



CLATSOP COUNTY
BOARD OF COMMISSIONERS AGENDA
WORK SESSION & REGULAR MEETING
JUDGE GUY BOYINGTON BUILDING,
857 COMMERCIAL ST., ASTORIA

Wednesday, August 13, 2025

BOARD OF COMMISSIONERS:

Mark Kujala, Dist. 1 – Chair
Courtney Bangs, Dist. 4 – Vice Chair
Anthony Huacuja, Dist. 2
Pamela Wev, Dist. 3
Lianne Thompson, Dist. 5

commissioners@clatsopcounty.gov

CONTACT:

800 Exchange, Suite 410
Astoria, OR 97103
Phone (503) 325-1000
Fax (503) 325-8325

www.clatsopcounty.gov

JOIN THE BOARD OF COMMISSIONERS VIRTUAL MEETINGS

To access the meeting by phone – Please dial 1-253-215-8782.

Webinar ID: 818 0733 3291

Passcode: 780652

[\(Zoom link\)](#)

PUBLIC TESTIMONY

You must register in advance if you want to provide testimony virtually on public hearings or during Business from the Public. There are three ways to do this: On our website at www.clatsopcounty.gov emailing commissioners@clatsopcounty.gov or by calling 503-325-1000. Once registered, we will notify you when it is your opportunity to speak for a two-minute comment. In-person testimony, please fill out a blue comment card and submit to Clerk of the Board. You may also submit written comments which will be provided to the Board and submitted into the record.

WORK SESSION: 5:00 PM

Work Sessions are an opportunity for Board members to discuss issues informally with staff and invited guests. The Board encourages members of the public to attend Work Sessions and listen to the discussion, but there is generally no opportunity for public comment. Members of the public wishing to address the Board are welcome to do so during the Board's regularly scheduled meetings held twice monthly.

TOPICS:

1. Agenda Review {10 min}
 - [2.](#) Legislative Update – End of Session {Page 3}
 - [3.](#) Discuss Proposed Ordinance to Amend Transient Lodging Tax {Page 5}
-

REGULAR MEETING: 6:00 PM

The Board of Commissioners, as the Governing Body of Clatsop County, all County Service Districts for which this body so acts, and as the Clatsop County Local Contract Review Board, is now meeting in Regular Session.

FLAG SALUTE

ROLL CALL

AGENDA APPROVAL

RECOGNITION – DR. DUNCAN

BUSINESS FROM THE PUBLIC – *Individuals wishing to provide oral communication at the designated time must register in advance by calling 503-325-1000 or emailing commissioners@clatsopcounty.gov by 3 p.m. on the day of the meeting.*

CONSENT CALENDAR

- [4.](#) Board of Commissioners Meeting Minutes 6-25-25 {Page 77}
- [5.](#) 25-27 CFM Advocates Lobbying Services Agreement {Page 81}
- [6.](#) Accept Sealed Bid Offers {Page 122}
- [7.](#) Approve the 2025-26 Budget and Appropriation Adjustments {Page 131}
- [8.](#) Board of Commissioner Meeting Minutes 7-9-25 {Page 134}

COMMISSIONER'S LIAISON REPORTS

COUNTY MANAGER'S REPORT

BUSINESS AGENDA

- [9.](#) Amendments to Board Rules {Page 139}

PUBLIC HEARINGS

- [10.](#) Hearing for vacation of a portion of Park Street {Page 183}
- [11.](#) Ordinance 25-10: STR Regulations for Properties Zoned Coastal Residential (CR) {Page 199}

GOOD OF THE ORDER

ADJOURNMENT

As necessary Executive Session will be held in accordance with but not limited to: ORS 192.660 (2)(d) Labor Negotiations; ORS 192.660 (2)(e) Property Transactions; ORS 192.660 (2)(f) Records exempt from public inspection; ORS 192.660 (2)(h) Legal Counsel

Agenda packets also available online at www.clatsopcounty.gov

This meeting is accessible to persons with disabilities or wish to attend but do not have computer access or cell phone access. Please call 325-1000 if you require special accommodations at least 48 hours prior to the meeting in order to participate.

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

August 13, 2025

Topic: Legislative Update – End of Session
Presented By: CFM Advocates, State Affairs Team:
Zack Reeves, Sr. Vice President of State Affairs and
Ryann Gleason, State Affairs Manager

**Informational
Summary:**

Each year, the Oregon State Legislature meets at the Capitol in Salem for a regular legislative session, during which State Representatives and Senators consider a range of important issues and pass new laws to address them.

In Oregon, there are two types of regular sessions:

- In odd-numbered years (like 2025), the Legislature holds a "**long session**," which can last up to 160 days. During long sessions, lawmakers' sole constitutional obligation is to pass a balanced biennial budget. However, they also typically work on addressing a wide variety of policy issues.
- In even-numbered years (like 2026), the Legislature convenes a "**short session**" limited to 35 days. These are generally used to make technical adjustments, pass urgent legislation, or respond to emerging issues.

Most recently was the 2025 long session, which began on Tuesday, January 21, and concluded on Friday, June 27.

In addition, on July 22, Governor Tina Kotek announced plans to convene a **special session** beginning Friday, August 29, to address a \$350 million funding shortfall at the Oregon Department of Transportation (ODOT). The session aims to allocate additional dollars to cities, counties, and public transit agencies, following the Legislature's failure to pass a comprehensive transportation funding package during the 2025 session. This special session is expected to focus on securing immediate resources for road maintenance, ODOT operations, transit service, and preventing layoffs.

Special sessions in Oregon are rare and generally reserved for emergency or time-sensitive issues—underscoring the urgency and statewide impact of this funding gap. For Clatsop County, the outcome of the special session could directly affect the operations and maintenance of critical transportation infrastructure, preservation of

current public transit service levels, and ability to address local transportation safety concerns.

During today's work session, CFM Advocates will:

- Summarize the major outcomes of the 2025 session,
- Share expectations for the upcoming short session in 2026,
- Provide an overview of the Governor's upcoming special session on transportation funding, and
- Gather input from the Board on any additional legislative priorities or concerns.

Attachment List

A. N/A

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

August 13, 2025

Topic: Discuss Proposed Ordinance to Amend Transient Lodging Tax
Presented By: Don Bohn, County Manager
Matt Phillips, Sheriff

**Informational
Summary:**

Clatsop County has engaged industry and legislative leaders over the last year to discuss/address the impacts of tourism on the provision of local law enforcement and fire services. Clatsop County is one of the most tourist impacted communities per capita, with peak season population exceeding 120,000 (resident population is approximately 41,000).

The County's primary goal is to garner legislative support to modify the post 2003 limitations on the distribution of revenue. Currently, post 2003 rates must be spent with 70% dedicated to tourism promotion/facilities and 30% for discretionary purposes. For highly impacted tourist counties, this formula over emphasizes marketing/facilities and underfunds impacts that strain local public safety infrastructure and service levels.

The Board of Commissioners and staff have diligently advocated for a definitional or formula modification that would allow the already collected revenue to be spent on the highest tourism-related priorities (including public safety, tourism marketing and tourism facilities). Depending on the specifics of any legislative adjustment, a definitional or formula change could effectively minimize or eliminate the need for a local adjustment to the County-wide TLT rate (currently 1%).

As the County efforts for legislative relief have been unsuccessful to date, staff recommend moving forward with a 2% increase to the Countywide rate (3% total) to be effective January 1, 2026. Given the uncertainty of future legislative action, it is recommended the revised ordinance includes a provision for the Board of Commissioners to consider rate reductions by resolution in the event flexibility is granted during future legislative sessions.

Addressing the impacts of tourism is a priority for law enforcement and rural fire agencies. Although not required, the County's intention is to distribute a portion of the TLT revenues to support rural fire agencies, as they do not have access to these funds directly, are primarily volunteer-resourced and are significantly impacted by the surge in daily visitors.

Staff will review the attached presentation which is based on the materials included in the July 23, 2025, agenda (included as an attachment). This item was ultimately postponed by the Board, with the request for a work session to discuss further. The goal of this work session is to answer questions and receive direction about whether an amendment to the TLT Ordinance is to move forward.

Attachment List

- A. TLT Work Session Presentation
- B. July 23, 2025, Agenda Item (item postponed pending this work session)



Proposed Amendments to Clatsop County's Transient Lodging Tax Ordinance

Second Reading – Ordinance 24-23

Presented by:

Don Bohn, County Manager

Matt Phillips, Sheriff

Andrew Sullivan, Finance Director

Date: July 23, 2025

What Is the Transient Lodging Tax (TLT)?

- A tax on overnight lodging stays less than 30 days
- Applies to:
 - Hotels, motels, B&Bs
 - Short-term rentals
 - RV and tent sites in public/private campgrounds
- Paid by visitors; collected and remitted by lodging providers
- Lodging providers retain 5% of what they collect for administrative costs in implementing the tax





Evolution of Local TLTs in Oregon

Cities and counties may adopt TLTs to support local services



Before July 1, 2003

All revenue was discretionary



After July 1, 2003:

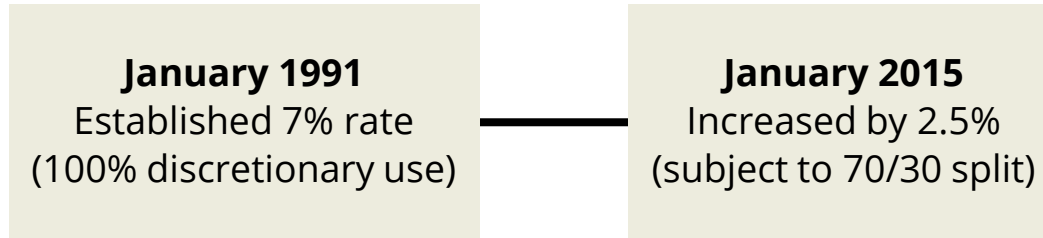
70% must be used for tourism promotion and tourism-related facilities

30% may be used for general city or county services

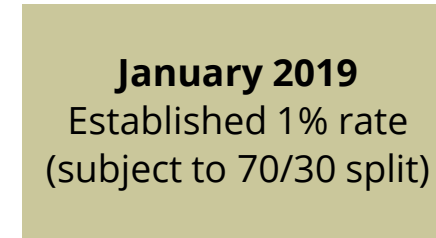
New or increased rates post-2003 must follow this 70/30 split

TLT Rate Timeline

Unincorporated Rate = 9.5%



County-wide Rate = 1%



City Rates

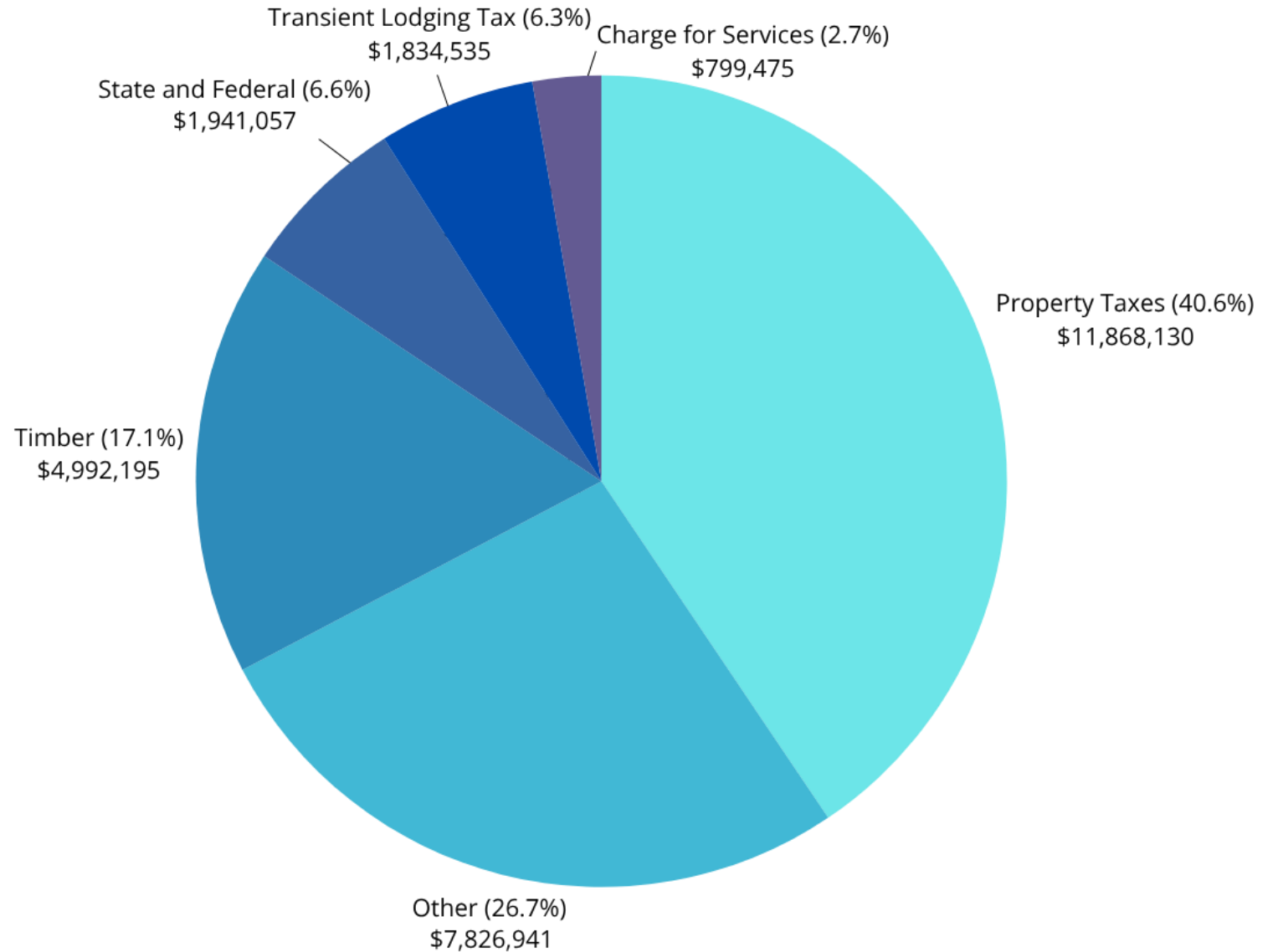
City	Total Pre-July 2003 Rate (100% Discretionary)	Total Post-July 2003 Increase (70/30 split)	Current Rate
Astoria	9%	2%	11%
Cannon Beach	6%	3.5%	9.5%
Gearhart	7%	0%	7%
Seaside	8%	2%	10%
Warrenton	9%	3%	12%



General Fund Revenue Overview (FY 23-24)

Total discretionary revenue =
\$29,262,333

6.3% of the County's General Fund discretionary revenue



Seasonal Population Pressures

Overnight-Visitor Day Share of Resident Population				
County	2021	2022	2023	Average
Lincoln County	28%	27%	25%	27%
Clatsop County	23%	24%	24%	24%
Tillamook County	20%	22%	24%	22%
Curry County	19%	22%	24%	22%
Jefferson County	13%	17%	16%	15%
Wheeler County	13%	16%	16%	15%

Clatsop County

- Resident population:
About 41,000
- Peak summer population:
Over 120,000

**Overnight-Visitor Day Share of Resident Population:
Average annual overnight visitor days ÷ 365 ÷ resident population

Tourism's Impact on Public Safety



- Tourism boosts our economy but strains public safety, emergency response, and critical infrastructure
- On average, nonresidents represent:
 - **1/3 of all jail bookings, arrests, and tickets**
 - **15% of all crime victims**
- 11 volunteer-supported fire agencies are under-resourced and overstretched

Principles Guiding Solutions

Tax Equity

Visitors contribute toward the services they use and benefit from



Geographic Equity

Both city and rural guests pay for impacts on County-wide public safety delivery systems



Maintain Service Levels

Ensure adequate funding for reliable, effective, and efficient public safety services to residents and visitors



Alternative 1 – Legislative Fix

Amend State Law (ORS 320.350)

Clatsop County supported legislation in 2025:

HB 3556

Expand eligible uses of the restricted 70% to include tourism-impacted services (specifically public safety and community infrastructure)

HB 3962 A

Change the required 70/30 allocation to **40/60**

Outcome: Neither bill passed

Alternative 2 – Local Fix

Adjust County-wide TLT rate



Increase County-wide TLT from **1% to 3%**



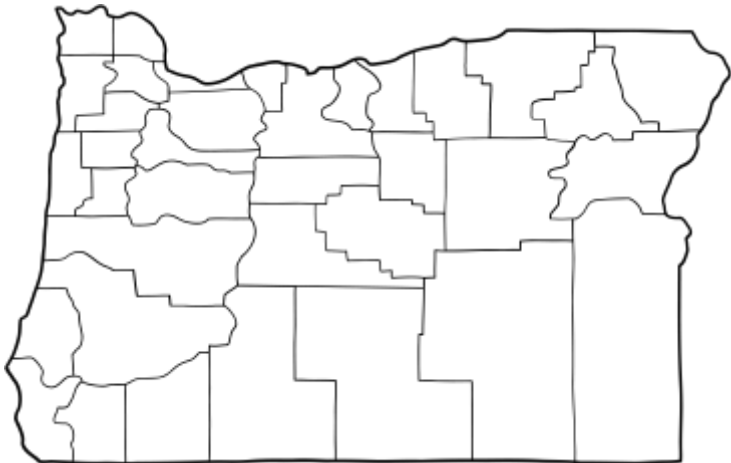
Generates necessary discretionary revenue to **address public safety needs**



Within local authority—does not require legislative approval



Median TLT Rates by Select Oregon Counties



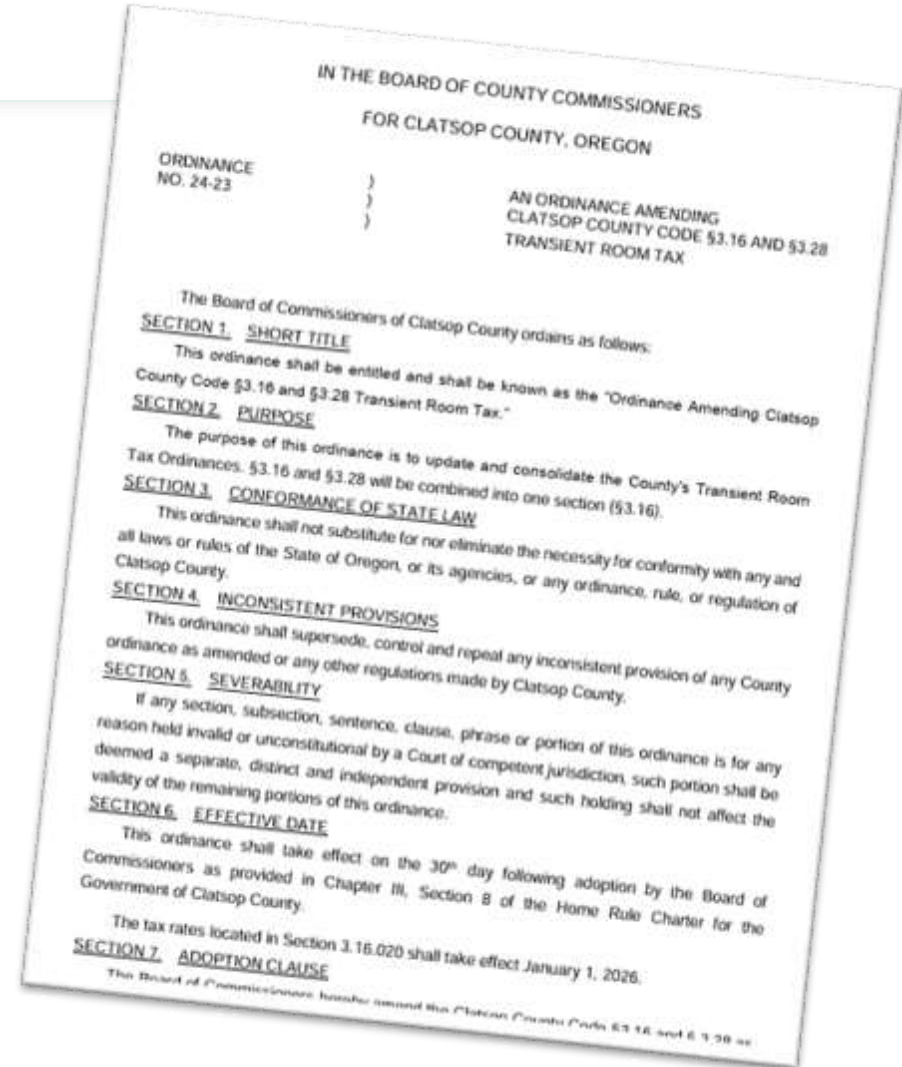
- **Clatsop County:** 12.5% (*includes proposed 2% County-wide rate increase*)
- **Benton County:** 12.0%
- **Lincoln County:** 12.0%
- **Multnomah County:** 12.0%
 - *City of Gresham: 13.5%*
- **Josephine County:** 12.0%
- **Lane County:** 11.0%
 - *Cities of Springfield & Eugene: 11.5%*
- **Tillamook County:** 10.0%
 - *Cities of Rockaway & Tillamook: 11.0%*
- **Deschutes County:** 9.0%
 - *City of Bend: 10.4%*

With the proposed increase, Clatsop County's TLT rate would remain comparable to other local TLT rates across the State.

Flexibility Built Into the Ordinance

Ordinance 24-23

- Sets a maximum allowable rate, not a fixed rate
- If State law changes, the Board can choose to reduce the rate accordingly



Proposed Increase to County-wide TLT

- Increase from 1% to **3%**
- Follows the 70/30 state-required allocation
- Estimated additional annual revenue: \$4 million
 - \$2.8M (70%) for tourism promotion/facilities
 - **\$1.2M (30%) for discretionary public safety use**



Estimated Impact on General Fund

New discretionary revenue = **\$1.2 million annually**

- Would increase TLT's contribution to General Fund from 6.3% → **9.3%**

- Reduces reliance on property tax and timber revenues to subsidize the impacts of tourism on public safety services



Other Ordinance Modifications

Combines Chapters 3.16 and 3.28 into one streamlined ordinance

Clarifies use of discretionary funds from new/increased rates post-2003:

Updates definition of **Transient Lodging Intermediary**

Adds language to allow **maximum rate flexibility**

Must address tourism-related impacts on public safety

Allows future flexibility in how funds are budgeted

Timing and Implementation

**Ordinance
Effective Date:**
30 days after
adoption

**New Rate
Effective:**
January 1, 2026

**Revenue Turnover
Begins:**
April 2026
(based on Q1 filings)

Highlights



Clatsop County **values the tourism industry**



Clatsop County continues to **prioritize equitable, sustainable funding**



Tourism is straining public safety systems



Legislative fix not adopted—**local action is needed**



County-wide TLT increase offers a solution **within the Board's authority**



Ordinance 24-23 includes **flexibility** in case of future legislative changes



Questions?

