

**General Project Information: Environmental Assessment Phase II for Obstruction Removal**

City of Newport  
COAR Application 2021

Application Year: 2021  
COAR-2021-ONP-00018

Version Date: 10/23/2020 10:51:02

**Applicant**

**Organization Name**  
City of Newport

**Contact Person \***  
Lance J Vanderbeck

**Address**  
169 SW Coast HWY

**Contact Person Title \***  
Airport Director

**City**                      **State**                      **Zip Code**  
Newport                      Oregon                      97365

**Phone Number**    **Email**  
(541) 867-7422    l.vanderbeck@newportoregon.gov

**Project Name and Location**

**Project Name \***  
Environmental Assessment Phase II for Obstruction Removal

**Project Location \***  
Newport Municipal Airport

**ODOT Region:**  
Region 2

**County tax parcel identification number(s) \***  
11-11-32-00-00200-00

For convenience, if you have these compiled, please upload them here:

**Airport Information**

**Airport Name: \***  
Newport Municipal Airport

**Airport Category: \***  
Category 2

**NPIAS or Non-NPIAS: \***  
NPIAS

**Project Overview**

**Select the type of project being proposed: \***  
Program Planning

**Select the category of project for which you are requesting funding: \***  
Assistance with FAA AIP grant match

**Project Start Date:**                      1/8/2021  
**Project End Date:**                      6/30/2022

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### **Project Summary**

**Provide a brief summary of the project in the space provided below:**

Obstructions were identified as part of the AGIS survey and a follow up LIDAR flight at the airport. Obstructions were found either penetrating or close to penetrating various approach/departure surface areas of runway 16-34 and runway 2-20. FAA requires environmental review of areas to determine environmental impact of obstruction removal. Due to funding constraints, the environmental was split into two phases. This phase is anticipated to complete the environmental portion of the project.

### **Project Purpose and Description**

**Provide a purpose and description of the project in the space provided below:**

The City of Newport proposes to remove obstructions from the Federal Aviation Regulation Part 77 approach surfaces of Runway 16-34 and Runway 2-20 at the Newport Municipal Airport. Obstructions consist largely of tall trees and shrubs. The need for obstruction removal has been identified in the Airport's Capital Improvement Plan (CIP) as these trees are potential hazards to the operational safety of the airport due to their height. The project would be funded by the Federal Aviation Administration (FAA) and therefore must comply with the review requirements of the National Environmental Policy Act (NEPA). As many of these trees are located off airport property, FAA has determined that an Environmental Assessment (EA) is the appropriate level of analysis.

In 2019, an Environmental Screening memorandum was prepared for this project, along with a wetland delineation and cultural resources survey. The Environmental Screening used the environmental impact categories contained in Chapter 4 of FAA Order 1050.1F (Environmental Impacts: Policies and Procedures) to identify resources in the study area and categories that would need to be further evaluated in the EA.

**Clearly define the proposed project in each of the following areas:**

**• Does the project eliminate current deficiencies listed in the current Oregon Aviation Plan? \***

Yes  No

Consultant will prepare a Biological Assessment for submittal to USFWS and NMFS. The Biological Assessment will assess the potential effects of the proposed project on species that are listed, proposed, or candidates for listing as Endangered or Threatened and designated Critical Habitat under the federal Endangered Species Act of 1973, as amended. The BA will meet the requirements of Section 7 of the Endangered Species Act. The Biological Assessment will include the following: Background; Description of Action Areas; Status of Species and Critical Habitat; Environmental Baseline; Effects of the Action; Cumulative Effects; Conclusion; References; Essential Fish Habitat. Which will help the Obstruction removal project identify the best path forward to protect wild life habitat and runway safety areas.

**• Does the project modernize the airport by exceeding state or federal minimum standards as stated in the current Oregon Aviation Plan and identified by the Federal Aviation Administration Advisory Circulars or other regulations? \***

Yes  No

Yes, the project will remove obstructions found within or close to the surrounding airport approach/departure surfaces. Approach surfaces are required by the FAA to be clear of objects to ensure safe operation of aircraft. In addition, aviation easements will be obtained prior to obstruction removal to allow for the City maintain clearance standards in the future.

**• Does the project prevent future deficiencies and preserve the existing facilities? \***

Yes  No

Yes, removal of obstructions will keep the surrounding air surfaces safe for aircraft operating at and adjacent to the Newport Municipal Airport. Removal of the obstructions will preserve existing instrument and visual approaches that currently exist at the airport. Failure to maintain clear approaches could result in the cancellation or restriction of existing procedures.

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**• Does the project increase the financial self-sufficiency of the airport? \***

**Yes**       **No**

Newport will see a long term financial sufficiency by addressing obstruction removal in a phased effort over time rather than a large upfront cost. In addition, clear air surfaces will ensure existing approach procedures are operational. This will makes sure business and other transient aircraft can use the airfield in inclement weather, leading to fuel sales and other miscellaneous sales.

