she doesn't think Council has given the Judge sufficient direction. Mayor Anderson says the Judge position is hard to evaluate.

14. West Devils Lake Road Temporary Closure

Stephanie Reid, City Engineer, presented this item. From August 17 through August 31, one lane of West Devils Lake Road will be closed and flaggers will control traffic. From August 31 through September 21, the road will be closed. Detours are to the north, so Holmes Road or Highway 101 will be the only ways to get to the north end of West Devils Lake Road.

Staff will send out letters to affected property owners the week of July 27. The will also include Holmes Road residents. The letter will ask people to use Highway 101 instead of Holmes Road. The notice for the road closure is on the City website.

Mr. Chandler confirmed Council didn't need to take action on this item. He has authority to order the road closure. Mr. Chandler just wanted to bring this matter to the public's attention one more way.

Councilor Hinton asked what she should say to constituents with questions. Mr. Chandler asked that Council include a map when they contact constituents.

Councilor Kusz asked if a sign could be put up advising that the road will be closed. Mr. Chandler said the City could use the readerboard sign for this. Signs will also be placed on Highway 101 and at NE 14th.

15. COVID-19 Update

Mr. Chandler said that people have asked about Pickleball and playgrounds. These are Phase 2 items that can't take place in Phase 1 of reopening, which Lincoln County is in currently.

Mr. Chandler said the City is getting asked about the state mandate of 10 people in a gathering and how it pertains to the lodging industry and Vacation Rental Dwellings (VRDs). A note was sent to the Governor's office to ask how the City should handle this issue. The Governor's office responded that short-term lodging providers should, to the best of their ability, only rent to members of the same household who are congregating together. More than 10 individuals who gather at a house who are not in the same household are in violation of this guidance.

Mr. Chandler said licensing has also helped with enforcement. 336 VRDs in the City have occupancy limits of 10 or less. 210 VRDs have occupancy limits between 10 and 16.

The October 2020 League of Cities conference has been cancelled. There will be a 2 day virtual meeting instead.

The City applied for the second round of CARES funding. The City had earlier applied for and received \$149,537. That leaves \$258,537 that is eligible for the City between now and the end of the year. An application has been made for \$109,000 that will be deposited into the general fund. That will leave \$149,537 that the City can apply for before the end of the year.

Lincoln County Commissioners met on July 27. RE: Phase 2 reopening- Director Austen (Lincoln County Health and Human Services) recommends waiting another 2 or 3 weeks before applying to enter Phase 2. Lincoln County is close, but doesn't meet all of the criteria for Phase 2 reopening.

Mr. Chandler said that family gatherings are leading to many of the COVID-19 cases we are seeing in Oregon.

Councilor Hinton asked if Weston Fritz (Planning staff member who specializes in VRDs) will be sending a letter to property management companies and owners who have homes with occupancy limits over 10? Mr. Chandler said that we would do that, and also send the letter to OSHA.

Councilor Mark asked how we follow up on our letters. Do we audit? Drop in by surprise? What do we do if they aren't complying? Mr. Chandler said complaints and calls are the best way to follow up. The Police are spot checking as they can. Mr. Chandler said that staff are looking at what is being advertised, and have found several VRDs that are being advertised as being able to host more people than they are permitted to.

Mayor Anderson advised the public to call the non-emergency PD number - 541-994-3636 - with complaints. If it's a police matter, police will be dispatched; VRD matters will be sent to Mr. Fritz for follow up.

Councilor Mark asked about businesses enforcing face covering / mask requirements. If someone wearing a mask is in a shop and someone without a mask comes in and the business owner does nothing about it, who should you contact? Mr. Chandler said people could call the non-emergency PD line or, if they go to the City's Facebook page, they can find a link to contact a state agency (OSHA).

L. CITY MANAGER/CITY ATTORNEY REPORTS

Mr. Chandler said he will invite Council to review the re-opening plan for the Lincoln City Community Center.

Mr. Chandler said that he will send Council an update on City projects on Friday July 31.

M. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

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

O. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Hinton asked if Mr. Chandler would be discussing the 4th of July with Council? Mr. Chandler said he would.

