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MEMO

DATE: July 10, 2017

TO: Mayor and City Council

FROM: Spencer Nebel, City Manager

SUBJECT: Status Report for the eight-week period ending Friday, July 7, 2017

The past eight (8) weeks have been a whirlwind of wrapping up the budget process with the Budget Committee in May, and the City Council at the June 20, 2017, meeting. I am now catching up with projects that had been deferred in order to get through the day-to-day operations, as well as the budget process. I also took a little time off to catch up with things on the home front. I am very grateful that the City Council only schedules one meeting in July. This definitely helps with catching up with work issues not related to the Council meetings. It is difficult to believe that we are already well into July.

Highlights of Activities over the past 8-weeks include the following:

- Took some vacation time on Monday, May 8, and Wednesday through Friday, May 10-12 to work on a couple of backyard projects (unfortunately they are not done yet).
- Attended a routine Airport Committee.
- Participated in a monthly lunch meeting with the Lincoln County managers.
- Met with Lance Vanderbeck in an Airport staff meeting.
- Met with Thompson Sanitation to review the rate study that was later presented to the Council
- Barb James, Rob Murphy, Steve Rich, and I met to discuss the unfair labor practice that had been filed by the IAFF (firefighters). Since this was filed, the firefighters union has gone through a leadership change. Please note, this particular local represents Depoe Bay, City of Newport, and Seal Rock firefighters. The new leadership did not seem to be as interested in pursuing this complaint. In order to bring this issue to closure, we agreed to reimburse the union their \$300 filing fee with the State, with the city contributing \$500 towards the union's legal representation cost in this matter. Based on a communication from the union's attorney, it appeared that the total legal costs were approaching \$4,000 for the union on this matter. In addition, we agreed to discuss the concerns in the

upcoming bargaining with the firefighters. While I think the city was on good footing to contest this matter, the cost of contesting it would have been substantially greater than the settled amount. Also, by reaching a settlement in this case, it assures a better relationship with the new union leadership.

- Along with the City Council, participated in the second budget meeting on Tuesday, May 9.
- Mayor Roumagoux and I attended the Law Enforcement Recognition Banquet on Friday, May 12, which proved to be a nice event to recognize outstanding service by individuals in the various law enforcement agencies.
- Prepared agenda items for the May 15, 2017, City Council meeting on workforce and affordable housing incentives, storm and drain responsibilities, and the process of committee appointments.
- Participated in a meeting to review the agenda with the Mayor.
- Participated in an Urban Renewal meeting and City Council meeting.
- Met with Melissa Roman and Lance on the Airport Master planning efforts.
- Met with Rob and Tim on the North side yard at Third and Nye Streets (the old Wastewater plant). This is an area that is used jointly by Public Works and the Fire Department. The Fire Department was concerned about some encroachment into their space by Public Works. We reviewed the concerns of the Fire Department, and the needs of both the Fire Department and Public Works at this location. In the long run, Rob would like to see the Fire Department activities ultimately be relocated out to the Airport including the burning tower. The current location of the burning tower causes conflicts with the adjacent property owners, and would provide additional space for Public Works use at this location in the future. In the meantime, Public Works will work towards containing their use of the site so that it does not interfere with the Fire Department's use.
- Derrick and I reviewed the next step with the visioning process. While the visioning effort has been quiet on the public sense, there has been a lot of effort taking place to compile thousands of comments and observations; and working with various drafting committees, and our consultant developing the initial visioning statements for public vetting.
- Staff members and Councilor Swanson participated in an eclipse planning meeting. The results of these meetings has been reported to the City Council in preparation for the August 21, 2017, celestial event.
- Along with City Council members, participated in the third and final Budget Committee meeting. I certainly appreciated the effort the Budget Committee members put into reviewing and understanding components of the city's annual budget. I would particularly like to thank Mike and Linda in Finance for all their efforts in pulling together the budget information. This allows me to make appropriate decisions in developing the proposed budget, and then work with the Budget Committee to refine the proposed budget, which eventually creates the final budget for Council adoption. I would also like to thank the rest of the Department Heads for their role in getting the budget put together. For 2018, we will be exploring with the Budget Committee members, as part of the preliminary committee meeting, the possibility of reviewing the budget materials electronically versus paper. It may be appropriate to do a hybrid where we would only print

materials for folks that requested it, with the balance of the committee members reviewing the budget electronically. Another thing we have been working on (albeit slowly) is better tracking and reporting of our capital projects. Linda Wertman has been hired in Finance to specifically focus on the financial tracking of projects, grants and other similar efforts. Linda has already made a substantial amount of headway. I think that one of the bigger changes the City Council and Budget Committee will see in 2017 is a clearer presentation on the status of capital projects that are currently funded, or underway, and new capital projects proposed for in the future. During this fiscal year, we would like to create a regularly updated report that would be posted on the website on the financial status of the various projects as well. Again, overall I really appreciate everyone's time and effort in pulling together the 2017-18 Fiscal Year budget. While it is very time consuming, it is one of the more important parts of my job as City Manager to develop a financial operating plan for the coming year for the Council's review and adoption.

- Peggy and I met with John Russell and Laura Flores from Payne West to review the renewal of the city's property, liability, auto and worker's compensation policies for the year beginning July 1. Overall, we have had good trends with our auto experience, and our worker's compensation. Our property claims have been up a bit with our general liability potential experience spiking in 2016-17. Payne West recommended, and we agreed to shift our worker's compensation coverage from CIS to SAIF. SAIF is Oregon's not-for-profit, State chartered worker's compensation insurance company, which issues almost half of the policies in Oregon. It is realizing a \$40,000 savings by making this move at this time. The balance of our coverage will continue to be from CIS. Our insurance costs are remaining fairly stable for 2017-18, with these changes.
- Met with Keith and Jan Johnson regarding a broken sewer lateral that serves their property. They were concerned that they had receiving a notice regarding a leak that was detected from smoke testing three years earlier. I have had a couple of other inquiries relating to the same issue from a couple of other individuals as well. Unfortunately, Public Works was unable to follow up on these issues until this year. Most of the property owners have been fully cooperative in addressing these lateral issues that were discovered a few years earlier during this testing.
- Met with the Interim Police Chief, Fire Chief, "IT", and HR in individual regular department meetings.
- Met with staff to discuss the status of Avery Street, which is a street that runs by the new PUD maintenance facility. The street is currently a county road. As part of the construction project, PUD is required to bring their portion of the road up to standards that can accommodate the truck traffic they will be generating on Avery Street. The PUD has been a little reluctant to do this, but finally have the plans in, and they will proceed accordingly. At one time, the county was advocating reconstructing the remaining portion of Avery Street beyond the PUD as part of a joint project with the PUD. Furthermore, the county wanted to explore the possibility of giving money to the city, and having the city complete the construction. Tim has indicated that with the current backlog of city projects, it is his desire that the county complete the improvements before turning over the remaining portion of Avery Street to the city. The county is comfortable with that scenario. As a result, the Avery Street will likely be turned over to the city in two

separate phases with the PUD portion being transferred to the city first, and the remaining portion of Avery Street being transferred to the city following completing of that work by the county. This would likely be in 2018. Since that time, Derrick and I had a conversation with Paul Lawson. He was concerned that he has been out of the loop on these recent changes with the project now being broken up into two separate phases. He would like to complete some work on his property prior to the road being constructed. We indicated to Mr. Lawson that the reason he had not heard from us was because the project was at a standstill until recently when PUD was able to get final plans to the city for our approval. The decision to split the project is something that has just recently occurred as a result of the subsequent meetings with Wayne Belmont from Lincoln County. Mr. Lawson would like to proceed with some stubbing of utilities prior to the county portion of the road being completed. He was relieved that he now has some additional time to coordinate that effort.

- Participated in a meeting coordinated by City Attorney, Steve Rich, with the legal team from CIS relating to potential litigation regarding the City Center Motel project.
- Met with Lorna Davis to review the existing contract, make certain modifications to that document in preparation for the City Council's approval, which occurred in June.
- Tim, Derrick, and I met with Nancy Steinberg and Tom Follett regarding the status of the development of trails on reservoir property. We indicated to the organizers that there is no reason they cannot initiate a plan to bring back a presentation to the city for the development of this trail system. Once that trail system is better defined, we will bring it back to the City Council for Council review.
- Met with Councilor Engler over concerns relating to the Nye Beach Overlay, and the issues she has heard regarding the zero foot setback for residential garages in the Nye Beach District.
- Met with Jason Nehmer regarding proceeding with a group to discuss the future of the skate park. Jason put me in touch with the consultant that had some analysis of options who I spoke with following this meeting. They are willing to work with the city on exploring both short term and long term planning regarding the future of this facility. We will be pulling together a group later this summer to sit down and proceed with discussions relating to this issue with the hope of presenting a report to the City Council before the end of 2017. This would allow the city to consider any funding needs for more major renovations of the existing facility, and/or options to initiate the process to look at alternate options going forward in the future.
- Met with Jeff Bertuleit to discuss the Airport Master planning process. Jeff's suggestions was that the Master Plan should focus on the issues not related going to higher classification Airport during the next twelve to fifteen years, but keeping the goal of going to a higher classification Airport long term. This issue was subsequently discussed at an Airport Committee meeting with the Airport Committee concurring with this type of approach. We are working with the Airport consultants to incorporate this line of thought in the draft Master Plan, which will be coming before the Airport Committee on Tuesday on July 11 for another review, and then to the City Council on July 17 for possible submission to the FAA for review.

- Met with Kit O'Carra for an insert in the water and sewer bills regarding the upcoming eclipse. This also included a coupon to redeem eclipse glasses at our Finance Department in City Hall. This has been popularly received by our water and sewer customers. As we get closer to the eclipse, we will look at other means of distributing any remaining glasses that we have.
- Along with Mayor Roumagoux, and a number of members of the City Council, participated in the hospital ground breaking ceremonies on Tuesday, May 23 for the new hospital facility. The work that will occur in the next few years will dramatically change the appearance of this part of town. I think these improvements will fit in well with the urban renewal planning, which will be initiated during this fiscal year for the City Center area addressing transportation issues of this important part of the community. The hospital project itself will be a significant shaper of future development in the City Center area.
- I met on site with Dennis Fry regarding concerns he has with homeless encampments in the ravine off of Cottage Street. This has been facilitated by the dumping of brush on property in the ravine. The brush provides a convenient shelter for folks camping out. We are working with the Police to have the brush removed, and we have talked to the property owners to indicate it is not allowed to dump brush in the ravine even though this has been a past practice for some time. Mr. Fry also would like to see if it is possible to develop a more defined trail system that would run through the ravine to help address people cutting across his property. This currently occurs since his property is the shortest way to head south to get the existing trail that is located in the ravine. I indicated that I will be referring the trail issue to Parks & Recreation for their consideration.
- Along with Lincoln County and the State of Oregon, I participated in a NOW panel on how citizens apply for and get appointed to various boards and commissions at the city, county and State level. Overall, it was a good discussion. I brought applications and descriptions of each of the city's advisory boards and committees for participants in the meeting to review.
- Conducted an interview process with Jason Malloy to permanently fill the position of Newport Police Chief. The process included a citizen's panel, which included: Ineka Eastabrook (PFLAG), Robert Smith (private citizen), Rob Thomson (Thompson Sanitary Service), Beatriz Botello (representing the Latino community), and Veronica Willem (Nye Beach Merchants). The process also included a law enforcement panel, which included: Michelle Branam, District Attorney, Curtis Landers, Lincoln County Sheriff, Tim Fox, Oregon State Police, David Enyeart, Toledo Police Chief, and Mike Leake, Newport Police. There was also an internal staff panel that included: Steve Rich, Ted Smith, Cheryl Atkinson, Barb James, and Derrick Tokos. The charge of the interview process was to determine Jason Malloy's fit to serve as Police Chief for the City of Newport, and to determine whether a direct promotion was the appropriate step to take, or whether the city should proceed with a search and traditional interview process. As a result of the panel discussions, the recommendation to me was that Jason Malloy is an appropriate fit to fill the position of Police Chief for the City of Newport, and that the city would not likely benefit by going through a competitive search for filling this position. This was based in part on the efforts that the department has undertaken at succession planning, and Interim Police Chief Malloy's efforts at becoming fully

prepared to accept the responsibilities of chief through obtaining his Bachelor's Degree and completing the FBI Academy, as well as his on-going leadership in the department and community during his tenure with the City of Newport. Please note that two members of the interview panel thought Jason was qualified, but felt a search would be their choice to fill this position. Because of the interview panel's overall recommendation, I have made a contingent offer of employment as Police Chief to Jason, subject to the finalizing background check, which is conducted with all employees promoted to a position including internal candidates. We anticipate the report being completed any day now. Barring anything unforeseen with the background check, I will be publicly announcing Jason's appointment following receipt of that report.

- Participated in a YBEF meeting.
- Took Thursday and Friday, May 25-26, as vacation days. We had friends visiting from Michigan who spent the Memorial Day weekend with us.
- City Hall was closed on Monday, May 29 in observation of the Memorial Day holiday.
- Participated in an internal Emergency Management meeting. Most of our focus has been on preparing for the August 21 eclipse.
- Met with Rosemary Hume, who is very interested in trying to pull together a student sister city trip to Mombetsu in 2018. Rosemary is also interested in participating in the Mombetsu Sister City Committee. We have talked about formalizing that committee, so that various issues can be followed up with regarding our relationship with Mombetsu. I think it is important for the committee to meet two to four times a year just to make sure that certain actions and steps are being taken to continue communications with our sister city. When an upcoming visit is taking place, then the committee could establish a working group to process the details of either hosting a group or sending a group to Mombetsu. This item is on my to-do list, and hopefully before the end of summer, I can have some sort of report for the City Council's consideration.
- Met with Melissa and Lance on Airport Master Planning.
- Met with an employee regarding concerns they have relating to their job.
- Mike Murzynsky, Linda Wertman, Tim Gross, Jayson Buchholz, Olaf Sweetman, and I met to discuss the use of the capital project and grand accountant's position to coordinate the financial aspects of these projects. This will be a work in progress as we try to determine the best way to accomplish the task, both from a finance and engineering department's perspective. I am excited about the opportunity we have in order to significantly improve the transparency and accountability of various projects.
- Met with the Beautification Committee on various landscape proposals that were received to improve the Nye Beach Turnaround, the Angle Street parking lot, and the South Beach round-about. We have had ongoing discussions with the PAC regarding landscape improvements there, which resulted in a second Beautification Committee, which we were on-site reviewing the location. The Beautification Committee needs to finalize that particular plan, and then we will start identifying projects for the 2017-18 Fiscal Year as well. Hopefully, with the efforts that have taken place this year, our processes will be a little more streamlined as we approach additional beautification projects for this next year.