**• Does the project have local support? \***

**Yes**       **No**

Approving Phase I of this project. Minutes are attached. Approval of Task Order 4A for the 2020 Obstruction Removal Pre-Design Project for the Municipal Airport Phase One. MOTION was made by Sawyer, seconded by Saelens, to authorize the City Manager to execute task order 4A-2020 Airport Obstruction Removal Pre-design Phase One .The motion carried unanimously in a voice vote. materials attached Aug. 2018 meeting pg. 6

Public Hearing and Potential Adoption of Resolution No. 3895, a Resolution Adopting Fiscal Year 2020-2021 Budget and Making Appropriations for 2020-2021 Fiscal Year. MOTION was made by Parker, seconded by Hall, to adopt Resolution No. 3895, a resolution adopting the fiscal year 2020-2021 budget as recommended by the Budget Committee, for budget appropriations of \$72,119,525, unappropriated reserves of \$7,717,343, for an ending fund balance of \$2,439,113, for total requirements of \$82,266,981. The motion carried 6-1 with Sawyer opposed. material attached June 2020 pg. 5

**Project Documentation: Environmental Assessment Phase II for Obstruction Removal**

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**Documentation and Permits**

**Was the Airport Layout Plan (ALP) Completed within the last 10 years? \***

Yes     No     Underway

Date of Completion: 2/28/2018

Anticipated Date of Completion: \_\_\_\_\_

If no, provide reasoning:

**Is a NEPA review required? \***

Yes     No

Please select the applicable Environmental assessment (EA) review type:

If 'Other' is selected, please describe the type of NEPA review in the provided field below.

Note any required permits, date issued or expected issue date, completion status, and required status. Permits may include, but are not limited to: right-of-way permits, land acquisition permits, building permits, etc.  
Click the "SAVE" button to add additional rows.

Permit Type	Date Issued	Completion Status	Required Status
None for this project.			

## Statewide Impact: Environmental Assessment Phase II for Obstruction Removal

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COAR Application 2021

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### Statewide Impact of Project

Per ORS 367.084(6), the following questions apply:

**Does the proposed project reduce transportation costs for Oregon businesses or improve access to jobs and sources of labor? If yes, provide a short explanation. \***  Yes  No

Yes, removal of obstructions will maintain existing approaches preventing interruption in airport operations. Interruptions in service would result in increased transportation costs and reduce staff accessibility for businesses and organizations located in and around Newport. Oregon statewide business clusters that will be served by this project include food processing and tourism.

**Does the proposed project result in an economic benefit to the state? If yes, provide a short explanation. \***  Yes  No

Yes, approximately 5 short-term jobs during the environmental work will be created as a result of the project. Additional short-term jobs will be created in the final design and construction phases of the project.

Maintaining clear approaches at the airport ensures business jets and transient aircraft can continue to use the airport in its current state. Clear approaches will encourage business and tourism aircraft to use the airport bringing benefit to both the City of Newport and State of Oregon.

**Is the proposed project a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system? If yes, provide a short explanation. \***  Yes  No

Yes, the proposed project, once completed, will allow continued operations for approximately 30 based business aircraft and cargo connections (FedEx and UPS) between feeder aircraft (air mode) and ground based cargo distribution trucks (highway mode) that utilize the airport.

**Is the proposed project ready for construction or implementation? \***  Yes  No

Yes, phase I is completed and Phase II funding has been slated by the FAA for project completion.

**Does the project have any unique construction-readiness, project implementation issues, or possible delays? \***  Yes  No

Geoff

**Does the proposed project have a useful life expectancy that offers maximum benefit to the state? If yes, provide a short explanation. \***  Yes  No

Yes, the project will result in a NEPA determination that will allow removal of the surrounding airport obstructions. Obstruction removal will be completed to prevent the removed obstructions from becoming a hazard in the near future.

**Budget: Environmental Assessment Phase II for Obstruction Removal**

City of Newport  
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COAR-2021-ONP-00018

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Is this project currently listed in your approved Federal CIP? \*

Yes     No

**Federally Funded Projects \***

FAA Funding Breakdown		
Federally Funded Projects	\$150,000.00	90 %
FAA AIP Grant Match Requirement from Sponsor	\$16,667.00	10 %
<b>Total Project Cost</b>	<b>\$166,667.00</b>	<b>100 %</b>

**Non-Federally Funded Projects \***

Total Project Cost

**Project Funding Breakdown**

Provide the funding source and the amount of funding from that source.

