

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY MARCH 9, 2020 6:00 PM

6:00 PM - The Lincoln City Council of City of Lincoln City will hold a Regular Meeting Lincoln City Council in the Council Chambers, 801 SW Highway 101 - 3rd Floor, Lincoln City, OR 97367.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Cathy Steere, City Recorder, 541-996-1203.

The Lincoln City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

All information for this meeting is available at [www.lincolncity.org](http://www.lincolncity.org) under "Agenda, Packets & Video". This meeting will be televised live on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour. If you wish to speak on an agenda or non-agenda item, please sign up on the sheet near the entrance door to the Council Chambers. You will be called to speak during the "Public Comment" section. Comments or testimony on agenda items listed under "public hearing/public comment" will be taken at that time.

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. PLEDGE OF ALLEGIANCE**

**D. CONSENT AGENDA**

1. Minutes of Joint Work Session with Planning Commission – October 29, 2019 9:00 AM
2. Minutes of Regular Meeting – January 27, 2020 6:00 PM

**E. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**

**F. PRESENTATIONS - NONE**

**G. PUBLIC HEARINGS / PUBLIC COMMENTS**

**H. ORDINANCES**

3. ORDINANCE 2020-07: AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING ORDINANCE 2019-42, PROVIDING FULL PROPERTY DESCRIPTION FOR THE VACATION OF A PORTION OF NW 44TH PLACE

**I. RESOLUTIONS - NONE**

**J. SPECIAL ORDER OF BUSINESS**

4. Choosing New Park Name for New Park (SE 3rd & Keel)
5. Design-Build Contract Award for Hwy 101 Neotsu Bike/Ped Improvements
6. Arbor Day 2020 Proclamation
7. Mural Art in Parks - Public Art Donation
8. Chainsaw Art (Wildlife Theme) in Public Space

**K. CITY MANAGER/CITY ATTORNEY REPORTS**

**L. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**

**M. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**

**N. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**

**O. ADJOURNMENT**



# Joint City Council and Planning Commission Workshop

Work Session

[www.lincolncity.org](http://www.lincolncity.org)

~ Minutes ~

Cathy Steere  
541-996-1203

Tuesday, October 29, 2019

9:00 AM

Council Chambers

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

**APPROVED BY CITY COUNCIL**

DATE: \_\_\_\_\_

## A. Call to Order

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor		9:00 AM
Judy Casper	Councilor		9:00 AM
Riley Hoagland	Councilor		9:00 AM
Rick Mark	Councilor		9:09 AM
Diana Hinton	Councilor		9:00 AM
Mitch Parsons	Councilor		9:00 AM
Diane Kusz	Councilor		9:00 AM
Patty Kroen	Planning Commissioner		9:00 AM
Steve Griffiths	Planning Commissioner		9:00 AM
Miles Schlesinger	Planning Commissioner		9:00 AM
Joshua Brainerd	Planning Commissioner		9:05 AM
Lenny Nelson	Planning Commissioner		9:00 AM
Marcella Baker	Planning Commissioner		9:00 AM

**Staff Present:** Ronald F. Chandler, City Manager; Richard Appicello, City Attorney; Cathy Steere, City Recorder; Lindsey Zehmel, Planning and Community Development Director; Anne Marie Skinner, Senior Planner; Jeff Wynn, Sergeant (left at 10:09 AM); Jerry Palmer, Police Chief (arrived at 10:09 AM).

**B. Discussion Items****1. Work Meeting - Discussion about Sign and Design Ordinances**

*The purpose of this work meeting is to continue the discussion on the proposed sign and design ordinances. See the Joint City Council/Planning Commission on October 7, 2019 for material.*

Sign Regulations

*Mr. Chandler used a PowerPoint to present the staff report/information. Mr. Chandler spoke on sidewalks and issues with rights of way with regard to signs. Mr. Chandler notes that he will need a sense of direction from Council as to if the City wants to take over the City sidewalks from the Oregon Department of Transportation (ODOT) as the ordinance will need to reflect sign and design accordingly.*

*Discussion held with regard to "travel-way" as opposed to "right-of-way", compliance issues in the City with travel-ways blocked by planters and/or bushes, Oregon Revised Statutes with regard to rights-of-way, inconsistencies with rights-of-way, and prohibition of regulating content in flags, and placing flags and/or feather banners in the park strip. Mr. Chandler reviewed the definition of signs, rights-of-way, definition of flags, feather banners, temporary sign, A-frame signs, portable signs, and the differences in signs allowed in various zones. Noted was that feather banners should be included as a portable sign.*

*Discussed was that temporary and portable signs will not be illuminated, the number of flags and feather banners allowed under the new ordinance and that there should be more flexibility, feather banners versus way-finding blade signs positioned perpendicular to the building, and suggestions of a different background color for the blade sign assigned to each pearl. Also discussed was flagpoles on private property, look at changing the ordinance to allow perpendicular blade signs, limiting flag poles to one, removing the sign clutter, and issues with banning all flags such as the American Flag with regard to Veterans.*

*Mr. Chandler summarized that Council opposes signage in the right-of-way or travel-way, and that it is less important for the travel way versus the right-of-way. Discussed was feather banners and A-frame signs allowed in the right-of-way, how perpendicular blade signs would be different, signage regulations that would be different for the separate pearls versus consistency with the signage throughout the City, ODOT jurisdictional authority and where it ends, and state law with regard to the state right-of-way.*

Design Standards

*Anne Marie Skinner, Senior Planner, and Lindsey Zehmel, Planning Director, presented the proposed changes to the design standards.*

*Discussions were held on preserving views, the current minimum 18' height requirement for pearl areas and no minimum in other areas, a 25' break between buildings, view protection and suggested reduction in the commercial building length and proposing a 25' break between, pearl areas versus string areas and different design standards for each, whether to keep the regulations uniform throughout the pearl and string areas, how to preserve the existing look of each pearl, the visioning project that occurred many years ago on the pearl areas, suggested requirement of*

*maintenance of existing buildings in pearl areas, incorporating energy efficiency into the design standards, the option of creating a design review committee/board,*

*Consensus was to apply the design standards citywide.*

*Mr. Chandler notes the City has a request for proposal out to hire services for the design of the entrance signs that expanded to include wayfinding signs. Discussed was the north entrance sign and it was noted that it may be moved to a more appropriate location.*

*Mayor Anderson thanked all for participating. Commissioner Patty Kroen asked for an electronic copy of the visioning materials discussed earlier.*

**C. Adjournment**

*Mayor Anderson adjourned the meeting at 12:06 pm.*

**ATTEST:**

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**DICK ANDERSON, MAYOR**

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**CATHY STEERE, MMC  
CITY RECORDER**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

January 27, 2020, 6:00 PM

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

**APPROVED BY CITY COUNCIL**

**DATE:** \_\_\_\_\_

**A. CALL TO ORDER**

*Mayor Anderson called the meeting to order at 6:00 pm.*

**B. ROLL CALL**

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

**C. PLEDGE OF ALLEGIANCE** - *Mayor Anderson led The Pledge of Allegiance.*

**D. CONSENT AGENDA**

*Councilor Mark mentioned a statement in the minutes that if the property is not used as designated; it would revert to the City. The City Attorney will check the video.*

**1. Regular Meeting – Minutes of Regular Meeting – December 9, 2019 6:00 PM**

**MOTION:** Motion to approve the Consent agenda after review by the City Attorney for minor edifications.

**MOVER:** Mitch Parsons, Councilor Ward 1

**SECONDER:** Riley Hoagland, Councilor Ward 2

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed

**E. COUNCIL DELIBERATIONS - None**

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

*Randy Mallette, Otis, OR - Spoke of concerns on the Helping Hands transitional housing project.*

*Mr. Chandler announced an open house on Thursday, January 30, 2020, 5:30 pm to meet the representatives of Helping Hands to offer a more in depth look at their operation.*

**G. PRESENTATIONS - None**

**H. PUBLIC HEARING / ORDINANCE - None**

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

- 2. Public Hearing: Comprehensive Plan Amendment and Zone Change (CPA & ZC 2019-04) Sutton Property

*Mayor Anderson opened the public hearing.*

*Councilor Casper disclosed that she read an article in The News Times and do not feel that it influenced her in any way. Mr. Appicello, City Attorney, advised the article will be included in the record, is available to the public, and can be rebutted by anyone who wishes.*

*There were no challenges to the qualifications of a Councilor, and no challenges to the jurisdiction.*

*Anne Marie Skinner, Planning and Community Development Director, read the applicable substantive criteria. Ms. Skinner used a PowerPoint to present information.*

*There were concerns expressed as to the pronunciation of Quay. Discussion held with regard to the appropriateness of time for the reversion clause, and if a development agreement can be used. Mr. Appicello added that a development agreement needs to be consistent with the Comprehensive Plan.*

*Applicant John Sutton provided comment in favor of his application.*

*Discussion held on non-conforming and gaining approval for parking on another site.*

<b>MOTION:</b>	<b>Motion to close the public hearing and the record.</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**MOTION:** Motion to deny based upon the evidence and applicable criteria for the request of comprehensive plan map and zoning map change for 2126 NE Quay Place from Family RM to General Commercial (GC), and a directive to staff to prepare a final order for the next City Council Meeting.

