



**CITY COUNCIL REGULAR SESSION AGENDA**  
**Monday, February 05, 2024 - 6:00 PM**  
**Council Chambers- 169 SW Coast Highway Newport, Oregon 97365**

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All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Erik Glover, City Recorder at 541.574.0613, or [e.glover@newportoregon.gov](mailto:e.glover@newportoregon.gov).

All meetings are live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to [publiccomment@newportoregon.gov](mailto:publiccomment@newportoregon.gov). Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day. To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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**1. CALL TO ORDER AND ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

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

**3.A Matthew Hutchison Street Name Change 48th/Starfish Point**

[Email from Matthew Hutchison .pdf](#)

**3.B Public Comment from JOSHUA PAUL HAWKINS-PERKINS**

[Hawkins-Perkins Public Comment.pdf](#)

**4. PROCLAMATIONS, PRESENTATIONS, AND SPECIAL RECOGNITIONS**

*Any formal proclamations or recognitions by the Mayor and Council can be placed in this section. Brief presentations to the City Council of five minutes or less are also included in this part of the agenda.*

**4.A Introduction of Library District Director by Laura Kimberly, Newport Library Director, 5 min max with questions.**

**4.B Proclamation of the City of Newport Recognizing Library Lovers Month Received by Laura Kimberly, Library Director**

[Proclamation.pdf](#)

**4.C Proclamation of the City of Newport Recognizing National Black History Month Received by Laura Kimberly , Library Director**

[Proclamation.pdf](#)

**4.D Proclamation to Recognize Poet Laureate William Staffords Birthday Received by Councilor Jacobi**

[PROCLAMATION.pdf](#)

**4.E Proclamation Recognizing and Appreciating the First Responders in the City of Newport During the Recent Winter Storm Event**

[Proclamation.pdf](#)

**4.F Annual Report from the Oregon Coast Council for the Arts- Jason Holland 5 minutes**

[OCCA\\_City\\_Presentation\\_2024\\_v2.pdf](#)

**5. CONSENT CALENDAR**

*The consent calendar consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

**5.A Acknowledge Receipt of Links to Video/Audio Files for Minutes**

[Video Links for Minutes to be approved 2-05-2024.pdf](#)

**5.B Approval of City Council Meeting and Work Session Minutes**

[01-16-2024 City Council Work Session Minutes- Final.pdf](#)

**5.C Receipt of Approved Committee Minutes**

[Newport Public Library Advisory Committee Minutes January 26\\_2023.pdf](#)

[Newport Public Library Advisory Committee Meeting\\_March 8\\_2023 Minutes.pdf](#)

[Newport Public Library Advisory Committee Meeting 5-10-23.pdf](#)

[Library Advisory Committee Minutes July 12\\_2023.pdf](#)

[Newport Public Library Advisory Minutes August 12\\_2023.pdf](#)

[Newport Library Advisory Committee minutes\\_Sept 27\\_2023.pdf](#)

[Library Advisory Committee Minutes November 16\\_2023.pdf](#)

[12-20-2023\\_Parking\\_Advisory\\_Comm\\_Minutes-Approved 01-17-2024.pdf](#)

[60 Plus Advisory Committee Minutes 12-18-23.docx.pdf](#)

[PC\\_Reg\\_Session\\_01-08-24\\_Approved\\_01-22-24.pdf](#)

[PC\\_Work\\_Session\\_01-08-24\\_Approved\\_01-22-24.pdf](#)

**5.D Favorably Recommend to the Oregon Liquor and Cannabis Commission**

**(OLCC) to Approve a Full On-Premises, Caterer license for Rise, LLC. located at 2030 SE Marine Science Dr. in Newport., as a new outlet.**

[CITY MANAGER Report OLCC Rise LLC.pdf](#)

[Rise Staff Report.pdf](#)

[Rise LLC OLCC App\\_Redacted.pdf](#)

**5.E Authorization of a Letter of Support for HB 4134 Titled Housing Oregon's Workforce**

[City Manager's Report](#)

[Staff Report.pdf](#)

[HB 4134 Draft Letter.pdf](#)

[One-Page Bill Summary.pdf](#)

[HB4134.pdf](#)