	Percent of Project Cost
Minimum Program Match Requirement:	25%

Source of Match Funds *	Amount	Date Available
FAA grant funds	\$150,000.00	5/14/2021
Sponsor Match	\$3,334.00	5/14/2021
Total Match Funds:	<b>\$153,334.00</b>	<b>92 %</b>

Aviation Project Funding Request to ODA *		
Amount requested from ODA:	\$13,333.00	8 %

Project Budget Summary		
Total applicant matching funds:	\$153,334.00	92 %
Funding request to ODA:	\$13,333.00	8 %
<b>Total Project Cost:</b>	<b>\$166,667.00</b>	<b>100 %</b>

**Pre-Agreement Expenditures \***

Has the project incurred any expenditures prior to the completion of this agreement, if awarded? If yes, explain.

Yes     No

\*  In accordance with OAR 738-124-0045(3)(b) "Only Project costs incurred on or after the effective date of the Agreement are eligible for grant funds."

**Budget: Environmental Assessment Phase II for Obstruction Removal**

City of Newport  
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Please describe those pre-agreement expenditures.

**Related Document Uploads**

Description	Upload
Approved FY 20/21 Newport City Budget.	<a href="http://odae-grants.com/_Upload/12859_1100011-FY.20-21NewportCityBudget.pdf">http://odae-grants.com/_Upload/12859_1100011-FY.20-21NewportCityBudget.pdf</a>
FAA CIP Letter	<a href="http://odae-grants.com/_Upload/12859_1100011_2-OR-2020-5YRCIPLettertoSponsors-Newport-ONP.pdf">http://odae-grants.com/_Upload/12859_1100011_2-OR-2020-5YRCIPLettertoSponsors-Newport-ONP.pdf</a>

**Miscellaneous Uploads: Environmental Assessment Phase II for Obstruction Removal**

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**File Repository**

FY 20/21 Newport City Budget

[12869\\_1100013-FY.20-21NewportCityBudget.pdf](#)

Person: Lance Vanderbeck  
Date: 10/12/2020

**Final Report**

*(You must upload your Final Report prior to closeout)*

[Click here to generate the Final Report form](#)

<b>Upload</b>





**CITY OF NEWPORT  
GRANT APPLICATION INFORMATION**

**Granting Agency:** State of Oregon Department of Aviation

**Grant Application Due Date:** October 23, 2020 11:59 p.m.

**Amount of Grant, if Awarded:** \$16,688

**City Match, if Any:** \$4,167

**City Contact:** Lance Vanderbeck

**Purpose of Grant:** To help found City FAA AIP matching grant for Phase II Environmental Assessment of Obstruction Removal project.

**Does Grant Require City Council Approval:** To Apply  To Accept

**Date of City Council Approval, if required:** June 29, 2020 approval of adopted budget for FY 20/21\_Minutes attached.

**Does Grant Require City Manager Approval:** To Apply  To Accept

**Date of City Manager Approval, if Required:** 

**Department Head Approval:**   
Signature

**Date of Approval:** \_\_\_\_\_

**Attach a copy of the grant application.**

**Budget: Environmental Assessment phase II for obstruction removal**

City of Newport  
COAR Application 2021

Application Year: 2021  
COAR-2021-ONP-00018

Is this project currently listed in your approved Federal CIP? \*

Yes     No

**Federally Funded Projects \***

FAA Funding Breakdown		
Federally Funded Projects	\$150,000.00	90 %
FAA AIP Grant Match Requirement from Sponsor	\$16,668.00	10 %
<b>Total Project Cost</b>	<b>\$166,668.00</b>	<b>100 %</b>

**Non-Federally Funded Projects \***

Total Project Cost

**Project Funding Breakdown**

Provide the funding source and the amount of funding from that source.

	Percent of Project Cost
Minimum Program Match Requirement:	25%

Source of Match Funds *	Amount	Date Available
FAA grant funds	\$133,332.00	
Sponsor Match	\$16,668.00	2/3/2020
<b>Total Match Funds:</b>	<b>\$150,000.00</b>	<b>90 %</b>

Aviation Project Funding Request to ODA *		
Amount requested from ODA:	\$16,668.00	10 %

Project Budget Summary		
Total applicant matching funds		90 %
Funding request to ODA		10 %
<b>Total Project Cost</b>		<b>100 %</b>

**Pre-Agreement Expenditures \***

Has the project incurred any expenditures prior to the completion of this agreement?

Yes     No

In accordance with OAR 738-124-0045(3)(b) "Only Project costs incurred eligible for grant funds."

