



**AGENDA & Notice of Work Session,
& Regular Meeting of Newport City Council (CC)
Including Acting in the Capacity as the
Local Contract Review Board (LCRB)
And Urban Renewal Agency (URA)**

The City Council of the City of Newport, also acting in the capacity as the LCRB and URA, will hold a work session beginning at **5:00 P.M., on Monday, October 4, 2010**, in Conference Room A, with their regular Council meeting beginning at **6:00 P.M., on Monday, October 4, 2010**. The regular meeting will be held in the Council Chamber, 169 S.W. Coast Highway, Newport, Oregon 97365. A copy of the meeting agenda follows.

The work session and meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder (541)574-0613.

The City Council, also acting in the capacity as the LCRB and URA, 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 work session and/or meeting. Action items that do not require a public hearing may be moved up earlier in the meeting.

WORK SESSION
5:00 P.M.
CC - LCRB - URA

- I. Interview (6) Applicants for the Technical Advisory Task Force.....**pgs. 1-12**
-

REGULAR MEETING AGENDA
6:00 P.M.
CC - LCRB - URA

Any person wishing to speak on any agenda item should complete a Public Comment Form and hand it to the City Recorder, Peggy Hawker. Public Comment Forms are located on a table at the entrance door to the City Council Chamber. If you wish to comment on a subject not on the agenda, the Mayor will call on you under "Public Comments". If you wish to comment on a specific agenda item, the Mayor will call on you when the City Council gets to that item.

I. **Call to Order and Roll Call**

II. **Public Comments**

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items.. Speakers may not yield their time to others.

III. **Proclamations & Recognitions**

A. Oregon Days of Culture – October 1-8, 2010.....**pg. 1**

IV. **Consent Calendar**

The consent calendar is an area of the meeting agenda where items of a repeating or routine nature can be considered under a single action. Any person who desires to have an item on the consent agenda removed and considered separately could make it so by merely asking.

A. Approval of minutes from work session, and regular meeting of September 20, 2010, and work session of September 27, 2010.....**pgs. 1-10**
(Hawker)

B. OLCC application for Full Circle Nye Gallery.....**pgs. 1-3**
(Miranda)

V. **Council Members' Reports and Comments**

VI. **Officers' Reports**

A. Mayor's Report
B. City Manager's Report.....**pgs. 1-9**
C. City Attorney's Report

VII. **Discussion Items and Presentations**

Items that do not require immediate Council action, such as presentations, discussion of potential future action items

A. Presentation by Barbara Dougherty on the Homeless Connect Project
(Voetberg)

B. Agreement between Property Owner and City Relating to New Municipal Pool.....**pg. 1**
(McCarthy/Voetberg)

C. Presentation on Newport Swimming Pool by Community Action Committee.

7:00 P.M.

VIII. **Public Hearings**

IX. **Action Items**

Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. (Action items are expected to result in motions, resolutions, orders, or ordinances)

X. **Public Comment**

(Additional time for public comment – 5 minutes per speaker)

XI. **Adjournment**

**NEWPORT URBAN RENEWAL AGENCY
Follows Regular Council Meeting
URBAN RENEWAL AGENCY MEETING AGENDA**

I. **Call to Order and Roll Call**

II. **Public Comments**

This is an opportunity for members of the audience to bring to the Agency's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items. Speakers may not yield their time to others.

III. **Consent Calendar**

The consent calendar is an area of the meeting agenda where items of a repeating or routine nature can be considered under a single action. Any person who desires to have an item on the consent agenda removed and considered separately could make it so by merely asking.

- A. Approval of minutes from regular URA meeting and executive session of September 20, 2010.....**pgs. 1-2**
(Hawker)

IV. **Discussion Items and Presentations**

Items that do not require immediate Council action, such as presentations, discussion of potential future action items

- A. Update on design & construction schedule for Marine Science Drive.....**pgs. 1-5**
(Tokos)

B. North side UR Options.....pgs. 1-20
(Tokos/Marshall)

V. **Public Hearings**

VI. **Action Items**

Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. (Action items are expected to result in motions, resolutions, orders, or ordinances)

VII. **Adjournment**

Subject: Committee Application

Application for City Council - Email Application

Date: 07/09/10

Commission/Committee of Interest: Georgia Pacific Task Force Monitoring

Name: Charlie Plybon

Address:

Workphone:

Homephone:

Email:

Occupation: Oregon Field Manager

Employer: Surfrider Foundation

Why do you think you are qualified to be a committee member? I have been involved in this issue for some time and represented ocean and community stakeholders via the Newport Chapter of Surfrider Foundation.

Educational Background: BS - Marine Biology Some graduate level classes

Have you ever served on a community committee? If so what kind? Yes, Lincoln County Extension Advisory Committee, GP Task Force, Mayor's Water Quality Task Force (Newport), Public Works Water Quality Task Force (Cannon Beach), various other water quality groups and committees within coastal communities

Do you agree with consensus decision making? Yes. In general, I think unanimous consensus decision making is the best way to go at the municipal and community level for these types of committees. On larger statewide issues with many many stakeholders, I don't always feel that unanimous consensus is feasible although desired.

Are you willing to attend regularly schedule meetings for your terms of office? Yes

Would you make decisions based on the facts and standards even though you may not agree with the ultimte decision? Yes

Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships? Doubtful and I'm comfortable declaring any possible conflicts early and throughout the process if such should arise.

List all other pertinent information/background for this position:

Subject: Committee Application

Application for City Council - Email Application

Date: 7/23/10

Commission/Committee of Interest: georgia-pacific testing task force

Name: jenny stokes

Address:

Workphone:

Homephone:

Email:

com

Occupation: home-educator/janitor

Employer: oceana

Why do you think you are qualified to be a committee member? I have been participating in the pursuit of the truth about the effects of pouring mill sludge off our shore since 2005. I worked with Roger Hart as he created the excellent testing plan which will guide this effort. I am dedicated to getting strong clear data which will also be vital during the state's permit process this year.

Educational Background: I studied zoology and nursing in college. I earned my CNA, but had to stop short of my RN by one semester. I completed the organic chemistry at the second level, as well as anatomy and physiology II, so I have an understanding of the impact of various compounds on biological systems.

Have you ever served on a community committee? If so what kind? I was not chosen for the Georgia-Pacific task force committee, but I attended many meetings, and was present at times when there were only 3 other people. I am also interested in Newport's leaky sewerage system, so I participated in the Blue water task force for a period of time.

Do you agree with consensus decision making? I do.

Are you willing to attend regularly scheduled meetings for your terms of office? Absolutely.

Would you make decisions based on the facts and standards even though you may not agree with the ultimate decision? I believe in the testing program approved by the GP task force, and I am glad to be guided by that.

Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships? I am sincerely interested in knowing the specific effects of what we are doing/allowing with this pipe-line. No other concern can divert my attention from the goals of this process.

List all other pertinent information/background for this position: I intend to communicate with Roger Hart as his health allows. I regret that he won't fully participate, but I hope to tap into his knowledge for the sake of the good understanding he has.

Subject: Committee Application

Application for City Council - Email Application

Date: 8/10/2010

Commission/Committee of Interest: The Technical Advisory Task Force

Name: Ken Brown

Address:

Workphone:

Homephone:

Email:

Occupation: Manager/Co-Owner

Employer: Alan Brown Tire Center

Why do you think you are qualified to be a committee member? I am a long time resident and local Business owner who uses the area for recreational purposes, and hope that I can bring my local understanding of the area to help.

Educational Background: Newport High school class of 1984 Lane community college 1985

Have you ever served on a community committee? If so what kind? No

Do you agree with consensus decision making? Yes

Are you willing to attend regularly schedule meetings for your terms of office? Yes

Would you make decisions based on the facts and standards even though you may not agree with the ultimte decision? Yes

Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships? I do not for-see any, but with having lived and done business with 75% of the local population it is always a possibility.

List all other pertinent information/background for this position: Avid outdoorsman and local sailor who uses the waters in our area.

Subject: Committee Application

Application for City Council - Email Application

Date: 9/20/2010

Commission/Committee of Interest: GP Monitoring Task Force

Name: Claire Howard

Address:

Workphone:

Homephone:

Email:

Occupation: ecologist

Employer: ODFW

Why do you think you are qualified to be a committee member? I have much experience in field toxicology, sampling, ecosystem effects, bioaccumulation and biomagnification; i have much experience with negotiating ecological issues that run between corporate and community interests; I am young and I think a younger voice on the committee is important in regards to stakeholders

Educational Background: BS Wildlife Ecology/Conservation Biology (with 5 years experience on a methylmercury field sampling project with the BioDiversity Research Institute in Falmouth, ME); MS Earth Systems Science/Environmental Advocacy

Have you ever served on a community committee? If so what kind? Oh yes, many. I served on a transportation task force in Portland, ME and also worked closely with the city council there.

Do you agree with consensus decision making? Yes and have much experience with consensus decision making.

Are you willing to attend regularly schedule meetings for your terms of office? Yes

Would you make decisions based on the facts and standards even though you may not agree with the ultimte decision? Yes

Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships? No

List all other pertinent information/background for this position:

Subject: Committee Application

Application for City Council - Email Application

Date: August 9, 2010

Commission/Committee of Interest: Georgia Pacific Task Force - Water Monitoring

Name: Frank De Filippis

Address:

Workphone:

Homephone:

Email:

Occupation: Program / Project Management

Employer: Kaiser Permanente

Why do you think you are qualified to be a committee member? Im uncertain what would qualify to serve as a volunteer on the water quality task force to monitor the Georgia Pacific discharge. There are experiences throughout my personal and professional career that would be beneficial.

Current position: Program / Project Management for a major national health care provider with over 7 million members managing complex technology implementations that are care delivery, patient facing or business initiatives. Stakeholders rang from non technology Doctors, Healthcare Providers, to technical resources internal, external and international. Past positions are at IT Management supporting local government where interfacing elected and law enforcement officials was the primary responsibility to define and implement system / tools needed for sucess .

How does this help or qualify being on the committee?

The experiences above and other points of interests below demonstrate, I get along with people, I understand what is being asked, and I follow requirements.

A) I participate in the Blue Water Task Force collecting water samples at the Nye Beach collection points Blue Water Task Force (BWTF): BWTF is Surfrider's most visible and successful program to date. It provides citizens with the opportunity for hands-on involvement with environmental problem solving efforts. Water samples are gathered and analyzed on a regular basis to determine pollution patterns in the near shore environment. The data is used to bring polluters into compliance, develop programs that can influence national legislation and enforcement and develop solutions to pollution problems. Involvement: Collecting coastal water samples on a regular basis, then analyzing them with the appropriate testing method used by the chapter. All the materials and training are supplied by the chapter.

B) Certified OSHA / EPA Hazmat Supervisor. (Certification not current, this is not a requirement of current employment) Duties: Develop work plans of process, procedure and control documents for EPA / OSHA approval prior to initiating work activities in area with hazardous materials present. Establish baseline measurements via air and swab sampling monitor during and post activities and record variances in accordance to work plan. Instruct and supervise work staff on methodologies to keep themselves and work area in a safe environment and not to exceed hazmat containment thresholds.

Educational Background: General Education Electronic Engineering Information Technology
Project / Program Management

Have you ever served on a community committee? If so what kind? Yes. Board member of a 500
resident homeowner association

Do you agree with consensus decision making? Yes

Are you willing to attend regularly schedule meetings for your terms of office? Yes, however
scheduling needs to be fairly consistent to allow coordination out of office time.

Would you make decisions based on the facts and standards even though you may not agree with
the ultimate decision? Yes, decisions should be a reflection of all key stakeholders, (subject
matter expert, state and local governing regulation and community).

Do you anticipate having many conflicts of interest that may disqualify you in making
decisions, due to personal and/or business relationships? No. My interest in this effort is
community based. I work in the technology field for a health care provider where community
giving and volunteering is a key goal for the entire organization. Also I have a wife and
family where we utilize the resources within the community.

List all other pertinent information/background for this position:

Date: 9-2-10

**Application
For
City Council Commission/Committee
Appointment**

List Commission/Committee of interest:

Name: Jim Fuller

Address: _____

Telephone Number: Work: _____ Home: _____

Occupation: Retired

Employer: _____

(1) Why do you think you are qualified to be a Committee member?

40 yr career in Consulting Engineering
30 w/ CH2M
10 self employed
Many municipal & industrial clients including
Newport & G-P Toledo (Their water supply & effluent
systems including the outfalls)

(2) State your educational background.

BS in Forest Engineering from OSU

(3) Have you ever served on a community committee? If so, what kind?

Water Treatment Advisory Task Force '07-'09

(4) Do you agree with consensus decision making?

Yes

(5) Are you willing to attend regularly scheduled meetings for your term of office?

yes

(6) Would you make decisions based on the facts and standards even though you may not agree with the ultimate decision?

yes if actually

(7) Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships?

No

(8) List all other pertinent information/background for this position.

*Periodic involvement with Newport 6-P
outfall projects since 1964.*

*An interest in seeing that public monies
are spent beneficially.*

Thank you in advance for your community spirit in offering to serve! Please return to

City of Newport
City Manager's Office
169 S.W. Coast Highway
Newport, OR 97365
or Send for E-mail

Sample Letter
SENT TO INTERESTED
Applicants⁹

June 17, 2010

Dear :

As you may know, the City of Newport and Georgia Pacific Toledo, LLC (GP) entered into an Agreement on April 5, 2010, which allowed GP to operate and maintain pipelines within City rights-of-way. Under the agreement, GP will pay the City an annual payment for the term of the Agreement (7 years). GP has paid the City for years 2008, 2009 and 2010 (a total of \$170,000).

In early 2009, the City established a "GP Task Force" to work with the City and GP in reaching this agreement. During the course of their work, the GP Task Force recommended that the City use fees paid by GP for the testing of ocean waters, habitat, beaches and animals near the GP outfall. The GP Task Force developed a "Framework to develop an Effluent Monitoring Plan", dated May 24, 2009, to use as a guideline for such testing.

In May, 2010, the City Council created a Technical Advisory Task Force to advise and work with the City on activities relating to the ocean testing recommended by the GP Task Force. The Technical Advisory Task Force will have 5-7 members and be effective from the date of appointment until January 2012 (or later, if necessary).

The City anticipates implementing the ocean testing through a solicitation of proposals process. It anticipates that the Technical Advisory Task Force will be actively involved in assisting the City in activities relating to the preparation of grant guidelines, grant solicitations, proposal review and award recommendations, and the monitoring of work performed under grant awards.

At this time the City Council is actively soliciting names to consider for appointment to the Technical Advisory Task Force. It was suggested that you may be interested in serving on the Task Force. If you are interested, please complete the application provided on the City's website at www.newportoregon.gov, click on "City Government" and then "Committee" tabs.

It is important to note that individuals who may be interested, or whose employer may be interested in submitting proposals related to performing the ocean testing activities described, should not seek appointment to the Task Force.

A copy of Resolution No. 3504 – “A Resolution Creating a Technical Advisory Task Force” is attached. This will provide you with more information regarding the activities of the Task Force. A copy of the “Framework to Develop an Effluent Monitoring Plan” has been posted to the City website at: www.newportoregon.gov, click on “Departments”, then “City Attorney”. It is the first item listed on the page as “GP Monitoring Plan”.