Councilor Hinton also brought up the idea of parklets. Restaurants could bring tables and chairs outside which would help during this time.

Councilor Casper would like the Skate Park to open.

Councilor Casper asked about on-street parking permits. Mr. Chandler needs to discuss with the City Attorney. Mr. Chandler thinks he can get this item on the next Council agenda.

Councilor Casper went through the League of Oregon Cities legislative priorities. The City will send the list of priorities to the League of Oregon Cities by August 7.

Mayor Anderson reminded the public that it is election season. 3 City Council positions are up for election. Election packets can be picked up from City Hall. David Twigg, I.T. Support Specialist, or Tony LaSoya, I.T. Director, can provide the public with election packets.

P. ACTIONS, IF ANY, BASED ON WORKSESSION, EXECUTIVE SESSION OR CITIZEN COMMENT

Q. ADJOURNMENT

// s //

DICK ANDERSON, MAYOR

ATTEST:

// David Twigg for Cathy Steere //

CATHY STEERE, CITY RECORDER

Ronald Chandler

From: David Jamieson [REDACTED]
Sent: Thursday, July 23, 2020 3:33 PM
To: Public Comment
Subject: Illegal Fireworks in Roads End ... July 4th, 2020 and beyond ...

Council Members, Mayor and City Manager,

I coordinate the Roads End Neighborhood Watch group. We met earlier this week (July 20th, via Zoom) and amongst other things, discussed the illegal fireworks activity observed by our members on July 4th and the weeks following. We agreed this year was especially bad for illegal fireworks activity. That included people setting off fireworks near Police officers on the beach while they were confiscating items from another group. Fireworks being set off at 2AM. Large beach parties including a wedding at the north end of the beach on July 19th that included fireworks. And fireworks being set off in the neighborhood on NE 70th, NE 68th, NE 66th and elsewhere.

We agreed that signage is appreciated but sadly, not effective at deterring illegal activity on the beach. One of our members wondered if it is possible to station officers at the beach entrances to ask if people are bringing illegal fireworks on the beach (which of course is any firework). Another suggestion was to light up the beach with spotlights to deter activity. Closing the beach was also suggested as a possible remedy. And of course, as much enforcement of the law as possible under the circumstances.

The Neighborhood Watch members were appreciative of the effort by the Lincoln City Police Department as we could see the ATV on the beach and officers responding to calls up until the Inn at Spanish Head incident occurred. We also wondered how many pounds of illegal fireworks were confiscated this year.

Thank you,

David Jamieson
[REDACTED]

"Stay Home, Save Lives"

PB proposal to city council= comment form

PB proposal to city council= comment form
Comment Form

The City of Lincoln City welcomes comments. Our goal is to provide City residents and visitors with the very best in customer service. To provide your comment, please complete the below form. A member of our staff will promptly follow-up with you. Please note: Your comment will be routed to the appropriate City Department, where it will be handled according to departmental procedures. Anonymous comments are accepted and will be reviewed; however, should you choose not to provide us with contact information, we cannot provide you with a response. Thank you for taking the time to comment. Your feedback is valued and appreciated.

Your Name: Rick Metz

Email address: [REDACTED]

Street Address: [REDACTED]

Telephone Number: [REDACTED]

Preferred Contact Method: email

Department who should respond (if known): mayor's office

Your comment:

First of all, thank you for your service to Lincoln City. We are the seven member "action committee" for the Lincoln City Pickleball Club. Our goal is to promote all levels of pickleball in Lincoln City. We normally play at the community center and at the 8 Dorchester courts. We realize that these are extraordinary times as we all deal with the pandemic.

We believe that pickleball can be a safe and healthy activity for our Lincoln City members. As we see pickleball courts opening in surrounding cities, we would appreciate your consideration of the following proposal. We would like to schedule limited pickleball play at the outdoor Dorchester courts. We would social distance and wear masks while outside of the courts, only the west courts would be available for play (4 courts) totaling 8 players on the lower 2 courts and 8 players on the upper 2 courts. Players would play with people in their personal "small social bubble" and we would sanitize the pickleballs, paddles, hands and net prior to each game.

