



CITY OF MANZANITA

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COUNCIL REGULAR SESSION

Zoom Video Conference
<https://ci.manzanita.or.us>

AGENDA

October 5, 2022
06:00 PM Pacific Time

Video Meeting: Council will hold this meeting through video conference. The public may watch live on the [City's Website: ci.manzanita.or.us/broadcast](https://ci.manzanita.or.us/broadcast) or by joining the Zoom webinar:

<https://us02web.zoom.us/j/89766864002>

Call in number:
+1 253 215 8782

Please note that a passcode is not required to enter the webinar.

Note: agenda item times are estimates and are subject to change

1. CALL TO ORDER (6:00 p.m.)

Mike Scott, Mayor

2. AUDIENCE PARTICIPATION (6:01 p.m.)

Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to cityhall@ci.manzanita.or.us), or in person to city staff**

3. CONSENT AGENDA (6:13)

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

A. Approval of Minutes

- a. September 7, 2022 Work Session
- b. September 7, 2022 Regular Session

B. Approval of Bills

4. COUNCILOR REPORTS (6:25)

5. OLD BUSINESS (6:45)

- A.** City Hall Construction Project Update
Christopher Keane

- B.** First Reading ORD 22-02 Workforce Housing Tax Abatement
Leila Aman, City Manager

- C.** STR Committee Appointments
Jerry Spegman, Councilor

- D.** City Manager Job Description
Linda Kozlowski, Councilor

6. NEW BUSINESS (7:15)

- A.** Committee Page and Upcoming Opportunities
Leila Aman, City Manager

- B.** Envision Manzanita Town Hall Update
Leila Aman, City Manager

- C.** Surplus Vehicle
Dan Weitzel, Public Works Director

7. CITY MANAGER REPORT (7:35)

8. ADJOURN (7:36)

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at cityhall@ci.manzanita.or.us or phone at 503-368-5343. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's youtube channel](#).

CITY OF MANZANITA
September 7, 2022
CITY COUNCIL WORK SESSION

1. CALL MEETING TO ORDER: The meeting was called to order on September 7, 2022, at 3:00 pm via Zoom by Mayor Mike Scott.

ROLL: Members present: Mike Scott, Linda Kozlowski, Steve Nuttall, and Jerry Spegman. Staff present: City Manager Leila Aman, Accounting Manager Nina Aiello, and Assistant City Recorder Nancy Jones. Panelists present: Souvanny Miller, Meg Reed, and Garrett Phillips.

2. Draft Findings – View Grading Moratorium:

City Manager Aman presented draft findings for placing a moratorium on dune grading. These draft findings were prepared by the City Attorney and reviewed by Garrett Phillips, Coastal Planner for CREST and Meg Reed, Coastal Shores Specialist with DLCD. Council engaged in a discussion with staff and gave the City Manager direction to give notice to the Department of Land Conservation and Development and to proceed with the public hearing on November 9th, 2022.

3. FY 2022 Audit Update:

Accounting Manager Nina Aiello, spoke about the audit process and what the auditors are looking for. This year was challenging as we changed systems part way into the year. The audit was completed on August 30th and handed over. The auditors will present their findings at the December 7, 2022 City Council Meeting.

4. Draft Updated City Manager Job Description:

Council President Linda Kozlowski, stated that the current job description for the City Manager is outdated. In gathering information from other cities, she presented an updated description with management as the focus. Managing personnel, fiscal responsibilities, and community relations. Council discussed the job description and gave direction not the City manager to include it on the October 5, 2022 Regular meeting for approval.

5. Adjourn: Mayor Scott adjourned the meeting at 3:47 pm.

MINUTES APPROVED THIS
5rd Day of October, 2022

Mike Scott, Mayor

Attest:

Leila Aman, City Manager

CITY OF MANZANITA
September 7, 2022
CITY COUNCIL REGULAR SESSION

1. CALL TO ORDER: The meeting was called to order on September 7, 2022, at 6:01 pm via Zoom by Mayor Mike Scott.

Roll: Council members present: Mayor Mike Scott, Linda Kozlowski, Steve Nuttall, and Jerry Spegman. Staff present: City Manager Leila Aman, Accounting Manager Nina Aiello, and Assistant City Recorder Nancy Jones. Panelists present: Kris Campbell, Marc Johnson, Kyle Ayers, Jenna Edginton, and Brad Hart.

2. AUDIENCE PARTICIPATION: There were 20 people in attendance. There were no public comments.

3. CONSENT AGENDA:

A. APPROVAL OF MINUTES – July 15, 2022 Special City Council Meeting; July 19, 2022 Special City Council Meeting; July 26, 2022 Budget Committee Work Session; August 3, 2022 City Council Work Session and August 3, 2022 City Council Regular Session

B. APPROVAL OF BILLS FOR PAYMENT

A motion was made by Nuttall, seconded by Kozlowski, to approve the consent agenda that includes approval of the August 3, 2022, City Council Work Session and August 3, 2022 City Council Regular Session; approve payment of bills and all subsequent bills subject to approval by the Mayor or Council President and City Manager; Motion passed unanimously.

4. PROCLAMTION: EVCNB, Kris Campbell shared information about EVCNB and what they do in the community. To help the community with emergency preparedness, September 2022 has been designated as Emergency Preparedness Month.

A motion was made by Nuttall to approve the proclamation declaring September 2022 as Emergency Preparedness Month. The motion was seconded by Kozlowski, to approve that September 2022 as Emergency Preparedness Month; Motion passed unanimously.

5. NEW BUSINESS:

A. Interviews of Applicants for Open Council Position and Appointment –

Councilor Tonjes resigned from the City Council effective August 1, 2022. Applications for the position closed on Aug 31, with two candidates applying: Jenna Edginton and Brad Hart. Council

conducted an interview, which included four identical questions for each candidate. Councilor Kozlowski recused herself due to one of the candidates publicly endorsing her.