Thank you for your interest in this project! We appreciate your willingness to work with the City on this important and exciting endeavor. If you have any questions regarding this matter, please contact Penelope McCarthy, City Attorney at 541.574.0607.

Kind Regards,

William D. Bain
Mayor, City of Newport

Encl: Resolution No. 3504 -- Resolution Creating a Technical Advisory Task Force

CITY OF NEWPORT

Resolution No. 3504

A Resolution Creating a Technical Advisory Task Force

Findings:

1. On March 15, 2010, the City Council adopted Resolution No. 3497, which approved an agreement allowing Georgia-Pacific Toledo, LLC (GP) to operate and maintain North and South pipelines within public right-of-ways (GP Agreement). The Agreement was signed by the parties and effective on April 5, 2010. Provisions in the GP Agreement provided for annual payments by GP for use of the public rights-of-way.
2. On April 19, 2010, the City Council adopted Resolution No. 3502, which directed that the fees paid by GP under the GP Agreement for years 2008, 2009 and 2010, totaling \$170,000 be used for the testing of ocean waters, habitat, beaches and animals near the GP outfall. Further, the Council directed that a Technical Advisory Task Force be established for the purpose of soliciting grant proposals for the testing of ocean waters, habitat, beaches and animals near the GP outfall. Resolution No. 3502 also directed that the award of grants be recommended by the Technical Advisory Task Force and approved by the Council.
3. Finally, Resolution No. 3502 stated that the City Council intended that the "Framework to Develop an Effluent Monitory Plan" developed by the Georgia Pacific task Force, dated May 24, 2009, be used as a resource in the review of grant proposals.

Based on these Findings,

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

Section 1. A Technical Advisory Task Force is hereby created which shall consist of no less than five (5) and no more than seven (7) members, approved by the City Council and appointed by the Mayor.

Section 2. The Technical Advisory Task Force will meet as necessary and be tasked with the following:

- a) Assist the City in drafting grant guidelines and process for the purpose of soliciting proposals for the testing of ocean waters, habitat, beaches and animals near the GP outfall;
- b) Review, evaluate and make recommendations to the City Council regarding grant awards;
- c) Monitor work performed under grant awards;

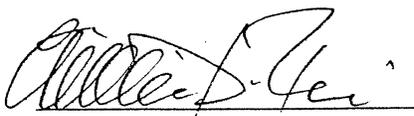
- d) Evaluate the process established under this Section 2 for future purposes; and,
- e) Perform such other tasks related to the subject matter herein as may be requested by the City Council.

Section 3. The Technical Advisory Task Force shall be in effect from the date all such task members are appointed by the Mayor and until January, 2012 or such other date as may be established by the City Council. The Technical Advisory Task Force shall be supported by City staff.

Section 4. The City Council directs the Technical Advisory Task Force to use the "Framework to Develop an Effluent Monitoring Plan" developed by the Georgia Pacific Task Force, dated May 24, 2009, as a resource in the activities described in this resolution.

Section 5. This Resolution is effective upon adoption.

Passed by the Newport City Council on 5/3, 2010.



Mayor

Attest:



City Recorder



MAYORAL PROCLAMATION OREGON DAYS OF CULTURE

Whereas, culture draws us together in common purpose, understanding and celebration; and

Whereas, Oregon's 1,300 arts, heritage and humanities nonprofits - museums, libraries, theaters, historical societies, arts centers and heritage sites - are the heart of our communities; and

Whereas, the Oregon Culture Trust presents Oregon Days of Culture, October 1 – 8, during National Arts and Humanities month, to encourage Oregonians to Celebrate! Participate! and Give! to Oregon culture; and

Whereas, October 8, 2010, marks the eighth anniversary of Oregon's innovative cultural tax credit, encouraging new public and private investment in Oregon culture; and

Whereas, the Oregon Cultural Trust is smart public policy, like vote-by-mail, the bottle and beach bills, that makes Oregon a proud thought-leader nationwide; and

Whereas, supporting culture, by giving to cultural nonprofits and to the Oregon Cultural Trust, is vital to preserving the past, sustaining the present and creating the future;

NOW, Therefore, I, William D. Bain, Mayor of the City of Newport, proclaim **October 1 – 8, 2010** to be

Oregon Days of Culture

in the City of Newport, Oregon, and call upon all Oregonians, especially during that eight-day week, to participate in Oregon culture, to celebrate its vibrancy and depth, and to give to the arts, heritage and humanities to ensure their future vitality.

William D. Bain, Mayor

September 20, 2010
5:00 P.M.
Newport, Oregon

CITY COUNCIL WORK SESSION

Councilors present: Bain, Brusselback, Obteshka, Patrick, McConnell, and Bertuleit. Kilbride was excused.

Staff present: Voetberg, Hawker, McCarthy, Tokos, Ritzman, Marshall, Cossey, and Miranda.

Council discussed the following:

1. Council interviewed the following individuals for potential appointment to the Technical Advisory Task Force:
 - Dr. Anne Sigleo;
 - Shandy Voyles;
 - Dr. Peter Lawson;
 - Roger Hart;
 - Joe Hayward.
2. A discussion ensued regarding on-street parking on Elizabeth and Olive Streets. It was concluded that this discussion be held after Obteshka has an opportunity to talk with John Clark. Voetberg reported that the written manager's report contains information regarding parking on these streets. He noted that it was a recommendation of a prior Public Works Director, and that there is currently no traffic hazard, and no reason not to have parking there. Brusselback noted that it could be a viewshed issue. Bertuleit suggested a time limit for parking in this area could be a solution.

Having no further business, the meeting adjourned at 5:56 P.M.

September 20, 2010
6:00 P.M.
Newport, Oregon

The City Council of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Bain, McConnell, Bertuleit, Patrick, Brusselback, and Obteshka were present. Kilbride was excused

Staff present was City Manager Voetberg, City Recorder Hawker, City Attorney McCarthy, Community Development Director Tokos, Library Director Smith, Finance Director Marshall, Public Works Director Ritzman, Airport Director Cossey, and Police Chief Miranda.

CONSENT CALENDAR

The consent calendar consisted of the following items:

A. Minutes of September 7, 2010 City Council work session, executive session, and regular meeting;

B. Fire and Police Department monthly reports for August 2010;

C. Report of accounts paid for August 2010.

McConnell asked about the award of funds for RSVP grant. Is it called an event start-up. Voetberg - start-up is budget line item.

MOTION was made by McConnell, seconded by Brusselback, to approve the consent calendar as presented. The motion carried unanimously in a voice vote.

COUNCILOR REPORTS AND COMMENTS

Obteshka reported on a recent meeting of the Library Board. He noted that the election of officers was deferred to November. He added that the Library Board would like to establish five year terms for its members.

Obteshka reported that Voetberg would report on after-hour use of the Senior Center later this evening.

Obteshka reported that the recent Wild Seafood Weekend was very successful and educational.

Obteshka noted that the rain garden at City Hall was mentioned in the News-Times, and is a part of the sustainability effort.

Brusselback will talk about the pool bond measure later this evening.

McConnell reported that he had a great trip; saw lots of other towns; and got some great ideas for the future.

Patrick reported that the URA open house at OCCC was successful, and it appears that all concerns have been addressed.

Patrick reported that Dr. Boehlert invited folks to the HMSC to meet with a group of OSU doctors on how they are perceived in the community, and how they can help the city. She noted that the session was well attended and there was good feedback.

Patrick reported that a joint meeting with the Airline Sustainability Task Force, City

Council, and Destination Newport Committee was held, and that there were good comments regarding marketing of the air service.

Patrick reported on a recent meeting of the City Center Newport Association. Issues discussed include the formation of a parking district, and the revitalization of the area. She noted that a fee reduction was mentioned as a possible idea to stimulate growth in the area.

Patrick reported that she had attended the airport barbecue on Saturday, and that a number of people flew in for various amounts of time and activities.

Patrick reported that the Jellyfish Jubilee is this Saturday, and it is important and warrants support.

Bertuleit reported that he recently flew SeaPort, on both the Caravan and Pilatus. He noted that it is a good service.

Bertuleit reported that he had watched a Newport Beach, California City Council meeting while he was out of town.

Bertuleit reported that there was a good turnout for the recent half-marathon. He added that a number of participants came from out of the area.

Bain reported that he attended a recent meeting of the Air Service Consortium which was followed by a joint meeting of the City Council, Airline Service Sustainability Task Force, and the Destination Newport Committee. He noted that a local marketing program was discussed at the joint meeting. He added that it was the consensus of the group that the City of Newport and the Port of Astoria be authorized to use \$40,000, each, from ConnectOregon II grant funds for a fly local campaign in each community. He added that the campaign would not be geared toward a specific airline.

Voetberg distributed a staff report on this subject.

Cossey discussed the joint meeting that occurred last Friday. He noted that McCarthy had received approval from ODOT to use ConnectOregon II grant monies for a local air service marketing campaign. He added that Newport would use these funds to put together a localized, grass-roots "Fly Newport" campaign. He stated that the campaign should result in putting more people in the airline seats and extending the life of the grant and subsidy. Patrick reported that one of the concerns of the ASTF was the amount of money spent marketing in the catchment area. She noted that this is an issue because the local marketing group should not be duplicating SeaPort's marketing in the area. Cossey stated that he will make sure the group does not duplicate any of SeaPort's efforts, and that money is spent as efficiently as possible to stretch it out as long as possible. Cossey noted that he will coordinate the marketing effort, and that a lot of folks have volunteered to help. Cossey reported that he will develop a strategy for ConnectOregon II and provide it to the City Council. McConnell noted that one issue is the connection with travelers within the catchment basin, and reaching the travelers who are flying but not using SeaPort. Bertuleit stated that he did not see any survey cards when he flew SeaPort. McConnell noted that SeaPort's most recent survey card data has not been updated for some time.

MOTION was made by Patrick, seconded by McConnell, to approve the use of \$80,000 of ConnectOregon II grant funds for a "Fly Newport" and a "Fly Astoria" advertising campaign, to be split equally between Newport and Astoria, and direct staff to implement a "Fly Newport" advertising campaign. Cossey will organize the campaign as an airport administration function. The motion carried unanimously in a voice vote.

OFFICER'S REPORTS

City Manager's Report. Voetberg reported that the 2011 LOC legislative list is included in the packet along with Council's top four priorities.

Voetberg reported that the COG newsletter is also in the packet.

Voetberg reported that information on the annual Oregon Main Street Conference is in the packet.

Voetberg reported that information regarding parking at Elizabeth and Olive Streets is included in the packet and will be discussed after input is received from John Clark.

Voetberg reported that the packet contained the financial report for the month ending August 31, 2010. He added that revenues will be included in the next monthly report. He noted that the city is doing pretty well on expenses.

Obtshka asked whether there is a schedule for cleaning all storm drains. Voetberg noted that they may not all be cleaned, but all the storm drains in Nye Beach will be cleaned.

Brusselback asked about the budget to actual numbers for the airport, since it is approximately eight percent higher. Voetberg noted that this is indicative of greater fuel purchases due to higher fuel sales.

Voetberg reported that the Senior Center Advisory Board had discussed fees. He noted that currently, the center is not charging for after-hours use, and no one is staffing after-hour uses at this time. He will meet with Robert Smith to discuss the matter.

Bain reported that the Council had interviewed five of eleven applicants for the Technical Task Force for the ocean monitoring program. The other applicants will be interviewed at the next work session. The Task Force will be charged with establishing criteria and a process for issuing an RFP or contract for monitoring.

Bain reported that there are two vacancies on the Parks and Recreation Advisory Committee. He requested a press release be issued.

Bertuleit requested an increase of two members to the Bicycle/Pedestrian Committee to facilitate the ability to achieve a quorum.

City Attorney's Report. McCarthy reported that a revision to the local contracting rules would be presented to Council soon.

McCarthy distributed a quick reference on restrictions on political campaigning for public employees. She cautioned against staff engagement when discussing the pool bond measure.

McCarthy reported that URA Resolution 2010-4 must be amended by noon tomorrow.

DISCUSSION ITEMS AND PRESENTATIONS

Presentation by Library Director, Ted Smith. Smith presented a synopsis of the past year at the Library. He distributed a handout containing statistics, and reviewed the many services and programs provided by the Library.

Presentation by Mead/Hunt on airport sustainability. Mike Boggs and Alex Vrtiska, from Mead and Hunt presented an overview of the recent passenger demand analysis overview. They concluded that the catchment area can support airline service under

certain conditions. Patrick asked that a copy of the presentation be e-mailed to the Airline Sustainability Task Force.

Discussion on room tax and business license ordinance amendments. Patrick reported that she has a potential and possible actual conflict of interest in this matter. She suggested that Council consider creating a task force to examine this issue. Obteshka reported that the lodging association has concerns with this issue. McCarthy noted that this information was prepared for discussion only, and is not in finished form. Bain disagreed with the formation of a task force, noting that knowledgeable people have had input in the matter. Bain asked for comments.

McCarthy reported that it became apparent that both the room tax and business license codes needed to be updated. She noted that she discussed the issues with a group of property managers, and concluded that the discussions should occur as a part of a public meeting. She mentioned that staff reviewed and suggested revisions to the codes. She noted that the Planning Commission determined that they wanted to look at vacation rentals, and it is all tied together. She suggested a City Council work session to discuss the matter.

Patrick asked whether the meetings with the working group fell under the requirements of the public meetings law. McCarthy noted that the concern was that staff was meeting with a specific group about codes that affect everyone without allowing others to weigh in. She added that it was never the intent to work with this group on an ongoing basis for months. Patrick reiterated that she thinks that a committee or task force should be formed with interested parties. McConnell noted that the scope has changed, and that it started with issues on room tax and has grown into a much larger issue. Bain noted that this is not a final cut, but it begins to identify problem areas. He suggested a special work session to deal with the matter.

Lee Hardy stated that she thinks it is great to start with a City Council work session. She noted that the business license ordinance was not enforced until 2008. She added that it is more effective to break the ordinances into components. She noted that enforceability is a big issue, as is the registration of all vacation rentals. She stated that public education is as effective as code enforcement.

Tracy Wiley, representing the Greater Newport Restaurant and Lodging Association, stated that this group's primary concern is that the city is not recognizing the revenues it should be receiving. He noted that the business license code and room tax code are two different issues.

A work session to discuss these issues will be scheduled for October 11, 2010, at 4:00 P.M.

Council took a seven minute break until 8:25 P.M.

Discussion of upcoming pool bond measure. Brusselback reported that he is becoming increasingly anxious about the pool bond measure because election day is drawing near and it does not seem like a lot is happening. He noted that on March 15, 2010, Council adopted Resolution No. 3496, giving direction on the replacement of the existing swimming pool. He noted that, at that time, Council became the official advocates of this idea. He asked for a dialogue and feedback on what Council thinks it can do to advocate, individually or collectively, for the pool. He reported that a political

action committee (PAC) was established, and that Stephanie Simpson was here to report on its activities, but had to leave. He noted that he had spoken to her and she stated that she has yard signs ready to go. He noted that benefits of the measure passing include a modern pool that may last as long as the existing pool; a new dynamic to the recreation center; the city will receive more than four acres of South Beach property that will be valuable in the future; and construction costs are reasonable now. He added that if the measure fails, the city will have a declining pool without a replacement plan; no donated land in South Beach; and the measure may need to be placed on an upcoming ballot with potential election costs between \$6,000 - \$7,000. Bain asked how Council, as individuals or as a group, could be most helpful to the PAC. It was noted that the PAC needs talking points, and it would be helpful to have something to give to people regarding the measure. Brusselback noted that the community needs to be canvassed to get the word out as fast as possible.