Each ability level range will have an hour and a half for play.

Courts unlocked at 7:45 am

2.5 and under (beginners)= 8:00-9:30am

2.5-3.5= 9:30-11:00am

3.5 and above= 11:00-12:30pm

Courts Locked at 12:30 pm

We believe that exercise is “illness prevention”! We are dedicated to keeping our members safe and healthy during this extraordinary time. Thank you, again, for your service and your consideration of our proposal.

To submit this form, please save it and email the form as an attachment to Courtney Liberato, Executive Assistant to the City Manager, at cliberato@lincolncity.org. You can also print the form and mail it to the City of Lincoln City, Attn: Courtney Liberato, PO Box 50, Lincoln City, OR 97367 or deliver it to City Hall (801 SW Hwy 101, Lincoln City). If you have any questions, please call Courtney Liberato at (541) 996-1202. Thank you.

Ronald Chandler

From: kevin koffel [REDACTED]
Sent: Friday, July 24, 2020 8:01 PM
To: Public Comment
Subject: 87 million dollars

From- Kevin Koffel [REDACTED]

I see little if any benefit from the numbered and lettered proposals. The recent changes to the Nelscott district are virtually invisible. Maybe that was the point.

What exactly are we going to get that will make a difference? Who is going to decide what fits in with the visual consistency in a beach community? We live next to what is probably the ugliest subdivison in the city, a collection of multi-story VRD dwellings with little to no landscaping, save for stacks of boulders that belong in Bend Oregon, not here in Lincoln City. The only true thing that Walker John said during the Phase 3 council meeting, was that Olivia Beach was going to build more houses.

Are we going to see a cap put on VRD dwellings? Are we going to get a dedicated authority figure to deal with VRD dwellings? I doubt Chief Palmer approved any of these houses, but it's his officers that are supposed to deal with the 21 people who show up in a house meant for 16, people who read the ads saying "sleeps 23", and show up with differing out of state plates, during our supposed pandemic.

From what I remember reading when the virus crisis started, was that the city gets a lot- A LOT of money in transient room taxes, put that to use. What does the city actually do to earn that money?

Most of these plan proposals sound geared towards Cascade Head and Roads End- great- do it in someone else's backyard, there's not a lot left to do in the Nelscott area.

I'm for more parking for tourists and safer walking areas. Put in a safe walking area from Canyon Park north, that's a hillside and gully no one will ever be able to build a house on, put in a supported walkway like the one by the hospital.

Put to a city wide vote- this would fail, the plan proposal is ambiguous and needs some better explanation.

Ronald Chandler

From: Rock Your World [REDACTED]
Sent: Sunday, July 26, 2020 1:40 PM
To: Public Comment; Jerry Palmer; Mac Smith
Subject: Police Decorum

Dear City Council and Police Chief Palmer,

I had recently pulled my truck out partially onto the road in order to wash it on this beautiful Saturday afternoon when Lincoln City Police Officer Worley, stopped and let me know that I can only park my vehicle facing the direction of traffic when my tires touching the blacktop **and** fully on my property.

I agreed with the officer in order to not cause an issue and let her go on her way and turned my truck around.

I called into non-emergency and asked to speak to the desk sergeant and explained to the dispatcher what the problem was and I would like the municipal code citing this how vehicles are parked on private property.

When Sergeant Weaver was put on, he was already in a defensive position and I needed clarification on which municipal code determines which direction I can park on my own property as I am unable to find it in the city codes.

He immediately started to talk over me and tell me that I must have misunderstood the Officer however both myself and Planning Commissioner Smith both clearly heard Officer Worley tell us that we had to park in the direction of travel of traffic on our own property.

I corrected him and while correcting him Sergeant Weaver spoke over me again and said let me clarify, as long as your vehicle is 100% on the property it can be pointing in whatever direction you choose. If the wheels are touching the blacktop at all it must be in the direction of travel of the road, which I see the reasonableness of that request and law.