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

July 23, 2025

Agenda Title: Second Reading of Ordinance 24-23 to Amend Title 3, Chapter 3.16, of the Clatsop County Code to Consolidate Code Sections 3.16 and 3.28, make other modifications and Adjust the County-wide Transient Lodging Tax (TLT) Rate

Category: Public Hearing

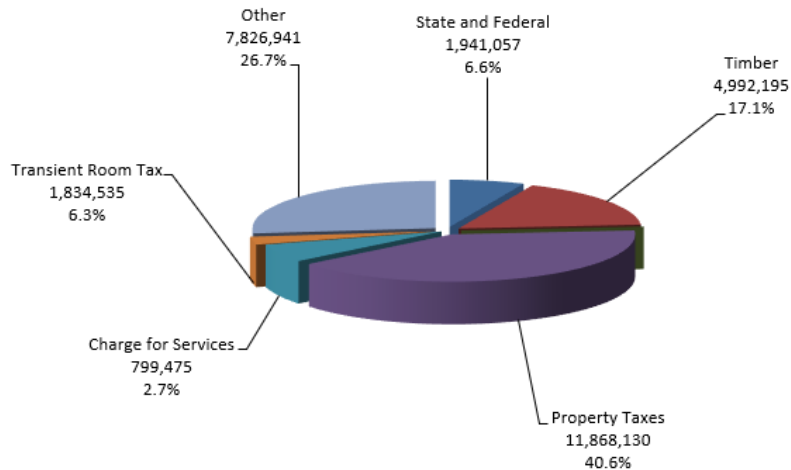
Presented By: Don Bohn, County Manager
Matt Phillips, Sheriff
Andrew Sullivan, Finance Director

Issue Before the Commission: Consideration of an amendment to consolidate Sections 3.16 and 3.28 of the County code into Section 3.16, make other changes and adjust the County-wide Transient Lodging Tax (TLT) rate.

Informational Summary: **Background**

Clatsop County relies on a mix of property taxes, timber revenues, transient lodging tax, fees for service, intergovernmental revenues, licenses and permits and miscellaneous revenues to fund the essential services and service levels that contribute to a safe, healthy and sustainable community. The following table illustrates the breakdown of discretionary revenue by type:

Clatsop County: 2023-2024 General Fund Discretionary Revenue Total: \$29,262,333



The discretionary portion of the Transient Lodging Tax represents approximately 6% of annual general fund revenues (FY 23/24).

As illustrated in the 2023 report by ECONorthwest, tourism is placing a unique set of pressures on the service and service levels of public safety related offices, departments and services. From a practical perspective, Clatsop County consistently provides services not just to its resident population of 41,072 (2020 Census), but to a much larger community that frequently swells to more than 120,000 during peak tourism season.

The counties with the highest per capita rates of tourism are coastal and include Lincoln, Clatsop, Tillamook and Curry.

Overnight-Visitor Day Share of Resident Pop.²				
County	2021	2022	2023	Average
Lincoln County	28%	27%	25%	27%
Clatsop County	24%	23%	24%	24%
Tillamook County	20%	23%	25%	23%
Curry County	20%	22%	24%	22%
Jefferson	13%	17%	16%	16%
Wheeler County	14%	16%	16%	15%

² Dean Runyan Associates. "The Economic Impact of Travel in Oregon: Calendar Year 2023 Preliminary." Travel Oregon. (2024)

For Clatsop County, the most significant and direct impacts of tourism are in General Fund supported services, including law enforcement and jail (Sheriff's Office), District Attorney and Emergency Management. Analysis has shown, on average, visitors make up one-third of all bookings, arrests, and tickets issued by law enforcement in Clatsop County each year (see attached analysis of public safety data from 2019-2024). Although rural fire services are not a County function, they are also severely impacted by tourism. All 11 volunteer-supported fire agencies in Clatsop County require funding beyond local property taxes to keep up with the volume and complexity of calls for service.

Currently, the impacts of tourism are subsidized by other sources of discretionary revenues, primarily property taxes. The only discretionary local revenue source with a nexus to tourism is the TLT. This tax applies to the customers/occupants of 1) hotels and motels; 2) bed and breakfast facilities; 3) RV sites in RV parks or campgrounds; 4) resorts and inns; 5) dwellings – housing, cabins, condominiums, and apartments used as short-term vacation rentals, and 6) tent sites and yurts in private and public campgrounds. TLT is charged to customers for overnight lodging stays of less than 30 consecutive days. The tax is paid by the transient lodger (customer) and is collected and remitted quarterly by the transient lodging provider (business/agency). These lodging agencies may retain 5% of the tax collected to offset the administrative costs of collecting and remitting the tax.

The statutory requirement that 70% of revenue from TLT rates imposed or increased on or after July 1, 2003 be restricted to tourism promotion/facilities directly inhibits the ability of tourism-impacted counties to maintain public safety services and service levels for residents and visitors alike, without impacting other General Fund priorities.

The following principles were applied while evaluating various alternatives for addressing the funding disparity/inequity:

1. Tax Equity – Ensure the tax burden is distributed fairly between those using/benefiting from the service.
2. Geographic Equity – Both unincorporated and incorporated lodging customers pay for the impacts on County-wide public safety delivery systems.
3. Maintain Service Levels – Sufficient funding to preserve essential public safety services and service levels to residents and visitors, providing reliable, effective, efficient services.

By applying these criteria, two alternatives were identified:

Alternative 1

Legislative action to modify the 70/30 revenue split mandated by [ORS 320.350](#) since 2003. The request is to maximize discretionary revenue by altering the current definition or formula that prioritizes spending on tourism promotion/facilities to more adequately address the impacts of tourism on critical public safety services and service levels.

Alternative 2

Clatsop County Board of Commissioner action to modify the TLT rate to generate an adequate amount of discretionary revenue to equitably fund critical public safety services that are heavily impacted by high volume tourism.

Status of County Efforts

The County has actively pursued and prefers **Alternative 1**, as this option effectively minimizes or eliminates the need for an increase in the TLT rate and relies on redirecting what is already collected.

In pursuit of Alternative 1, Clatsop County developed a draft legislative concept to allow the limited number of high-volume tourism counties (Lincoln, Clatsop, Tillamook and Curry) flexibility/discretion to allocate local TLT revenue to address the service impacts of tourism on public safety-related services.

Subsequently, during the 2025 legislative session, the League of Oregon Cities and other stakeholders introduced two bills, HB 3556 and HB 3962 A, which proposed different strategies to provide state-wide flexibility in the use of local TLT revenue. HB 3556 sought to expand the eligible uses of the 70% currently restricted to tourism promotion/facilities to also include public safety and infrastructure impacted by tourism. HB 3962 A proposed adjusting the required revenue split from 70/30 to 40/60, allowing up to 60% of TLT funds to be used for

local services. Despite widespread public-sector support, the Legislature did not approve changes to the law.

Alternative 2 is the only option that lies within the decision-making authority of the Board of Commissioners. Unfortunately, the current formula creates a situation where to generate the necessary discretionary revenue to address the impacts of tourism on public safety services and service levels, the rate must be higher than necessary to accommodate the statutory requirement to direct 70% to tourism promotion/facilities. For example, to generate roughly \$1.2 million in additional discretionary revenues, the County must levy a rate that collects \$4.1 million in TLT revenue (roughly \$2.9 million restricted for tourism promotion/facilities).

Due to the uncertainty of future legislative decisions and the urgent need to address the funding discrepancy during FY 25/26, County staff recommend pursuing Alternative 2 at this time, with the understanding that the rates may be reassessed if the Legislature takes future action. Specifically, the revised ordinance includes language in Section 3.16.020 that allows the Board of Commissioner’s flexibility to collect less than the maximum authorized rates if adequate definitional or formula changes are ultimately approved by the Legislature.

The Two Elements of County TLT: Unincorporated and County-wide

By Ordinance, the Clatsop County TLT includes two elements:

Unincorporated – collected outside of cities (currently County Code Section 3.16)

County-wide – collected in cities (in addition to City rates) and unincorporated areas (currently County Code Section 3.28)

Ordinance 24-23 combines these two sections in the County Code.

Unincorporated TLT

Clatsop County currently imposes a 9.5% TLT rate in the unincorporated areas of the County. Of this rate, 7% is discretionary (General Fund) as it was established prior to the 2003 legislation. The remaining 2.5% (adopted in 2015) is subject to the 70/30 split, with the discretionary portion allocated to public road and drainage improvements in the unincorporated areas.

The following table summarizes the collection and distribution of the current 9.5% rate:

Distribution of 9.5 cent Unincorporated TLT	
<i>General Fund - Discretionary (7%)</i>	708,243
<i>Tourism Promotion (70% of 2.5%)</i>	177,061
<i>Public Road Drainage & Improvements (30% of 2.5%)</i>	75,938
9.5% Unincorporated Room Tax (FY23-24) - Annual Total	961,242

Currently, unincorporated tax collections is limited to short-term rentals and camping as no hotel/motels are located in the unincorporated areas.

The 9.5% rate unincorporated rate is near the median of tax rates approved by local cities, with the Warrenton (12%), Astoria (11%) and Seaside (10%) above the median:

CITY	TLT RATE
Astoria	11.0%
Cannon Beach	9.5%
Gearhart	7.0%
Seaside	10.0%
Warrenton	12.0%
Unincorporated	9.5%

Recommendation for Unincorporated Rate:

Staff recommends no change to the unincorporated rate.

County-wide TLT

The County-wide TLT is the only portion of the County TLT that is collected within cities. In FY 2018, in anticipation of opening an expanded jail facility, the Board of Commissioners approved a 1% County-wide TLT rate, dedicating the 30% discretionary portion to Jail operations. This rate was based on preliminary cost estimates and is applied to all transient lodging providers in the County. The 70% dedicated to tourism promotion/facilities was distributed to the city in which it was collected and into a restricted County account for collections from the unincorporated areas.

The discretionary portion of the 1% is presently funding approximately 10-13% of jail operations (depending on the year), significantly below the tourism impact estimate of roughly 30%. Other discretionary revenues (i.e. property tax and timber revenues) are subsidizing the discrepancy.

As a note, the Counties' permanent tax rate of 1.5338% is 11th lowest of 36 counties and grows between 3% and 4% most years. The annual growth rate is insufficient to cover the impacts of tourism.

Recommendation for County-wide Rate:

Staff recommend adjusting the County-wide rate to 3%, an increase of 2%. This adjustment is expected to generate an additional \$4 million in total revenue. Based on the current statutory requirements, \$2.8 million is dedicated to tourism promotion/facilities and \$1.2 million available for discretionary spending related to the impacts of tourism on public safety related services and service levels.

In summary, the amended rates for the unincorporated and County-wide TLT, if approved, would generate the following revenue (restricted and discretionary):

2% County-Wide TLT Rate Increase & Fiscal Impact (estimates)												
	Current Rate	Discretionary Revenue - Current	Restricted Revenue (Tourism) - Current	Current Revenue	% Increase	Additional Discretionary Revenue	Additional Restricted Revenue (Tourism)	New Revenue generated from Rate Increase	New Rate	Total Discretionary Revenue	Total Restricted Revenue (Tourism)	Total TLT Revenue
County-Wide	1.0%	600,000	1,400,000	2,000,000	2.0%	1,200,000	2,800,000	4,000,000	3.0%	1,800,000	4,200,000	6,000,000
Unincorporated	9.5%	775,000	175,000	950,000	0.0%	-	-	-	9.5%	775,000	175,000	950,000
TLT Rate	10.5%	1,375,000	1,575,000	2,950,000	2.0%	1,200,000	2,800,000	4,000,000	12.5%	2,575,000	4,375,000	6,950,000

Additional Proposed Code Modifications

As part of the consolidation of Code Sections 3.16 and 3.28 (into 3.16), the following code modifications are included.

- Section 3.16.190 currently dedicates the discretionary portion (30%) of the 2.5% collected in unincorporated areas (approved in 2015) to public road and drainage improvements, primarily within the Arch Cape community. Section 3.16.190 of the revised code would change this by including the following language: “Discretionary revenue derived from rates established after 2003 will address tourism-related impacts on public safety services and associated service levels.” The Board of Commissioners may continue funding for unincorporated road and drainage improvements at their discretion through the budget process.
- Section 3.28 is consolidated into 3.16. As part of this consolidation the language in 3.28 dedicating the discretionary (30%) to the General Fund for jail operations is modified to include the same language as noted above: “Discretionary revenue derived from rates established after 2003 will address tourism-related impacts on public safety services and associated service levels.”
- Revise the definition of Transient Lodging Intermediary (3.16.010 Definitions).
- Section 3.16.020 establishes a maximum tax for Unincorporated and Countywide and stipulates by resolution, the Board of Commissioners may approve a rate to be collected that is less than the maximum rate included in 3.16.020 (A) and (B).

What if the Legislature subsequently approves distribution flexibility?

If legislation is approved to provide greater flexibility, County staff will reassess the rates and make a recommendation to the Board of Commissioners.

How will the County handle the additional tourism promotion/ facilities funds?

These funds will be set aside in a restricted account and allocated through the annual budget process based on the priorities of the Board of Commissioners, with input from cities, local tourism interests and other stakeholders.

Effective Date

This ordinance will be effective thirty days after Board adoption. The tax rate adjustment will be implemented as of January 1, 2026. Revenues will be received by the County beginning in April 2026.

Fiscal Impact: The proposed adjustments will generate additional TLT revenue of approximately \$4,000,000 per year. This includes \$2,800,000 for tourism promotion/facilities and \$1,200,000 for discretionary spending to partially offset the impacts of tourism on public safety related services and service levels.

Requested Action:

Adopt Ordinance 24-23 with an effective date 30-days from today with the tax rate adjustment being implemented on January 1, 2026.

Attachment List

- A. Ordinance 24-23
- B. TLT Rate Timeline and Current Rates (as of January 2025)
- C. Clatsop County Analysis of the Fiscal Impacts of Tourism by ECONorthwest (march 2023)
- D. Public Safety Data: Non- County Resident Bookings, Arrests, Tickets, and Crime Victims (2019-2024)

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

ORDINANCE)	AN ORDINANCE AMENDING
NO. 24-23)	CLATSOP COUNTY CODE §3.16 AND §3.28
)	TRANSIENT ROOM TAX

The Board of Commissioners of Clatsop County ordains as follows:

SECTION 1. SHORT TITLE

This ordinance shall be entitled and shall be known as the “Ordinance Amending Clatsop County Code §3.16 and §3.28 Transient Room Tax.”

SECTION 2. PURPOSE

The purpose of this ordinance is to update and consolidate the County’s Transient Room Tax Ordinances. §3.16 and §3.28 will be combined into one section (§3.16).

SECTION 3. CONFORMANCE OF STATE LAW

This ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon, or its agencies, or any ordinance, rule, or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS

This ordinance shall supersede, control and repeal any inconsistent provision of any County ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect on the 30th day following adoption by the Board of Commissioners as provided in Chapter III, Section 8 of the Home Rule Charter for the Government of Clatsop County.

The tax rates located in Section 3.16.020 shall take effect January 1, 2026.

SECTION 7. ADOPTION CLAUSE

The Board of Commissioners hereby amend the Clatsop County Code §3.16 and § 3.28 as recorded in Exhibit A.

BOARD OF COUNTY COMMISSIONERS FOR
CLATSOP COUNTY, OREGON

First Reading:

Second Reading:

Effective Date:

By _____
Mark Kujala, Chairperson

By _____
Theresa Dursse, Recording Secretary

TRANSIENT ROOM TAX

Sections:

- 3.16.010 Definitions.
- 3.16.020 Tax imposed.
- 3.16.030 Collection of tax by Transient Lodging Tax Collector.
- 3.16.040 Transient Lodging Tax Collector’s duties.
- 3.16.050 Exemptions.
- 3.16.060 Registration of Transient Lodging Tax Collector—Certification of authority.
- 3.16.070 Due date—Returns and payments.
- 3.16.080 Tax deficiency determination.
- 3.16.090 Fraud—Refusal to collect—Evasion.
- 3.16.100 Transient Lodging Tax Collector delay.
- 3.16.110 Redeterminations.
- 3.16.120 Security for collection of tax.
- 3.16.130 Records maintained by Transient Lodging Tax Collector—Administrator examination.
- 3.16.140 Confidential character of information—Disclosure prohibited.
- 3.16.150 Appeal to Board of County Commissioners.
- 3.16.160 Refunds by County to Transient Lodging Tax Collector.
- 3.16.170 Refunds by County to transient.
- 3.16.180 Refunds by Transient Lodging Tax Collector to tenant.
- 3.16.190 Distribution of tax proceeds.
- 3.16.200 Tax penalties and interest.
- 3.16.210 Liens.
- ~~3.16.215~~ ~~3.16.220~~ 3.16.220 Violations—Penalties.
- 3.16.230 Attorney fees and costs.

3.16.010 Definitions.

For the purposes of this chapter except where the context requires otherwise:

“Accrual accounting” means an accounting method whereby the Transient Lodging Tax Collector enters the rent due from the transient on the records when the rent is earned, whether or not it is paid.

“Board” means the Board of County Commissioners of Clatsop County, Oregon.

“Cash accounting” means an accounting method whereby the Transient Lodging Tax Collector does not enter the rent due from the transient on the records until rent is paid.

“Occupancy” means the use or possession, or the right to the use or possession for lodging or sleeping purposes of any room, rooms, or space in a Transient Lodging as defined herein.

“Persons” means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

“Rent” means the total retail price, including all charges other than taxes, paid by a person for occupancy of the transient lodging. The total retail price paid by a person for occupancy of transient lodging that is part of a travel package may be determined by reasonable and verifiable standards from books and records kept in the ordinary course of the transient lodging tax ~~collectors~~collectors' business. The total retail price includes consideration given in goods, labor, credits, or property.

“Tax” means either the tax payable by the transient or the aggregate amount of taxes due from ~~the~~ Transient Lodging Tax Collector during the period for which the Transient Lodging Tax Collector is required to report collections.

“Tax Administrator” means the County Assessor.

“Transient” means any individual who exercises occupancy or is entitled to occupancy in a Transient Lodging for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the Transient Lodging shall not be included in determining the 30-day period if the transient is not charged rent for that day by the Transient Lodging Tax Collector. Any such individual so occupying space in a Transient Lodging shall be considered to be a transient until the period of 30 days has expired unless there is an agreement in writing between the Transient Lodging Tax Collector and the occupant providing for a longer period of occupancy, or the tenancy actually extends more than 30 consecutive days. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to January 1, 1991, may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in any month, shall not be considered a transient.

“Transient lodging” means: (a) hotel, motel and inn dwelling units that are used for temporary overnight human occupancy; (b) spaces used for parking recreational vehicles or erecting tents during periods of human occupancy; or (c) houses, cabins, condominiums, apartment units or other dwelling units, or portions of any of these dwelling units, that are used for temporary human occupancy.

“Transient lodging intermediary” means a person other than a transient lodging provider that facilitates the retail sale of transient lodging and ~~charges for occupancy of the transient lodging:~~

1. Charges for occupancy of the transient lodging;
2. Collects the consideration charged for occupancy of the transient lodging; or
3. Receives a fee or commission and requires the transient lodging provider to use specified third-party entity to collect the consideration charged for occupancy of the transient lodging.

“Transient lodging provider” means a person that furnishes transient lodging. Where the transient lodging provider performs functions through a managing agent of any type or character other than an employee, the managing agent shall also be considered an operator for the purposes of this chapter and shall have the same duties and liabilities as the principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall be considered to be compliance by both.

“Transient Lodging Tax Collector” means a transient lodging provider or a transient lodging intermediary.

“Unincorporated areas of Clatsop County” means all territory outside of the corporate limits of any city or town. (Ord. 17-01 § 6; Ord. 90-7 § 2)

3.16.020 Tax imposed.

For the privilege of occupancy in any hotel-transient lodging in ~~the unincorporated areas of~~ Clatsop County, Oregon, ~~on or after January 1, 1991~~, each transient shall pay a maximum tax in the amount of:

~~A. Unincorporated Areas: Nine and one half (9.5) percent of the rent charged by the Transient Lodging Tax Collector. of nine and one half eleven (11) percent of the rent charged by the Transient Lodging Tax Collector.~~

and:

~~B. Countywide: Additional ~~T~~Three (3.0) percent of the rent charged by the Transient Lodging Tax Collector.~~

This is in addition to any tax that may be levied by cities and the State of Oregon, ~~or by Chapter 3.28 of this code.~~ By Resolution, the Board of Commissioners may approve a rate to be collected that is less than the maximum rate included in 3.16.020 (A) and (B). The tax constitutes a debt owed by the transient to the County which is extinguished only by payment by the Transient Lodging Tax Collector to the County. The transient shall pay the tax to the Transient Lodging Tax Collector of the hotel-transient lodging at the time the rent is paid. The Transient Lodging Tax Collector shall enter the tax on his or her records when rent is collected if the Transient Lodging Tax Collector keeps records on the cash accounting basis, and when earned if the Transient Lodging Tax Collector keeps records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the Transient Lodging Tax Collector with each installment. In all cases, the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities, other than the furnishings of the rooms, accommodations and space occupancy in camp grounds, campgrounds, RV parks, mobile home parks or trailer parks. (Ord. 17-01 § 6; Ord. 14-04 § 6; Ord. 90-7 § 3)

3.16.030 Collection of tax by Transient Lodging Tax Collector.

- A. A tax shall be collected by the ~~T~~ransient ~~L~~odging ~~T~~ax ~~C~~ollector that receives the consideration rendered for occupancy of the transient lodging. The tax collected or accrued by the Transient Lodging Tax Collector constitutes a debt owing by the Transient Lodging Tax Collector to the County.
- B. In all cases of credit or deferred payment of rent, the payment of tax to the Transient Lodging Tax Collector may be deferred until the rent is paid, and the Transient Lodging Tax Collector shall not be liable for the tax until credits are paid or deferred payments are made. Adjustments may be made for ~~uncollectibles~~uncollectable amounts.
- C. The Tax Administrator shall enforce the provisions of this chapter. The Board of County Commissioners shall have the power to adopt rules not inconsistent with this chapter as may be necessary to aid in enforcement.
- D. For rent collected on portions of a dollar, fractions of a penny of tax shall not be remitted.
- E. Beginning on October 1, 1991, the Transient Lodging Tax Collector may withhold not more than five percent of the tax collected to cover the cost ~~to of the Transient Lodging Tax Collector of~~ associated with collecting and remitting the tax. (Ord. 17-01 § 6; Ord. 91-14 § 2; Ord. 90-7 § 4)

3.16.040 Transient Lodging Tax Collector's duties.

Each Transient Lodging Tax Collector shall collect the tax imposed by this chapter at the same time the rent is collected from each transient. The amount of tax shall be separately stated upon the Transient Lodging Tax Collector's records and any receipt rendered by the Transient Lodging Tax Collector. No Transient Lodging Tax Collector of a Transient Lodging shall advertise that the tax or any part of the tax will be assumed or absorbed by the Transient Lodging Tax Collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter. (Ord. 17-01 § 6; Ord. 90-7 § 5)

3.16.050 Exemptions.

The following are exempt from the state transient lodging tax:

- A. Any occupant for more than 30 successive calendar days;
- B. Any person who pays for lodging on a monthly basis, irrespective of the number of days in any month;
- C. Any occupant whose rent is of a value of less than two dollars per day; or
- D. Any occupant of a facility operated completely by a public benefit corporation as defined in ORS 65.001; or
- E. Any occupant of a hospital, nursing home, convalescent home, home for the aged or public institution owned and operated by a unit of government; or
- F. Any occupant of a facility providing treatment for drug or alcohol abuse or providing mental health treatment. (Ord. 17-01 § 6; Ord. 04-02)

3.16.060 Registration of Transient Lodging Tax Collector—Certification of authority.

- A. Every person engaging or about to engage in business as ~~aaa~~ Transient Lodging Tax Collector of a Transient Lodging in Clatsop County shall register with the Tax Administrator on a form provided by the administrator. Transient Lodging Tax Collector's engaged in business on December 2, 1990, must register not later than December 17, 1990. Transient Lodging Tax Collector's starting business after December 2, 1990, must register within 15 calendar days after commencing business.
- B. The privilege of registration after the date of imposition of the transient room tax ordinance shall not relieve any person from the obligation of payment or collection of tax regardless of registration.
- C. Registration shall set forth the name under which ~~aaa~~ Transient Lodging Tax Collector transacts or intends to transact business, the location of his or her place or places of business and such other information as the Tax Administrator may require to facilitate the collection of the tax. The registration shall be signed by the Transient Lodging Tax Collector.
- D. The Tax Administrator shall, within ten days after registration, issue without charge a certificate of authority to each registrant to collect the tax from the occupant, with a duplicate for each additional place of business of each registrant.
- E. Certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named or upon its sale or transfer.
- F. Each certificate and duplicate shall state the place of business to which it is applicable and shall be prominently displayed there so as to be seen and come to the notice readily of all occupants and persons seeking occupancy.