- Executed the last purchase agreement for the acquisitions of homes in the landslide area in NE 70th Drive. This last purchase was delayed due to a reverse mortgage that had to be addressed in order to acquire the property. The city now owns all the property that we were scheduled to acquire in the slide area. Please note, the one home owner has taken steps to stabilize their home at this location.
- Met with Mayor Roumagoux on several constituency issues.
- Participated in weekly meetings with Jason, Rob, Richard Dutton and Barb.
- Barb, Tim, Dave White and I met regarding a memorandum of understanding with the Newport Employee's Association regarding lead workers and senior workers.
- Participated in a monthly KCUP radio show with Cheryl Harle.
- Rob, Barb, Steve and I met to discuss various positions for negotiations with the firefighters union.
- Met with Rob and Bob Harvey, our Deputy Fire Chief, regarding the fireboat grant in preparation for the June 15 City Council meeting. Please note in the attachments, we ended up not submitting the application since the Port of Newport does not meet new security requirements recently imposed by the Federal government relating to security. To be eligible for funding in the future, the Port will need to implement and certify certain security issues. If those measures are in place, then we will be eligible to apply for Newport security funding for the fireboat.
- Prepared agenda items for the June 5 City Council.
- Held a routine department head meeting.
- Participated in a noon work session, which included discussion on the yearly update from our Municipal Judge, Jeff Pridgeon, and discussed the process of committee appointments. In addition, an executive session was held on property issues related to Nye Beach.
- Met with Mayor Roumagoux to review the agenda for June 5 City Council meeting.
- Participated in a meeting with OSU to discuss personnel changes relating to the leadership of the management of NNMREC, and the PMEC SETS Project. Belinda Batton has changed roles in OSU, and is now the Assistant Dean for the College of Engineering. Belinda indicated that the contract for the first \$5,000,000 for the Wave Energy Project has been executed with an additional \$5,000,000 to \$10,000,000 in 2018 Fiscal Year targeted. Belinda will continue to be the project leader for PMEC SETS through Period 1.

Feedback to Roy Haggerty, Associate Vice President for Research, at OSU, indicated that Belinda's successor in NNMREC needs to continue to understand how important it is to collaborate with the local community, fishing community, and other key stakeholders on this project. They have to spend time understanding the local issues and local impacts in order to have the most meaningful ability to work through future local community issues that help make PMEC SETS a possibility. PMEC SETS is just one project under the NNMREC umbrella. Currently NNMREC has \$23,000,000 in research projects under its direction.

- Participated in the June 5, 2017, City Council meeting.

- Met with Trish Odell and several of her neighbors regarding concerns relating to the possible purchase of some of the property below the bluff line near their homes. I will continue to work with Derrick Tokos on these concerns.
- Met with Mike Murzynsky and key department heads on the final supplemental budget for this year. Most of the adjustments related to construction projects, and will be adjusted at the last meeting of the year.
- Rob, Barb, and I reviewed the reference checks for the Emergency Planning Coordinator candidate. We made an offer; however, this candidate has turned down our offer. We have a second strong candidate as well, to whom we will make a job offer.
- Rob, Barb, Steve and I met for a Step II Grievance meeting with the IAFF union. This grievance was regarding a written warning issued to one of the employees of this unit. Following the hearing, I supported the Fire Chief's position in the original decision to impose the written discipline. The union has indicated that they do not plan to appeal my decision through arbitration.
- Met with Jason Malloy in a monthly meeting.
- Jim Protiva, Judy Mayhew, Steve Rich and I met regarding ownership, and legal responsibility for equipment provided by others for the gymnastics program held in our gym. We are working with the local gymnastics group, and we need to clean up some of our relationship's and legal responsibilities relating to the ownership of some of the equipment that currently exists, as well as proposed new equipment they would like to utilize in this program.
- I met with Carla Perry, and another individual regarding the benefit of using the County fairgrounds to provide affordable housing for Newport. I indicated that County has spent significant amount of time on the long-term redevelopment of the fairgrounds to continue providing a home for the fair, and other purposes. They also indicated that they found a reversionary clause that would have the property revert back to the city in the event that County ceases to use that property as a fairgrounds. They indicated that they were going to follow up with Wayne Belmont on this issue.
- Participated in a phone conference with Hilary Gorlin from the Portland Trailblazers organization as part of the kick-off for the 2017-18 season. They will be dribbling a basketball in relay style from Coos Bay to Portland. They will be coming through Newport as part of this effort. They want to utilize the Angle Street parking lot on Wednesday afternoon/evening in order to set up some three on three basketball courts, and display booths promoting the Trailblazer season. We have sent them special use permits, which will they will turn back into us to finalize this event.
- Held our first negotiation session with the firefighters. The ground rules were laid out for the negotiations. We mutually agreed upon them, and we began exchanging proposals, which can occur over the first three negotiation sessions. We will schedule an executive session with the Council at the first meeting in August to brief the Council on the status of the negotiations.
- Held a Landscaping/Beautification Committee meeting at the Performing Arts Center. They are working towards having an agreement from OCCA on the proposed landscaping changes at that site.

- Met with Mayor Roumagoux, Councilor Swanson, and Councilor Engler in a 2040 Steering Committee meeting.
- Mike Murzynsky, Tim Gross, and I participated in a utility rate study conference call with our consultants working to finalize the rate study. We are hoping to have something finalized for presentation to the City Council in the next few weeks. Once the rate study is finalized, then we will need to determine our process for implementing the study.
- Met with Lance on various Airport issues.
- Participated in the monthly lunch meeting of Lincoln County Municipal Managers in Lincoln City.
- Participated in a meeting of the Airport Advisory Committee.
- Met with Tim and Olaf on the city's HVAC system. As reported at the June 15, 2017, Council meeting, the bids came in substantially above the engineer's estimate. We only had one bid. We recommended that the bid be rejected, and we are looking at ways to refine and downsize this project to bring it within available funds.
- Participated in a meeting with Judge Pridgeon on signage at the South Beach Marina site. The Judge receives many complaints from citizens at this location, and suggested that a meeting be set up to see if the signage can be improved. The meeting included Tim, Kevin Greenwood, Chris Urbach (Port Harbormaster), and Mike Goeff from TCB. Tim had a number of good suggestions for the Port to consider implementing to help clarify signage. It is the Judge's goal to reduce honest confusion due to inadequate or conflicting signage.
- Met with Barb and Jason on a personnel matter in the Police Department.
- Met with Police, Fire, and Human Resources as part of our weekly meetings.
- Richard Dutton has had to travel back to the United Kingdom to deal with health issues with his mother. He will be off an extended period, and is hoping to be back in August. We wish Richard the best as he is dealing with his mother's health issues.
- Stopped by to meet with Don Davis. Don was in remarkably good spirits, and seems to be doing quite well physically as well. Don stays very current on issues in Newport, and shared a number of pertinent thoughts with me during our time together,
- Councilor Allen, Sawyer, and Goebel, Derrick, and I participated in the update on the Marine Studies building held at Hatfield's visitors center. The design of this facility continues to move forward with certain modifications being made to the facility. Bob Cowen's biggest concern is relating to the overall cost for this project. This will be the first in Oregon, and only the second on the West Coast of a building built with provisions for vertical evacuation. The foundation system for the building will include piling structures that will be designed to withstand liquefaction that is likely to occur under a major seismic event at this location. Bob Cowen will be providing an update to the City Council at the Council's July 17, 2017, meeting.
- Provided a status of various city projects at the Chamber luncheon on Friday, June 16.
- Derrick, Tim, Steve, Jim, and I met with representatives of the Lincoln County School District to continue the discussions regarding the School District acquiring

the city's former swimming pool facility. The District has since provided a parking analysis for our review. We will get together with the District one more time, and hope to have a report for the City Council in August on this matter.

- Participated in the annual Chamber Awards Banquet on Friday, June 16, 2017, along with Mayor Roumagoux, and certain city department heads. The Chamber presents an award to a city employee each year. This year the award was presented to our Building Official, Joseph Lease. Congratulations to Joseph on this well-deserved recognition!
- Along with Councilor Engler, I participated in the Samaritan House gala on Saturday, June 17, 2017. It was a very successful fund raiser for Samaritan House.
- Prepared a list of agenda items for the June 19, 2017, City Council meeting which included the various budget public hearings, resolutions and approvals.
- Held a routine department head meeting.
- Participated in a work session on security services for the Newport Library, and an update on the Greater Newport 2040 Vision effort, and a review of draft housing implementation ordinances.
- Met with Mayor Roumagoux to review the agenda.
- Met with Barb, and Mike regarding personnel issues in the Finance Department.
- Participated in the June 19, 2017, regular City Council meeting, and the Urban Renewal Agency meeting.
- Was on vacation on June 20-22, 2017. We had friends from Wisconsin staying with us. While they were here we did an overnight trip to Crater Lake.
- Held a routine meeting with Barb on various HR issues.
- Met with Heather Mann and David Jincks from the Mid-Water Trawler's Co-op relating to information on the building permit issued for the International Terminal improvements. They have concerns that the Port Commission does not understand the potential impacts that the current agreements being negotiated would have on this important segment of Newport's economy. They want the Port Commission to take the necessary time in order to develop the solid agreements that will allow the Port to expand its shipping footprint without critically impacting an important, and developing segment of Newport's overall economy. I was able to forward the information that Derrick had prepared for a Port Commissioner on this same issue to Heather Mann and David Jincks with a copy to Kevin Greenwood.
- Participated in a special Airport meeting to review the potential modifications to the draft Airport Master Plan with the Airport Committee. The Airport Committee provided general concurrence with the strategy that we were going to pursue with our consultants, and with the FAA. The Airport Committee will be formally considering this item at their July 11, 2017, meeting.
- Met with Barb on a personnel issue.
- Met with Lance, Melissa, Derrick, and Jayson Buchholz on the plan to proceed with various land purchases at the south end of the Airport. These are purchases that are being funded in part by the FAA. On this issue, Derrick will be taking the lead from a negotiations standpoint for the acquisition of the property. Lance will handle the grant for this project.
- Steve, Jason, Derrick and I met to outline various discussion points for the City Council's work session scheduled for July 17, 2017, on homelessness and

panhandling. A number of efforts have taken place in different communities, but there truly are no clear solutions at the local level that can effectively address these issues. We will identify a few tools that have been used in different communities to determine whether these tools will make any sense in Newport. I hope the Council has thoughts and ideas to share at this meeting as well, so we can determine what can and cannot be done in order to address this difficult problem.

- Chaired an OCCMA Bylaws & Constitution Committee meeting via conference phone. The committee will be presenting the final draft of new bylaws and policies for consideration by the Board of OCCMA at our July 14, 2017, meeting in Bend. It has been a nice diversion to be able to work on this project on behalf of OCCMA. Hopefully, the Board will be good with the revisions, and this will be ready for approval at our annual membership meeting in September to replace our existing governing documents.
- Barb, Steve, and I met regarding our requirements for volunteers, as it relates to SafePersonnel training. We have attempted to have our volunteers participate in a full course of training through SafePersonnel, which is accessible with an internet connection. We have had some pushback and concerns from the volunteer community regarding what they feel is an excessive requirement for them to volunteer. In reviewing this matter, we are looking at significantly downscaling the information we provide to our volunteers in an attempt to address these concerns. We will be discussing this with department heads in an upcoming staff meeting, and then rolling out a simplified process for handling any required training for volunteers that work for the city.
- Mike, Barb, Steve, and I met to try and wrap up our analysis of retirement balances that exist for past retirees of our Newport Retirement Plan. As you may recall, we have retirement balances showing for some retirees have no balances due. In addition, we have retirement balances showing for folks that were paid out based out on an estimate, not the actual amount. For these individuals, they are due additional compensation from the retirement fund. Once we have completed our review, this will be presented to the Retirement Trust and concurrence, and ultimately to the City Council for Council ratification for these adjustments. This will be a very nice issue to get off our plates, and establish a clean starting point for the actuaries relating to the balances shown for both current and past employees in the fund.
- Along with Councilor Swanson, participated in an Emergency Management Committee meeting, which continues to be focused on the eclipse.
- Peggy, Jason, Barb, and I met to continue our discussions on developing operational policies regarding the use of e-mail for city staff members. With the volume of e-mail that we get on a daily basis, it is very difficult to keep current on those issues that require a timely response, or on those issues where a courtesy copy is provided for informational purposes only. The primary problem is that many e-mails are not read, but simply skimmed, and if an action or response is required that is often times getting missed as someone scans a 100 e-mails at a time. Richard had suggested a trainer to assist us in this effort. Once we have a policy together we would like to proceed with training city employees. Internally we would be using the same keywords in our subject lines. We would not unnecessarily copy everybody, and their brother on everything that we send out. This bogs down

everyone else's review of their own e-mails. We would attempt not to have dialog via e-mail when a conversation may be a more appropriate means to address some sort of conflict.

- Met with Dennis Bartoldus on a number of general concerns that he has in his interactions with the City of Newport. I invited Dennis in when we were chatting at the South Beach traffic signal re-location meeting that was held with ODOT and Public Works. Dennis indicated that he is concerned that decisions made at various staff levels are becoming more bureaucratic and inflexible. He believes there are a number of situations in which a less arbitrary position could yield the same end results with less angst and concern from the property owners impacted by that city policy. In general, I understand his concerns and would agree there are probably specific circumstances that could be handled a little differently in some situations. One of the problems that we are experiencing; however, is that past situations were handled very differently for different people at different times creating a number of the inconsistencies and problems that we are currently sorting through at this time. We talked a little bit about the storm sewers that were placed in past years by property owners to fill various ravines to facilitate development. While the property owners benefited when they filled the ravines, now the problems created by some of these storm sewers are coming back to haunt the city. The question remains whether the responsibilities are the property owners to address, or to the city who has, overtime, tied other storm water lines into these storm sewers. Since these matters have been handled differently over time and certainly accommodated some of Newport's growth, it has also created some of the uncertainties that we have to deal with today. I appreciated Dennis sharing his comments with me, and I would like to work with staff to determine how we can be accommodating yet consistent in applying policies to all citizens.
- Steve, Tim, Derrick, and I met regarding a water line located on 1050 N.E. 6th Street property. This water main was installed at the time the property was subdivided by the developer. The developer ended up building the water line across this lot, outside the easement, with the lot subsequently being sold. The new owner is planning to build a house, but was unhappy because the original siting for the house was not authorized by the city. It encroaches in an existing water utility right-of-way. At some point, the city will need to obtain a corrected easement from the property owner, who is not willing to discuss this at this time.
- Conducted a second negotiation session with the firefighters to negotiate a contract.
- I hosted a KNPT radio show with Lance Vanderbeck being my guest. We talked about a number of things occurring at the Airport, including Life Flights recent opening of their operations in Newport.
- Met with Rob in a regular weekly meeting.
- Spoke via the internet with Richard Dutton in the UK to discuss a number of issues currently ongoing in the city while he is tending his mother's illness. Richard has actually been dealing with a number of IT issues remotely during the time he has been back in the UK. It is amazing the world is at times!
- Met with Lorna Davis and Jamie Rand to finalize the agreement with "News-Times" for various marketing and social media services. This is an item that will be on the Council's July 17 Council meeting.