What I challenged was the direction of which I park on my own property. Sergeant Weaver let me know that the information given to me by Officer Worley was indeed incorrect but continued to argue with me that I must have misunderstood when I had a witness in Planning Commissioner Smith to the interaction. Planning Commissioner Smith had the bulk of the interaction and the the Officer's demeanor was community oriented and friendly.

Since I was being constantly interrupted, I took the opportunity to speak over Sergeant Weaver and let him know that Officer Worley obviously doesn't understand the context of the law cited to me and that she needs further coaching in the interpretation of parking law in Lincoln City.

Why am I writing you about such a trifling matter? Because if it's this difficult to get a question answered about a parking issue, I would hate to come to the same Sargent to ask about a serious issue like personal assault or sexual assault if this is how he treats women or callers in general.

Having an appropriate community-oriented bedside manner when you are in a position of leadership, like Sargent, in our Police Department is incredibly important and is the type of reform that we are looking for when we look to the police to be community leaders.

I hope you take this concerns seriously and help Sergeant Weaver engage in a program to help him deescalate conversations instead of escalate them.

Thank you, I appreciate all of you and stay safe in these trying times.

Blessings,
Laura

Ronald Chandler

From: Georgia [REDACTED]
Sent: Monday, July 27, 2020 9:01 AM
To: Public Comment
Subject: 7/27/20 Council Meeting

I would like to comment on the situation in Regatta Park, which has many, large signs stating that the park AND playground are “closed until further notice”. I’d like to know what those signs mean. Do they mean that no one should be fishing off the dock? Do they mean that no one should be using the swimming or beach area? Do they mean that no one should be using the playground, BBQ pits and related eating areas?

The signs are quite clear in their statement that the park AND playground are “closed until further notice”. It’s also quite obvious to us local residents that the statement is not in any way being enforced.

If the City is unable to enforce this closure, then please open up the bathrooms!

Where do you suppose people will go to the bathroom while the public bathrooms are closed? In our beautiful Devils Lake, of course, or the woods that were intended for nature walks. In this current COVID-19 crisis, it is unconscionable that the City increases the health hazard by keeping the bathrooms closed.

For the sake of all citizens and guests, either enforce the closure of the park or open up the public bathrooms before our neighborhood has greater health problems than we are currently battling!

Respectfully submitted – Georgia Roelof, [REDACTED]

Ronald Chandler

From: Susan Pickering [REDACTED]
Sent: Sunday, July 26, 2020 5:50 PM
To: Jodi Mescher; Ronald Chandler
Cc: Raylene Erickson
Subject: Name consideration for Villages at Cascade Head

Dear Jodi and Ron,

Raylene Erickson, long time resident of Lincoln City, as well as community advocate and embracer, suggested I email you a new name that to the three of us sums up the pristine and beautiful area of Cascade Head. We three thought "Seascape" would be a lovely and fitting name. My husband and I frequently hike and kayak on and around Cascade Head and the photos are always beautiful enough to frame.

We'd be honored if you'd consider the name along with your urban plan for renewal of the Villages at Cascade Head.

All the best,
Michael and Susan Pickering of Lincoln City

Ronald Chandler

From: Michelle Reeves [REDACTED]
Sent: Saturday, July 25, 2020 11:19 PM
To: Public Comment
Subject: Roads End Renewal Project

To the City Councilors,

Although the improvement of our city through projects such as this is certainly beneficial, I believe the residents of Lincoln City need time for the events of this year to calm down, before introducing an 86 million dollar project by way of new taxes. Please consider allowing our local economy more time to recover.

Thank you,

~Michelle Reeves~

[REDACTED]

Ronald Chandler

From: Michelle Reeves [REDACTED]
Sent: Saturday, July 25, 2020 11:35 PM
To: Public Comment
Subject: Roads End Renewal Project

To the City Councilors,

My previous note included a mention of “new taxes”, which I mistakenly wrote. I do understand that this project uses current property taxes allocated for urban renewal. However, the timing of a project that “upgrades” parts of a city, while existing businesses struggle to survive in the middle of an emergency, seems an inconsiderate use of tax money. Is there a way to consider making this property tax money available for loans to local businesses who otherwise cannot receive help to keep their doors open?