A vote was taken to decide which candidate would fill the empty council seat. Kozlowski recused herself from the vote. Nuttall voted for Edginton; Spegman voted for Edginton; Mayor Scott voted for Edginton.

B. Oath of Office New Council Position

Jenna Edginton was sworn in by City Manager Leila Aman.

C. Nehalem Bay Health District Update – Marc Johnson, Chair Nehalem Bay Health District

Johnson presented an update to the building of a new Health Center on Highway 101 in Wheeler. The new facility will house a pharmacy, dental care, exam rooms, staff rest area, meeting rooms, etc... Architects are currently working on this project. This project is expected to cost 9 million dollars, and they are working on the funding details. A funding package will be available at the end of October, or early November and will be explained to the community. They also plan to re-purpose the current location into workforce housing.

6. OLD BUSINESS:

A. Dorcas Construction Project Update - City Manager Leila Aman

City Manager Aman led this discussion as Dan Weitzel is currently fighting a wildfire and is unable to attend this meeting.

This project is for the replacement of the water main and several service lines, addition of a storm water line and replacement of the entire road including the base. Kyler Ayres with North Coast Civil Design is designing this project and it will go out for bid after the attorney has approved and finalized the contract. This project will take approximately 6 months to complete. Several questions about the cost of asphalt and storm water flow were asked. Ayres said the cost of asphalt will depend on the market at the time of the bid.

B. STR Committee Mission Statement - City Manager Leila Aman

City Manager Aman drafted a mission statement for the upcoming STR Committee:

To investigate, analyze and propose policy solutions that address the collective impacts and unintended consequences that the city's regulated short term rental program has on the livability of Manzanita neighborhoods, particularly those disproportionately impacted, while ensuring the ongoing financial health of city

Council directed the City Manager to review the mission statement and finalize it with input from the Short-Term Rental Committee.

C. STR Committee Selectin Criteria - City Manager Leila Aman

City manager Aman presented the committee selection criteria that will be used to select candidates.

A motion was made by Kozlowski, seconded by Edginton, to approve the search criteria for the STR Committee; Nuttall objected; Motion passed

7. COUNCIL UPDATES: Council members took turns sharing what they did for the month.

8. CITY MANAGER REPORT: Aman stated that there are three candidates running for City Council, and one candidate running for mayor; all have been confirmed and accepted by the County Clerk. Aman is working with Councilor Spegman to prepare the voters handbook which will be posted on the city website. There will be drilling for a Geo Technical analysis at Underhill Plaza. A City Hall Town Hall was held August 29, 2022; 50 members of the community attended, and 70 participated in the online survey. The CM/GC request for proposal has closed, and five proposals were received. The selection committee will review the proposals and conduct interviews prior to the next city council meeting. applicants have been selected to interview. Aman will present a recommendation to council at the November 9, 2022, City Council Meeting. Several staff of Tillamook County met with Dr Bateman, the new Director of the Department of Land and Conservation of Development. Aman had positive conversation over city policy objectives.

9. INFORMATION AND ADJOURN:

1. Manzanita Municipal Court will be held September 16, 2022 and continues to remain closed to the public.
2. The Planning Commission will meet September 19, 2022 at 4:00 via zoom.

Mayor Scott adjourned the meeting at 8:16PM.

**MINUTES APPROVED THIS
5th Day of October, 2022**

Michael Scott, Mayor

Attest:

Leila Aman, City Manager

BILLS FOR APPROVAL OF PAYMENT

From 09/01/2022 - 09/30/2022

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH Expansion	ROADS	Visitors Center	WATER
ACCUITY (AUDITORS)	\$6,500.00	\$6,500.00								
ASHLEY MYERS (CONSULTANT)	\$888.46	\$888.46								
BEARING (PROFESSIONAL SERVICES)	\$7,278.40						\$7,278.40			
CASELLE (MONTHLY SERVICE FEE)	\$2,145.00	\$1,588.00								\$557.00
CHARTER (INTERNET SERVICE)	\$589.91	\$219.98	\$129.98						\$109.97	\$129.98
CITY OF NEHALEM (FINES & ASSESSMENTS)	\$692.00				\$692.00					
CITY OF WHEELER (FINES & ASSESSMENTS)	\$3,149.00				\$3,149.00					
CONSOLIDATED SUPPLY (METER SUPPLIES)	\$5,748.14									\$5,748.14
EVERGREEN AUTO (VEHICLE MAINTENANCE)	\$1,217.50			\$1,217.50						
FERGUSON (MATERIAL & SUPPLIES)	\$2,956.44									\$2,956.44
GVT ETHICS COMM. (ANNUAL SUBSCRIPTION)	\$548.82	\$548.82								
HAHN & ASSOCIATES (PROFESSIONAL SERVICES)	\$7,916.06						\$7,916.06			
HDR ENGINEERING (PROFESSIONAL SERVICES)	\$1,320.00									\$1,320.00
HEADLIGHT HERALD (ADVERTISING)	\$250.00	\$250.00								
KELLEY ROY (CONSULTANT)	\$1,200.00	\$1,200.00								
KLOSH GROUP (PROFESSIONAL SERVICES)	\$14,792.25						\$14,792.25			

