



**NEHALEM CITY COUNCIL  
REGULAR MEETING  
MONDAY, NOVEMBER 13, 2023 - 6:00 p.m.**

**This meeting will be held in-person at City Hall and through Zoom video conference.**

Please use the following phone number or Zoom weblink to access the meeting remotely:

Join by phone: Call (253) 215-8782 and enter Meeting ID: 867 1634 1939

Join online: <https://us02web.zoom.us/j/86716341939>

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL  
GUESTS**

**APPROVAL OF MINUTES: October 9, 2023, Regular Council Meeting; April 27, 2023, Special Council Meeting;**

**POLICE REPORT**

**NEW BUSINESS:**

1. Oregon Recreational Immunity

**CORRESPONDENCE/OTHER BUSINESS**

**STAFF REPORTS  
PAYMENT OF BILLS/FINANCIALS  
COUNCIL COMMENTS  
PUBLIC COMMENTS**

**ADJOURNMENT - Next Regular Council Meeting: December 11, 2023**

The meeting location is accessible to persons with disabilities. If you need accommodations to access this meeting, please contact City Hall at least 48 hours prior to the meeting.

**NEHALEM CITY COUNCIL  
COUNCIL MINUTES  
REGULAR MEETING  
October 9, 2023**

**REGULAR SESSION**

Mayor Chick called the Regular Council Meeting to order at 6:03 p.m. and led those present in the Pledge of Allegiance. The meeting was held in-person and by Zoom video conference.

**COUNCIL MEMBERS PRESENT:**

Phil Chick, Mayor  
Hilary Howell, Council President  
Dave Cram, Council Member  
Doug Larzelier, Council Member  
John Coopersmith, Council Member

**STAFF PRESENT:**

Lori Longfellow, City Manager  
Yuriy Ukhach, Deputy City Recorder  
Brian Moore, Public Works Director  
Walt Wendolowski, Contracted City Planner (on Zoom)  
Carrie Richter, Contracted City Attorney (on Zoom)

**VISITORS:**

Vern Scovel  
Janelle Mechler  
Michael Howes  
Mrs. O'Connor  
On Zoom:  
Denise Drake  
Suzan Samek  
Steven Ziemecki  
Lucy Brook  
Unidentified visitors

**MINUTES**

The Council reviewed the minutes of the September 11, 2023, Regular Council Meeting. Council President Howell noted a few corrections to the minutes. Council President Howell **MOVED** to approve the minutes of the September 11, 2023; Regular Council Meeting as corrected.

Councilor Cram **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).**

## **POLICE REPORT**

The Council reviewed the Police Report for September 2023.

## **UNFINISHED BUSINESS:**

### **THE SECOND READING OF ORDINANCE NO. 2023-05: AN ORDINANCE REPEALING NEHALEM CITY CODE CHAPTERS 156 (SUBDIVISIONS) AND CHAPTER 157 (ZONING) AND REPLACING THEM WITH A NEW DEVELOPMENT ORDINANCE CODIFIED IN NEHALEM CITY CODE CHAPTER 157**

Mayor Chick stated that on September 11th, the City Council held a meeting to consider repeal and replacement of the new Development Ordinance. He noted that after considering all public testimony, both written and oral, the City Council closed the record of the proceedings, deliberated, and voted to adopt Ordinance No. 2023-05 by a vote of 2 in favor and 1 opposed. Mayor Chick added that this vote was preceded by a motion to approve both the first and second reading on the same night which similarly passed by a motion of 2-1; however, the City Charter provides that the Council may adopt an ordinance at a single meeting only upon a unanimous vote. He explained that since the vote was not unanimous, the Council needs to proceed with the second reading of the ordinance before the ordinance is effective. Mayor Chick stated that the public record for this matter was closed on September 11<sup>th</sup> and that between the Planning Commission and the City Council there were three meetings where the public had an opportunity to testify. He noted that the testimony was taken and used by the Council and the Planning Commission to add a few things that were brought by the public. Mayor Chick stated that the revisions to the code identified at the last hearing as (1) increasing the maximum building height in residential zones to 30 feet and (2) allowing short term rental uses within accessory dwelling units, have been implemented. He concluded that this ordinance is not adopted by emergency and under the Charter, non-emergency ordinances will take effect in 30 days after adoption; if adopted tonight, this ordinance will take effect on November 8, 2023. Mayor Chick stated that the only thing left to do tonight is to proceed with the 2nd reading and a vote on adoption.

Councilor Coopersmith talked about the reasons for his vote at a previous meeting. He stated that the new ordinance has several beneficial changes that would be helpful to the community.

Councilor Cram stated that he has no financial benefit from the approval of this ordinance.

Council President Howell **MOVED** to perform the second reading of Ordinance 2023-05 by title only. Councilor Cram **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).** Deputy City Recorder Yuriy Ukhach performed the second reading of Ordinance 2023-05 by title only.

Councilor Cram **MOVED** to adopt Ordinance 2023-05: An Ordinance Repealing Nehalem City Code Chapters 156 (Subdivisions) And Chapter 157 (Zoning) And Replacing Them With A New Development Ordinance Codified In Nehalem City Code Chapter 157 with the following amendments for 157.204.05(g), 157.205.5(e), and 157.206.05(g) to change the maximum building height to 30 feet in the residential zones and the amendment to 157.420.01(h) replacing the current language with the following: Short-Term Rentals may be located within the Accessory Dwelling Units provided they are in compliance with the provisions of Ordinance 2023-02 Regulating Short-Term Rentals. Councilor Larzelier **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).**

## **NEHALEM RIVERSIDE CLEANUP EVENT OVERVIEW**

Mayor Chick provided a brief review of the event. He stated that it was a big success and thanked all the volunteers who participated in it.

## **NEW BUSINESS:**

### **2022-2023 AUDIT REPORT AND CONSIDERATION TO ADOPT THE CORRECTIVE PLAN OF ACTION**

City Manager Longfellow noted that the audit looks good and there were no findings except for the same deficiency as in previous years, that is due to the small size of the city staff. She recommended approving the Audit and adopting the Corrective Plan of Action. Longfellow added that she will adjust the financial reports so they will be showing what was spent monthly and the percentage of the available budget for each fund.

Mrs. O'Connor pointed out that the Audit report referenced the City of Donald. City Manager Longfellow will request the audit firm to correct the error.

Councilor Larzelier **MOVED** to approve 2022-2023 Audit Report and to adopt the Corrective Plan of Action. Council President Howell **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).**

## **THE CITY HALL WORK HOURS**

City Manager Longfellow noted that she would like to have City Hall more open to the public. She suggested to be open from 9 a.m. to 4 p.m. Monday through Thursday and from 9 a.m. to 12 p.m. on Fridays, which would give staff opportunities to use the compensatory time and to cut back on the overtime accrual.

The Council had a consensus on moving forward with the recommendation.

## **CEMETERY HEADSTONE FEE WAIVER CONSIDERATION**

City Manager Longfellow explained that she received a recommendation from Waud's funeral home to consider waiving the headstone fee, which is currently a \$50.00 fee, for veterans who received military issued veteran headstones.

There was a brief discussion on the possible impact on the cemetery budget.

Councilor Coopersmith **MOVED** to approve Cemetery Veteran Headstone Fee Waiver. Councilor Cram **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).**

## **CORRESPONDENCE/OTHER BUSINESS**

None

## **STAFF REPORTS**

### **CITY MANAGER REPORT - VERBAL**

City Manager Longfellow reported that a lot of her time was dedicated to onboarding; there were many welcoming comments from the public; and the Public Works Director Moore provided Longfellow with a tour of the city's facilities. She gave a brief overview of the city's projects and talked about the upcoming meetings for the City Managers in the area.

### **PUBLIC WORKS DIRECTOR REPORT**

Public Works Director Moore summarized the written staff report for September 2023. He added that the rain forecast looks promising and, if so, the water use restrictions may be lifted. Moore thanked the community for their efforts in conserving water.

## **PAYMENT OF BILLS**

The Council reviewed the bills. Council President Howell **MOVED** to approve payment of the bills. Councilor Larzelier **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Howell, Cram, Larzelier and Coopersmith; No: None).**

## **COUNCIL COMMENTS**

Mayor Chick welcomed City Manager Lori Longfellow and expressed appreciation for her great work in taking on her new position.

**PUBLIC COMMENTS**

Vern Scovel talked about his objections to how the new Development Ordinance would impact his property. He talked about his water rights, and he expressed his objections to taking away his water rights. He put his concerns in writing and submitted a letter that was part of the record of the meeting.

Michael Howes, a board member of NCRD, noted that their 5-year tax levy was coming up on the November 2023 special elections and he asked for the Council’s and public support in passing that levy.

Lucy Brook thanked the Council and staff for their good work. She noted the incredible expertise of the new City Manager Lori Longfellow and expressed appreciation for her service to the community.

**ADJOURNMENT**

The next regular Council meeting will be November 13<sup>th</sup>, 2023.

There being no further business, Mayor Chick adjourned the meeting at 6:51 p.m.

**APPROVED:** \_\_\_\_\_  
Phil Chick, Mayor

**ATTEST:** \_\_\_\_\_  
Yuriy Ukhach, Deputy City Recorder

**NEHALEM CITY COUNCIL  
COUNCIL MINUTES  
SPECIAL MEETING  
April 27, 2023**

**SPECIAL MEETING**

Mayor Chick called the Council Special Meeting to order at 6:01 p.m. The meeting was held in-person and by Zoom video conference.

**COUNCIL MEMBERS PRESENT:**

Phil Chick, Mayor  
Hilary Howell, Council President  
Doug Larzelier, Council Member  
John Coopersmith, Council Member

**EXCUSED:**

Dave Cram, Council Member

**STAFF PRESENT:**

Melissa Thompson-Kiefer, City Manager  
Yuriy Ukhach, Deputy City Recorder  
Brian Moore, Public Works Director

**VISITORS:**

Mrs. O'Connor  
Susan Samek  
Unidentified visitor

Mayor Chick led those present in the Pledge of Allegiance.

**NEW BUSINESS:**

**CONSIDERATION TO ACCEPT CITY MANAGER'S RESIGNATION**

Mayor Chick thanked the City Manager Thompson-Kiefer for her 10 years of service to the city.

Councilor Larzelier **MOVED** to accept the City Manager's resignation effective May 31<sup>st</sup>, 2023. Council President Howell **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Larzelier and Coopersmith; No: None).**

## **DISCUSSION REGARDING CITY MANAGER POSITION TRANSITION PLAN AND RECRUITMENT PROCESS**

- Recruitment for Interim Manager vs. Recruitment for Permanent City Manager

City Manager Thompson-Kiefer stated that due to the time investment that would be involved in both recruiting and training an Interim City Manager in the day-to-day responsibilities of the position, it would be in the City's best interest to do an immediate recruitment for a permanent City Manager.

The Council had consensus on recruitment of a permanent City Manager.

- In-House vs. Recruitment Firm

The City Manager Thompson-Kiefer noted that the recruitment of a permanent City Manager can be done either in-house, or by a recruitment firm. She noted that the recruitment firm process typically takes 4 months, and the cost typically ranges \$15,000-\$28,000. Thompson-Kiefer expressed confidence that the city could conduct its own recruitment. She added that she learned that the Local Government Personnel Services (LGPS) of the Lane Council of Governments offers recruitment services for a price range of \$8,500-\$11,500. Thompson-Kiefer stated that she prepared a job description for the City Manager's position.

Councilor Coopersmith spoke in favor of the in-house recruitment.

The City Manager Thompson-Kiefer added that with the assistance of the HR consultant of the city's CIS insurance agency, she prepared an updated draft job description for the City Manager's position. She noted that a helpful resource for the in-house recruitment is a Guide for recruiting a City Administrator that is provided by the League of Oregon Cities (LOC)

The Council had a consensus on conducting an in-house recruitment.

Councilor Coopersmith suggested holding a work session to work out a plan for the City Manager recruitment. The Council had a consensus to hold a work session on Wednesday, May 3<sup>rd</sup>, 2023, at 6 p.m.



- Proposed In-House Recruitment Timeline

City Manager Thompson-Kiefer reviewed the draft of a timeline that was part of the agenda packet as follows:

- On May 8th – to hold a Hearing and the Council Adoption of Hiring Process.
- To start advertising for the position on May 9th - June 6<sup>th</sup>, which typically is a 4-week period.
- On June 5th - June 8th to begin screening the applications to determine if the candidate meets the minimum qualifications.
- On June 8th – to hold an Executive Session to review the candidates.
- On June 20<sup>th</sup> – June 23<sup>rd</sup> to conduct interviews and,
- On June 27<sup>th</sup> to offer employment to the best candidate.

- Discussion Regarding Interview Panel

Mayor Chick suggested to include the Manzanita City Manager, Public Works Director Brian Moore, and a member of the Nehalem Planning Commission on the Interview Panel.

There was some discussion about interview questions.

- Discussion Regarding Appointing and Contracting with Current City Manager as City Manager Pro-Tem after May 31<sup>st</sup> for Critical Processes, including Budget Adoption

The City Manager Thompson-Kiefer noted that the Budget Committee meeting is scheduled for May 23<sup>rd</sup>, 2023, and the Budget will be presented for adoption on June 12<sup>th</sup>, 2023, at the City Council meeting. She noted that she arranged with her future employer to attend these and all other City Council and Planning Commission meetings for both June and July 2023.

Thompson-Kiefer added that she would continue caring for critical processes, cross-training staff and assisting with the facilitation of the recruitment process. She proposed that the city contract her as a City Manager Pro Tem on an hourly basis that would allow her to fulfill all critical tasks on her own time, in the evenings and on the weekends.

The Council had a consensus to proceed with this Agreement and to have it presented at the next regular Council meeting.

There was some more discussion about the interview questions.

City Manager Thompson-Kiefer talked about the city's US Bank credit card management and about the need to update it to a new community card program. She requested the Council's authorization to issue credit cards to the City Deputy Recorder Yuriy Ukhach and to the Public Works Director Brian Moore and to add Mayor Chick as an authorized representative on the account. The City Manager added that currently there are two Council members approved as check signers and the City Manager Thompson-Kiefer is the only administrative signer of the checks. She recommended adding the Deputy City Recorder as an authorized check signer and as an authorized city contact for the Local Government Investment Pool (LGIP) account.

There was some discussion about the credit card limits and the employee's spending limits.

Councilor Coopersmith **MOVED** to direct the City Manager to apply for a new US Bank community credit card program and to add Deputy City Recorder Yuriy Ukhach and Public Works Director Brian Moore as credit card holders. Council President Howell **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Larzelier and Coopersmith; No: None).**

Council President Howell **MOVED** to add Deputy City Recorder, Yuriy Ukhach as an authorized check signer for the US Bank account. Councilor Coopersmith **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Larzelier and Coopersmith; No: None).**

Councilor Larzelier **MOVED** to add Deputy City Recorder, Yuriy Ukhach as an authorized LGIP account contact. Council President Howell **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Larzelier and Coopersmith; No: None).**

### **ADJOURNMENT**

The next regular Council meeting will be May 8, 2023.

There being no further business, Mayor Chick adjourned the meeting at 7:05 p.m.