**5.F Approval and Authorization of the Mayor to Execute an Amendment to the Employment Agreement with David Allen, City Attorney, Increasing Compensation from \$122, 514 to \$135,000 Per Year Effective January 1, 2024**

[City Manager's Report](#)

[David Allen Contract.pdf](#)

[Amendment to City-Allen Attorney employment agreement.pdf](#)

- 5.G Authorize the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding (MOU) with the Oregon Department of Human Services, Lincoln County, and the City of Newport for the Replacement of Two Conex Storage Containers Including Emergency Supplies at the Municipal Airport, Subject to Final Review by the City Attorney**

[City Manager's Report](#)

[2024.STAFF REPORT.Amend2.02052024.pdf](#)

[5195-02 City of Newport Agreement Amendment POP Extension \(002\).pdf](#)

- 5.H Approval and Authorization of the City Manager to Execute Amendment No. 2 to the Grant Agreement with the Oregon Military Department Office of Emergency Management for the Hazard Mitigation Grant Program for Big Creek Dam Road Design and Raw Water Pipeline for Dam Remediation**

[City Manager's Report](#)

[Staff report ODHS MOU Admendment 1 update 2024.pdf](#)

[Council Staff Report MOU for Conex Storage at Airport.pdf](#)

[Lincoln-Newport MOU Amendment 1.pdf](#)

[Newport MOU with DHS\\_Lincoln County.pdf](#)

## **6. PUBLIC HEARING**

*This is an opportunity for members of the audience to provide testimony/comments on the specific issue being considered by the City Council. Comments will be limited to three (3) minutes per person.*

- 6.A Public Hearing on Appeal by David and Andrea Larson of a Decision by the City of Newport Regarding a Proposed Retaining Wall Encroachment Proposed for 1035 NE Lakewood Drive**

[City Manager's Report](#)

[Staff Report.pdf](#)

[Attachment H-1 - NMC Chapter 9.15.pdf](#)

[Attachment H-2 - Recorded Replat.pdf](#)

[Attachment H-3 - Easement Agreement.pdf](#)

[Attachment H-4 - Contour Map.pdf](#)

[Attachment H-5 - Encroachment Application 1035 NE Lakewood Dr.pdf](#)

[Attachment H-6 - Original Exhibit A Encroachment Plan.pdf](#)

[Attachment H-7 - Encroachment Findings.pdf](#)

[Attachment H-8 - Notice of Encroachment Permit Decision.pdf](#)

[Attachment H-9 - Larsen Appeal.pdf](#)

[Attachment H-10 - Public Hearing Notice.pdf](#)

[Attachment H-11 - Updated Encroachment Plan.pdf](#)

[Attachment H-12 - Draft Encroachment Permit Agreement.pdf](#)

[Attachment H-13 - Grading on Lot 21 Portion of the Easement.pdf](#)

[Attachment H-14 - Pedestrian Access to Easement.pdf](#)  
[Attachment H-15 - Central Lincoln PUD Comments.pdf](#)

- 6.B Public Hearing and Consideration of Ordinance No. 2219, an Ordinance Amending the Chapter 4.15 Newport Municipal Code Relating to Vehicles for Hire Adding a New Section for Temporary Taxicab Permits**  
[City Manager's Report](#)  
[Ord. No. 2219 - Amending NMC 4.15 - Vehicles for Hire.pdf](#)  
[NMC\\_ch.\\_4.15\\_modified\\_1-11-24\\_-\\_track\\_changes.pdf](#)  
[Temp Taxi Permit Administrative Procedure.pdf](#)

## **7. COMMUNICATIONS**

*Any agenda items requested by Mayor, City Council Members, City Attorney, or any presentations by boards or commissions, other government agencies, and general public will be placed on this part of the agenda.*