G. The certificate shall, among other things, state the following:

1. The name of the Transient Lodging Tax Collector;
2. The address of the transient lodging;
3. The date upon which the certificate was issued; and
4. "This TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE signifies that the person named on the face hereof has fulfilled the requirements of the TRANSIENT ROOM TAX ORDINANCE of CLATSOP COUNTY, OREGON, by registration with the Tax Administrator for the purpose of collecting from transients the lodging tax imposed by said County and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a Transient Lodging without strictly complying with all applicable local laws, including but not limited to those requiring a permit from any board, commission, department or office of Clatsop County. This certificate does not constitute a permit." (Ord. 17-01 § 6; Ord. 90-7 § 7)

3.16.070 Due date—Returns and payments.

- A. The tax imposed by this chapter shall be paid by the transient to the Transient Lodging Tax Collector at the time that rent is paid. All taxes collected by any Transient Lodging Tax Collector are due and payable to the Tax Administrator on a quarterly basis on the 15th day of the following month for the preceding three ~~months, and months; and~~ are delinquent on the last day of the month in which they are due. The Tax Administrator shall notify each Transient Lodging Tax Collector of the due and delinquent dates for the Transient Lodging Tax Collector's return. The initial return under this chapter may be for less than the three months preceding the due date; thereafter, returns shall be made for the applicable quarterly period.
- B. On or before the 15th day of the month following each quarter of collection, a return for the preceding quarter's tax shall be filed with the Tax Administrator. The return shall be filed in such form as the Tax Administrator may prescribe by every Transient Lodging Tax Collector liable for payment of the tax.
- C. Returns shall show the amount of tax collected or otherwise due for the related period. The Tax Administrator may require returns to show the total rentals upon which tax was collected or otherwise due, the gross receipts of the Transient Lodging Tax Collector for the period, an explanation in detail of any discrepancy between those amounts, and the amount of rents exempted by this chapter, if any.
- D. The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Tax Administrator at his or her office, either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.
- E. For good cause, the Tax Administrator may extend, for a period not to exceed one month, the time for making any return or payment of tax. Any Transient Lodging Tax Collector to whom an extension is granted shall pay interest at the rate of one and one-half percent per month on the amount of tax due without proration for a fraction of a month ~~in addition to the tax imposed. If a return is not filed and the tax and interest due is not paid by the end of the extension granted, the interest shall become a part of the tax for computation of penalties described in Section 3.16.200.~~

F. If the Tax Administrator considers it necessary in order to ~~insure~~ensure payment or facilitate collection by the County of the amount of taxes in any individual case, he or she may require returns and payment of the amount of taxes for other than quarterly periods. (Ord. 17-01 § 6; Ord. 90-7 § 8)

~~G. When the delinquent tax amount is less than \$1; in such cases, the Tax Administrator may cancel the delinquent tax.~~

3.16.080 Tax deficiency determination.

- A. If the Tax Administrator determines that the returns are incorrect, he or she may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns, or upon the basis of any information within, or that may come into, his or her possession. One or more deficiency determinations may be made of the amount due for one, or more than one, period, and the amount so determined shall be due and payable immediately upon service of notice, after which the amount determined is delinquent. Penalties on deficiencies shall be applied under Section ~~3-16-2003.16.190.~~
- B. In making a determination the Tax Administrator may off-set overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayments. The interest on underpayments shall be computed under Section ~~3-16-2003.16.190.~~
- C. The Tax Administrator shall give to the Transient Lodging Tax Collector or occupant a written notice of his or her determination. The notice may be served personally or by mail. If by mail, the notice shall be addressed to the Transient Lodging Tax Collector at his or her address as it appears on the records of the Tax Administrator. In case of service by mail or any notice required by this chapter the service is complete at the time of deposit in the United States post office.
- D. Except in the case of fraud or intent to evade this chapter or authorized rules, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the quarterly period for which the amount is proposed to be determined or within three years after the return is filed whichever period expires later.
- E. Any determination shall become due and payable immediately upon receipt of notice and shall become final within 15 days after the Tax Administrator has given notice; provided, however, the Transient Lodging Tax Collector may petition for redemption and refund if the petition is filed before the determination becomes final.
- F. The Tax Administrator may change a fee for the redetermination in such amount as is set by Order of the Board of County Commissioners. (Ord. 17-01 § 6; Ord. 90-7 § 9)

3.16.090 Fraud—Refusal to collect—Evasion.

If any Transient Lodging Tax Collector shall fail or refuse to collect the tax or make, within the time provided in this chapter, any report and remittance of the tax or any portion thereof required by this chapter, or makes a fraudulent return or otherwise ~~wilfully~~willfully attempts to evade this chapter, the Tax Administrator shall proceed in such a manner as he or she considers best to obtain facts and information on which to base an estimate of the tax due. As soon as the Tax Administrator has determined the tax due that is imposed by this chapter from any Transient Lodging Tax Collector who has failed or refused to collect it and to report and remit the tax, he or she shall proceed to determine and assess against the Transient Lodging Tax Collector the tax, interest and penalties provided by this chapter. If that determination is made, the Tax Administrator shall

give notice in the manner provided in Section 3.16.080 of the amount assessed. The determination and notice shall be made and mailed within three years after discovery by the Tax Administrator of any fraud, intent to evade or failure or refusal to collect the tax, or failure to file a return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within 15 days after the Tax Administrator has given notice; provided, however, the Transient Lodging Tax Collector may petition for redemption and refund if the petition is filed before the determination becomes final. (Ord. 17-01 § 6; Ord. 90-7 § 10)

3.16.100 Transient Lodging Tax Collector delay.

If the Tax Administrator believes that the collections of any tax ~~rea~~required to be collected and paid to the County will be jeopardized by delay or if any determination will be jeopardized by delay, he or she shall determine the amount of tax required to be collected, noting the fact upon the determination. The amount so determined shall be immediately due and payable, and the Transient Lodging Tax Collector shall immediately pay the determination to the Tax Administrator after service of notice thereof; provided, however, the Transient Lodging Tax Collector may petition, after payment has been made, for redemption and refund of the determination, if the petition is filed within 15 days from the date of service of notice by the Tax Administrator. (Ord. 17-01 § 6; Ord. 90-7 § 11)

3.16.110 Redeterminations.

- A. Any person against whom a determination is made under Section 3.16.080 or any person directly interested may petition for a redetermination and refund within the time required in Section 3.16.080. If a petition for redetermination and refund is not filed within that time, the determination becomes final at the expiration of the allowable time.
- B. If a petition for redetermination and refund is filed within the allowable period the Tax Administrator shall reconsider the determination and, if the person has so requested in his or her petition, shall grant the person an oral hearing and shall give him or her 15 days' notice of the time and place of the hearing. The Tax Administrator may continue the hearing from time to time as may be necessary.
- C. The Tax Administrator may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined the increase shall be payable immediately after the hearing.
- D. The order or decision of the Tax Administrator upon a petition for redetermination and refund becomes final 15 days after service upon the petitioner of notice, unless appeal of the order or decision is filed with the Board of County Commissioners within the 15 days after service of notice.
- E. No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the Transient Lodging Tax Collector has first complied with the payment provision of this chapter. (Ord. 17-01 § 6; Ord. 90-7 § 12)

3.16.120 Security for collection of tax.

- A. The Tax Administrator, whenever he or she considers it necessary to ~~insure~~ensure compliance with this chapter, may require any Transient Lodging Tax Collector to deposit with him or her such security in the form of cash, bond or other security as the Tax Administrator may determine. The amount of the security shall be fixed by the Tax ~~Administrator, but~~Administrator, but shall not be greater than twice the Transient Lodging Tax Collector's estimated average quarterly liability for the period for which he or she files returns, determined in such manner as the Tax Administrator considers proper, or \$5,000.00,

whichever is less. The amount of the security may be increased or decreased by the Tax Administrator subject to the limitations of this subsection.

- B. At any time within three years after any tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the Tax Administrator may bring an action in the courts of this state, or any other state, or of the United States in the name of the County to collect the amount delinquent together with penalties and interest or foreclose any lien on real property imposed pursuant to this chapter. (Ord. 17-01 § 6; Ord. 90-7 § 13)

3.16.130 Records maintained by Transient Lodging Tax Collector—Administrator examination.

- A. Every Transient Lodging Tax Collector shall keep guest records of room sales on accounting books and records of the room sales. All records shall be retained by the Transient Lodging Tax Collector for a period of three years and six months after they come into being.
- B. The Tax Administrator, or any person authorized in writing by him or her, may examine, during normal working hours, the books, papers and accounting records relating to room sales of any Transient Lodging Tax Collector, after notification to the Transient Lodging Tax Collector liable for the tax, and may investigate the business of the Transient Lodging Tax Collector in order to verify the accuracy of any return made, or if no return is made by the Transient Lodging Tax Collector, to ascertain and determine the amount required to be paid. (Ord. 17-01 § 6; Ord. 90-7 § 14)

3.16.140 Confidential character of information—Disclosure prohibited.

- A. It is unlawful for the Tax Administrator or any person having an administrative or clerical duty under the provisions of this chapter to make known in any manner whatsoever the business affairs, operations or information obtained by an investigation of records and equipment of any person required to obtain a transient occupancy registration certificate or pay a transient occupancy tax, or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth in any statement or application, or to permit any statement or application or copy of either or any book containing any abstract or particulars thereof to be seen or examined by any person.
- B. Nothing in subsection A of this section shall be construed to prevent:
 - 1. The disclosure to, or examination of records and equipment to another Clatsop County official, employee or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this chapter including the collection of taxes.
 - 2. The disclosure, after the filing of written request to that effect, to the taxpayer him or herself, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested in information as to any paid tax, any unpaid tax or amount of tax required to be collected, or interest, or penalties; provided, however, that the County counsel approves each disclosure and that the Tax Administrator may refuse to make any disclosures when, in his or her opinion, the public interest would suffer thereby.
 - 3. The disclosure of the names and addresses of any persons to whom transient occupancy registration certificates have been issued.
 - 4. The disclosure of general statistics regarding taxes collected or business done in the County.

5. Any information regarding a delinquency required to be disclosed by ORS 192.502(18). (Ord. 17-01 § 6; Ord. 90-7 § 15)

3.16.150 Appeal to Board of County Commissioners.

Any person aggrieved by any decision of the Tax Administrator may appeal to the Board of County Commissioners by filing a notice of appeal with the Tax Administrator within 15 days of the serving or mailing of the notice of a decision made by the Tax Administrator. The Tax Administrator shall fix a time and place for hearing the appeal as prescribed by the Board of County Commissioners and shall give the appellant 15 days' written notice of the time and place of hearing. (Ord. 17-01 § 6; Ord. 90-7 § 16)

3.16.160 Refunds by County to Transient Lodging Tax Collector.

Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter, it may be refunded; provided a verified claim in writing, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on forms provided by the Tax Administrator. If the claim is approved by the Tax Administrator, the excess amount collected or paid may be refunded or may be credited on any amounts then due and payable from the Transient Lodging Tax Collector ~~Transient Lodging Tax Collector~~ from whom it was collected or by whom paid and the balance may be refunded to the Transient Lodging Tax Collector, his or her administrator, executors or assignees. Credit balances of \$10 or less are not required to be refunded and shall be adjusted to eliminate the overpayment on the account and distributed consistent with section 3.16.190~~ORS 320.300.~~ (Ord. 17-01 § 6; Ord. 90-7 § 17)

3.16.170 Refunds by County to transient.

Whenever the tax required by this chapter has been collected by the Transient Lodging Tax Collector and deposited by the Transient Lodging Tax Collector with the Tax Administrator, and it is later determined that the tax was erroneously or illegally collected or received by the Tax Administrator, it may be refunded to the transient, provided a verified claim in writing, stating the specific reason on which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. Credit balances of \$10 or less are not required to be refunded and shall be adjusted to eliminate the overpayment on the account and distributed consistent with section 3.16.190 ~~ORS 320.300.~~ (Ord. 17-01 § 6; Ord. 90-7 § 18)

3.16.180 Refunds by Transient Lodging Tax Collector to tenant.

Whenever the tax required by this chapter has been collected by the Transient Lodging Tax Collector and it is later determined that the tenant occupies the Transient Lodging for a period exceeding 30 days without interruption, the Transient Lodging Tax Collector shall refund to the tenant the amount previously collected by the Transient Lodging Tax Collector from that tenant as a transient. The Transient Lodging Tax Collector shall account for the collection and refund to the Tax Administrator. If the Transient Lodging Tax Collector has remitted the tax prior to refund or credit to the tenant, he or she shall be entitled to a corresponding refund under Section 3.16.160. (Ord. 17-01 § 6; Ord. 90-7 § 19).

3.16.190 Distribution of tax proceeds

The Tax Administrator shall distribute taxes per ORS 320.300. Discretionary revenue derived from rates established after 2003 will be used to address tourism-related impacts on public safety services and associated service levels.

~~3.16.190~~ Distribution of tax proceeds.

3.16.~~200+90~~200 Tax penalties and interest.

- A. Any Transient Lodging Tax Collector who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this chapter prior to delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.
- B. Any Transient Lodging Tax Collector who has not been granted an extension of time for remittance of tax due and who failed to pay any delinquent remittance on or before a period of 30 days following the date on which the remittance first became delinquent, shall pay a second delinquency penalty of 15% of the amount of the tax in addition to the 10% penalty first imposed.
- C. If the Tax Administrator determines that the nonpayment of any remittance due under this chapter is due to fraud or intent to evade its provisions, a penalty of 25% of the amount of the tax shall be added to the penalties stated in subsections A and B of this section.
- D. In addition to the amount of tax and penalties imposed, any Transient Lodging Tax Collector who fails to remit any tax imposed by this chapter shall pay interest at the rate of one and one-half percent per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
- ~~E. Every penalty imposed and such interest as accrues under the provisions of this section shall be merged with and become a part of the tax required to be paid.~~

3.16.21~~0+0~~ Liens.

- A. The tax imposed by this chapter together with the interest and penalties herein provided, which may be incurred when same became delinquent as set forth in this chapter, shall be and, until paid, remain a lien against both the transient lodging premises and any and all real and personal property in Clatsop County belonging to transient Lodging Tax Collector, and may be foreclosed upon and sold as necessary to discharge said lien. Notice of lien may be issued by the Tax Administrator or his or her deputy whenever the Transient Lodging Tax Collector is in default in the payment of said tax, interest and penalty and shall be recorded with the County Clerk and a copy sent to the delinquent Transient Lodging Tax Collector and legal owner of the transient lodging premises. The personal property subject to such lien seized by any deputy or employee of the Tax Administrator may be sold at public auction after 10 days' notice, which shall mean one publication in a newspaper of general circulation published within Clatsop County.
- B. The Tax Administrator may bring an action for foreclosure pursuant to ORS Chapter 88, of a real property lien at any time within three years after any tax required to be collected becomes due and payable or at any time within three years after any determination becomes final.
- C. Any liens for taxes as shown on the records of the proper County official shall, upon the payment of all taxes, penalties and interest thereon, be released by the Tax Administrator when the full amount

determined to be due has been paid to the County and the Transient Lodging Tax Collector or person making such payment shall receive a receipt therefor stating that the full amount of taxes, penalties and interest thereon have been paid and that the lien is thereby released and the record of lien is satisfied. (Ord. 17-01 § 6; Ord. 90-7 § 22)

[3.16.22](#)~~03-16-21~~5 Violations—Penalties.

- A. It is unlawful for any Transient Lodging Tax Collector or other person so required to fail or refuse to register as required herein. It is unlawful for a Transient Lodging Tax Collector to fail to furnish any return required to be made, in a full and complete manner, to fail or refuse to furnish a supplemental

return or other data required by the Director or to render a false or fraudulent report, or to otherwise violate the provisions of this chapter.

- B. Any person violating any of the provisions of this chapter shall be guilty of a Class B Violation as provided for in Chapter 1.11 of the Clatsop County Code. Each transient lodging transaction for which tax, penalty or interest otherwise due is not paid shall be deemed a separate violation.
- C. In addition to and not in lieu of a code violation proceeding, the County may enforce compliance with this chapter by lien foreclosure, filing an action for an injunction, seeking appointment of a receiver or any other relief provided by law.
- D. Nothing herein restricts the authority of the Tax Administrator to refer a matter to the appropriate law enforcement agency for criminal prosecution if the director concludes that criminal fraud or other crime has been committed. (Ord. 17-01 § 6)

3.16.220 Attorney fees and costs.

In any action to enforce the provisions of this chapter or to collect any tax, penalty or interest or to foreclose any lien the County shall be entitled to collect its attorney fees and costs, including, but not limited to, litigation reports, accountant fees, witness fees, filing fees, service fees, publication fees and mailing expenses, from the Transient Lodging Tax Collector. Such fees and expenses shall be a lien against the real and personal property of the Transient Lodging Tax Collector as provided in Section ~~3.16.2103~~.16.200. (Ord. 17-01 § 6; Ord. 90-7 § 24)

Timeline for Clatsop County's TLT Rates

January 1991

[Clatsop County Ordinance](#)
[No: 1990-7](#)

Clatsop County established TLT of 7% for unincorporated areas

January 2015

[Clatsop County Ordinance](#)
[No: 2014-04](#)

Clatsop County increased TLT for unincorporated areas to 9.5%

July 2016

[HB 4146](#)

Oregon amended statewide TLT

- July 2016 to June 2020 = 1.8% tax rate
- Starting July 2020 = 1.5% tax rate

[ORS 284.131](#)

Updated by HB 4146 (2016)

Permitted use of State TLT revenues transferred to OTC:

- 65% (min) for State tourism programs
- 10% (min) for competitive grant program for tourism projects
- 20% (min) for regional cooperative tourism program
- Remaining for discretionary use

July 2003

[HB 2267](#)

Oregon establishes statewide TLT of 1%

Permitted use of revenue from new or increased local TLTs

- 70% for tourism promotion/facilities
- 30% for city/county services

[ORS 320.350](#)

Established by HB 2267 (2003)

Permitted use of revenue from new or increased local TLTs:

- 70% (min) for tourism promotion or tourism-related facilities
- 30% (max) for city or county services (discretionary use)

[ORS 320.335](#)

Established by HB 2267 (2003)

Permitted use of State TLT revenues:

- 2% (max) for State TLT admin costs
- Remaining is transferred to Oregon Tourism Commission (OTC)

January 2019

[Clatsop County Ordinance](#)
[No: 2018-07](#)

Clatsop County established Countywide (unincorporated & cities) TLT of 1%

Current TLT Rates

Statewide TLT for all of Clatsop County = 1.5%

State's Permitted Use of Revenue

- 2% (maximum) for State TLT admin costs
- Remaining funds are transferred to Oregon Tourism Commission (OTC)
 - 65% (minimum) for State tourism programs
 - 10% (minimum) for competitive grant program for tourism projects
 - 20% (minimum) for regional cooperative tourism program
 - Remaining for OTC's discretion

County TLT Rate for Unincorporated Clatsop County = 10.5%

7% tax (1991) + 2.5% increase (2015) + 1% Countywide tax (2019)

County's Permitted Use of Revenue

- 7% tax for unincorporated areas
 - 100% for County's discretion
 - Currently dedicated to County roads and tourism promotion/facilities
- 2.5 % tax rate increase for unincorporated areas
 - 70% (minimum) for tourism promotion and tourism-related facilities
 - 30% (maximum) for County's discretion
- 1% Countywide tax
 - 70% (minimum) for tourism promotion and tourism-related facilities
 - 30% (maximum) for County's discretion
 - Currently dedicated to jail operations

Local TLTs for Cities within Clatsop County

Countywide TLT = 1%

County's Permitted Use of Revenue

- 70% (minimum) for tourism promotion and tourism-related facilities
- 30% (maximum) for County's discretion
 - Currently dedicated to jail operations

City TLTs

City	Total rate prior to July 2003	Total increases since July 2003	Current tax rate
Astoria	9%	2%	11%
Cannon Beach	6%	3.5%	9.5%
Gearhart	7%	0%	7%
Seaside	8%	2%	10%
Agenda Item #3.	9%	3%	12%

Cities' Permitted Use of Revenue

- Tax rates/increases established prior to July 2003:
 - 100% for cities' discretion
- Tax rate increases established since July 2003:
 - 70% (minimum) for tourism promotion and tourism-related facilities
 - 30% (maximum) for cities' discretion

DATE: March 23, 2023
TO: Monica Steele, Assistant County Manager Clatsop County and Amanda Rapinchuk,
Management/Policy Analyst Clatsop County Manager's Office
FROM: Andrew Dyke, Angelica True, and Ryan Knapp
SUBJECT: Clatsop County Analysis of the Fiscal Impacts of Tourism

Executive Summary

During peak tourism season, Clatsop County, in essence, provides services and infrastructure to a community of 120,000 people with a revenue mix supporting 40,000 people, creating significant strains on department budgets most affected by tourism.