Dave Morgan reported that there is a website - www.yesnewportpool.com. He added that a flyer, signs, and video are being prepared.

Brusselback reported that 150 signs are ready now. Patrick suggested presentations before Rotary, the Chamber of Commerce, and other civic organizations. McConnell suggested that it would be helpful to know when the PAC meets. Dave Morgan stated that the next meeting of the PAC will be September 29, 2010, at 4:00 P.M. McCarthy suggested a question and answer brochure that could be included in the water bills, and possibly on the city's website.

MOTION was made by McConnell, seconded by Brusselback, to include an insert in the water bills, and on the city website, regarding the pool measure. The motion carried unanimously in a voice vote.

Obtreshka suggested including a flyer in the chamber newsletter that could be funded by the PAC. It was noted that another public information opportunity is a public service announcement.

ACTION ITEMS

Resolution No. 3525 amending the water schedule to incorporate a no shut-off for convenience policy. Voetberg explained that this issue was before Council at the last meeting, and that this resolution would not allow vacation shut-offs to avoid paying a water/sewer bill. He added that it takes staff time to turn the service off and on, and this will be a time saver for employees. He noted that the idea had come from the Public Works staff as a cost-saving measure for the city. He noted that the second reason is that the majority of the water/sewer costs are fixed, and that this change would more fairly distribute the system fixed costs to all customers. He stated that this resolution contains a voluntary SOS plan. Obtreshka reviewed shut-off policies from other communities. MOTION was made by Obtreshka, seconded by Brusselback, to adopt Resolution No. 3525, a resolution setting rates for water utility charges, fees, deposits, and penalties, and repealing Resolution Nos. 3516 and 3520 with the provision that minor typos be corrected. Brusselback asked whether unused buildings begin getting water bills. Voetberg reported that the Finance and Public Works Departments will talk with the owners to arrive at equitable charges. The motion carried in a voice vote with Bertuleit voting no.

Resolution No. 3526 appointment of an Advisory Committee for the Nye Beach Commercial Parking District. Tokos reported that the issue before Council is the consideration of a resolution appointing Kathy Cleary, Wendy Engler, Doug Fitts, Jody George, and Linda Neigebauer as the Advisory Committee for the Nye Beach Commercial Parking District, and repealing Resolution No. 3501 which appointed the Nye Beach Merchants Association in this capacity. McConnell asked about the process for the group to spend money. Tokos noted that the committee will identify project priorities and how money should be spent, but the city will be the implementing arm. Obteshka asked whether the city would enter into leases for parking spaces. McCarthy noted that when Ordinance No. 1993 was adopted, it was anticipated that the Nye Beach Merchants Association would be entering into leases, etc. Brusselback suggested that the Advisory Committee could talk with staff regarding these issues. Obteshka stated that he is looking at the city as a partner in this process. Linda Neigebauer reviewed the history of the parking district. She asked that the city reconsider its position on entering into agreements on improvements with private parties. McCarthy noted that an advisory committee is a different situation, and it is reasonable to expect that the city will enter into relationships with private parties. Tokos noted that this will require an amendment to the ordinance, and the ordinance can come to Council after the Advisory Committee is appointed. Obteshka asked whether additional members can be appointed if necessary. Bertuleit suggested the resolution include language regarding the number of committee members, rather than individual names.

Eileen Obteshka asked for clarification of the process. She noted that she believed the city would be a partner with the parking district, and now she feels like the city wants to change the options for Nye Beach. A discussion ensued regarding available funding. McConnell asked how money is budgeted to address problems. Tokos reported that there are budgeted monies that parking districts could use, and there is approximately \$50,000 set aside for parking districts to use during this budget year, but that it is incumbent to get specific projects that would leverage those funds for.

David Allen, attorney representing the Nye Beach Merchants Association, thanked Council for considering removal of the private exemption. McCarthy stated that when she and Tokos developed Ordinance No. 1993, they contemplated the Nye Beach Merchants Association as the Advisory Committee. She noted that No. 7 in the findings indicates that applications had been received from five people, which is a reasonable number to serve on the Advisory Committee. She added that if a vacancy occurs, the vacancy would be filled according to the city's committee policy. MOTION was made by McConnell, seconded by Brusselback, to adopt Resolution No. 3526, as with the amendment to Section 7, appointing Kathy Cleary, Wendy Engler, Doug Fitts, Jody George, and Linda Neigebauer as the Advisory Committee for the Nye Beach Commercial Parking District, and repealing Resolution No. 3501. The motion carried unanimously in a voice vote. MOTION was made by McConnell, seconded by Brusselback, to direct staff to come to Council in the near future with a revision to Ordinance No. 1993 adding an advisory committee that is part of the city government, rather than an association operating the parking district. The motion carried unanimously in a voice vote.

Consideration of spending room tax marketing funds for outdoor billboard advertising. Voetberg distributed a revised agenda statement and motion, and reported that the issue before Council is consideration of spending \$15,000 from room tax marketing funds for design and placement of outdoor billboard advertising along Highway 18 near Grand Ronde. He added that the DNC recommended that Council fund up to \$15,000 for advertising in the manner at this location. MOTION was made by Patrick, seconded by McConnell, to authorize the expenditure of \$15,000 of room tax advertising and marketing funds for the design and placement of outdoor advertising with Meadow Outdoor Advertising near Grand Ronde. The motion carried unanimously in a voice vote. McConnell noted that the DNC is working really hard at being as cost effective as possible and is doing a great job.

Request for Council approval to apply for a Lincoln County Economic Development Fund grant for recreational improvements in the Agate Beach area. Tokos reported that the issue before Council is consideration of support for the Community Development Department to prepare an application for a Lincoln County Economic Development Fund grant in the amount of \$10,000 to help offset costs to plan for and design a recreational trail connecting the ODOT parking lot south of the Highway 101 intersection at NW Agate Way with beach access points to the west. He noted that this is a partnership between city and county. The design will include a bathroom and outdoor shower facility, and the planning work will establish a secondary means of vehicle access into and out of the neighborhood along NW Gilbert Way or NW Circle Way. The city will contribute \$10,000 of matching funds should the grant be awarded. Bain and McConnell reported that they have property in the area. Tokos noted that a discussion regarding how to pay for the improvements will need to occur during the upcoming budget cycle. MOTION was made by Patrick, seconded by McConnell, that staff be directed to prepare the grant application and authorize the Mayor to sign the document. The motion carried unanimously in a voice vote.

PUBLIC COMMENT

Bertuleit asked staff to investigate what ODOT is considering regarding parking on Highway 101 in the Deco District. He stated that it degrades the city center.

ADJOURNMENT

Having no further business, the meeting adjourned at 9:47 P.M.

Margaret M. Hawker, City Recorder

William D. Bain, Mayor

September 27, 2010
5:00 P.M.
Newport, Oregon

CITY COUNCIL WORK SESSION

Councilors present: Bain, Brusselback, Obteshka, Patrick, McConnell, and Kilbride. Bertuleit was excused.

Staff present: Voetberg, Hawker, McCarthy, and Tokos.

Council discussed the following:

1. Council met in a special work session to discuss the proposed recommendations from the Planning Commission, and revisions to the geologic hazards code.

Tokos reviewed his memo to Council containing replacement language for Section 2-4-7 of the zoning code relative to geologic hazards. He noted that there are two significant changes: one is the elimination of the requirement for a geologic reconnaissance form; and the other is the elimination of the requirement for low risk bluff and dune backed shoreline areas to adhere to Section 2-4-7.

Tokos recommended that the word "landward" be changed to "outside," in 13.05.030 of the Newport Municipal Code relative to land divisions. He also reviewed the issue of coloration of the DOGAMI maps. A discussion ensued and Tokos reported that the Planning Commission opted not to address this matter. He suggested consistency with the DOGAMI reports. Brusselback suggested a distinction, other than color, and asked how much a change would cost and whether it would be worthwhile. Tokos will report to Council, at a later date, on this request.

A discussion ensued regarding the request from Nyla Jebousek that slopes in excess of 12% be identified as known or potential geologic hazard areas. It was reported that the Planning Commission opted to remove this requirement because 12% was deemed arbitrary, and that reliance on DOGAMI maps was considered a better alternative.

The majority of Council agreed with the Planning Commission recommendation regarding 2-4-7.015.

It was noted that 2-4-7.020 contained changes recommended for consistency. It was reported that 2-4-7.020(L) is a general exemption.

Tokos reported that the requirement for a geologic reconnaissance form is removed from 2-4-7.025. McCarthy recommended using language consistent with franchise language in this section.

A discussion ensued regarding how exemptions are determined, and the term "suitable."

A discussion ensued regarding specific guidelines as referenced in 2-4-7.030. It was noted that the guidelines will be those in effect on the date the ordinance is adopted.

Tokos noted that 2-4-7.035(A)(1) is informational only and not a requirement. He added that (A)(2) is not optional and a legitimate issue.

Tokos reported that the provisions of 2-4-7.040 are required under state law and the city's comprehensive plan, but not placed in the zoning code. These concerns will be addressed as a part of site specific evaluations.

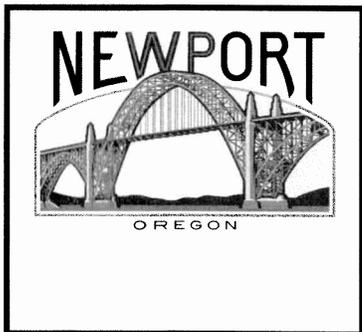
Tokos reported that the geologic reconnaissance form reference has been removed from 2-4-7.045. A discussion ensued regarding stormwater management. It was noted that the city is developing a stormwater management plan that should address drainage issues.

It was noted that the reference to the geologic reconnaissance form has been removed from 2-4-7.060.

A discussion ensued regarding final approval as referenced in 2-4-7.065, and non-conforming uses as described in 2-4-7.075. Council did not reach a conclusion regarding the optional language associated with 2-4-7.075.

It was noted that the next public hearing, before the City Council, on this matter will be held on October 18. Tokos reported that he will submit an ordinance at that meeting in the event Council wishes to take action at that time.

Having no further business, the meeting adjourned at 6:17 P.M.



Agenda Item #
Meeting Date

IV.B.
October 4, 2010

CITY COUNCIL AGENDA ITEM SUMMARY
City Of Newport, Oregon

Issue/Agenda Title OLCC Liquor License

Prepared By: Miranda Dept Head Approval: Chief Mark J. Miranda *MM* City Mgr Approval: *ZV*

Issue Before the Council:

Shall the City Council recommend approval of the liquor license application for the Full Circle Nye Gallery?

Staff Recommendation:

The Police Department recommends favorable action by the City Council.

Proposed Motion:

Consent Calendar item.

Key Facts and Information Summary:

The Full Circle Nye Gallery, 715 NW Beach Drive has made application to the Oregon Liquor Control Commission for an "Off Premises Sales" license as a new outlet. Such a license allows for the applicant to sell factory sealed containers of wine, malt beverages and cider. Containers of malt beverages sold under the license may not hold more than two and one-quarter gallons.

A background check of the applicant did not reveal any disqualifying information. The Full Circle Nye Gallery is located on the south side of NW Beach Drive, just west of NW Coast Avenue. It is in the Archway Place building. There have been no police calls at this address.



ORS 471.166 requires an applicant to obtain a recommendation from the local governing body in the city where the business is located. The City Council may make a “Favorable Recommendation” or an “Unfavorable Recommendation” to OLCC. The Commission will then decide if granting a license is appropriate.

Other Alternatives Considered:

None applicable

City Council Goals:

Public Safety

Attachment List:

OLCC Application

Fiscal Notes:

The City’s license application fee covers the investigation and processing time expended by Staff.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
 - Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

RECEIVED

SEP 8 - 2010

NEWPORT POLICE

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission: _____

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____ (signature) _____ (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: ag

Date: 9/7/10

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

- ① Stacey D. Lloyd ③ _____
- ② Bruce Johnson ④ _____

2. Trade Name (dba): Full Circle Nye

3. Business Location: 715 NW Beach Dr. Newport Lincoln OR 97365
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 715 NW Beach Dr. Newport OR 97365
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-265-8165
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: Betta's

9. Will you have a manager? Yes No Name: _____
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Lincoln
(name of city or county)

11. Contact person for this application: Stacey Lloyd 541-270-2877
(name) (phone number(s))
1230 NE Lakewood Dr Newport OR 541-265-3940 gdw1163@earthlink.net
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

- ① Stacey Lloyd Date 9/3/2010 ③ _____ Date _____
- ② _____ Date _____ ④ _____ Date _____



Jim Voetberg
 City Manager
 CITY OF NEWPORT
 169 S.W. Coast Hwy.
 Newport, OR 97365
j.voetberg@thecityofnewport.net

Manager's Report Meeting of October 4, 2010

Following is the Manager's Report for the City Council meeting of October 4, 2010:

Parking at Elizabeth and Olive (continued from last meeting): On May 17, 1993, the City Council adopted a resolution designating a no parking zone on the westerly side of West Olive Street, beginning 58 feet west from the intersection of NW Olive Street, and continuing for approximately 425 feet. Although no discussion occurred when the resolution was adopted, at the previous May 3, 1993 meeting, the minutes reflect comments by then Public Works Director Crisler who requested that the Council designate a no parking at this area because, "we completed a new off-street parking lot in the area, and cars parking along the street to view the ocean and new Davis Park cause hazardous conditions for traffic". Based on Crisler's recommendation, this area was designated as a no-parking zone.

It has been requested by Councilor Obteshka to remove the no parking zone at this area. Under the City's current code, the City Manager has the authority to make this determination, however, given the sensitivity of parking in this area, Council is requested to provide direction on whether they would like to allow parking or not. Neither Public Works Director Ritzman, or Police Chief Miranda have objections to removing the no parking zone for technical or safety reasons.

2009 Material Recovery Report: Attached for Council information is the 2009 Material Recovery Report for Lincoln County, prepared by the Western Region Hazardous and Solid Waste Permitting and Compliance department of DEQ.

Upcoming Holiday Schedule: As a reminder for the Council's calendars, upcoming holidays are as follows:

Thursday November 11th, Veteran's Day
 Thursday and Friday November 25th and 26th, Thanksgiving
 Friday December 24th, Christmas Eve

Friday December 31st, New Year's Eve

In addition to these holidays, it will be staff's goal to not hold the second Council meeting in December (December 20th).

Public Works project update: Attached for Council review is a Public Works project list and status report through the end of September 2010.

Land Use/Building Permit Activity Update: The City has received 57 applications for land use actions through the first three quarters of the calendar year, which is on par with 2009. We should wrap-up the year somewhere in the high 60's or low 70's, which is better than the 2008 number of 42 but short of the peak high of 100 applications received in 2007. The City has collected \$14,157.50 in land use fees.

Building permit traffic is up considerably over last year. Through three quarters, we have issued 86 permits with a total construction value of \$35,295,200. This is compared to 2009 where the City issued 101 building permits with a total construction value of \$7,509,650 (which was a 10 year low). Building permit fees collected to date total \$233,430.23.