**MOVER:** Mitch Parsons, Councilor Ward 1

**SECONDER:** Riley Hoagland, Councilor Ward 2

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed by Voice Vote

**3. Public Hearing: Zoning Ordinance Amendment (ZOA 2019-14) Accessory Dwelling Unit Ordinance**

*Mayor Anderson opened the public hearing. There were no challenges to the qualifications of a Councilor, no challenges to the jurisdiction, and no abstentions or disqualifications based on personal bias. Anne Marie Skinner, Senior Planner presented the staff report.*

*Discussion was held as to the State's claim that the City code is subjective on Accessory Dwelling Units (ADU'S), separation distances between buildings, how to remove discretionary language, HB 2001 and issues with it, any zones that allow single family dwellings now has to allow an ADU unit. Also discussed was a suggestion of requiring the same design features as single-family dwellings. Public comment received from Greg Berton who spoke in favor of ADU's.*

*Consensus is for staff to return with Ordinance language revisions, and continue the hearing to February 10, 2020, 6:00 pm.*

**MOTION:** Motion to continue the public hearing and record to February 10, 2020, 6:00 pm.

**MOVER:** Rick Mark, Councilor Ward 3

**SECONDER:** Riley Hoagland, Councilor Ward 2

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed via Voice Vote

**4. Public Hearing: Zoning Ordinance Amendment (ZOA 2019-16) to create a new Resort Community Commercial (RCC) Zone**

*Mayor Anderson opened the public hearing. There were no challenges to the qualifications of Councilors, no challenges to the jurisdiction, and no abstentions or disqualifications based on personal bias. Anne Marie Skinner, Senior Planner presented the staff report.*

*Discussed was the uses permitted and specifically "animal sales" grooming and retail, outdoor stores with outdoor display of merchandise, building height, and landscaping requirements. No public comment received.*

**MOTION:** Motion to close the public hearing and the record.  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Passed via Voice Vote

## J. ORDINANCES

5. ORDINANCE 2020-02 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.12 (ZONING DISTRICTS ESTABLISHED),SECTION 17.12.010 (CLASSIFICATION OF ZONES) ADDING A NEW RESORT COMMUNITY COMMERCIAL ZONING DISTRICT; CREATING NEW CHAPTER: CHAPTER 17.29 (RCC) (RESORT COMMUNITY COMMERCIAL)

Mr. Appicello completed first reading by title only.

**MOTION:** Motion to approve first reading of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Parsons  
**ABSTAIN:** Mark  
**RESULT:** Passed by Roll Call Vote

**MOTION:** Motion to approve second reading and adoption of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Withdrawn

*Motion withdrawn to allow for revote on first motion as a "roll call vote" was not used.*

**MOTION:** Motion to approve second reading and adoption of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

6. ORDINANCE 2020-03 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.08 (DEFINITIONS); AMENDING CHAPTER 17.80 (PROVISIONS APPLYING TO SPECIAL USES); SECTION 17.80.110 (ACCESSORY DWELLING UNIT STANDARDS) TO REMOVE DISCRETIONARY STANDARDS; AMENDING THE FOLLOWING CHAPTERS TO REFLECT THE REVISION: CHAPTER 17.16 (SINGLE FAMILY RESIDENTIAL (R-1) ZONE); 17.17 (SINGLE FAMILY RESIDENTIAL ROADS END (R-1-RE) ZONE; CHAPTER 17.18 (VACATION RENTAL (VR) ZONE; CHAPTER 17.20 (MULTI-FAMILY RESIDENTIAL (R-M) ZONE; CHAPTER 17.28 (RECREATION COMMERCIAL (RC) ZONE); CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE; CHAPTER 17.34 (NELSCOTT PLAN (NP) DISTRICT); CHAPTER 17.40 (RECREATION RESIDENTIAL (R-R) ZONE; CHAPTER 17.45 (TAFT VILLAGE CORE (TVC) ZONE) AND CHAPTER 17.50 (OCEANLAKE PLAN (OP) DISTRICT; CHAPTER 17.52 (SUPPLEMENTAL REGULATIONS AND EXCEPTIONS).

*Unanimous consent is to continue this to the meeting date of February 10, 2020, 6:00 pm.*

**K. RESOLUTIONS - None**

7. RESOLUTION NO. 2020-03 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING A STANDARD FORM DEVELOPMENT AGREEMENT IN COMPLIANCE WITH ORDINANCE NO. 2019-30

*Discussion occurred on an area in the form that was blank, to which Mr. Appicello clarified.*

<b>MOTION:</b>	<b>Motion to approve Resolution 2020-03.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**L. SPECIAL ORDER OF BUSINESS**

8. Bard Road Sewer Construction Contract Award

*Stephanie Reid, City Engineer, presented the staff report. Nine bids were received and the lowest responsible and responsive bidder was Jesse Rodriguez Construction LLC in the amount \$143,005. The engineer's estimate was \$192,000.*

<b>MOTION:</b>	<b>Motion to award the Bard Road L.I.D. Sewer Contract to Jesse Rodriguez Construction LLC for \$143,005 with a construction contingency for \$14,300.50 for a total amount of \$157,305.50.</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

## 9. Economic Development Toolbox for City: Update, Committee, New Tools, Discussion

*Alison Robertson, Director of the Urban Renewal Agency, and Jodie Mescher, Economic Development Coordinator presented the staff report providing an update on economic development tools and associated program criteria. A handout was presented to Council/staff that was mentioned in the staff report, however was not included in the attachments.*

*Discussed were the four phases of adopting the tools;*

- 1) Phase 1 - reformatting the existing Urban Renewal tools and bringing to City Council;*
- 2) Phase 2 - To adopt new tools for Urban Renewal and City Council for the infrastructure partner tool and the pre-development assistance tool; and*
- 3) Phase 3 - Housing tools which will be energy efficiency for residential, facade improvement for residential, mixed use housing, and workforce housing for both Urban Renewal and City tools box; and*
- 4) Phase 4 - building rehabilitation grant for both Urban Renewal and City Council.*

*After completion of review of these phases, the remaining tools will be reviewed. One goal is to have identical economic development toolboxes with the City and Urban Renewal Agency. Discussion held as to the funding available for the toolboxes.*

*The motion was amended to add the language, ". . . with the authority for staff to make minor administrative changes as needed."*

*Seconder, Councilor Parsons, approved the amendment to the motion.*

*Mayor Anderson expressed concerns with the how the information is presented to the loan committee, and that the loan committee should receive the information unredacted. Mayor Anderson expressed concerns with making the loan approval without the financial information they are making a decision on. Mr. Appicello advised an executive session meeting could be held to discuss the confidential financial information on loans. Council consensus is to hold an executive session meeting receiving unredacted information. When the loan goes before the Urban Renewal Committee or City Council, a redacted version is used.*

*Ms. Robertson reviewed questions for Council consideration. (See packet page 163). Discussion was held as to Council needing help with processing of the loans, a work session was suggested, rehabilitation of older buildings, the design standards and how to get a private entity to make a change (incentives), is there data available as to existing wages in town and employment numbers, and a measurement tool would be helpful for Council. Ms. Robertson advised that more information would be available at a work session meeting.*

**MOTION:** Motion to approve the application and four tools as submitted, with the authority for staff to make minor administrative changes as needed.

**MOVER:** Riley Hoagland, Councilor Ward 2

**SECONDER:** Mitch Parsons, Councilor Ward 1

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed via Voice Vote

**MOTION:** Motion to accept the current members of the Urban Renewal Agency Loan and Grant Committee (Mayor Dick Anderson, and Councilors Diana Hinton and Diane Kusz) as a City Loan Grant Committee who will meet in Executive Session for the committee meetings.