*Draft Application -  
Waiting for Geoff  
& Linda Wertman  
To look over for  
Accuracy.  
2*

**General Project Information: Environmental Assessment phase II for obstruction removal**

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COAR-2021-ONP-00018

**Applicant**

**Organization Name**

City of Newport

**Contact Person \***

Lance J Vanderbeck

**Address**

169 SW Coast HWY

**Contact Person Title \***

Airport Director

**City**                      **State**                      **Zip Code**

Newport                      Oregon                      97365

**Phone Number**    **Email**

(541) 867-7422    l.vanderbeck@newportoregon.gov

**Project Name and Location**

**Project Name \***

Environmental Assessment phase II for obstruction removal

**Project Location \***

Newport Municipal Airport

**ODOT Region:**

Region 2

**County tax parcel identification number(s): \***

11-11-32-00-00200-00

For convenience, if you have these compiled, please upload them here:

**Airport information**

**Airport Name: \***

Newport Municipal Airport

**Airport Category: \***

Category 2

**NPIAS or Non-NPIAS: \***

NPIAS

**Project Overview**

**Select the type of project being proposed: \***

Program Implementation

**Select the category of project for which you are requesting funding: \***

Assistance with FAA AIP grant match

**Project Start Date:**

1/8/2021

**Project End Date:**

9/24/2021

**General Project Information: Environmental Assessment phase II for obstruction removal**

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precision instrumented runway 16-34. From this identification Newport will be able to complete an obstruction removal plan to keep part 77 air surfaces safe for aircraft landing and departing.

• Does the project increase the financial self-sufficiency of the airport? • ✓ Yes    No

Newport will see a long term financial sufficiency by addressing obstruction removal in a phased effort over time rather than a large upfront cost.

• Does the project have local support? • ✓ Yes    No

Approving Phase I of this project. Minutes are attached. Approval of Task Order 4A for the 2020 Obstruction Removal Pre-Design Project for the Municipal Airport Phase One. MOTION was made by Sawyer, seconded by Saelens, to authorize the City Manager to execute task order 4A-2020 Airport Obstruction Removal Pre-design Phase One .The motion carried unanimously in a voice vote. materials attached Aug. 2018 meeting pg. 6

Public Hearing and Potential Adoption of Resolution No. 3895, a Resolution Adopting Fiscal Year 2020-2021 Budget and Making Appropriations for 2020-2021 Fiscal Year. MOTION was made by Parker, seconded by Hall, to adopt Resolution No. 3895, a resolution adopting the fiscal year 2020-2021 budget as recommended by the Budget Committee, for budget appropriations of \$72,119,525, unappropriated reserves of \$7,717,343, for an ending fund balance of \$2,439,113, for total requirements of \$82,266,981.The motion carried 6-1 with Sawyer opposed. material attached June 2020 pg. 5

June 29, 2020  
6:00 P.M.  
Newport, Oregon

**CITY COUNCIL SPECIAL MEETING**

**CALL TO ORDER AND ROLL CALL**

The Newport City Council met electronically, via Zoom, on the above date and time in the City Council Chambers of the Newport City Hall. On roll call, Sawyer, Goebel, Hall, Botello, Parkes, and Collett joined the meeting at 6:05 P.M.

*Draft -  
Waiting for  
Linda to check  
Budget #3.*

City Manager; Peggy Hawker, City Manager; Peggy Hawker, City Manager; Malloy, Police Chief; Derrick Tokos, Police Chief; Gloria Tucker, Public Works Director; Gloria Tucker, Public Works Director; David Allen, City Attorney.

**ALLEGIANCE**

Administered in the Pledge of Allegiance. Sawyer held the Pledge for Rowley, who passed away recently.

**ROLL CALL**

City Councilor Aaron Collett. Hawker administered the Pledge.

**PUBLIC HEARING**

**Public Hearing and Potential Adoption of Resolution No. 3891, a Resolution Providing for a Supplemental Budget, and Making Appropriations/Total Requirements for the 2019-2020 Fiscal Year.** Hawker introduced the agenda item. Nebel reported Finance Director, Mike Murzynsky, has prepared the final supplemental budget for Council approval. He noted there are a few changes that need to be made to close out operational funds. He stated in the General Fund, a transfer of \$19,000 is proposed from contingency to cover professional services, advertising and travel line items for the Finance Department for this fiscal year. He explained in the Parks & Recreation Fund, the administrative salary expenses are projected to exceed approved expenditures by \$20,000. He indicated this was due to the payment of vacation time for former Parks & Recreation Director, Jim Protiva, at the time of his resignation. He added these funds will come from the Parks & Recreation contingency fund.