Housing starts, while modest, are up over last year with 12 permits being issued so far this year. There were 5 permits pulled for new homes last year. Four (4) of the homes are in the Wilder Planned Development, which started its first phase this summer.

The bulk of construction this year is in government projects. The NOAA Marine Operations Center tops the list with a construction value of \$20,181,800. This is followed by the Port International Terminal project at \$5,993,400, and the new Aquarium Science Building on the OCCC Campus at \$2,549,000.

A building permit has not yet been issued for the City's new Water Treatment Plant. The construction value on that project should be in excess of \$10,000,000.

Purchase of South Beach Property: At its meeting of September 20, 2010, the Council adopted the motion, "to purchase the property with the intent that the property be used for open space in perpetuity, at the agreed upon price of \$225,000". Staff is currently preparing the necessary purchase agreement to secure the property, as well as preparing changes to the South Beach Urban Renewal Plan to identify these properties for open space purchases. Given the intent of the property is to be used for open space in perpetuity, staff will provide information to the Council at its October 18th work session regarding Lincoln Land Legacy's potential participation.

Suggestion/Concern/Complaint update: Attached for Council review is the Suggestion/Concern/Complaint update through the end of September 2010. The update covers citizen comments to staff, citizen comments brought to staff's attention by Councilors, and citizen comments voiced at Council meetings. As a reminder, closed items over 30 days old have been dropped off the list.



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Western Region Salem Office

750 Front Street NE, Suite 120

Salem, OR 97301-1039

(503) 378-8240

FAX (503) 373-7944

OTRS 1-800-735-2900

September 14, 2010

Mr. Mark Saelens
Lincoln County Solid Waste District
880 NE 7th Street
Newport, OR 97365

Dear Mr. Saelens:

On the back of this letter is the 2009 Material Recovery Report for your wasteshed. This report is derived from the 2009 Material Recovery Survey, which is required under ORS 459A.010. This statute also incorporates your wasteshed's recovery rate goals set for 2009. Your county should be proud of the efforts your recovery rate represents.

The Material Recovery Report includes your wasteshed's 2009 recovery rate, the amounts of materials disposed and recovered, per capita disposal, recovery and generation rates, amount of 2% credits your wasteshed has earned, and a chart comparing this year's results with previous survey years. The full 2009 Oregon Material Recovery and Waste Generation Rates Report will be available on the Internet at <http://www.deq.state.or.us/lq/sw/recovery/materialrecovery.htm> by September 15, 2010.

DEQ Solid Waste staff will be happy to work with your wasteshed to assist in improving data collection and waste reduction efforts. For assistance with your waste recovery and prevention efforts, please call Cathie Rhoades at (503) 378-5089. If you would like more information about data collection or the recovery survey, please call Mary Lou Perry at (503) 229-5731, or toll free in Oregon at (800) 452-4011 x5731.

Sincerely,

Brian Fuller, Manager
Western Region Hazardous and Solid Waste
Permitting and Compliance

Attachment: 2009 Recycling Collector Data Summary – Lincoln

CC: City Managers of Lincoln City, Newport
Garbage Collection Companies, Lincoln



2009 DEQ MATERIAL RECOVERY REPORT LINCOLN COUNTY

CALCULATED RECOVERY RATE: 29.4%

2% CREDITS: 2.0%

TOTAL RECOVERY RATE: 31.4%

GOAL (2009): 20%

In 2009, LINCOLN COUNTY disposed of 40,801 tons of waste and recovered 17,010 tons of waste.

Year	1996	1999	2000	2003	2004	2006	2007	2008	2009
Calculated	15.6%	19.5%	23.2%	28.0%	29.1%	26.3%	27.6%	30.8%	29.4%
Credits*	-	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	0.0%	2.0%
Total	15.6%	21.5%	25.2%	30.0%	31.1%	28.3%	29.6%	30.8%	31.4%

* Credits were not available prior to 1997

PER CAPITA WASTE DISPOSAL FOR WASTESHED (Pounds per Person):

The average per capita waste *disposed in Oregon* during 2009 was 1,351 pounds. LINCOLN COUNTY's per capita waste disposal was 1,826 pounds. As shown in the following table, per-capita waste disposal in LINCOLN COUNTY has decreased 6% since 2004 (5-year change) and decreased 1% since 1999 (10-year change).

PER CAPITA WASTE RECOVERY FOR WASTESHED (Pounds per Person):

The average per capita waste *recovered in Oregon* during 2009 was 1,092 pounds. LINCOLN COUNTY's per capita waste recovery was 761 pounds. As shown in the following table, per-capita waste recovery in LINCOLN COUNTY has decreased 5% since 2004 (5-year change) and increased 71% since 1999 (10-year change).

PER CAPITA WASTE GENERATION FOR WASTESHED (Pounds per Person):

Waste generation is the sum of disposal and recovery. It is a rough measure of the total discards in a wasteshed. In 2001, the Oregon Legislature established waste generation goals for the State. These goals are: a) no increase in per capita waste generation in 2005 and all subsequent years, and b) no increase in total waste generation in 2009 and subsequent years.

The average per capita waste *generation in Oregon* during 2009 was 2,444 pounds. LINCOLN COUNTY's per capita waste generation was 2,587 pounds. As shown in the following table, per-capita waste generation in LINCOLN COUNTY has decreased 6% since 2004 (5-year change) and increased 13% since 1999 (10-year change).

	1996	1999	2000	2003	2004	2006	2007	2008	2009
PER-CAPITA DISPOSED*	1,908	1,842	1,812	1,802	1,949	2,270	2,356	2,141	1,826
PER-CAPITA RECOVERED*	352	445	547	702	801	810	898	955	761
PER-CAPITA GENERATED*	2,259	2,287	2,359	2,505	2,750	3,080	3,254	3,097	2,587

*Pounds per person per year.

REGIONAL TECHNICAL ASSISTANCE CONTACT:

Contact Cathie Rhoades at (503) 378-5089 for assistance in identifying ways to help reduce waste generation and disposal through waste prevention, reuse, recycling, and composting.

SURVEY COORDINATOR:

Contact Mary Lou Perry in Portland at (503) 229-5731, or toll free in Oregon at 1-800-452-4011, for more information on the survey.

NOTE: DEQ routinely updates recovery rates for prior years as we receive new information. These are the current corrected figures for all years.

Department of Public Works
Projects: Estimated Costs and Comments 9/29/2010

Project	Estimated Cost	Description	Status/Comments
Naterlin Drive Sidewalk/Bike Way	\$534,000.00	State Grant/Room Tax - design/construct a handicapped accessible sidewalk along Naterlin Dr. With limited space and steep grade. Create switchbacks for wheelchair route. Include bike lane in uphill direction.	Approved 50% design plans; working on 100% design plans. Negotiating easement from US Coast Guard.
Ash Street Improvements	\$500,000.00	Urban Renewal - Build street, bike lanes, and sidewalk in SE Ash Street right of way from PUD entrance to SE 40th St. Acquire additional right of way.	Working on 100% design plans. Comments have been sent to DEA.
Marine Science Drive and Multi-use Path Improvements	\$3,200,000.00	Urban Renewal/TOF Grant - realign intersections; round-a-bout; shared bike/ped pathway system; sidewalk connections; drainage swales from Yaquina Bay Bridge to end of Marine Science Drive.	Finalizing plans. Awaiting estimate from PUD re: utilities undergrounding.
Abbey St Parking Lot/Retaining Wall	\$250,000.00	Payment in lieu of Parking fund/Room Tax - optimize parking spaces in Abbey Street Parking Lot by squaring up west side of lot; construct retaining wall as needed.	Determined layout for parking lot. Working on estimating costs.
Agate Beach Water Tank and Pipeline	\$1,672,492.00	Water bond - construct one million gallon water tank east of NE 71st St.; construct 12-inch pipeline from NE 70th St to new tank. This project improves water pressure and fire flow in North Agate Beach area.	Waiting for geotech report.
South Beach Water Line and Sewer Line	\$530,000.00	Urban Renewal - 12-inch water line along east side of Hwy 101 from SE 40th to SE 50th; parallel sewer line along part of route; water line undercrossing Hwy 101 near SE 62nd St. Replaces old Seal Rock Water District line and provides a loop in water distribution system.	Had to re-route due to developer concerns. Meeting with property owners to acquire easements; currently in design phase, construction scheduled for late summer, 2011.
Water Treatment Plant	\$14,000,000.00	Water Bond - New water treatment plant with state-of-the-art membrane filtration and rebuild intake pump station. Project provides adequate capacity for the next 20-plus years; better water quality.	Retaining wall is under construction. Construction manager is evaluating bids for sub-contractors.
Storm Drain S.E. 4th Street	\$45,600.00	Street/Storm Drain Fund - construct new storm drain from Yaquina View School to SE 4th and Fogarty. Replaces existing damaged line which passes under private home and causes periodic flooding.	Suspended due to funding issues.
Storm Drain NW Circle Way	\$35,000.00	Street/Storm Drain Fund - Flexible drain line over ocean bluff reduces erosion and slide potential from increased runoff from recent development	Suspended due to funding issues.
Port of Newport/NOAA Locate Sewer Line	\$25,000.00	Unfunded - Precisely locate under-bay sewer line in vicinity of proposed pile driving for NOAA pier.	Awaiting final locate results from OSU. Working on verifying test locations
Swimming Pool Conceptual Design	\$15,000.00	Assist Parks Department in consultant selection/options review for ballot measure.	No further action until after upcoming elections.
Wayfinding Signs	\$20,792.00	Bid/procure Wayfinding Signs; install at appropriate locations.	Signs are being manufactured.
Coast Park	\$340,000.00	Assist Parks Department with contractor selection/construction inspection for Coast Park.	Requests for Proposals (RFP) roughed out re-scope of work. Building engineer's estimate.
Deco District Park	\$125,000.00	Assist Parks Department with contractor selection/construction inspection for Deco District Park.	Request for Proposal for art has gone out. Expecting final structural and construction plans Sept. 30th

Department of Public Works
Projects: Estimated Costs and Comments 9/29/2010

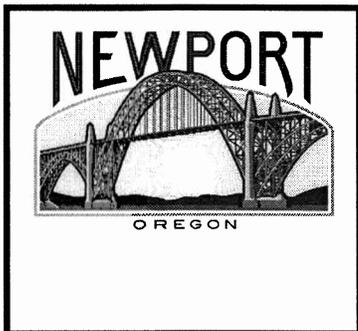
Project	Estimated Cost	Description	Status/Comments
Automatic Meter Reading	\$25,000.00	Explore meter system/provider. System will provide better service and reduce meter reading costs.	Researching vendors.
N. side Sewer Improvements to Agate Beach	\$5,000,000.00	USDA Loan/Grant/Sewer Fund - Upsize 3 lift stations and related force and gravity mains from Schooner Creek to North Side Pump Station. Reduces incidence of sewer overflow - mandated by DEQ.	Met with USDA, funding application has been approved. Submitted preliminary and environmental study design; prelim "short-term assets" report done, DEA will review on-site next week.
Street Overlays	\$102,130.00	SAFETEA-LU/ODOT Fund Exchange - Prepare list of streets for resurfacing; prepare plans/specifications; bid; oversee construction.	Staff is researching ADA standards/requirements. Staff will conduct feasibility study on affected streets to determine overlay candidate sites.
12" water line US 101/NE 36th-NE 40th	\$114,390.00	Water Fund - Design/construct water line - probably Horizontal Directional Drill under steep canyon.	Developing task order with Civil West Engineering.
Candletree Pump Station, re-size	\$206,604.00	Water Fund - Design/Replace Candletree pump Station controls and pumps. Old pumps/controls based on out dated system.	Developing task order with Civil West Engineering.
Water Line NE 5th/Benton to Eads upsize	\$107,600.00	Water Fund - Recommended in Water System Master Plan.	Developing task order with Civil West Engineering.
Water Line NW 19th/Nye to US 101	\$153,510.00	Water Fund - Recommended in Water System Master Plan.	Developing task order with Civil West Engineering.
Sewer Line Pipeburst: Big Creek East of US 101, and NE 3rd/Benton	\$100,000.00	Sewer Fund - Upsize pipe; increase capacity; eliminate groundwater infiltration; eliminate inaccessible manhole.	Base drawings are done. K&R Plumbing will be on-site Oct. 8th to consult on project.
Nye Creek Bio-filter	\$35,000.00	Water Fund - Oversee construction of bio-filter on Nye Creek. Improves water quality; required as part of penalty agreement with DEQ.	Construction complete. Awaiting wetlands plantings in October.
Senior Center	\$774,500.00	Assist Parks Department with bidding/construction inspection in Senior Center Expansion.	Under construction. Continuing inspections by city staff.
Sewer Master Plan	\$75,000.00	Sewer Fund - Prepare Sewer System Master Plan Update X focus on collection system. The existing plan is 15 years old and focused on treatment plant. This is required by DEQ agreement.	Suspended due to funding issues.
Storm Drain Master Plan	\$75,000.00	North Side - unfunded - existing plan is 22 years old and inadequate.	Suspended due to funding issues.
Running Springs Drive Drainage issues	N/A	Portions of private road have failed over the city's sewer trench.	Temporary repairs done; investigating cause and repair options. Pipe has been camera'd, staff will be meeting with property owners.
N.E. 56th Street Sewer Project	\$40,840.00	LID-160' sewer extension. Need cost apportionment.	Construction complete. Preparing connection notification letters to residents.
S.W. Elizabeth Street Sanitary Sewer Reconstruction and Repair	\$498,788.50	Repair and replace aging sewer lines on S.W. Elizabeth Street.	Construction complete.
Lincoln County Jail	N/A	Issue:City sewer system clogging due to inmate vandalism (flushing clothing and similar items into jail toilets, causing blockage downstream).	Waiting for response from Lincoln County re: solution options, budget.
Rain Garden	In-kind contribution	Construct rain garden on south side of City Hall	\$1500 contribution from Surfriders. Water Conservation District paid for curb wall. Surfriders will do area planting.
Whaler Motel Sidewalk	\$2,000.00	Motel owner will be installing sidewalk; city will install the portion in right-of-way.	Expected time frame: 2 weeks in mid-October
Total	\$28,603,246.50		

SUGGESTION/CONCERN/COMPLAINT FORM--CITY OF NEWPORT

Date City Was Notified	No. Assigned	Claimant	Suggestion/Concern/Complaint	Status
2/16/2010	18-Parks-2-16-10	Dr. Tom Kerns Diana Purdy Maxine Centala	Came before Council as Concerned Citizens for Clean Air-Suggested a pesticide/herbicide policy be created and offered their services as a resource	OPENED-2/16/10 -- Parks & Rec. is developing a draft Pesticide/Herbicide policy for Council review. Draft policy will be going before Parks & Rec. Advisory Committee for public input, and then recommendation will come back to Council Sent after April 5, 2010. A Subcommittee was appointed by P&R Advisory Committee to work on this matter.
6/13/2010	65-P&R-6-13-10	Marie Turner	Was walking track at Recreation Center and was nearly hit by a soccer ball from the lower level. Asked why this was permitted.	OPENED-6-13-10 -- Staff contacted Ms. Turner on 6/15 and indicated they are working on this issue.
6/21/2010	66-CC-6-21-10	Councilor Mark McConnell	Suggested that a neighborhood group be established to work on the Agate Beach parking issues	OPENED-6-21-10 UPDATE:9/29/10 –Met with neighbors and agencies in Aug. and Sept. Identified preliminary improvements that need to be made, and submitted a grant for \$10,000 with Lincoln County. The grant will be for half of the cost of doing the design work. Once the grant is received, the City envisions a one to two month process to prepare plans and preliminary cost estimates. We will use plans to prepare construction budget for FY 2011-12. We will use the plans and estimates to seek additional grant funds as a construction match.