- Met with Lance Vanderbeck, Chair of the Safety Committee, and Barb on the future of the Safety Committee. The Safety Committee has had a difficult time in getting a quorum of employees to participate in their monthly meetings. We have talked about a couple of options to reverse this issue, including restructuring the Safety Committee, and/or working to replenish membership based on the existing structure. It is important to have a viable, functioning Safety Committee in place. I think it will be beneficial if we have success in hiring a part-time Safety Officer for the city to help support this overall effort.
- Met with Susan Armstrong, and Greg Morrow regarding the catch basin in front of the Nye Beach Tap House. In January, I had met with Greg Morrow and Tim to discuss this issue. At that point, Greg had indicated that Tim did give him the specifications for the catch basin. The first catch basin he had installed was a residential type catch basin, which was not satisfactory for the road and not meeting any specifications at all. He put in an ODOT type catch basin the second time. While this is a more substantial, commercial size catch basin, it was still not the specified catch basin for this location. As a result, Greg agreed to file a bond sufficient for the city to put a proper catch basin at this location. Susan and Greg are asking us to revisit our review of this catch basin. I indicated that I will follow up with them, and let them know if anything has changed from our January meeting.
- I spent July 5 in Portland with Angela who underwent a surgical procedure. The second procedure will be in Portland on July 20, With the timing of this procedure, I will likely be off work on both Thursday and Friday, since we will not be able to drive back to Newport following this second procedure.
- Met with Jason to discuss normal departmental issues.
- Rob, Barb, Steve, and I met in preparation for firefighter negotiations, which occurred on the following day.
- Jim Protiva, Kathy Cline, and I met with representatives of the swim team, who are requesting some relief from the costs for hosting their annual swim meet. In the past, they had utilization of school property for tents, and other activity. This year, they would like to rent space in the Recreation Center to fulfill their obligations for various auxiliary services related to the meet. The Recreation Center costs are substantially higher than what they have had to pay in the past for tents, and school use. I indicated that we would work with them on this first year in order to make sure they have successful event in the new Aquatic Center.
- Met with Tom Webb, who continues to work with the VAC Steering Committee on a mechanism to credit volunteer time, and assess cost for use of the VAC building among the various partners (OCCA, CAA, and CAG).
- Met with Joan Petigo regarding concerns of the public utilizing her driveway for turning around on First Street off of Fogarty. I will review this matter with Public Works to see if there are any improvements that we can make to reduce the tendency for people to use her driveway as a turnaround. In addition, in the winter time, drainage is such that water ponds in her driveway due in part to limited drainage for the water that runs off the street into her gravel driveway.
- Participated in my monthly KCUP radio show with Cheryl Harle.

- Conducted an exit interview with Kathleen Palmer, who is retiring after 13 years with the city. Kathleen did an excellent job in our Police Department, and has enjoyed her tenure with the city.
- Participated in the United States Coast Guard change of command ceremony for the Motor Lifeboat Station Yaquina Bay. Chief Warrant Officer Ryan O'Meara will be moving on to the National Motor Lifeboat School in Illwaco, Washington, where he will serve as the commanding officer. He was replaced by Chief Warrant Officer Thomas P. Malloy, who assumed duty on Friday of the Lifeboat Station.
- Participated with Rob, Barb, and Steve in firefighter negotiations. They are working to narrow down the issues of importance for this year's negotiations
- Jason, Derrick, Steve, and I met to discuss a vacation rental issue on NW 73rd Street. Based on validated complaints, the business license with the vacation rental endorsement has been revoked. The property is still apparently being used for vacation rentals. Citations have been issued with a municipal court date occurring later this month. The neighbors are concerned that the property owner may ignore the municipal court. If there is a no show at the municipal court, it is the intent of the City Attorney to proceed with a civil case to receive fines that are due for this violation, as well as back transient room tax payments. We will keep you informed as to how this evolves.

Upcoming Events:

- Tuesday, July 11 - Friday, July 14 - I will attend the OCCMA Summer Conference in Bend, Oregon.
- I will be off work on Thursday and Friday, July 20-21, to accompany Angela to Portland for a medical procedure.
- Monday, July 31, the Navy Fleet will be visiting Yaquina Bay. There will be number of events that will be tied to this visit.
- On Monday, July 31, from 2-6 PM, there will be a Vision 2040 event involving the City Council. Please mark this time on your calendars.
- Monday, August 21, total eclipse of the sun.
- Tuesday, August 22, the second City Council meeting in August will be held on Tuesday due to the eclipse.
- I will be on vacation the last week of August to travel back to Michigan to address some family matters.
- Thursday, September 28-30, LOC Annual Conference at the Double Tree Hilton in Portland
- Saturday, October 21 - Wednesday, October 25 - I plan to attend the ICMA Conference in San Antonio, Texas.

Attachments:

- ❖ Attached is an e-mail from Rob Murphy indicating they have just learned, following the last City Council meeting, that they will not be able to apply for the Port Security Grant for a fireboat due to Federal requirements, and the Port having security plans in place.

- ❖ Attached is an executed Satisfaction of Mortgage for Monty and Brenda Roberts. Mr. & Mrs. Roberts own the house that was destroyed by fire above Bay Boulevard off of 5th Street. As you may remember, the city proceeded with cleanup of the remains of the house, which was threat to Bay Boulevard, with the understanding that the insurance company would cover these expenses. The expenses were covered by insurance; however, the city did not receive the insurance money. The property owners; however, did receive the insurance money. City Attorney Steve Rich proceeded to place a lien on the property, and discussed the issue with the property owners. The property owners agreed to pay the city back in monthly installments. They have completed their repayment of this lien amount, and were able to discharge the mortgage that City Attorney Rich had put into place on this matter. I appreciate Steve's efforts to secure these funds, particularly when we did not think there would be an issue in being reimbursed for the work had to be done in order to stabilize the situation after this fire. I also want to thank Mr. & Mrs. Roberts for fulfilling their financial obligations relating to this fire.
- ❖ Attached is a letter from the Oregon Military Department indicating that the Newport Armory was back open to public use. This letter was in response to a letter sent by Mayor Roumagoux explaining that the closure of the Armory had creating hardships for a number of organizations in Newport, and urging to have this facility be reopened at its earliest time for the public's use. The closure was based on the closure of all Armory's until they could have a comprehensive review of the lead contamination that was found in a number of armories across the State.
- ❖ Attached is former Council member Busby's plan to create a park in southeast Newport. I mentioned this in a previous status report, but I failed to include Ralph's proposal for your review. I would like the Parks & Recreation Committee to weight into this overall discussion so that I can ultimately get some sort of response to Ralph on this matter.
- ❖ Attached is a letter from the Economic Development Alliance of Lincoln County outlining their focus areas for this next year.
- ❖ Attached is an e-mail from Kevin Greenwood indicating that the South Beach Marina will be dredged for the first time in over a decade. Kevin and the Port have worked hard with their lobbyist's to secure this work.
- ❖ Attached is a letter from the Department of Environmental Quality expressing appreciation for the City of Newport, Thompson's Sanitary Services effort in expanding waste reduction recovery programs in a variety of ways, but most recently with the composting. The recycling program's in the city were found to be in compliance with all requirements of Oregon Administrative Rules.
- ❖ Attached is a letter from the Oregon Restaurant and Lodging Association expressing concern over the AirBnB Agreements that cities have entered into across the State of Oregon. In reviewing this with City Attorney, Steve Rich, Steve believes the agreement is much better place to be in than where we were previously. He did note that there is a thirty (30) day out on the agreement, and at some point if there is a better or stronger agreement that can be reached with AirBnB, the city would be able to fairly quickly transition to any future agreement.
- ❖ Attached is a letter from Wave Holdco, LLC indicating a transaction is taking place with company that owns the cable TV franchise in South Beach. This item will be on the July 17 Council meeting for the Council's consideration.

- ❖ Attached is a report of the Oregon Employment Department of Research indicating government employment trends in Lincoln County.
- ❖ Attached is **Senate Joint Memorial 7** sponsored by Senator Roblan, and Representative Gomberg requesting that Congress authorize and appropriate funding to maintain the US Coast Guard air facility in Newport, Oregon in perpetuity.
- ❖ Attached is the project information sheet provided by ODOT for the meeting that was held with South Beach property owners on the US Highway 101: SE 32nd Street to SE 35th Street improvements. In addition, Rob Hoefs', owner of Newport Candy, provided me with a copy a deed provided by his father and mother to provide right-of-way to facilitate the signalization of 32nd and US 101. Mr. Hoefs is still concerned about the moving of the signal from 32nd to 35th, which is part of the traffic order that was issued by ODOT eliminating the strict traffic limitations that would have stifled the growth in South Beach. The relocation of the signal is a key component to this traffic order.
- ❖ Attached is information being distributed by Centro de Ayuda regarding guidelines and procedures relating to immigration issues in Lincoln County.
- ❖ Attached is an article from Oregon Live regarding police accountability guidelines. Please note that the citizen representative on this panel was Newport's own Patricia Patrick-Joling, who was appointed by the Governor to serve on this effort.
- ❖ Attached is a letter to Mayor Roumagoux thanking her for participating in the opening of the National Association of Retired and Federal Employees convention.
- ❖ Attached is a letter from OCCC President, Birgitte Ryslinge, thanking the Mayor and me for getting a quick letter of support for funding for the community college.
- ❖ Attached is a letter to the Newport City Council from the 60+ Center thanking the Council for their attendance at their successful 90's dinner.

I hope that all of you have enjoy the rest of your summer!

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "S. Nebel".

Spencer Nebel, City Manager

Spencer Nebel

From: Robert Murphy
Sent: Thursday, June 22, 2017 9:13 AM
To: Spencer Nebel
Cc: Bob Harvey
Subject: Not able to apply for Fire Boat Grant

Spencer,

We just learned yesterday from U.S. Department of Homeland Security that we will not be able to apply for the Port Security Grant for a Fire Boat because of the new federal requirements on Ports having security plans in place. Chief Harvey had discussion with Grant Administration staff at US-DHS and they told him, not to apply because the application would get immediately rejected and would not be looked on favorably when we tried to apply in future years. We have talked to Port of Newport GM Kevin Greenwood and made him aware of the situation. We also pointed out to him that he would not be able to apply for certain federal grants (which they plan to do) until these reports are completed and filed with the Federal Government. We assured them that we do not blame them since this is a new federal requirement that we were just made aware of in the past couple of days. We told him that we want to work with him and his staff to get these required reports completed so we can apply for the Grant next year (which will be around March 2018). It was a good conversation and I see this as just another hurdle, and not the end of the project. We all new this is a long term commitment and applying for the grant is just one step in the journey. We also plan to let the Newport Fisherman's Wives know of this development and tell them of our commitment to keep moving forward on this project. If you have any further questions please let us know.

SATISFACTION OF MORTGAGE

This document is signed by Spencer R. Nebel, City Manager and authorized representative of the City of Newport, a municipal corporation of the State of Oregon, who is the owner of the following described mortgage (the "Mortgage"):

That certain mortgage bearing the date of December 20, 2016, executed by Monty Roberts and Brenda Roberts, Mortgagor, to Mortgagee, the City of Newport, to secure payment of the sum of \$16,365.00, which mortgage is recorded in the Lincoln County Book of Records, Lincoln County, Oregon, that formerly encumbered the following described real property:

Lot 3, Block A, Plan of Olsson's Addition to the City of Newport including the abutting portion of 1st Street (now SE 5th Street) vacated by instrument recorded in Lincoln County Deed Volume 145-594.

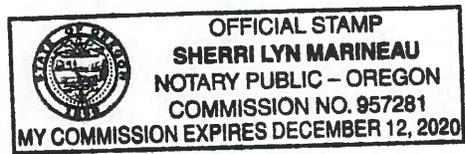
The Mortgagee, City of Newport, does hereby acknowledge full payment and satisfaction of the Mortgage, does hereby surrender the Mortgage as cancelled, releases the property from the lien of the mortgage and directs the County Clerk Lincoln County, Oregon to cancel the same.

IN WITNESS WHEREOF the Mortgagee, by and through Spencer R. Nebel, City Manager and authorized representative of the City of Newport does hereby affix his signature hereto this 3rd day of ~~June~~ July, 2017.

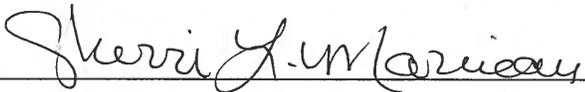


Spencer R. Nebel, City Manager

STATE OF OREGON)
) ss.
County of Lincoln)



This instrument was acknowledged before me on this 3rd day of July, 2017, by Spencer Nebel as City Manager of the City of Newport.



Notary Public - State of Oregon



OREGON MILITARY DEPARTMENT
JOINT FORCE HEADQUARTERS, OREGON NATIONAL GUARD
INSTALLATIONS DIVISION
1776 MILITIA WAY
P.O. BOX 14350
SALEM, OREGON 97309-5047

May 10, 2017

City of Newport Oregon
Attention: Mayor Sandra Roumagoux
169 SW Coast HWY
Newport, OR 97365

Dear Mayor Roumagoux,

Thank you for your letter of last December, expressing concern about the temporary closure of the Newport Armory. I realize it has taken some time to respond, but wanted to have definitive information regarding the Armories status before responding.

The temporary closure was necessary in order to ensure the safety of the public. A series of three iterations of lead dust sampling and cleaning were completed over the last few months. Results from the second test led us to remove the heating system from the largest rooms (drill hall / storage) as they were unable to be cleaned to the child-occupied-facility standard required by regulatory agencies. Following removal, test results indicated that lead dust levels were well below the child-occupied-facility standard of 40 ug/ft² (micrograms per square foot). The latest test report for the Armory can be found on the Oregon Military Department webpage at this link: <http://www.oregon.gov/OMD/AGI/Documents/Newport.pdf>

At this time the Newport Armory is open for all use. We currently have four schools from Central Oregon and Lakeview that are scheduled to use the Armory for overnights stays. These events will take place in both May and June. Local 4-H activities are once again being conducted in the Armory as well.