- 7.A From Lee's Wok Restaurant/Toby Lee- Complaint to City Council about Receiving Automatic Notices from the Fire Department Regarding the Inspection of Commercial Kitchen Hood Fire Suppression System 5 min max.**  
[City Manager Report.pdf](#)  
[Staff Report - Communication and Complaint Closeout Lees Wok .pdf](#)  
[Council Staff Report Communication from Toby from Lees Wok on Fire Suppression System automated notice 1-16-24.pdf](#)  
[Lee's Wok.pdf](#)  
[Lee's Wok Response letter from AC Sakaris 1-8-24.pdf](#)  
[Lee\\_Submittal.pdf](#)  
[City\\_Response\\_and\\_Exhibits\\_Redacted.pdf](#)
- 7.B From the Greater Newport Chamber of Commerce -- Consideration of a Special Event Permit Fee Waiver Requested by the Greater Newport Chamber of Commerce for the 2024 Seafood and Wine Festival to be Held on February 22 -- 25, 2024**  
[City Manager's Report](#)
- 8. CITY MANAGER'S REPORT**  
*All matters requiring approval of the City Council originating from the City Manager and departments will be included in this section. This section will also include any status reports for the City Council's information.*
- 8.A Approval of Non-Profit Social Service Grants**  
[City Manager's Report](#)  
[Staff Report - Non-profit Grants 23-24.pdf](#)  
[CAC 2023 Redacted App.pdf](#)

[Casa 2023 Redacted App.pdf](#)  
[Food Share Lincoln Co Redacted App.pdf](#)  
[Memo to Non Profits Regarding 2023 Social Agency Grant Spanish.pdf](#)  
[Every Child Linn Benton Lincoln Redacted App.pdf](#)  
[Grant\\_Agreement\\_-\\_Non-Profit\\_\\_Social\\_Service\\_Agencies\\_-\\_2022.pdf](#)  
[Memo to Non-Profits Regarding 2023 Grant Program.pdf](#)  
[Non-Profit Grant Program Application 2023 Spanish.pdf](#)  
[Non-Profit Social Service Agency Grant Application - 2023.pdf](#)  
[Press Release - Nonprofit Social Agency Grant 2023 Spanish.pdf](#)  
[Press Release - Non Profit Social Agency Grant 2023.pdf](#)

**8.B Authorization of an Intergovernmental Agreement with Pacific Communities Health District Relating to Distribution of Opioid Settlement Funds and Funding for NW Biggs Street Improvements Related to the Samaritan Coastal S.T.A.R.S. Facility**

[City Manager's Report](#)  
[Staff Report.pdf](#)  
[Draft IGA - Pacific Communities Health District.pdf](#)  
[Exhibit E - Distributors-Janssen Settlement.pdf](#)

**8.C Report on Ordinance No. 2217, an Ordinance Increasing the Tax on Motor Vehicle Fuel Dealers to Five Cents per Gallon, and Referring the Ordinance to the Voters at the May Election and Resolution No. 4005 which Refers the Ordinance to the Voters**

[City Manager Report Motor Vehicle Fuel Tax.pdf](#)  
[Ord. No. 2217 - Motor Vehicle Fuel Tax - draft 12-27-23 -clean copy.pdf](#)  
[Res. No. 4005 - Referral of Ord. No. 2217 - draft 12-28-23 -clean copy.pdf](#)  
[Newport Final PMP Report.pdf](#)  
[March 10, 2021 Finance Work Group Report.pdf](#)

**8.D Authorization of Travel to Washington D.C. for Meetings on the Big Creek Dam Project**

[City Manager's Report](#)

**9. LOCAL CONTRACT REVIEW BOARD**

**9.A Authorization of a Notice to Award the South Beach Placemaking Consulting Services Project to Dougherty Landscape Architects (DLA) in an Amount Not to Exceed \$125,000**

[City Manager's Report](#)  
[StaffRpt-SBPlacemakingNOI\\_Council\\_02-05-24.pdf](#)

[NoticeOfIntentToAward\\_SBPlacemaking.pdf](#)  
[DLA\\_Proposal\\_SBPlacemakingConsultingSvcs.pdf](#)

## **10. REPORT FROM MAYOR AND COUNCIL**

*This section of the agenda is where the Mayor and Council can report any activities or discuss issues of concern.*

### **10.A Mayor and Council Report**

[CM Hall report 2nd half of january.pdf](#)  
[Hall report .pdf](#)

## **11. PUBLIC COMMENT**

*This is an additional opportunity for members of the audience to provide public comment.*

*Comments will be limited to three (3) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.*

## **12. ADJOURNMENT**