**APPROVED:** \_\_\_\_\_

Phil Chick, Mayor

**ATTEST:** \_\_\_\_\_

Yuriy Ukhach, Deputy City Recorder

# MANZANITA POLICE DEPARTMENT

## October 2023 REPORT

	Manz		Neh		Whe	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
<b>PERSON CRIMES</b>						
Homicide						
Kidnap						
Sexual Assault						
Assault Simple		1 1		1		
Assault Serious		2				1
Assault/Police Officer		1				
Domestic Disturbance		1				3
Disorderly Conduct		1 4				
Resisting Arrest		1 1				
Menacing		4				
Harassment	2	7 8				1
Escape				1		
Reckless Endangering		4				
Weapon						

	Manz		Neh		Whe	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
<b>PROPERTY CRIMES</b>						
Burglary Residence		2 1				1
Burglary Business	1	3				
Attempted Burglary		3 2				
Prowler		1 1				
Arson						
Reckless Burning						
Criminal Mischief		8 4				
Theft		25 15		3		1
Unauth Use Veh		1 2				
Unlawful Entry Veh						
Robbery						
Trespass	1	9 10		1		1
Littering		2		1		
Fraud		1				
NSF Check						
Forgery		2 2				

	Manz		Neh		Whe	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
<b>OTHER OFF/CRIMES</b>						
City Ordinance	9	134 108				
Animal Complaint		27 35		3		2
Fish and Game		3				1
Civil		15 12		1 5		
Drug/Liquor		3				
Misuse/ Incom 911	2	28 34		1 1		
Fireworks	1	10 6				
Susp. Circumstances	4	32 34	1	5 10		2 5
Disturbance		2 4		2		1

	Manz		Neh		Whe	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
<b>TRAFFIC INCIDENTS</b>						
Accidents	2	7 7		1		2 2
Warnings	10	118 87	17	109 90	8	96 113
Citations	6	42 22	6	39 33	6	60 74
Crimes		5 5	1	1		1
Parking Warnings	7	75 56		5 4		1 3
Parking Citations	6	48 41	2	30 30		4 5
Abandoned Vehicles		2				3
Vehicle(s) Towed				1		


	Manz		Neh		Whe	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
<b>PERSON OTHER</b>						
Death Natural		3 2		1 1		
Suicide/Attempt		2		3		1 2
Missing / Lost		2 3				
Runaway		1				
Drowning						
<b>ARREST</b>						
Criminal		5 7		1		1
Warrant		1 2		1 3		1
Detox						
POH						
<b>OTHER</b>						
Loss/Found Property	8	51 51				1
Residential Checks	13	43 93		1	2	3
Medical Assist	4	29 24	3	11 11		4 8
Fire Dept. Assist	1	14 6	1	3 7		1 1
Alarms	1	26 34	2	5 1		1 3
Unfounded	1	13 15		2 3		1
Open Window/Door	2	14 8		2 1		1 3
Public Assist	20	169 182	2	22 41		7 21
Other	4	23 11		4		1

### OREGON STATE PARKS REPORT

	Nehalem Bay		Oswald West	
	Mon	22 to date	Mon	22 to date
No Camp Permit Disp				1
Camping Proh. Area				
No Day Use Permit	24	99 109		
Viol. Posted Parking	3	9 6		10 14
Handicap Parking				1
Traffic Violation	5	45 82	1	10 11
General Reg Viol.		7 7		1
Search & Rescue		1 2		3 2
Ranger Assist	7	27 27	1	5 1
Vandalism				
Litter		1		1
Minor in Possession				
Furnishing Alcohol				
Security Checks	62	508 563	46	359 418
Crimes		1		1 1
Other	22	79 59	2	11 20
Arrest		1		

Wheeler      Nehalem      County

	Wheeler		Nehalem		County	
	Mon	22 to date	Mon	22 to date	Mon	22 to date
Law Assist		10 4	1	7 10	16	145 178

  
 Erik Harth, Police Chief      11/01/2023  
 Date



# Real-Time Risk



TIMELY NEWS AND TIPS TO HELP REDUCE RISK

November 2023

## OREGON'S HIGHER COURTS END RECREATIONAL IMMUNITY FOR IMPROVED TRAILS

By Kirk Mylander, CIS General Counsel

On July 6, the Oregon Court of Appeals issued an opinion effectively ending recreational immunity for improved trails. Public and private landowners of improved trails are no longer protected from lawsuits. ([Fields v. City of Newport](#)).

### **Nicole Fields Falls While Walking With a Friend and their Dogs**

In *Fields v. Newport* a woman was walking with her friend and their dogs on the beach. She walked away from the beach on an improved trail which was owned and maintained by the city of Newport. The woman came to a wooden footbridge that was wet. She slipped and fell, then filed a lawsuit against the City.

Ms. Fields' suit alleged the City was negligent in maintaining the bridge and not putting up warning signs. Newport responded that it was immune from suit because Fields was using the Ocean to Bay Trail for a recreational purpose, walking with a friend and their dogs while they talked and socialized.

• Oregon's recreational  
• immunity provided liability  
• protection to landowners  
• who open their property  
• for recreational activities,  
• shielding them from certain  
• lawsuits and claims related  
• to injuries or accidents that  
• occur on their land.

Continued on next page

# Real-Time Risk

*Continued from previous page*



## **The Trial Court Applied Recreational Immunity, Protecting Newport**

The trial court agreed with the City, ruling that recreational immunity protects landowners from a lawsuit when they open their property to the public for recreational purposes without a fee. Because of recreational immunity the trial court granted summary judgment, which ended the case early in favor of Newport .

The trial court determined “there are no genuine issues of material fact in dispute” and that under state law, the plaintiff was “using the trail for recreational purposes” by “walking her dog on a trail to the beach with a friend,” and thus the City was entitled to recreational immunity from any liability.

Plaintiff Fields appealed the trial court’s ruling, arguing that the trial court could not conclude that her “**principal purpose**” (as required under state law) in walking on the trail was recreational as long as she claimed that the subjective intent in her mind was something else.

## **The Oregon Court of Appeals Strikes Down Recreational Immunity**

The Oregon Court of Appeals decided that there is a factual dispute between Plaintiff Fields and the City as to whether her use of the trail was recreational, or whether her primary purpose was instead for “accessing the beach.” In other words, the Court of Appeals held that the trial court needed to hold a jury trial to determine whether the plaintiff’s principal purpose on the trail was accessing the beach, or to recreate while using the trail with a friend and their dogs while they “socialized.”

Either way, recreational immunity no longer stops a case at the beginning (an “immunity” from suit), because any plaintiff can claim their “principal purpose” was not to recreate.

*Continued on next page*



# Real-Time Risk

*Continued from previous page*

## **Local Governments Requested that the Oregon Supreme Court Restore Recreational Immunity — But the Court Refused to Hear the Case**

The City of Newport asked the Oregon Supreme Court to overrule the Court of Appeals and restore recreational immunity. Other members of the local government community in Oregon also asked the Oregon Supreme Court to review the *Fields* case and reverse the Court of Appeals. The City of Medford, the League of Oregon Cities, the Association of Oregon Counties, the Special Districts Association of Oregon, and the Oregon Recreation and Park Association all joined Newport in asking the Oregon Supreme Court to reverse the Court of Appeals:

*“A decision from the Oregon Supreme Court is necessary here. The Court of Appeals created an exception that swallows the rule by finding a question of fact exists on whether socializing with a friend, walking dogs, and enjoying a scenic trail to access the beach is recreational or not.”*

The City asked the Supreme Court to reverse the Court of Appeals because of the damage the Court of Appeals opinion will have on the public’s access to recreational land. If the Court of Appeals opinion were to stand, the City argued, then “Landowners must decide if making their land available for recreational purposes is worth the risk of effectively losing access to the immunity by having to litigate through trial whatever subjective beliefs an injured plaintiff asserts their principal purpose was.”

Unfortunately, that is where things stand today. On Oct. 5, 2023, the Oregon Supreme Court officially declined to review the Court of Appeals’ decision in *Fields*. This action, called “review denied” functions as a de facto endorsement by the Oregon Supreme Court of the Oregon Court of Appeals’ decision striking down recreational immunity.

At the heart of the dispute is whether a trial court can decide at the beginning of a case whether or not a plaintiff’s “primary purpose” when entering land was recreational or not recreational.

## **Subjective Intent is Too Subjective for Recreational Immunity to Function as the Legislature Intended**

The Court of Appeals did not base its decision on what *Fields* was actually doing on the City of Newport’s trail. Instead, the Court of Appeals turned to a dictionary for assistance with the word “walking.”

The Court of Appeals found that walking with a dog could sometimes be a recreational activity, but was not necessarily always a recreational activity. The Court of Appeals said that even when walking and socializing, *Fields*’ “principal purpose” could have been “to go to and from the beach” which the Court did not consider to be recreational.



*The Oregon Supreme Court Building,  
Gary Halvorson/Oregon State Archives*



# Real-Time Risk

*Continued from previous page*

If, the Court reasoned, Fields was thinking that her “principal purpose” was to “access” the beach where she would begin to “recreate” with her dog and her friend, then recreational immunity does not protect the City (or any landowner). The key, according to the Oregon Court of Appeals, is the plaintiff’s subjective intent ***not her objective activities at the time***.

Unless the Legislature steps in, from now on when a person using the city’s path claims that their subjective intent was not primarily to recreate, then recreational immunity does not apply at the beginning of a suit. Instead, the municipality (or private landowner) will have to defend the lawsuit all the way through a jury trial, so the jury can decide what the plaintiff was thinking about their “primary intent.”

Legally, this transforms recreational “immunity” from a legal rule that stops a lawsuit at the outset, and turns it into a defense that a city, county, school district, or private landowner can only try to use at trial. Recreational immunity is no longer a true immunity.

## **Is Anything Left of Recreational Immunity?**

The protection from lawsuits that landowners relied on in deciding to open their land to the public is now likely gone for all trails. It may be gone for any property that someone can claim they “were just passing through”.

The Oregon Court of Appeals and Oregon Supreme Court have repeatedly issued rulings that have the effect of striking down some, or all, of the Legislature’s recreational immunity statute. The good news, though, is that the Oregon Legislature has repeatedly stood behind Oregon’s policy of encouraging private and public landowners to open their property to the public for recreational activities like hiking, mountain biking, kayaking, hunting, fishing, rock climbing, and accessing the beautiful coastline.

Once again, the League of Oregon Cities and the Association of Oregon Counties are ready to bring a bill to the Legislature in 2024 to restore recreational immunity. But the support of individuals and local governments is needed. The people of Oregon who enjoy recreational access to a wide range of properties, especially including trails to access climbing areas, the coast, rivers, streams and lakes, need to contact their local legislator and their local city or county officials to express their desire to restore recreational immunity.

Your CIS risk management consultant is available to assist you as you plan, evaluate, and mitigate the heightened risk as a result of the *Fields v. City of Newport* ruling.

*For more information, visit CIS’ Recreational Immunity FAQ at [cisoregon.org/Reclmmunity](https://cisoregon.org/Reclmmunity).*



# Real-Time Risk

Continued from previous page

## RECOMMENDATIONS FOR CITIES AND COUNTIES

1. **Improved trails that are used to access a recreational area should be closed.** This especially includes trails, walkways and stairs used to access bodies of water, such as the ocean, lakes, rivers, streams and reservoirs.
2. **Consider closing unimproved trails,** because the subjective intent of the user can now nullify recreational immunity, which means if someone is injured on an unimproved trail, the city or county may find itself facing a costly jury trial to determine the injured person's intent in using the trail.
3. **Speak with your City Attorney or County Counsel** about how *Fields v. Newport* could negatively affect your other recreational offerings to the public. For instance, someone who trips in a park can now say their primary purpose in using the park was not recreation, but rather they were simply passing through the park to access some other area in your jurisdiction.
4. **Download and utilize this audit** for property you decide to leave open because it is not conducive to a claim from someone "just passing through", to ensure your facility is protected as much as possible from liability claims.
  - a. Consider requiring people to sign a form affirming they are using the property only for recreational purposes if your organization can afford to post someone at that location (at a skate park, for example).
5. **Contact your legislator** and any of the following organizations you are affiliated with: the League of Oregon Cities, the Association of Oregon Counties, the Special Districts Association of Oregon, or the Oregon Recreation and Park Association; express your desire to keep property free and open to everyone in Oregon for recreational activities.

If you have any questions, please contact your Risk Management Consultant:

### Northwest Oregon Coast and Columbia River Gorge

Margaret Ryan  
[mryan@cisoregon.org](mailto:mryan@cisoregon.org)

### Willamette Valley and Central Coast

Katie Durfee  
[kdurfee@cisoregon.org](mailto:kdurfee@cisoregon.org)

### Southern and Central Oregon

Laurie Olson  
[lolson@cisoregon.org](mailto:lolson@cisoregon.org)

### Eastern Oregon

Lisa Masters  
[lmasters@cisoregon.org](mailto:lmasters@cisoregon.org)







PO Box 598 • Manzanita, OR • 97130-0598

October 15, 2023

Dear EVCNB Friends:

I am delighted to share the enclosed REPORT TO OUR COMMUNITY for fiscal year 2022-2023 and make our annual appeal for your donations to support our work. As we continue to navigate a new way of doing outreach in our community, we have stayed focused on our mission and accomplished a great deal. Here are some highlights:

The Community Preparedness team developed and distributed a supplemental Neighborhood Emergency Supplies & Tools (NEST) kit to Wheeler. We donated 14 GoBags to low-income residents. We assisted newly organized neighborhood clusters with organization, coaching, and preparedness materials. We developed a new Readiness Handbook that included a Spanish version.

The Nehalem Bay Medical Reserve Corps (MRC) was acknowledged by the Oregon Health Authority (OHA) for the second year in a row as “Innovator of the Year.” MRC volunteers have contributed 8,710 hours of work resulting in \$475,000 economic value to Tillamook County since January 2020. The Nehalem Bay MRC, in partnership with Tillamook County Community Health, was vital in the Tillamook County COVID-19 response.

Our Mass Care team worked to provide the tri-villages city councils with information specific to our emergency response groups. We are working with Manzanita’s Emergency Manager to coordinate efforts between the city and EVCNB. We conducted several proof of concepts with rechargeable LED interior lighting for our tents, a portable solar generator, solar panels and mobile water filtration systems.

Our Community Emergency Response Team (CERT) increased their trained traffic management volunteers to help extend the reach of our local first responders. We certified 13 new, local volunteers as CERT’s. These volunteers will give added capacity to trained emergency responders. We also trained 15 individuals on the topics of bloodborne pathogens and HIPAA protocols. The CERT team assisted the Nehalem Bay Fire Department in two separate burn-to-learn drills.

The Emergency Communications team trained 8 new local hams, who will provide critical communication methods during a major disaster. The Yellow Radio team trained 34 new users. More than 150 participants took part in various monthly and weekly training for Yellow Radio and ham radio communications. These drills help us prepare to effectively connect with each other if we lose the ability to communicate via cell phones, land lines, and other routine communication methods.

The Emergency Communications team also worked to update our infrastructure. They designed, built, and installed the Neahkahnie repeater, channel 014 on Neahkahnie mountain. The team completed building Solar Radio GoBoxes with antenna and solar power so we can communicate when no power or cell service is available.

After the success of our Food Can Tsunami last year, we conducted that drill again to benefit the North County Food Bank. This helped volunteers and local Nehalem Bay residents practice radio communications and evacuation skills while supporting the North County Food Bank. We received 3,211 pounds of food and \$8,252 in donations from 103 generous participants and 31 wonderful volunteers.

The Emergency Response division created an Activation Team responsible for activating volunteers and communicating vital information to our leaders during a disaster. They developed a Team Emergency Activation Messenger (TEAM) app to allow us to quickly send text messages to our volunteers when they need to be deployed for action. The Activation Team was recognized for its work by receiving the Harshbarger CERT award.