**MOVER:** Diana Hinton, Councilor Ward 1

**SECONDER:** Mitch Parsons, Councilor Ward 1

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed by Voice Vote

**M. CITY MANAGER/CITY ATTORNEY REPORTS**

*Mr. Chandler provided a follow up to a complaint on NW 8th Court, noting that a survey is necessary, and is scheduled. Mr. Chandler provided information on the work session on February 3, 2020, 9:00 am that will be to review the Council Priorities.*

*City Recorder advised that the Confederated Tribes of Siletz provided a new tentative date for the annual meeting which is on July 20, 2020, at 5:00 pm dinner and 6:00 pm meeting. Lincoln City will host the meeting this year.*

**N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION - None**

**O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS - None**

**P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**

*Councilor Hoagland advised that he was contacted by business owners in the Nelscott Strip, whose businesses are negatively affected with regard to parking spaces, including ADA parallel spaces. The businesses would like to maximize spaces along the strip and in the parking areas. Councilor Hoagland asked for an update as to where the City is on banning plastic [clamshell containers] and polystyrene. Also discussed was the Senior Center, noting that the City does not have a current Memorandum of Understanding. Councilor Hoagland would like to see a list of the contributions the City has made for the Senior Center, what the total square footage is that the Senior Center utilizes including the cost, and the monthly fees that the City pays for utilities for the Senior Center. Councilor Hoagland mentioned the Sutton property issue and asked if Council could initiate the rezone of the entire strip, and Mayor Anderson advised that typically someone that owns property in that area generally would initiate the rezone.*

*Mayor Anderson thanked Councilor Mark for bringing up the childcare issue with Senator Kurt Schrader.*

*Councilor Mark mentioned Helping Hands and that one of the requirements is the installation of a playground.*

*Councilor Hinton reminded all of the LOC Small Cities Regional Meeting on February 20, 2020, and asked to invite Ed Dreistadt to provide Council a visual update.*

*Councilor Parsons announced the Family Promise is holding their annual Tsunami Run (adult jog-a-thon) and they need teams of three.*

*Mayor Anderson asked if Planning could provide Council with a copy of all public notices. Mayor Anderson also announced the vocational training welding program through the Oregon Coast Community College in Toledo at 2:00 p.m. and on Friday at Taft High School at 2:00 pm. On February 7, 2020, 6:00 pm, Chinook Winds Casino will hold the Charitable Giving Ceremony where the Confederated Tribes of Siletz Indians gives away funds to non-profits. Also, this Wednesday, 9:00 am is "Coffee With the Mayor" to be held at the 60's Cafe.*

**Q. ADJOURNMENT**

*Mayor Anderson adjourned the meeting at 8:23 pm.*

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**DICK ANDERSON, MAYOR**

**ATTEST:**

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**CATHY STEERE, MMC  
CITY RECORDER**

## Council Communication

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### AN ORDINANCE AMENDING ORDINANCE 2019-42

Meeting Date:	March 9, 2020	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	City Council	Secondary Contacts:	Lila Bradley
Approval:	Ronald F Chandler	Estimated Time:	15 mins.

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#### Question:

Should the City Council conduct and approve First Reading and Second Reading of Ordinance 2020-07:

### ORDINANCE 2020-07

#### AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING ORDINANCE 2019-42, PROVIDING FULL PROPERTY DESCRIPTION FOR THE VACATION OF A PORTION OF NW 44<sup>TH</sup> PLACE

#### Staff Recommendation:

Staff recommends Council conduct and approve First Reading of Ordinance 2020-07 and, *if unanimous*, conduct and approve Second Reading of Ordinance 2020-07.

#### Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

#### Background:

Ordinance 2019-42 vacated a portion of NW 44<sup>th</sup> Place to facilitate construction of the Skybridge project. At the request of the County Assessor's Office, this ordinance amends Ordinance 2019-42 to add a more complete legal description of the property to be vacated:

**NW 44<sup>th</sup> PI ROW Vacation**

Vacating a portion of a Right of Way in the NE ¼ of the NE ¼ of Section 3, Township 7, Range 11, at the SE corner of Lot 57, Lincoln Shore Star Resort. Beginning at the intersection of the SE corner of Lot 57 on the westerly boundary of a 50 degree radius curve of SW 44<sup>th</sup> PI, thence heading south and east along said 50 degree radius curve for a distance of 59.17 ft to a point of tangency of a 20 degree radius curve to the right. Thence along said 20 degree radius curve to the east and south for a distance of 12.09 ft. Thence continuing along the westerly boundary of NW 44<sup>th</sup> PI, SE a distance of 22 ft, more or less to the true point of beginning of the area to be vacated. Thence continuing SE along the southwest boundary of NW 44<sup>th</sup> PI a distance of 33.6 ft. Thence on a 90 degree right angle to the NE for a distance of 1.8 ft. Thence on a right angle to the NW for a distance of 33.6 ft, thence on a 90 degree right angle to the SW for a distance of 1.9 feet to the true point of beginning. Area being approximately 60.48 sq ft.

**Council Options:**

1. Conduct and approve First Reading. Read changes, if any. *If unanimous*, Conduct Second Reading and adopt the ordinance
2. Conduct and approve First Reading. Read changes, if any. Set Second Reading for March 23, 2019.
3. Continue First Reading to March 23, 2020.

**Financial Impact**

None

**Potential Motions:**

*City Attorney:* [Conduct First Reading of Ordinance by Title only]

**ORDINANCE 2020-07**

**AN ORDINANCE OF THE CITY OF LINCOLN CITY**

**AMENDING ORDINANCE 2019-42, PROVIDING FULL PROPERTY DESCRIPTION FOR  
THE VACATION OF A PORTION OF NW 44<sup>TH</sup> PLACE**

*Council:*

1. Motion to approve First Reading of Ordinance 2020-07.

*If unanimous, the Charter would permit the City Attorney to proceed with Second Reading ...if Council desires to adopt the ordinance in one meeting*

*Council:*

1. Motion to approve Second Reading and adopt Ordinance 2020-07.

**[or]**

2. Motion to approve set Second Reading for March 23, 2020.

**Attachments:**

2020-07 Vacation correction (DOC)

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**ORDINANCE 2020-07**

**AN ORDINANCE OF THE CITY OF LINCOLN CITY  
AMENDING ORDINANCE 2019-42, PROVIDING FULL PROPERTY  
DESCRIPTION FOR THE VACATION OF A PORTION OF NW 44<sup>TH</sup> PLACE**

**WHEREAS**, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provide:

**2.1 Powers of the City**

The city has all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

**2.2 Construction of Charter**

In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution.

**WHEREAS**, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. *City of Beaverton v. International Ass’n of Firefighters, Local 1660, Beaverton Shop*, 20 Or. App. 293; 531 P 2d 730, 734 (1975); *LaGrande/Astoria v. PERB*, 281 Or 137, 142 (1978), *aff’d on reh’g* 284 Or 173 (1978); and

WHEREAS, the County Assessor’s office has requested a correction of the legal description for the real property to be vacated by Ordinance 2019-42; and

**THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:**

**Section 1. Exhibit A - Amended.** The complete legal description of the portion of 44<sup>th</sup> Place to be vacated by Ordinance 2019-42 is shown in the revised Exhibit A attached hereto and made a part hereof by this reference. All other provisions of ordinance 2019-42 remain in full force and effect.

**Section 2. Findings Adopted.** The findings in support of the proposed vacation are hereby adopted by the City Council as set forth in the public hearing staff report in the record of this proceeding.



1 **Exhibit A**  
2 **Ordinance 2019-42**  
3 **A PORTION OF NW 44<sup>th</sup> PLACE LINCOLN CITY OREGON**  
4  
5

6 A portion of NW 44<sup>th</sup> Place proposed to be vacated, and with said real property  
7 described and shown as follows:  
8

9 **NW 44<sup>th</sup> PI ROW Vacation**

10 Vacating a portion of a Right of Way in the NE ¼ of the NE ¼ of Section 3,  
11 Township 7, Range 11, at the SE corner of Lot 57, Lincoln Shore Star Resort.  
12 Beginning at the intersection of the SE corner of Lot 57 on the westerly boundary  
13 of a 50 degree radius curve of SW 44<sup>th</sup> PI, thence heading south and east along  
14 said 50 degree radius curve for a distance of 59.17 ft to a point of tangency of a  
15 20 degree radius curve to the right. Thence along said 20 degree radius curve to  
16 the east and south for a distance of 12.09 ft. Thence continuing along the  
17 westerly boundary of NW 44<sup>th</sup> PI, SE a distance of 22 ft, more or less to the true  
18 point of beginning of the area to be vacated. Thence continuing SE along the  
19 southwest boundary of NW 44<sup>th</sup> PI a distance of 33.6 ft. Thence on a 90 degree  
20 right angle to the NE for a distance of 1.8 ft. Thence on a right angle to the NW  
21 for a distance of 33.6 ft, thence on a 90 degree right angle to the SW for a  
22 distance of 1.9 feet to the true point of beginning. Area being approximately  
23 60.48 sq ft.