Additionally; the Oregon Military Department requested funding in our 2017-19 budget for a project to increase our ability to sustain operations following a natural disaster. The intent is to complete a seismic retrofit, add back-up power and a potable water source. The goal is to ensure that the Newport Armory is available for both National Guard and community use following a natural disaster. This project was included in the Governors Recommended Budget and will soon be considered for approval by the Joint Ways and Means Subcommittee on Capital Construction.

Rest assured that keeping the Newport Armory a viable resource to the community is important to the Oregon Military Department. For further information I may be contacted at 503-584-3596.

Roy D. Swafford
Director
Installations Division

NEWPORT

COPY

169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



www.newportoregon.gov

MOMBETSU, JAPAN, SISTER CITY

December 30, 2016

Oregon Department of the Military
Attention: Scott Baker
P.O. Box 14350
Salem, Oregon 97309-5047

Dear Mr. Baker:

The City of Newport recently learned that the Newport National Guard Armory has been closed to all public activities due to lead levels found in various Armory facilities throughout the country. It is our understanding that the lead levels at the Newport National Guard Armory are significantly lower than many, and would likely be quickly mitigated to the point that the facility would not pose a health risk. We urge you to consider assessing this facility individually rather than as part of a group of facilities.

In Newport, the Armory is an essential community building. It has been regularly used for a number of community activities over the years, and the community has been extremely supportive of the National Guard. We understand that, in addition to periodic uses of the facility, it has been used for the 4-H archery club and the 4-H dog club on an on-going basis.

There are very few buildings in Newport that could accommodate some of the activities, including the 4-H activities, that have taken place at the Armory. We are asking that you re-evaluate the closure of the Newport National Guard Armory for use by community organizations.

Please let us know what the City of Newport can do to facilitate the reopening of the Newport National Guard Armory to use by community groups.

Very truly yours,

A handwritten signature in black ink that reads "Sandra N. Roumagoux". The signature is written in a cursive style with a large, flowing "S" and "R".

Sandra N. Roumagoux
Mayor

cc: Governor Kate Brown

EST.

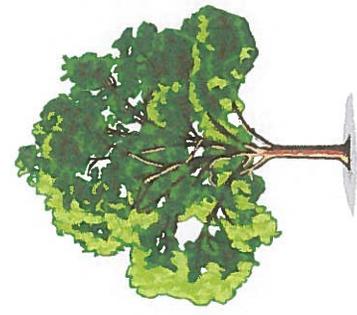
1882

Senator Ron Wyden
Senator Jeff Merkley
Representative Kurt Schrader
Oregon Senator Arnie Roblan
Oregon Representative David Gombert



A PROPOSED PARK FOR SE NEWPORT

Tim P. G. J.
Derrick T.
Original Copy to me.



A PROPOSED PARK FOR SE NEWPORT

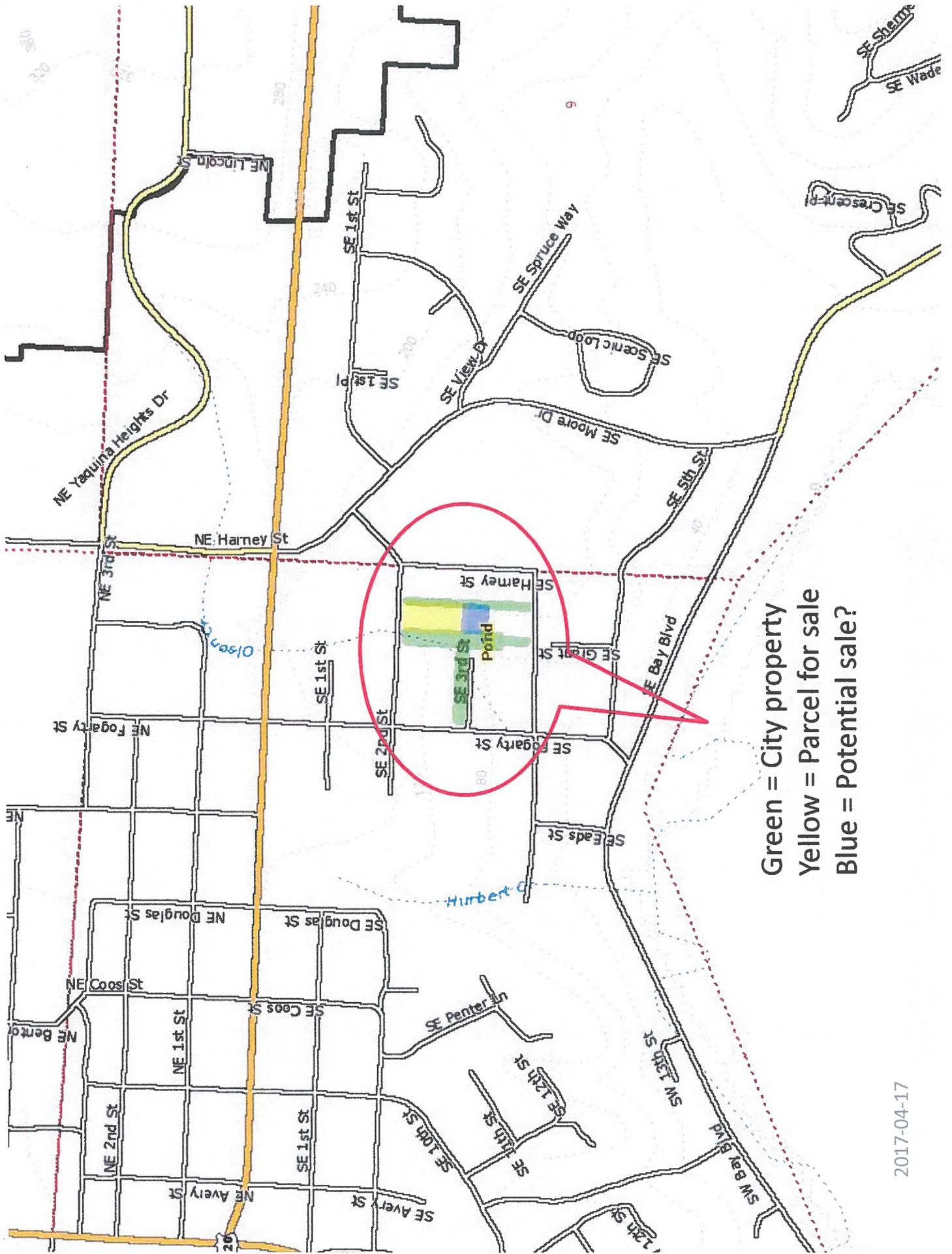
This is a request to give consideration for the initial designation/development of a small park in the southeast part of the City. The idea generated from several recent developments. First, the City is about to undertake storm and waste water work on the property; second, recent storm events have caused geological and resultant remediation issues; third, the Council discussed the acquisition of vacant land in its goal session; fourth, an adjoining parcel of land (mostly, if not totally, unbuildable) is available for purchase, and a smaller adjoining piece could be; lastly, as it exists, much of the City property is an eye sore with an undefined future.

This small area contains a number of desirable features including a year around creek, an area of designated wet land, diverse terrain, a rudimentary trail system, views of the bay/ocean, the ability to easily restore a former pond, and access from three City streets.

The cost, exclusive of land acquisition, could be minimal, and even with the land purchases, could be instituted for a five digit price.

The opportunity is time constrained by the upcoming construction, and the one parcel owner's ability to find a buyer. However, the purchase of the additional property, while desirable, is not a necessity to move forward with the concept.

Nearby property owners are supportive of this idea, but no effort has been made to contact all nearby parties. The end design of the park would obviously require time as well as public and professional input, but the time to begin the process is now.



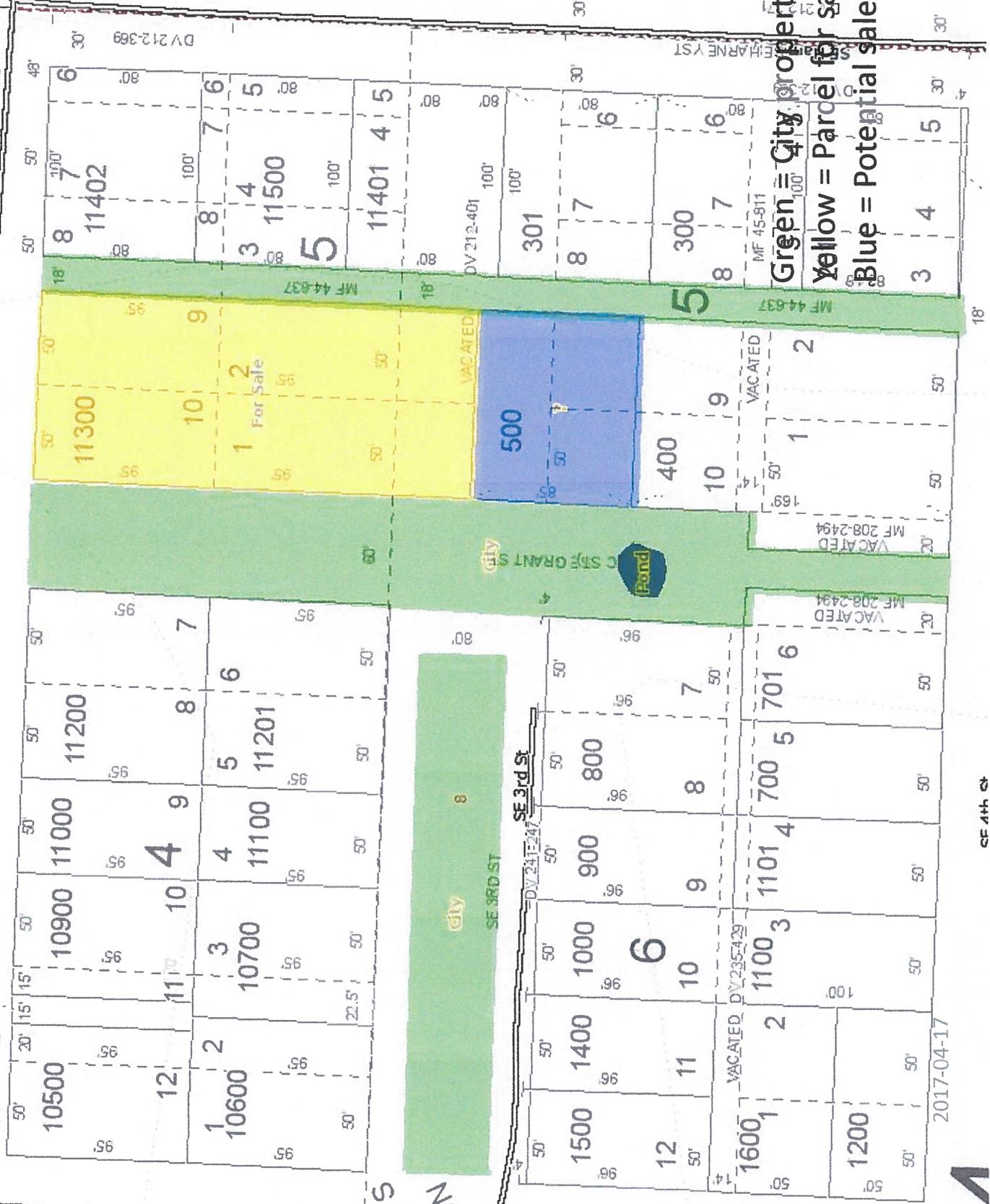
Green = City property
 Yellow = Parcel for sale
 Blue = Potential sale?

104

SE 2nd St

SE 2ND ST

11.34'



DV 212-369 30' 48' 11/16 COR

DV 212-371

DV 212-369

DV 212-401

Green = City property
Yellow = Parcel for sale
Blue = Potential sale?