As we celebrate our 15th year, there is plenty of evidence that we are filling a community emergency preparedness niche that few others are addressing. Our focus on personal preparedness through community involvement has not only improved self-sufficiency for individuals, but also for the resilience of our Nehalem Bay communities. EVCNB is recognized locally, in Tillamook County, and across Oregon for expertise and organizational readiness and as an excellent partner to expand emergency preparedness awareness, training, and response.

As I wrap up this letter, I want to thank all of our EVCNB donors, volunteers, and supporters. If not for you, we wouldn't be where we are today. Please consider investing in our future and in our community's emergency preparedness by including us in your end of year gift planning. Also, we would truly appreciate any contribution you can make toward our annual \$40,000 fundraising goal.

If you have any questions about EVCNB, please visit our website at [www.evcnb.org](http://www.evcnb.org) or send an email to [info@evcnb.org](mailto:info@evcnb.org).

With thanks,

A handwritten signature in black ink that reads "Margaret Steele MD". The signature is written in a cursive style with a large, looped 'M' at the beginning.

Margaret Steele  
EVCNB President



**Dear EVCNB Community—**  
This year, EVCNB celebrated our 15th anniversary! We've grown from a small, determined group of people who were inspired to take action after a major storm in 2007, to an organization made up of hundreds of volunteers determined to achieve our mission, to promote a culture

of preparedness. EVCNB's vision is that in any emergency, individuals, families, neighborhoods, businesses, and communities in the Nehalem Bay region are prepared to be self-sufficient and resilient. We work toward that vision by encouraging and training individuals and families to become better prepared, by encouraging neighbors to work together to help each other, and by training our volunteers to assist our community and our first responders when emergencies happen. Our efforts have resulted in increased awareness, increased numbers of households with supplies like GoBags and water, several organized neighborhoods, and hundreds of residents trained to use radios for emergency communication.

As we continue to emerge from the COVID pandemic, we are making significant accomplishments in our Nehalem Bay community, and we are so grateful for your willingness to support these important yet challenging efforts. We have expanded our capacity to support first responders through several grants to our Medical Reserve Corps. Additional medical supplies, resources (including tents) and training. These supplies will be critical should a major disaster strike. We also have been the recipients of grants to improve our ability to communicate during power outages and we continue to look at innovative ways to use technology to enhance methods to connect to emergency responders outside of the area after a disaster or disruption.

As we begin our 16th year, our goals remain the same – to continue to work with our local, County and State partners, and with you, our supporters, to get even more prepared. We have many opportunities to volunteer, in varied areas to pique anyone's interest. You can learn new skills, practice existing ones, meet new friends, and contribute to your community. We value our supporters, and we hope you will continue to contribute to our efforts.

With gratitude,

*Margaret Steele MD*

Margaret Steele, MD, President

## 2022-2023 ACCOMPLISHMENTS

### COMMUNITY PREPAREDNESS

- Developed and distributed a supplemental NEST (Neighborhood Emergency Supplies & Tools) kit to Wheeler.
- Donated 14 GoBags to low-income residents.
- Developed the new Readiness Handbook.
- Acquired 4 GoBags for fundraising efforts by newly organized neighborhoods.
- Held recognition event for Prepare Your Neighborhood Leaders.
- Conducted a pilot program to introduce Meeting OWL into the organization for hybrid meetings.
- Published and sold a popular emergency food cookbook, "Recipes for Disaster".
- Relunched the WaSH (Water, Sanitation and Hygiene) class and launched a new Pop-Up Shop for WaSH supplies for the community.
- Continued successful GoBag Pop-Up Shops, including new offerings of lower-cost items.

### EMERGENCY RESPONSE

- Constructed a repeater for use at high elevation for area Ham radio communications.
- Conducted training, monthly and weekly drills (150 participants) for GMRS and Ham radio communicators. Trained 8 new Hams and 34 new Yellow Radio operators.
- Provided training for Community Emergency Response Team (CERT), Medical Reserve Corps (MRC), Shelter and emergency communication volunteers to support our community and 1st responders during emergencies.
- Medical Reserve Corps volunteered 8500 hours to provide COVID vaccinations.
- Community Emergency Response Team (CERT) participated in a Lost Person exercise with the Manzanita Police Department.
- Worked with partner agencies to prepare for a major mass care, medical response drill completed in June 2022.
- Stocked 3 shelters, procured medical tents and supplies and prototype solar lighting.
- Mass Care team conducted a joint training with the State Emergency team to roll out and test new equipment.

### COMMUNITY ENGAGEMENT

- Designed and produced 32-page handbook for community preparedness; coordinated translation services for Spanish version.
- Launched new branding materials including banners, fliers, handbooks and 15th anniversary logos and marketing materials.
- Designed and produced Medical Reserve Corps volunteer handbook.
- Produced annual report and fundraising appeal letter sent to 800 households.
- Provided organization news and accommodated class registrations via print, website, and social media.
- Launched a new Volunteer Spotlight and Neighborhood News series in the quarterly newsletter to highlight our volunteers and the work of the Prepare Your Neighborhood program.

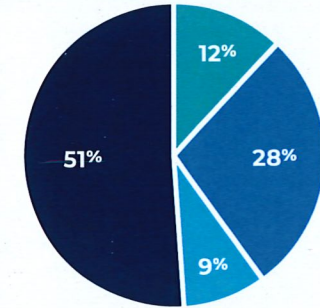
### EVCNB'S READINESS HANDBOOK IS PUBLISHED

One of the authors, Trish Johnson, with the new handbook.

Photo by Megan Adamcin, The Tiny Apple Co

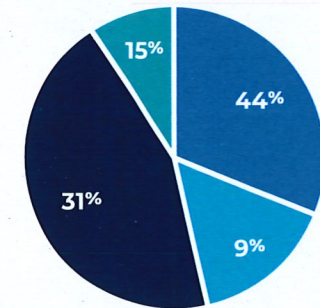


## 2022-2023 FINANCIALS



REVENUE:  
**\$102,829**

- Donations
- Civic Agencies
- Grants
- Program Income



EXPENSE:  
**\$91,038**

- Programs
- Administration
- Community Engagement
- Cost of Goods Sold

EVCNB is a 501(c)(3) organization

## BOARD OF DIRECTORS

Margaret Steele, President

John Hanby, Treasurer

Velda Handler, Secretary

Kris Campbell, Director, Community Preparedness

Linda Kozlowski, Director, Emergency Response

Trish Johnson, Director, Strategic Planning

Debbie Moberly, Director, Community Engagement

Karen Sarnaker, Director, Emergency Communication

**2022-2023  
EVCNB DONORS**

Anonymous (6)  
Mike Anderson  
Nigel & Kerry Arkel  
Mark & Roxann Balmer  
Andy Barker  
Rosemary & Steve Barrett  
Dan & Martha Barstow  
Todd & Lori Bauman  
June Baumler  
Mark Beach  
Dave & Jan Bell  
Peter & Susan Belluschi  
Brad & Janice Berman  
Peggy Biskar  
David Boone & Jacki Hinton  
Rob & Sharon Borgford  
Steve Brier & Barbara Scott-Brier  
Sarah Byrne & Tiffanie Hoffmeyer  
Kris & Thomas Campbell  
Steve & Sarah Case  
Karl & Rebekah Choltus  
Kathryn & Philip Cottle  
Kristi & David Crowell  
Dave & Lori Dillon  
Anne Dobson  
Keith Dozier

Louis & Margaret P Fasano  
David & Marilyn Flemming  
Susan & Howard Freedman  
Ralph Fullerton & Myra Friedman  
Guy & Mary Gehling  
Matt Gray & William Walsh  
Nancy & Ron Gronowski  
John & Elaine Hanby  
John & Velda Handler  
Brad Hart & Christopher Mullins  
David & Barbara Hartshorn  
Shelly Haver & Ray Klitzke  
James & Maripat Hensel  
Jim & Kathleen Hickey  
Lee & Debi Hiltenbrand  
C. Michael Hithe & Kim Miller  
Davide Holt & Karen Babbitt  
Karen & Paul Jacobs  
Trish & Marc Johnson  
Wally & Judith Jones  
Steve & Elisa Klein  
Richard & Sherry Konkol  
Linda Kozlowski & Bill Supak  
Greg & Susan Kromholtz  
Linda & Mark Kuestner  
Maranne Doyle Laszlo  
Ketzell Levine  
Robin Lieberman

Denise Mavor & Len Eldridge  
Ryan & Cara McClung  
James & Gail McGill  
Dellanne McGregor & David Matthews  
Laura & Erich Merrill  
Debbie Moberly & Doug Firstbrook  
Anupam Narayan & Judith Sugg  
Craig Nern & Terri Desaro  
Peter Newman & Elizabeth Cole  
Madeline & Allan Olson  
Jerry & Sandra Parsons  
Bill & Paula Peek  
Shirley Perez & Steve West  
Julia Pomeroy & Alan Costley  
Annie Popkin & David Parker  
Bob Riecke & Sue McGrath  
Patty Rinehart  
Mark & Mary Roberts  
Ben & Kim Rosenberg  
Deb & Don Russo  
Wendy & Thomas Ryan  
Leila Salmon  
Stacey & John Saporito  
Mike & Phyllis Scott  
Gary & Melinda Seelig  
Ellen & Jim Simmons  
Judy Sorrel  
Margaret & Paul Steele

John & Carol Steele  
Paul Sunderland  
Sara & William Tattam  
Anne Thomas & Daniel R Price  
Phyllis Thompson  
Nancy & Robert Turner  
Bethel Underhill  
Tom & Linda Urdzik  
Don & Char vonAhlefeld  
Carrie Ware & Steve Mandelblatt  
Helen Welch  
Roger Wicklund  
Ralph Wyatt & Lianne Thompson  
Richard & Gail Young  
Toni Zenker-Greening & Chip Greening

**MEMORIAM**  
*In memory of Nancy Connor*  
Za Connor  
*In memory of Bill Harshbarger*  
Richard Felley & Karen Harshbarger  
*In memory of George Hinkhouse*  
Manzanita Beach Getaway  
*In memory of Thomas Jones*  
Carol Jones  
*In memory of Evan & Gary Knight*  
Paul Knight & Betsy Chase  
*In memory of Carl Peters*  
Patty Rinehart

**HONORARIUM**  
*In honor of William & Karen Harshbarger on their wedding anniversary*  
Wendy Harshbarger  
*In honor of Lee Hiltenbrand*  
Peggy & Brian Kreger  
*In honor of Linda Kozlowski*  
Debbie Boone  
Ann Morgan  
Lorraine Ortiz and Terry Fullan  
*In honor of Linda Kozlowski & Lee Hiltenbrand*  
James Gleeson & Mary Jane Gleeson  
*In honor of Paula & Bill Peek*  
Kathryn Stock & Deb Tinnin  
*In honor of Margaret & Paul Steele*  
Alexandra Steele Cooper  
Allie Steele  
*In honor of Bill Supak*  
Nancy & Jim Anderson  
*In recognition of EVCNB's Covid vaccination work*  
Columbia Pacific Coordinated Care Organization

**BUSINESS**  
A&R Solar  
Blackbaud Giving Fund  
Hans Tonjes—  
Real Estate Broker

Meadow & Corey Davis  
Real Estate  
Ocean Inn  
Wolf House Studio

**CIVIC AGENCY**  
City of Manzanita  
City of Nehalem  
City of Wheeler  
Nehalem Bay Fire & Rescue  
Tillamook County

**GRANTORS**  
Amateur Radio Digital Communications  
National Association of County and City Health Officials (NACCHO)

**IN KIND**  
Manzanita Grocery and Deli  
Nehalem Bay Pottery  
The Roost  
The Tiny Apple Co

**MATCHING GIFT**  
CGC Financial Services LLC

**MERCHANT REWARD PROGRAMS**  
Amazon Smile Program  
Kroger—Fred Meyer Rewards



**RETURN TO THE FARMERS MARKET**  
*Lee Hiltenbrand and Adele Spegman welcome community members to the EVCNB Booth.*

**GoBAG DONATIONS**



*Karen Sarnaker (cr) presents GoBAGs to Bobbie Mosher (cl) with Kris Campbell (l) and Margaret Steele (r)*

**2022 VOLUNTEER OF THE YEAR**



*Photo by Megan Adamson, The Tiny Apple Co*  
*Margaret Steele (r) recognized Brad Hart (l) for his outstanding support in 2022.*

**WaSH CLASS REBOOT**



*Kim Miller prepares to demonstrate WaSH equipment for a class.*

**REPORT TO OUR  
COMMUNITY  
2022-2023**

EVCNB.org  
PO BOX 598 MANZANITA, OR 97130  
(503) 389-5820 • INFO@EVCNB.ORG



October 23, 2023

City of Nehalem  
PO Box 143  
Nehalem, Oregon 97131

City of Nehalem,

Thank you for your ongoing support of the work to end violence in our community. The following statistics reflect the activity of the period from July 1, 2023-September 30, 2023.

Persons served from Nehalem: 9

Total number of services provided: 72

Again, thank you for your continuing support of these efforts, and helping us to make a difference in the lives of survivors.

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie Bundy", is written over a faint, large, stylized watermark or background graphic.

Valerie Bundy, MA LPC NCC  
Executive Director

# OREGON

## DEFENSIBLE SPACE FOR HOMEOWNERS & RENTERS

Creating defensible space can help all Oregonians be prepared for wildfire.

Defensible space is the buffer you create between your business or home and the grass, trees, shrubs, or any wildland area that surrounds it. Proper defensible space can slow or stop the spread of wildfire and help protect your home or business. This checklist provides recommendations for getting started and includes actions you can take in the short term, such as over a weekend, and options to consider when upgrading your home or landscape.

Defensible space can offer protection from firebrands and embers that can travel several miles from the firefront. Studies show that well-maintained defensible space can increase structures' chances of surviving a wildfire, providing protection even if firefighters cannot reach it.

Following these recommendations can increase the likelihood your home or business will survive a wildfire, but they may not eliminate wildfire threat, so it is important to follow all evacuation orders in the event of a wildfire.

If you have questions about this tool, request assistance with completing your assessment, or want to learn more about defensible space, please contact your local fire agency or the Oregon State Fire Marshal online at [oregondefensiblespace.org](http://oregondefensiblespace.org).

### MORE INFORMATION

#### DEFENSIBLE SPACE PROGRAM

Oregon State Fire Marshal  
[oregondefensiblespace.org](http://oregondefensiblespace.org)



#### INSURANCE

Division of Financial Regulation  
503-947-7980  
[DFR.InsuranceHelp@oregon.gov](mailto:DFR.InsuranceHelp@oregon.gov)

#### LOCAL BURN RESTRICTIONS

Contact your local fire agency

#### EVACUATION INFORMATION

Oregon Wildfire Response & Recovery  
503-378-2911  
[oem\\_publicinfo@oem.oregon.gov](mailto:oem_publicinfo@oem.oregon.gov)

#### FIREWISE USA®

Scan the QR code to learn more.