24  
25 [See attached map]  
26  
27

1

Ordinance 2020-07

March 09, 2020

4

## Council Communication

---

### Choosing New Park Name for New Park (SE 3rd & Keel)

Meeting Date:	March 9, 2020	Primary Staff Contact:	Jeanne Sprague
Department:	Parks and Recreation	E-Mail:	JSprague@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	20 mins

---

#### Question:

Should the City Council, following the "Naming of Parks and Recreational Facilities" policy (Resolution 2018-08), chose the final name for the new park at SE 3<sup>rd</sup> and Keel?

#### Staff Recommendation:

Staff recommends the Council chose a name out of the 6 names recommended by the Parks & Recreation Board, Parks & Recreation Director, and City Manager.

#### Authority:

City Council via Resolution 2018-08 (attached).

#### Background:

In Sept 2019, Lincoln City Parks & Recreation (LCP&R) held a public contest for naming our new park, located at SE 3<sup>rd</sup> and Keel. Winner of this contest will receive a one-time year membership to the Lincoln City Community Center. LCP&R received 83 name entries. With keeping the name entries anonymous, the LC Parks & Recreation Board narrowed their picks down to 6 names. Parks and Recreation Jeanne Sprague and City Manager Ron Chandler agreed with their choices. Per policy, City Council makes the final decision.

The Naming Policy gives the following principles to be taken into account either

#### collectively or individually:

- Engender a strong positive image
- Be appropriate having regard to the parks/recreational facility's location and/or history
- Have historical, cultural or social significance for future generations

- Commemorate places, people or events that are of continued importance to the city, region, state, and/or nation
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the park and/or recreational facility
- Have broad public support
- Shall not result in the undue commercialization of the park and/or recreational facility if it accompanies a corporate gift

Attached are the 6 recommended Park names in alphabetical order (with description of name from the contest applicant).

**Council Options:**

Approve one of the 6 recommended names for the new park located at SE 3<sup>rd</sup> and Keel.  
Reject the 6 recommended names for the new park located at SE 3<sup>rd</sup> and Keel.

**Financial Impact**

Limited impact. New signage will be needed in the Park, which will be part of the new signage being installed within the next few years in all parks and open spaces.

**Potential Motions:**

1. Move to approve one of the 6 recommended names for the new park located at SE 3<sup>rd</sup> and Keel.
2. Move to reject the 6 recommended park names for the new park at SE 3<sup>rd</sup> and Keel.

**Attachments:**

Final Park Name Choices for Council March 2020 (DOCX)  
Resolution 2018-08 (PDF)

<b>Birdsong Canyon Park</b>	This name would bring awareness to the number of bird species we have in Lincoln City and could encourage park visitors to learn about the birds they might hear or see while visiting the park.
<b>LakeWood Park</b>	LakeWood Park gives nod to the heritage of area. Adventure your own imagination in story and exercise your soul in Nature within the Parks beautiful wilderness.
<b>Moss Ridge Park</b>	Along the SE corner of this area there is a beautiful area of mossy hillside. Due to the wetlands to the south, there is a break in the canopy that allows the sun through to the forest floor. On summer days and (the rare) clear winter mornings, this offers a sunny, protected, and welcoming area for walking and mushroom foraging.
<b>Nesika Park</b>	This is from the Chinook language meaning "Our Place" I think it is a PERFECT name for our new community park, celebrating the past and future.
<b>Osprey Park</b>	Lincoln City hosts at least 3 nesting pairs of Osprey who return each year to rear their young. In the spring of 2019, the pair that has nested at the mall every year returned to find new light fixtures that would not hold their annual nest. After scouting the neighborhood, they built a new nest directly adjacent to the new park, across SE 3rd in the wetland on top of a tall tree. This pair, that mates for life, is now part of the park's neighborhood, and the young are heard calling for their food for many blocks around as the parent's fish from the lake. I would like to suggest naming the new park in honor of the natural setting and its other inhabitants who call this neighborhood "home."
<b>Raptors' Roost Nature Park</b>	I believe there are several birds of prey that nest in that area: osprey, hawks, owls, etc. Hopefully the park will be built in a manner that protects their homes.

**RESOLUTION 2018-08**

**A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING A POLICY FOR NAMING / RENAMING OF PARKS AND RECREATIONAL FACILITIES AND ESTABLISHING A POLICY FOR COMMEMORATIVE ITEMS.**

**WHEREAS**, ORS 226.400 expressly provides for the location and construction of memorials, monuments and buildings in City parks, including siting of veterans and pioneer memorials; and

**WHEREAS**, Lincoln City Municipal Code Section 12.16.090 provides for delegation to the Parks Director to accept donation of City Standard items. The Code also sets forth criteria for donations of non-standard items (e.g. durable, safe, not result in a lien, furthers the public interest); and

**WHEREAS**, with the recent hiring of the new Parks and Recreation Director, the Council identified a need to formalize a set of guiding principles and parameters for memorials and for the naming rights of Park and Recreation properties; and

**WHEREAS**, citizens have helped create a vision for the Lincoln City Parks & Recreation included in the 2016 Parks & Recreation System Plan; and

**WHEREAS**, memorial gifts and naming opportunities provide Lincoln City Parks & Recreation with additional resources to accomplish the vision outlined in System Plan; and

**WHEREAS**, these policies, attached as Exhibits A, and B herein, will serve as a guideline for development of future commemorative memorial, gift and naming opportunities; and

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lincoln City, that pursuant to Lincoln City Municipal Code, the Council accepts and approves the new policies for commemorative items and naming opportunities attached hereto and incorporated herein as Exhibits A and B.

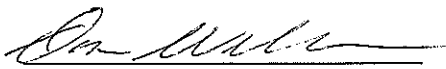
**BE IT FURTHER RESOLVED**, by the City Council of the City of Lincoln City, that:

1 Violation of the Rules of Conduct in LCMC 12.18.060 or the Supplemental Rules  
2 attached hereto constitutes an offense against the City and is punishable as a Class A  
3 Civil Infraction as provided in Chapter 1.16 LCMC; and

4  
5

6 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY THIS  
7 11TH DAY OF JUNE, 2018.

8  
9

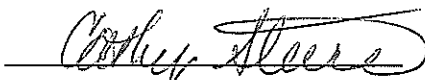
  
DON WILLIAMS, MAYOR

10  
11

12  
13

14 ATTEST:

15  
16

  
CATHY STEERE, CITY RECORDER  
CITY RECORDER

17  
18

19  
20

21

22 **Exhibit A – Commemorative Item Policy**  
23 **Exhibit B – Naming/Renaming of Parks and Recreational Facilities Policy**

24  
25  
26

**Exhibit A****POLICY NAME: Commemorative Items in Parks**

**Policy Category:** Parks & Recreation/ Planning/Development

**Date Reviewed:**

**Date Adopted:**

**Contact Person:** Jeanne Sprague

**Position:** Parks & Recreation Director

**Authorized By:**

**Position:**

**Introduction**

Over the years many people have turned to Lincoln City's parks to find comfort and remember joyous occasions in their lives. As loved ones pass on, people frequently look to the beauty of Lincoln City's Parks and request permission to personalize certain spaces that they can visit over the years.

The intent of this policy is to provide people with an opportunity to commemorate or honor family, friends or events in one of Lincoln City's parks. This policy works in conjunction with Lincoln City Parks and Recreation's 'Naming/Renaming of Parks, Recreational Facilities and/or Features' Policy.

**Purpose:**

- To establish funding requirements and recognition standards for commemorative donations to Lincoln City Parks and Recreation.
- To reserve the right for City of Lincoln City Parks and Recreation to decide on type, location and acceptance of commemorative donations.

**RELATED POLICIES AND ORDINANCES**

- Policy for Naming/Renaming of Parks, Recreational Facilities and/or Features
- 2.06.090 Gifts Ordinance
- 12.16.090 Donations of Functional Items and Volunteer Projects Ordinance, A and B

**LCP&R Cost:**

Cost for memorial items are based on actual cost of the item, installation and basic maintenance. Every fiscal year, the Parks & Recreation Director will update the list of city standard memorial items and their related costs. The following costs are based on a relatively flat and easily accessible site. A site assessment prior to donation will be completed to determine the true cost of bench installation.