MF 45-811

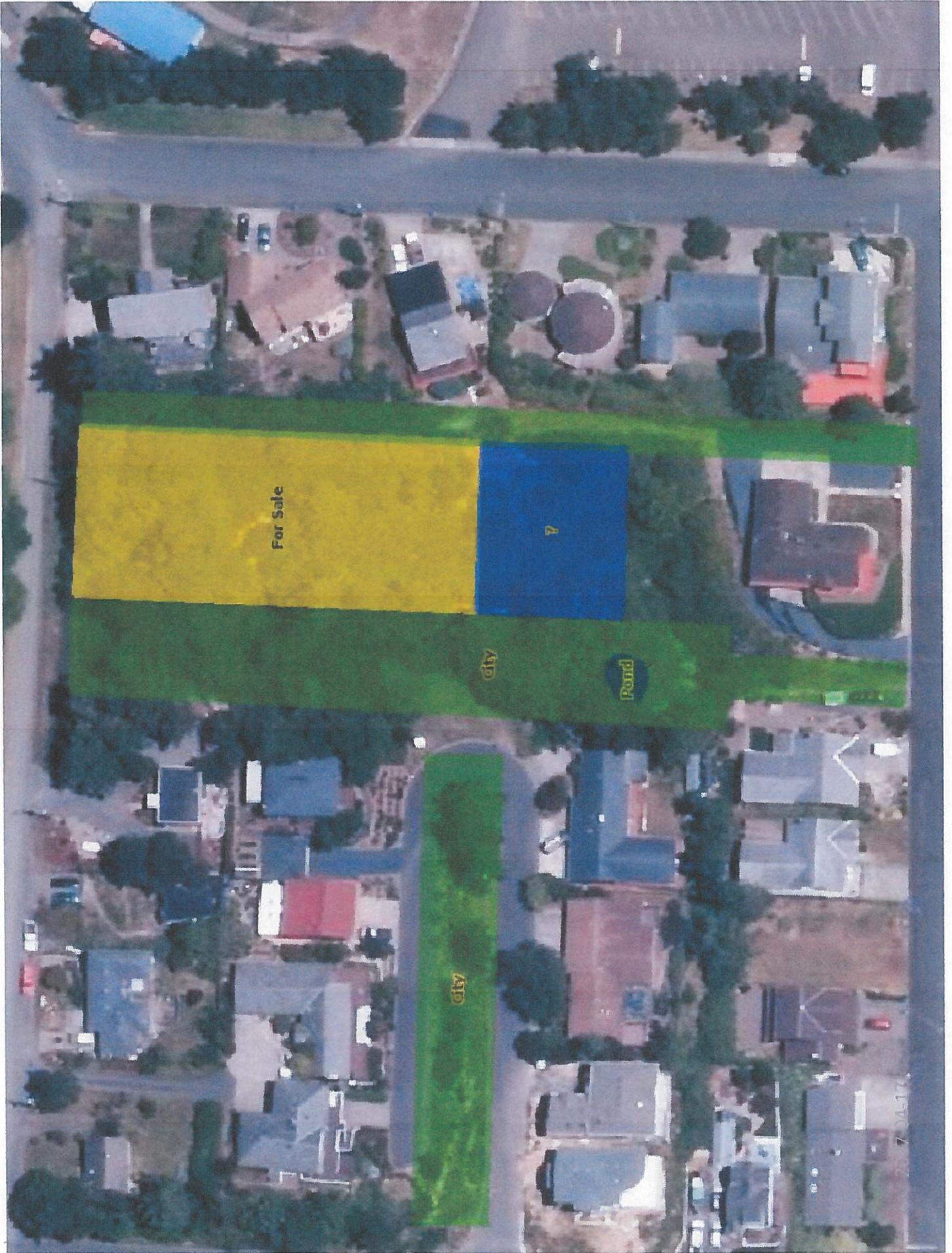
VACATED

2017-04-17

CE 4th St



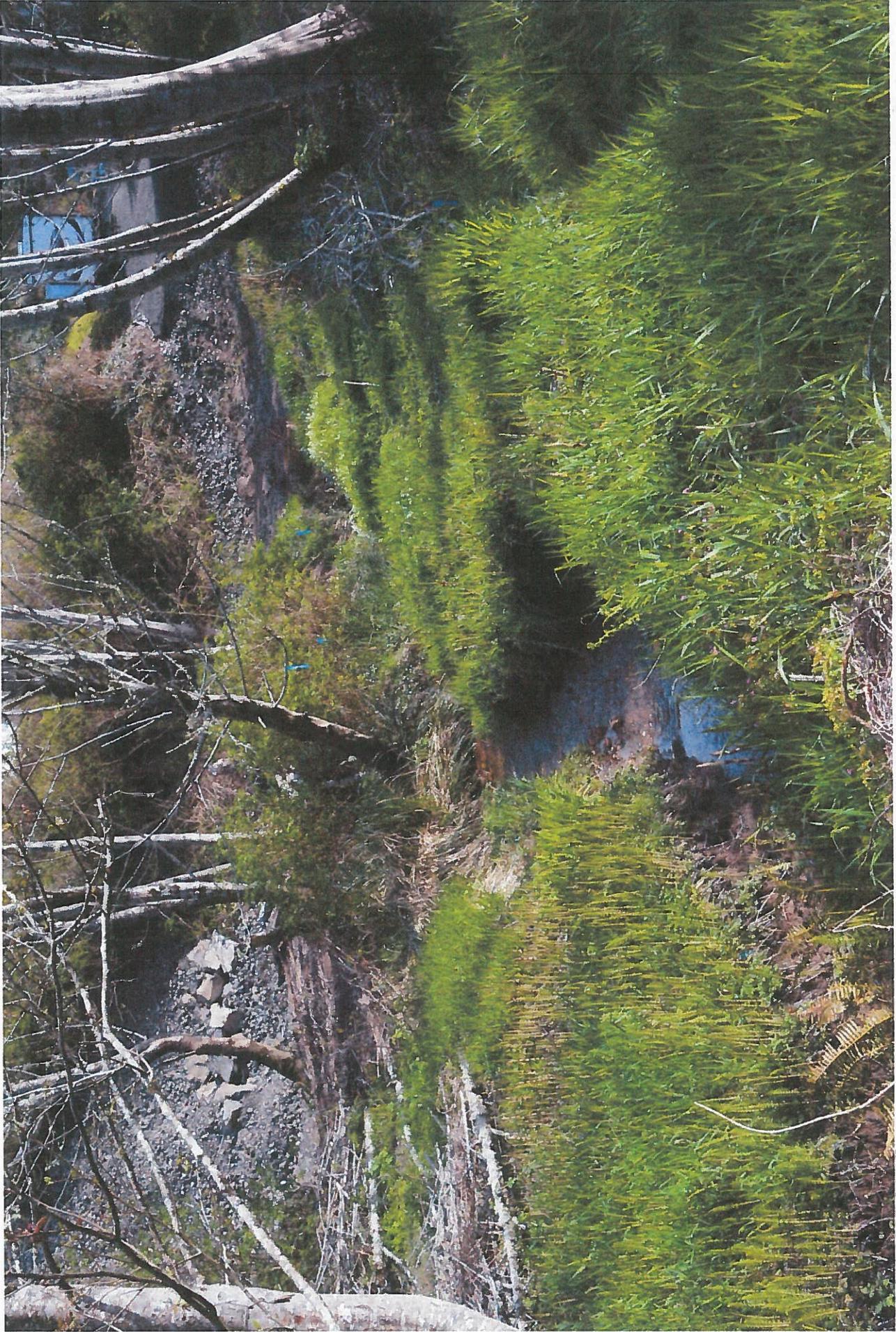






Pathways in place

2017-04-17



Creek flows all year

2017-04-17



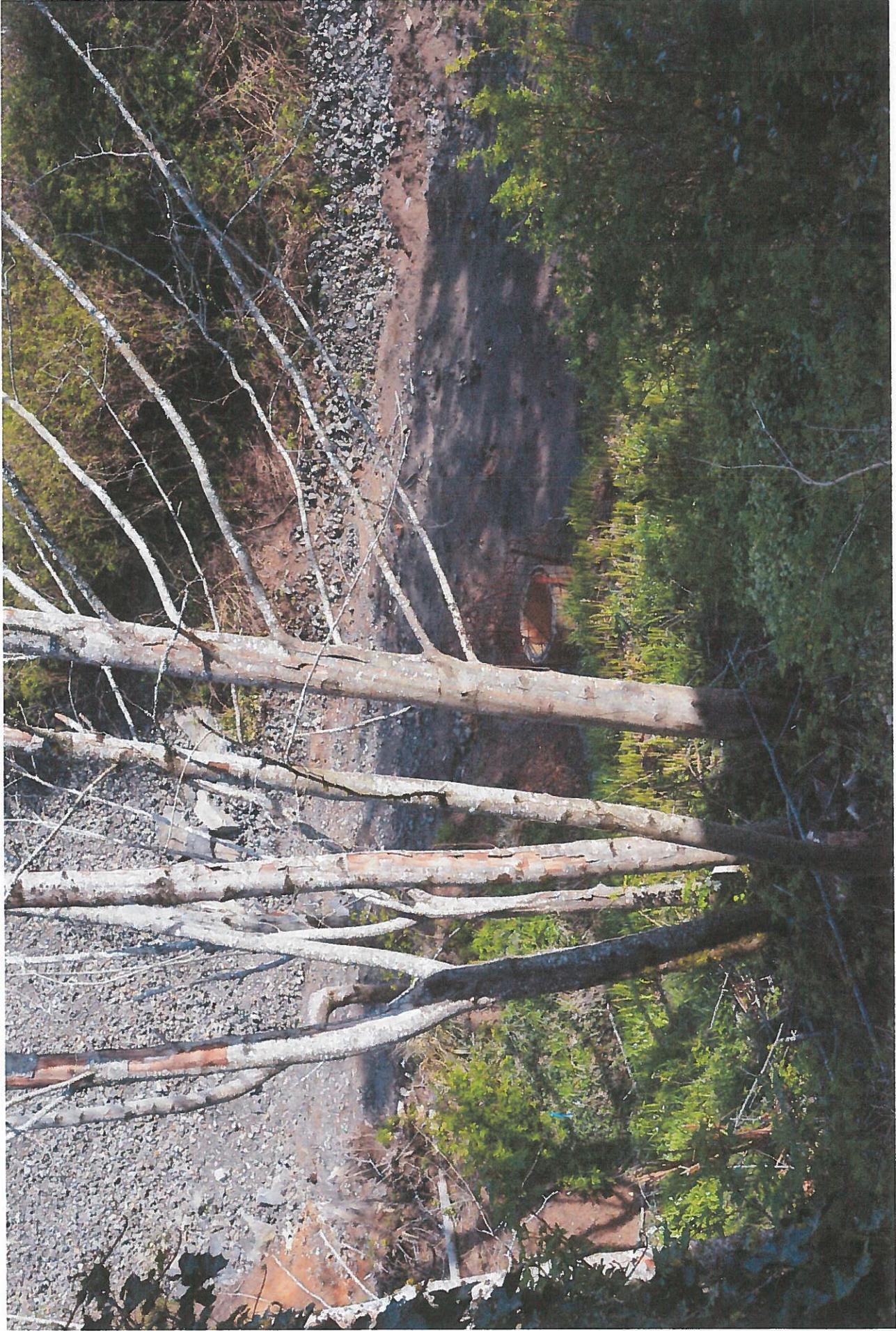
2017-04-17

Trail



2017-04-17

Beautiful place!



2017-04-17

Ugly fix needed

ECONOMIC DEVELOPMENT ALLIANCE OF LINCOLN COUNTY

Strengthening Lincoln County's economy. Attracting and supporting primary jobs.

Post Office Box 716
Newport, Oregon 97365

June 28, 2017

Dear Valued Member:

Thank you so much for being one of the first 25 members of the Economic Development Alliance of Lincoln County. We are happy to report to you our accomplishments, our illustrious Board of Directors, and our financial health as we go into fiscal year 2017/18.

Right now we are focusing on several areas of interest. As members, you help us refine our focus and accomplish even more.

- **Workforce Housing:** We will continue to work on two parallel tracks, tools for local government and large employers.
- **Industrial Land Re-development:** We will be implementing a grant for brownfields assessment and you will hear much more about this in the fall.
- **Local and Regional Leadership:** The Maritime Workforce task force will move forward after the legislative session. We pushed long and hard for this and have private industry champions. We are also working with the Water Planning Partnership and the Cascades West Economic Development District.
- **Entrepreneurship:** We are working in partnership with RAIN (Regional Accelerator and Innovation Network) to serve local business startups.
- **Organizational Development:** We operate as a nonprofit corporation with a board, a membership, and partners. As we grow, we hold events and create opportunities to work together. Our partner cities, ports, tribe, and educational institutions are the key to accomplishing goals. We also partner with chambers of commerce and trade groups, and work directly with traded sector businesses.

It is time for your yearly renewal and we have included an invoice for your convenience. We hope you will again find value in membership that supports our basic mission of a strong and diversified economy. Thank you!

Sincerely,



Caroline Bauman, Executive Director

Spencer Nebel

From: Kevin Greenwood <kgreenwood@portofnewport.com>
Sent: Thursday, May 25, 2017 12:00 PM
To: MIKALONIS Jackie * GOV; 'MOKROHISKY Steve M'; 'Bud Shoemake'; HUNT Doug; BOZIEVICH Jay; Erin Reynolds; 'Jesse Dolin'; manager@portofsiuslaw.com; THOMPSON Terry; juine_chada@wyden.senate.gov; 'Graham, Fritz (Wyden)'; 'mayor@cityofdepoebay.org'; Spencer Nebel; Alisonr@lincolncity.org
Cc: Kerry Kemp
Subject: RE: Oregon Ports Receive Additional Funding for Federal Dredging Work

Hi Jackie,

Great news! This budget allows the South Beach Marina in Newport to be dredged for the first time in over a decade, in addition to what has become a fairly consistent dredging of the federal channel through Yaquina Bay. A big thank you to the Governor's Office and our federal lobbyists in Washington DC for advocating on behalf of increased US Army Corps funding.

Kevin
(541) 265-7758
(541) 961-9517 cell

From: MIKALONIS Jackie * GOV [mailto:Jackie.MIKALONIS@oregon.gov]
Sent: Thursday, May 25, 2017 11:30 AM
To: 'MOKROHISKY Steve M' <Steve.MOKROHISKY@co.lane.or.us>; 'Bud Shoemake' <bud.shoemake@portofoledo.org>; Kevin Greenwood <kgreenwood@portofnewport.com>; HUNT Doug <dhunt@co.lincoln.or.us>; BOZIEVICH Jay <jay.bozievich@co.lane.or.us>; Erin Reynolds <erin.reynolds@ci.florence.or.us>; 'Jesse Dolin' <EconomicDevelopment@ci.florence.or.us>; manager@portofsiuslaw.com; THOMPSON Terry <tthompson@co.lincoln.or.us>; juine_chada@wyden.senate.gov; 'Graham, Fritz (Wyden)' <Fritz_Graham@wyden.senate.gov>; 'mayor@cityofdepoebay.org' <mayor@cityofdepoebay.org>; Spencer Nebel (s.nebel@newportoregon.gov) <s.nebel@newportoregon.gov>; Alisonr@lincolncity.org
Cc: Kerry Kemp <kerry.kemp@waldport.org>
Subject: FW: Oregon Ports Receive Additional Funding for Federal Dredging Work

Hello Everyone:

Thought I'd share the latest federal funding news for dredging in and around Oregon ports. See note below.

Jackie Mikalonis

South Valley/Mid-Coast Regional Solutions Coordinator
Office of Governor Kate Brown
503-881-6871 (*mobile*)

1715 Franklin Blvd
Eugene, OR 97403-1983 jackie.mikalonis@oregon.gov www.regionalsolutions.oregon.gov

From: FORE Karmen * GOV
Sent: Thursday, May 25, 2017 11:01 AM
To: BLOSSER Nik * GOV <Nik.BLOSSER@oregon.gov>; PAIR Chris * GOV <Chris.PAIR@oregon.gov>; HOCKADAY Bryan * GOV <Bryan.HOCKADAY@oregon.gov>; CAMPBELL Alex * GOV <Alex.CAMPBELL@oregon.gov>; MIKALONIS Jackie * GOV

<Jackie.MIKALONIS@oregon.gov>; ELLSWORTH Mark * GOV <Mark.ELLSWORTH@oregon.gov>; JOHNSTON Drew * GOV <Drew.JOHNSTON@oregon.gov>; ZEJDLIK Gina * GOV <Gina.ZEJDLIK@oregon.gov>; LEWIS-BERRY Jason * GOV <Jason.LEWIS-BERRY@oregon.gov>; TRUMMER Ivo * GOV <lvo.TRUMMER@oregon.gov>; SINNER Kate * GOV <Kate.SINNER@oregon.gov>; MINER Jason * GOV <Jason.MINER@oregon.gov>; AUNAN Lauri * GOV <Lauri.AUNAN@oregon.gov>

Cc: HOFFERT Emily J * GOV <Emily.J.Hoffert@oregon.gov>

Subject: Oregon Ports Receive Additional Funding for Federal Dredging Work

Colleagues:

I am writing to let you know we received word that the US Army Corps of Engineers (USACE) has completed their work on the work plan and have added money back in for Oregon ports. The governor sent a support letter for additional funds to be directed to Oregon ports out of congressionally appropriated work pots in the USACE budget (letter attached). Also, the USACE added even more money to projects listed in the President’s budget – notably for work at the lower Columbia River (receiving an additional \$4.6m for a total of \$42.8m overall – this project generally performs well overall and is not listed below with graph on ports).