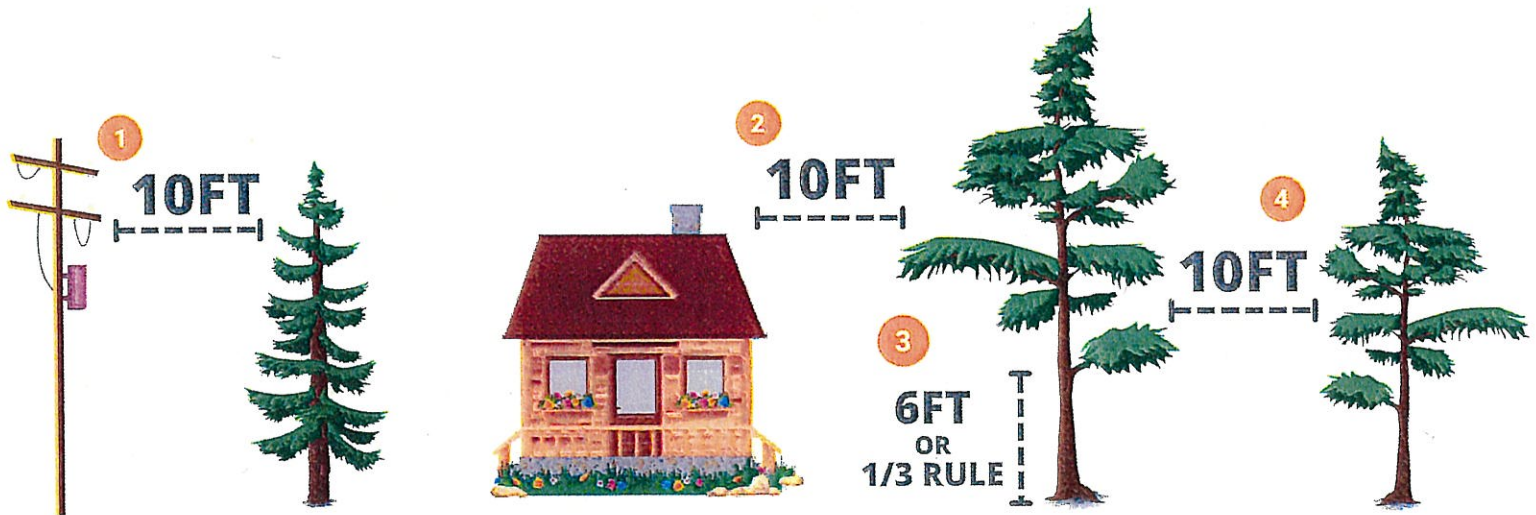
#### FIRE-RESISTIVE PLANTS

Oregon State University's plant guide:



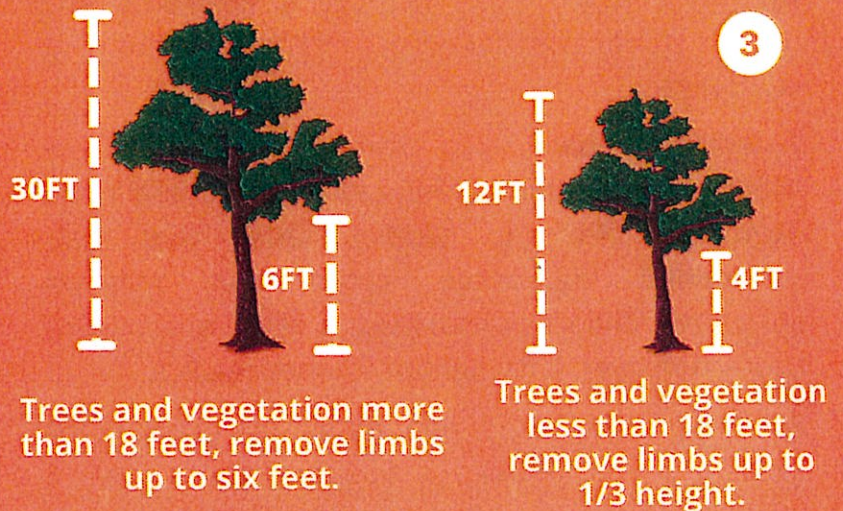
# OREGON

## DEFENSIBLE SPACE & BEST PRACTICES



- 1** Trees and vegetation should be 10 feet from powerlines.
- 2** Trees and vegetation should be 10 feet from buildings and chimneys.
- 3** For trees and vegetation more than 18 feet tall, remove branches six feet from the ground.  
For trees and vegetation less than 18 feet tall, remove branches up to 1/3 the height of the tree.
- 4** Trees and vegetation should be 10 feet from other trees.

### LIMBING TREES



### POWER LINES



*Removing or trimming trees near powerlines is dangerous. Only use an experienced, licensed contractor to perform this work.*

# CHECKLIST

## DEFENSIBLE SPACE & BEST PRACTICES

### DEFINITIONS

**DEFENSIBLE SPACE:** Any area where combustible materials are treated, cleared, or modified to slow and reduce intensity of wildfire and allow space for fire suppression operations to occur.

**FIRE-RESISTIVE PLANTS:** Plants that can be used to reduce the likelihood of fire spread. See OSU's guide on page 1 for characteristics of fire-resistive plants.

**LADDER FUEL:** Low-hanging branches, leaves, needles, and other combustible plant matter that may allow wildfire to spread from low-growing plants to high-growing plants.

### STRUCTURE

- Roofs and gutters are clean from leaves, conifer needles, and other debris.
- Flammable vegetation is removed from growing directly under the eaves. A minimum of five feet from the structure is recommended.
- Exterior attic vents, soffit vents, and areas below decks and patios are covered with 1/8" metal wire mesh.
- Siding and skirting are in good condition.
- Leaves, conifer needles, deadwood, bark mulch, and other debris removed from the surface of, around, and below decks and fences.
- Fence attachments to the structure have a noncombustible alternative such as a metal gate or fence.

### DEFENSIBLE SPACE *(within 100 ft of structures OR to property line, whichever is closer)*

- Trees are spaced and pruned following the example of the figure on page 2.
- Leaves, conifer needles, dead wood, bark mulch, and other debris removed from within 100 feet of the structure or to the property line.
- Fire-resistive plants are spaced within the designated defensible space area. Grass is mowed to less than four inches.
- Debris is taken to a recycling center or chipped, composted. Local regulations are followed if burning yard debris.
- Firewood piles and lumber at least 30 feet from any structure.
- Combustible vegetation 10 feet away from permanent propane tanks.
- Small BBQ tanks, not in use, are stored at least 30 feet away or in an outbuilding.



# CHECKLIST

## DEFENSIBLE SPACE & BEST PRACTICES

### OTHER CONSIDERATIONS

- The driveway is accessible to first responders (e.g., clear of debris and obstructions; meets local height and width requirements; has clearly marked road signs, bridges, & culverts).
- The home has an address sign at the entrance to the property.
- Roof:** Install a fire-resistant or noncombustible roof made of materials such as asphalt, metal, clay tile, slate, or concrete products.
- Siding:** Install noncombustible or ignition-resistant siding such as brick, stone, fiber cement, plaster, or metal.
- Fencing:** Install a 5-foot fire-resistant buffer such as metal fencing or other non-flammable material when replacing fencing within five feet of a home or structure.

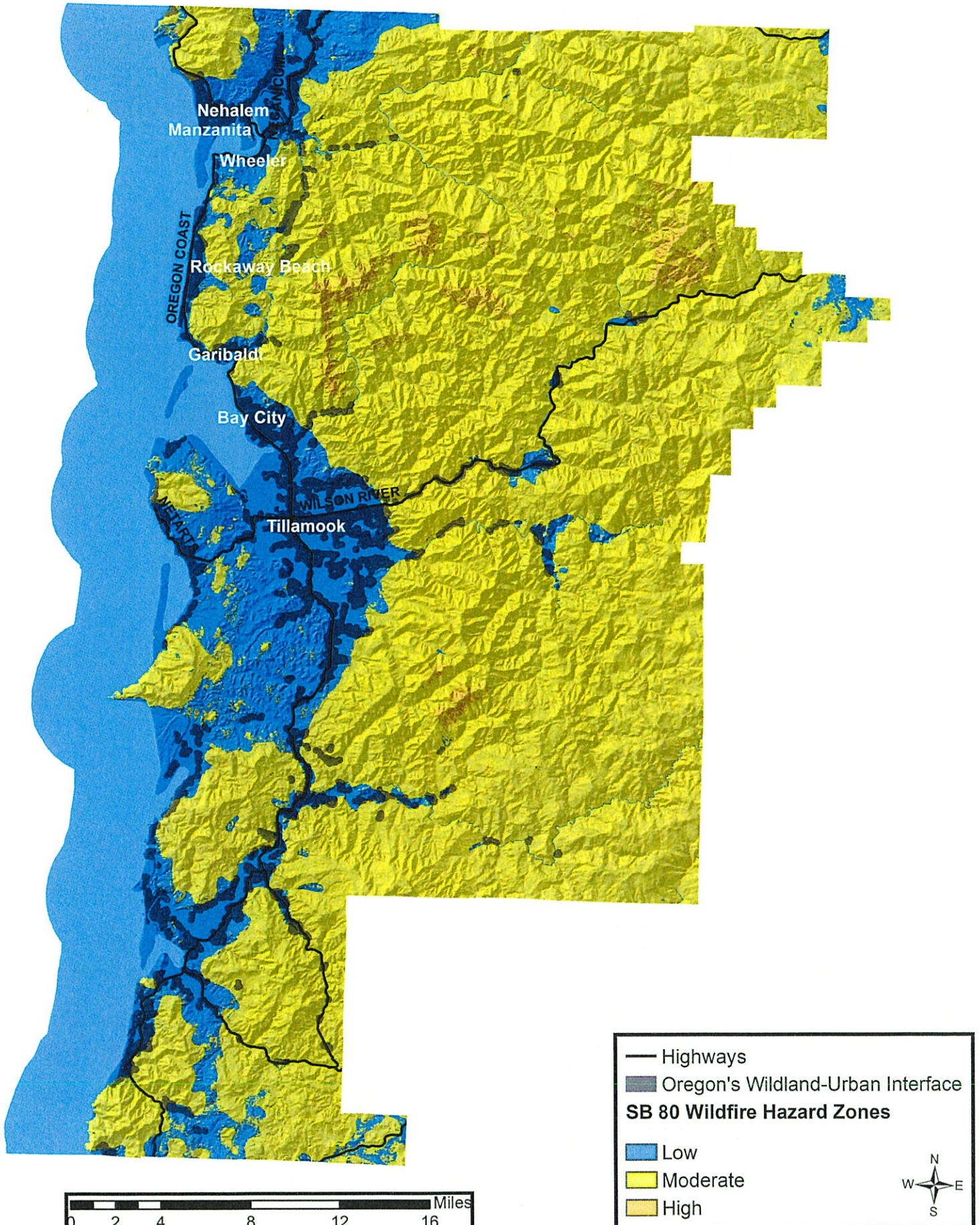
NOTES

CREATED IN PARTNERSHIP WITH: OREGON STATE FIRE MARSHAL, OREGON FIRE MARSHALS ASSOCIATION, OREGON FIRE CHIEFS ASSOCIATION, OREGON STATE FIRE FIGHTERS COUNCIL, DEPARTMENT OF CONSUMER AND BUSINESS SERVICES, OREGON VOLUNTEER FIREFIGHTERS ASSOCIATION, & OREGON DEPARTMENT OF FORESTRY.



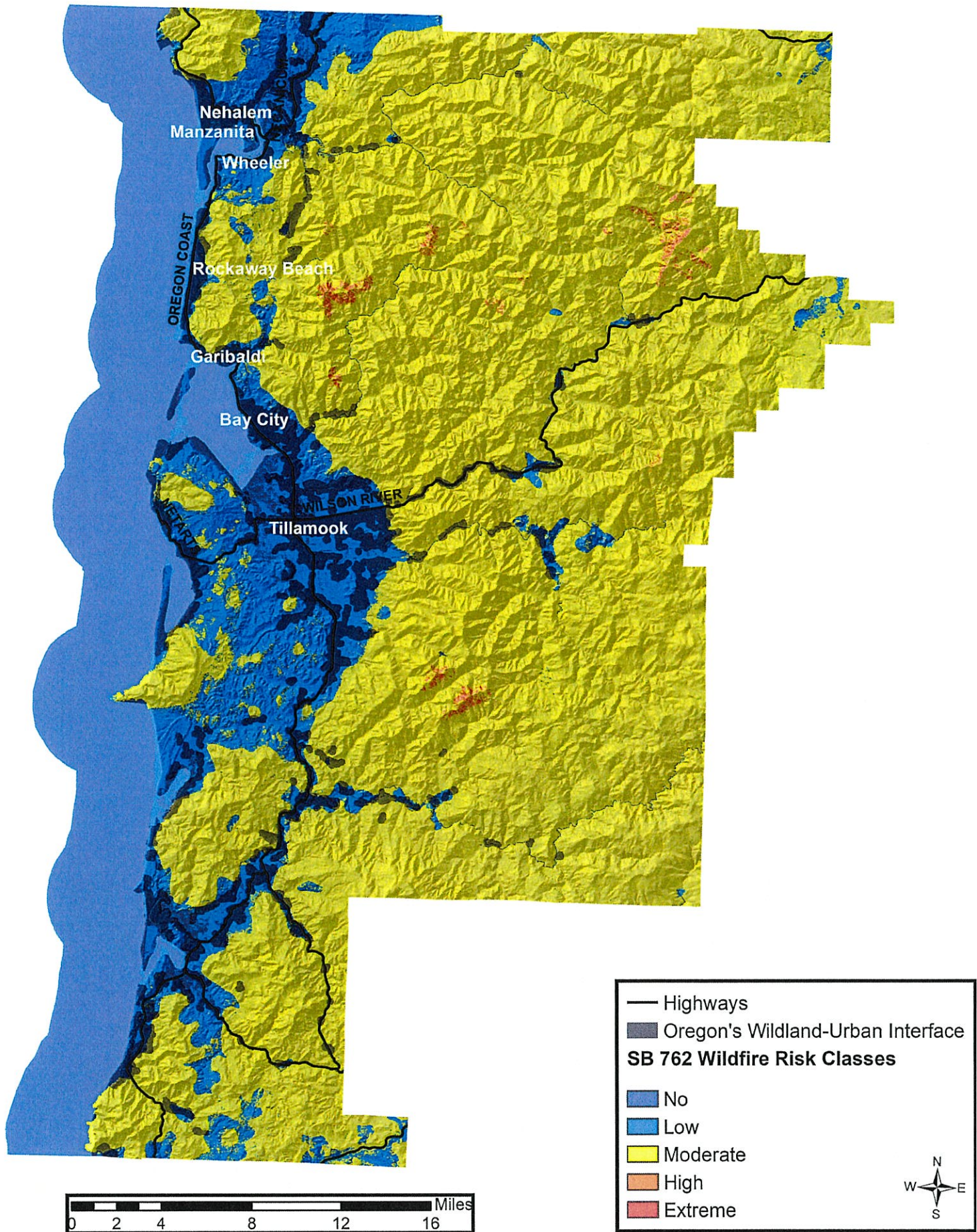
# Draft Senate Bill 80 Wildfire Hazard Map

(AOC District 7 Meeting - 9/15/2023)