Thank you again,

~Michelle Reeves~
[REDACTED]

Ronald Chandler

From: Jodi Mescher
Sent: Monday, July 27, 2020 11:42 AM
To: Public Comment
Subject: FW: Urban Renewal (TIF)

Hello,

This email was received after the meeting packet was submitted and should be included in the public comments at the public hearing for the consideration of the new urban renewal area.

Thank you,
Jodi



Jodi Mescher
ECONOMIC DEVELOPMENT COORDINATOR

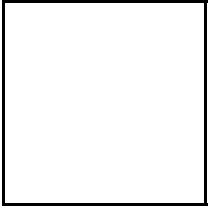
City of Lincoln City | Urban Renewal & Economic Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.5365
E: jmescher@LincolnCity.org | W: LincolnCity.org

From: Mike Holden [REDACTED]
Sent: Monday, July 20, 2020 10:52 PM
To: Jodi Mescher <jmescher@lincolncity.org>
Subject: Urban Renewal (TIF)

Dear Ms. Mescher

I am writing in support of the Urban Renewal TIF plan. By way of introduction, I was Lincoln City Police Chief from 1976 until 1998 when I retired, but then I was elected as Mayor and I served one term from 1999 to 2003. I mention this since I am a long time resident and a former City employee. During the time I have lived in Lincoln City, Urban Renewal has played a vital role in changing the face of Lincoln City from, in many areas, it had a blighted neglected appearance. Through Urban Renewal (and there have been more than one) the City has made significant improvements. Urban Renewal has proven to be a cost effective means to make the changes that we have needed and I would encourage the City Council to retain this program.

Michael E Holden



This email has been checked for viruses by Avast antivirus software.
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July 27, 2020

Mayor and Council Members of Lincoln City
801 SW Highway 101,
Lincoln City, OR 97367

Re: Public hearing to gain input regarding the City Council's consideration and potential adoption of the proposed Roads End/Villages at Cascade Head Urban Renewal (Tax Increment Finance) Plan (Plan) and vote on the ordinance to adopt the Plan. (URP 2020-01)

Dear Council Members:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you know, all amendments to the City's Comprehensive Plan and Zoning map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). When a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) in order to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change.

The staff report for URP 2020-01 recommends its approval. However, the report does not include findings for Statewide Goal 10, describing the effects of the urban renewal plan on the housing supply within the City. For example, Figure 3 shows only a very small portion of the area zoned multi-family and housing advocates have to wonder whether this TIF plan is aimed at preserving single-family zoning patterns to the exclusion of more diverse housing types.



Although another small portion of the 500 acres is zoned G-C and R-C, where multifamily uses are conditionally allowed, it is unclear whether those lands are considered buildable lands in the HNA and BLI, and in any event there is no guarantee that a property owner would seek to build multi-family housing on these properties. Further, it is stated that one of the proposed plan's missions is to eliminate "depreciating property values". How would raising property values align with any of the City's affordable housing goals? The plan further states that it has the goal of helping the City accomplish its housing goals, yet makes no reference to what those goals are or how it proposes to do this. Goal 10 findings would clarify these questions for advocates and planners alike. The required Goal 10 findings must demonstrate that the proposed zone and overlay changes do not leave the City with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane Cty. v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations). Further, the report should reference the City's HNA to quantify the potential changes to the housing supply within the City. Only with a complete analysis showing any gain/loss in needed housing as compared to the BLI can housing advocates and planners understand whether the City is achieving its goals through URP 2020-01.

HLA and FHCO urge the Council to defer adoption of URP 2020-01 until Goal 10 findings can be made, and the proposal evaluated under the HNA and BLI. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at [REDACTED] [REDACTED] and HLA, c/o Jennifer Bragar, at [REDACTED] [REDACTED]. Please feel free to email Louise Dix at [REDACTED] or reach her by phone at [REDACTED]. Thank you for your consideration.

Louise Dix

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

/s/ Jennifer Bragar
Jennifer Bragar
President
Housing Land Advocates

cc: Kevin Young [REDACTED]