Nebel reported in the Housing Fund, an appropriation of \$15,630 is necessary to forward funds to the Lincoln County School District CET from building permits, which will be covered by a contingency transfer from this fund. He stated in the SDC Fund, the Port of Newport has cancelled the log yard project, and as a result the Port is eligible to receive several payments made during the past three years totaling \$57,500. He noted since this project will not go forward, a contingency transfer is necessary so that these funds can be refunded back to the Port of Newport. He indicated in the City Facilities Fund, transfers to

**Public Hearing and Potential Adoption of Resolution No. 3894, a Resolution Adopting a Fee Schedule for the City of Newport for the Fiscal Year beginning July 1, 2020 and Ending June 30, 2021, and Repealing Resolution No. 3862 Which Established Fees for the Year Ending June 30, 2020.** Hawker introduced the agenda item. Nebel reported the Budget Committee reviews, and the Council adopts an updated fee schedule each year. He stated a comprehensive fee schedule better assures that various rates and charges are evaluated on an annual basis. He explained it also allows staff to have one point of reference for fees that are charged to avoid inappropriately charging the wrong amount for a particular service. He noted there are several other changes that were included in the proposed fee schedule, which has been reviewed and recommended for adoption by the Budget Committee. He indicated these changes include:

- Land use fees increased by an inflationary rate.
- Short-term rental application, re-inspection and annual endorsement fee - upon recommendation of the Short-term Rental Ordinance Implementation Work Group, they are recommending that we hold these fees at the 2019-2020 FY rates.
- Fees were added to the Newport Recreation Fees - NEWPORT RESIDENTS and NONRESIDENTS; Sports Program fees - Resident and Non-Resident; 60+ Facility and Program/Trip fees - Resident and Non-Resident. Other Recreation fees were updated.
- Corporate discount rates were developed and added.
- Water, Wastewater and Stormwater Utility Billing rates - no rates changes this year, they will be held at the 2019-20 rate level. Public Work operational fees have been increased by an inflationary rate.
- System Development Charges have been increased by an inflationary amount.

Nebel reported the rate schedule is attached for your review. He stated the schedule shows the current fiscal year rates, and the recommended rates for the 2020-2021 Fiscal Year. He noted each year staff continue to clean up and improve the presentation on the fee schedule. He explained there were no proposed changes to the Administration, Airport, Fire, Municipal Court or Police Department fees.

Sawyer opened the public hearing at 6:18 P.M. He called for public comment. Matt Merritt and Dharma Tamm joined by phone. Tamm stated his concerns are the increased rate for BOD and a new charge for PSS. He noted as of right now this charge would only affect Rogue. He explained Rogue has been working with the city to make its plant compliant, and he finds it weird to have new fees before the system is finalized. He indicated this is one of the worse times for these fees because of COVID. He added if Rogue exceeds limits, kicking in the fees, there would already be fines from the city for that so the city would be charging twice. He asked the Council to push back these fees until Rogue has its new system in place. Sawyer closed the public hearing at 6:24 P.M. for Council deliberation.

Gross reported these fees represent overstrength charges. He stated there are discharge allowances within the code, and these fees only apply when those limits are exceeded. He noted these fees are based on actual cost to treat those overages. He summarized these fees serve two purposes - cover city costs and act as a disincentive for producers to discharge above limits. He added Rogue has a special permit, and within that permit it would be identified how they manage discharge so these fees don't apply.

**Public Hearing and Potential Adoption of Resolution No. 3896, a Resolution Citing the Purpose and Review Times for Municipal Reserve Funds and Repealing Resolution No. 3858.** Hawker introduced the agenda item. Nebel reported the city is given authority under ORS 294.346 to set up one or more reserve funds in which to accumulate resources for specific purposes. He stated to assure these reserve funds are reviewed on a timely basis, we will be having the Council review and renew this Resolution on an annual basis at the same that the budgets are approved.

Sawyer opened the public hearing at 6:55 P.M. He called for public comment. There was none. He closed the public hearing at 6:56 P.M. for Council deliberation.

MOTION was made by Goebel, seconded by Parker, to adopt Resolution No. 3896, a resolution setting the purpose and review times for Municipal Reserve Funds. The motion carried unanimously in a voice vote.

**Public Hearing and Potential Adoption of Resolution No. 3895, a Resolution Adopting Fiscal Year 2020-2021 Budget and Making Appropriations for 2020-2021 Fiscal Year.**

Hawker introduced the agenda item. Nebel reported the development of the budgets for the City of Newport and the Newport Urban Renewal Agency for the fiscal year beginning July 1, 2020 and ending June 30, 2021 was initiated in December 2019. He stated in accordance with the City Charter, the City Manager submitted to the Budget Committee a proposed budget for the 2020-2021 Fiscal Year. He noted the significant economic impacts of the COVID-19 emergency on the City of Newport are addressed in this proposed budget by a reduction in anticipated revenues and expenditures for the coming fiscal year. He explained the total requirement (appropriations, revenues, transfers, reserves, and ending fund balances) for the proposed budget is \$82,266,981. He indicated this is a dramatic reduction from the \$90,551,326 adopted in the 2019-2020 FY budget.

Nebel reported there are significant reductions in expenditures for the 2020-2021 Fiscal Year. He stated this includes reductions of 22.13 full-time employee equivalents (FTEs) in the coming year, imposed furloughs for the full-time unrepresented employees, and freezes of cost-of-living adjustments. He noted there is a reduction in a variety of expenditures, including purchases, travel, and training, as well as support for other organizations. He indicated some funding committed previously has also been eliminated, including the third round of funding for the PAC expansion and support for several projects, including beautification, public art, and other quality-of-life improvements. He added some of those were added back in by the Budget Committee.