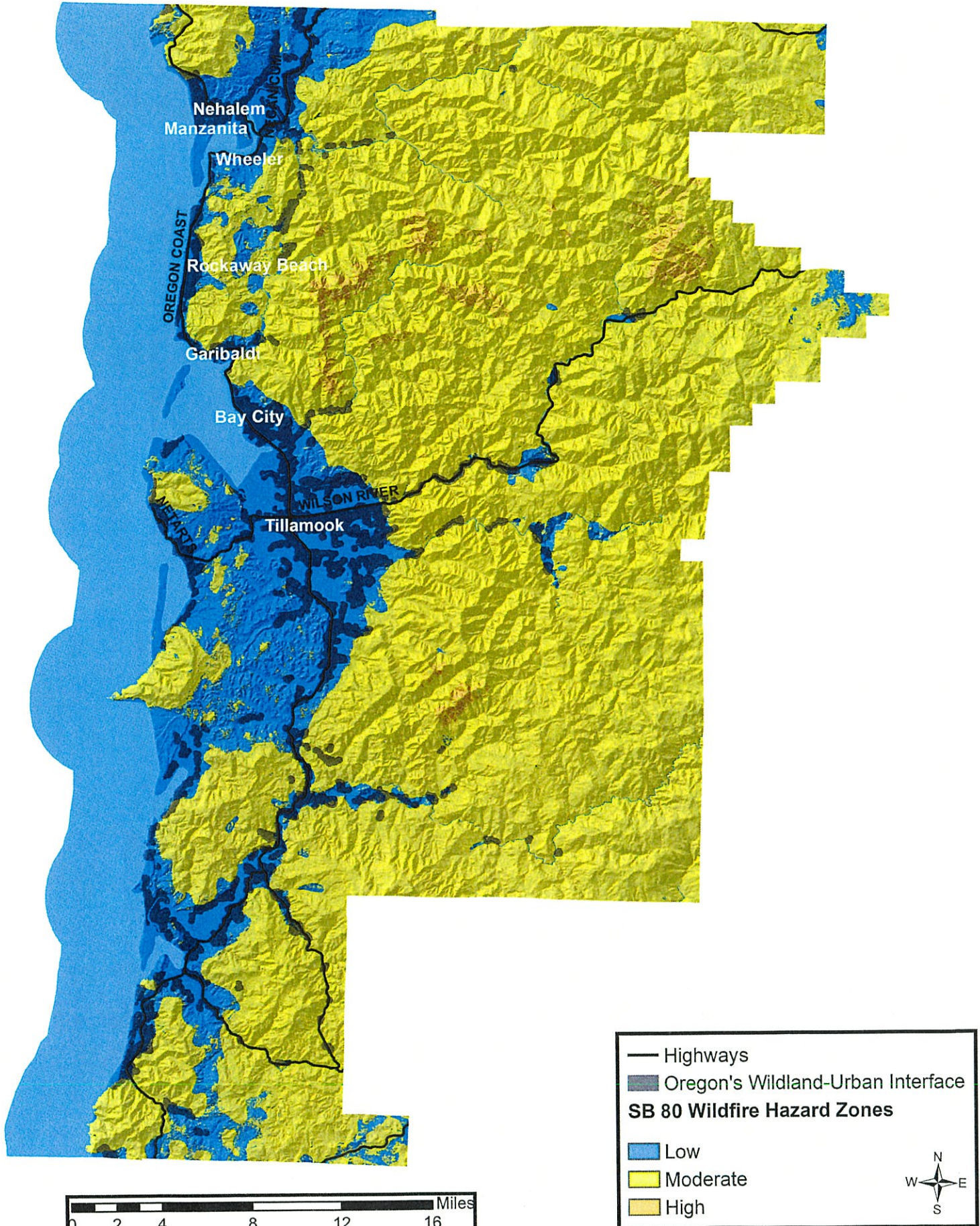


# Senate Bill 762 Wildfire Risk Map

(AOC District 7 Meeting - 9/15/2023)

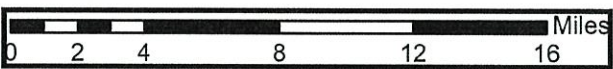
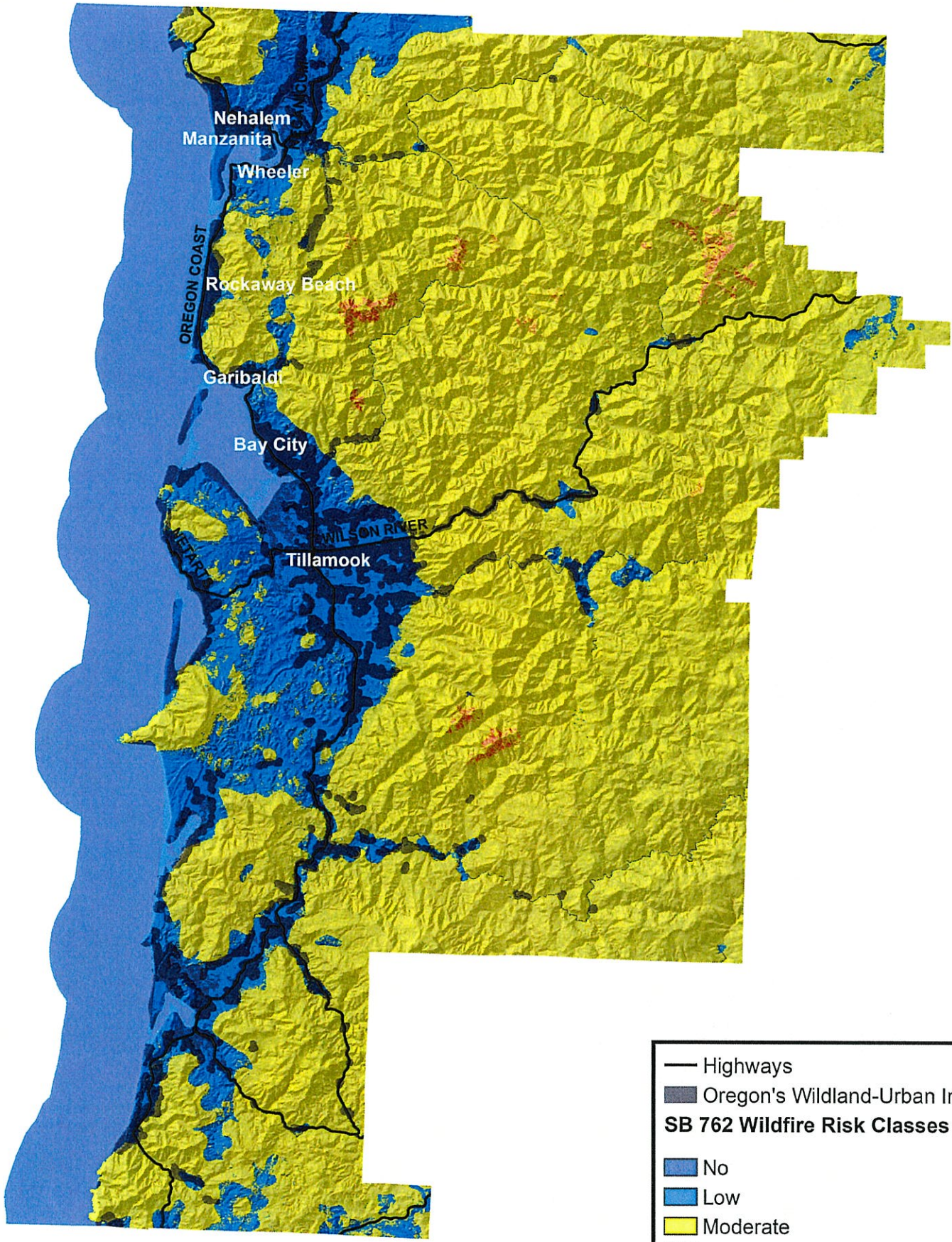


# Draft Senate Bill 80 Wildfire Hazard Map (AOC District 7 Meeting - 9/15/2023)



# Senate Bill 762 Wildfire Risk Map

(AOC District 7 Meeting - 9/15/2023)



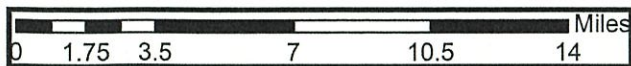
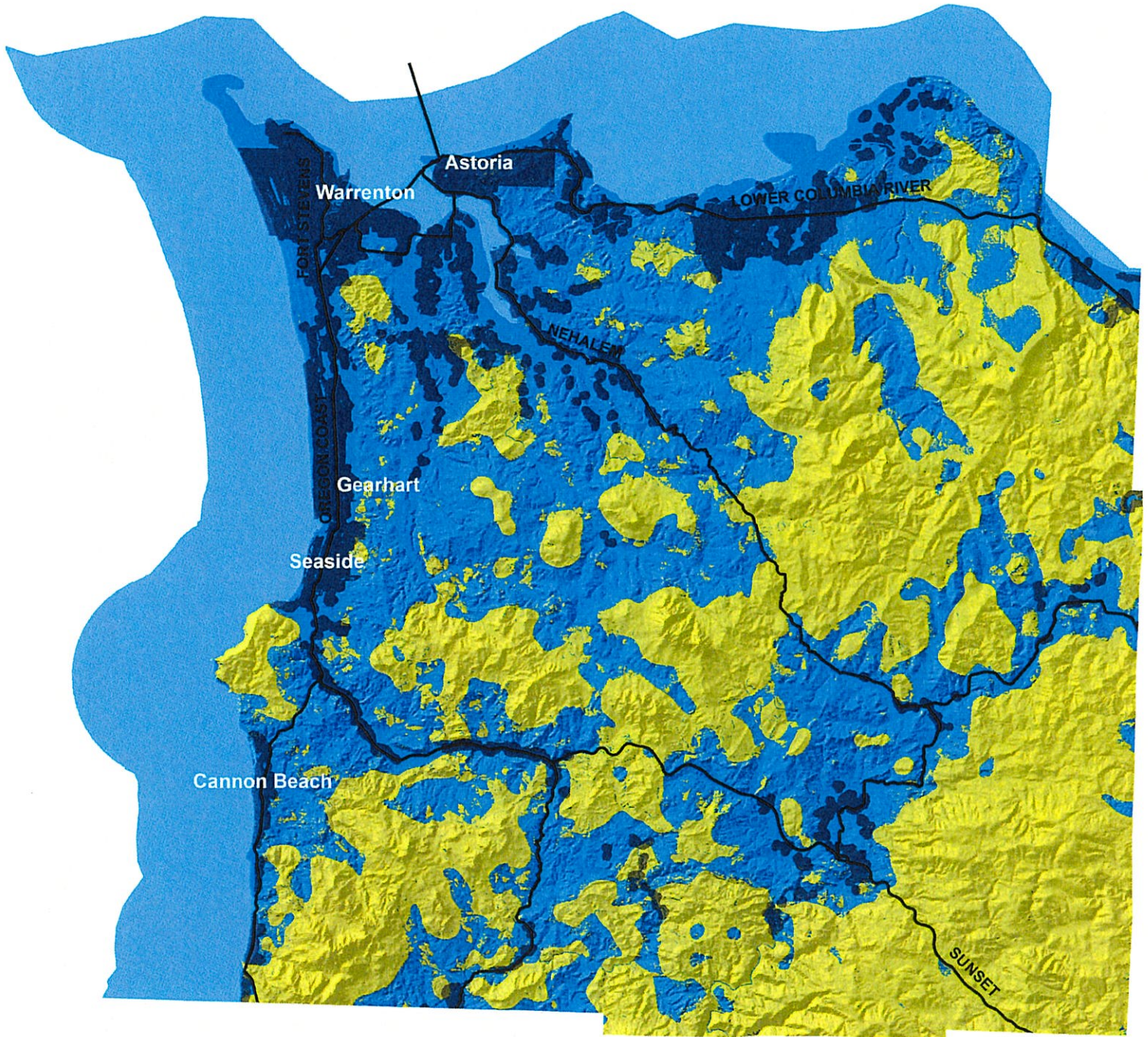
— Highways  
— Oregon's Wildland-Urban Interface

**SB 762 Wildfire Risk Classes**

- No
- Low
- Moderate
- High
- Extreme

A north arrow with a central point and four directions labeled: N (North), S (South), E (East), and W (West).

# Draft Senate Bill 80 Wildfire Hazard Map (AOC District 7 Meeting - 9/15/2023)

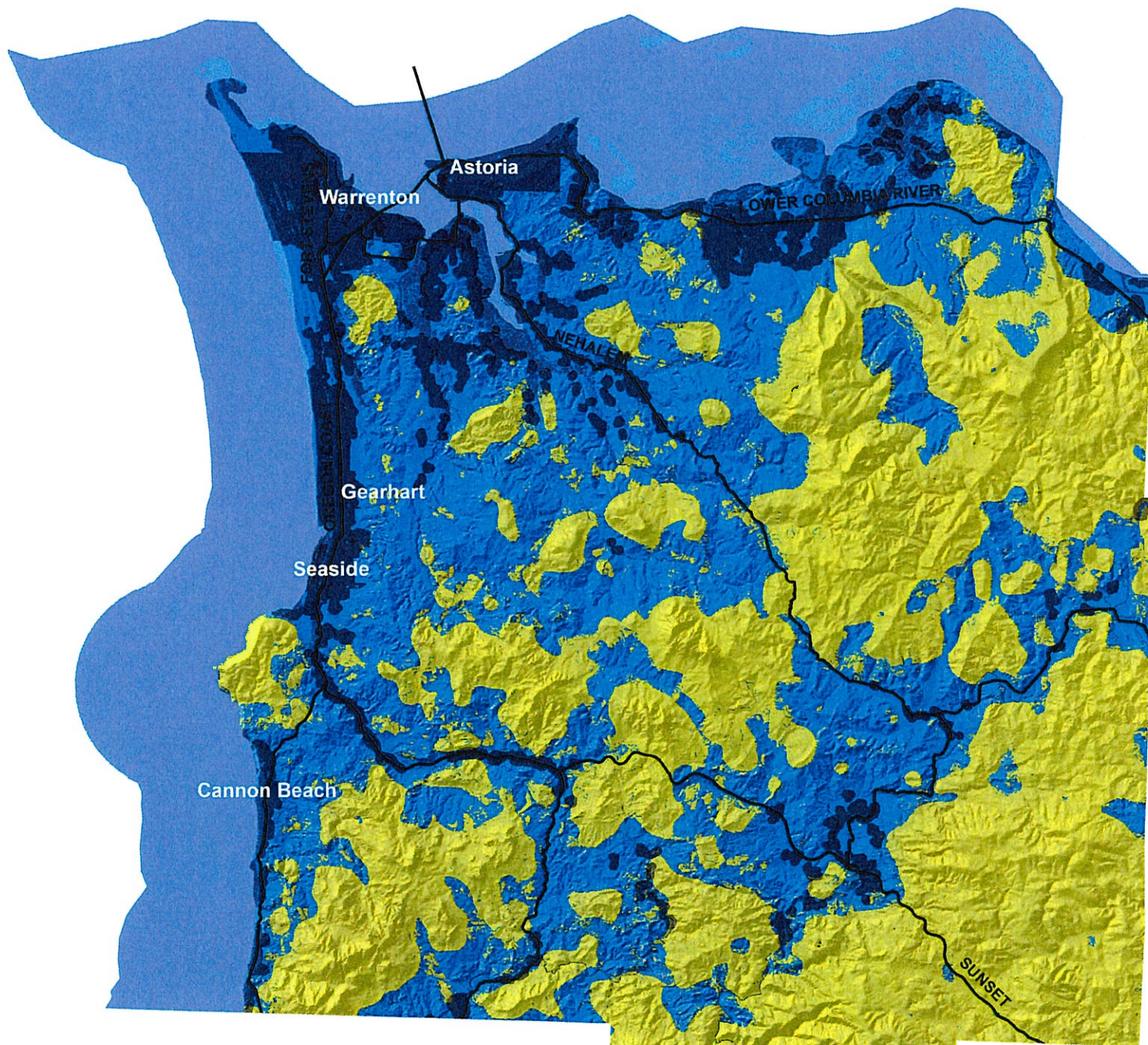


— Highways  
Oregon's Wildland-Urban Interface  
**SB 80 Wildfire Hazard Zones**

- Low
- Moderate
- High

# Senate Bill 762 Wildfire Risk Map

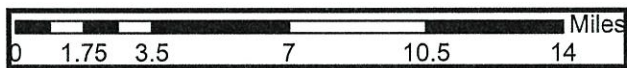
(AOC District 7 Meeting - 9/15/2023)