BILLS FOR APPROVAL OF PAYMENT

From 09/01/2022 - 09/30/2022

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	CH Expansion	ROADS	Visitors Center	WATER
PACIFIC OFFICE (POSTAGE SERVICE)	\$137.00	\$102.50								\$34.50
RHYNO NETWORKS (IT SERVICES)	\$387.00	\$249.00	\$66.00							\$72.00
RTI (PHONE SERVICE)	\$555.25	\$95.60	\$100.20							\$359.45
S-C PAVING (CONSTRUCTION SERVICES)	\$600.00									\$600.00
SHELDON OIL CO. (FUEL)	\$2,998.66		\$1,386.68	\$297.27		\$65.74		\$328.68		\$920.29
STAPLES (OFFICE SUPPLIES)	\$233.93	\$233.93								
SWEET SEPTIC (PORTABLE TOILETS)	\$460.00								\$460.00	
TILL CO CREAMERY (MATERIALS & SUPPLIES)	\$502.11									\$502.11
TILL CO PAYABLE (FINES & ASSESSMENTS)	\$272.00				\$272.00					
TILLAMOOK PUD (ELECTRIC SERVICE)	\$3,676.11	\$90.14	\$119.15			\$80.15	\$64.48	\$609.00	\$58.87	\$2,654.32
US BANK (CITY VISA)	\$8,574.59	\$473.29	\$350.00					\$2,411.30		\$5,340.00
VERIZON (TELEPHONE)	\$1,248.50	\$382.16	\$344.36	\$114.98					\$64.99	\$342.01
TOTALS	\$106,247.73	\$24,152.12	\$2,496.37	\$4,604.75	\$5,463.00	\$388.89	\$30,537.19	\$7,177.23	\$693.83	\$30,734.35



COUNCIL ORDINANCE No. 22-02

AN ORDINANCE OF THE CITY OF MANZANITA, OREGON, ESTABLISHING A WORKFORCE HOUSING TAX ABATEMENT.

WHEREAS, the City of Manzanita recognizes that workforce housing is critically needed in our city to support local businesses, working families, and people of all incomes;

WHEREAS, a diversity of housing options contributes positively to our community; and

WHEREAS, market conditions necessitate that the City take every action possible to incentivize and encourage the development of housing affordable to a range of incomes; and

Now, Therefore, the City of Manzanita does ordain as follows:

The city shall implement a Property Tax Exemption for Workforce Housing within the City of Manzanita; Providing Administrative Procedures for Compliance and Enforcement of the Exemption Program.

Section 1. Title

This Ordinance shall be known as the "Workforce Housing Property Tax Exemption Ordinance" and may be cited and pleaded as such and shall be cited herein as "this Ordinance", or by any reference to a section or subsection of this Ordinance.

Section 2. Authority

This Ordinance is enacted pursuant to ORS 203.035.

Section 3. Purpose

The purpose of this Ordinance is to incentivize workforce housing in the City of Manzanita. Oregon House Bill 2377 (2017) and Chapter 624 Oregon Laws 2017 enable local governments to enact a property tax exemption for certain multiunit rental housing. This Ordinance implements House Bill 2377 and Chapter 624 Oregon Laws 2017 and provides additional terms for receipt and administration of the property tax exemption.

Section 4. Applicability

This Ordinance shall apply within the City of Manzanita as allowed in the provisions of Oregon House Bill 2377 (2017) and Chapter 624 Oregon Laws 2017.

Section 5. Definitions

Except where the context otherwise requires, the definitions established in this Section govern the construction of this Ordinance.

- (a) "Affordable". Housing which costs a household no more than thirty percent (30%) of Area Median Income adjusted to household size.
- (b) "Area median income". The Housing and Urban Development Area Median Income for Tillamook County that is effective as of January 1 of the calendar year in which an applicant is seeking this property tax exemption.
- (c) "Assessor". The Tillamook County Assessor.
- (d) "Building". The same as it does at Section 11.030 of the Tillamook County Land Use Ordinance.
- (e) "Claim" or "claimed". A unit that was deemed eligible and for which the applicant sought the property tax exemption.
- (f) "Community Development". The Tillamook County Department of Community Development.
- (g) "Dwelling unit". The same as it does at Section 11.030 of the Tillamook County Land Use Ordinance.
- (h) "Eligible". A building or dwelling unit that qualifies under Section 6 of this Ordinance.
- (i) "Multiunit rental housing". For the purposes of this exemption, any detached structure within which there are at least three (3) separate dwelling units.
- (j) "Real Market Value". The real market value as determined by the Assessor.

- (k) "Rehabilitation". Bringing an existing multifamily building, having been occupied for no fewer than twenty (20) years, up to full compliance with applicable building code and completing all deferred maintenance. Additionally, the cost of the rehabilitation must exceed fifty percent (50%) of the most recent Real Market Value of the structure prior to the proposed improvement.

- (l) "Transient lodging" means:
 - (A) Hotel, motel, and inn dwelling units that are used for temporary overnight human occupancy;
 - (B) Spaces used for parking recreational vehicles or erecting tents during periods of human occupancy; or
 - (C) Houses, cabins, condominiums, apartment units or other dwelling units, or portions of any of these dwelling units, that are used for temporary human occupancy.

- (m) "Unclaimed". An otherwise eligible unit for which the applicant did not claim the property tax exemption.

Section 6. Eligibility and Duration of Exemption

- (a) An applicant may apply for this exemption on the basis of new construction or rehabilitation; in either case, the property tax exemption shall apply in the first property tax year after receipt of a Certificate of Occupancy for the subject building.

- (b) Only those dwelling units which are affordable to households making up to one hundred twenty percent (120%) of the Area Median Income shall be considered eligible for the property tax exemption.
 - (A) An applicant may choose to omit an otherwise eligible dwelling unit from the exemption program; this unit shall be referred to as unclaimed.
 - (1) No more than twenty percent (20%) of the total units shall be omitted via this mechanism.

 - (B) An applicant may not claim or unclaim new units for this exemption once an application has been approved and the first property tax year of the approved exemption has begun, unless the City of Manzanita and Community Development, in conjunction with the Assessor, determines that unforeseen circumstances necessitate the change. Tax statements shall

be adjusted, including adding previously exempt property taxes as required, according to any changes in eligibility made as a result of this subsection, to be assessed on the next property tax year.