**List of city standard commemorative items:**

- Concrete benches or Water (drinking) fountains: Each bench or fountain will come with an engraved bronze plaque that can be personalized with the name of the donor/ person to be honored. Cost of benches/fountains are \$3,000 for waterfront locations, \$2,500 for non-waterfront locations. Duration of bench/fountain memorial is 10 years, with a 1<sup>st</sup> opportunity to re-apply for the memorial.
- Brick pavers: Each paver can be engraved with the donor/ person to be honored, unless otherwise noted. The cost for the engraved brick and its installation is \$150.

- Trees or Flower Beds: Each tree or flower bed will have a small, personalized plaque placed next to it with the name of the donor/ person to be honored.. Cost of tree or flower bed is \$350, and covers a 3-year period.
- Other park amenities not listed: Amenities including sculptures, interpretive signage, bike racks, or other suitable items may be arranged on an individual basis with the Parks and Recreation Director. These projects vary in size, cost, and availability of sites. Requests will be handled individually and gifts will include item costs and maintenance fee.
- There are a few unusual situations where a different item standard has already been established at the park site. In these situations, the Parks & Recreation Director will determine the most appropriate standard and costs.

### **Process for Review**

Review of memorial items application is by the sole discretion of the Parks & Recreation Director, after review and recommendation by the Parks and Recreation Board (Ordinance 12.16.090). The Parks & Recreation Director, or staff directed by Director, connects with the donor to identify a specific location. LCP&R Maintenance and Recreation staff will then review the site and make a recommendation to the Director. If at any point the application or site is found to be unacceptable, this process starts over.

### **Plaques**

Donors are responsible for any repair or replacement costs of the plaque. The plaque will be installed by LCP&R. Plaques are bronze and include 3" brass all-thread lugs with brass nuts. Plaques are no larger than 5" x 8". Text should be the name of the donor/ person to be honored. LCP&R must approve final wording before the order is submitted.

### **Payment**

The donor can send a check to:

Lincoln City Parks and Recreation, Commemorative Item Program, PO Box 50, Lincoln City, OR, 97367.

A receipt will be sent to the donor for tax purposes.

Installation will not occur immediately but will reflect the payment made to the City (e.g. waterfront or non-waterfront). City reserves the right to install such donated standard or non-standard item when installation is appropriate. Timeframes run from installation.

### **Installation of the Commemorative Item**

The commemorative item will be ordered once payment is received. When the item has been received and installation scheduled, the donor will be informed of the estimated installation date. This can take several months after the receipt of the payment. Installation will be coordinated with donor's schedule whenever possible.

## Exhibit B

### **POLICY NAME: Naming/Renaming of Parks, Recreational Facilities and/or Features**

**Policy Category:** Parks & Recreation/ Planning/Development

**Date Reviewed:**

**Date Adopted:**

**Contact Person:** Jeanne Sprague

**Position:** Parks & Recreation Director

**Authorized By:**

**Position:**

#### **Introduction**

The naming or renaming of parks and recreational facilities is complex and sometimes emotionally evocative since assigning a name is a powerful and permanent identity for a public place and/or facility. The naming and renaming of parks and/or recreational facilities often requires significant resources in terms of changing names on signs, maps, and literature. In addition, excessive and constant name changing can be the source of confusion to the public. The purpose of this policy is to provide guidance to those that have an interest in the naming and or renaming of the City's parks and/or recreational facilities.

#### **Policy Statement**

It is the policy of Lincoln City Parks and Recreation to reserve the name or renaming of parks and/or recreational facilities for circumstances that will best serve the interests of the city and ensure a worthy and enduring legacy for the City's park and recreation system. To this end, Lincoln City Parks and Recreation supports consideration of naming requests within the following broad categories:

##### **Historic Events, People, and Places**

The history of a major event, place or person may play an important role in the naming or renaming of a park as communities often wish to preserve and honor the history of a city, its founders, other historical figures, its Native American heritage, local landmarks and prominent geographical locations, and natural and geological features through the naming of parks.

##### **Outstanding Individuals**

The City has benefited, through its evolution, from the contributions made by many outstanding individuals. This category is designed to acknowledge the sustained contribution that has been made by such individuals to the City and the development and management of the City's park and recreation system.

##### **Major Gifts**

Over the years, Lincoln City and the Lincoln City Parks and Recreation have benefited from the generosity of some of its residents, businesses, and foundations. On occasion, the significance of such donations may warrant consideration being given to requests from either the donor or another party to acknowledge such a gift by naming.

#### **RELATED POLICIES**

- Policy for Commemorative Items
- 2.06.090 Appointive Bodies Ordinance - Gifts

#### **Definitions**

**Naming:** the permanent name assigned by City Council via an ordinance to a given park or recreational facility.

**Parks:** all traditionally designed parks, gardens, natural open spaces, and specialized parks under the stewardship of Lincoln City Parks and Recreation.

**Recreational facilities:** major structures such as community centers, swimming pools, pavilions, tennis courts, sports fields, and fountains located within lands under the stewardship of Lincoln City Parks and Recreation.

**Donations:** a donation of property, goods or cash generally with no expectation of return. If the gift is contingent upon a special request, it is made subject to "condition."

### **Guiding Principles**

#### **General Principles**

In considering proposals for the naming or renaming of a park and/or recreational facility, the following general principles will be taken into account either collectively or individually.

When naming a new park and/or recreational facility, the proposed name will:

- Engender a strong positive image
- Be appropriate having regard to the parks/recreational facility's location and/or history
- Have historical, cultural or social significance for future generations
- Commemorate places, people or events that are of continued importance to the city, region, state, and/or nation
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the park and/or recreational facility
- Have broad public support
- Shall not result in the commercialization of the park and/or recreational facility if it accompanies a corporate gift

#### **Renaming a park and/or recreational facility**

Proposals to rename parks and/or recreational facilities whether for a major gift or community request are not encouraged. Likewise, names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.

#### **Naming/renaming parks and/or recreational facilities for Outstanding Individuals**

Naming or renaming a park and/or recreational facility for an outstanding individual is encouraged only for those who have been deceased for at least three years (this provision can be waived at Council's directive) and where that person's significance and good reputation have been accepted in the City's, State's and/or Nation's history.

In considering the naming/renaming of a park and/or recreational facility after a deceased person, priority will be given to those who made a sustained and lasting contribution to

- Lincoln City's park and recreation system
- The City of Lincoln City
- The State of Oregon
- The Nation

The naming of a park and/or recreational facility after people who may have lost their lives due to war or a tragic event will be considered only after the shock of such event has lessened within the community.

#### **Naming/renaming for Historic Events, People, and Places**

When a park and/or recreational facility is associated with or located near events, people, and places of historic, cultural or social significance, consideration will be given to naming that park and/or recreational facility after such events, people, and places. In considering such proposals, the relationship of the event, person or place to the park and/or recreational facility must be demonstrated through research and documentation.

### **Naming for Major Donations**

From time to time, a significant donation may be made to the City that will add considerable value to the City's park and recreation system. On such occasions, recognition of this donation by naming a new park and/or recreation facility in honor of or at the request of the donor will be considered.

As a guideline, the threshold for considering the naming of a park and/or recreational facility will include one or more of the following:

- Land for the majority of the park was deeded to the city.
- Contribution of a minimum of 60% of the capital construction costs associated with developing the park/recreational facility.
- Provision of a minimum 20-year endowment for the continued maintenance and/or programming of the park/recreational facility.

Donors do not acquire naming rights, even for major donations. The City Council reserves the right to reject proposed donations dictating the name of the facility or park or property. The City prefers to commemorate donations with a suitable plaque acknowledging the donation rather than renaming. Individuals seeking to make a donation with the hope to have the facility named for an individual donor (or to honor someone) will be encouraged to follow the principles that apply to naming a park for an outstanding person. Exceptions to this will be considered on their own merits. Lincoln City Parks and Recreation reserves the right to rename any park and/or recreational facility if the person for whom it is named turns out to be disreputable or subsequently acts in a disreputable way. Naming parks and/or recreational facilities with a company name is discouraged. The name of the donor or person to be honored is the only text to be included in any Park or facility name.

### **Other Considerations**

To minimize confusion, parks will not be subdivided for the purpose of naming unless there are readily identifiable physical divisions such as roads or waterways. However, naming of specific major recreational facilities within parks will be permitted; under these circumstances such names should be different to the park name to avoid user confusion.