— Highways  
— Oregon's Wildland-Urban Interface

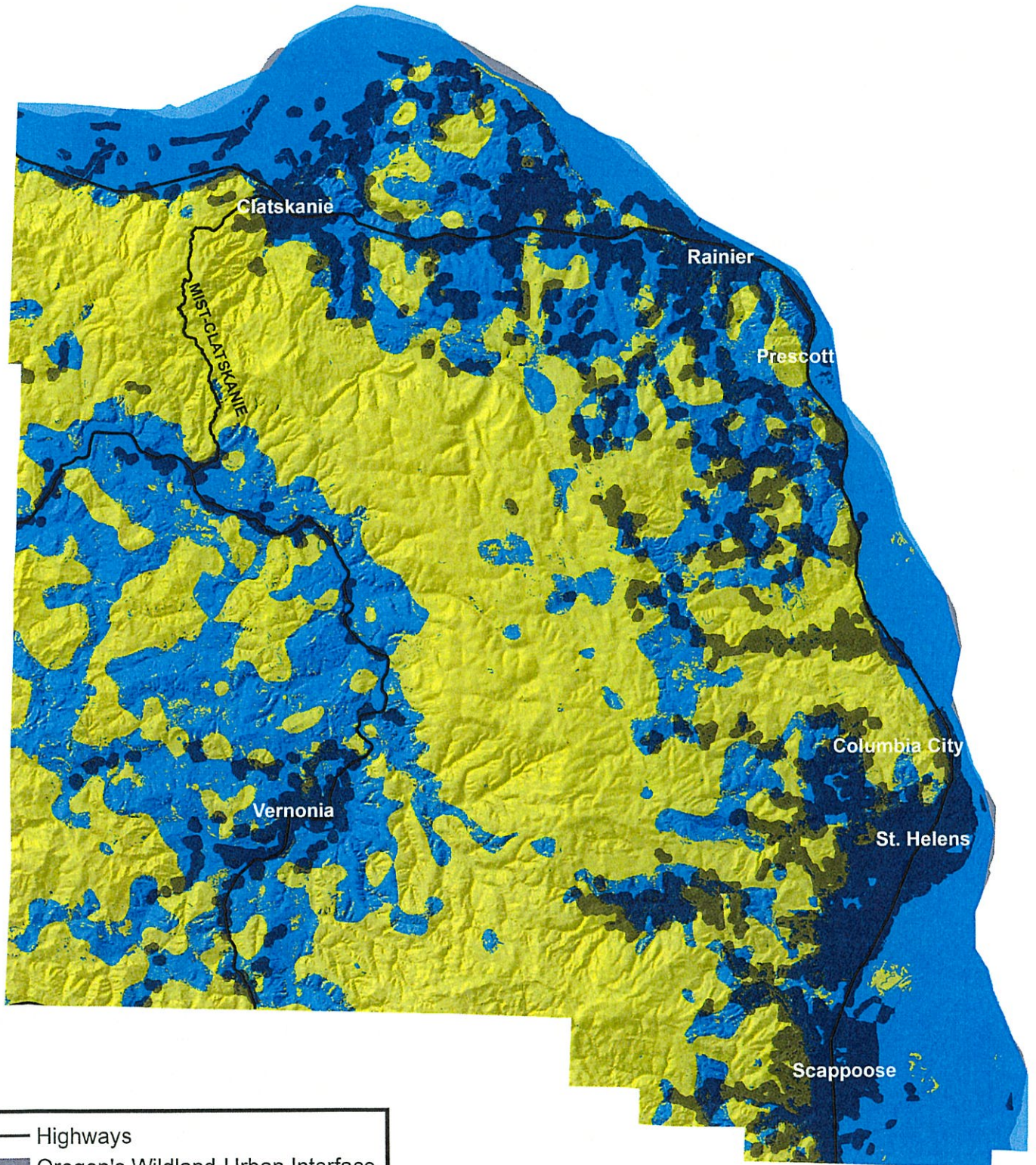
**SB 762 Wildfire Risk Classes**

- No
- Low
- Moderate
- High
- Extreme



# Draft Senate Bill 80 Wildfire Hazard Map

(AOC District 7 Meeting - 9/15/2023)



— Highways  
■ Oregon's Wildland-Urban Interface  
**SB 80 Wildfire Hazard Zones**

■ Low  
■ Moderate  
■ High

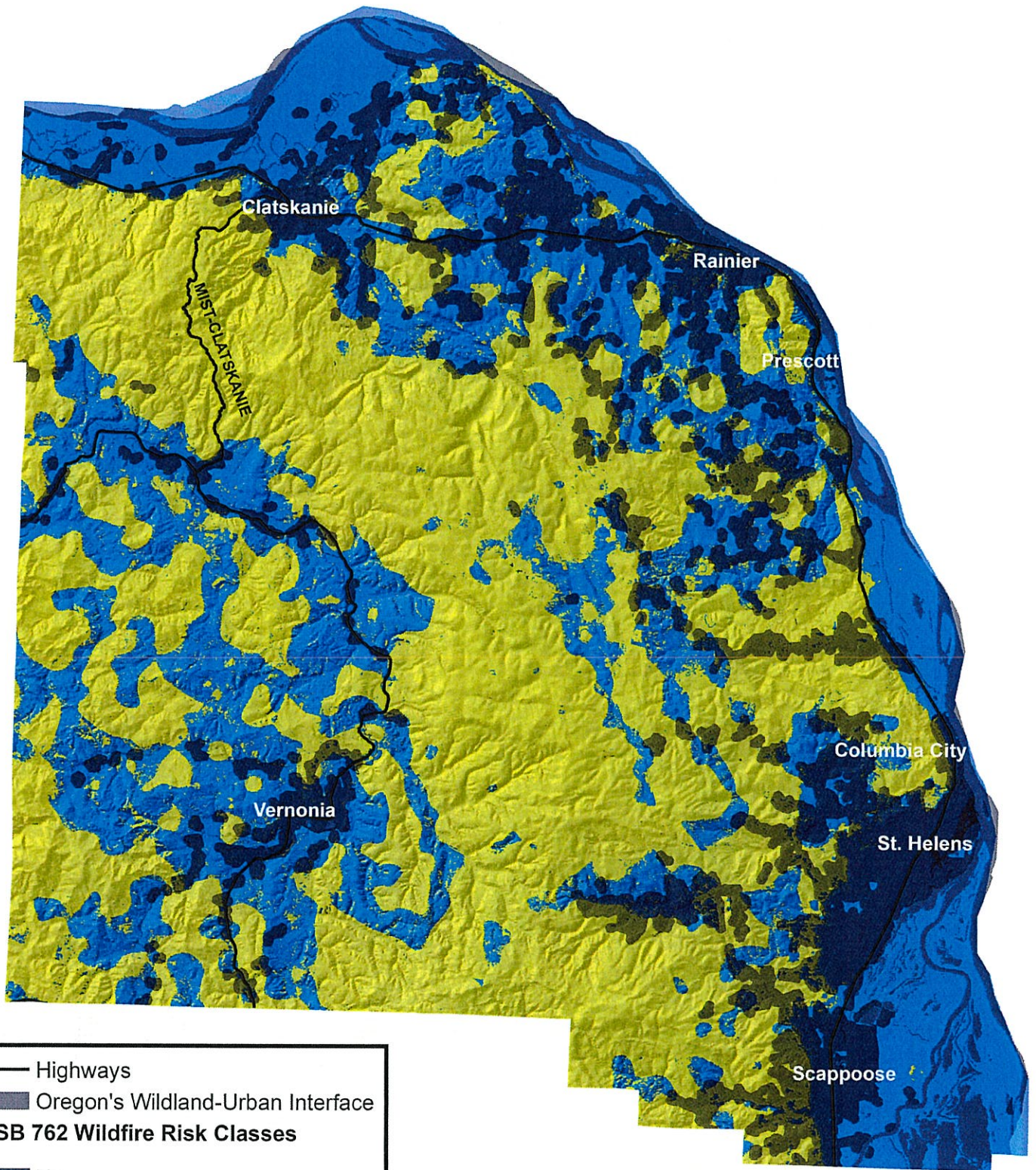
A north arrow is located in the legend box, indicating the cardinal directions: North (N), South (S), East (E), and West (W).





# Senate Bill 762 Wildfire Risk Map

(AOC District 7 Meeting - 9/15/2023)



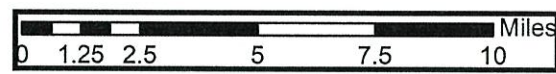
— Highways

■ Oregon's Wildland-Urban Interface

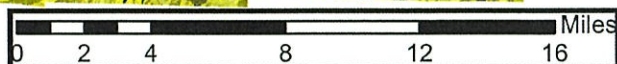
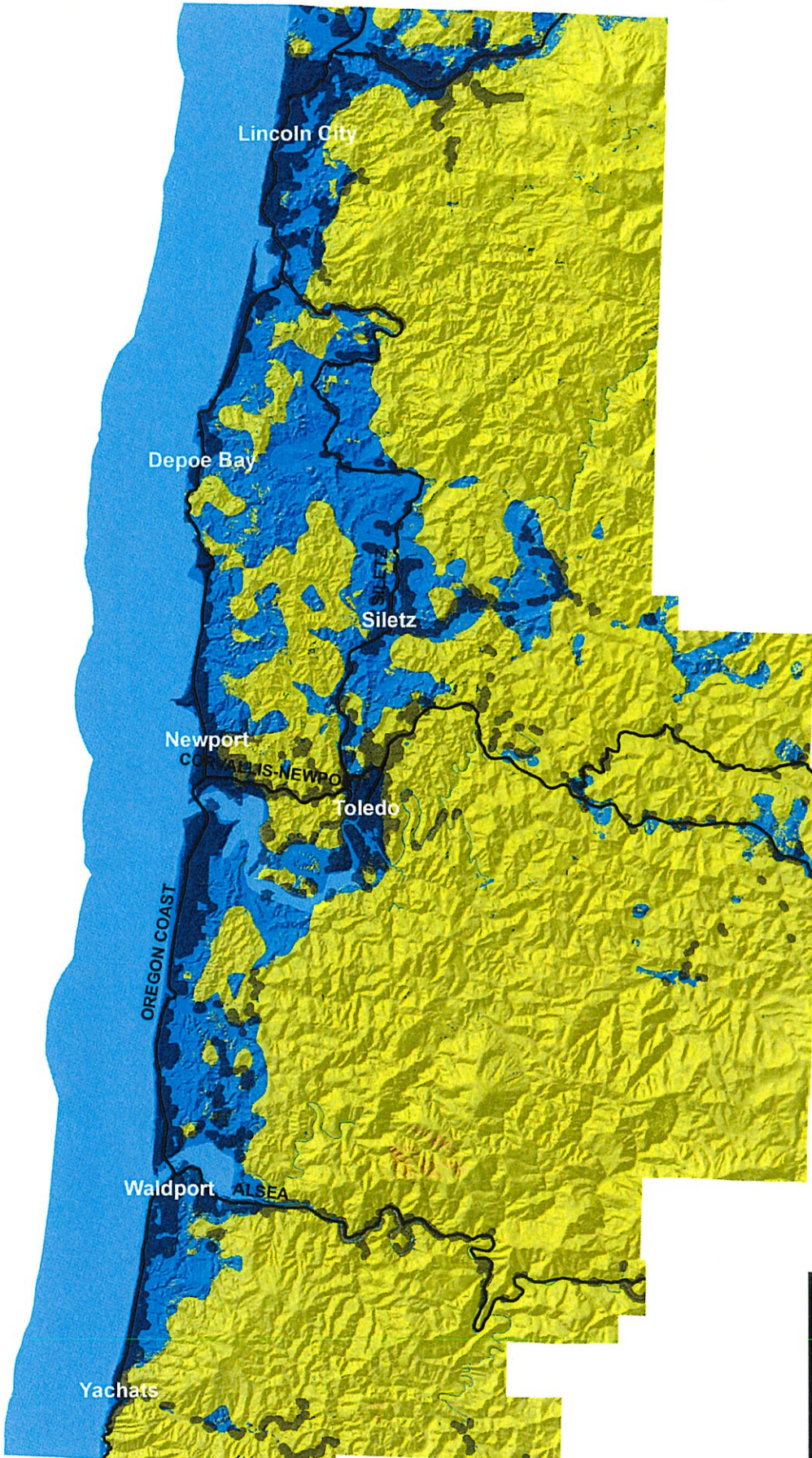
**SB 762 Wildfire Risk Classes**

- No
- Low
- Moderate
- High
- Extreme

N  
W —+— E  
S



# Draft Senate Bill 80 Wildfire Hazard Map (AOC District 7 Meeting - 9/15/2023)

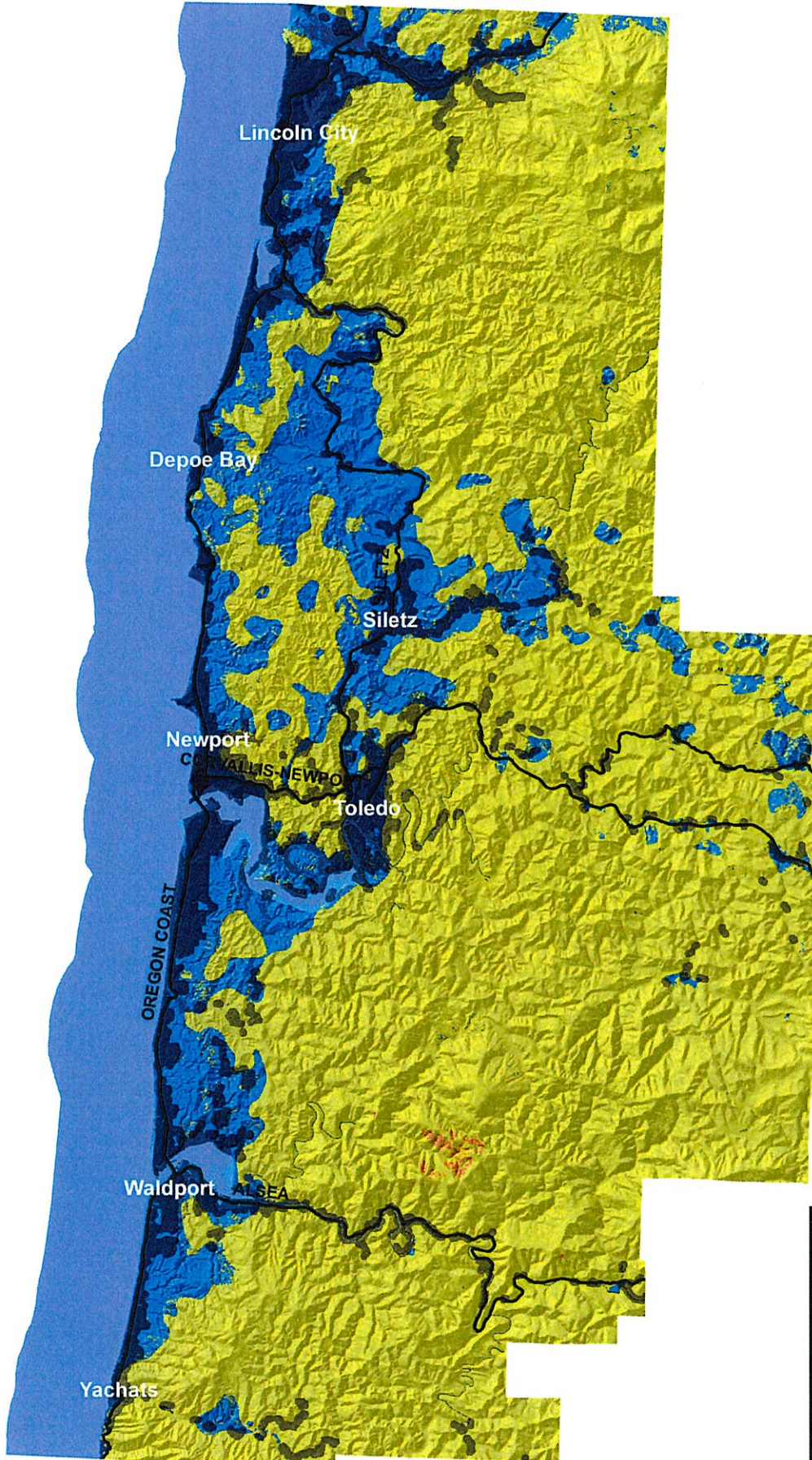


— Highways  
■ Oregon's Wildland-Urban Interface  
**SB 80 Wildfire Hazard Zones**

- Low
- Moderate
- High

# Senate Bill 762 Wildfire Risk Map

(AOC District 7 Meeting - 9/15/2023)




— Highways

■ Oregon's Wildland-Urban Interface

**SB 762 Wildfire Risk Classes**

- No
- Low
- Moderate
- High
- Extreme



# Assessments for wildfire maps

## Purpose

To provide an overview of how wildfire assessments were performed for the original risk map required under Senate Bill 762 (2021), what changes are currently reflected in draft maps under Senate Bill 80 revisions and identify policy issues still under consideration.