- (c) The percentage of units that claim the exemption, rounded down to the nearest ten percent (10%), shall determine the duration of the exemption according to the following table:

Minimum% of Eligible Units	Years of Exemption
10%	1
20%	2
30%	3
40%	4
50%	5
60%	6
70%	7
80%	8
90%	9
100%	10

- (d) No building shall be eligible for this property tax exemption more than once for its lifetime, regardless of whether it was claimed on the basis of rehabilitation or new construction.
- (e) Any limits on rent pursuant to this Ordinance shall expire on the first property tax year after the exemption expires.
- (f) A property shall only be eligible for the exemption granted under this Ordinance upon passage of a resolution by the City of Manzanita whose property tax rates, when combined with the rates of Tillamook County, equal 51 percent or more of the total combined rate of taxation on the eligible rental property.
 - (A) The exemption, if granted, shall apply to all property tax levies of all taxing districts in which eligible rental property is located.
- (g) If this Ordinance or Chapter 624 Oregon Laws 2017 is repealed, eligible rental property that is granted exemption under this Ordinance shall continue to receive the exemption under the provisions of this Ordinance for the period of time for which the exemption was granted.

Section 7. Rent Limits

- (a) The maximum chargeable monthly rent for a claimed unit shall be based on the maximum rent affordable to 120% of the Area Median Income adjusted to household size.
- (b) Rent limits are calculated based on thirty percent (30%) of the Tillamook County Area Median Income adjusted to the household size.
- (c) The average rent of the claimed units shall not exceed the average rent of the same units rented at a level affordable to a household making one hundred percent (100%) of the Area Median Income.
- (d) Any utilities separately charged from the landlord to the tenant shall count toward the charged rent. Utilities for which the tenant is solely responsible, or for which the landlord does not separately charge the tenant, shall not count

- (e)
- (f) An otherwise eligible building seeking this exemption on the basis of rehabilitation, which has received State or Federal funding and which, as a condition of securing said funding, limits rents to those affordable to households making eighty percent (80%) or less of Area Median Income at the time of application for this program, and which continues to be limited by that condition at the time of application for this exemption, shall be prohibited from setting rents on its claimed units any more than that percentage limit to which they were previously bound, for the duration of the property tax exemption.

Section 8. Additional Rules

- (a) All rents and rent limits shall be rounded to the nearest dollar for the purposes of determining compliance.
- (b) Claimed units shall be prohibited from being converted to any form of transient lodging for the lifetime of the building.
 - (A) Property owners shall record a legally binding covenant with the County Clerk identifying units for which the property tax exemption was claimed and prohibiting them from future usage as transient lodging.

Section 9. Application Process

- (a) Community Development shall provide the City of Manzanita to provide the applicant with the necessary forms to apply for this exemption both initially and as part of the yearly renewal required by this Ordinance.
- (b) The applicant must own or lease the property to which the application relates.
- (c) The applicant shall pay a fee of one hundred dollars (\$100) to Community Development to pay for review of the application.
- (d) The applicant must submit an application to the City of Manzanita renewing the exemption each year for the duration of the property tax exemption.
 - (A) This renewal shall not require a Resolution by the City of Manzanita but shall be recorded by the City of Manzanita and Community Development.

- (e) Upon receipt of an application, Community Development shall determine, as soon as practicable:
 - (A) Whether the subject property falls within the boundary of the County and City of Manzanita;
 - (B) The date on which the rehabilitation or construction of the subject property was or will be completed;
 - (C) The date on which the subject property was first offered for residential occupancy;
 - (D) The rent charged for each unit of the subject property and whether the rent meets the requirements of this Ordinance.

- (f) An application for the property tax exemption shall be filed by March 1 of the year preceding the tax year to which the application relates.

- (g) An application may be filed by December 31 of the current property tax year if accompanied by a late filing fee of two hundred dollars (\$200) or one-tenth of one percent (0.1%) of the real market value as of the most recent assessment date of the eligible rental property to which the application relates, whichever the greater.

- (h) An application may be filed on or before April 1 of the current property tax year if the application is accompanied by a late filing fee of two hundred dollars (\$200) and the applicant demonstrates good and sufficient cause, as defined in ORS 307.162, for failing to file a timely application or is a first-time filer, as defined in ORS 307.162, of an application under this property tax exemption.

- (i) Late fees collected shall be deposited to the Tillamook County General Fund.

- (j) Determinations made under this application process cannot be appealed.

- (k) An application must receive final approval via Resolution by

the Board of County Commissioners acknowledging the property tax exemption on or before April 1 of the year preceding the year to which the application relates.

Section 10. Reporting and Enforcement

- (a) The City of Manzanita and Community Development shall track active property tax exemptions under this Ordinance, including the duration as well as all units of the affected buildings, their eligibility and claim on the exemption, and their rents.
- (b) Community Development shall publish the annual rent thresholds no later than the second Monday of the year following the effective date of the Housing and Urban Development Area Median Income for Tillamook County and shall notify affected property owners via written notice as soon as practicable, in addition to publishing the thresholds on the County website.
- (c) Any activity which the City of Manzanita or Community Development deems to have violated the terms of the property tax exemption and in which Community Development has exhausted all notice requirements required by this section shall result in a recommendation to the Assessor on whether to terminate the exemption; the Assessor shall make a final determination and act accordingly without right of notice or appeal for the applicant.
 - (A) Exemptions terminated via this process shall have all property taxes previously exempted via this Ordinance assessed the next applicable property tax year.
- (d) As soon as practicable, but no later than fourteen (14) days after the rent thresholds are published, all property owners receiving the exemption shall file an application to continue the property tax exemption with Community Development.
 - (A) Failure to apply within fourteen (14) days shall result in written notice to the owner.
 - (B) Failure to apply within twenty-eight (28) days shall result in immediate termination of the exemption according to

Section 10(c).