Providing the County with discretion to re-allocate TLT tourism promotion revenue (total of \$1.6 million in FY 2021-22) would allow the County to better respond to demands on County services and infrastructure. Increasing the percentage of TLT revenue allocated for discretionary use could support the following improvements/investments in service categories where County staff identified tourism impacts.

Public Safety and Emergency Services

- Better communications infrastructure for emergency services and cellular network support.
- Robust contingency planning for emergencies, natural disasters, and special events that occur during peak tourism season.
- Adequate staffing levels maintained for law enforcement and emergency management functions to meet the needs of residents and visitors sustainably and effectively on a year-round basis.

Parks

- Adequate staffing levels maintained for replenishing supplies, the cleaning of park restrooms, and general upkeep/landscaping of park grounds where no host is contracted to maintain that site.

Code Compliance

- A dedicated staff person to oversee the County's recently updated ordinances pertaining to STRs and to better address STR-related complaints and violations.

Public Health

- Critical infrastructure improvements to the public health system (e.g. the ability to renovate or build new infrastructure that can support increased demands for public services such as septage).
- Adequate staffing levels maintained for restaurant inspections and re-inspections.
- Adequate infectious disease prevention and response during peak tourism season.

Public Works

- Improvements to beach access points (accessed via public roads) to ensure emergency vehicles are able to access the beach.

Introduction

Clatsop County is a destination. The County contains some of Oregon’s most popular beach towns, such as Astoria, Cannon Beach, and Seaside, some of the state’s most iconic beaches, and the area is rich in natural beauty and history. Tourism is a vital part of the County’s economy, but the pressures tourism places on County services and infrastructure require the County to be proactive in ensuring that revenues keep pace with costs and that service levels are maintained for a growing population of residents and visitors alike.

While not directly or wholly attributable to tourism, general fund expenditures have grown more quickly than revenue since at least the beginning of the COVID-19 pandemic. Between FY 2019-20 and FY 2021-22, general fund revenue grew at an average rate of 1.8 percent per year, while general fund expenditures grew at an average rate of 6.6 percent per year. Adjusting for inflation, general fund revenues actually declined by 6.5 percent during this period, while general fund expenditures actually increased by 2.2 percent.

In combination with the fiscal impacts of tourism described in this document, the current economic environment of high inflation and tight labor markets have created significant budgetary pressures relative to the County’s primary revenue sources. According to its FY 2022–23 Adopted Budget, general fund expenditures will continue to grow faster than revenues without intervention.¹ The County has successfully done more with less, but ultimately these pressures will hinder the County’s ability to maintain infrastructure and services at levels necessary to both meet the needs of residents and sustain the County as a desirable tourist destination.

In response to these emerging fiscal challenges,² the County reduced its FY 2022–23 total budget by 8.7 percent relative to FY 2021–22. However, according to County staff, service demands continue to grow, in part, due to the pressures of tourism and general inflation. Furthermore, the volatility of important revenue sources limits the County’s options for a sustainable solution. Allowing greater discretion in the use of otherwise restricted general fund dollars would allow the County to reallocate resources to areas of greatest need, such as public safety and infrastructure.

The County identified its transient lodging tax (TLT) revenue as a potential source to help address costs associated with the impacts of tourism. The TLT is the only major revenue source with a nexus to tourism. Currently, Oregon statute³ requires that 70 percent of TLT revenue for taxes established after July 2003 be allocated to support tourism promotion. The County recognizes the economic benefits derived from tourists and the role TLT revenue can play in attracting more tourists. The County does not propose to increase the TLT but instead simply

¹ Clatsop County’s fiscal year (FY) is from July 1st to June 30th.

² The County also completed construction of a new jail in FY 2022–23, which lowered capital expenses.

³ ORS 320.350: Tax moratorium. Information retrieved from: https://oregon.public.law/statutes/ors_320.350.

seeks more discretion over the use of existing TLT revenue. Increasing the share of TLT revenues allocated to discretionary uses could increase the net benefits of tourism by allowing the County to sustainably address the costs tourism imposes.

This memorandum is organized as follows:

- **Transient Lodging Tax Overview** – Provides a brief overview of the state TLT program along with Clatsop County’s local transient room tax. Additional details concerning the TLT are provided in Appendix A.
- **Data and Methods** – Describes the primary data ECONorthwest collected and analyzed for this report, along with ECONorthwest’s approach for interviewing and collecting data from County staff.
- **Existing Conditions** – Describes growth in the Clatsop County population and the role of tourism in the County to establish an understanding of baseline conditions in the County.
- **Results** – Presents the results of ECONorthwest’s analysis of the County’s budgetary pressures, the fiscal impacts of tourism, constraints on the County’s general fund revenues, and discusses the rationale for expanding the allowable discretionary uses of the TLT.
- **Conclusion** – Offers closing commentary on the County’s budgetary constraints, the potential impacts of tourism on County services without intervention, and the expansion of the discretionary uses of the TLT.

Transient Lodging Tax Overview

The TLT is a fee charged to customers for overnight lodging, generally for periods of less than 30 consecutive days. TLTs can be levied by local governments in addition to the state.⁴ The fee is a percentage of lodging charges incurred by the customer. The local tax rate is set by individual jurisdictions (cities and counties).

Per ORS 320.350, the use of TLT funds is restricted to:

1. Funding tourism promotion or tourism-related facilities, or
2. Financing or refinancing the debt of tourism-related facilities and pay reasonable administrative costs incurred in financing or refinancing that debt.

State of Oregon Transient Lodging Tax Program

In 2003, the Oregon Legislature passed House Bill 2267, which was codified in ORS 320.300, resulting in the following changes to TLTs:

⁴ The statewide TLT, established in 2003 by House Bill 2267 and codified in ORS 320.300, is used to fund Oregon Tourism Commission programs, which promotes and manages tourism statewide. The statewide TLT is distinct and separate from individual city and county TLTs. The statewide TLT is in addition to and not in lieu of any local TLTs.

1. Establishment of a 1 percent statewide tax on hotels, motels, and other overnight lodging facilities,
2. Requirement that pre-existing local levels of support for tourism continue, and
3. Requirements about how new or increased local TLTs can be spent.

In summary, jurisdictions with a local TLT as of July 2, 2003 are required to maintain (or increase) the amount of revenue spent on tourism-related items, as a percent of total net local TLT revenues. In addition, jurisdictions with a local TLT implemented after July 2, 2003 must direct at least 70 percent of the *new* or *expanded* tax revenue to support the tourism industry in accordance with ORS 320.350(5)(a)(c).

Clatsop County's Transient Room Tax

Currently, the County uses a portion of its discretionary TLT to support general government activity. The County also dedicates a portion of discretionary TLT for public road and drainage improvements, and jail operations.⁵ All of the County's non-discretionary TLT supports tourism and tourism promotion.

Clatsop County's TLT was established in 1990. Since then, it has been amended twice. The 2014 amendment introduced a lodging tax rate increase of 2.5 percent, from 7 percent to 9.5 percent, in unincorporated Clatsop County, which went into effect on January 1, 2015.⁶ In 2018, the TLT was amended to apply a 1 percent county-wide TLT, which increased the unincorporated TLT to 10.5 percent, effective January 1, 2019.⁷

Statute requires that 70 percent of revenue raised by the TLT increases just identified must directly support tourism promotion. The County collects all TLT revenue in unincorporated Clatsop County and the 1 percent county-wide TLT, a proportion of which is allocated back to cities within the County at the end of the fiscal year. The County retains the remainder raised in unincorporated Clatsop County. The first such distribution occurred in FY 2019-20. Exhibit 1 shows the total TLT revenues generated county-wide in recent years, disaggregated by use.

⁵ Clatsop County FY 2022-23 Adopted Budget.

⁶ Clatsop County. "Transient Room Tax Ordinance 2014-04." Retrieved from <https://www.clatsopcounty.gov/at/page/transient-room-tax>.

⁷ Clatsop County. "Transient Room Tax Ordinance 2018-07".

Exhibit 1. TLT Revenue Allocations, FY 2019-20 – FY 2022-23

Source: Clatsop County.

Data notes (*): Dollars are dedicated by the County from their discretionary TLT revenues. FY 2022-23 data are budgeted values, not actuals.

TLT Account	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Discretionary TLT Revenue	\$1,025,360	\$1,107,736	\$1,541,535	\$1,540,000
Other General Fund	\$532,316	\$624,768	\$829,355	\$840,000
Sheriff Corrections *	\$435,969	\$415,980	\$623,257	\$625,000
Public Road and Drainage Improvements *	\$57,075	\$66,988	\$88,924	\$75,000
Non-Discretionary TLT Revenue	\$1,283,858	\$1,127,604	\$1,662,354	\$1,672,000
Tourism Promotion (County and Cities Total)	\$1,283,858	\$1,127,604	\$1,662,354	\$1,672,000
Total TLT Revenue	\$2,309,218	\$2,235,340	\$3,203,889	\$3,212,000

Approximately 26 percent (or \$829,355) of the County’s total TLT revenues were available for discretionary use in FY 2021-22. These revenues comprised roughly 3.5 percent of the County’s total general fund revenues that fiscal year.⁸ Full discretion over the use of funds currently dedicated to tourism promotion would have increased Clatsop County’s general fund by 7 percent (\$1.7 million) in FY 2021-22. Although this change would not relieve all foreseeable pressures on County operating budgets, increased discretion would allow the County to flexibly allocate resources to meet the needs of residents and tourists alike, ensuring the County remains an attractive place to live and a desirable tourist destination.

Data and Methods

ECONorthwest obtained publicly available data from the United States Census Bureau Decennial Census and American Community Survey, financial budgets and financial reports from Clatsop County, as well as proprietary visitation data from Placer.ai—an artificial intelligence platform that tracks visitor activity through cell phone data—to describe existing conditions within the County.

To understand the fiscal impacts of tourism on County services, ECONorthwest spoke with County staff to identify areas of potential strain. Clatsop County has 5 functional areas of government:⁹

- 1) Public Safety and Justice;
- 2) Public Health;
- 3) General Government;
- 4) Land Use, Housing, Transportation, Economic Development & Capital; and
- 5) Culture & Recreation.

⁸ TLT revenue allocated to the Sheriff (\$623,257), while discretionary under statute, was dedicated by the County Board to offset jail expenses.

⁹ Clatsop County defines a functional area as a “logical grouping of activities or processes of an organization representing similar business goals or functions.”

Within these functional areas, ECONorthwest and County staff focused on 5 specific service categories in which the impacts of tourism appear to be of greatest significance:

- 1) Public Safety and Emergency Services
- 2) Parks
- 3) Code Compliance
- 4) Public Health
- 5) Public Works

ECONorthwest interviewed staff within each service category and staff provided relevant data to demonstrate the impacts of tourism. The findings from the data described here are presented in the following sections.

Existing Conditions

The Role of Tourism in Clatsop County

With historic sites, popular beach destinations, and some of Oregon’s most well-known beach towns, Clatsop County is a major tourist destination. Visitors to the County, particularly during the summer months (peak tourist season), can result in a daytime population that is more than double the County’s resident population.

In 2021, the County had an estimated total resident population of 41,810 people (see Exhibit 2). Clatsop County’s population has grown about 0.8 percent per year on average over the last two decades compared to the statewide average growth rate of 1 percent per year.

Exhibit 2. Total Population, Clatsop County and Comparison Regions, 2000, 2010, and 2021

Source: U.S. Census Bureau, April 1 Population Estimates for the years 2000 and 2010; 2021 population estimates come from the U.S. Census Bureau’s Population Estimates Program (PEP).

Geography	Population Count			Population Change, 2000 - 2021		
	2000	2010	2021	Diff.	% Chg	AAGR
Clatsop County	35,630	37,039	41,810	6,180	17.3%	0.8%
Astoria	9,813	9,477	10,343	530	5.4%	0.3%
Seaside	5,900	6,457	7,234	1,334	22.6%	1.0%
Oregon	3,421,399	3,831,074	4,256,301	834,902	24.4%	1.0%

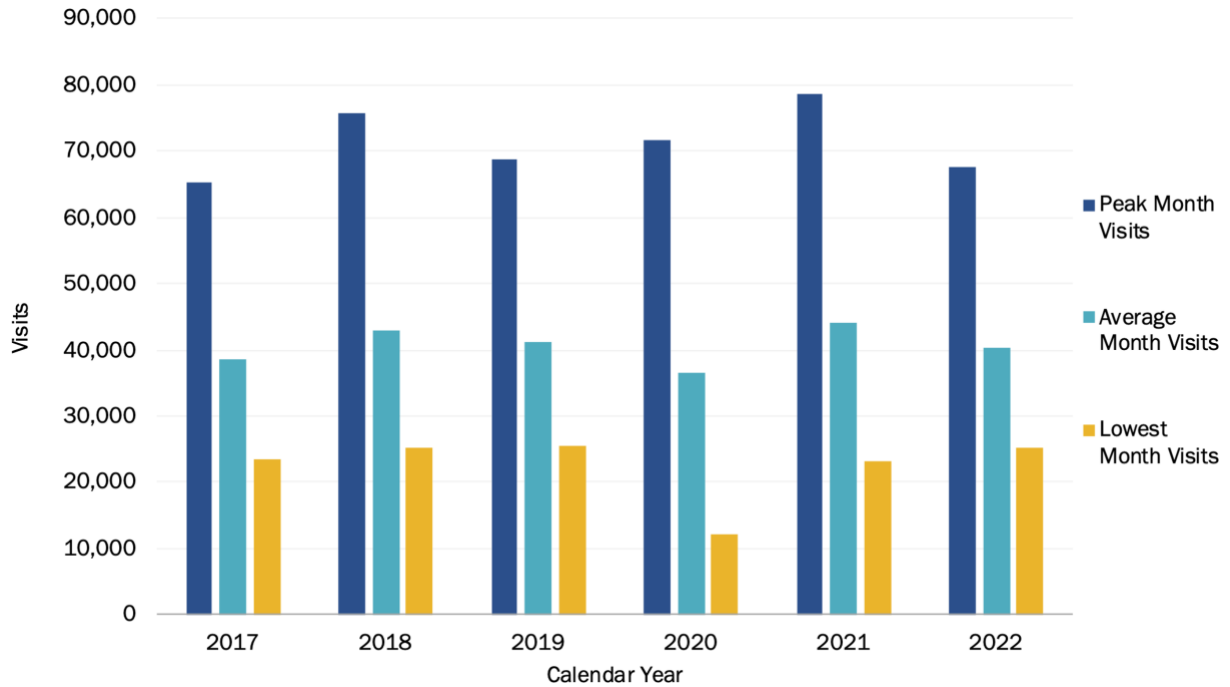
According to Placer.ai, Clatsop County received an average of 40,280 visits per day in 2022 (see Exhibit 3).¹⁰ This means, that on average, Clatsop County has a visitor population that is nearly equal to its resident population. In summer months, there can be twice as many visitors as local

¹⁰ Visits are counted by Placer.ai when an individual enters the County and stays within its boundary for at least ten minutes. These visitors could be driving through the County en route to another area or stopping in Clatsop County for a short period of time. The counts displayed exclude residents and workers commuting into the County. The persons estimated to visit Clatsop County do not necessarily meet the statutory definition of a tourist (see Appendix A).

residents, tripling the County’s total population. Even in the winter months, when tourism declines, the County averaged a daily visitor population of over 20,000 people in 2022.

Exhibit 3. Estimated Average Daily Visits to Clatsop County – Peak Visit Month, Average Visits per Month, and Lowest Visit Month, by Calendar Year

Source: Placer.ai.



While these visitors generate significant economic activity for the County, there are costs associated with tourism to County services that fall outside the statutorily allowed uses of the TLT. These costs, along with budgetary pressures faced by the County, are explored in greater detail below.

Results

Budgetary Pressures

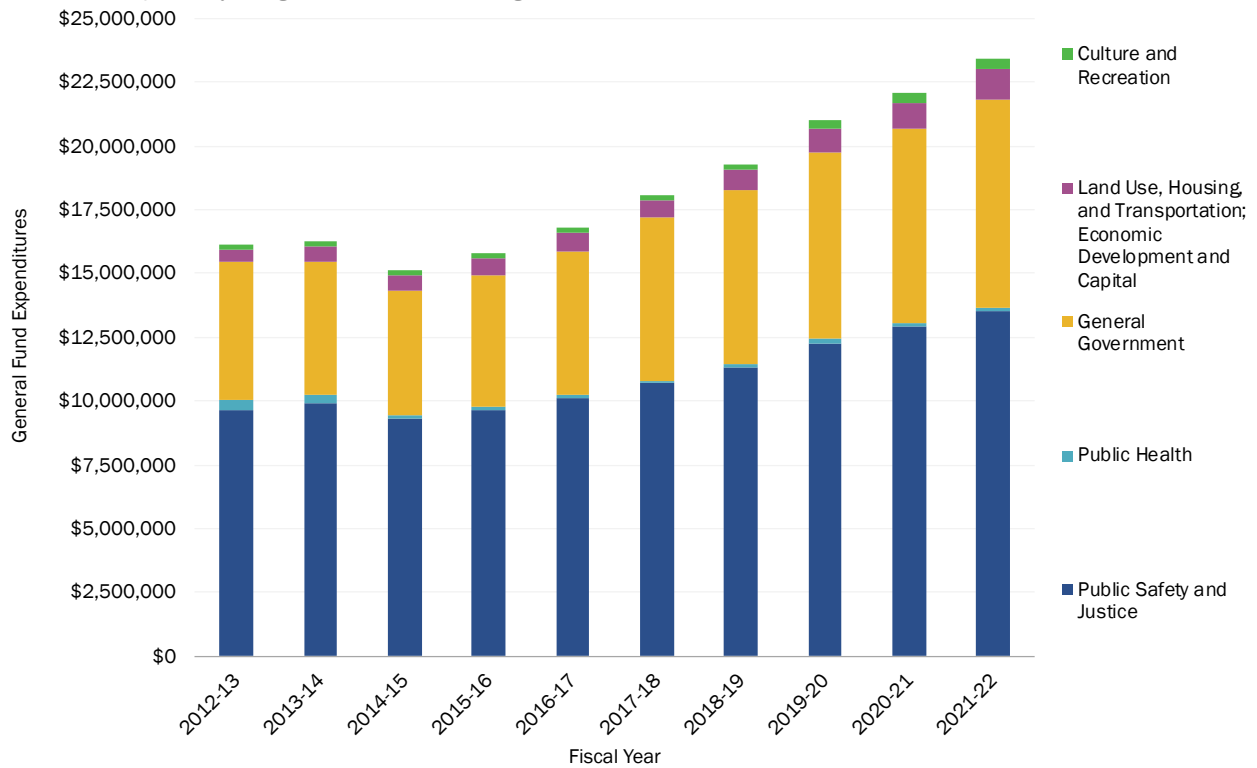
In recent years, increased demand on County services has resulted in large increases in County expenditures and FTE.¹¹ Between FY 2016-17 and FY 2021-22, total expenditures, less debt service and capital outlay, increased by about 38 percent (not accounting for inflation) from \$37 million to \$51 million.¹² Over this same period, general fund expenditures increased 39 percent (from approximately \$17 million to \$23 million; not accounting for inflation). See Exhibit 4 for a breakdown of expenditures by functional area and fiscal year.

¹¹ Full-time equivalent (FTE).

¹² Debt service and capital outlay data were excluded from this calculation due to the estimated \$20 million capital expense for the County’s jail remodel project, reported in the County’s FY 2020-21 adopted budget.

Exhibit 4. Clatsop County General Fund Expenditures by Functional Area, FY 2012-13 – FY 2021-22

Source: Clatsop County Budgets, FY 2012-13 through FY 2021-22.

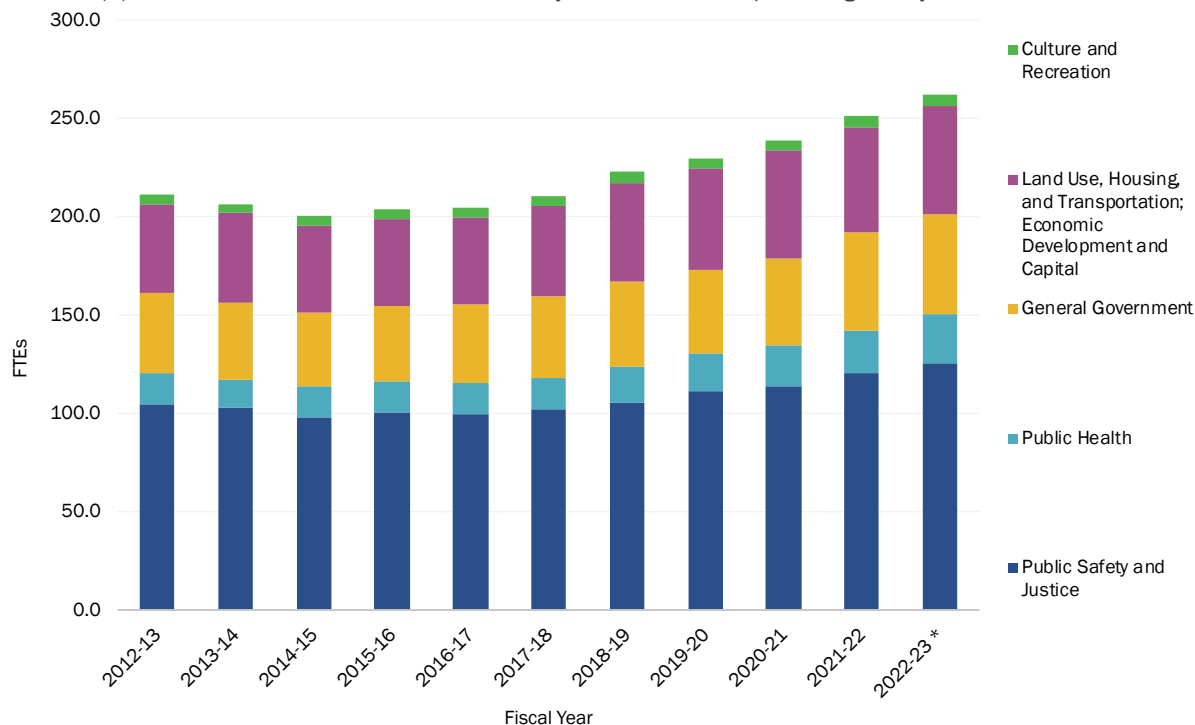


During FY 2017-18 through FY 2021-22, the County’s FTE grew by nearly 41 FTE (an increase of 19 percent). The largest absolute FTE gain occurred in the Public Safety functional area (18 FTE), followed by Land Use, Housing, and Transportation (7 FTE), and then General Government (7 FTE). FTE growth can lag expenditure growth due to the time required to hire staff to cover increased demand for services. See Exhibit 5 for a breakdown of FTE by functional area and fiscal year.

Exhibit 5. Clatsop County FTE by Functional Area, FY 2012-13 – FY 2022-23

Source: Clatsop County Budgets, FY 2012-13 through FY 2022-23.