7/2/2010	67-CSO-7-2-10	Gloria Edminston & John Savage	Goat barn and chicken coop too close to both neighbors houses. Have complained twice about noise and smell. They claim there are more animals in this small space than most farms have.	OPENED-7-2-10 -- Kittel reported this complaint was investigated several months ago and at that time no violations were noted. Since that time, the property owner has expanded the smaller coop into a larger coop with a much larger number of fowl. Property owner was notified of potential code violations and was given until August 1st to bring the property back into compliance. CSO will be rechecking to see if in compliance. UPDATE: Have reduced livestock considerably, and are attempting to relocate to property that allows them to keep their animals.
7/23/2010	73-CSO-7-23-10	Debbie Hill on behalf of mother, Bertha Arnett	Parking spaces in front of Crestview Apts. Two hour parking in front of the apts. Mother has COPD and has to move her vehicle every 2 hours to avoid parking ticket. Asking that the parking limits be changed in the block	OPENED-7-23-10 -- Turned over to CSO, Dustin Kittel to review This parking area on private property. Suggested complainant contact property manager. CLOSED-7-23-10
8/30/2010	83-CM-8-30-10	Councilor Patrick-Joling for Susan Whitesell	Fairground events very loud and held often in the NE Jeffries Place area of the city	OPENED-8-30-10 -The staff reports that the use is allowable and noise level within allowable limits. Will be discussing at Sept. 7th Council worksession. UPDATE: Lincoln County Commissioners attended Council worksession and indicated they would be working on the noise issue, as they want to be good neighbors.
9/13/2010	89-PW-9-13-10	Larry	Reported there was a metal bar protruding above sidewalk level, just north of Bittler Brothers building -- US 101 east side. He tripped on it, and suggested it be removed.	OPENED-9-13-10 --Staff reported this was left over studs from ODOT sign. Studs were removed. CLOSED 9/14/2010

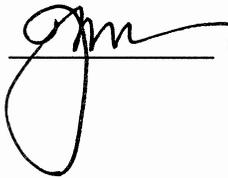
9/15/2010	90-PW-9-15-10	Citizen (Walk-in)	Reported a tree limb was across the sidewalk on the south side of NW 6th Street west of the Mulky Trailer Park	OPENED-9/15/10--Staff removed tree limbs and hauled away. CLOSED-9-16-10
9/17/2010	91-PW-9-17-10	Lill Patrick	Her tenant reported black water	OPENED-9-17-10--water line flushed. Had staff check water quality and it was okay. Tenant pleased with results. CLOSED 9/17/2010
9/20/2010	92-PW-9-20-10	Chris Chandler	Requested gravel portion of street near United Pentacostal Church be bladed.	OPENED-9-20-10--Street was graded. CLOSED-9-22-10
9/20/2010	93-PW-9-20-10	Howard Wright	Culvert at east end of Mr. Wright's property is overgrown and not funneling water. He said Public Works staff has come out and backhoed and cleared it a couple of years ago.	OPENED-9-20-10--Staff mowed and cleaned the ditch. CLOSED-9/22/2010
9/23/2010	94-PW-9-23-10	Tom Chandler	Mr. Chandler reported he had been cited while unloading freight on the Bay Front and was in a 24,000 GVW. He has been using this loading zone for several years w/ no problem. He reported the loading zone is too small for 24,000 GVW designation.	OPENED-9/23/10--Public Works Director informed Mr. Chandler that the reconfiguration of crosswalks and driveways had shortened the loading zone. Staff will address loading zone regulations and will recommend change of wording on the sign.



Agenda Item # IX.A.
 Meeting Date October 4, 2010

CITY COUNCIL AGENDA ITEM SUMMARY
 City Of Newport, Oregon

Issue/Agenda Title: Agreement between Property Donor and City Relating to New Municipal Pool

Prepared By: McCarthy Dept Head Approval:  City Mgr Approval: _____

Issue Before the Council:

This is an update and discussion item for the Council regarding the Agreement between Bill Barton and the City of Newport relating to the donation of land to the City by Mr. Barton for purposes related to a New Municipal Pool.

Proposed Motion:

I move that the City Attorney be authorized to negotiate an agreement with Mr. Barton regarding the donation of land for purposes related to a New Municipal Pool, and for the City Manager to execute the agreement.

Key Facts and Information Summary:

The City was approached by Mr. Barton regarding his donation of land in South Beach for purposes related to a New Municipal Pool. Mr. Barton's offer precipitated Council discussion and action on the need and desire for a new municipal pool. The Council recognized the need for the community to be involved in the City's course related to a new municipal pool and subsequently prepared a ballot measure for the November 2, 2010, ballot related to a new pool.

The City Attorney is drafting an agreement relating to the donation of property by Barton to the City. The following are considerations in the agreement:

- Donation of the property is contingent on passage on November 2, 2010, of Measure 21-136 Relating to a New Municipal Swimming Pool;
- Ownership of the property will transfer to the City by or before January 1, 2013;
- The City may sell or transfer the property for purposes related to Education, Research, Commercial and/or Industrial use which support or compliment activities in the area;
- Proceeds from the sale of the property may be used for construction and/or improvements to the New Municipal Pool and Recreation Center; and
- The donor would like the City to waive the City's lien on the property which related to a Local Improvement District. The lien amount is currently \$121,170.16 (8-1-10).

NEWPORT URBAN RENEWAL AGENCY
Follows Regular Council Meeting
URBAN RENEWAL AGENCY MEETING AGENDA

I. Call to Order and Roll Call

II. Public Comments

This is an opportunity for members of the audience to bring to the Agency's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items. Speakers may not yield their time to others.

III. Consent Calendar

The consent calendar is an area of the meeting agenda where items of a repeating or routine nature can be considered under a single action. Any person who desires to have an item on the consent agenda removed and considered separately could make it so by merely asking.

- A. Approval of minutes from regular URA meeting and executive session of September 20, 2010.....**pgs. 1-2**
(Hawker)

IV. Discussion Items and Presentations

Items that do not require immediate Council action, such as presentations, discussion of potential future action items

- A. Update on design & construction schedule for Marine Science Drive.....**pgs. 1-5**
(Tokos)

- B. North side UR Options.....**pgs. 1-20**
(Tokos/Marshall)

V. Public Hearings

VI. Action Items

Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. (Action items are expected to result in motions, resolutions, orders, or ordinances)

VII. Adjournment

September 20, 2010
9:47 P.M.
Newport, Oregon

The Urban Renewal Agency of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Bain, McConnell, Bertuleit, Patrick, Brusselback, and Obteshka were present. Kilbride was excused

Staff present was City Manager Voetberg, City Recorder Hawker, City Attorney McCarthy, Community Development Director Tokos, Finance Director Marshall, Public Works Director Ritzman, and Police Chief Miranda.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the URA meetings of August 2, 2010 and September 7, 2010;
- B. Report of accounts paid - July/August 2010.

MOTION was made by Bain, seconded by McConnell, to approve the consent calendar as presented. The motion carried unanimously in a voice vote.

ACTION ITEMS

Update on design and construction schedule for Marine Science Drive. This update will be scheduled at the next meeting.

Resolution No. 2010-5 correcting an error in Resolution No. 2010-4. McCarthy explained the need for this housekeeping resolution, noting that it must be passed by tomorrow at noon. Bain noted that there is a typographical error. MOTION was made by Bain, seconded by McConnell, to adopt Resolution No. 2010-5. The motion carried unanimously in a voice vote.

PUBLIC COMMENT

Joyce Gaffin thanked the URA for its work on the acquisition of property in South Beach.

EXECUTIVE SESSION

Executive session pursuant to ORS 192.660(2)(e) to discuss and negotiate real property transactions. MOTION was made and seconded to enter executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions. The motion carried unanimously, and the URA entered executive session at 9:55 P.M.

MOTION was made by Bertuleit, seconded by McConnell, to return to the regular meeting of the URA. The motion carried unanimously in a voice vote, and the URA returned to its regular meeting at 10:10 P.M.

ACTION ITEMS

MOTION was made by Bain, seconded by Brusselback, to purchase the property and the intent that the property be used for open space in perpetuity, at the agreed upon price of \$225,000. McCarthy expressed concern regarding the designation of land in perpetuity. The motion carried unanimously in a voice vote.

ADJOURNMENT

Having no further business, the meeting adjourned at 10:19 P.M.

Margaret M. Hawker, City Recorder

Patricia Patrick-Joling, Chair

Memo

To: Newport Urban Renewal Agency/City Council
From: Derrick Tokos, Community Development Director 
Date: September 30, 2010
Re: Design & Construction Schedule for Marine Science Drive Improvements

Attached are copies of the draft site plan, cost estimates, and construction schedule for the roadway and bike/pedestrian improvements along SE Marine Science Drive. The City's consulting engineer has provided their 90% design drawings and is on schedule for completing final design by the end of October. Staff anticipates putting the project out for bid, and securing the necessary right-of-way by early December with construction occurring between December 2010 and July of 2011.

The City conducted two (2) stakeholder meetings and two (2) open houses to solicit feedback on the draft design. Several changes have been made to address comments, for example:

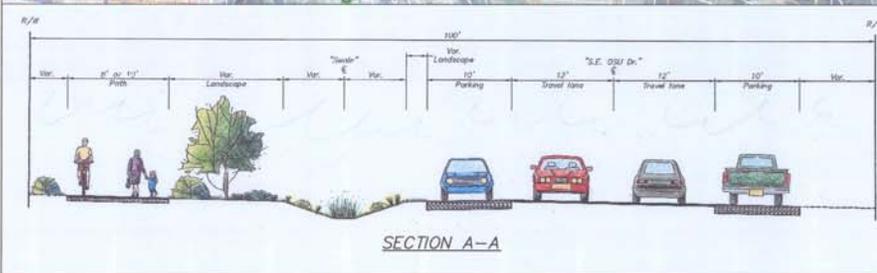
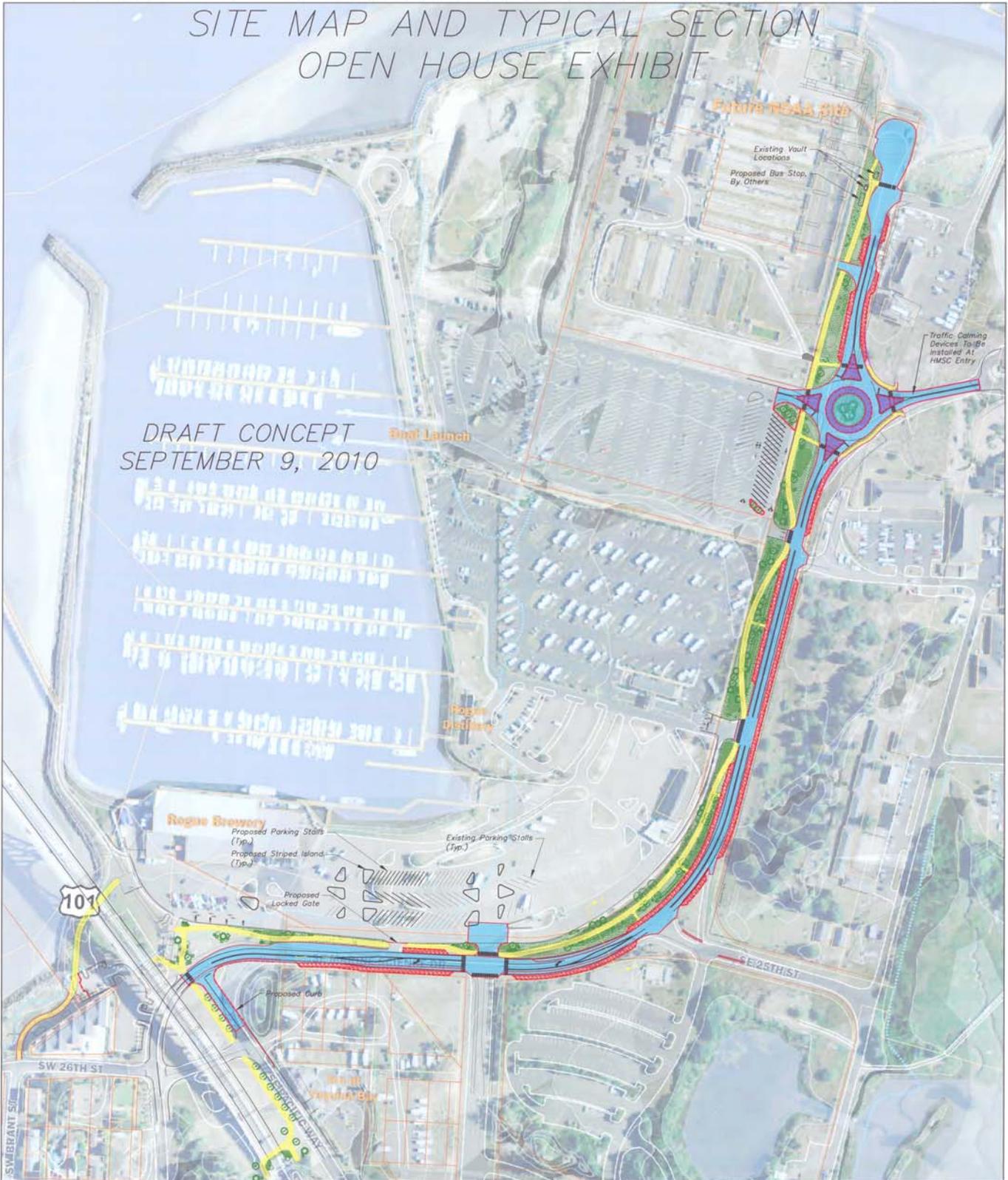
- Rogue Brewery will retain their existing access as a "gated" entrance that can be used as an alternate access to the property during the Seafood and Wine Festival and other events; and
- Improved gravel shoulders have been added to the south and east side of Marine Science Drive, a full pavement overlay has been added from SE Pacific Way to the end of the road, and the entrance to Yaquina Bay Fruit processing will be relocated in response to comments received from the Port of Newport; and
- A construction schedule has been developed in consultation with the Newport Chamber of Commerce to avoid any disruption to the Seafood and Wine Festival; and
- Additional crosswalks have been added and pedestrian connections will be installed between the multi-use path and landscape swale in response to feedback from staff at the Hatfield Marine Science Center and the general public.

In consultation with the Port and contractors on the NOAA project, staff has developed a plan for extending the multi-use path to the entrance of the NOAA property. The two projects are being coordinated to ensure a seamless transition.

At this juncture, staff anticipates it will cost about \$2 million to construct the improvements, including the new work noted above. This figure is in addition to about \$400,000 in design and engineering costs. That puts the City at about \$2.4 million, which is well within the \$3.2 million dollar budget. Additional work, including undergrounding the utilities and potentially paving SW Abalone (between the bridge and Highway 101) will close that gap a bit, and staff should have those numbers within the next 2-4 weeks.