- (e) Property owners who receive the exemption must provide written notice to all tenants at time of lease that their unit is rent limited and provide contact information for the City of Manzanita and Community Development.
 - (A) Community Development shall provide the requisite language and shall have forms available to the City of Manzanita and at the Community Development office for this purpose.
- (f) Any change in rents on claimed units shall be reported to the City of Manzanita and Community Development no later than one (1) week before the change in rent is due to take effect.
 - (A) Any changes in rent must continue to comply with Section 7 of this Ordinance.
- (g) If at any time the rent of an individual claimed unit exceeds the limits set forth in the published rent limits, or if the average rent of all claimed units exceeds the average rent limit, Community Development shall notify the landlord with written notice.
 - (A) Failure to adjust the rent below the individual unit limit within fourteen (14) days of notice shall result in termination of the exemption according to Section 10(c).
- (h) Repeat offenses of the rent limits are subject to the terms of Section 10(c).
- (i) The assessment and tax rolls shall show "potential additional tax liability" for each eligible rental property granted exemption under this Ordinance.
- (j) The above subsections notwithstanding, no part of this ordinance precludes a property owner from adjusting rents on a given claimed unit.

Section 11. Severability

If any section, subsection, provision, clause or paragraph of this Ordinance shall be adjudged or declared by any Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity or the remaining portions of this Ordinance and it is hereby expressly declared that every other section, subsection, provision, clause or paragraph of this

Ordinance, irrespective of the portion thereby declared to be unconstitutional or invalid, be valid.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Michael Scott, Mayor

ATTEST:

Leila Aman, City Manager/Recorder



COUNCIL STAFF REPORT

To: Mayor and City Council
From: Leila Aman, City Manager
Subject: **Appointments to the Short-Term Rental Committee**

Date Written: September 30,
2021

ACTION REQUESTED

Approve Resolution 22-09 Making appointments to the Short-Term Rental Committee.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[February 9, 2022](#) – City Council discussed and approved Resolution 22-02 forming a Short-Term Rental Committee.

[March 9, 2022](#) – City Council discussed the makeup of the short-term rental committee and approved the suggested make up of the committee and directed staff to open an application process to fill those positions.

[May 4, 2022](#) – City Council received an update on the Short-Term Rental committee process from staff.

[June 8, 2022](#) – City Council approved Resolution 22-08 as amended to include two additional ad hoc members to the committee utilizing the applicant pool from the STR committee process.

[September 7, 2022](#) – City Council approved selection criteria for the evaluation of STR applicants

ANALYSIS

On June 8th, 2022 City Council approved Resolution 22-08 establishing a Short Term Rental committee. Staff were directed to use the recently updated Council Rules of Procedure to appoint two additional ad hoc members to the committee. The Council nominated Councilor Jerry Spegman to serve as the Council liaison and to work with the City Manager to conduct the process. Spegman and Aman held an initial STR Committee Meeting on August 4, 2022 and the committee nominated, and the majority approved the appointment of Deb Cipolla to the STR selection committee.

City Manager Aman reached out to all remaining STR candidates from the previous process to determine if there was ongoing interest. Several candidates indicated that they were not interested, leaving a pool of 8 remaining interested candidates.

On September 7, 2022, City Council reviewed and approved the selection criteria for the STR Committee selection process and directed staff to proceed with the process. The selection committee reviewed all remaining candidates independently based against the criteria and selected three candidates for interviews. The candidates selected for an interview included Cheryl Ogburn, Patrick Johnston and Anupam Narayan.

At the conclusion of these interviews and discussion the committee felt it had three extremely strong candidates. Prior to making a final decision on the Ad Hoc committee members, STR Committee member, and selection committee member Deb Cipolla submitted her resignation to the City Manager. After this action, the City Manager and Councilor Spegman determined that Cheryl Ogburn could fill the vacated seat, and that Patrick Johnston and Anupam Narayan could serve as the Ad Hoc Members.

BUDGET IMPACTS

None

WORKLOAD IMPACT

None

STAFF RECOMMENDATION

Staff recommend that the City Council approve Resolution 22-09 appointing Cheryl Ogburn to replace Deb Cipolla for the position representing a non-STR owner with a home within a lower dense (less than four STRs) block of STR properties in Manzanita and appoint Patrick Johnston and Anupam Narayan as Ad Hoc Members.

ALTERNATIVES

Council has the option of not accepting this recommendation and request that staff conduct a new process for all three appointments.

ATTACHMENTS

1. Resolution 22-09



City of Manzanita

COUNCIL RESOLUTION No. 22-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON, MAKING APPOINTMENTS TO THE SHORT-TERM RENTAL COMMITTEE.

WHEREAS, on March 9, 2022, the City Council of the City of Manzanita passed Resolution 22-02 Establishing a Short-Term Rental Committee; and

WHEREAS, on June 8, 2022, City Council approved Resolution 22-08 making appointments to the Short-Term Rental Committee and directed staff to add two additional ad hoc members using the original pool of candidates following the City's new committee selection process passed by motion updating section 8 (2) of the City of Manzanita Rules of Procedure for Council Meetings; and

WHEREAS, on August 4, 2022, the STR Committee held its initial meeting and elected Deb Cipolla to participate in the committee selection process; and

WHEREAS, on September 7, 2022, City Council reviewed and approved criteria for the selection of remaining STR committee members; and

WHEREAS, the selection committee reviewed applications and interviewed three applicants; and

WHEREAS, at the conclusion of those interviews the City was notified of the resignation of a member of the STR Committee representing a non-STR owner with a home within a lower dense (less than four STRs) block of STR properties in Manzanita; and

WHEREAS, the committee agreed that the three interviewees were all qualified and represented strong candidates for the position and one interviewee, Cheryl Ogburn met the criteria of the vacated seat; and

WHEREAS, the two remaining candidates for the Ad Hoc positions were both equally strong and it was agreed upon by the committee that all interviewees should be appointed.