Nebel reported the Budget Committee made several adjustments to the proposed budget: increasing the Landscape Specialist to a 0.5 FTE; adding GTAC tablets for the Police Department in the amount of \$12,000; adding \$10,000 to Homeless Programs; eliminating \$2,000 recommended for the fire station diesel exhaust extraction system; deferring the parking study implementation to the 2021-2022 Fiscal Year; adding \$5,000 for the Public Arts Program; and adding \$50,000 in fine collections in Wastewater Collections as well as \$50,000 in fine collections in the General Fund. He added the Facilities Fund has been adjusted by reducing the balance of the funding in the various facility accounts collectively by \$100,000. He stated these adjustments are being returned to the General Fund in the form of reduced rentals and/or transfers. He noted a cost of increase on short-term-rental fees was eliminated, reducing revenues by \$3,000. He

item. Nebel reported on June 15, 2020, the City Council received a report from the Short-Term Rental Work Group to schedule a public hearing at the June 29, 2020 Special Meeting to consider ordinance changes prior to the renewal of business licenses on July 1, 2020. He stated the Short-Term Rental Work Group met on June 8, 2020, to discuss several issues relating to the implementation of the short-term rental regulations. He noted because of COVID, the group will be recommending that the charge for this group be extended since they have not had an opportunity to go through a normal vacation rental season prior to making recommendations on substantive changes regarding the regulations. He indicated there are things that need to be addressed before the renewal licenses go out on July 1.

Tokos reported the changes included signage— clearly visible changed to clearly legible, hotline signs would only be for VRDs, and the city has flexibility to work with condo units on signage. Tokos stated the other change is the 30-day rental requirement. He noted because of COVID, and other activities such as major renovation with licensed short-term rentals, there needs to be a process to provide exceptions to this requirement. He indicated if this is approved, the City Manager will reduce the 30 days of rental requirements to 15 days for all licensed facilities for the 2020-2021 FY due to the COVID-19 emergency.

Allen reported minor changes were made and noted these amendments do not need to be read into the record since they have been circulated prior to the meeting. Sawyer disclosed a potential conflict of interest. He stated he has a home share, and he will abstain from the vote.

Sawyer opened the public hearing at 8:10 P.M. He called for public comment. There was none. Sawyer closed the public hearing at 8:11 P.M. for Council deliberation.

Goebel clarified the motion wording should not be changed from short-term to vacation rental.

MOTION was made by Hall, seconded by Goebel, to place for final passage Ordinance No. 2168, an ordinance amending Ordinance Amending Section 4.25.030(c) of the Newport Municipal Code Regarding Short-Term Rentals with the Ordinance Having an Emergency Effect. The motion carried 6-0 in a voice vote. Hawker read the title of Ordinance No. 2168. Voting aye on adoption of Ordinance No. 2168 were Parker, Jacobi, Goebel, Hall, Collett, and Botello. Sawyer abstained.

### **CITY MANAGER'S REPORT**

**Consideration and Potential Approval of Intergovernmental Agreement No. 33716, between the City of Newport and the Oregon Department of Transportation, for Delivery of the Highway 101 - SE 32<sup>nd</sup> Street to SE 35<sup>th</sup> Street STIP Project.** Hawker introduced the agenda item. Nebel reported this project is included in the State Transportation Improvement Plan (STIP), and involves work on Highway 101 between SE 32<sup>nd</sup> and SE 35<sup>th</sup> Streets. He stated, specifically, the project includes the installation of a traffic signal at the Highway 101 and SE 32<sup>nd</sup> Street intersection; closure of the SE Ferry Slip Road and Highway 101 intersection; installation of bike and pedestrian facilities along Highway 101 between the Yaquina Bay Bridge and SE 35<sup>th</sup> Street; and the construction of stormwater treatment facilities. He noted the project also includes bike, pedestrian and street improvements that the city completed along SE Ferry Slip Road between SE Ash Street and SE 32<sup>nd</sup> Street.



didn't have as much delinquent payments as expected. Goebel stated he will likely vote against the extension because he believes it is time businesses get back into full gear. Nebel explained all of the city's orders are based on this emergency declaration, and it frees up funds for dealing with the emergency. Goebel clarified the emergency declaration will likely be extended again on July 20.

Parker asked if a second meeting could be scheduled for July, rather than holding one long meeting in July. Nebel replied if items pile up, a special meeting could be held. Parker asked what is the process of scheduling two meetings in July. Nebel replied if the Council wants to have a second meeting in July, they could make a motion. Parker emphasized the need to monitor how many items are on a meeting agenda.