As a reminder, if ports were not included in the President’s FY 2017 for dredging or other maintenance, they had to compete for funds from congressionally created funding pots. Several of Oregon’s were either not included in the President’s budget or did not receive enough funds to perform work needed this year. Given what is on this list, we should be in good shape for a federal dredging program this year.

Project Name	President’s FY 2017 Budget	Funds In Work Plan	Total Funds Ap
Brookings)	\$734,000	\$0	
Lower	\$38,181,000	\$4,623,000	
at the Mouth	\$18,111,000	\$0	
	\$6,523,000	\$455,000	
Bandon)	\$0	\$467,000	
	\$0	\$27,000	
	\$0	\$0	
old Beach)	\$673,000	\$800,000	
	\$746,000	\$0	
& Bar (Port of Garibaldi)	\$0	\$28,000	
(Reedsport/Salmon Harbor)	\$0	\$0	
old Harbor (Newport)	\$2,806,000	\$893,000	
epot Slough/Toledo)	\$0	\$0	

- * – Notes show carry-over funds will be used at Port Orford.
- ** – Notes show other funds will be used for jetty work at Garibaldi
- *** – Notes show funds not needed at Toledo.

Please feel free to contact me if you have questions.

Sincerely,

Karmen Fore

Senior Director for Federal Affairs & Transportation
Office of Governor Kate Brown

255 Capitol Street NE, Suite 126
Salem, OR 97310-1301
karmen.fore@oregon.gov
503-986-6531 (w)
503-508-7283 (c)

Assistant: Emily Jo Hoffert
503-986-6545 (w) | emily.j.hoffert@oregon.gov



Oregon

Kate Brown, Governor

Department of Environmental Quality

Western Region Salem Office

4026 Fairview Industrial Dr SE

Salem, OR 97302

(503) 378-8240

FAX (503) 373-7944

TTY 711

May 22, 2017

RECEIVED

MAY 25 2017

CITY OF NEWPORT

Spencer Nebel, City Manager
City of Newport
169 SW Coast Hwy
Newport OR 97365

Re: Approval of Lincoln County's
2016 Opportunity to Recycle Programs

Dear Mr. Nebel:

This letter acknowledges the receipt of Lincoln County's 2016 Opportunity to Recycle Report. The report is complete and the recycling programs in the City of Newport were found to be in compliance with all requirements of the Oregon Administrative Rules 340 Division 90.

As a friendly reminder, the new recycling, waste prevention and reuse rules that were developed as a result of Senate Bill 236 must be implemented by January 1, 2018. I will be sending you a more detailed reminder letter in July of this year describing the changes that are required by the city.

We appreciate the City of Newport and Thompson's Sanitary Service's effort in expanding waste reduction and recovery programs. If you have any questions regarding this letter, please call me at (503) 378-5089.

Sincerely,

Cathie Rhoades
Waste Reduction Analyst
Western Region

Electronic cc: Rob Thompson, Thompson's Sanitary Services
Mark Saelens, Lincoln County Wasteshed Representative

RECEIVED
JUN 23 2017
CITY OF NEWPORT

To
Mike M.
Steve R.
Can you check this site
out and let me know
what the issues are.
- Spencer
cc Original back
to me.

June 20, 2017

Spencer Nebel
City Manager
City of Newport
169 SW Coast Highway
Newport, OR 97365

Dear Spencer,

Local governments are key partners as local economies continue adapting to rapidly changing technology and marketplace dynamics.

To that end, we want to make sure local municipalities have direct access to a report released a few months ago regarding voluntary tax agreements with Airbnb. In our previous letter, we encouraged local governments to set up structures that provide for the full collection of lodging taxes owed to you. As your statewide association for hospitality, our position continues to be that ordinance changes must take place if local municipalities have a goal of collecting all lodging taxes from lodging stays occurring in your community.

The latest report outlines the dangers of states and local governments entering into “voluntary collection agreements” with Airbnb. The report (which is linked to our website for your review), *Airbnb Agreements with State and Local Tax Agencies: A Formula for Undermining Tax Fairness, Transparency, and the Rule of Law*, was authored by tax expert Dan Bucks, longtime executive director of the Multistate Tax Commission and head of the Montana Department of Revenue.

The report details major problems that the Airbnb agreements create in terms of:

- *Unjustified favoritism for Airbnb and its lodging operators,*
- *Improperly ceding tax authority to Airbnb,*
- *Granting huge benefits to third-parties who have not signed the agreements,*
- *Unfair treatment of other taxpayers, businesses and citizens,*
- *Violating standards of transparency and democratic governance,*
- *Undermining compliance with tax and regulatory laws, and*
- *Spreading undesirable precedents through state laws patterned after the agreements.*

We hope you find this link and the corresponding report helpful. Please let me know if you have any questions. LINK: oregonrla.org/airbnb

Sincerely,



Jason Brandt
President & CEO, Oregon Restaurant & Lodging Association
Email: JBrandt@OregonRLA.org
Mobile Phone: 503-302-5060

cc: Mike + Steve 7/3/17

RECEIVED
JUN 22 2017
CITY OF NEWPORT

Wave Holdco, LLC
401 Parkplace Center, Suite 500
Kirkland, Washington 98033

Radiate Holdings, L.P.
301 Commerce Street, Suite 3300
Fort Worth, TX 76102

Via Fedex

June 21, 2017

Spencer Nebel, City Manager
City of Newport
169 SW Coast Highway
Newport, OR 97365

Dear Mr. Nebel:

On May 18, 2017, Radiate HoldCo, LLC, a Delaware limited liability company and an indirect wholly-owned subsidiary of Radiate Holdings, L.P. (“Radiate”), entered into an agreement to acquire all the outstanding membership interests of Wave Holdco, LLC (“Wave”) from the holders thereof (the “Transaction”). Astound Broadband, LLC, a subsidiary of Wave, currently holds a franchise to offer telecommunications in your community. Radiate and Wave believe that the Transaction offers tremendous prospects for continued enhancements to the system and services available in the City of Newport.

When the Transaction is consummated, only the indirect control of your community’s franchisee will have changed. Your community’s franchise will continue to be held by Astound Broadband, LLC, the same legal entity that holds the franchise today. Following the closing of the Transaction, Astound Broadband, LLC agrees that it will continue to provide service pursuant to the terms of that franchise. However, it will do so under the ownership and indirect control of Radiate.

Radiate is a holding company that is majority owned and controlled by the principals of TPG Global, LLC (together with its affiliates, “TPG”). TPG has extensive experience with global public and private investments and is one of the most active private equity investors in the Internet ecosystem. Radiate, through its indirect subsidiaries RCN Telecom Services, LLC and Grande Communications Networks LLC, provides digital television, high-speed Internet, and voice communications services to approximately 656,000 subscribers in the District of Columbia, Illinois, Massachusetts, Maryland, New York, Pennsylvania, Virginia, and Texas, led by an experienced management team from Patriot Media Consulting, LLC.

The Transaction will bring three smaller independent, competitive providers of telecommunications under one roof, offering even stronger competition to the larger, well-established providers in the marketplace. Upon closing, Radiate will combine its resources and

June 21, 2017

Pg. 2

expertise with Wave's knowledge of the local marketplace to build upon the successes of Wave and further enhance services in your community.

You do not need to take any action in response to this letter. Radiate and Wave have filed an application with the Federal Communications Commission ("FCC") for approval of the transfer of control of the Wave license to Radiate, and the FCC is currently reviewing the Transaction. Enclosed is a copy of the Public Interest Statement that was attached to our filing with the FCC. The parties intend to close the Transaction following receipt of required regulatory approvals. If you have any questions regarding this matter, please call Jim Penney at 425-896-1891 or Seth Davidson at 202-434-7447 by **July 17, 2017**.

Sincerely,



James A. Penney
General Counsel
Wave Holdco, LLC
401 Parkplace Center, Suite 500
Kirkland, WA 98033



Seth A. Davidson
Mintz, Levin, Cohn, Ferris, Glovsky and
Popeo, P.C.
701 Pennsylvania Avenue NW, Suite 900
Washington, D.C. 20004
Counsel to Radiate Holdings, L.P.

Government Employment Trends in Lincoln County, June 2017

Erik Knoder, Regional Economist, Oregon Employment Department Research Division

Phone: 541-574-2306 Email: Erik.A.Knoder@Oregon.gov

Summary data on government employment are from <https://www.qualityinfo.org/>

Government employment made up about 23.5% of Lincoln County's total payroll employment in April 2017. (Payroll employment excludes self-employed and a few other groups of workers, primarily those being paid on a commission or share basis.)

In federal government, the National Oceanic and Atmospheric Administration (NOAA) is the largest employer, followed by the U.S. Forest Service. NOAA expanded significantly in 2011, but has declined a little since then. Federal government employment is expected to slowly decline.

State government employment is dominated by home care workers (nearly 60%). The Oregon Department of Fish and Wildlife and the Department of Human Resources (Vocational Rehabilitation) are among the larger state agencies. State government employment expanded in 2004 when existing home care workers were counted as state employees for reporting purposes. They are not considered state employees for other purposes. State government employment declined sharply in 2014 when Oregon State University (OSU) was reclassified into local government. State government employment without home care workers or OSU shows a seasonal trend (increasing in the summer), but has been fairly stable for the past few years.

Local government education employment includes public K-12 education, Oregon Coast Community College, OSU Marine Science Center, Career Tech Charter School, district offices, and the Educational Service District. It does not include other charter schools. Employment in education is highly seasonal due to the summer break. Employment fell significantly from 2002 through 2006 when enrollment fell and the district closed several schools. The number of employed fell further with funding cuts in 2011. Employment increased significantly in 2014 when OSU was reclassified into local government.

Local tribal government employment declined slowly from 2005 onward before jumping significantly to a new peak in 2017. All tribal businesses are included in the count of tribal government employment.

Local government employment, excluding education and tribal, is led by Lincoln County, the City of Newport, and the City of Lincoln City. It also includes fire protection districts, water districts, and ports. Employment fell with funding after the Great Recession. It increased somewhat at the end of 2016, but remains below its peak level. The recent increase is spread across more than a dozen agencies, but the Port of Toledo and Depoe Bay Rural Fire Protection District grew proportionately more than other government employers.

Enrolled
Senate Joint Memorial 7

Sponsored by Senator ROBLAN, Representative GOMBERG; Representative BOONE

To the President of the United States, the Senate and the House of Representatives of the United States of America, in Congress assembled, and the Commandant of the United States Coast Guard:

We, your memorialists, the Seventy-ninth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the men and women of the United States Coast Guard are held in the highest esteem and regard by Oregonians for their courage, dedication and intrepidity in the cause of saving lives; and

Whereas in recognition of the needs of the commercial, charter and recreational users of the ocean and bays, residents and tourists alike, who frequent our beautiful but often dangerous Pacific coast, the United States Coast Guard has maintained, since 1987, a search and rescue helicopter presence at its air facility in Newport, Oregon, based at the Newport Municipal Airport; and

Whereas Congress, through enactment of the Coast Guard Authorization Act of 2015, both funded continuation of the air facility in Newport and required that it be kept open; and

Whereas by continuing its funding of the air facility's services in the face of proposed budget cuts, Congress has shown its recognition of these essential services along the central Oregon coast as a vital bulwark against grave threats to the safety of Oregon's mariners and all others who work and play on the ocean and its shoreline; and

Whereas the Legislative Assembly, the Newport Fishermen's Wives, other state and local stakeholders and all Oregonians are grateful for the continued support provided by Congress and the President of the United States to protect and save lives along the coastal borders of our country; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Seventy-ninth Legislative Assembly, respectfully request that the Congress of the United States of America authorize and appropriate adequate funding to the United States Coast Guard to maintain the United States Coast Guard's air facility in Newport, Oregon, in perpetuity; and be it further

Resolved, That a copy of this memorial be sent to the President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives, to each member of the Oregon Congressional Delegation and to the Commandant of the United States Coast Guard.

Adopted by Senate April 20, 2017

Lori L. Brocker, Secretary of Senate

Peter Courtney, President of Senate

Adopted by House May 23, 2017

Tina Kotek, Speaker of House



Project Information

Region 2

US101: SE 32nd Street – SE 35th Street Improvements Project (Newport)

June 2017

Project location

- US101 between 32nd St. and 35th St. in Newport

Purpose and need

- The purpose of the project is to improve operations in the South Beach area and provide additional bicycle and pedestrian facilities.

Project elements

- Remove the existing traffic signal at the US101 and 32nd Street intersection
- Construct a new traffic signal at the US101 and 35th Street intersection
- Construct new 35th Street connections to SW Anchor Way and to SE Ferry Slip Road
- New sidewalks and bike lanes
- Stormwater treatment facilities

Key project milestones

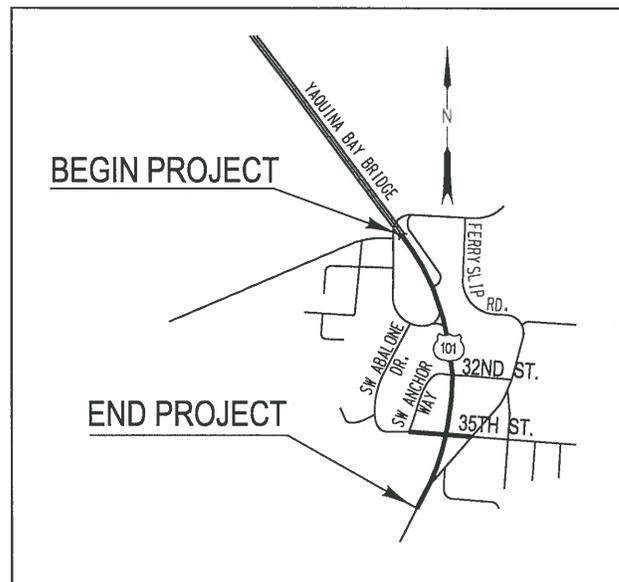
- Design approval: July 2017
- Bid let date: Fall 2018
- Construction: Fall 2018 – Summer 2019

Project cost and funding

- \$4.1 million for design, right of way acquisition and construction
- Funded by federal, state and local funds

Contact information

- Ken Kohl, Project Manager. Phone: (541) 747-1496 Email: kenneth.i.kohl@odot.state.or.us
- Angela Beers-Seydel, Public Information Officer. Phone: (541) 726.2442 Email: angela.beers-seydel@odot.state.or.us



Richard W. Hoefs and Rowena A. Hoefs, Grantor, conveys and warrants to The City of Newport, a municipal corporation and political subdivision of the State of Oregon, Grantee, the following described real property free of encumbrances except as specifically set forth herein, situated in Lincoln County, Oregon, to-wit:

Beginning at a 5/8 inch iron rod that is the northwest corner of the Hoefs tract as described in Book 87, page 1734, Lincoln County Record of Deeds, said point being the intersection of the east line of the Oregon Coast Highway and the south line of southeast 32nd Street (formerly 4th Street); thence south 87 degrees 17 minutes east along the said south line of the southeast 32nd Street a distance of 34.93 feet; thence southwesterly along the arc of a forty foot curve to the left (the cord of which bears south 64 degrees 56 minutes west a distance of 37.3 feet) a distance of 38.8 feet, more or less, to the east line of the said Oregon Coast Highway; thence northerly along said east line a distance of 17.5, more or less, to the point of beginning.