All signs that indicate the name of a park and/or recreational facility shall comply with Lincoln City's graphic and design standards. Specialized naming signage will not be permitted.

### **Naming Text**

As Lincoln City Parks and Recreation operates a large and diverse park system, it is important that the naming text assist in communicating the type of development and use. Therefore, the following terms will be applied as part of the naming process:

- **"Park"** applies to all parks that have been or will be developed primarily for recreational purposes. Such parks usually involve a high degree of landscape and recreational facility development.
- **"Open Space"** applies to all parks where the primary purpose is the conservation of the natural environment. Such parks generally will have little or no development.

### **REVIEW PROCESS: Procedures & Guidelines**

These procedures and guidelines have been established to ensure that the naming or renaming of parks and/or recreational facilities is approached in a consistent manner.

### **Requests for naming/renaming of parks and/or recreational facilities**

All requests for the naming or renaming of a park and/or recreational facility shall be made in writing to the Director of Lincoln City Parks and Recreation.

Requests should contain the following minimum information:

- The proposed name
- Reasons for the proposed name
- Written documentation indicating community support for the proposed name
- Description/map showing location and boundaries of the park
- If proposing to name a facility within a park, include a description/map showing the location of the facility.

- If proposing to rename a park or facility, include justification for changing an established name
- If proposing to name a park or facility after an outstanding person, include documentation of that person's significance and good reputation in the City's, State's or Nation's history.

**Assessing and approving naming/renaming requests**

Upon receipt of a naming request by Lincoln City Parks and Recreation, each proposal will then be considered by the Director of Lincoln City Parks and Recreation or his/her representative, members of the Lincoln City Parks and Recreation Board (a recommending body), City Manager or his/her representative, and final approval by City Council. Assessment includes:

- Review of the proposed request for its adherence to the policies of Lincoln City Parks and Recreation.
- Ensure that supporting information has been authenticated, particularly when an individual's name is proposed.
- Take into consideration the comments of the relevant neighborhood association(s) or wards.
- The Parks and Recreation Director, Board and City Manager will then present a recommendation to the City Council who may either accept or reject any proposal.

# Council Communication

## Design-Build Contract Award for Hwy 101 Neotsu Bike/Ped Improvements

Meeting Date: March 9, 2020                      Primary Staff Contact: Stephanie Reid  
 Department: Public Works                      E-Mail: SReid@lincolncity.org  
 Secondary Dept:                      Secondary Contacts:  
 Approval: Ronald F Chandler                      Estimated Time: 10 minutes

**Question:**

Should the City Council award the Progressive Design-Build Services for Hwy 101 – NE Neotsu Drive to NE West Devils Lake Road Bike/Pedestrian Improvement Project to K&E Excavating, Inc?

**Staff Recommendation:**

City Council should award the Progressive Design-Build Services for Hwy 101 – NE Neotsu Drive to NE West Devils Lake Road Bike/Pedestrian Improvement Project to K&E Excavating, Inc.

**Authority:**

**LCMC 2.05.060.** (Public improvement contracts shall be awarded by competitive bid or as provided by the Public Contracting Code or these rules) In this case, the Council approved the exemption from competitive bid.

**Background:**

The Public Works Department advertised the "Invitation to Submit Proposals for Progressive Design-Build" on December 16, 2019 Public Works Department received five proposals on January 30, 2020.

<b>Proposers</b>
HP Civil Inc.
Emery & Sons Construction Group, LLC
K&E Excavating Inc.
Keiwit Infrastructure West Co.
Kerr Contractors

The proposals were reviewed by a selection committee that included a member from ODOT and the Confederated Tribes Siletz Indians. The selection committee scored the proposals and interviewed the three highest scoring teams - K&E Excavating, Inc., Emery & Sons Construction Group, LLC and Kerr Contractors. The selection committee selected K&E Excavating, Inc. to be recommended for the contract award.

**Council Options:**

City Council can award the Progressive Design-Build Services for Hwy 101 – NE Neotsu Drive to NE West Devils Lake Road Bike/Pedestrian Improvement Project to K&E Excavating, Inc. or not award the project to K&E Excavating, Inc.

**Financial Impact**

The project is funded primarily through a State Transportation Improvement Program grant. The City and the Confederated Tribe of Siletz Indians are contributing funds and the City is managing the project through Local Agency Agreement between the City and ODOT. The total project cost is estimated at \$3,051,500.00 with the State funds limited to \$2,661,499.99. The City is contributing \$130,000.00 and the Tribe is contributing \$360,000.00.

The K&E Project team will develop a design with cost estimate at direct cost plus 8% for labor and 8% for materials. The team will then develop a not to exceed cost for construction paid at direct cost plus 8% for labor and 8% for materials.

**Potential Motions:**

Move to award the Progressive Design-Build Services for Hwy 101 – NE Neotsu Drive to NE West Devils Lake Road Bike/Pedestrian Improvement Project to K&E Excavating, Inc.

# Council Communication

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## Arbor Day 2020 Proclamation

Meeting Date:	March 9, 2020	Primary Staff Contact:	Jeanne Sprague
Department:	Parks and Recreation	E-Mail:	JSprague@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Ronald F Chandler	Estimated Time:	5 mins

---

### Question:

Should the City Council proclaim April 18, 2020 as Arbor Day 2020 in the City of Lincoln City and invite all citizens to join in its celebration of the city's efforts to support healthy trees and forest ecology for the well-being of this and future generations?

### Staff Recommendation:

Staff recommends the Council proclaim April 18, 2020 as Arbor Day 2020 in the City of Lincoln City, so that we may continue with our 'TreeCity USA' designation for 2020, via the Arbor Day Foundation.

### Authority:

See attached document for the 4 criteria required for the TreeCity USA Program.

### Background:

The OR Dept of Forestry oversees the TreeCity USA program. One of their 4 mandatory standards for a City to be designated as a TreeCity USA is for the Mayor/City Council to proclaim a City 'Arbor Day'. Lincoln City has been a designated TreeCity USA for 12 years. Lincoln City Parks and Recreation will be hosting a public Arbor Day event on 4/18/20 at Regatta Park.

### Council Options:

Approve the proclamation of 4/18/20 as Lincoln City Arbor Day.  
Reject the proclamation of 4/18/20 as Lincoln City Arbor day.

### Financial Impact

Very limited staff time. One to two hrs of the Parks & Recreation Director compiling application data for the Arbor Day Foundation.

**Potential Motions:**

1. Move to approve the proclamation establishing 4/18/20 as Arbor Day 2020 for Lincoln City, to celebrate trees and continue with our TreeCity USA designation.
2. Move to reject the proclamation.

**Attachments:**

PROCLAMATION Arbor Day 2020 (DOCX)

TreeCity USA Standards (PDF)

# TREE CITY USA

## 2020 ARBOR DAY PROCLAMATION

Whereas, Lincoln City celebrates Arbor Day every year to honor the important role trees play in our daily lives, and to maintain our TreeCity USA status, 12 years and counting; and

Whereas, Lincoln City residents have demonstrated their extraordinary support for trees in many ways, including a \$3 million bond issue passed in 1998 for the purpose of preserving forests and other sensitive land within the city limits, and efforts in the past 8 years to improve forest health in the city's open spaces; and

Whereas, on this Arbor Day, the city celebrates renewed efforts in our Parks and Open Spaces to educate the public on the importance of trees by offering naturalist-lead hikes and interpretive signage, along with two successful thinning projects in Agnes Creek Open Space, conducted in 2013 and 2014, the completion of the Spyglass thinning project in 2016, the planting of the Spyglass trees and shrubs in 2017, and the current selective thinning of SE 3<sup>rd</sup> and Keel Park.

Whereas, Lincoln City continues to improve the ecological health of the forests in the city's open spaces through removal of invasive species, restoration of native vegetation and tree-planting, with the successful partnerships of many local non-profits and volunteers. This raises public awareness and opportunities for passive recreation through trail creation and maintenance;

Now, therefore, I, Dick Anderson, Mayor, do hereby proclaim the date of April 18, 2020 as Arbor Day 2020 in the City of Lincoln City and invite all citizens to join in its celebration and the city's efforts to support healthy trees and forest ecology for the well-being of this and future generations.

Dated this 9<sup>th</sup> day of March 2020.

---

Dick Anderson, Mayor

# Tree City USA Standards

To qualify as a Tree City USA community, you must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community\* would have a viable tree management program and that no community would be excluded because of size.