Jacobi noted she added a report from the Oregon Health Authority to this agenda item. She read the scenarios for future COVID-19 spread. She stated she supports keeping the emergency declaration in place. Botello clarified Council should continue to report hours spent on COVID. She agreed with Parker, and emphasized the need for night meetings. Parker asked if the city reached out to the county or state health departments on their input on extending the emergency. He recommended reaching out to them before July 20. Nebel replied that will be folded into the discussion on July 20. Hall stated she supports extending the emergency. Sawyer agreed and noted the results from OSU testing will come out tomorrow.

MOTION was made by Hall, seconded by Botello, to extend the City of Newport's Emergency Declaration to July 20, 2020, with the Council considering further extension at that date. The motion carried 6-1 in a voice vote with Goebel opposed.

Nebel asked for Council confirmation of Emergency Orders 2020-20 and 2020-21.

MOTION was made by Hall, seconded by Jacobi, to confirm Emergency Orders 2020-20 and 2020-21. The motion carried unanimously in a voice vote.

Parker clarified the Governor's Office has not yet extended its emergency beyond July 6. Botello clarified the city can extend its emergency without the state.

**Consideration of an Extension of the Declaration of Emergency Associated with the City's Difficulty in Meeting Water Demands Due to Filtering Issues at the Water Treatment Plant.** Hawker introduced the agenda item. Nebel reported last week, staff became aware that the city's water treatment plant was having difficulty meeting water demand, and the city was approaching a point where it was necessary to declare a local emergency and enact water curtailment requirements. He stated on Wednesday, June 24, 2020, the Acting City Manager declared a temporary emergency, effective immediately, through the end of a special City Council meeting to be held at 9:00 A.M., on Friday, June 26, 2020. He noted the Acting City Manager also imposed water restrictions on June 24, 2020. He explained the City Council was asked to formalize the emergency declaration on Friday and continue it until June 29, 2020. He added he is requesting Council extend this emergency declaration to a future date.

Gross reported this began on May 23. He stated from May 25 through June 3, staff started adjusting chemicals to deal with iron accumulation in the filters, but there was not an issue with water supply and providing sufficient volumes. He stated on June 3 staff contacted the filter manufacturers to see if they have recommendations on the accumulation. He explained between June 4 and 16, the plant started having capacity related issues, and staff began using Iron Out on June 17. He noted on June 22, staff reached out to Seal Rock Water District so they could provide water to South Beach. He

city's difficulty in meeting water demand, to July 20, 2020 unless rescinded. The motion carried unanimously in a voice vote.

Allen presented the second motion for Council consideration.

MOTION was made by Parker, seconded by Hall, to extend the water use restrictions adopted and currently imposed by Council in accordance with NMC 5.10.110(A) until July 20, 2020, and authorize the City Manager and Acting City Manager to continue, rescind, or modify those water use restrictions until July 20, 2020, pursuant to the Council's emergency declaration associated with the city's difficulty in meeting water demands due to filtering issues at the Water Treatment Plant. The motion carried unanimously in a voice vote.

Sawyer thanked the Public Works Director, staff of the Water Treatment Plant, and Hawker. Parker clarified the city will have water restriction messaging on mobile notification trailers.

### LOCAL CONTRACT REVIEW BOARD

Approval of Task Order No. 11 with HDR Engineering in the Amount of \$440,686 for Access Road and Raw Water Pipeline Design for the Big Creek Dam Project. Hawker introduced the agenda item. Nebel reported the City has received a FEMA grant that includes activities related to a new access road and new raw water pipeline for the Big Creek Dam. He stated the new access road will connect the existing road downstream of the dam site with reservoir and properties upstream of the new dam site. He stated the raw water pipeline will connect the dam outlet structure with the existing intake pump station to the Water Treatment Plant.

Goebel clarified the city match is \$115,000. Collett clarified the dam project is estimated between \$65-\$80 million.

MOTION was made by Hall, seconded by Botello, to approve Task Order No. 11 with HDR Engineering in the amount of \$440,686 for access road and raw water pipeline design for the Big Creek Dam Project, and authorize the City Manager to sign said task order. The motion carried unanimously in a voice vote.

Sawyer closed the Local Contract Review Board at 9:47 P.M.

### COMMUNICATION

From Councilor Dietmar Goebel - Discussion on Repealing the 24 Hour Wait in Newport Emergency Order No. 2020-17. Hawker introduced the agenda item. Nebel reported on Friday, June 19, 2020, the City Council participated in a joint meeting of the Lincoln County cities and the County Commission to discuss several regulatory issues related to the COVID-19 emergency. He stated one of these issues relates to the requirement that rooms be left unattended for 24 hours after checkout to reduce the likelihood of hotel employees contracting COVID-19. He noted in Lincoln County, Yachats, and Newport have retained this requirement. He indicated the other jurisdictions have eliminated this requirement. He explained Councilor Goebel would like to discuss the possible elimination of this requirement from Emergency Order No. 2020-17. He added at the June 19, 2020 special meeting, Councilor Goebel made a motion to eliminate the 24-hour wait period that is a part of the city's Emergency Order No. 2010-17, and the

minimizing the August Council meetings. Goebel suggested having more frequent meetings that are shorter.