Data note (*): FY 2022-23 data are based on the County’s FY 2022-23 adopted budget; they do not reflect actuals.



To remain financially well-positioned, County revenues need to increase commensurately with expenditures. According to its FY 2022–23 Adopted Budget, general fund expenditures will continue to grow faster than revenues without intervention. Clatsop County’s general fund revenue constraints are discussed in greater detail later in this memorandum. The remainder of this section summarizes the fiscal impacts of tourism to the five service categories identified in the Data and Methods section above.

The Fiscal Impacts of Tourism

Public Safety and Emergency Services

County staff identified tourism impacts primarily in areas of enforcement, corrections, and emergency management. The resources that fund these services are split 50/50 between dedicated and discretionary funding.¹³ Respondents from the Clatsop County Sheriff’s Office¹⁴ and the County’s Emergency Management Department¹⁵ indicated that tourism can lead to slower emergency response times due to exceptional congestion on state highways.

¹³ In November of 2018, the County passed a \$20 million jail bond for the construction of a new jail. Jail operations are funded, in part, by an additional 1 percent County-wide TLT, 30 percent of which goes to jail operations (retrieved from: <https://www.clatsopCounty.gov/at/page/County-wide-1>).

¹⁴ Clatsop County. “Clatsop County Sheriff’s Office.” Retrieved from <https://www.clatsopcounty.gov/sheriff>

¹⁵ Clatsop County. “Emergency Management.” Retrieved from <https://www.clatsopcounty.gov/em/page/emergency-management>

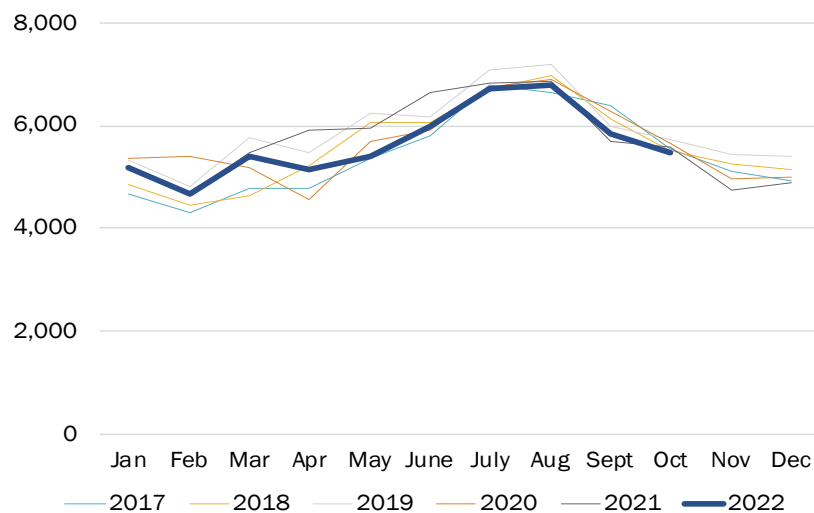
Communication systems, such as cellular service, are also often strained by the number of visitors present in the County, particularly during the summer months.

Tourists and non-residents place a substantial burden on public safety services, accounting for a large fraction of overall emergency response calls. According to data provided by public safety officials, demand for public safety is often highest during summer months, when tourism season is at its peak (see Exhibit 6). Exhibit 7 and Exhibit 8 provide additional detail about non-resident call volume and the reason for those calls. Furthermore, between Jan. 2022 to Nov. 7, 2022, data show a large proportion of jail bookings were of out-of-area individuals (see Exhibit 9).

From Jan. 2017 to Oct. 2022, the total call volume to Clatsop County law enforcement consistently increased during summer months, when the largest numbers of visitors are present in the County.

Exhibit 6. Total Call Volume by Month in Clatsop County, Jan. 2017 to Oct. 2022

Source: Clatsop County Sheriff's Office.
 Note: These data do not include 9-1-1 calls.

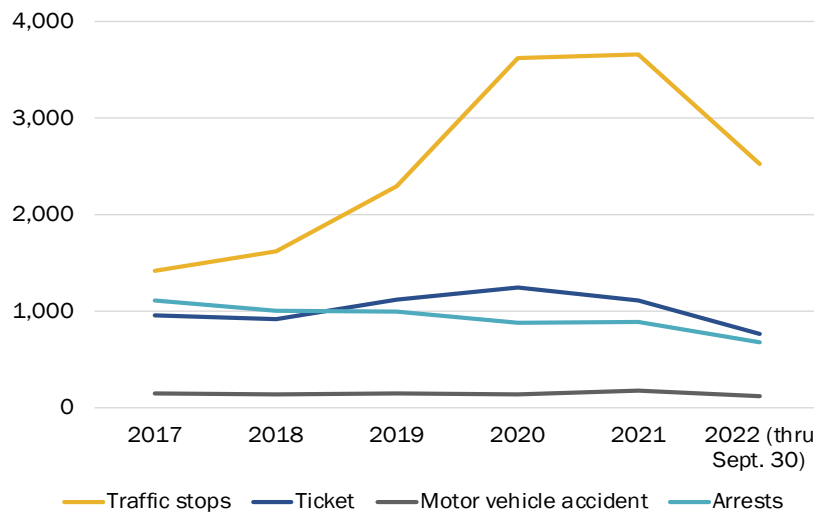


The number of non-resident traffic stops increased 33 percent between 2018 and 2020.

Non-resident traffic stops have also been increasing as a percentage of total traffic stops (see Exhibit 8 below).

Exhibit 7. Count of Non-Resident Calls, Clatsop County, Jan. 2017 to Sept. 2022

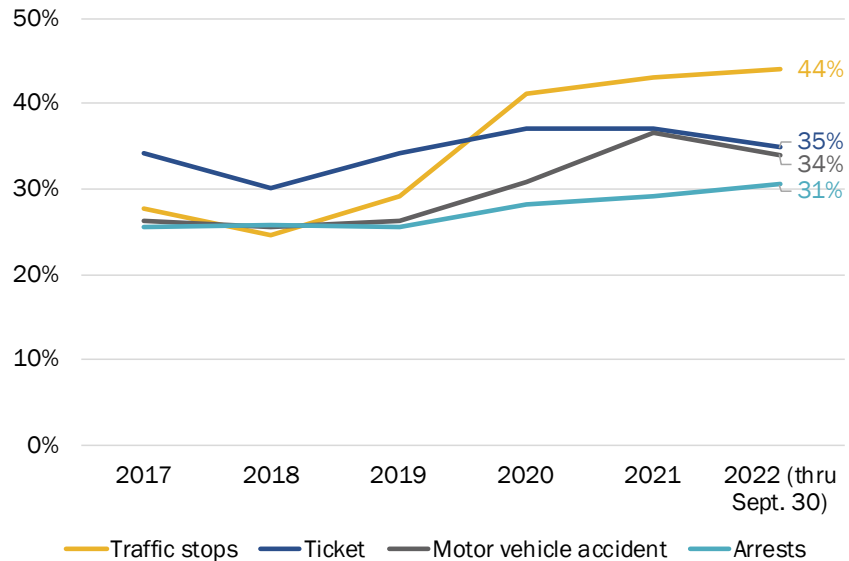
Source: Clatsop County Sheriff's Office.



Non-residents account for a substantial percentage of traffic stops (44%), tickets (35%), motor vehicle accidents (34%) and arrests (31%) in the County.

Exhibit 8. Share of Non-Resident Calls, Clatsop County, Jan. 2017 to Sept. 2022

Source: Clatsop County Sheriff’s Office.



From Jan. 2022 to Nov. 7, 2022, non-residents¹⁶ of Clatsop County made up one-third of all jail bookings made by Clatsop County law enforcement.

Exhibit 9. Bookings by Locality, Clatsop County, Jan. 2022 to Nov. 7, 2022

Source: Clatsop County Sheriff’s Office.

	Share by Locality
Non-residents	33%
Astoria	30%
Seaside	22%
Warrenton	11%
Other Local ¹⁷	4%
Total	100%

In addition, ECONorthwest examined the effects of tourism on emergency services. Last year, the County restructured emergency operations by establishing the Emergency Management Department (formerly the Emergency Services Office). This resulted in the creation of a new Director position to fulfill the County’s role more effectively in providing critical emergency services as per ORS 401.305.¹⁸ This department is responsible for ongoing planning around natural disasters such as a tsunami event and mass evacuation, winter weather events, large planned special events (e.g., the annual Hood to Coast relay), and much more. The department

¹⁶ The data do not differentiate between a non-resident of the County and a visitor or tourist.

¹⁷ “Other Local” includes unincorporated areas of the County and cities not listed in the above table, such as Cannon Beach and Gearhart.

¹⁸ Oregon Legislature. “Chapter 401 – Emergency Management and Services.” Retrieved from https://www.oregonlegislature.gov/bills_laws/ors/ors401.html.

must account within its planning for population surges throughout the year and especially during summer months.

Increasing the percentage of TLT revenue allocated for discretionary use could allow the County to invest in better communications infrastructure for emergency services and cellular network support, as well as robust contingency planning for emergencies, natural disasters, and special events that occur during peak tourism season. In addition, the County could maintain adequate staffing levels for law enforcement and emergency management functions to meet the needs of residents and visitors sustainably and effectively on a year-round basis.

Parks

The Clatsop County Parks Division¹⁹ (within the Public Works Department) manages and maintains the County's 12 parks and consists of approximately 2 FTE. The Parks Division's functions include, but are not limited to, constructing new recreational facilities at existing parks (e.g., the Westport Park boating facility²⁰), replenishing supplies and the cleaning of parks restrooms, and general upkeep/landscaping of park grounds where no host is contracted to maintain that site.

Among the most heavily trafficked County parks are Cullaby Lake, the John Day boat ramp, and Klotchy Creek. Staff indicated that the maintenance and general upkeep of park bathrooms—particularly at Cullaby Lake and John Day—during the summer months strains current service capacity. The influx of visitors often requires staff to check bathroom supplies once (or sometimes twice per day) to ensure they are adequately stocked. While this may not seem significant, the distance between each park adds a considerable amount of drive time for staff.

For example, the drive distance between Cullaby Lake and John Day is approximately 15 miles via highway travel. Increased traffic volume during the peak tourist season in the summer results in longer drive times and elevated use of Clatsop County facilities by those passing through the County to reach their next destination. As a result, upkeep is delayed, and Parks struggles to effectively provide the desired level of service.

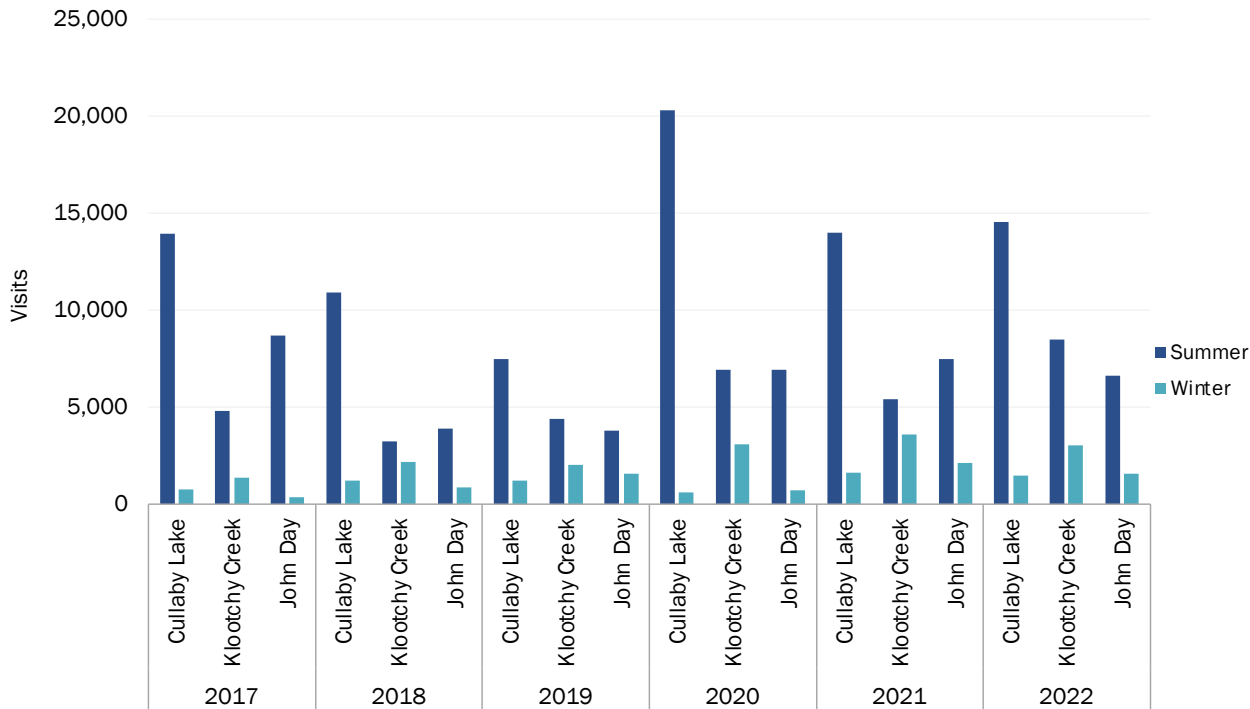
Exhibit 10 below shows estimated visitation counts to some of the County's most popular parks. Visitation in summer months is many times higher than in winter months, and average visitation has generally increased since 2020.

¹⁹ Clatsop County. "Parks." Retrieved from <https://www.clatsopcounty.gov/parks>

²⁰ Clatsop County. "Westport Boat Launch Opens." Retrieved from <https://www.clatsopcounty.gov/parks/page/westport-boat-launch-opens>

Exhibit 10. Seasonal Visit Estimates to Cullaby Lake, Klootchey Creek, and John Day County Park, 2017–2022

Source: Placer.ai.



Code Compliance

Clatsop County’s Code Compliance Division exists within the Community Development Department.²¹ In interviews with staff, Code Compliance Specialists indicated that their time associated with short-term rental (STR) complaints and violations can be burdensome, drawing resources away from more serious life/safety violations.

The Code Compliance team consists of only 2 FTE. Both staff members stated that the number of complaints they receive and the politicization of code compliance has increased following the COVID-19 pandemic. To address public concerns and discuss new STR-related ordinances, staff held 12 public town halls between March 2020 and June 2022. Staff stated that these public engagement efforts took up nearly a quarter of staff time. Over approximately this same period, staff received 121 complaints against STRs between Jan. 2020 and Sept. 2022, which resulted in 65 violations.

To address the influx of complaints, staff established a 24/7 code compliance hotline for all complaints. Between Jan. 2020 and Sept. 2022, the hotline received 74 calls. Staff reported that the hotline has been beneficial in that it allows complainants to voice their concerns any time of the day and week and also provides a record for staff to follow-up on calls. However, staff reported that the hotline has done little to save staff time as hotline calls still often require in-

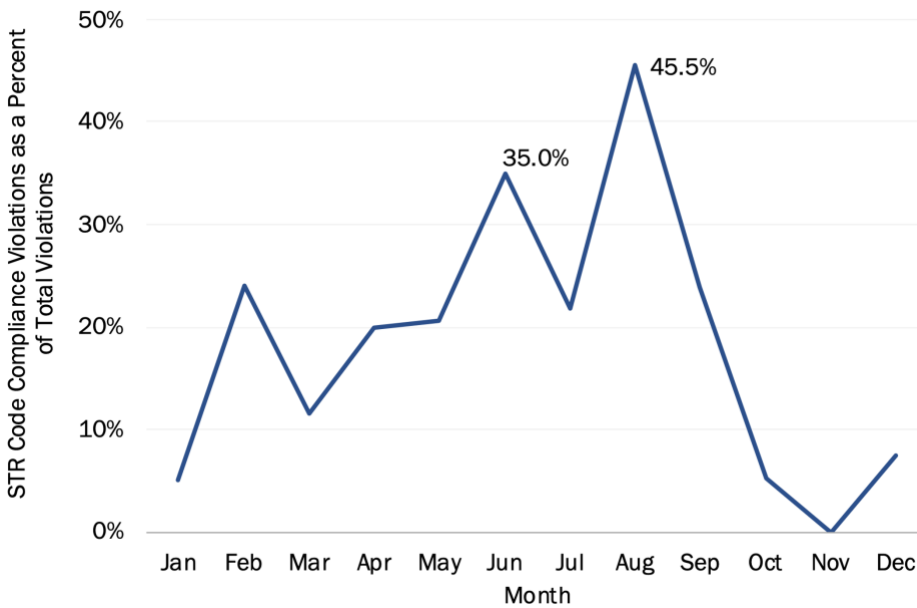
²¹ Clatsop County. “Code Compliance.” Retrieved from <https://www.clatsopcounty.gov/code-compliance>.

person follow-up. Moreover, the hotline has cost the County a total of \$20,576 (an average of \$278 per call).

Exhibit 11 below shows the percent of total code violations associated with STRs for the Jan. 2020 to Nov. 2022 period. During peak tourism season in the summer, STR code violations may account for nearly half of all violations. In addition, Code Compliance may receive complaints concerning STRs that do not result in a violation, but nonetheless, require staff time to investigate. The large fraction of time and resources dedicated to code compliance complaints attributable to STRs demonstrates that tourism has impacts and costs to basic County functions.

Exhibit 11. Short-Term Rental Code Violations as a Percent of Total Violations, Jan. 2020 through Nov. 2022 Combined

Source: Clatsop County Code Compliance, Violation data (Jan. 2020 through Dec. 2022).



Staff indicated that traffic during peak tourism season affects travel times, lowers staff efficiency, and can result in higher fuel costs. Due to the transient nature of STR occupants, even trivial complaints against STRs must be addressed quickly, which reduces resources available to address more pressing matters.

Furthermore, staff report that the current cost of an STR permit (\$550) does not cover the cost of gas and time for inspections by the County’s Building Codes and Environmental Health Offices. The \$550 STR permit fee is also used to offset the administrative costs incurred by the Land Use Planning Office and the Assessment & Taxation Department. Code Compliance does not receive any revenue from permit fees and is funded exclusively through the general fund.

With greater flexibility in the use of restricted revenues such as non-discretionary TLT revenue, Code Compliance could support a dedicated staff person to oversee the County’s recently updated ordinances pertaining to STRs and to better address STR-related complaints and violations.

Public Health

The County's Public Health Department is funded primarily through dedicated state and federal grant sources (94 percent) and only 6 percent through discretionary sources.²² While Public Health does not receive a large share of its funding from discretionary sources, County staff indicated the department does face budgetary challenges, some specific to tourism, as described below.

Historically, staff reported that licensing and inspection fees have not kept up with inflation. Clatsop County's fee structure is significantly lower than recommended fees proposed by OHA and DEQ; staff intend to request an increase in fees during the upcoming budgeting process, which will require approval by County Commissioners.

Pressures related to tourism include a large uptick in the need for restaurant inspections and re-inspections during peak tourism season. Like the challenges faced by other County divisions, staff reported that traffic congestion during peak season harms their efficiency, since restaurants are located throughout the County.

In addition, staff reported potential impacts during the COVID-19 pandemic and risk of other infectious diseases due to the large visitor population in the County. During the pandemic lockdown, public health officials reported that tourists flocked to Oregon beaches in large numbers creating tourism surges that complicated the County's public health response.

While staff reported that they are not confident greater flexibility in TLT expenditures would dramatically alter their operations, they do foresee it potentially allowing for critical infrastructure improvements to the public health system. For example, the County would have the ability to renovate or build new infrastructure that can support increased demands for public services such as septage, which currently must be driven to non-local facilities, and to which STRs contribute significantly.

Public Works

Public Works receives a small portion of discretionary TLT revenue, allocated for public road and drainage improvements. County road funds are restricted and not allowed to be used for public road improvements.

With an unprecedented number of beach visitors, Public Works has had to make substantial improvements to beach access points (accessed via public roads). In particular, the recent increase of recreational vehicle traffic in the County has required Public Works to widen and improve these access points to withstand the additional strain those vehicles place upon local infrastructure. Additionally, these improvements and regular maintenance of beach access points has become imperative to ensure emergency vehicles are able to access the beaches.

²² Clatsop County FY 2022–23 Adopted Budget.

According to staff, some of the biggest challenges come from the severe congestion on state highways that occurs during the peak tourism season. While discussions of alternate routes have occurred with the State, the State cites significant infrastructure costs and lack of funding as a barrier to these projects moving forward.

General Fund Revenues

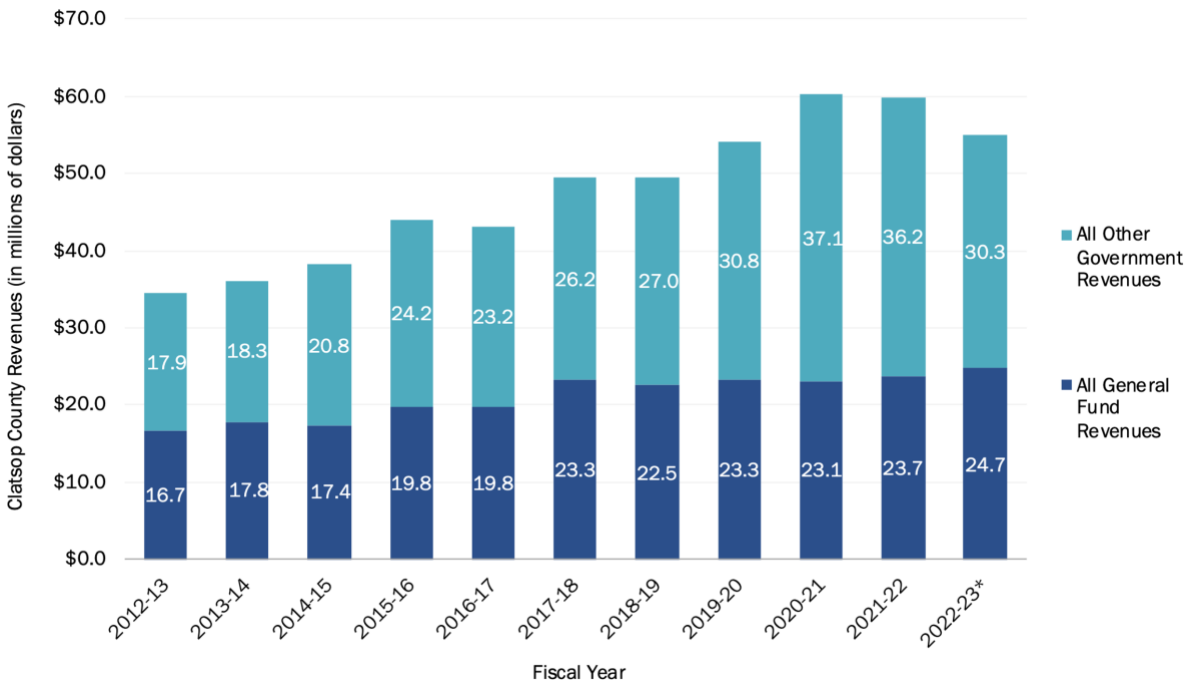
This section of the memorandum examines how Clatsop County’s revenue mix constrains its ability to provide basic services and address public infrastructure needs, particularly with respect to limitations on the uses of the TLT.