SOUTH BEACH TRANSPORTATION IMPROVEMENTS SITE MAP AND TYPICAL SECTION OPEN HOUSE EXHIBIT

DRAFT CONCEPT
SEPTEMBER 9, 2010



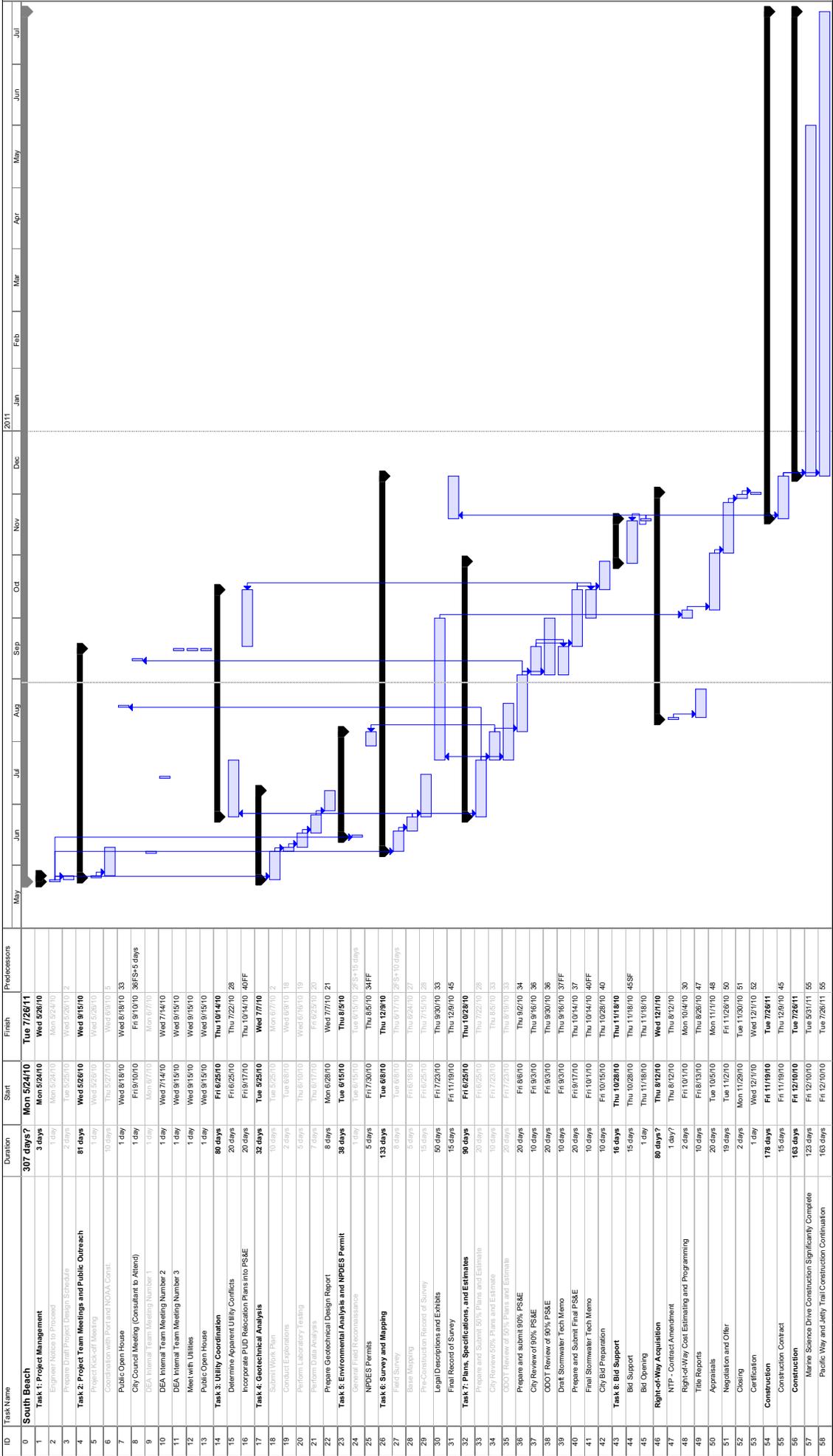
LEGEND

Proposed Roadway	- Red
Proposed Asphalt	- Blue
Proposed Landscape	- Green
Proposed Path/ Sidewalk	- Yellow
Proposed Right-of-Way	- Pink
Existing Topography	- Black
Existing Right-of-Way	- Orange
Textured Concrete	- Purple

DAVID EVANS
AND ASSOCIATES INC.
2100 Southwest Home Parkway
Homestead, Florida 33155
Phone: 305.251.9885

DRAFT DAP COST ESTIMATE - 2008 English Items						
OREGON STATE HIGHWAY DIVISION - ROADWAY ENGINEERING						
SECTION				COUNTY		
South Beach Transportation Improvements (90% Design)				Lincoln		
KEY NUMBER	KIND OF WORK	LENGTH .6 mi	DATE	ROADWAY DESIGNER		
XXXX	Grading, Paving, & Roadside Development		9/2/10	Rafael Gaeta P.E.		
ITEM NUMBER	ITEM DESCRIPTION	UNIT	AMOUNT	UNIT COST	TOTAL	
0200 MOBILIZATION AND TRAFFIC CONTROL \$231,077.32						
0210-010000A	MOBILIZATION (10% subtotal)	LS	1	\$139,880.10	\$139,880.10	
0225-010000A	TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	1	\$10,000.00	\$10,000.00	
0225-010200J	TEMPORARY SIGNS	SOFT	480	\$13.23	\$6,350.40	
0225-010500E	TEMPORARY BARRICADES, TYPE III	EACH	11	\$101.11	\$1,112.21	
0225-014900E	TEMPORARY FLEXIBLE PAVEMENT MARKERS	EACH	1040	\$1.20	\$1,248.00	
0225-016800T	FLAGGERS	HOUR	1760	\$33.91	\$59,681.60	
0280-010000A	EROSION CONTROL	LS	1	1%	\$0.01	
0280-010100J	PLASTIC SHEETING	SY	330	\$0.5	\$165.00	
	STRAW BALES	EACH	5	\$3	\$15.00	
0280-011500E	SEDIMENT BARRIER, TYPE 3	FOOT	200	\$5.00	\$1,000.00	
0280-013200J	MATTING	SOFT	1300	\$5.00	\$6,500.00	
0280-011000E	CONSTRUCTION ENTRANCES	EACH	1	\$1,000.00	\$1,000.00	
0280-011400E	INLET PROTECTION	ACRE	10	\$85	\$850.00	
0280-014100R	TEMPORARY MULCHING	ACRE	1	\$1,700	\$1,700.00	
0280-011500F	SEDIMENT BARRIER	FOOT	525	\$3.00	\$1,575.00	
0300 ROADWORK \$179,580.00						
0305-010000A	CONSTRUCTION SURVEY WORK	LS	1	\$50,000.00	\$50,000.00	
0310-010600A	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	LS	1	\$25,000.00	\$25,000.00	
0310-011900F	ASPHALT PAVEMENT SAW CUTTING	FOOT	5000	\$5.00	\$25,000.00	
0320-010000A	CLEARING AND GRUBBING	LS	1	\$5,000.00	\$5,000.00	
0330-010500K	GENERAL EXCAVATION	CUYD	6455	\$11.00	\$71,005.00	
0340-010000Q	WATERING	MGAL	20	\$30.00	\$600.00	
0350-010500J	SUBGRADE GEOTEXTILE	SQYD	3500	\$0.85	\$2,975.00	
0400 DRAINAGE AND SEWERS \$36,991.00						
0445-035010AF	10 INCH STORM SEWER PIPE, 5 FT DEPTH	FOOT	174	\$64.00	\$11,136.00	
0470-030400E	CONCRETE INLETS, TYPE CG-1	EACH	1	\$1,200.00	\$1,200.00	
0470-030700E	CONCRETE INLETS, TYPE CG-2	EACH	2	\$1,500.00	\$3,000.00	
0490-010400E	CONNECTION TO EXISTING STRUCTURES	EACH	2	\$600.00	\$1,200.00	
0490-010500E	ADJUSTING INLETS	EACH	4	\$575.00	\$2,300.00	
0490-012000E	MINOR ADJUSTMENT OF MANHOLES	EACH	11	\$805.00	\$8,855.00	
0490-012100E	MAJOR ADJUSTMENT OF MANHOLES	EACH	2	\$1,100.00	\$2,200.00	
400xxxxxx	FRENCH DRAIN / TRAIL DRAINAGE	FOOT	142	\$50.00	\$7,100.00	
0600 BASES \$80,660.00						
0620-010400J	COLD PLANE PAVEMENT REMOVAL, 0-2 INCHES DEEP	SQYD	430	\$2.00	\$860.00	
0640-010000M	AGGREGATE BASE	TON	4200	\$19.00	\$79,800.00	
0700 WEARING SURFACES \$446,895.00						
0744-030200M	LEVEL 3, 1/2-INCH DENSE MHMAC MIXTURE	TON	3800	\$90.00	\$342,000.00	
0749-010600J	EXTRA FOR ASPHALT WALKS	SOFT	2550	\$0.90	\$2,295.00	
0756-010300J	PLAIN CONCRETE PAVEMENT, UNDOWELED, 8 INCH THICK	SQYD	500	\$52.00	\$26,000.00	
0759-011000F	CONCRETE CURBS, STANDARD CURB	FOOT	1200	\$16.00	\$19,200.00	
0759-012200J	CONCRETE ISLANDS	SOFT	9500	\$5.00	\$47,500.00	
0759-011800F	CONCRETE CURBS, MOUNTABLE CURB CURB AND GUTTER	FOOT	1100	\$9.00	\$9,900.00	
0800 PERMANENT TRAFFIC CONTROL AND GUIDANCE DEVICES \$15,116.30						
0851-010100F	PAVEMENT LINE REMOVAL	FOOT	1986	\$0.60	\$1,191.60	
0860-020000F	LONGITUDINAL PAVEMENT MARKINGS - PAINT	FOOT	26529	\$0.16	\$4,244.64	
0867-010350E	PAVEMENT LEGEND, TYPE AB: ARROWS	EACH	2	\$228.00	\$456.00	
0867-014510J	PAVEMENT BAR, TYPE B-HS	SOFT	1182	\$7.33	\$8,664.06	
0867-016950E	PAVEMENT LEGEND, TYPE AB: YIELD LINE TRIANGLE	EACH	20	\$28.00	\$560.00	
0900 PERMANENT TRAFFIC CONTROL AND ILLUMINATION SYSTEMS \$373,268.47						
0905-010000A	REMOVE EXISTING SIGNS	LS	1	\$1,400.00	\$1,400.00	
0905-010100A	REMOVE AND REINSTALL EXISTING SIGNS	LS	1	\$100.00	\$100.00	
0910-010000K	WOOD SIGN POSTS	FBM	990.72	\$7.00	\$6,935.04	
0940-010700J	TYPE "C" SIGNS IN PLACE	SOFT	25.9	\$16.90	\$437.71	
0940-011300J	TYPE "G" SIGNS IN PLACE	SOFT	46.6	\$19.48	\$907.77	
0940-012100J	TYPE "R" SIGNS IN PLACE	SOFT	43.8	\$13.57	\$594.37	
0940-012210J	TYPE "R2" SIGNS IN PLACE	SOFT	25.0	\$14.00	\$350.00	
0940-012400J	TYPE "W1" SIGNS IN PLACE	SOFT	48.4	\$14.06	\$680.50	
0940-013400J	TYPE "Y1" SIGNS IN PLACE	SOFT	112.0	\$14.24	\$1,594.88	
0940-013700J	TYPE "Y4" SIGNS IN PLACE	SOFT	18.0	\$14.90	\$268.20	
09700-	ILLUMINATION SYSTEM COMPLETE (ASSUMED)	LS	1	\$360,000.00	\$360,000.00	
01000 PERMANENT RIGHT OF WAY DEVELOPMENT \$175,093.00						
1030-011500A	PERMANENT SEEDING, MIX NO. 1	AC	1.40	\$2,000	\$2,800	
1030-011600A	PERMANENT SEEDING, MIX NO. 2	AC	0.06	\$3,000	\$180	
1030-011600A	PERMANENT SEEDING, MIX NO. 3	AC	4.10	\$3,000	\$12,300	
1030-MISC	LARGE ROUND RIVER ROCK	TON	83	\$150	\$12,375	
1040-010100K	TOPSOIL	CUYD	450	\$30	\$13,500	
1040-010700K	SOIL CONDITIONER	CUYD	600	\$36	\$21,600	
1040-011100E	CONIFER TREES, 3 FT HEIGHT	EACH	21	\$45	\$945	
1040-011400E	CONIFER TREES, 6 FT HEIGHT	EACH	9	\$110	\$990	
1040-013000E	DECIDUOUS TREES, 2 INCH CALIPER	EACH	39	\$315	\$12,285	
1040-015300E	SHRUBS, NO. 1 CONTAINER	EACH	180	\$10	\$1,800	
1040-015300E	SHRUBS, NO. 2 CONTAINER	EACH	72	\$14	\$1,008	
1040-017100E	GROUNDCOVERS, NO. 1 CONTAINER	EACH	2,978	\$10	\$29,780	
1040-019400K	COMPOST MULCH	CUYD	158	\$35	\$5,530	
1120-010000A	IRRIGATION SYSTEM	LS	1	\$60,000	\$60,000	
SUBTOTAL, Construction Items \$1,538,681.09						
9800-000150A	CONSTRUCTION ENGINEERING (15%)		15%	\$230,802.16	\$230,802.16	
CONSTRUCTION COST \$1,769,483.25						
	CONTINGENCY, for all work listed (10%)		10%	\$176,948.32	\$176,948.32	
TOTAL CONSTRUCTION COST \$1,946,431.57						