Together with the easements mentioned in that certain "Agreement for Transfer of Property, Easements and Consideration to Owner" dated October 4, 1991, a copy of which is attached hereto and by this reference made a part hereof. And the consideration stated in terms of dollars is \$1,500.00 but there are other valuable consideration, the receipt of which is hereby acknowledged, which is a part of the consideration, and after recording return to Minor, Beeson & Boone, P.C. Send tax statements to City Recorder, City of Newport, 810 S.W. Alder Street, Newport, Oregon, 97365.

The said property is free from encumbrances except:

Rights of the public in roads, streets and highways, if any.

The true consideration for this conveyance is \$.

Dated this 4TH day of October, 1991.

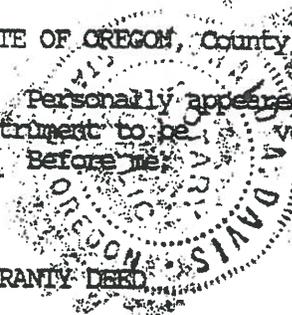
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Richard W. Hoefs
Rowena A. Hoefs

STATE OF OREGON, County of Lincoln) ss. October 4, 1991.

Personally appeared the above named and acknowledged the foregoing instrument to be a voluntary act and deed.

Before me: *Donald A. Davis*



Notary Public for Oregon/My commission expires: 12-7-92

WARRANTY DEED

AFTER RECORDING RETURN TO:

UNTIL A CHANGE IS REQUESTED SEND TAX STATEMENTS TO:

Grantor: _____
Grantee: _____

SECURITY TITLE & ESCROW CO. 1097

AGREEMENT FOR TRANSFER OF PROPERTY, EASEMENTS AND FOR
CONSIDERATION TO OWNER

THIS AGREEMENT, made and dated this 4 day of October, 1991,
by and between the CITY OF NEWPORT, hereinafter called "City," and
Richard W. Hoefs and Rowena A. Hoefs, husband and wife,
hereinafter called "Owner,"

W I T N E S S E T H:

WHEREAS, Owner has and owns a parcel of real property lying
southeasterly of the intersection of S.E. 32nd Street and U.S.
Highway 101 in the South Beach area of the City of Newport, and

WHEREAS, City proposes to widen and improve the said S.E.
32nd Street, without assessment to Owner, notwithstanding that
Owner's property is adjacent thereto, and

WHEREAS, as part of the improvement and expansion of the said
S.E. 32nd Street it is the intent of City, in cooperation with the
State of Oregon, to redesign the intersection and install a left
turn signal to facilitate access to S.E. 32nd Street for south
bound traffic on U.S. Highway 101, and

WHEREAS, as part of the signalization of said intersection it
is desirable and necessary to limit access to Owner's property and
to acquire a small part of the property of Owner on the southeast
corner of the intersection, to allow for proper curvature of the
intersection to facilitate north bound traffic on U.S. Highway 101
turning right onto S.E. 32nd Street, and

WHEREAS, the parties desire to make arrangements for a voluntary conveyance of the required property from Owner to City, and compensation therefore,

NOW, THEREFORE, the parties, each in consideration of the other, agree as follows:

1. Owner shall convey to City, immediately following the execution of this Agreement, by good and sufficient Warranty Deed, the following described real property:

Beginning at a 5/8 inch iron rod that is the northwest corner of the Hoefs tract as described in Book 87, page 1734, Lincoln County Record of Deeds, said point being the intersection of the east line of the Oregon Coast Highway and the south line of southeast 32nd Street (formerly 4th Street); thence south 87 degrees 17 minutes east along the said south line of the S.E. 32nd Street a distance of 34.93 feet; thence southwesterly along the arc of a forty foot curve to the left (the cord of which bears south 64 degrees 56 minutes west a distance of 37.3 feet) a distance of 38.8 feet, more or less, to the east line of the said Oregon Coast Highway; thence northerly along said east line a distance of 17.5 feet, more or less, to the point of beginning.

2. Owner recognizes that owner's access to U.S. Highway 101 to and from the westerly boundary of Owner's property shall be limited to the driveway location as shown on the attached diagram (map) dated 9-26-91, revised 9-30-91, labeled "Proposed Parking Lot and Storm Drain Ext."

3. In consideration of such conveyance, City shall provide the following compensation to Owner:

- a. Immediate payment of the sum of One Thousand Five Hundred Dollars (\$1,500.00).
- b. One-time paving of an entry and parking area on Owner's property, approximately 70' by 118', as depicted on that certain diagram mentioned above.

c. On condition of the availability of necessary governmental permits and approvals, City will extend the existing concrete culvert (which crosses U.S. Highway 101 diagonally, the easterly terminus of which is in the vicinity of the southerly portion of the west boundary of Owner's property) a distance of approximately thirty-seven (37) feet easterly from the easterly terminus thereof.

4. City is hereby given and granted a permanent, non-exclusive easement upon the remaining land of Owner for the maintenance and repair of such culvert; however, by acceptance of this easement, City does not assume responsibility to maintain the culvert in the future, but may do so from time to time, as City may see fit.

5. It is understood that tenants of Owner are conducting a business upon the subject premises. Owner covenants and represents that such tenants have only a month to month rental, and the conveyance of the above described easements and property to City will not interfere with the business activities of any such tenant or tenants, will not constitute a breach of any lease or rental agreement and will not entitle any such tenants to any compensation nor create any right to assert a claim for damages against City, of any kind or nature whatsoever. It shall be the responsibility of Owner to make the premises available to City, its agents and contractors, for the purposes of carrying out the work described hereinabove, and to save, hold, defend and indemnify City, its agents and contractors, harmless on account of

any claim, demand, suit or action arising on account of the conveyance of the easement or property above described to City, on account of the City's subsequent use and possession thereof, on account of the work to be carried out hereunder, or otherwise on account of this Agreement or the exercise by the State of Oregon or City of any rights, or the performance by City of its obligations, hereunder.

IN WITNESS WHEREOF the parties have executed this Agreement the day and year above set forth.

CITY OF NEWPORT

OWNER:

BY Donald A. Davis

Richard W. Hoefs
Richard W. Hoefs

Rowena A. Hoefs
Rowena A. Hoefs

STATE OF OREGON, County of Lincoln) ss.

On this 4 day of October, 1991, personally appeared before me the above named Richard W. Hoefs and Rowena A. Hoefs, and each for himself and not one for the other, they acknowledge the foregoing to be their voluntary act in deed.

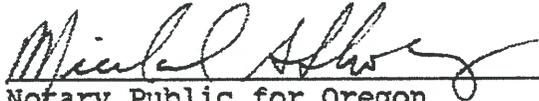


Donald A. Davis
Notary Public for Oregon

My commission expires: 12-7-92

STATE OF OREGON,)
County of Lincoln) ss.

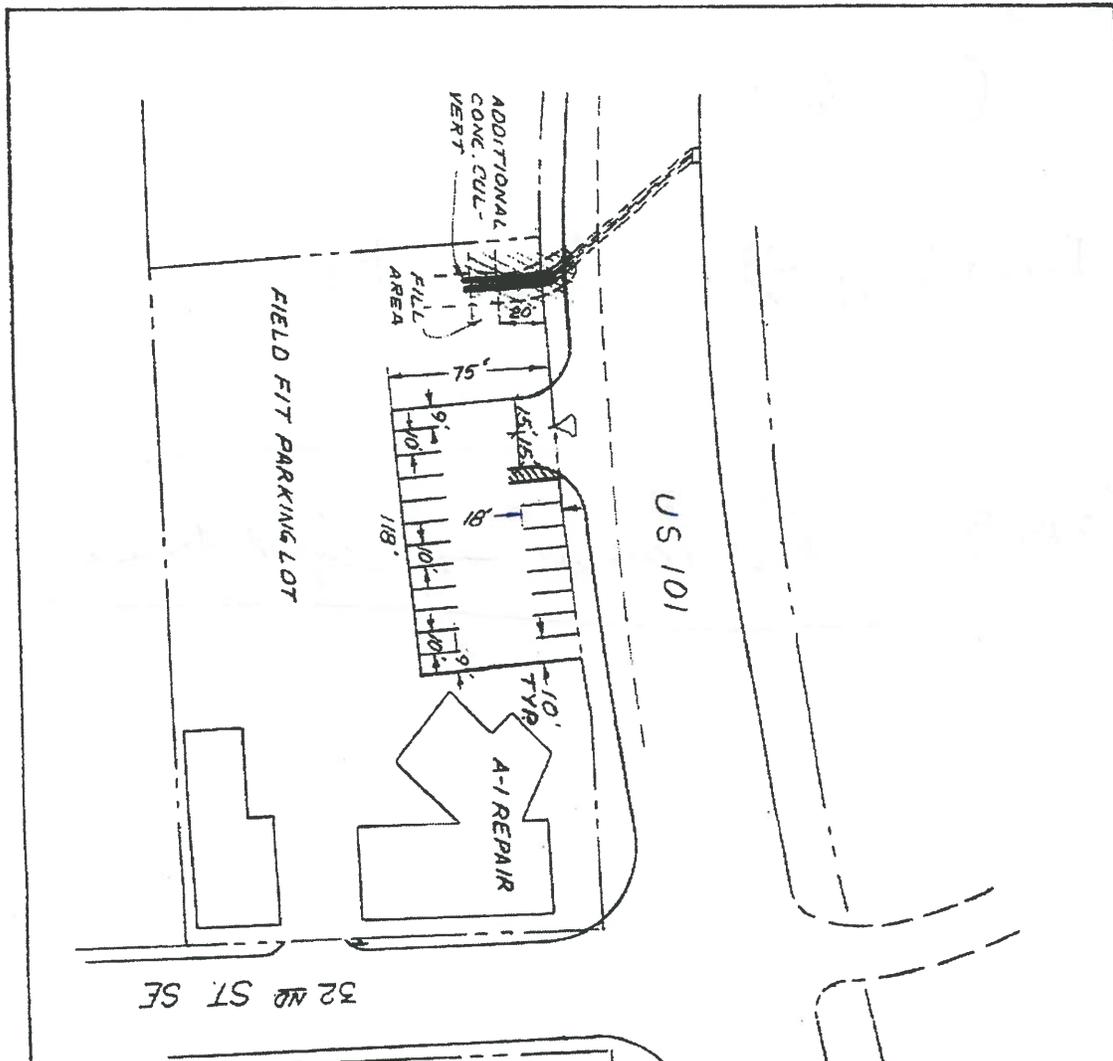
On this 4th day of October, 1991, personally appeared the above named Donald A. Davis, City Manager of the City of Newport, and acknowledged that he executed the foregoing on behalf of the City of Newport, as its voluntary act in deed.



Notary Public for Oregon

My commission expires: 12/16/92





32 RD ST SE



PROPOSED PARKING LOT AND STORM DRAIN EXT.

1" = 50' DESIGN D.A.D. DRAWN J.L.G. REVISED 9-30-91 9-26-91

STATE OF OREGON } es.
County of Lincoln }

I, Dana W. Jenkins, County Clerk, in and for said county, do hereby certify that the within instrument was received for record, and recorded in the Book of Records of said county at Newport, Oregon.

Book: 235 Page: 1497
WITNESS my hand and seal of said office affixed.
DANA W. JENKINS, County Clerk
By: *[Signature]* Deputy

Doc : 6068966
Rect : 23690
10/15/1991 11:23:02AM

45.00
ST

Immigration MYTH V. FACT

Myth #1: Immigrants are overrunning our country, and most are here illegally.

The Facts:

It is true that there are more immigrants living in the U.S. than ever before. However, the percentage of immigrants in the overall population is not much different than many other times throughout our history. Today immigrants make up approximately 13% of the total U.S. population. From 1900 to 1930, immigrants made up between 12% and 15% of the population, and similar spikes occurred in the 1850s and 1880s. During those periods immigrants successfully became part of American society, helping to build the thriving and diverse country we have now, and there is no reason to believe today's immigrants will be any different.

More than sixty percent of immigrants in the United States today have lived here for at least 15 years, and a large majority of immigrants have lawful status. Of the approximately 41 million immigrants in the U.S. in 2013 (the most recent year for which there are statistics), close to 47 percent were naturalized citizens. Together, lawful permanent residents (sometimes referred to as green card holders), people in the United States on temporary visas including student and work visas, refugees and people seeking asylum, and undocumented immigrants made up the remaining 53 percent of immigrants.

In 2014 there were approximately 11.3 million undocumented immigrants living and working in the U.S., which is actually a significant decrease from the 12.2 million undocumented immigrants in the U.S. in 2007. Today, in fact, the net migration from Mexico (the number of people entering the U.S. from Mexico minus the number of people leaving the U.S. to go to Mexico) is around zero. Undocumented immigrants make up about 3.5 percent of the nation's total population.

Myth #2: Immigrants bring crime and violence to our cities and towns.

The Facts:

Recently, public figures have claimed that immigrants are "killers" and "rapists," bringing crime to the U.S. Study after study has shown, however, that immigrants—regardless of where they are from, what immigration status they hold, and how much education they have completed—are less likely than native-born citizens to commit crimes or become incarcerated. According to the U.S. Chamber of Commerce, while the overall percentage of immigrants and the number of undocumented immigrants in the U.S. both increased sharply between 1990 and 2010, the violent crime rate in the U.S. during that time plummeted 45 percent and the property crime rate dropped by 42 percent. Studies have consistently found that immigrants are less likely to be incarcerated than native-born Americans and that there was no correlation between crime rates and levels of immigration. Other studies have in fact found that crime rates are lowest in states with the highest immigration growth rates.