Clatsop County’s general fund is composed of three primary revenue sources: property taxes, timber excise taxes, and the discretionary revenue component of the Transient Lodging Tax. While the County’s general fund has increased relative to FY 2012-13, it has stagnated in recent years (see Exhibit 12). Over the FY 2017-18 to FY 2021-22 period, general fund revenues increased by only about \$448,000 (1.9 percent). At the same time, all other revenues increased by about \$9.9 million (38 percent).

Exhibit 12. Clatsop County General Fund Revenues Compared to All Other Government Revenue, FY 2012-13 – FY 2022-23

Source: Clatsop County.

Data note (*): Revenues reported for FY 2022-23 are budgeted values, not actuals.



In addition, the County’s general fund revenues have not kept pace with inflation. In real terms (i.e., controlling for inflation), general fund revenue declined by 10 percent between FY 2017-18 and FY 2021-22. This means that although the County’s general fund revenue did grow, it was not enough to offset rising costs. During this same period, the population grew by about 7 percent and all other non-general fund revenue grew by about 22 percent (accounting for

inflation).²³ General fund resources have grown more slowly than the County’s population and FTE since at least FY 2017-18 (see Exhibit 13), indicating that County needs and expenses are outpacing discretionary revenues.

Exhibit 13. Indexed Change in Clatsop County Population, Employment, FTEs, and Inflation-Adjusted Revenues (Index, 2013 = 1.0), FY 2012-13 – FY 2021-22

Source: Clatsop County Annual Audits, FY 2012-13 through FY 2021-22 (general fund revenues); Clatsop County Budgets, FY 2012-13 through FY 2021-22 (FTEs); U.S. Census Bureau, Population Estimate Program (PEP), 2013 through 2021 (latest available data at time of analysis).

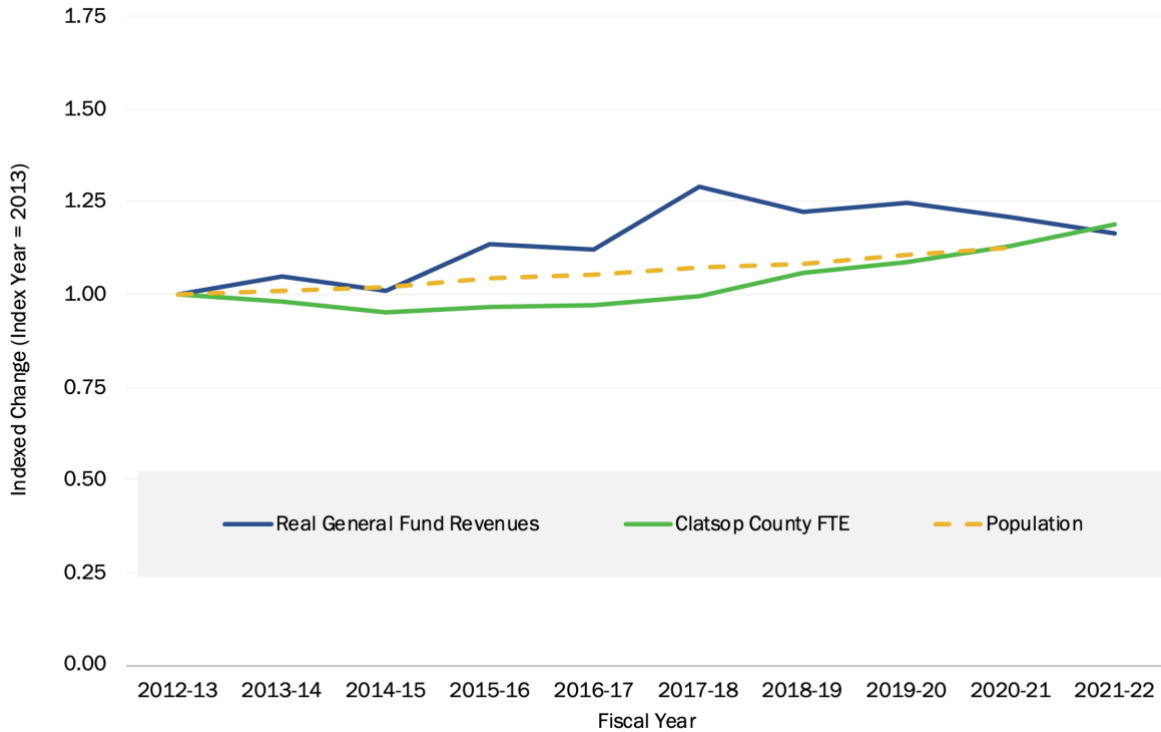
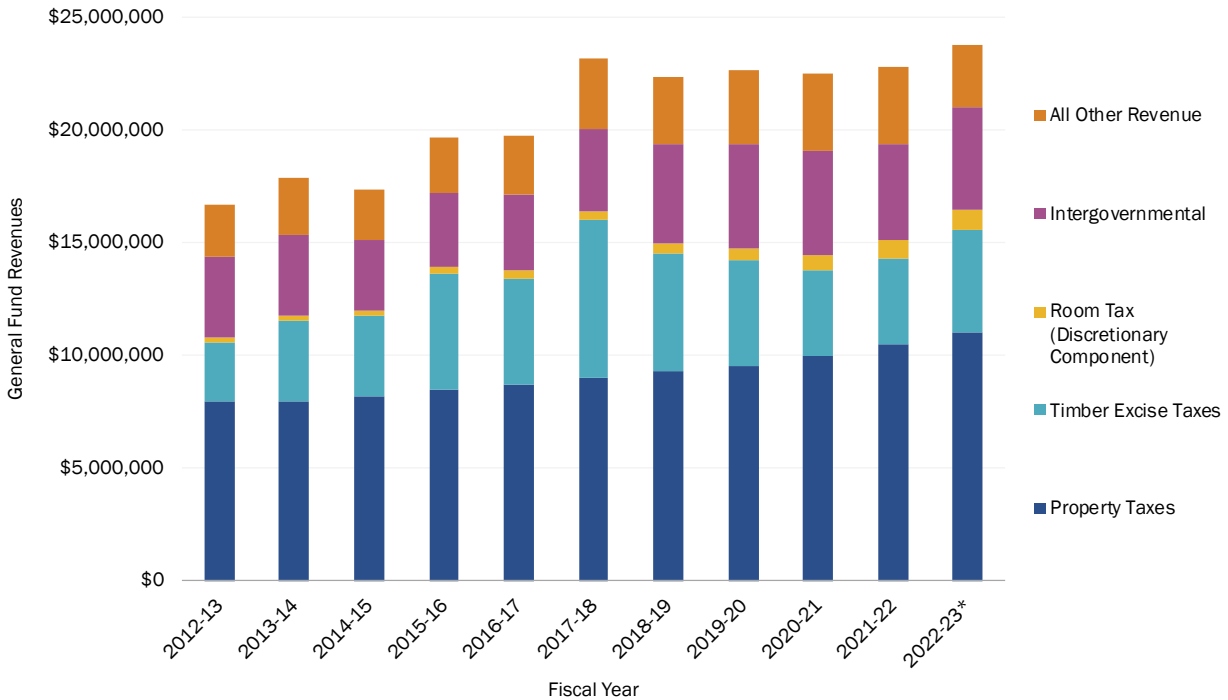


Exhibit 14 breaks down Clatsop County’s General Fund revenue mix by funding source for FY 2012-13 through the budgeted mix for FY 2022-23. Clatsop County’s primary revenue sources shown in the chart are discussed in detail below.

²³ This calculation is based on the Census Bureau’s Population Estimate Program (PEP) data. Clatsop County’s population as of July 1, 2017 was 39,101 residents. As of July 1, 2021, the County’s population was 41,810 residents. Computing the percent change in population over this period results in a population growth estimate of approximately 7 percent.

Exhibit 14. Clatsop County General Fund Revenues by Funding Source, FY 2012-13 – FY 2022-23

Source: Clatsop County’s Budget & Finance Department. Data for FY 2012-13 through FY 2021-22 are based on the County’s annual audits; FY 2022-23 data are based on the County’s adopted budget.



Property Tax

On average, property taxes made up nearly 44 percent of the County’s total general fund revenues over the FY 2012-13 through FY 2021-22 period. It is the most stable of the County’s large revenue streams. The stability of property tax as a revenue source is primarily due to Oregon Measures 5 and 50. Enacted in the 1990s, the measures also strictly limited actual and potential growth in property tax revenue.²⁴ Because property tax revenue growth is limited and makes up a large portion of Clatsop County’s general fund, Oregon’s property tax structure also limits growth in the County’s general fund to an extent.

Timber Excise Tax

Timber excise taxes, on average, have made up nearly 21 percent of the County’s total general fund revenues over the past decade. Demonstrating its volatility, timber excise tax revenues in the general fund varied from a low of \$2.6 million in FY 2012-13 (16 percent of total general fund revenue that fiscal year) up to a high of about \$7.0 million in FY 2017-18 (30 percent of total general fund revenue that fiscal year), with slightly lower revenues in more recent years. The volatility in timber revenue adds uncertainty to County budgeting and, therefore, increases the desirability of discretion in the use of other revenue streams.

²⁴ These measures (1) froze property tax rates at the rate they were in FY 1995-96, (2) linked the frozen rate to Assessed Value of a property rather than the Real Market Value of a property, (3) compressed taxes to no more than \$10 per \$1,000 of Real Market Value for general government, and (4) limited growth of Assessed Value to 3 percent rather than the general rate of inflation or changes in real market value.

Transient Lodging Tax

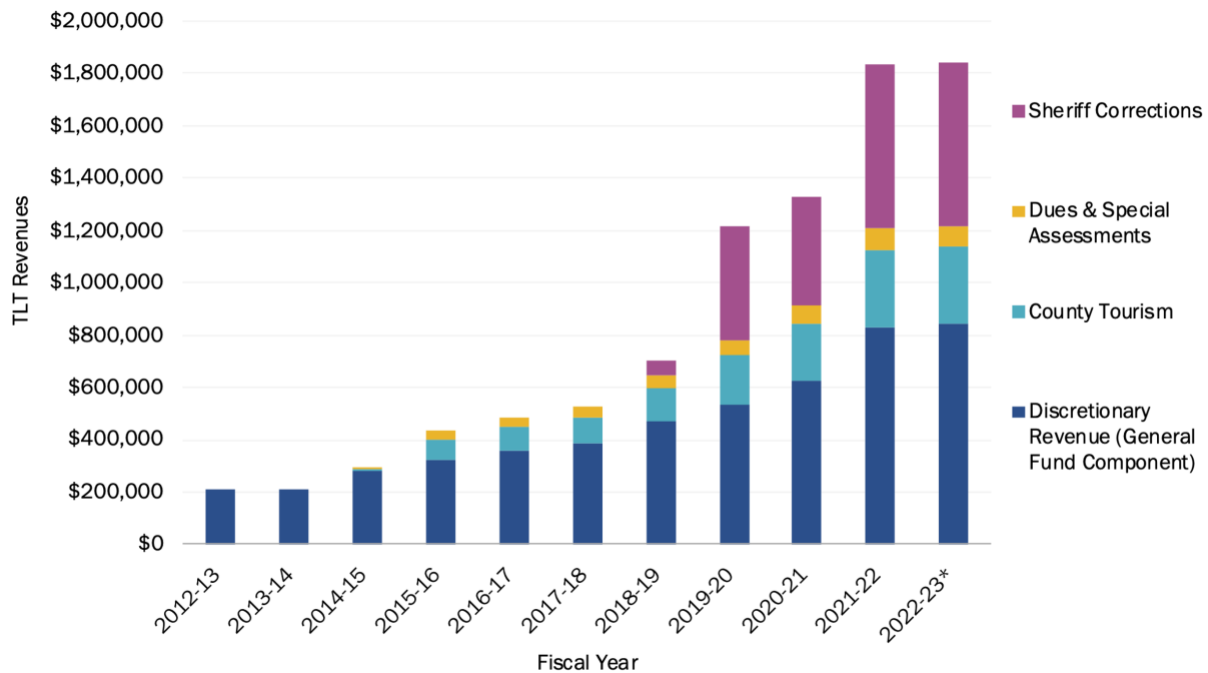
The discretionary component of the TLT makes up the smallest share of the County’s 3 primary revenue sources (see Exhibit 14 above). In FY 2021-22, the discretionary component of TLT revenue totaled to about \$829,000 (3.6 percent of the general fund’s total revenue that fiscal year). Non-discretionary TLT revenue made up an additional \$1 million in FY 2021-22. Of the non-discretionary components, about \$623,000 was allocated to sheriff corrections, \$291,000 was allocated to County Tourism, and \$89,000 was allocated to dues and special assessments.²⁵

The TLT has grown in importance over the last decade, in part due to rate increases that went into effect in FY 2014-15²⁶ and FY 2018-19,²⁷ and the proliferation of STRs in recent years, which has also increased total TLT revenue. See Exhibit 15 for a breakdown of TLT revenue allocation across uses.

Exhibit 15. Clatsop County TLT Revenues, FY 2012-13 – FY 2022-23

Source: Clatsop County.

Note: (*) Revenues reported for FY 2022-23 are budgeted values, not actuals.



Conclusion

Clatsop County hosts a large visitor population year around. While these visitors are vital in supporting the local economy, the County is limited in its ability to recoup costs that tourism imposes on public infrastructure and services. Although most visitors do not stay long, they still visit County-maintained beach access points, drive on County roads, and use other County

²⁵ Dues and special assessments dollars are dedicated to public road and drainage improvements.

²⁶ Clatsop County. “Transient Room Tax Ordinance 2014-04.” Retrieved from <https://www.clatsopcounty.gov/at/page/transient-room-tax>.

²⁷ Clatsop County. “Transient Room Tax Ordinance 2018-07”.

services. During peak tourism season, Clatsop County, in essence, provides services and infrastructure to a community of 120,000 people with a revenue mix supporting 40,000 people, creating significant strains on department budgets most affected by tourism:

- Between FY 2019-20 and FY 2021-22, general fund revenue grew at 1.8 percent per year; general fund expenditures grew at a much higher 6.6 percent per year. Adjusting for inflation, general fund revenues declined by 6.5 percent during this period.
- On average, daily visitors double the County's population. In summer months, during peak tourism season, the visitor population can more than triple the County's daytime population.
- Staff have identified that, while an integral part of the County's economy, tourism imposes costs on County services that are not connected to any specific revenue stream with a nexus to tourism, aside from the TLT, which is currently limited in use.
- The County's resident and visitor population are expected to grow in the future, placing increasing strains on County services without a commensurate increase in revenue.
- Providing the County with discretion to re-allocate TLT tourism promotion revenue (total of \$1.6 million in FY 2021-22) would allow the County to better respond to demands on County services and infrastructure.

The pressures tourism places on service provisions and County infrastructure, when paired with the constraints on and volatility inherent to the County's general fund, could ultimately lead to degraded services. The County would be better positioned if it had greater discretion over the use of TLT revenues, including the 70 percent share of "new" TLT revenue allocated to supporting tourism. Due to County TLT rate increases, non-discretionary funds represent a larger share of TLT revenue than they did a decade ago.

The County recognizes that the TLT is a valuable economic development tool as it is currently defined in statute. However, the TLT is also the County's only major revenue source with any nexus to tourism. Modifying the formula to allow for greater discretionary use of TLT dollars would allow the County to better align the revenue source (tourists) with costs imposed by both tourists and residents, resulting in better, safer, more attractive communities able to attract tourists and adequately provide for both residents and visitors alike.

Appendix A - Transient Lodging Tax Regulations

This section provides details about the transient lodging tax (TLT) – what it is, the tax’s current legislative framework, and how it functions in local jurisdictions.

The Transient Lodging Tax

The TLT is a fee charged to customers for overnight lodging, generally for periods of less than 30 consecutive days. TLTs can be levied by local governments, in addition to the state.²⁸ The fee is a percentage of lodging charges incurred by the customer. The local tax rate is set by individual jurisdictions (cities and counties) and averages 7.5 percent for all jurisdictions (cities and counties) in Oregon that levy a TLT.

Local governments generally use revenues from the TLT to either fund tourism-related facilities or tourism promotion activities, with the purpose of increasing economic activity, or to fund programs indirectly related or unrelated to tourism promotion, such as infrastructure and general services that benefit residents as well as tourists.

Individual lodging providers (e.g. hotel or motel operators) collect transient lodging taxes, imposed by municipalities, by applying the local and statewide tax rate to each customer’s lodging charges. The lodging facility owner(s) remit the taxes to the local jurisdiction on the payment schedule required by the jurisdictions. Payment schedules and reporting requirements vary among jurisdictions.

In general, local and statewide TLTs apply to tourists and local customers of overnight lodging facilities. TLT applies to lodging facilities as defined by ORS 320.300(11):

- Hotels and motels
- Bed-and-breakfast facilities
- RV sites in RV parks or campgrounds
- Resorts and inns
- Dwellings: houses, cabins, condominiums, apartment units
- Short-term and vacation rentals
- Tent sites and yurts in private and public campgrounds

Local Transient Lodging Tax: a tax imposed by a unit of local government on the sale, service, or furnishing of transient lodging.

Restrictions on Spending TLT revenues

The 2003 Oregon Legislature passed House Bill 2267, which was codified in ORS 320.300, resulting in the following changes to TLTs: (1) establishment of a 1 percent statewide tax on hotels, motels, and other overnight lodging facilities, and (2) requirement that pre-existing local

²⁸ The statewide TLT, established in 2003 by House Bill 2267 and codified in ORS 320.300, is used to fund Oregon Tourism Commission programs, which promotes and manages tourism statewide. The statewide TLT is distinct and separate from individual city and county TLTs. The statewide TLT is in addition to and not in lieu of any local TLTs.

levels of support for tourism continue, and (3) requirements about how new or increased local TLTs can be spent.

The following sub-sections describe the restrictions on local TLT spending.²⁹ In summary, jurisdictions with a local TLT as of July 2, 2003 are required to maintain (or increase) the amount of revenue spent on tourism-related items, as a percent of total net local TLT revenues. In addition, jurisdictions with a local TLT implemented after July 2, 2003 must direct at least 70 percent of the *new* or *expanded* tax revenue to support the tourism industry.

Existing TLT Revenues

The statutes that guide TLT revenue spending (ORS 320.345 and 320.350) restrict spending of TLT revenues from lodging taxes in effect prior to July 2, 2003 in the following ways:

- **Maintain share of TLT spent on tourism.** Local jurisdictions are required to maintain the share of local TLT used for tourism promotion³⁰ and tourism-related facilities³¹ based on spending on or after July 2, 2003 (ORS 320.350(3)). For example, a city that spent 50 percent of their local TLT revenue to fund tourist-related facilities on July 1, 2003, may not spend less than 50 percent of local TLT revenue to fund tourist-related facilities in the future.
- **Honor agreements to increase spending on tourism.** Local jurisdictions that agreed (before July 2, 2003) to increase spending on tourism funded by the local TLT must raise the tax as agreed (ORS 320.350(3)).
- **Continue financing debt with TLT revenue.** A local jurisdiction that is financing debt with local TLT revenues on November 26, 2003 must continue to finance the debt until the retirement of the debt, including any refinancing of that debt. At the time of debt retirement, the tax must be eliminated or must comply with regulations for new or increased local lodging taxes (ORS 320.350(4)).
- **Maintain reimbursement rates to lodging providers.** Local jurisdictions are prohibited from decreasing the amount of reimbursement (as a percent of local TLT collected) allocated to lodging providers based on the amount reimbursement allowed on December 31, 2000 (ORS 320.345(1)). For example, a city that allowed operators to retain 3 percent of the local lodging tax collected may not decrease the reimbursement percentage below 3 percent.

²⁹ For more information, see https://www.oregonlegislature.gov/bills_laws/ors/ors320.html

³⁰ "Tourism promotion" means any of the following activities: (a) advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists; (b) Conducting strategic planning and research necessary to stimulate future tourism development; (c) Operating tourism promotion agencies; and (d) Marketing special events an festivals designed to attract tourists (ORS 320.300, Definitions).

³¹ "Tourism-related facility" means: (a) a conference center, convention center or visitor information center; and (b) other improved real property that has useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities (ORS 320.300, Definitions).

As a further point of clarification, while the rate is called a *reimbursement rate*, in actuality it allows lodging operators to retain dollars prior to the remittance of the tax revenue to local governments. In other words, operators do not submit the full tax to get reimbursed by the jurisdiction. Instead, they retain their allowance and then submit the remaining balance to the jurisdiction.

- **Raise reimbursement rates for lodging providers with increases in TLT rates.** Local jurisdictions that raised their TLT rate on or after January 1, 2001 are required to reimburse (or retain, see explanation above) lodging providers at least 5 percent of all collected local TLT revenues, including revenues that would have been collected without the increase (ORS 320.345(3)). For example, if a City reimbursed a lodging provider 3 percent of their local TLT revenue collected and raised their local TLT rate from 7 percent to 8 percent after January 1, 2001, then the City would need to increase the collection reimbursement to lodging providers from 3 percent to 5 percent of total, collected, local TLT revenues.

New TLT Revenues

New TLTs or increases in local TLTs (approved on or after July 2, 2003) must meet the requirements described below:

- **Spending of new or increased revenue on tourism.** At least 70 percent of the net revenue from a *new* or *increased* local TLT must be used for tourism promotion and tourism-related facilities (including debt financing of tourism-related facilities). No more than 30 percent of the net revenue from a new or increased TLT may be used for funding city or county services (i.e. transportation infrastructure, libraries, parks, and other services) (ORS 320.350(6)). For example, if a City raises their TLT from 6 percent to 7 percent, the additional 1 percent tax must adhere to the 70/30 revenue split.
- **Using TLT to finance debt of tourism-related facilities.** Net revenue from new or increased local TLT can be used to finance or refinance debt of tourism-related facilities and to pay administrative costs involved in financing or refinancing that debt provided: (1) TLT revenue may be used for administrative costs only if the jurisdiction provides a collection reimbursement charge to lodging providers; and (2) after the debt is retired, the jurisdiction reduces the TLT rate by the amount the TLT rate was increased to finance or refinance the debt (ORS 320.350(5)).

Spending on Tourism

Per ORS 320.350³², the use of TLT funds is restricted for the funding of tourism promotion or tourism-related facilities; or to finance or refinance the debt of tourism-related facilities and pay reasonable administrative costs incurred in financing or refinancing that debt.

ORS 320.350 defines the following terms:

³² See https://oregon.public.law/statutes/ors_320.300.