## Four Standards for Tree City USA Recognition

 Standard 1 |  Standard 2 |  Standard 3 |  Standard 4

### Standard 1

#### A Tree Board or Department

Someone must be legally responsible for the care of all trees on city- or town-owned property. By delegating tree care decisions to a professional forester, arborist, city department, citizen-led tree board or some combination, city leaders determine who will perform necessary tree work. The public will also know who is accountable for decisions that impact community trees. Often, both professional staff and an advisory tree board are established, which is a good goal for most communities.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

### Standard 2

#### A Tree Care Ordinance

A key section of a qualifying ordinance is one that establishes the tree board or forestry department—or both—and gives one of them the responsibility for public tree care (as reflected in Standard 1). It should also assign the task of crafting and implementing a plan of work or for documenting annual tree care activities.

Ideally, the ordinance will also provide clear guidance for planting, maintaining and removing trees from streets, parks and other public spaces as well as activities that are required or prohibited. Beyond that, the ordinance should be flexible enough to fit the needs and circumstances of the particular community.

For tips and a checklist of important items to consider in writing or improving a tree ordinance, [see Tree City USA Bulletin #9](#).

## Standard 3

### A Community Forestry Program With an Annual Budget of at Least \$2 Per Capita

City trees provide many benefits—clean air, clean water, shade and beauty to name a few—but they also require an investment to remain healthy and sustainable. By providing support at or above the \$2 per capita minimum, a community demonstrates its commitment to grow and tend these valuable public assets. Budgets and expenditures require planning and accountability, which are fundamental to the long-term health of the tree canopy and the Tree City USA program.

To meet this standard each year, the community must document at least \$2 per capita toward the planting, care and removal of city trees—and the planning efforts to make those things happen. At first this may seem like an impossible barrier to some communities. However, a little investigation usually reveals that more than this amount is already being spent on tree care. If not, this may signal serious neglect that will cost far more in the long run. In such a case, working toward Tree City USA recognition can be used to reexamine the community's budget priorities and redirect funds to properly care for its tree resources before it is too late.

## An Arbor Day Observance and Proclamation

An effective program for community trees would not be complete without an annual Arbor Day ceremony. Citizens join together to celebrate the benefits of community trees and the work accomplished to plant and maintain them. By passing and reciting an official Arbor Day proclamation, public officials demonstrate their support for the community tree program and complete the requirements for becoming a Tree City USA!

This is the least challenging—and probably most enjoyable—standard to meet. An Arbor Day celebration can be simple and brief or an all-day or all-week observation. It can include a tree planting event, tree care activities or an award ceremony that honors leading tree planters. For children, Arbor Day may be their only exposure to the green world or a springboard to discussions about the complex issue of environmental quality.

The benefits of Arbor Day go far beyond the shade and beauty of new trees for the next generation. Arbor Day is a golden opportunity for publicity and to educate homeowners about proper tree care. Utility companies can join in to promote planting small trees beneath power lines or being careful when digging. Fire prevention messaging can also be worked into the event, as can conservation education about soil erosion or the need to protect wildlife habitat.

[↑ back to top](#)

Tree City USA is an Arbor Day Foundation program in cooperation with:





## Council Communication

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### Mural Art in Parks - Public Art Donation

Meeting Date: March 9, 2020      Primary Staff Contact: Jeanne Sprague  
 Department: Parks and Recreation      E-Mail: JSprague@lincolncity.org  
 Secondary Dept: Visitor and Convention Bureau      Secondary Contacts:  
 Approval: Ronald F Chandler      Estimated Time:

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#### Question:

Should the City Council accept or deny the 4 proposed mural art donations for our City Parks, following the Public Arts Plan: Section 7 Public Art Donations and Memorials Policy?

#### Recommendation:

This proposal was presented to both the Parks and Recreation Committee and the Public Arts Committee. Both Committees recommend the Council accepts the 4 mural art donations for 51<sup>st</sup> St/Taft , Regatta Park musical instrument concrete pad, Public Plaza next to Bob's Beach Books, and SW 34<sup>th</sup> St Beach Access.

#### Authority:

City Council, per Public Arts Plan:

[https://www.lincolncity.org/vertical/sites/%7BDDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/LC\\_Public\\_Art\\_Plan\\_REV\\_6-27-18\\_NP.pdf](https://www.lincolncity.org/vertical/sites/%7BDDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/LC_Public_Art_Plan_REV_6-27-18_NP.pdf)

#### Background:

In the fall of 2019, Crystal Akins, founder of Oregon Children's Music Festival and Director of Community Arts Project, approached the Lincoln City Parks and Recreation Dept about hosting a 'Community Mural Project' in Lincoln City. This project includes working with local and diverse artists, to collaborate with community members in painting ground murals in 4 of our public park/ space locations. Following the guidelines of 2018 Public Arts Plan, and the LC Parks and Recreation System Plan, Crystal presented her ideas to both the Public Arts Committee and the LC Parks and Recreation Board on 2/19/20, to gain their approval. They all approved, and made a recommendation to the LC Parks & Recreation Director and City Manager, who also approved. The final step in this process is City Council approval.

### Public Arts Master Plan, 7.3 Review Criteria

The following criteria apply to the review of potential gifts of public art:

1. Artistic Excellence - Accepted works of art shall be of exceptional quality and enduring value as judged by the arts committee.
2. Appropriateness to the City's Public Art Collection - Proposed gifts will be reviewed in relationship to existing goals for the public art collection, such as diversity of media, artists represented, styles, and geographic representation.
3. Appropriateness to Site - Relationship of the artwork to the site shall be considered in respect to its social, cultural, historical and physical context.
4. Maintenance Provisions - Maintenance concerns are a primary consideration. Adequate provision must be made for future needs. Donors must provide the arts committee with detailed maintenance instructions for the work(s) of art, copies of which shall be forwarded to city staff. Funds for future maintenance shall be deposited into the Public Art Fund.
5. Adherence to Existing Master Plans - All works of art should comply with the master plans of existing jurisdictions including but not limited to the Lincoln City Parks and Recreation Department and the Lincoln City Urban Renewal Agency. The arts committee will help City staff review any proposed gift for compliance with existing master plans.

### **Council Options:**

Approve the donated art murals to be painted in our public parks/ spaces.

Reject the donated art murals.

### **Financial Impact**

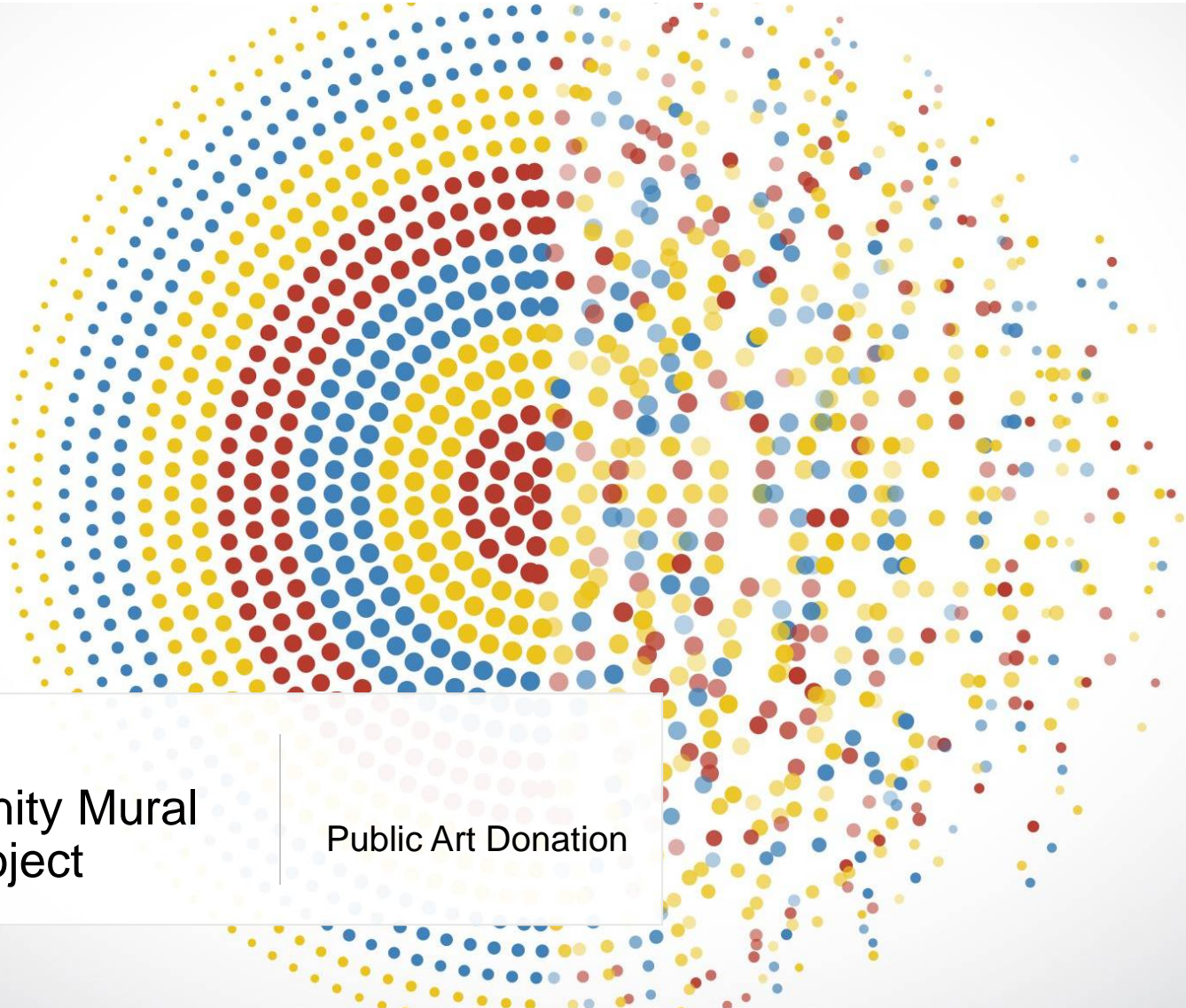
Very limited. The paint materials to be used are long lasting, and this art is expected to naturally fade away. Crystal Akins will work with LC Parks and Recreation to assess murals yearly and repair if needed.