City of Newport
South Beach
DRAFT Project Schedule



ID	Task Name	Duration	Start	Finish	Predecessors
0	South Beach	307 days?	Mon 5/24/10	Tue 7/28/11	
1	Task 1: Project Management	3 days	Mon 5/24/10	Wed 5/26/10	
2	Engineer Notice to Proceed	1 day	Mon 5/24/10	Mon 5/24/10	
3	Prepare Draft Project Design Schedule	2 days	Tue 5/25/10	Wed 5/26/10	2
4	Task 2: Project Team Meetings and Public Outreach	81 days	Wed 5/26/10	Wed 9/15/10	
5	Project Kick-off Meeting	1 day	Wed 5/26/10	Wed 5/26/10	
6	Coordination with Port and NOAA Contri.	10 days	Thu 5/27/10	Wed 6/9/10	5
7	Public Open House	1 day	Wed 6/9/10	Wed 6/9/10	33
8	City Council Meeting (Consultant to Attend)	1 day	Fri 9/10/10	Fri 9/10/10	36FS-5 days
9	DEA Internal Team Meeting Number 1	1 day	Mon 6/7/10	Mon 6/7/10	
10	DEA Internal Team Meeting Number 2	1 day	Wed 7/14/10	Wed 7/14/10	
11	DEA Internal Team Meeting Number 3	1 day	Wed 9/15/10	Wed 9/15/10	
12	Meet with Utilities	1 day	Wed 9/15/10	Wed 9/15/10	
13	Public Open House	1 day	Wed 9/15/10	Wed 9/15/10	
14	Task 3: Utility Coordination	80 days	Fri 6/25/10	Thu 10/14/10	
15	Determine Apparent Utility Conflicts	20 days	Fri 6/25/10	Thu 7/22/10	28
16	Incorporate PUD Relocation Plans into PS&E	20 days	Fri 6/25/10	Thu 10/14/10	40FF
17	Task 4: Geotechnical Analysis	32 days	Tue 5/25/10	Wed 7/7/10	
18	Submit Work Plan	10 days	Tue 5/25/10	Mon 6/7/10	2
19	Conduct Explorations	2 days	Tue 6/8/10	Wed 6/9/10	18
20	Perform Laboratory Testing	5 days	Thu 6/10/10	Wed 6/16/10	19
21	Perform Data Analysis	7 days	Thu 6/17/10	Fri 6/25/10	20
22	Prepare Geotechnical Design Report	8 days	Mon 6/28/10	Wed 7/7/10	21
23	Task 5: Environmental Analysis and NPDES Permit	38 days	Tue 6/15/10	Thu 8/5/10	
24	Obtain Final Recommendation	1 day	Tue 6/15/10	Tue 6/15/10	26FS-15 days
25	NPDES Permits	5 days	Fri 7/30/10	Thu 8/6/10	34FF
26	Task 6: Survey and Mapping	133 days	Tue 6/15/10	Thu 12/9/10	
27	Field Survey	8 days	Tue 6/15/10	Thu 6/17/10	2FS-10 days
28	Base Mapping	5 days	Fri 6/18/10	Thu 6/24/10	27
29	Pre-Construction Record of Survey	15 days	Fri 6/25/10	Thu 7/15/10	28
30	Legal Descriptions and Exhibits	50 days	Fri 7/23/10	Thu 9/30/10	33
31	Final Record of Survey	15 days	Fri 11/19/10	Thu 12/9/10	45
32	Task 7: Plans, Specifications, and Estimates	90 days	Fri 6/25/10	Thu 10/28/10	
33	Prepare and Submit 50% Plans and Estimate	20 days	Fri 6/25/10	Thu 7/22/10	28
34	City Review 50% Plans and Estimate	10 days	Fri 7/23/10	Thu 8/6/10	33
35	ODOT Review of 50% Plans and Estimate	20 days	Fri 7/23/10	Thu 8/19/10	33
36	Prepare and submit 90% PS&E	20 days	Fri 8/6/10	Thu 9/2/10	34
37	City Review of 90% PS&E	10 days	Fri 8/31/10	Thu 9/16/10	36
38	ODOT Review of 90% PS&E	20 days	Fri 8/31/10	Thu 9/30/10	36
39	Draft Stormwater Tech Memo	10 days	Fri 8/31/10	Thu 9/16/10	37FF
40	Prepare and Submit Final PS&E	20 days	Fri 9/17/10	Thu 10/14/10	37
41	Final Stormwater Tech Memo	10 days	Fri 10/1/10	Thu 10/14/10	40FF
42	City Bid Preparation	10 days	Fri 10/15/10	Thu 10/28/10	40
43	Task 8: Bid Support	16 days	Thu 10/28/10	Thu 11/18/10	
44	Bid Support	15 days	Thu 10/28/10	Thu 11/18/10	45SF
45	Bid Opening	1 day	Thu 11/18/10	Thu 11/18/10	
46	Right-of-Way Acquisition	80 days?	Thu 8/12/10	Wed 12/1/10	
47	NTP - Contract Amendment	1 day?	Thu 8/12/10	Thu 8/12/10	
48	Right-of-Way Cost Estimating and Programming	2 days	Fri 10/7/10	Mon 10/4/10	30
49	Title Reports	10 days	Fri 8/13/10	Thu 8/26/10	47
50	Appraisals	20 days	Tue 10/5/10	Mon 11/1/10	48
51	Negotiation and Offer	18 days	Tue 11/2/10	Fri 11/26/10	50
52	Closing	2 days	Mon 11/29/10	Tue 11/30/10	51
53	Certification	1 day	Wed 12/1/10	Wed 12/1/10	52
54	Construction	178 days	Fri 11/19/10	Tue 7/26/11	
55	Construction Contract	15 days	Fri 11/19/10	Thu 12/9/10	45
56	Construction	163 days	Fri 12/10/10	Tue 7/26/11	
57	Marine Science Drive Construction Significantly Complete	123 days	Fri 12/10/10	Tue 5/31/11	55
58	Public Way and Jetty Trail Construction Continuation	163 days	Fri 12/10/10	Tue 7/26/11	55

Memo

To: Urban Renewal Agency/City Council
From: Derrick Tokos, Community Development Director
David Marshall, Finance Director
Date: September 30, 2010
Re: Availability of Urban Renewal Funds – Newport Urban Renewal District

At the request of the Council, staff has looked into whether or not there will be any excess funds available prior to close out of the Newport Urban Renewal District. The last debt payment is scheduled to occur on December 15th of this year. Once that happens, the District will close and no further projects can be funded.

Between now and then, the Urban Renewal Agency may initiate projects that are consistent with the objectives of the Urban Renewal Plan. This includes repair, rehabilitation and conservation work involving public or private property within the plan area. Before a project can proceed it will need to be specifically identified in the Newport Urban Renewal Plan. This can be accomplished by resolution as a minor amendment.

Approximately \$65,000 to \$70,000 is available. This amount is above and beyond what will be needed to make the final debt payment. If not utilized for projects, these funds will be distributed to taxing entities once the District is closed.

Attached is a copy of the Ninth Amendment to the Newport Urban Renewal Plan. This document lists various projects that were completed during the life of the Urban Renewal District. The repair or rehabilitation of any of these facilities, to the extent it may be needed, would be consistent with the objectives of the Plan.

Attachment:

Ninth Amendment to the Newport Urban Renewal Plan

NINTH AMENDMENT TO THE NEWPORT URBAN RENEWAL PLAN AND REPORT

Plan Amendment Introduction

With the passages of Measure 50 and HB 1215 (ORS 457.190(3)(c)):

Each existing urban renewal plan that provides for a division of taxes pursuant to ORS 457.420 to 457.460 may be changed by substantial amendment no later than July 1, 1998, to include a maximum amount of indebtedness that may be issued or incurred under the plan determined as described in [ORS 457.190(3)(c)(B)]. The additional notices required under ORS 457.120 are not required for an amendment adopted pursuant to this paragraph. [Subsection A].

The maximum amount of indebtedness that may be issued or incurred under the plan, as determined for purposes of meeting the requirements of this paragraph, shall be based upon good faith estimates of the scope and costs of projects, including but not limited to increases in costs due to reasonably anticipated inflation, in the existing urban renewal plan and the schedule for their completion as completion dates were anticipated as of December 6, 1996. The maximum amount of indebtedness shall be specified in dollars and cents. [Subsection B].

As a result of the 1997 statutory requirement above, the intent of this plan amendment is to set forth in "dollars and cents" estimates of the scope and costs of projects that remain to be completed in the plan as of December 6, 1996. As required by ORS 457.435, the Newport Development Commission has held public meetings to determine the needs of the district to establish a maximum indebtedness of the planned projects. As a result, the following are projects that were identified but have not been initiated or completed during the life of the Plan; These projects do not constitute new projects under the Newport Urban Renewal Plan ("Plan").

The Newport Urban Renewal Agency has two district areas, which are commonly referred to as the "Newport" or "north side" urban renewal area located north of Yaquina Bay and the "South Beach" or "south side" urban renewal area located south of Yaquina Bay. This Plan amendment relates to the Newport or "north side" urban renewal area.

In the original plan adopted in 1973, it's objectives included:

1. "Improved Traffic and Public Transportation. The provisions of this plan for improvements to existing and proposed streets and sidewalks will improve the

circulation of vehicular and pedestrian traffic in accordance with local objectives."

2. "Improved Public Utilities. The provisions of the Plan for adequate water, sanitary sewer, street lighting, and other utilities will achieve local objectives of generally upgrading this area."
3. "Recreational and Community Facilities. The provisions of this Plan will improve recreational and community facilities by providing parks, cultural facilities and other area for public use and enjoyment."

Ninth Amendment to the Newport Urban Renewal Plan

1. No Amendment to Text of Plan

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" referenced in the attached "Summary of Projects and Estimated Indebtedness Required."

2. Description of Urban Renewal Projects to be Undertaken:

This Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized; however, an update of the status of the referenced projects has been included in this Section. This Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" referenced in the attached "Summary of Projects and Estimated Indebtedness Required."

3. An outline for the development, redevelopment, improvements, land acquisition, demolition and removal of structures, clearance, rehabilitation or conservation of the urban renewal areas of the plan.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section"

referenced in the attached "Summary of Projects and Estimated Indebtedness Required."

- a. Uptown Recreation Center - Subsequent to the Fourth Amendment, land was acquired in the area known as the Redifer property, and located on the southeast corner of 2nd and Avery, for the specific purpose of locating a community center there. The conditions in the area have not improved substantially since the adoption of the Fourth Amendment because of the lack of aesthetic, social and cultural attractions in the area. The City continues to be in need of a facility which could be used for recreation as supported by testimony supplied at public meetings and hearing that were just recently held. The site for the recreation center has been purchased through the Newport Urban Renewal Agency over the past few years, which has helped to remove deteriorating conditions which were detrimental to the area. The availability of such a facility within the "uptown" area would definitely provide a focal point for the area to stimulate rehabilitation, improvements and development for the area.
- b. Waterlin Center Renovation - The Center has been acquired, but not rehabilitated. It has been maintained in its present conditions but has obsolete water, electrical, plumbing and safety system and the need to make the facility accessible to the handicapped. The project would complete the rehabilitation of the Center to be used for office space. To accomplish that end, it is necessary to upgrade and improve the water, plumbing, electrical and handicap accessibility to the facility so that its life can be extended as if it were a new facility. The historic value of the facility has been identified and the desire to maintain that historic nature is also of benefit to the community and inhabitants for the history of the Community. The Center will be upgraded in such a way to maintain the historic nature of the Center, but still make full use of the floor space it will provide for the public.
- c. Pier and Boardwalk - construction and improvements of a public pier for physical and/or visual access to Yaquina Bay at the west end of Bay Boulevard, by the U.S. Coast Guard Station. The continuation of the boardwalk that was constructed on the east end of Bay Boulevard is anticipated to be constructed jointly with the Port of Newport to connect the boardwalk that presently stops at the "Fern Plant" location, east to the existing boardwalk that is constructed at the Embarcadero Resort.
- d. Visual Arts Center - The Visual Arts Center was developed in phases and the third phase has yet to be developed. To complete the third phase, an

approximate 3500 sq. ft. for a Ceramics Center will be constructed, and adding storage, offices and classrooms

- e. Performing Arts Center - The improvements to the Performing Arts Center involves a number of physical changes to the existing building to make it more functional. This will occur by adding additional space in key locations:
 - i. Expansion and equipping the Box Office and the current offices of the OCCA.
 - ii. Addition of equipment for the Alice Silverman Theater, including light ladders, instruments, sound system refurbishing, acoustical equipment, and expansion of the existing storage facility.
 - iii. Classrooms and facilities for the teaching and developing of the arts.
 - iv. Construction of a school facility that would handle the Arts Technology School. The OCCA has been able to obtain a grant to develop the first stages for the Arts and Technology Center to utilize the arts as a form of economic development for the community.

- f. Nye Beach Street and Parking Improvements - This project consists of:
 - i. Improvements to Cliff Street;
 - ii. Acquisition of additional land for parking along Coast Street and at NW Third and NW Beach;
 - iii. Establish historic Nye Beach by supporting small scale tourist, commercial and cottage industries with improvements to streets, sidewalks, lighting, and curb cuts;
 - iv. Align Coast Street at NW 6th Street to High Street as part of the Transportation Plan; and
 - v. Develop Sam Moore Parkway

- g. Uptown Parking - the Uptown area was identified as an area that was deteriorating and in need of redevelopment. The principal issues identified as problems were the lack of parking and the lack of incentives to redevelop the area. This project would include development of parking, be it surface or structured. The street improvements, lighting and assistance in financing, are also problems that need assistance to obtain the objectives stated in the Third Amendment.

- h. Bayfront Parking - the construction of a parking structure, or the development of surface parking.

- i. Sewer Plant - No property is anticipated to be acquired within the district area. Instead, the district would contribute to the acquisition and development of a sewer (wastewater) treatment plant in the Agency's South Beach district. At some time, the City's existing wastewater treatment plant may be decommissioned. Because the real property is not owned by the Agency, its disposition is beyond the scope of the Amendment.
 - j. Library - The property has been acquired. Four years ago, it was identified that the facility built in 1984 had indeed met the needs of the community up to that time. However, the facility has outgrown its capability because of the significant demand created by the community. Plans are underway to expand the Library facility. An architect was retained and schematic design drawings were prepared in 1996, in anticipation of an amendment to expand the facility. As a result, plans were developed and approved in 1995 for the expansion of the library. Construction is anticipated in 1998 or 1999.
4. An explanation of [the project's] relationship to definite local objectives regarding appropriate land uses and improved traffic, public transportation, public utilities, telecommunications utilities, recreational and community facilities and other public improvements.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, however, an update of the status of the referenced projects has been included in this Section. This Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

- a. Sewer Plant - the Fifth Amendment to the Urban Renewal Plan includes the participation in the implementation of the Wastewater Plant Expansion in conformance with the City of Newport Master Sewer Plan. The funds will be expended on wastewater projects that will lie outside of the Newport district, but will benefit the District in a number of ways.

First, upgrading in the area where the existing plant is located will be accomplished. The area of the plant itself can be sold for the purpose of

commercial use, although the more realistic approach to the land would be to maintain it in open space, which would tie into the Master Park Plan to develop more park facilities. This in turn will have a positive effect on the surrounding land use in the District. The quality of life will be enhanced to encourage more residential and commercial development within the immediate location of the plant. As some of the existing businesses have noted, the odor from the plant is at best an inconvenience. Relocation of the wastewater treatment plant will remove the negative effects of sight and smell of a wastewater. It will aid the production of better housing and more desirable neighborhood and community development at lower costs. It will also make possible a more stable and larger volume of residential construction, which will assist materially in maintaining full employment.

Second, the Urban Renewal Plan for the District (the "Plan") contemplates a local objective regarding appropriate land uses and improved traffic, public transportation, public utilities, telecommunications utilities, recreational and community facilities, and other public improvements. The Plan states that an adequate sanitary sewer will achieve local objective of generally upgrading the area. In the First Amendment, called the "Water" Amendment, increased water capacity and filtration to "insure an adequate supply of treated water to serve the seafood processing and tourist industries" also lists sewage treatment as just as necessary to the seafood processing and the tourist industries. The Third Amendment addresses parking, rehabilitating the "old Naterlin Center," improving the residential, commercial and industrial growth of the district, and hence the need to address the wastewater for the area. The Fifth Amendment addresses the construction of the PAC, Betty Wheeler Park, water lines in the business district, street improvements; and all are directed at improving the residential, commercial and industrial growth of the district, hence the need to address the wastewater needs for the area. The Seventh Amendment addresses affordable housing, additional parking for businesses, rehabilitating the ocean outfall line, traffic signals and street improvements. The purpose of the Plan for residential, commercial and industrial improvement is to encourage development and redevelopment within the District. The wastewater treatment facilities are presently inadequate to serve the existing and projected development in the District. Expansion of the plant is necessary, but to do so within the district would require additional land, and would be detrimental to the development around the plant. Hence, the benefit of locating to an expanded site outside of the District to meet the wastewater requirements of the residential, commercial and industrial users within and without the District is necessary.