## Background

Climate change has brought hotter, drier summers and historic levels of drought to Oregon over the past several years. These factors are a key driver of the rapid changes to Oregon's wildfire environment over the past decade—longer fire seasons and more challenging, costlier and destructive wildfires. At the same time, Oregon's population continues to grow and increasing numbers of people are living in or near the wildland-urban interface. This convergence of factors puts the state of Oregon—along with federal, local and tribal government partners and Oregonians generally—at a critical juncture. Decisive actions are necessary to mitigate the catastrophic impacts of wildfire experienced by Oregonians, communities and our state's natural resources over the past several years. Senate Bill 762 laid the foundation for that action.

The 2021 Legislature passed Senate Bill 762 (SB 762) with bipartisan support and made investments in fire-adapted communities, wildfire response and resilient landscapes. Eleven state agencies are tasked with implementing various components of SB 762. Several of those components are related to fire-adapted communities, including the creation and use of—what was named at the time—a “statewide wildfire risk map.” Oregon Department of Forestry is responsible for overseeing development and maintenance of that map and establishing the risk classification categories to be assigned to properties based on criteria provided in law. Oregon State University is responsible for the actual development and maintenance of the map, making it publicly available and providing technical assistance.

The map's core function is as a planning tool. Having a central source for information on hazards and vulnerability promotes consistency and alignment in wildfire-related planning and decision making at all levels of government in Oregon. It also helps ensure the most vulnerable locations—those in fire-prone regions that are also in or around homes and communities (wildland-urban interface)—are prioritized for fire adaptation and mitigation investments, including:

- Defensible space requirements for properties that are both in the wildland-urban interface and classified as high hazard (Oregon State Fire Marshal).
- Wildfire hazard mitigation building code standards (home hardening) for properties that are both in the wildland-urban interface and classified as high hazard (Department of Consumer and Business Services).
- Fuels mitigation grant programs for forestlands and communities (ODF and the Higher Education Coordinating Commission's Oregon Conservation Corps Program) and community risk reduction (OSFM).

Building the wildfire risk map from scratch has been a massive and complex technical and policy development effort; however, there is also a considerable information and outreach aspect to successful implementation of the map and SB 762 as a whole. The scope and scale of local-level communication and engagement necessary for Oregonians to genuinely understand the intent of SB 762 was far more than what initial deadlines allowed for.

Approximately five weeks after the map was unveiled—which was also the first major milestone in the implementation of SB 762—ODF withdrew the map for revisions. In that time, ODF fielded approximately 3,000 calls, conducted four information sessions that were attended by approximately 1,700 people, and received nearly 2,200 risk classification appeals from property owners.

The withdrawal of the map, and SB 80 amendments, has given ODF and OSU an opportunity to make technical refinements based on the considerable input already received, and it also provides state agencies with an opportunity that wasn't previously available: the time for in-depth and locally focused collaboration and information sharing.

## Assessment Methods under SB 762

To write the administrative rules governing the map's creation, Oregon Department of Forestry convened a diverse 26-member Rules Advisory Committee (RAC) that held 13 public deliberations (approximately 66.5 hours) between August 5–February 10, 2022, to define the boundary of the wildland-urban interface, risk modeling and classification rules. Public hearings were conducted in April, with final rule adoption by Oregon's Board of Forestry in June 2022. With the administrative rules complete, OSU completed the map and made it publicly available on June 30, 2022, as required by SB 762.

OSU collaborated with Pyrologix LLC, a leading wildfire modeling organization, professional wildfire fire behavior analysts from the USDA Forest Service, Oregon Department of Forestry and Washington DNR, and other scientists to calibrate fire modeling inputs based on scientific literature and experiential knowledge.



Figure 1: Wildfire risk triangle.

### Modeling

Fire hazard modeling provides two components necessary for determining risk (figure 1), with susceptibility to be addressed by downstream agencies using this map to guide their activities. Burn probability is the average annual likelihood that a specific location will experience wildfire. Burn probabilities represent long-term averages and are not forecasts or predictions of where fire is going to occur in a specific year. Annual burn probabilities are primarily a reflection of regional climate patterns and vegetation types, but can be affected by land use, ignition patterns and other elements that are within human control. For the statewide risk map, OSU scientists used simulations to estimate annual burn probabilities. The simulations used local weather records, up to date landscape conditions, and historical patterns of fire occurrence to simulate where fires ignite, how they grow, and how often the landscape burns. Average burn probabilities were generated from simulations of more than 10,000 annual scenarios to account for the wide variability in factors that influence fire occurrence.

Wildfire intensity is a measure of the amount of energy produced by a fire, frequently reported as “flame length.” Fire intensity is driven by a number of factors including weather, topography, and fuel type. Fire intensity is an important component of risk because varying intensities can lead to different impacts. For instance, fires with flame lengths less than two feet are less likely to damage buildings because they can usually be controlled with hand tools and machinery and are less likely to cast large ember showers. In contrast, fires with flame lengths greater than eight feet are much more likely to damage and destroy structures and other human developments because they can only be engaged with aerial resources when weather conditions allow and are far more likely to cast far-reaching embers that spark new fires. As with burn probability, fire intensity was estimated using many simulation scenarios based on observed weather and our best understanding of up-to-date fuel conditions.

### SB 762 map

The statewide wildfire risk map was created by multiplying the burn probability with the fire intensity, with an added approximation of susceptibility to estimate damage to structures and other human development. Rather than use weighted flame length averages directly, we multiplied burn probability by generalized multipliers associated with each flame length class (Figure 2). The resulting integrated risk map is then used to estimate tax lot wildfire hazard by averaging the smaller-scale pixels to the tax lot scale.

Senate Bill 762 required the risk map to be based on four specific variables: **weather, climate, topography and vegetation**. Each tax lot was to be classified into one of five classes: **no, low, moderate, high, or extreme**.

In brief, SB 762 created a process by which Oregon State University and Oregon Department of Forestry assessed wildfire exposure of tax lots based on how weather, climate, topography and vegetation, influence burn probability and fire intensity, thereby identifying communities most at risk for the impacts of wildfire occurrence.

While the map provides scientific and objective estimates of integrated wildfire hazard, site visits performed by the Oregon State Fire Marshal remain essential for determining which homes already have defensible space as described under Section 8, especially given the influence of the home ignition zone on overall structure risk.

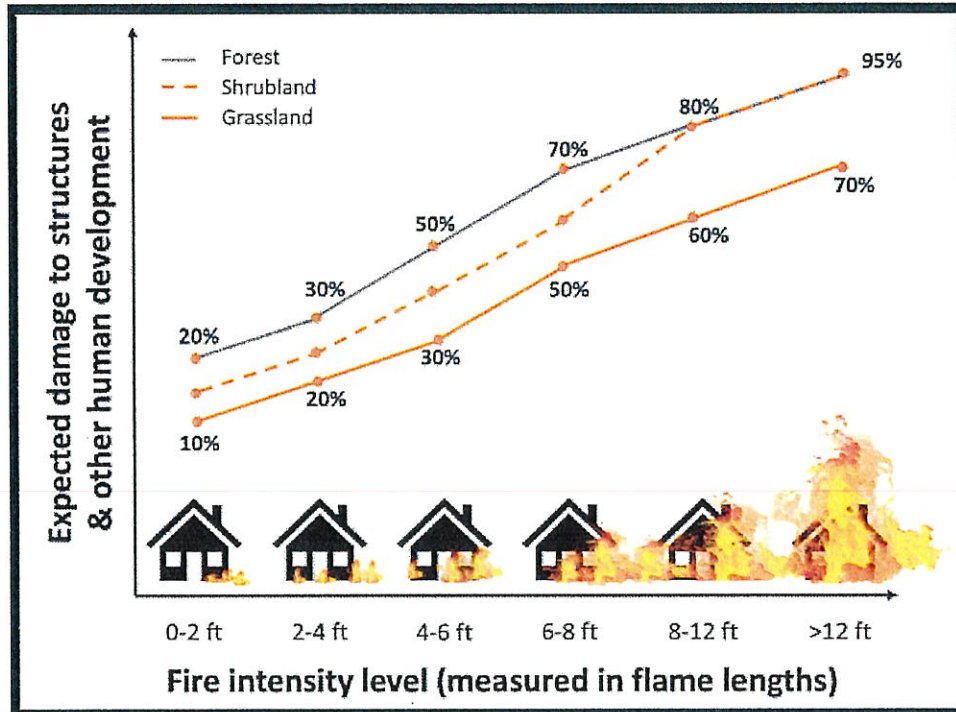


Figure 2: A depiction of the generalized susceptibility estimates we use in the SB 762 WUI exposure map.

## Revisions reflected in SB 80 draft maps

After ODF and OSU received feedback through the SB 762 appeals process and other avenues, several changes were made to address concerns expressed, including:

- **Hazard higher than expected for hay and pasturelands**—OSU reduced grass fuel loading, and the timing within the summer season they are burnable, across hay and pasture lands of eastern Oregon and southwest Oregon. In the original map this was a major point of conversation during our fuel calibration process with regional fire analysts and scientists. The collective decision went with a moderate grass fuel loading, indicative of expected growth in those areas, which resulted in significant fire occurrence within these areas. By reducing the loading and altering seasonality the simulation model distributes fire differently across the calibration area.
- **Adjacent property tax lots being different classifications**—SB 80 requires a change from five classes to three classes. This action addresses some of the neighbor-to-neighbor differences identified by the public. As the draft maps are refined, ODF and OSU will continue to review and address neighboring properties, ensuring when there is a difference, it's reasonable and explainable through the hazard assessment process.
- **Overstated burn probability in the northern Cascades**—OSU made slight adjustments to Oregon's northern Cascades in response to continued evaluation by fire scientists and analysts where there was some concern that burn probability was slightly overestimated. The changes in the Cascades are modest because fire occurrence is calibrated to observed data.

Those changes were made in response to public feedback received. Senate Bill 80 amended portions of the original SB 762 Section 7 regarding the wildfire map. The draft maps reflect the change from five hazard classes to three hazard classes.

## Considerations for rule revisions not reflected in SB 80 draft maps

There are several policy considerations identified that are not reflected in the draft maps provided to counties. These and other concerns will be discussed during the advisory process for revised administrative rules that when complete, will guide creation of the final wildfire hazard map.

- **Irrigated agriculture**—Whether to include data to address irrigated agriculture will be addressed during rulemaking discussions. There are policy tradeoffs, and implications to hazard in non-irrigated areas that must be considered. Including irrigated agriculture primarily affects areas in eastern and southwestern Oregon where conditions are drier and wildfire hazard is higher.
- **Susceptibility**—The SB 80 draft maps include a similar susceptibility approximation used in the SB 762 maps. This science-based approximation was used to estimate the potential impact wildfire has on structures and other human development. With the updated clarity in the map's purpose being changed from "risk" to "hazard," discussion will focus on whether to include an approximation of susceptibility, and if so, which one. (Figure 2).

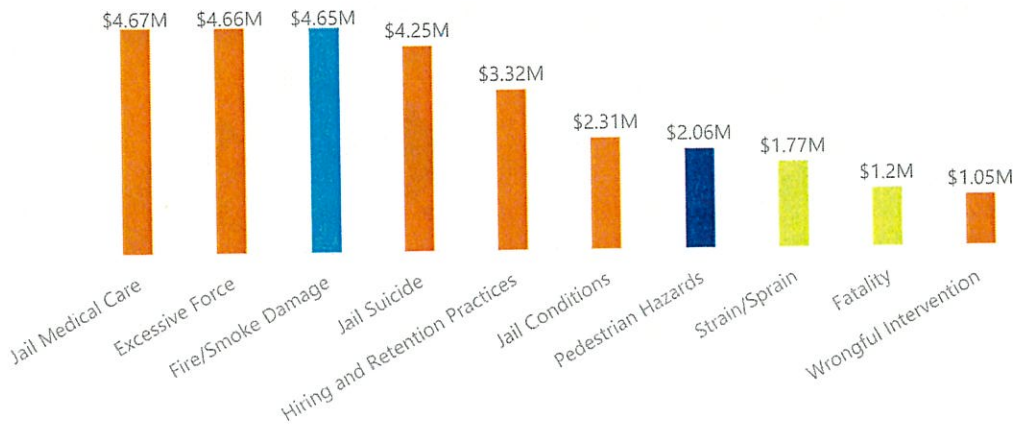




# WE'VE GOT YOUR BACK

CIS is a true partner to Oregon counties. We provide comprehensive property and liability coverage that is broad, but tailored specifically to the public services provided by counties. CIS partners with SAIF to provide workers' compensation coverage to CIS members. The agreement includes an overarching servicing group, of which CIS staff provides safety and health services.

**County Top Ten Claim Costs**  
FY 2018-19 through 2022-23 as of July 31, 2023



Because we serve only Oregon counties and cities, we know your workforce and your issues. Depending on membership, your available resources include:

- Risk management consultants to help reduce exposure to costly claims through training, on-site services and consultation
- Pre-loss services for access to no-cost legal help
- CIS' Public Safety program, that offers specialized expertise in law enforcement, jail management, and public safety human resource consultation
- Free property appraisals on a three-year cycle
- Guaranteed replacement cost coverage available on approved properties
- CIS Workers' Compensation Servicing Group Powered by SAIF
  - May be eligible for an exclusive OGSERP discount (3% for 2023-24)
  - 24/7 Rapid Care injury reporting and nurse hotline
- Sample policies, including a safety manual
- Best practices for Oregon counties
- Tailored training, including access to CIS Learning Center's free online resources

## CIS Cyber Coverage Program

- Three tiers
- Up to \$1.25 million in coverage
- No sub-limits for ransomware
- Cybersecurity requirements relaxed to make more eligible
- Tiers 2 and 3 require:
  - One offsite back-up of all critical systems.
  - CIS crime insurance with a minimum of \$250,000 of coverage.
  - Phishing and cybersecurity best practices training for all staff.
  - Fraudulent instruction training for finance staff.
  - Adopted cybersecurity policy.
- Dedicated cybersecurity specialist
- Cybersecurity assessments



## We're in it TOGETHER

- In 2015, CIS joined Clackamas County, Washington County, Deschutes County, to form a self-insured excess pool under ORS 30.282.
- Douglas County and City of Medford joined in 2022. Jackson County joined in 2023.
- All contributions and reserves are held in dedicated accounts and used exclusively for the benefit of OPEEP members.