### **Potential Motions:**

1. Move to approve the 4 donated art murals from the Community Mural Project in our public parks/spaces at: 51<sup>st</sup> St/Taft , Regatta Park musical instrument concrete pad, Public Plaza next to Bob's Beach Books, and SW 34<sup>th</sup> St Beach Access.
2. Move to reject the art murals.

### **Attachments:**

Community Mural Project Crystal Akins (PPTX)



Community Mural Project

Public Art Donation

# Community Partners

- Lincoln City Parks and Recreation
- Community Arts Project
- Oceana Family Literacy
- Oregon Children's Music Festival
- Oregon Community Foundation/Oregon Humanities
- Crystal Akins Community Arts Organizer

# Four Community Street Murals



# Benefits of Street Murals



- Accessibility
- Liability and Safety
- Inclusive Artist and Community Relationship
- Brings a Community Together



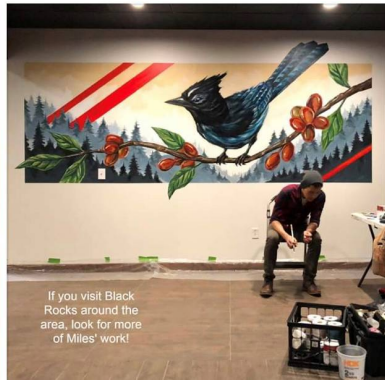
# Mural One 51<sup>st</sup> Street



# Mural Two Nelscott



# Mural Three Plaza by Bob's Books



If you visit Black Rocks around the area, look for more of Miles' work!

# Mural 4 Regatta Park



# How Artist Are Chosen

- Local Artist
- Artist of Color
- Cultural Artist
- Artist who can educate and collaborate with community

## Value of Murals

- Murals are funded by private donors and grants
- The cost of each mural is \$7,000

## Future Care and Maintained of Street Murals

- Care and maintenance of the 4 murals will be overseen and funded by Lincoln City Parks and Recreations and Community Arts Project.
- Street murals have a life span of 10-15 years without maintenance.
- Our maintenance plan is to assess murals yearly and repair.

## How a Street Mural is Created

- A street mural will require a 4 day permit.
- Power washing surface and taping off mural area.
- Artist lays down the grid.
- Artist meet with community members and painting begins
- Mural dry time and clean up is one day.

## Next Steps

- Review of criteria and insure the, Community Mural Project complies with the master plans of jurisdictions including the Lincoln City Parks and Recreation Department 2016 System Plan and the Lincoln City Urban Renewal Agency.
- City Council and the Arts Committee accept proposal.
- Arts Committee makes suggestions in their review of concepts.
- June 2020 mural drafts are approved by Arts Committee
- Murals are created in August 2020
- Crystal Akins needs approval by April 2020 to commission artist, organize funds, organize community outreach, and execute the media plan.

# Project Vision

- This is the first phase of a three year project plan.
- This is the first 4 out of 15 murals to be created on the Central Oregon Coast.
- After all 15 murals are installed Community Arts Project will be working with Travel Oregon to create a Central Oregon Coast Mural Brochure.
- This project aims to create arts access to youth, create an artistic cultural identity, and have a positive economic impact through tourism.

# Community Mural Project Thanks You





## Council Communication

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### Chainsaw Art (Wildlife Theme) in Public Space

Meeting Date: March 9, 2020      Primary Staff Contact: Jeanne Sprague  
 Department: Parks and Recreation      E-Mail: JSprague@lincolncity.org  
 Secondary Dept: Visitor and Convention Bureau      Secondary Contacts:  
 Approval: Ronald F Chandler      Estimated Time: 10 mins

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#### Question:

Should the City Council accept or deny the proposed chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon), following the Public Arts Plan: Section 7 Public Art Donations and Memorials Policy?

#### Recommendation:

This proposal was presented to both the Public Arts Committee and the Parks and Recreation Committee. Both Committees recommend the Council accepts the proposed chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon) to be located at the stump on West Devils Lake Rd, next to pump station.

#### Authority:

City Council, per Public Arts Plan:

[https://www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/LC Public Art Plan REV 6-27-18 NP.pdf](https://www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/LC_Public_Art_Plan_REV_6-27-18_NP.pdf)

#### Background:

In the fall of 2019, the Director of LC Parks and Recreation received a call from a city resident, saying they'd like to see the large stump located on West Devils Lake Rd turned into art. Separately and around the same time, James Lukinich, of James L. Creations LLC, approached the Lincoln City Parks and Recreation Dept. about having his chainsaw art in our parks or public spaces. The Parks & Recreation Dept thought a chainsaw art piece in place of the wood stump on West Devils Lake Rd would be an idea. (examples of James' work attached)

Following the guidelines of 2018 Public Arts Plan, and the LC Parks and Recreation System Plan, James presented his ideas to both the Public Arts Committee and the LC Parks and Recreation Board on 2/19/20, to gain their approval. They all approved, and

made a recommendation to the LC Parks & Recreation Director and City Manager, who also approved. The final step in this process is City Council approval.

#### Public Arts Master Plan, 7.3 Review Criteria

The following criteria apply to the review of potential gifts of public art:

1. Artistic Excellence - Accepted works of art shall be of exceptional quality and enduring value as judged by the arts committee.
2. Appropriateness to the City's Public Art Collection - Proposed gifts will be reviewed in relationship to existing goals for the public art collection, such as diversity of media, artists represented, styles, and geographic representation.
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5. Adherence to Existing Master Plans - All works of art should comply with the master plans of existing jurisdictions including but not limited to the Lincoln City Parks and Recreation Department and the Lincoln City Urban Renewal Agency. The arts committee will help City staff review any proposed gift for compliance with existing master plans.

#### **Council Options:**

Approve the chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon) to be located at the stump on West Devils Lake Rd, next to pump station.

Reject the chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon) to be located at the stump on West Devils Lake Rd, next to pump station.

#### **Financial Impact**

\$3900. This includes all dry rot removed, filled with concrete, and sealed for preservation. The entire sculpture is to be sealed, and James will assess the sculpture for 3 years and repair if needed.

#### **Potential Motions:**

1. Move to approve the chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon) to be located at the stump on West Devils Lake Rd, next to pump station.
2. Move to reject Approve the chainsaw art sculpture (Wildlife Theme – Eagles, Owls, Raccoon) to be located at the stump on West Devils Lake Rd, next to pump station.

**Attachments:**

Bear and Owl example (JPG)

James with bear statue (JPG)

Bear statue example(JPG)

A wood carving of a black bear standing on a log, holding up three owls. The bear is black with a brown face and chest. The owls are brown and white. The carving is set in a grassy field with a road and trees in the background.

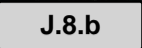
**J.8.a**

**Packet Pg. 63**

J.8.b



Packet Pg. 64





**J.8.c**

**Packet Pg. 65**