Now, Therefore, be it Resolved by the City Council of the City of Manzanita, the Short-Term Rental Committee is hereby amended to include the following new members:

Section 1:

1. The position representing a non-STR owner with a home within a lower dense (less than four STRs) block of STR properties in Manzanita shall be Cheryl Ogburn.
2. The two remaining ad hoc positions shall be Patrick Johnston, and Anupam Narayan.

Section 2:

The 7 voting members of the STR Committee shall be comprised of the following members and shall serve a term of four years:

1. Michael Duncan will represent an STR owner or agent of any currently licensed home within the City of Manzanita.
2. Jill Petty will represent an STR owner of a currently licensed home within the City who self-manages their property.
3. Carol Kennedy will represent a non-STR owner with a home within a highly dense (four or more STRs) block of STR properties in Manzanita.
4. Cheryl Ogburn will represent a non-STR owner with a home within a lower dense (less than four STRs) block of STR properties in Manzanita.
5. Jo Newhouse a non-STR owner with a home within any area of Manzanita.
6. Patrick Johnston will serve as an Ad Hoc Member.
7. Anupam Narayan will serve as an Ad Hoc Member.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Michael Scott, Mayor

ATTEST:

Leila Aman, City Manager/ City
Recorder

City of Manzanita, Oregon

Position Description

Job Title: City Manager

FLSA: Exempt

Reports to: City Council

Type: Full-Time

Department: Administration

Date: January 2018, Revised January 2022

GENERAL STATEMENT OF RESPONSIBILITIES

The City Manager acts as the Chief Executive Officer of the City of Manzanita. As Chief Executive Officer, the City Manager plans and directs the activities of all City departments, through subordinate department managers and others in accordance with policies as determined by the City Council. The City Manager performs the various duties outlined in the City of Manzanita's Charter and also acts as the City Budget Officer. The position is appointed by, serves at the pleasure of, and is accountable to the Mayor and City Council.

ESSENTIAL JOB FUNCTIONS

Includes, but is not limited to, the following duties and responsibilities listed in no particular order.

CITY COUNCIL SUPPORT

- Provides professional advice to the City Council by recommending programs and services according to the changing needs of the City;
- Attends all meetings of the City Council unless excused by the Mayor or Council President;
- Develops and operationalizes organizational goals as approved by the City Council;
- Analyzes the need for, and prepares draft ordinances and policies that may be deemed necessary or desirable for the health, welfare, and safety of the City or for the improvement of services and makes appropriate recommendations to the City Council for adoption;
- Keeps the Mayor and the City Council informed of any critical needs and or issues by collecting, analyzing, summarizing and reporting information on the needs or issues;
- Prepares monthly status reports and annual reports regarding key accomplishments for each department of the City;
- Prepares and submits to the City Council recommendations relative to all matters requiring Council action, placing before Council such facts, information and reports as are available to ensure informed decision making;
- Responds to requests and answers questions from the Mayor and City Councilors in a timely manner;
- Enforces all ordinances and sees that all terms or franchises, leases, contracts, permits, and privileges granted by the City are observed.

PERSONNEL MANAGEMENT

- Reviews and provides final approval on hiring, discipline and terminations.
- Promotes and encourages a healthy staff environment by motivating, empowering, supporting, and considering staff input;
- Evaluates those employees for whom the City Manager has responsibility, performs this duty in a timely manner and oversees completion of annual performance evaluations;
- Provides management and supervision over employees and their work and organizes employee location and duties as appropriate in consultation with department heads;
- Organizes and supervises the departments to ensure appropriate staff levels to the end of obtaining the utmost efficiency of the City's resources;
- Oversees and encourages the professional development of employees.

FISCAL MANAGEMENT

- Develops and recommends fiscal policies for City operations to the City Council and prepares and submits the annual budget and budget message to the Budget Committee in a timely manner;
- Oversees and manages the financial affairs of the City in a sound manner, ensuring potential sources of revenue are identified and that the City's expenses are consistent with the City Council's objectives and direction, has direct responsibility for administration, maintenance, repair, and operation of the Water department;
- Reviews and approves departmental needs and estimates and monitors overall expenditures to ensure compliance with approved budget;
- Provides oversight on budget implementation by the Accounting Manager and Department Heads (scheduling expenditures, analyzing variances, anticipating short and long-term issues and initiating corrective actions to control budget management)

COMMUNITY RELATIONS

- Ensures efficiency and effectiveness in delivery of services to all customers;
- Identifies and anticipates community service needs and confers with department heads and other staff to suggest new innovations or methods to improve the standard of service provided by the City;
- Promotes the flow of communication inside and outside the organization;
- Represents the City before the public and maintains, through cooperative leadership, both within and outside the City, a program of publicity and public relations to keep the public informed of the activities, needs and accomplishments of the City;
- Meets with private citizens and interest groups seeking information or bringing complaints and attempts to resolve problems tactfully and fairly;
- Attends meetings of community groups to explain City issues and projects and encourage citizen participation and support;
- Represents the City at the regional, state and federal levels; serves on boards and committees as approved by the Council;
- Attends all meetings of other governmental agencies at which matters pertaining to the City appear to be on the agenda or are expected to be raised, and stays informed of the meeting proceedings;
- Is accessible to the public by maintaining public office hours, or scheduling appointments with the public in a timely manner;
- Acts as liaison between the City Council and various service users, regulatory agencies, the public, media and others

THE ABOVE DESCRIPTION COVERS THE MOST SIGNIFICANT DUTIES PERFORMED BUT DOES NOT INCLUDE OTHER OCCASIONAL WORK.