*Excess liability insurance tailored to local governments, offering coverage not available in the commercial marketplace.*

- More stability, more coverage, more options
- Strengthened financial backing so that more counties can join
- Excess coverage occurrence limit of \$9M in excess of \$1M
- Higher occurrence limits up to \$20M
- Excess Cyber Insurance available to OPEEP and CIS members.

# PARTNERS SINCE 1981



citycounty insurance services  
cisoregon.org

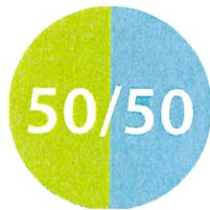


- 1960 AOC establishes Association of Oregon Counties Insurance Trust (AOCIT) to purchase employee benefits coverage
- 1981 AOC and LOC (League of Oregon Cities) establish City/County Insurance Services Trust (CIS Trust) as a joint purchasing organization to provide insurance coverages
- 1994 AOCIT, CIS Trust, and LOC's Employee Benefits Services (EBS) Trust are consolidated under one Board of Trustees



*Member-owned and governed, CIS is a public entity insurance trust providing employee benefits, property and liability coverage and workers' compensation services exclusively to AOC and LOC members.*

## 10 BOARD OF TRUSTEES



**FIVE** county representatives  
**FIVE** city representatives

### 2023-24 County Trustees

Tyler Stone, Chair  
Administrative Officer  
Wasco County

Jeff Rasmussen  
Administrative Officer  
Jefferson County

Derrick DeGroot  
Commissioner  
Klamath County

Gina Firman Nikkel, Ph.D  
Executive Director  
AOC

John Shafer  
Commissioner  
Umatilla County

## CIS BENEFITS

Designed for Oregon counties by Oregon counties to bend the cost curve while improving health and wellness.

Self-Insured Programs  
Average Annual Rate Increase Since 2020\*



Wide Range of Plan Choices  
Additional health, dental, life and LTD options negotiated with



### Value Added Services

We're here to help reduce the burden on your HR staff — and your budget. These value-added services are no extra charge:

- Proven customer service with a 98% approval rating
- Employee assistance program
- Administration of healthcare and dependent care flexible spending accounts (pre-tax) and commuter plans
- COBRA and retiree administration, billing and collection services
- Financial and logistical support for worksite wellness activities
- Support for GASB 75 valuation services
- Online enrollment services with 24/7 access for you and your employees
- Online billing and payment services (pay from your Local Government Investment Pool or other account)

\*These rates apply to pooled groups with fewer than 100 employees covered by Regence or Delta Dental. Groups with 100 or more employees are experience-rated. CIS' self-insured plans (medical, Rx, vision, and dental) take advantage of our large size and healthy reserves to stabilize our costs.

## CONTACT US

**Ivory W. Lyles**

Vice Provost

Extension and Engagement  
Director, OSU Extension

541-737-2546

[ivory.lyles@oregonstate.edu](mailto:ivory.lyles@oregonstate.edu)

**Kristopher Elliott**

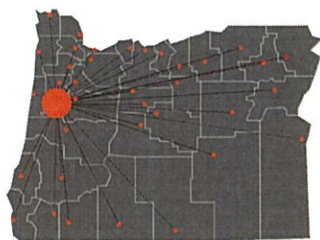
Associate Director  
OSU Extension

541-737-1381

[kristopher.elliott@oregonstate.edu](mailto:kristopher.elliott@oregonstate.edu)

Learn more and find a  
location near you:

[beav.es/extension](http://beav.es/extension)



“Time and time again, when there’s been a need for a trusted local partner, a statewide network and an unbiased, science-backed perspective, OSU Extension has answered the call.”

— Ivory W. Lyles

## ACTIVITIES AND SERVICES FOR EVERY COUNTY

The work of Extension is rooted in the communities we serve, tailored to local needs, connected with your statewide university and focused on creating a more resilient future for all Oregonians.

Here are a few highlights of our work across Oregon.



### Thriving youth, individuals and families

**Cultivating positive youth development** by engaging youth in hands-on, experiential learning that fosters essential skills for life and leadership. Empowering students and families to access education and advance their careers. Includes 4-H, Juntos, Outdoor School, KidSpirit and more.



### Sustainable agriculture, food systems and gardening

**Encouraging resilience across the food chain** by enhancing pollinator health, farm and ranch productivity, food safety and food access in a changing climate. Supporting home and community gardens, and farms of all sizes with diverse production systems. Includes Master Gardener, Master Melittologist, Small Farms program and more.



### Resilient and productive forests and natural ecosystems

**Supporting sustainable natural resource management** to ensure our forests and ecosystems continue to provide a wide array of benefits. Supporting woodland owners, communities and industry through research, education, technical support and community scientists. Includes OSU Sea Grant, OSU Extension Fire Program, Master Woodland Manager, Oregon Forest Pest Detector and more.



### Healthy communities and economies

**Enhancing health and well-being for every stage of life** through evidence-based programs on mental health, nutrition and physical activity, food safety/preservation and more. Working with community coalitions toward positive change at individual, community and system levels. **Supporting workforce development** by building job skills and increasing college access.



**Oregon State University**  
Extension Service

OSU Extension Service prohibits discrimination in all its programs, services, activities, and materials. This publication will be made available in an accessible alternative format upon request. Please contact Extension Communications at 541-737-3311.

# OSU EXTENSION SERVICE



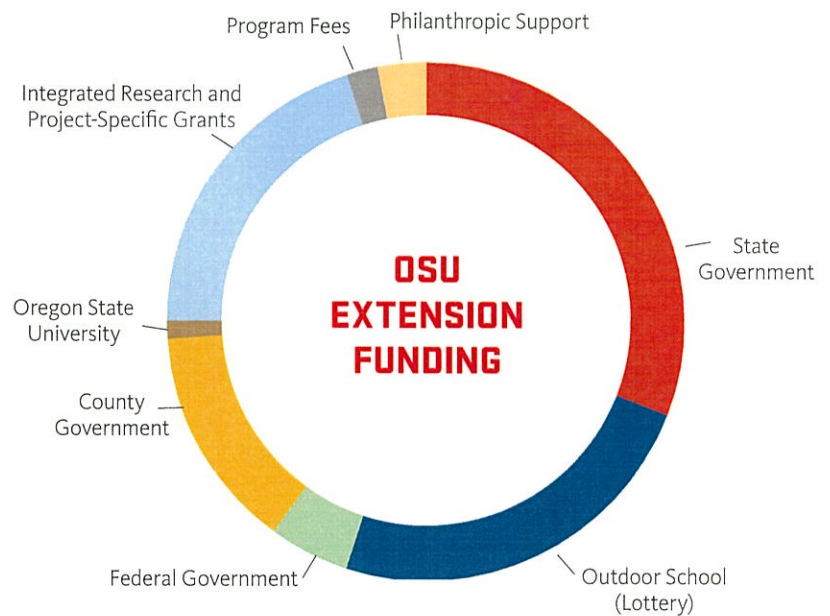
OSU Extension **engages** the people of Oregon with research-based knowledge and education that **strengthen** communities and economies, **sustain** natural resources and **promote** healthy families and individuals to create a resilient society.

## WHAT IS EXTENSION?

**A link.** We connect Oregon's people and communities with the university to share knowledge and co-create solutions.

**A partnership.** Local investment leverages state and federal funds. 26 counties support Extension with voter-approved service districts or levies; nine others provide general fund allocations.

**A trusted resource.** We serve through professionals, volunteers and partners in every Oregon county and the Confederated Tribes of Warm Springs.



\*Based on actual expenditures/revenue for FY22

## FAST FACTS

**87,100+**

Young people in 4-H and other youth programs

**8,000+**

Volunteers extend capacity

**600+**

Employees serving Oregon



**Oregon State University**



## What homeowners need to know about home hardening

Senate Bill 762 (2021) and SB 80 (2023) created a statewide approach to a wide range of wildfire mitigation measures. The Building Codes Division is implementing those bills by applying fire hardening building code standards to the high hazard areas within the wildland urban interface on the state map. Fire hardening refers to building materials and practices that can reduce the risk of ignition of a home by embers from wildfires.

### What you need to know

#### If you are in a high hazard area and in the wildland urban interface:

- **No action is required related to home hardening.** Building code standards do not apply retroactively. They apply only if you are replacing a covered item (roof or siding) or doing an addition to your home.
- If you are replacing your roof or siding, or if you are doing an addition to your home, you will need to use fire hardening materials after the effective date of the code.

- You are not required to change materials for partial repairs of your roof or siding.

#### If you are not in a high hazard area or are outside of the wildland urban interface:

- No action is required related to home hardening. If you want to make your home more fire resilient, this document provides guidance on things you can do to improve your home's resistance to wildfire.

### How home fire hardening works

Fire hardened means your home is prepared for a wildfire and an ember storm. It does not mean fireproof. Home hardening addresses the most vulnerable parts of your home with building materials and installation methods that increase resistance to heat, flames, and embers that come with most wildfires.

Fire hardening means taking steps to make a home or business more resistant to damage from a wildfire, including:

- Using materials for siding and roofing that resist ignition during a wildfire
- Installing fire-resistant windows to protect openings

- Using attic ventilation devices that help reduce ember intrusion

Embers – the hot glowing fragments of wood – are responsible for most damage during wildfires. They can collect on your home, deck, or porch and ignite combustible materials (those that catch fire and burn easily). Embers can also be forced into gaps in the home (attic vents or windows) and burn the home from the inside out. When this happens, there can be little damage to the nearby plants and trees, leaving people puzzled as to what caused their home to burn.

Fire hardening and creating defensible space reduce the possibility a nearby fire will ignite your structure and the potential for damage.

Fire hardening makes the community more resistant to the spread of wildfire. Slowing down a fire, may create more time and opportunity for emergency responders to protect life and property from a fire. Part of learning to live with wildfire is understanding that we have some control in how we prepare for and address this hazard, and how we manage fire in our own homes and communities.



## Fire hardening tips to protect your home from wildfire

**Roofing:** Making a roof “fire-safe” is a big step to reduce how vulnerable your home is to wildfire. Install Class A or Class B roof covering.

**Exterior wall covering:** Combustible siding can ignite from direct flame contact or radiant heat and spread fire into walls, attics, and openings. Install noncombustible or ignition-resistant siding and trim.

**Ventilation:** Roof and eave vents create openings for flying embers that can ignite combustible materials inside the home. Install ember- and flame-resistant vents or 1/8-inch maximum wire mesh.

**Soffits and eaves:** Soffits and eaves may be ignited by embers and hot gases. Enclose soffits and eaves with noncombustible or ignition-resistant materials.

**Windows and skylights:** Glass exposed to heat or flames may break after only one to three minutes, allowing flames and embers inside. Install tempered, multi-layered, or fire-resistant rated glass.

**Walking surfaces:** Decks, porches, and balconies are vulnerable to embers and other wildfire exposures. Enclose the underside of walking surfaces and construct with noncombustible, ignition-resistant, or fire-retardant-treated materials.

**Gutters:** Combustible gutters can ignite when exposed to embers and flames. Install noncombustible gutters and guards or covers to prevent accumulation of leaves and debris.

**Manufactured home skirting:** Combustible skirting installed to enclose the space under a manufactured home is a vulnerable point for wildfires. Install noncombustible or ignition-resistant skirting.



[BCD wildfire hazard mitigation webpage](#)

For more information about home fire hardening, contact the **Oregon Building Codes Division** at [bcd.firehardening@dcbs.oregon.gov](mailto:bcd.firehardening@dcbs.oregon.gov)

440-5785 (8/23/COM)



November 8, 2023

**STAFF REPORT**

To: Mayor Chick and City Council  
From: Lori Longfellow, City Manager

**RE: October 2023 Staff Report**

- 1) **Manzanita Intertie IGA** – Staff reviewed the draft IGA and has sent amendment recommendations back to the City of Manzanita. Manzanita’s legal department is now reviewing and both cities are aiming to have it on the December 2023 Council Meeting agenda.
  
- 2) **Anderson Creek Water Raw Water Transmission Main** – Contractor has begun the process of fusing the pipe together. The City Manager and staff have been working on gathering Easement Agreements, additional notes along with other documents that will be sent to the city’s attorney within the next few days. Afterwards, we will begin working on the process of drafting the Anderson Creek IGA between the City of Nehalem and the City of Manzanita. The City Manager will keep the Council up to date with the agreement process.
  
- 3) **SB 406** – The measure requires unincorporated communities and cities in Tillamook County to meet the requirements for development of Middle Housing (ORS 197-758). To develop and adopt a housing production



strategy, cities to adopt land use regulations or amend comprehensive plans to implement this change by July 2025. In July, the City of Nehalem had sent in a Housing Planning Assistance Application through DLCD and was awarded the grant in which they will provide the city with a consultant (Cascadia Partners) that will assist with a Housing Capacity Analysis (HCA), direction for any updates and/or needs to our code or comprehensive plan to make sure the newly adopted SB 406 requirements are met. The first introduction meeting will take place on November 16<sup>th</sup>, 2023. The County and surrounding cities are also working together, sharing resources to ensure timeline and requirements will be met.

**4) Hydrants** – Public Works Department along with the City Engineer met with the Nehalem Fire Department on November 8<sup>th</sup> to start the fire hydrant testing process.

**5) Yardney Pre-Filter Replacement** – This was a Water Capital Project budget for FY 2023-2024. The proposed cost is higher than anticipated. The City Manager and Staff are working on gathering documentation and bids for an Engineer Cost Estimate. Once that is received the City Manager will be working with Business Oregon to see if there is any possible State/Federal funding that can be obtained as a high needs project.

**6) Tillamook County Coordinated Houselessness Collaborative (CHC)** – 2<sup>nd</sup> meeting was held October 10, 2023.

- Naming of subcommittee
- Discussion of Group Structure – Charter
- Review of Annual Operating Plan
- Discussion of CHC priorities and volunteers for subgroups (Funding, Outreach, Shelter and Youth)

The next meeting will be November 20<sup>th</sup>.



November 8, 2023

**STAFF REPORT**

To: Mayor Chick and City Council  
 From: Brian Moore, Public Works Director

**RE: PUBLIC WORKS MONTHLY REPORT**

**WATER MONITORING & TESTING**

<b>Average Daily Water Usage</b>	
October 2023	Previous Year: 2022
104,000 gallons	85,000 gallons
Comments:	

<b>Rainfall</b>	
October 2023:	Previous Year: 2022
6.75 inches	4.05 inches
Comments: Drought conditions are over	

<b>Turbidity (NTU = Nephelometric Turbidity Unity: A measure of water clarity.)</b> <small>Turbidity is a measure of the cloudiness of the water. We monitor it daily because it is a good indicator of the effectiveness of our filtration system.</small>	
<b>Turbidity Monthly Average:</b>	<b>Highest Allowed:</b>
0.07 NTU	Never more than 5 NTU and less than 1 NTU in 95% of samples.
Comments: Result well below highest allowed.	

<b>Bacteriological Testing</b> <small>To ensure water safety, our state-certified Public Works staff routinely monitor for contaminants in your drinking water according to federal and state laws. Total coliform and E.coli test samples are taken twice per month.</small>	
<b>Results for October 2023:</b>	<b>Comments:</b>
Both Negative	A negative result is desirable and indicates that no bacteria was present in the drinking water sample.

## OTHER PUBLIC WORKS UPDATES

- We had a leak on 101 October 26<sup>th</sup> from 3:00 to 5:30 pm. Flowing approx. 9,000-gals water lost. Air relief came apart causing this 40' Geysier.

