



THE CITY OF WHEELER

## CITY MANAGER REPORT

February 20, 2024

### LITIGATION:

- Botts Marsh LLC v. City of Wheeler – There have been no updates in this case, though City staff will be meeting with the Bott’s Marsh planning team on February 26<sup>th</sup> to go over future design proposals and ideas.
- Richard Buchanan v. City of Wheeler – This case will be in the discovery phase until late March. On January 30<sup>th</sup> the Plaintiff’s Counsel requested depositions from 9 former city employees and representatives. The City has supplied the contact information that we had for these individuals to our attorneys.

### ADMINISTRATION:

- On January 24<sup>th</sup>, Mayor Kemp, Councilor Stacks, Phil, and I attended an after-action meeting for the ice storm event in mid-January at the Nehalem Bay Fire and Rescue station.
- On Monday, February 5<sup>th</sup> Public Works noticed that the signage indicating that Waterfront Park was closed had been thrown into the bay and the street cones had been kicked aside. New ones were put out, and permanent signs will be ordered up this week.
- The Senate Judiciary Committee passed SB 1576A with a -10 amendment that provides an emergency fix that restores recreational immunity through January 2026. Hopefully it will be scheduled for a vote on the senate floor later this week and will be passed by the House from there.
- City Halls hours have been modified. Madi will be in the office Monday through Thursday from 9am-4pm to provide reception, and Friday we will be open by appointment only. My standard office hours will be 8am-2pm unless I’m needed for meetings or in the field for inspections and investigations.
- On February 1<sup>st</sup> I hit my 6-month anniversary with the City of Wheeler, which has made me PERS eligible. PERS requires both an employer and employee contribution, and the City is budgeted to make both of those payments on behalf of the employees. Currently Ron, Phil and Madi have that benefit, but for it to extend to me as well would require a vote of approval from the City Council.

### GRANTS & PROJECTS:

- Waterfront Restrooms –A new lease has been drafted between the City and the Port of Tillamook Bay that adds the parking spaces across from the liquor store to our leased area. The yearly cost will be \$2,488.60 with a 3% yearly increase. This lease has been run past the OPRD and has been found to be sufficient for the grant requirements to rebuild the restroom in its current location. The next step will be working with Curran Mcleod Engineering to design a stick-built restroom.

- Gervais Creek – Our subapplication has passed the initial Hazard Mitigation Technical Assistance Program review and is now in the Environmental and Historic Preservation Review. The EHP review is expected to be a lengthy process.
- Asbestos Concrete Water Lines – The city intends to pursue a Safe Drinking Water Loan that is to update approximately 3,200 feet of asbestos concrete water lines within the water distribution system. Our letter of interest was well received earlier this year and this month we were invited to apply for funding. Phil, Madi, and I have been filling out the application and partnering with Civil West to update their estimates for this project. This funding requires that all supplies used to be made in America. We can apply for up to \$1.464M, 52% of which will be fully forgivable. We hope to submit the application in the very near future.
- Hemlock Street –The city had submitted an application for a \$20K Technical Assistance Grant via Business Oregon and we have been awarded it. We have also applied for a forgivable Planning Loan from the Clean Water State Revolving Fund (CWSRF) to fund the Geotech and engineering reports required for repairing Hemlock Street. The DEQ was scheduled to begin reviewing our application January 17<sup>th</sup>. After that the DEQ submits and Intended Use Plan to the EPA, which will be issued for public notice at the end of February/beginning of March. The Public Notice is 15 days, and after that loan documentation will be sent our way.
- Dredging –Jiffy Construction completed the dredging work during a low tide on February 5<sup>th</sup>. All permit paperwork has been filed and this project is now complete.
- Gangway–The gangway was removed on January 18<sup>th</sup> and was taken for repairs. The gangway repairs are complete and the dock bracket is being built now. We hope to have this all reinstalled prior to the March 9<sup>th</sup> Nehalem Bay and Estuary Clean-up.
- Salmonberry Trail –The Salmonberry Trail Foundation had submitted a Tourism Facilities Grant request via The Tillamook Coast Visitors Association, but the grant was denied. We can apply again this fall.
- CIS Recreational Immunity Grant – CIS awarded us a \$5,000 grant to help with new gravel in Waterfront Park, dock cleaning/maintenance, and signage related to recreational immunity. Our request was approved on January 26<sup>th</sup>. Reimbursement requests must be submitted by May 15, 2024. Phil and I have been partnering with CIS to come up with the best possible verbiage to put on the signs and will be ordering those soon.
- SCADA System – The Bureau of Reclamation has offered a WaterSmart Small Scale Efficiency grant for up to \$100,000 (though it requires a 50% match). The City has submitted an application in the hopes of getting a new SCADA system as well as new panels and PLC computers at the remote pump sites. We are waiting to hear back.