- **Tourism Promotion** is defined as the following activities: advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists; conducting strategic planning and research necessary to stimulate future tourism development; operating tourism promotion agencies; and marketing special events and festivals designed to attract tourists.
- **Tourism promotion agencies** include an incorporated nonprofit organization or governmental unit that is responsible for the tourism promotion of a destination on a year-round basis, a nonprofit entity that manages tourism-related economic development plans, programs, and projects, or a regional or statewide association that represents entities that rely on tourism-related business for more than 50 percent of their total income.
- **Tourism-related facility** means a conference center, convention center or visitor information center, and other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.
- **Tourist** means a person who, for business, pleasure, recreation or participation in events related to the arts, heritage or culture, travels from the community in which that person is a resident to a different community that is separate, distinct from and unrelated to the person's community of residence, and that trip requires the person to travel more than 50 miles from the community of residence; or includes an overnight stay.

Non-County Resident Bookings (% of total bookings)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Avg %
2019	27%	26%	28%	28%	20%	21%	30%	22%	37%	24%	25%	32%	27%
2020	16%	25%	30%	28%	40%	29%	33%	29%	35%	27%	28%	31%	29%
2021	26%	26%	36%	39%	34%	40%	33%	35%	38%	28%	35%	37%	34%
2022	38%	29%	29%	35%	31%	25%	35%	36%	40%	31%	31%	28%	32%
2023	26%	25%	35%	34%	38%	37%	35%	38%	31%	39%	30%	24%	33%
2024	32%	42%	31%	28%	34%	41%	30%	31%	35%	28%	37%	31%	33%
Monthly Avg	27%	29%	32%	32%	33%	32%	32%	32%	36%	29%	31%	30%	

Non-County Resident Arrests (% of total arrests)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Avg %
2019	27%	21%	36%	25%	29%	27%	25%	28%	30%	25%	23%	40%	28%
2020	27%	30%	35%	33%	37%	23%	34%	35%	33%	29%	22%	25%	30%
2021	26%	30%	32%	38%	33%	23%	26%	32%	40%	32%	24%	32%	31%
2022	38%	34%	32%	32%	24%	36%	35%	35%	32%	33%	34%	27%	33%
2023	27%	29%	30%	28%	32%	36%	30%	35%	29%	27%	26%	29%	30%
2024	28%	37%	28%	31%	30%	36%	31%	45%	30%	39%	36%	31%	33%
Monthly Avg	29%	30%	32%	31%	31%	30%	30%	35%	32%	31%	28%	31%	

Non-County Resident Tickets (% of total tickets)

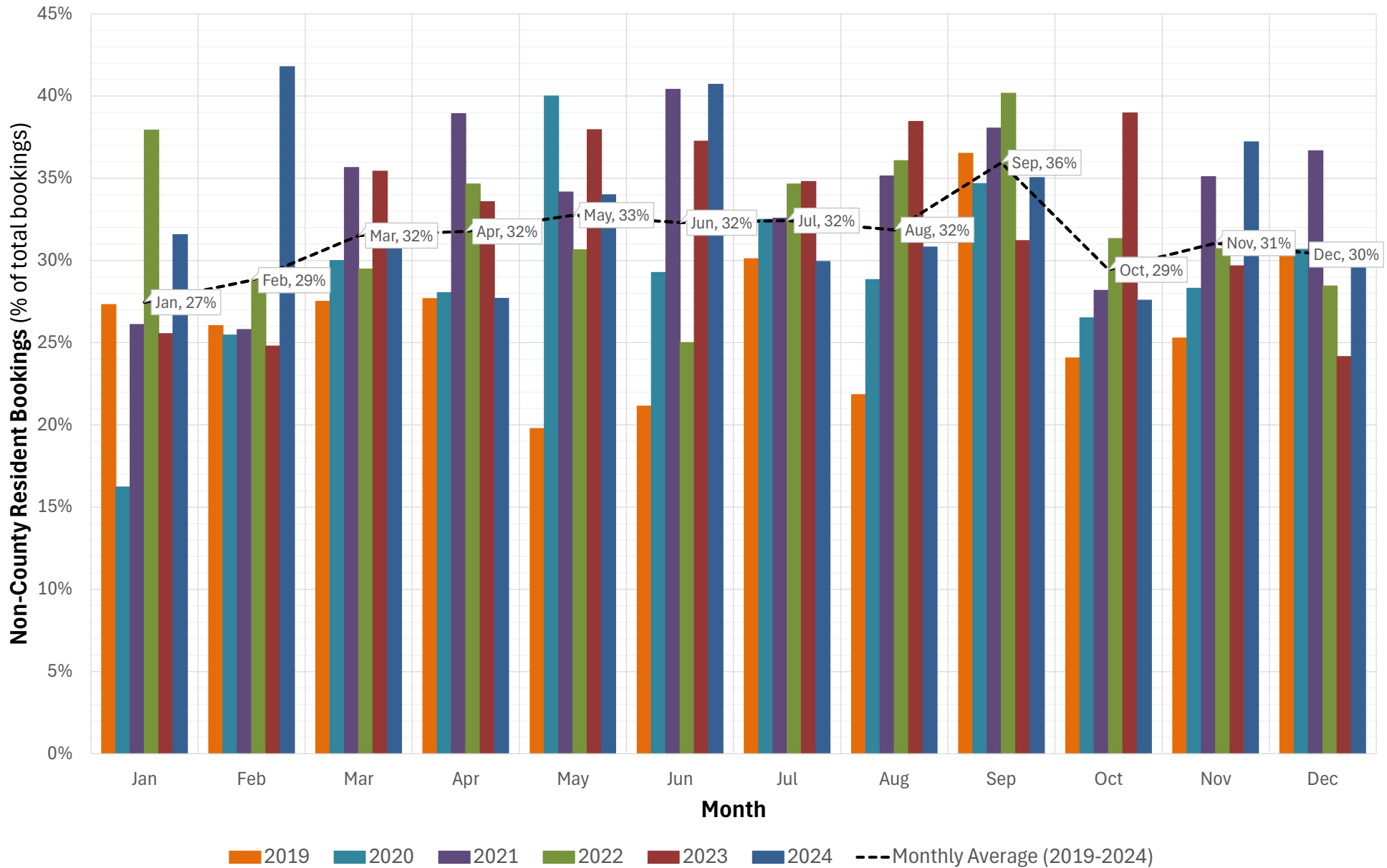
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Avg %
2019	29%	29%	42%	31%	33%	37%	41%	40%	38%	24%	30%	30%	34%
2020	29%	36%	44%	29%	47%	45%	43%	37%	30%	35%	37%	28%	37%
2021	31%	29%	35%	40%	42%	48%	36%	46%	39%	35%	31%	26%	36%
2022	25%	40%	43%	33%	28%	34%	40%	36%	24%	28%	32%	24%	32%
2023	27%	30%	28%	35%	44%	28%	35%	47%	30%	38%	26%	26%	33%
2024	32%	33%	29%	30%	41%	37%	45%	45%	28%	26%	27%	28%	33%
Monthly Avg	29%	33%	37%	33%	39%	38%	40%	42%	31%	31%	31%	27%	

Non-County Resident Crime Victims (% of total victims)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Avg %
2019	13%	10%	11%	11%	13%	16%	22%	32%	18%	13%	19%	22%	17%
2020	12%	19%	11%	8%	6%	14%	24%	19%	11%	13%	8%	8%	13%
2021	12%	11%	9%	14%	18%	12%	11%	14%	12%	9%	18%	16%	13%
2022	8%	33%	9%	16%	16%	15%	17%	17%	18%	21%	9%	12%	16%
2023	14%	10%	12%	9%	19%	17%	20%	30%	14%	15%	16%	16%	16%
2024	5%	13%	12%	20%	16%	21%	22%	16%	13%	13%	17%	8%	15%
Monthly Avg	11%	16%	10%	13%	15%	16%	19%	21%	14%	14%	14%	14%	

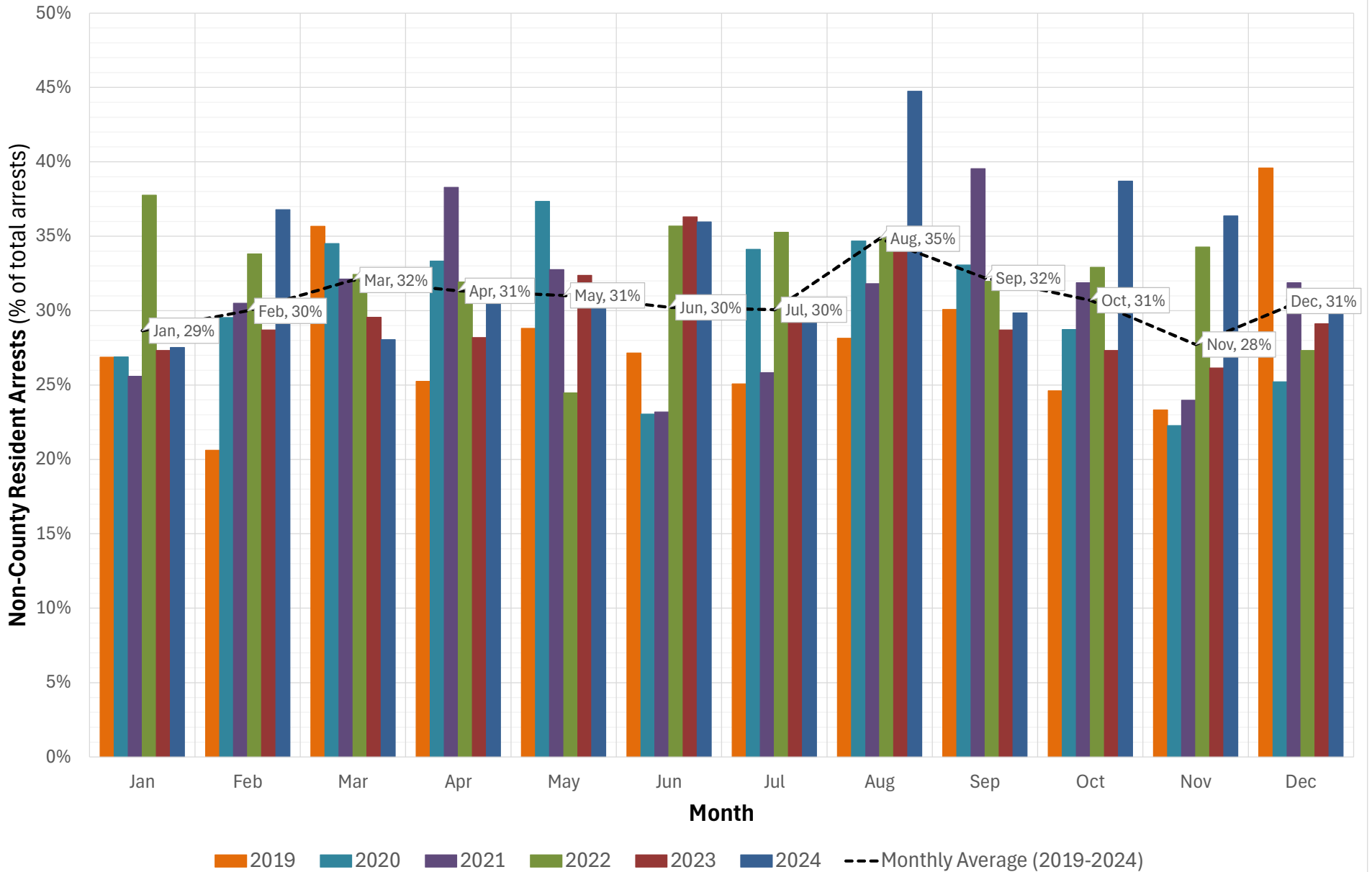
**Greater than Annual Avg

Persons Booked in Clatsop County | Non-County Residents by Month (2019-2024)



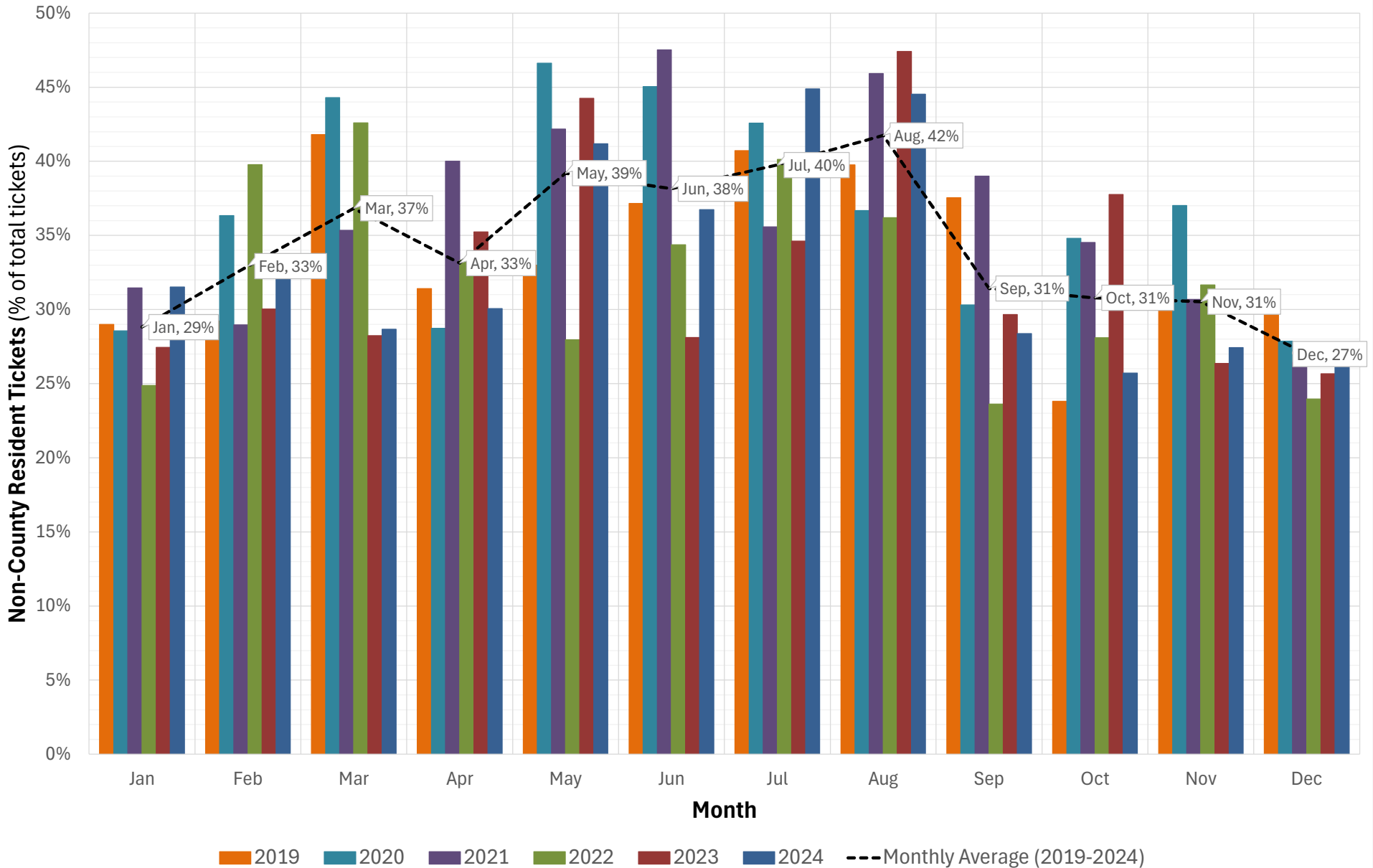
****Bookings:** This includes instances in which someone in Clatsop County was taken into custody, transported to the County jail, and their personal and case information was recorded. Booking, the individual may have been immediately released (e.g., on bail or recognizance) or remained detained at the County jail pending further legal proceedings.

Persons Arrested in Clatsop County | Non-County Residents by Month (2019-2024)



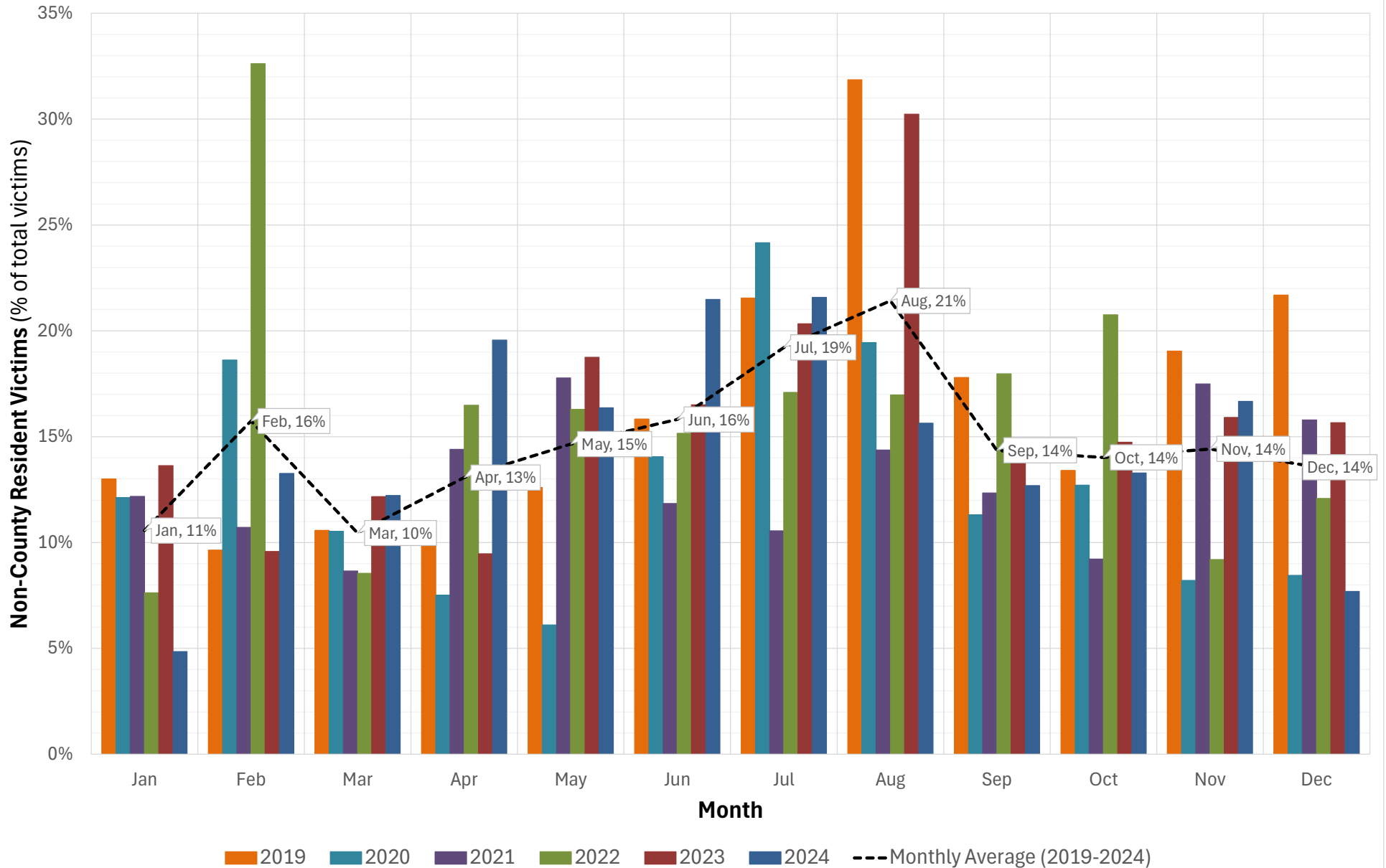
****Arrests:** This includes instances in which someone in Clatsop County was taken into custody based on probable cause or suspicion of a crime. While arrests often lead to bookings, resolved through "cite and release," where the person is issued a citation and released with a court date.

Persons Ticketed in Clatsop County | Non-County Residents by Month (2019-2024)



****Tickets:** This includes instances in which local law enforcement issued citations to individuals in Clatsop County for violations (e.g. traffic offenses and other non-jailable offenses such as Possession), typically requiring a fine or court appearance without taking the individual into custody.

Crime Victims in Clatsop County | Non-County Residents by Month (2019-2024)



****Victims:** Individuals who suffered harm—physical, emotional, psychological, or financial—due to a reported criminal act in Clatsop County.

**Clatsop County Board of Commissioners
Regular Meeting Minutes**

June 25, 2025

Judge Guy Boyington Building & Remote Video Conferencing
www.clatsopcounty.gov/meetings

FLAG SALUTE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Chair Mark Kujala, Commissioner Pamela Wev, and Commissioner Anthony Huacuja

Excused: Vice Chair Courtney Bangs, Commissioner Lianne Thompson

AGENDA APPROVAL

Chair Kujala stated there is an amended agenda adding item 3a – Proclamation for Job Corps Center and removing items 11 and 13 from the agenda. Commissioner Huacuja motioned to approve the amended agenda, Seconded by Commissioner Wev.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

PROCLAMATION

3a. Tongue Point Job Corps Center

County Manager Bohn spoke about the threat of closing Tongue Point from the Department of Labor and the importance of the Job Corp to our community.

Commissioner Wev moved to approve the Resolution and Order expressing support for Tongue Point Job Corps Center and recognizing its vital role in workforce development and community impacts and authorize the Chair to read then sign the proclamation. Commissioner Huacuja seconded the motion.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

Chair Kujala read the proclamation aloud.

BUSINESS FROM THE PUBLIC

None.

CONSENT CALENDAR

4. Board of Commissioners Meeting Minutes 5-28-25

Board of Commissioners Meeting Minutes

Page 1

5. Large County Road Event Application for the 2025 Hood to Coast / Portland to Coast Relays
6. Intergovernmental Agreement #185804-0 between Oregon Health Authority (OHA) for the Biennium July 1, 2025 through June 30, 2027 {Page 23}
7. Oregon State Marine Board Contract
8. Resolution and Order authorizing Submittal of a grant application to the Transportation and Growth Management Grant program
9. Approve the 2024-25 Budget and Appropriation Adjustments

Commissioner Huacuja moved to approve the Consent Calendar as presented, Commissioner Wev seconded the motion.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

COMMISSIONER'S LIAISON REPORTS

Commissioner Wev reported on the Oregon Coastal Zone Management Association.

Commissioner Huacuja had no reports.

Chair Kujala shared his appreciation for Amanda Rapinchuk, Management Policy Analyst, and the County Manager on their legislative work with CFM Advocates and Salem.

COUNTY MANAGER'S REPORT

County Manager Bohn had no reports.

BUSINESS AGENDA

10. Clatsop Enterprise Zone Redesignation Application

County Manager Bohn explained the process to get redesignation of the Enterprise Zone. Staff recommend the Board approve the Resolution authorizing the submission to Business Oregon. The boundaries of the original Enterprise Zone from 2015 have been modified and that is because of the criteria that the state establishes for the Enterprise Zone.

Kevin Leahy, Enterprise Zone Manager, said the Port, City of Astoria and City of Warrenton all voted unanimously in support of the redesignation. He appreciates his partnership with the County.