Employee is expected to follow all safety rules and procedures established for work areas. Employee is subject to the recruitment, hiring, and transfers provisions of the City of Manzanita Personnel Handbook.

JOB QUALIFICATIONS

Includes, but is not limited to, the following skills, which are listed in no particular order of importance.

- Considerable knowledge of modern public administration theory, principles, and practices; working knowledge of municipal finance, land use planning, human resources, public safety, public works, and community development;
- Skill in preparing and administering municipal budgets; skill in planning, directing, and administering municipal programs;
- Ability to prepare and analyze comprehensive reports; ability to maintain effective and efficient municipal systems and procedures; ability to effectively hire, train, evaluate, and supervise staff; ability to establish and maintain effective working relationships with employees and City officials;
- Proven demonstration of a high level of integrity and loyalty;
- Ability to communicate effectively both orally and in writing.

SCREENING CRITERIA

Education and Experience:

- A Bachelor's Degree in public administration, business administration, planning, or related area;
- AND Five years' administrative/management experience, including at least three years of supervisory experience;
- OR any satisfactory equivalent combination of education and experience which ensures the ability to perform the essential functions of the position.
- A Master's Degree in public administration is preferred.

Special Requirements/Licenses: A valid Oregon driver's license and proof of an acceptable driving record may be required.

Knowledge of: Broad knowledge of municipal government organization, powers, and functions. Knowledge of the principles and practices of public administration including finance, budgeting, management, and grant writing. Knowledge of inter- and intragovernmental relationships. General knowledge of public contracting laws and best practices. Knowledge of general office procedures and practices; business English, spelling, and punctuation; and personal computer applications in a Windows environment including spreadsheets, database management, and word processing.

Skills: Computer skills, preferably in Microsoft Office Suite® products. Verbal and written communication skills. Interpersonal skills. Supervisory skills. Excellent customer service skills. Strong organizational Skills. Skill in performing basic mathematical calculations and preparing reports.

Ability to: Ability to establish and maintain effective working relationships with elected officials, consultants, staff, other agencies, and the general public. Ability to understand and carry out oral and written instructions. Ability to prioritize, delegate, and complete objectives with little functional oversight. Ability to maintain a high degree of discretion when dealing with confidential information. Ability to communicate effectively, both orally and in writing, using proper grammar and spelling in the English language. Ability to pass a criminal background check. Ability to meet the physical demands of the position.

This description covers the most significant essential and auxiliary duties performed by the position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. This job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

Physical Demands of Position: *The physical demands listed below represent those that must be met by an incumbent to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with qualified disabilities to perform the essential functions.*

While performing the duties of this position, the employee is frequently required to stand, walk, reach, bend, kneel, stoop, twist, crouch, climb, balance, see, talk, hear, and manipulate objects. The position requires mobility including the ability to frequently lift or move materials up to 10 pounds and rarely move material over 25 pounds. Manual dexterity and coordination are required for over half of the daily work period which is spent while operating office equipment such as computers, keyboards, 10-key, telephones and other standard office equipment. This position requires both verbal and written communication abilities.

Working Conditions: *The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

While performing the duties of this position, the employee is primarily working indoors in an office environment. The employee is not exposed to hazardous conditions. The noise level in the work environment is usually moderate and lighting is adequate.

SIGNATURES:

This document has been reviewed by the Mayor and the Incumbent. I understand that this document is intended to describe the most significant essential and auxiliary duties performed by the job/position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. This job/position description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

Incumbent Name

Incumbent Signature

Date

Mayor Name

Mayor Signature

Date

Revised January 2022

This description covers the most significant essential and auxiliary duties performed by the position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. This job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

Envision Manzanita – Key Themes

STATION 1

1.1 Community

1.1.1 Create more opportunities for community input on key issues or major decisions in the community.

1.1.2 There is a desire for more community events, including the 4th of July parade and other events that bring people together socially and as a community.

1.1.3 Engage people to volunteer and serve on committees to address some of the urgent issues we are facing as a community.

1.1.4 The community is divided in many ways and we need to create a safe space for dialogue that is based on respect, fosters inclusivity, and allows for the expression of diverse opinions.

STATION 2

2.1 Growth and Development

2.1.1 The pace of growth and development has highlighted the need for additional measures to control growth, and protect neighborhood and community character by updating the comprehensive plan and establishing a review process to ensure that the plan stays relevant.

2.1.2 Update the zoning ordinance to help manage growth including the siting of commercial development, and associated traffic impacts; and residential design standards such as scale, height, landscaping, setback requirements, tree protection and preservation of environmental assets.

2.1.3 The lack of neighborhood organization limits opportunities for meaningful citizen input on larger scale land use decisions such as proposed subdivisions and commercial developments in neighborhoods.

2.1.4 Opportunities for increasing recycling and sustainability measures are important values especially as the city grows.

2.1.5 There are opportunities to annex in neighborhoods that are already part of our community and within the Urban Growth Boundary.

2.1.6 Limit and manage the location of short term rentals, focus them in commercial areas and reduce or limit the number of STRs in residential areas.

2.2 Housing

2.2.1 There is a significant lack of affordable and workforce housing for employees and working families who might otherwise choose to live in Manzanita but have been priced out.

2.2.2 Create and implement strategies to increase opportunities and incentives for affordable housing, long term rentals and workforce housing.

2.2.3 Design standards in the zoning ordinance favor large lot development and limit the range of available housing choices. Amend the zoning ordinance to incentivise and allow for a greater diversity of housing types, including allowing Accessory Dwelling Units to provide housing opportunities for residents with varying income levels and at different stages of life.

2.2.4 The City should use surplus public property for affordable housing.

STATION 3

3.1 Infrastructure and Funding

Based on last night's meeting I say we pull funding out. List all funding options available to us and reference the econw economic study being done that will analyze and recommend viable funding options.