Third, the changes in the DEQ requirements have necessitated the upgrading of the plant's capabilities, which has been outlined in the adopted and approved Facilities Plan for Wastewater Facilities.

Fourth, under current use projections, it is estimated that the existing plant would reach capacity in 5 years, 2003. Unless capacity is expanded, the amount of "equivalent dwelling units" could not expand. That would result in no further commercial or residential growth in the District. The historic trend has been that the District's assessed value has been growing at the annualized rate of 4%. With an existing incremental assessed valuation of \$133,553,733.00 in the District, the Agency has projected an incremental assessed valuation amount of over \$245,334,725.00 at the end of 17 years. (The bonds are expected to be sold in 2 years, thus leaving 3 years thereafter to reach capacity. It is expected that the bond will be repair over a period of 20 years.) However, if the wastewater capacity is not increased, not only would there be no growth in the incremental assessed value, there may be a decline due to the downturn in business and residential development. Thus, the District's \$5,000,000.00 investment is expected to result in a return of \$112 million of additional assessed value at the end of bond term that would not otherwise exist.

The District is contributing proportionately to the construction of the wastewater treatment plant, considering:

(1) the South Beach Urban Renewal District will also be contributing approximately \$5,000,000.00 to the plant's construction. Once wastewater facilities are available in the South Beach District, it is expected that the current incremental assessed value of \$728,216 will grow at an annualized rate of 6%. Over a similar 17 year period, the incremental assessed value is expected to be reach approximately \$103,669,936.00. Thus the growth to the South Beach District is anticipated to be \$102,941,720.00 as a result of its \$5 million wastewater treatment plant investment.

(2) The projected land use patterns for the District along the areas from Highway 101 to Avery Street to the east and Nye Street to the west, starting at NW 25th Street south to the Yaquina Bridge, are expected to change from the existing single family residential development to high-density residential and light commercial development. Areas outside of the District north of Yaquina Bay are not expected to undergo such a substantial change in their land use patterns. In other words, the need for the increased wastewater treatment capacity will be concentrated in the District area, as opposed to areas within the City north of Yaquina Bay but

outside of the District.

(3) All properties within the City, both within and without the District, will be charged for debt service on the wastewater treatment plant construction through a combination of bond levies and increased service rates.

5. An indication of proposed land uses, maximum densities and building requirements for each urban renewal area.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

6. A description of the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area of the plan.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

- a. Uptown Recreation Center - the property has been acquired and no relocation is anticipated.
- b. Naterlin Center Renovation - the property has been acquired and no relocation is anticipated.
- c. Pier and Boardwalk - the property has been acquired and no relocation is anticipated.
- d. Visual Arts Center - It is expected that vacant land will be required for these facilities and no persons or businesses will be required to be relocated. However,

- if any relocation should be required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
- e. Performing Arts Center - It is expected that vacant land will be required for these facilities and no persons or businesses will be required to be relocated. However, if any relocation should be required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
 - f. Nye Beach Street and Parking Improvements - Persons or businesses may need to be relocated for the acquisition of additional parking areas to serve the Nye Beach business area, alignment of Coast Street at NW 6th Street to High Street and Sam Moore Parkway . The Agency will attempt to acquire property as available on the market, however if any relocation should be required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
 - g. Uptown Parking - Persons or businesses may need to be relocated for the acquisition of additional parking areas. The Agency will attempt to acquire property as available on the market, however if any relocation should be required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
 - h. Bayfront Parking - If a parking structure is developed on existing City or Agency real property, no persons or businesses would need to be relocated. If additional surface parking is acquired, businesses may need to be relocated for the acquisition of additional parking areas, in which case the Agency will attempt to acquire property as available on the market, however if any relocation should be required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
 - i. Sewer Plant - This project involves the participation of funding; the development would be under the Agency's South Beach plan and reference is made to that Plan as to the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area of the South Beach plan.
 - j. Library - No additional property is anticipated to be acquired, however if any additional land is required, the same will be accomplished in an equitable manner, in compliance with all applicable state and federal statutes.
7. An indication of which real property may be acquired and the anticipated disposition of said real property, whether by retention, resale, lease or other legal use, together with an

estimated time schedule for such acquisition and disposition.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

- a. Uptown Recreation Center - Subsequent to the Fourth Amendment, land was acquired in the area known as the Redifer property, and located on the southeast corner of 2nd and Avery, for the specific purpose of locating a community center there.
- b. Naterlin Center Renovation - no additional real property is to be acquired.
- c. Pier and Boardwalk - the property has been acquired for the public pier; the property for the boardwalk is either in public right of way or would be acquired by easement or agreement with the Port of Newport by December 31, 2000 and disposed of within three years following acquisition.
- d. Visual Arts Center - the location for the third phase of the expansion of the Visual Arts Center, and adding storage, offices and classrooms will necessarily be located adjacent to or near the current Visual Arts Center. The property will be added to and become a part of the Visual Arts Center complex and disposed of in the same manner as the existing Visual Arts Center building.
- e. Performing Arts Center - the location for the expansion of the Performing Arts Center will necessarily be located adjacent to or near the current Performing Arts Center. The property will be added to and become a part of the Performing Arts Center complex and disposed of in the same manner as the existing Performing Arts Center building.
- f. Nye Beach Street and Parking Improvements - property will need to be acquired in the Nye Beach business area, at the intersection of Coast Street at NW 6th Street to High Street and, perhaps, adjacent to Sam Moore Parkway . It is anticipated that the property would be disposed of by transfer to the City of Newport.

- g. Uptown Parking - property will need to be acquired in the Uptown business area. It is anticipated that the property would be disposed of by transfer to the City of Newport.
 - h. Bayfront Parking - If a parking structure is developed on existing City or Agency real property, additional property may not be required. If additional parking area is required, it is anticipated that the property would be disposed of by transfer to the City of Newport.
 - i. Sewer Plant - This project involves the participation of funding; the development would be under the Agency's South Beach plan and reference is made to that Plan as to which real property may be acquired and the anticipated disposition of said real property, whether by retention, resale, lease or other legal use, together with an estimated time schedule for such acquisition and disposition.
8. The maximum amount of indebtedness that can be issued or incurred under the plan:
- ~~\$19,150,000.00~~
9. A description of what types of possible future amendments to the plan are substantial amendments.
- This Amendment does not change the prior Plan provisions relating to the type of possible future amendments that would constitute substantial amendments.
- This Amendment is deemed a substantial amendment as required by ORS ORS 457.190(3)(c)(A).
10. For a project which includes a public building, an explanation of how the building serves or benefits the urban renewal area.
- Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

Report for the Ninth Amendment to the Newport Urban Renewal Plan

1. Description of physical, social and economic conditions in the urban renewal areas of the plan and the expected impact, including the fiscal impact, of the plan in light of added services or increased population.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

2. Reasons for selection of each urban renewal area in the plan.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

3. The relationship between each project to be undertaken and the existing conditions in the urban renewal area.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

4. The estimated cost of each project and the sources of moneys to pay such costs.

a.	Uptown Recreation Center	\$5,000,000.00
b.	Naterlin Center Renovation	\$2,500,000.00
c.	Pier and Boardwalk	\$500,000.00
d.	Visual Arts Center	\$400,000.00

e.	Performing Arts Center	\$1,000,000.00
f.	Nye Beach Street and Parking Improvements	\$1,500,000.00
g.	Uptown Parking	\$750,000.00
h.	Bayfront Parking	\$1,000,000.00
i.	Sewer Plant	\$5,000,000.00
j.	Library	\$1,500,000.00
	TOTAL:	\$19,150,000.00

The source of monies to pay such costs will be tax increment bond financing, to be paid through ad valorem real property taxation pursuant to ORS 457.435(2)(a)[“Option One”].

5. The anticipated completion date for each project.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective “Supporting Plan Text” and “Supporting Plan Section” in the attached “Summary of Projects and Estimated Indebtedness Required.”

6. The estimated amount of money required in each urban renewal area under ORS 457.420 to 457.460 and the anticipated year in which indebtedness will be retired or otherwise provided for under ORS 457.420 to 457.460.

If the maximum indebtedness is incurred, \$19,150,000.00, the anticipated year in which indebtedness will be retired is 2020.

7. A financial analysis of the plan with sufficient information to determine feasibility.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective “Supporting Plan Text” and “Supporting Plan Section” in the attached “Summary of Projects and Estimated Indebtedness Required.”

8. A fiscal impact statement that estimates the impact of tax increment financing, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required." See particularly the Seventh Amendment.

9. A relocation report.

Because this Amendment does not propose any new projects but is merely a summary of the projected costs to complete the projects previously authorized, this Amendment hereby adopts and incorporates the findings and conclusions previously incorporated in the Plan and its amendments, including but not limited to the respective "Supporting Plan Text" and "Supporting Plan Section" in the attached "Summary of Projects and Estimated Indebtedness Required."

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Newport Urban Renewal Plan
Summary of Projects and Estimated Indebtedness Required
April 22, 1998

1. Uptown Recreation Center \$5,000,000.00

Project Description: a site and structure for a facility for a community center for social and cultural activity.

Supporting Plan Text: “acquisition, development, enhancement, repair and/or improvement of a site in the old core area of the City of Newport, commonly referred to as the "uptown" area, to provide a site and structure for a facility for a community center for social and cultural activity....”

Supporting Plan Sections: Fourth Amendment.

2. Naterlin Center Renovation \$2,500,000.00

Project Description: upgrade and improve water, plumbing, electrical and handicap accessibility to the facility.

Supporting Plan Text: “The improvement of the Naterlin Community Center, including but not limited to, repair, improvement, replacement, as appropriate, of the heating system, electrical, plumbing and other central services, the provision of safety systems and facilities to make the building accessible to the handicapped and other such improvements, repairs and refurbishing as will make the said Naterlin Community Center more useful and accessible to the community and aesthetically improve the same.

Supporting Plan Sections: Third Amendment, Section 6.

3. Pier and Boardwalk \$500,000.00

Project Description: Construction of a new pier at the west end of Bay Boulevard; connect the boardwalk that presently stops at the “Fern Plant” east to the existing boardwalk that is constructed at the Embarcadero Resort.

Supporting Plan Text: “Acquisition, construction or improvement of a public pier for physical and/or visual access to Yaquina Bay on SW Bay Boulevard, opposite SW Bay Street.” “Improvements to public sidewalks along SW Bay Boulevard in the bayfront area, including installation of paving stone.” “Participation with the City Street

Department in the implementation of the City's Master Transportation Plan by the construction, improvement and repair of City streets within the Urban Renewal District.”

Supporting Plan Sections: Fifth Amendment, Section (2)(h), (i).

4. Visual Arts Center \$400,000.00

Project Description: Construction of 3500 sq. ft. for a Ceramics Center; add storage, offices and classrooms.

Supporting Plan Text: “acquisition, development, enhancement, repair and/or improvement of a site in the old core area of the City of Newport, commonly referred to as the "uptown" area, to provide a site and structure for a facility for a community center for social and cultural activity, including but not limited to theater and other performing and visual arts.”

Supporting Plan Sections: Fourth Amendment; Seventh Amendment, (B)(12), page 9.

5. Performing Arts Center \$1,000,000.00

Project Description: expansion of the Box Office and the facility management offices; addition of equipment for the Alice Silverman Theater, including light ladders, instruments, sound system refurbishing, acoustical equipment, and expansion of the existing storage facility; classrooms and facilities for the teaching and developing of the arts.

Supporting Plan Text: “acquisition, development, enhancement, repair and/or improvement of a site in the old core area of the City of Newport, commonly referred to as the "uptown" area, to provide a site and structure for a facility for a community center for social and cultural activity, including but not limited to theater and other performing and visual arts.”

Supporting Plan Sections: Fourth Amendment.

6. Nye Beach Street and Parking Improvements \$1,500,000.00

Project Description: improvements to Cliff Street; acquisition of additional land for parking along Coast Street and at NW Third and NW Beach; improvements to streets, sidewalks, lighting, and curb cuts; align Coast Street at NW 6th Street to High Street; develop Sam Moore Parkway

Supporting Plan Text: See projects listed in Seventh Amendment, Pages 7-9.

Supporting Plan Sections: Seventh Amendment, Section B.

7. Uptown Parking \$750,000.00

Project Description: parking, surface or structured; street improvements, lighting and assistance in financing.

Supporting Plan Text: Acquisition, development and improvement of a site for a parking facility or structure in the general vicinity of the old core area of the City of Newport, commonly referred to as the “Uptown” area.

Supporting Plan Sections: Third Amendment, Section 4.

8. Bayfront Parking \$1,000,000.00

Project Description: development of additional parking in the Bayfront area, either through the construction of a parking structure, or the development of surface parking.

Supporting Plan Text: “The construction of a parking facility or structure, including the acquisition of land rights, to provide additional vehicular parking and related facilities at the westerly end of Bay Boulevard, and in particular near its intersection with Abbey Street.”

Supporting Plan Sections: Third Amendment, Section 2.

9. Sewer Plant \$5,000,000.00

Project Description: implementation of the Wastewater Plant Expansion in conformance with the City of Newport Master Sewer Plan through construction of a wastewater treatment facility in the South Beach area.

Supporting Plan Text: “[A]dequate sanitary sewer will achieve local objective of generally upgrading the area.” Increased water capacity and filtration to “insure an adequate supply of treated water to serve the seafood processing and tourist industries” also lists sewage treatment as just as necessary to the seafood processing and the tourist industries. Improved parking, rehabilitating the “old Naterlin Center,” and improving the residential, commercial and industrial growth of the district creates the need to address the wastewater for the area. “Participation with the City Sewer Department in the ... wastewater plant expansion in conformance with the City of Newport Master

Sewer Plan.” (The City of Newport Master Sewer Plan provides for the construction of a wastewater plant to be constructed in South Beach, in lieu of short term expansion and possible subsequent abandonment of the existing wastewater treatment plant.) The construction of the Performing Arts Center, Betty Wheeler Park, water lines in the business district, and street improvements; are directed at improving the residential, commercial and industrial growth of the district, hence the need to address the wastewater needs for the area. Affordable housing, additional parking for businesses, rehabilitating the ocean outfall line, traffic signals and street improvements create a need for improved and expanded wastewater treatment.

Supporting Plan Sections: Original Plan, “Description of Project” and “Relationship to Local Objectives,” subsection (c); First Amendment; Third Amendment; Fourth Amendment; Fifth Amendment, Section 2(d); Seventh Amendment.

10. Library \$1,500,000.00

Project Description: expand the Library facility.

Supporting Plan Text: “[R]edevelop and improve ... site ... through the construction of a Library building, a parking lot and appropriate landscaping.

Supporting Plan Sections: Sixth Amendment, Section 2(b).

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