Myth #3: Immigrants hurt our country financially by taking jobs and services without paying taxes.

The Facts:

Though some people claim that immigrants are taking job opportunities away from people born in the U.S., immigrants actually help to create new jobs. In addition to buying American and local products, which helps create jobs, immigrants often start their own businesses. In fact, immigrants are twice as likely to start businesses as citizens born in the U.S., and companies owned by immigrants are more likely to hire employees than companies owned by native-born citizens. States with large numbers of immigrants report lower unemployment for everyone.

Immigrants collectively pay between \$90 and \$140 billion each year in taxes, and a recent study found that undocumented immigrants alone paid more than \$11.8 billion in taxes in 2012. Everyone pays sales taxes on goods they purchase and property taxes on the homes they buy or rent, and more than half of all undocumented immigrant households file income tax returns using Individual Tax Identification Numbers.

Myth # 4: Immigrants are coming to the U.S. to obtain welfare and other benefits.

The facts:

Most immigrants who come to this country work hard to take care of their families and themselves. Many studies have shown that on average immigrants pay more in taxes than they receive in benefits, meaning the taxes they pay more than cover the cost of things like public education and healthcare.

With very few exceptions (such as access to medical care for victims of human trafficking), undocumented immigrants are not eligible for federal public benefits such as Social Security, Medicaid, Medicare and food stamps. In addition, most immigrants with lawful status are not entitled to these benefits until they have been in the country for five years or longer. This means that Social Security is often being deducted from immigrants' paychecks but they cannot access those benefits.

Myth #5: Immigrants are coming to the U.S. with the express purpose of having babies here.

The facts:

The Fourteenth Amendment to the U.S. Constitution says that "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." People commonly refer to this right as "birthright citizenship." Some claim that undocumented immigrants come to the U.S. to take advantage of this right. Research consistently shows, however, that the vast majority of immigrants (both with lawful status and those who are undocumented) come to the U.S. for economic opportunity or to flee violence or poverty in their birth countries. Immigration trends—both over the last few decades and throughout history—show that immigration increases when the U.S. economy is booming and it decreases when the U.S. economy is doing less well, supporting the findings that people come for economic opportunity.

If people were coming to the U.S. with the express purpose of having children here, we would expect to see at least the same number of women as men. There are many more young immigrant men coming to the U.S., however, than young women.

Under U.S. law, U.S. citizens cannot petition for a green card for a foreign parent until they turn 21 years old. In the meantime, the parent would have to live as an undocumented immigrant, often in very

difficult conditions. When asked why they come to the U.S., undocumented immigrants consistently cite other reasons for migrating, not the desire to have a baby here.

Myth # 6: Immigrants are bringing diseases into the U.S.

The facts:

Although people have claimed that undocumented immigrants have brought diseases to the U.S., including measles, hepatitis C, HIV, tuberculosis, and even ebola, the allegations are not supported by science or medicine. There is no evidence that immigrants have been the source of any modern outbreaks in the U.S. According to the World Health Organization, 113 countries, including many countries in Latin America, have higher vaccination rates for 1-year-olds than the U.S. Mexico, for example, has a 99 percent vaccination rate for measles while Guatemala, Honduras and El Salvador have around a 93 percent vaccination rate. The vaccination rate in the U.S., by comparison, is approximately 92 percent. The vast majority of immigrants arriving in the U.S. have been screened for health issues.

Myth #7: Terrorists are infiltrating the U.S. by coming across the border with Mexico.

The Facts:

There is no evidence that terrorists are entering the U.S. through the border with Mexico. The Department of Homeland Security has said that “the suggestion that individuals that have ties to ISIL have been apprehended at the southwest border is categorically false, and not supported by any credible intelligence or facts on the ground.” According to a 2015 report by the U.S Department of State, Bureau of Counterterrorism, “there are no known international terrorist organizations operating in Mexico, despite several erroneous reports to the contrary during 2014.” In fact, the vast majority of U.S. residents linked to terror since 2002 are U.S. citizens.

Myth #8: All undocumented immigrants sneak across the Mexican border.

The Facts:

Although many people commonly think of undocumented immigrants as people who have snuck across the Mexican border, somewhere between one third and one half of undocumented immigrants in the U.S. have overstayed their visitor, student, or work visas. That means that they entered the U.S. with lawful documentation and only later became undocumented.

Myth #9: We can stop undocumented immigrants coming to the U.S. by building a wall along the border with Mexico.

The facts:

A wall or a fence along the entire border with Mexico would be impractical and very likely ineffective. The border between the U.S. and Mexico is almost 2,000 miles long. It spans difficult terrain, including deserts and mountains. Rivers flow along two thirds of the border. Much of the area is private property, which the government would have to buy from the owners to build a fence or wall, and many do not want to sell the land. The logistics alone make building a wall very difficult, if not impossible.

From the Great Wall of China to the Berlin Wall, history shows us that people find ways to cross walls. Experts predict that a wall along the entire length of the border would lead coyotes—human smugglers

who charge migrants high rates to cross the border—to dig tunnels and create breaches. This would increase smuggling prices, making the process simply more lucrative for those exploiting migrants.

As long as there is poverty and suffering in other parts of the world, people will continue to come to the U.S. to seek a better life, no matter how big a wall we build. The U.S. prides itself on being a “nation of immigrants,” and on the values of fairness and equality. It is possible to create a process for addressing immigration that treats immigrants with dignity and respect instead of as criminals.

Sponsored By My Sisters Place and Centro de Ayuda, Newport, Oregon

Contacts and Procedures for Immigration Allies, Lincoln County, Oregon

If you witness an individual or a group of people being detained by ICE, follow these procedures:

- Do not interfere with law enforcement. You could be detained or injured if you try to confront law enforcement agents.
- Immediately or as soon as possible write down everything you are observing i.e. place, time, actions, identifications of arresting agency, any names of detainees.
- If possible film or take photos of the detention activity. You have a legal right to do this.
- Contact organizations in the state who need to know what has happened and can provide help to the detainees:
 - Oregon ACLU 503-227-3186 or 888-527-2258
 - Oregon Rural Organizing Project (ROP) 503-543-8417
 - Centro de Ayuda 541-265-6216
 - Servicios Legales de Oregon 503-981-5291 or 1-800-662-6096
 - United We Dream hotline 1-844-363-1423 or text message 877877

If a friend or acquaintance has been detained by I.C.E. or you think may have been detained, the first thing you need to do is find where this person is.

- The quickest info available is usually the ICE hotline for detainees: 855-448-6903. Be sure to have the detainee's full name. They should also have info on any court dates, attorney, expedited deportation order or other status.
- To see if they are in custody of the Lincoln County Jail: 541-265-4277.
(If the person is in the county jail, they must have been arrested for a charge other than immigration. It is illegal for Oregon law enforcement officials, funds or facilities be used to enforce federal immigration laws.)
- I.C.E. detainees are often sent to Immigration Detention in Tacoma, Washington
1-253-779-6000.

For information on dates and decisions of Immigration Court: 1-800-898-7180.

While locating the detainee also contact any of the organizations above for help. Contact any family members or friends that you may know about to check on their well being.

Finally, keep informed, speak up and speak out!

The following information has been summarized from a series of sources and does not constitute legal advice. For any legal questions, consult an attorney. Sponsoring organizations: Lincoln County Diversity Coalition, Immigration Information Response Team, Centro de Ayuda.

SOURCES OF INFORMATION ON CURRENT SITUATION OF IMMIGRANT WORKERS IN OREGON

[Informed Immigrant at informedimmigrant.com](http://informedimmigrant.com)

Info on the Trump Executive Order, and programs such as DACA. A great long list of other resources.

[Innovation Law Lab at innivationlawlab.org](http://innivationlawlab.org)

"Tool Kit for An Inclusive Oregon." It has a great video on local inclusivity resolutions.

[Rural Organizing Project \(ROP\) at rop.org](http://rop.org)

One of Oregon's most active human dignity organizations. Much info and ideas concerning immigration.

[Oregon Law Center at oregonlawcenter.org](http://oregonlawcenter.org)

Legal help for rural folks including immigrants. Will help individuals find an attorney or give advice on legal issues. English and Spanish.

[ACLU Oregon at aclu-or.org](http://aclu-or.org) or [Facebook page](#)

Updates on current situation of immigrants in Oregon. Useful short films.

"ACLU answers questions on ICE immigration activities in Oregon." Update on what is happening and what are simply rumors.

[Causa at causaoregon.org](http://causaoregon.org)

Organizer of marches and actions statewide. Contact for ways to participate and support.

[Interfaith Movement for Immigration Justice \(IMIJ\)](#)

Info on the faith based sanctuary movement. Sanctuary Tool Kit.

[Alto Trump at altotrump.com](http://altotrump.com)

"Know Your Rights" campaign. Report hate crimes here. A series of colorful handouts in English and Spanish on what to do in cases of ICE actions or raids.

["Don't Get Your Undocumented Friends in Trouble: A How To."](#)

Very interesting explanation from an undocumented person of the kind of actions that may have negative affects on precisely the people you want to help. On the the Daily Demand website. Google the article.

WATCHDOG

Oregon is about to change how police are held accountable



Updated on May 19, 2017 at 6:19 AM
Posted on May 19, 2017 at 5:00 AM



The public got to comment on a proposal to overhaul Oregon's police accountability system only at the end of a secretive deliberation process. The comments did not result in any changes to the proposal. (Beth Nakamura/Staff)

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BY CARLI BROSSAU
The Oregonian/OregonLive

At the end of a rulemaking process held mostly behind closed doors, state regulators this year asked the public about Oregon's first effort in a decade to overhaul the rules for ousting unfit cops.

Three people from the activist group Empower Portland answered the call for feedback from Department of Public Safety Standards and Training. All said they wanted to see more expansive state oversight.

"We need help from the state holding police accountable," wrote Standard Schaefer.

"Please please do something at the state level that will over-ride the systemic bigotry and complacency of our City Council," wrote Teresa Roberts.

But commenter Julie Crosse had the most specific request of the agency that certifies Oregon police: Postpone taking action on your plan, and get more public input this time.

"I look forward to more transparent inclusion," she wrote.

On Thursday, members of the agency's Police Policy Committee said they saw no reason to change course. Presented with a set of options from the agency's staff, they voted unanimously and without discussion to send the rule change forward.

"I move that we adopt option 1, no changes, and I think the staff did a great job addressing these complaints," Keizer Police Chief John Teague said.

The new rules make sweeping changes to the circumstances of when and how officers will lose their certifications.

Some of the changes could make it more difficult for the state to take badges away from troubled officers.

Incompetence will no longer be grounds for revocation. Officers fired for cause will only automatically lose their certifications if they engaged in misconduct "under the color of office." And the revision appears to set a higher bar for revoking the certification of an officer for dishonesty or for disregarding someone's rights. The agency would have to show that officers "knowingly" did those things to lose their badges.

Other revisions would expand the state's power to revoke an officer's certification. Domestic child abuse convictions would now result in automatic revocations. And so would convictions that require officers to register as sex offenders. The agency also would start to take into account criminal cases against officers that don't result in convictions.

And the new rules would make some major process changes. The board would have the new option to suspend an officer's certification. Currently, the board can choose only to revoke or to not revoke an officer's certification. The new rules would additionally allow officers to make oral statements to the committee hearing their case.

The dramatic rewrite of the rules for police is the first since 2008. The process began in 2015, when the board approved a "work group" to study to state's regulations. A 19-member work group met eight times the following year.

State law encourages agencies to solicit comments from the public as soon as possible -- sometimes even before rule revisions begin.

That didn't happen in this case. Instead, the agency chose to hold a series of meetings behind closed doors and without public notice.

The department conceded the meetings should have been open to the public only after questions from The Oregonian/OregonLive. Under Oregon law, the group is considered an "advisory body" and subject to public meetings law requirements.

The agency's director, Eriks Gabliks, said in an interview in March, "I think it's important that I say this: We don't believe that we did anything wrong."

But the agency has since begun posting notices for its work group meetings.

On Thursday, the agency's staff rejected criticism from commenters who wanted more public input.



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Rules Coordinator Jennifer Howald noted that the 19-member work group that crafted the new rules included a "public member."

Patricia Patrick-Joling is a real estate agent who was appointed by the governor. Howald said that because Patrick-Joling was included, "the public not only participated in the development of the standards but voted to approve the standards."

The fact that the group met eight times without any public notice was not mentioned.

The agency's staff did explain why the new rules would eliminate incompetence as grounds for taking an officer's certification.

Crosse, the Empower Portland activist, wrote: "I want it on record I'm opposed to officers that are found to be incompetent to be able to retain their certification to enable them to go elsewhere and attain another position that puts the public at risk of harm due to their incompetence."

Howald said Thursday that state regulators didn't have the power to stop that.

"A legal review by the Department of Justice identified that the board lacks the necessary statutory support to take action on public safety certification for incompetence alone, since it's not necessarily an indicator of a demonstrated lack of moral fitness," Howald said.

Before the rules take effect, the public safety agency's full governing board must approve them. That group next meets July 27.

-- Rebecca Woolington contributed to this report.

-- Carli Brosseau

[VIEW COMMENTS](#)

POLITICS & ELECTIONS

Insecticide incident at day care exposes cracks in state system



Updated on May 19, 2017 at 5:59 AM
Posted on May 19, 2017 at 5:01 AM



May 19, 2017

The Honorable Mayor Sandy Roumagoux
169 SW Coast Highway
Newport, OR 97365

Dear Mayor Roumagoux

I would like to thank you for coming to the opening of the NARFE (National Association of Retired and Federal Employees) Convention on the morning of Monday, May 8, 2017.

It is an excellent way to start a convention. You were very informative about the city of Newport and of course you made the sun shine for 3 days just for our guests.

Sincerely,


Jim Finlayson

Convention Chair of the 2017 NARFE Conventions

Dear Sandy and Spencer,
Thank you so much for sending a
letter in support of our proposed
new facility.

I know how busy you are and
it was such short notice. I and
OCCC, appreciate your help very
much.

with appreciation,

Bryette

Newport City Council

Thank you for attending
our very successful 90's dinner.

We appreciate the effort
the council made to begin
their meeting here at the center.

Their attendance was
very warmly appreciated.

Thank you.

60+ Gary