3.1.1 Developers are benefitting from the city's lack of development fees and are not contributing enough to provide resources for system expansion.

3.1.2 Update current system development charges, establish a process to keep them updated and establish new system development charges for transportation that fund future roadway expansion and new pedestrian, bicycle and trail infrastructure.

3.1.3 Increase short term rental fees, and find ways to charge visitor impact fees to fund more resources for infrastructure maintenance.

3.1.4 Consider a food and beverage tax.

3.1.5 Find meaningful ways to collect resources for maintenance and other projects and services (such as potholes and safety measures) that cannot be funded through System Development Charges.

3.1.6 Ensure the safety and resilience of the city's water system and storage capacity.

3.1.7 Ensure that there is sufficient infrastructure to support proposed growth before it is approved.

3.1.8 Find alternative funding sources, and diversify the city's revenue so as not to be so dependent on tourism.

3.2 Transportation

3.2.1 The zoning code does not adequately protect residential neighborhoods from traffic impacts as a result of commercial and large-scale residential development.

3.2.2 There are opportunities to improve bike and pedestrian connections with the trail system, and to create more designated pedestrian and bike lanes throughout the city.

3.2.3 A parking management plan is needed for the commercial areas to better balance the needs of local residents, employees, businesses and visitors.

3.3 Public Safety

3.3.1 People generally feel very safe and support our police department and there is interest in finding funding to add another police officer.

3.3.2 There needs to be more education of locals and visitors about beach safety including how to access the beach safely (such as during king tide events) and safely enjoy fires on the beach.

3.3.3 Traffic speeds are a major concern and we should use signage and design to slow traffic down and increase enforcement of traffic violations.

3.3.4 We need greater enforcement of issues related to Short Term Rentals particularly around noise and parking violations.

3.3.5 The community needs more access to paramedics and emergency ambulance services.

STATION 4

4.1 Environment

4.1.1 Assess important environmental assets such as dunes, wetlands, water resource areas, habitat corridors and other areas that would benefit from conservation and policy protections.

4.1.2 Limit view grading in the dunes.

4.1.3 Ensure safe access to the beach.

4.1.4 Assess, evaluate and develop strategies to address climate change.

4.1.5 Increase recycling options and sustainability measures as the city grows.

4.1.6 There are opportunities to regulate the reduction in light pollution in both public and private areas.

4.1.7 Develop strategies to increase tree canopy and protect existing tree canopy in the city. City ordinances should encourage tree preservation and have specific tree replacement standards.

4.2 Parks and Open Space

4.2.1 Utilize existing city owned properties for parks and open space.

4.2.2 Increase recreational infrastructure in an expanded park system including community gardens, a dog park and updated park equipment.

4.2.3 Create more hiking and biking connections between parks, open spaces, the state park and the ocean.

4.3 Emergency Management

4.3.1 EVCNB is doing an outstanding job, and the community is engaged, and grateful to the organization for ensuring our community is prepared for emergencies.

4.3.2 There are opportunities to focus on other emergencies outside of the earthquake/tsunami such as wildfires, storms, flooding and other smaller scale emergencies.

4.3.3 Ensure there are adequate emergency supplies and a facility to manage emergencies.

4.3.4 Local residents are generally well prepared but there is concern about how to manage tourists and visitors in the event of an emergency. Find resources generated from tourism to fund supplies for tourists and provide additional education.

4.3.5 There are opportunities to encourage more tourism education around emergency management.

STATION 5

5.1 Business and Economy

5.1.1 Workforce and long term rental housing are essential for our local businesses so they can recruit and retain employees.

5.1.2 There is a need for more service oriented businesses that meet local community needs.

5.1.3 There is a strong desire to allow food carts and other family friendly food options in our community.

5.1.4 Parking management and signage along Laneda is essential to support local businesses.

5.1.5 A local business organization, main street program or chamber of commerce would be beneficial to support our local business community.

5.2 Visitors and Tourism

5.2.1 Develop education programs that help visitors reduce their impact while they are here and to stay safe on the beach.

5.2.2 Improved signage for public parking for visitors and encouraging more biking and walking are strategies that should be employed to address some of the impacts from visitors.

5.2.3 Consider focusing hotels in specific and defined zones.

5.3.3 Limit short term rentals in residential areas, and disperse the ones we have now.

5.3.4 We need more restrooms, and garbage and recycling facilities at beach entrances.

5.3.5 Provide more garbage and recycling services particularly near the beach.



COUNCIL STAFF REPORT

To: Mayor and City Council
Reviewed: Leila Aman, City Manager
From: Dan Weitzel, Public Works Director
Subject: **Vehicle Surplus**

Date Written: September 20, 2021

ACTION REQUESTED

Declare 2010 extended cab 4x4 Ford Ranger (VIN 1FTLR1FE2APA49771) surplus and authorize the Public Works Director to sell the equipment and return the funds to the vehicle replacement fund from which it was purchased.

ANALYSIS

In 2010 Public Works purchased the 2010 extended cab 4x4 Ford Ranger (VIN 1FTLR1FE2APA49771) for use as a Public Works vehicle. The Ranger has been used by Utility Workers and the Director for the last 12 years. The ranger size has made its use in Public Works very limited and it was recently replaced with a 2006 2500HD Silverado purchased through the state surplus program.

BUDGET IMPACT

Sale of surplus equipment returns funds back into the vehicle replacement fund in which they were purchased from.

WORKLOAD IMPACT

Staff intends to take the vehicles to the Oregon reuse program.

STAFF RECOMMENDATION

Staff recommends that the 2010 Ford Ranger be deemed surplus equipment.

ALTERNATIVES

Council can elect not to surplus and retain the vehicles.