**ADJOURNMENT**

Having no further business, the meeting adjourned at 10:47 P.M.

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Margaret M. Hawker, City Recorder

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Dean H. Sawyer, Mayor

Account No.	Description	FY 2017-2018 Prior Year Actuals	FY 2018-2019 Prior Year Actuals	FY 2019-2020 Current Year Beg. Budget	FY 2019-2020 Current Year Amend. Budget	FY 2019-2020 8 Months Actuals	FY 2019-2020 Fiscal Year End Estimates	FY 2020-2021 Department Request	FY 2020-2021 Proposed Budget	FY 2020-2021 Approved Budget	FY 2020-2021 Adopted Budget
<b>AIRPORT - 6130</b>											
<b>RESOURCES</b>											
402-6130-42001	AVIATION GRANT FAA GRANT	305,702	296,393	450,000	450,000	-	150,000				
	AP3-AIP 25 Airport Storm Drainage Pipe Rehabilitation (17006)							2,600,000	2,860,000	2,860,000	2,860,000
	FAA NPE GRANT FY 2019										
	AP4-AIP 26 Airport Environmental Assessment Phase I (17025)							27,644	27,644	27,644	27,644
	FAA NPE GRANT FY 2020										
	AP5-AIP 26 Airport Environmental Assessment Phase II (17025)										150,000
	<b>TOTAL FEDERAL SOURCES</b>	<b>305,702</b>	<b>296,393</b>	<b>450,000</b>	<b>450,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,037,644</b>
402-6130-43009	HR 2075 GRANT FROM THE ODA	22,294	22,699	-	-	-	-				
	AP3-AIP 25 Airport Storm Drainage Pipe Rehabilitation (17006)										
	<b>TOTAL STATE SOURCES</b>	<b>22,294</b>	<b>22,699</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
402-6130-47001	INTEREST ON INVESTMENTS	9,142	11,654	9,000	9,000	6,184					5,897
	<b>TOTAL INVESTMENTS</b>	<b>9,142</b>	<b>11,654</b>	<b>9,000</b>	<b>9,000</b>	<b>6,184</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,897</b>
402-6130-48500	BOND & LOAN PROCEEDS		277,500	-	-	-					
	<b>TOTAL LOAN REVENUES</b>	<b>-</b>	<b>277,500</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL AIRPORT REVENUES</b>		<b>337,138</b>	<b>608,246</b>	<b>459,000</b>	<b>459,000</b>	<b>6,184</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,043,541</b>
402-6130-49220	TRANSFER FR. AIRPORT FUND	197,500	247,000	50,000	50,000	37,500					
	AP3-AIP 25 Airport Storm Drainage Pipe Rehabilitation (17006)										
	AP5-AIP 26 Airport Environmental Assessment Phase II (17025)										16,668
	<b>TOTAL TRANSFERS FROM</b>	<b>197,500</b>	<b>247,000</b>	<b>50,000</b>	<b>50,000</b>	<b>37,500</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>16,668</b>
<b>TOTAL AIRPORT TRANSFERS &amp; REVENUES</b>		<b>534,638</b>	<b>855,246</b>	<b>509,000</b>	<b>509,000</b>	<b>43,684</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,060,209</b>
402-6130-49901	BEGINNING FUND BALANCE	93,061	237,813	360,719	438,070	620,137					
	AP1-AIP Obstruction Removal - Trees, Easements Appraisals Phase I & II (17023)										100,000
	AP2-Airport Storage Containers and Demo of Quonset Hut (17016)							41,650	41,650	41,650	41,650
	AP6-Fuel Farm Replacement and Seismic Update (18012)							34,898	34,898	34,898	34,898
<b>TOTAL AIRPORT RESOURCES</b>		<b>627,699</b>	<b>1,093,059</b>	<b>869,719</b>	<b>947,070</b>	<b>663,821</b>	<b>828,561</b>	<b>3,236,757</b>	<b>3,236,757</b>	<b>3,236,757</b>	<b>3,236,757</b>
<b>EXPENDITURES</b>											
<b>PERSONAL SERVICES</b>											
402-6130-51110	OVERTIME	273	-	-	-	-					
402-6130-52110	INSURANCE BENEFITS	29	-	-	-	-					
402-6130-52120	FICA EXPENSES	21	-	-	-	-					
	<b>TOTAL PERSONAL SERVICES</b>	<b>323</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

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AP5 - Aip 26  
Airport S.A. Phase II