Commissioner Huacuja moved to approve the Resolution authorizing the submission of an application to Business Oregon requesting redesignation of the Clatsop Enterprise Zone, Commissioner Wev seconded the motion.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

~~11. Proposed Annual Update to Strategic Plan 2021 (FY 25-26 Priorities)~~

12. Fairgrounds Roof Rehabilitation Contract

Kyle Sharpsteen, Fair Manager, reported on the project which was advertised for competitive bidding. They received four responsive bids, the lowest bidder being Pacific Tech Construction, Inc. The Fair Board voted to accept the bid from Pacific Tech.

Commissioner Wev moved to approve and authorize the County Manager to execute a contract with Pacific Tech Construction, Inc. in the amount of \$574,430 for the Clatsop County Fairgrounds Roof Rehabilitation Project, Commissioner Huacuja seconded the motion.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

~~13. Adopt Proposed Fee Schedule for Clatsop County to be implemented July 1, 2025~~

PUBLIC HEARING

14. Ordinance 25-07 Adoption of Economic Opportunities Analysis (EOA)

County Counsel Pope conducted the second reading of the ordinance.

Planning Manager Blake had no new information but added that DLCD had no comments and had no concerns.

Chair Kujala called for public comments. Hearing none, he closed the public hearing.

Commissioner Huacuja moved the Board adopt Ordinance 25-07 approving the Clatsop County Economic Opportunities Analysis and incorporating its findings and recommendations into the Clatsop County Comprehensive Plan Goal 9: Economic Development, Commissioner Wev seconded the motion.

Ayes: Chair Kujala, Commissioner Wev, Commissioner Huacuja

Nays: None

Motion Carried: 3 to 0

GOOD OF THE ORDER

There was nothing for the good of the order.

ADJOURNMENT

The meeting adjourned at 6:28 pm.

Approved by,

Mark Kujala, Chair

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Agenda Title: 25-27 CFM Advocates Lobbying Services Agreement
Category: Consent Calendar
Presented By: Amanda Rapinchuk, Management/Policy Analyst

Issue Before the Commission: Approval of a legislative representation and lobbying services agreement between Clatsop County and CFM Advocates for the period of September 1, 2025, through August 31, 2027.

Informational Summary: On July 17, 2023, Clatsop County issued a [Request for Proposals \(RFP\)](#) for legislative representation and lobbying services. Of the three firms that submitted qualifying proposals, CFM Advocates received the highest score. The County subsequently entered into a Personal/Professional Services Agreement with CFM Advocates for both state and federal representation, which is set to expire on August 31, 2025.

Since that time, CFM Advocates' State and Federal Affairs teams have worked in close partnership with the County to identify and advance top legislative priorities, pursue funding opportunities, advocate and engage on key policy issues, and elevate Clatsop County's voice and presence at both the state and federal levels.

Federal Affairs Highlights

- Secured a \$480,000 Safe Streets for All grant to develop a Countywide Transportation Safety Action Plan
- Draft House FY26 spending bill includes \$1,031,000 in federal appropriations for the Public Safety Equipment and 911 Operations project
- Facilitated annual County advocacy trips to Washington, D.C.

State Affairs Highlights

- Strengthened County advocacy and engagement during legislative sessions
- Continued progress in advancing priority issues, including:
 - Addressing the financial burden of homeowners associations (HOA) fees on tax-foreclosed properties—

- protecting public dollars from being used for private expenses
- Increased flexibility in the use of local Transient Lodging Tax (TLT) revenues to address tourism impacts on public safety services

Attached is a proposed agreement between the County and CFM Advocates to continue this important partnership and enable the County to build on recent successes and pursue new opportunities.

Fiscal Impact:

Total contract amount: \$216,000 for the period of September 1, 2025, through August 31, 2027

- State Services: \$5,000/month
- Federal Services: \$4,000/month

This amount is included in the County's FY 25-26 adopted budget.

Requested Action:

Approve the attached 2025-27 Personal/Professional Services Agreement between Clatsop County and CFM Advocates for state and federal legislative representation and lobbying services in the amount of \$216,000 and authorize the County Manager to sign the Agreement and all subsequent amendments.

Attachment List

- A. Personal/Professional Services Agreement



CLATSOP COUNTY, OREGON
800 Exchange Street, Suite 410
Astoria, OR 97103
An Equal Opportunity Employer

Contract No. C9223

PERSONAL/PROFESSIONAL SERVICES AGREEMENT

This AGREEMENT is by and between Clatsop County ("County") and CFM Advocates ("Contractor"). Whereas County has need of the services which Contractor has agreed to provide; NOW THEREFORE, in consideration of the sum not to exceed \$216,000.00 to be paid to Contractor by County, Contractor agrees to perform between date of execution and August 31, 2027, inclusive, the following specific personal and/or professional services:

Services: Contractor agrees to perform State and Federal representation and lobbying services as described in the attached Scope of Work (Exhibit A) between September 1, 2025 through August 31, 2027.

Invoicing: Contractor shall submit a monthly invoice to the County in the total amount of \$9,000.00 for services provided under this Agreement. This total includes a flat fee of \$5,000.00 for State-level services and a flat fee of \$4,000.00 for Federal-level services. Funds shall be used solely for the delivery of these services.

- 1. COMPLETE AGREEMENT.** This Agreement contains the entire understanding of the parties and supersedes all prior agreements, oral or written, and all other communication between the parties relating to the subject matter of this Agreement.
- 2. WRITTEN NOTICE.** Any notice of termination or other communication having a material effect on this Agreement shall be served by U.S. Mail on the signatories listed.
- 3. GOVERNING LAW/VENUE.** This Agreement shall be governed by the laws of the State of Oregon. Any action commenced in connection with this Agreement shall be in the Circuit Court of Clatsop County. The prevailing party shall be entitled to reasonable attorney fees and costs, including an appeal. All rights and remedies of County shall be cumulative and may be exercised successively or concurrently. The foregoing is without limitation to or waiver of any other rights or remedies of County according to law.
- 4. COMPLIANCE.** Contractor shall comply with all applicable Federal, State, and local laws, rules and regulations. All provisions of ORS 279B.220-235 (Public Contracts and Purchasing) are incorporated herein to the extent applicable to personal/professional service agreements. Specifically, Contractor shall:
 - a. Promptly pay, as due, all persons supplying labor and material for the prosecution of the work provided of in such contract. If Contractor fails to pay any such claim, County may pay the claim and charge the payment against the funds due Contractor, pursuant to ORS 279B.220;

- b. Pay any required contributions due the Industrial Accident Fund incurred in the performance of the contract;
- c. Not permit any lien or claim to be filed or prosecuted against County, on account of any labor or material furnished by Contractor;
- d. Pay the Department of Revenue all sums withheld from employees pursuant to ORS 316.167;.
- e. Not employ any person more than 10 hours a day, or 40 hours a week, unless permitted under ORS 279B.235, and any employee working over 40 hours per week shall be paid overtime as provided in ORS 279B.235.
- f. Pay promptly, as due, any payment for medical surgical or hospital care furnished to employees of Contractor, pursuant to ORS 279B.230.
- g. If Contractor is a subject employer, Contractor will comply with ORS 656.017.

5. JUDICIAL RULINGS. If any provision of this-as applied to either party or to any circumstances shall be adjudged by a court to be void or unenforceable, the same shall in no way affect any other provision of this Agreement or the validity of enforceability of the Agreement.

6. INDEPENDENT CONTRACTOR. Contractor, in carrying out the services to be provided under this Agreement, is acting as an "independent contractor" and is not an employee of County, and as such accepts full responsibility for taxes or other obligations associated with payment for services under this Agreement. As an "independent contractor", Contractor will not receive any benefits normally accruing to County employees unless required by applicable law. Furthermore, Contractor is free to contract with other parties, on other matters, for the duration of this Agreement.

7. INDEMNIFICATION. Contractor shall save harmless, indemnify, and defend County for any and all claims, damages, losses and expenses including but not limited to reasonable attorney's fees arising out of or resulting from Contractor's performance of or failure to perform the obligations of this Agreement to the extent same are caused by the negligence or misconduct of Contractor or its employees or agents.

8. INSURANCE. Contractor shall purchase and maintain at Contractor's expense, Comprehensive General Liability, Automobile Liability, and Professional Liability insurance. This insurance is to provide separate coverage for each of the required types of insurance at a minimum of **\$701,300** for property damage and minimum of **\$855,200** per person for bodily injury and no less than **\$1,710,200** for each occurrence. In addition, all such insurance, with the exception of Professional Liability, shall name County, its Commissioners, employees and agents, as an **Additional Insured**. A copy of the policy or certificate of insurance acceptable to County shall be submitted to County.

9. WORKER'S COMPENSATION. Contractor shall comply with ORS 656.017 for all employees who work in the State of Oregon. If Contractor hires employees, he or she shall provide County with certification of Worker's Compensation Insurance, with employer's liability in the minimum of \$100,000.

10. NONDISCRIMINATION. No person shall be subjected to discrimination in receipt of the benefits of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, marital status, age or national origin. Any violation of this provision shall be considered a material violation of this Agreement and shall be grounds for cancellation, termination or suspension in whole or in part by County.

11. TERMINATION OF AGREEMENT. This Agreement may be terminated under the following conditions:

- a. By written mutual agreement of both parties. Termination under this provision may be immediate.
- b. Upon fifteen (15) calendar days written notice by either Party to the other of intent to terminate.
- c. Immediately on breach of the contract.

Upon termination of this agreement, Contractor shall be entitled to receive full payment for all services

satisfactorily rendered up to the date of termination.

12. SUBCONTRACTING/NONASSIGNMENT. No portion of this Agreement may be contracted to assigned to any other individual, firm, or entity without the express and prior approval of County.

13. SURVIVAL. The terms, conditions, representations and all warranties contained in this Agreement shall survive the termination or expiration of this Agreement.

14. FUNDING. In the event the Board of Commissioners of County reduces, changes, eliminates, or otherwise modifies the funding for any of the services identified, Contractor agrees to abide by any such decision including termination of service.

15. STANDARD OF SERVICES AND WARRANTY. Contractor agrees to perform its services with that standard of care, skill and diligence normally provided by a professional individual in the performance of similar services. It is understood that Contractor must perform the services based in part on information furnished by County and that Contractor shall be entitled to rely on such information. However, Contractor is given notice that County will be relying on the accuracy, competence and completeness of Contractor's services in utilizing the results of such services. Contractor warrants that the recommendations, guidance and performance of any person assigned under this Agreement shall be in accordance with professional standards and the requirements of this Agreement.

16. COUNTY PRIORITIES. Contractor shall comply promptly with any requests by County relating to the emphasis or relative emphasis to be placed on various aspects of the work or to such other matters pertaining to said work.

17. OWNERSHIP AND USE OF DOCUMENTS. All documents, or other material submitted to County by Contractor shall become the sole and exclusive property of County. All material prepared by Contractor under this Agreement may be subject to Oregon's Public Records Laws.

18. TAX COMPLIANCE CERTIFICATION. Contractor hereby certifies, under penalty of perjury, as provided in ORS 305.385(6), that to the best of Contractor's knowledge, Contractor is not in violation of any of the tax laws of this state or political subdivision of this state, including but not limited to ORS 305.380(4), 305.620 and ORS chapters 316, 317 and 318. Contractor represents that Contract will continue to comply with the tax laws of this state and any applicable political subdivision of this state during the term of the public contract. If Contractor's fails to comply with the tax laws of this state or a political subdivision of this during the term of this agreement, the Contractor shall be in default and County may terminate this agreement and pursue its remedies under the agreement and under applicable law.


This Agreement will not be effective until approved by the authorized signatory for County.

FOR COUNTY:

Signature Date

Title

FOR CONTRACTOR:



Signature Date 08/04/2025

Partner
Title
10260 SW Greenburg Rd., #400
Address
Portland _____ OR _____ 97223 _____
City State Zip

Proposal to Clatsop County from CFM Advocates for State and Federal Lobbying Services

Table of Contents

<i>Cover Letter</i>	2
<i>Qualifications and Experience</i>	3
About CFM Advocates.....	3
State Lobbying Services	3
Federal Lobbying Services.....	3
Understanding of Oregon’s Rural, Coastal, and Recreational Counties.....	4
Establishing and Maintaining Strong Working Relationships	4
Legislative Information and Bill-tracking Software.....	6
<i>Project Understanding and Approach</i>	6
Lobbying Strategy	6
Recent CFM State Team Successes	7
Recent CFM Federal Team Successes.....	7
Priority Issues for Clatsop County.	8
Scope of Work.....	9
Managing Conflicts	11
Work Quality and Cost Control	12
<i>Project Team</i>	12
Organizational Structure and Operations.....	12
State Team	12
Federal Team.....	13
<i>Budget</i>	14
<i>References</i>	14
<i>Appendix: Supporting Documents</i>	15





August 25, 2023

Amanda Rapinchuk
800 Exchange Street
Suite 410
Astoria, OR 97103

RE: Proposal for State and Federal Legislative Representation and Lobbying Services

Dear Ms. Rapinchuk,

CFM Advocates respectfully submits this proposal to provide Clatsop County with state and federal lobbying services.

Our firm has a long history of successfully representing municipal governments, large and small, rural and urban. Additionally, our team has a unique composition that allows us a seat at nearly every table in the policy making arena, including Oregon's Coastal Caucus.

CFM recognizes the County's focus on state legislative activity with an interest in exploring federal lobbying representation. A unique benefit to working with CFM is the ability to align your state and federal objectives by leveraging our state affairs team in Salem and our federal affairs team in DC. We have extensive experience coordinating services between our state and federal teams, providing efficiency to joint advocacy efforts.

Thank you for considering CFM for the County's legislative advocacy needs. As we move through the RFP process, please use Cindy Brown (cindy@cfmpdx.com) as our single point of contact. We look forward to continuing the conversation!

Sincerely,

Dale Penn II, Partner/State Affairs

Joel Rubin, Partner/Federal Affairs



Qualifications and Experience

About CFM Advocates

Founded in 1990, CFM Advocates (CFM) is a fully integrated consulting firm with practice areas in federal and state lobbying and local public affairs. We are based in the Pacific Northwest with full-time staff in Portland, Vancouver, Salem, and Washington, DC. We pride ourselves in providing clients with a range of advocacy services centered on careful listening, strategic communications, and principled advocacy.

CFM has multiple business lines that include state lobbying, federal lobbying, public affairs, and crisis communication. Our state and federal lobbying practices include a diverse set of private and public clients that allows us to work on a wide range of policy issues.

State Lobbying Services

For over 30 years, CFM has represented a broad range of non-profit, private sector, and public agency entities. During this time, we've helped our clients establish effective state affairs strategies by building long-term relationships with policymakers, setting achievable legislative agendas and monitoring legislation and policy discussions that have long-term effects on Oregon's political climate. We do this with the lens to maintain or improve each client's reputation.

CFM has a long history of representing local governments in Oregon. We represent communities both large and small, urban and rural, and have experience securing budget asks as well as advocating both for and against bills in the legislature. We understand the dynamic between local governments and the Oregon legislature, and the challenges that come with that. Our work for local governments ranges from simply monitoring legislation to advocating for one specific financial ask to comprehensive lobbying on any number of policy issues.

Federal Lobbying Services

Since our founding, CFM has maintained a physical presence in Washington, DC, guiding local government clients through an ever-changing political environment and achieving their legislative and funding objectives. Our bipartisan team has worked extensively with elected officials at all levels of government. We are former senior level congressional staffers who guided legislative goals and managed relationships on behalf of U.S. Senators and Representatives. Our long-standing record of success is nationally recognized by Bloomberg Government as being one of only 10 federal lobbying firms (out of more than 11,000) that has retained 100 percent of its clients over a four-year period. This reflects our intense focus on customer service and going the extra mile to ensure the success of our clients.



For 33 years, we have successfully represented clients in the Pacific Northwest helping them navigate the federal process, advocate for or against legislation, and secure grants, earmarks, and program plus-ups (adding money to existing accounts in order to fund more programs and projects). We have secured significant funds for our clients by crafting winnable projects and implementing targeted funding strategies. CFM covers all aspects of the grant and earmark process from start to finish, from working with you to develop a list of eligible projects, drafting grant and earmark applications, and advocating for your priorities with the congressional delegation and federal agencies. Over the last three years, CFM secured more than \$145 million in federal grants for our clients including funding from more than a dozen sub-agencies from a broad range of funding accounts. We have also helped our clients secure over \$86 million in federal earmarks in just two years since Congress revived the practice. As a result, our federal affairs clients are averaging a 62:1 return on investment.

Understanding of Oregon's Rural, Coastal, and Recreational Counties

The team at CFM is intimately familiar with the unique issues affecting Oregon's coastal communities. The decline in natural resource-related industries such as fishing and logging has created economic hardship for communities up and down the coast and across the state. Some of the losses in those industries have been offset by tourism, especially in Clatsop County, but that brings with it its own set of challenges. There are few counties in Oregon that match the influx of tourists that Clatsop County sees on an annual basis, particularly compared to the resident population.

While decisions are made in Salem, the impacts are felt statewide, and there is often a disconnect between the two. This often adversely affects rural communities, resulting in immense frustration. Effective advocacy at the Capitol can help shape the narrative and policy discussion, delivering better results for communities throughout the state. The same can be said about policymaking in Washington, DC.

Establishing and Maintaining Strong Working Relationships

CFM's trademark is strategic communications. Relationships are important when it comes to a sophisticated advocacy program. Because we are an Oregon firm with full-time offices in Salem and Washington, DC, we work daily with state legislators, the Oregon congressional delegation and its staff, as well as other key players on Capitol Hill and numerous state and federal agencies. Decision makers know us and trust us.

We work hard to maintain the relationships we have spent years cultivating. In our view, the best way to keep our relationships fresh is to stay in constant contact with those who have influence. CFM's state lobbyists have relationships with all 90 state lawmakers and their staff, as well as with fiscal, revenue and committee services staff. This enables CFM to see and understand issues that may not directly affect the County, but could impact its interests by slowing, derailing or propelling



legislation of interest to others. CFM team members have served in a wide range of staff roles, including for legislative leadership, the co-chairs of ways and means and key committee chairs, enabling us to provide clients important insight into the closed-door decision-making that will impact the County's priorities. More importantly, CFM's experience, combined with our strong relationships with policymakers and staff, ensures team members are in the right place at the right time to achieve results for the County.

Our team has relationships with legislators, agency directors, Governor's Office, and staff that we will depend on to achieve the County's legislative goals. Although there will be significant turnover in legislative seats prior to 2025, relationships with returning legislators include, but are not limited to:

County Legislative Representatives

Representative Cyrus Javadi
Senator Suzanne Weber

Leadership

Speaker of the House, Representative Dan Rayfield
House Republican Leader, Representative Vikki Breese-Iverson
House Democratic Leader, Representative Julie Fahey
Senate President, Senator Rob Wagner
Senate Republican Leader, Senator Tim Knopp
Senate Democratic Leader, Senator Kate Lieber

Relevant Committee Chairs

Representative Tawna Sanchez, D-Portland, Co-Chair of the Joint Committee on Ways & Means
Senator Elizabeth Steiner Hayward, D-Portland, Co-Chair of the Joint Committee on Ways & Means
Representative Jason Kropf, D-Bend, Chair of the House Judiciary Committee
Representative Paul Evans, D-Salem, Chair of the Joint Committee on Ways & Means Subcommittee on Public Safety
Representative Ken Helm, D-Washington County, Chair of House Agriculture, Land Use & Water Committee
Representative Pam Marsh, D-Ashland, Chair of House Environment & Natural Resources Committee
Representative Janelle Bynum, D-NE Portland, Chair of the House Economic Recovery & Small Business Committee
Representative Rob Nosse, D-Portland, Chair of the House Health Care Committee
Senator Kate Lieber, D-Portland, Chair of Senate Energy and Environment Committee
Senator Fred Girod, R-Stayton, Co-Chair of the Joint Committee on Ways & Means Subcommittee on Capitol Construction



Our team of federal lobbyists stays in regular contact with those who will be Clatsop County's best allies and with those who will have influence over its federal agenda. CFM has known most members of the Oregon delegation for decades and we have particularly strong relationships with Senator Merkley, Senator Wyden, and Representative Bonamici.

Unlike big DC firms, your delegation knows us and knows we are an Oregon firm that relies on our reputation. We are not putting forward projects that meet short-term objectives, hide complications, and create longer-term challenges. In a funding environment facing public scrutiny, CFM representation means something to the Oregon delegation. This reliability is critical in the appropriations and legislative process.

Besides the Oregon delegation, we have deep relationships with key congressional leaders, committee members outside your delegation and congressional and agency staff. Our work for clients goes beyond legislative activities and reaches into the administrative/regulatory arena. We regularly deal with agencies such as the U.S. Army Corps of Engineers, Federal Emergency Management Agency, Departments of Transportation, Housing, Health & Human Services, Labor, Justice, Defense, Treasury, Education, Agriculture (U.S. Forest Service), Environmental Protection Agency and the Interior Department (National Park Service & BLM).

We also have a deep network of contacts with the coalitions and associations important to Clatsop County including the National Association of Counties, and other collaborative organizations such as the Oregon Association of Counties, the National League of Cities, Conference of Mayors, and the National Conference of State Legislatures. We know that collaboration on some issues is important, and we develop strategies for clients to align with associations when necessary.

Legislative Information and Bill-tracking Software

Our state affairs team utilizes CM3 for bill tracking in the Oregon legislature. A sample report can be found in the appendix. Our federal affairs team uses CQ Roll Call for tracking legislation in Congress.

Project Understanding and Approach

Lobbying Strategy

CFM takes a comprehensive approach to state lobbying. We have a five-person team that traditionally is in the halls of the Capitol whenever the legislature convenes. Members of our team have worked in legislative offices, executive agencies and served on committees. We lobby, and we've been lobbied, so we know the importance of building trusted political relationships. We go the extra mile to stay closely allied with leadership and their staff, influential members and rising



political stars. This has allowed us to “get in the door” when necessary and achieve policy and budget victories for our clients.

At the end of the day, our approach to state lobbying is tailored to meet each client’s objectives. Just as no two bills are alike, we know that each client’s needs and goals are different. We don’t use a cookie cutter approach to lobbying; instead, we develop a strategy to advance each client’s unique priorities. This is critical to building positive political relationships and success in the short and long term. We know when to have discreet conversations with leadership and staff to either stop or advance legislation and when to do an all-out push with stakeholders to pursue your objectives.

Recent CFM State Team Successes

- Secured millions in funding for local governments, including funding for a broadband network for the City of Sherwood; \$5 million for the City of Eugene’s efforts to address homelessness; and, \$3 million for the City of Tigard for pedestrian improvements to Hall Blvd.
- Played a major role in the defeat of HB 3414, a bill that would negatively impact cities’ ability to plan for housing needs.
- \$5 million for the construction of an emergency operations center in Benton County.
- Assisted Benton County in securing an additional \$8.9 million in additional matching funds for construction of a new county courthouse.
- Secured more than \$30 million in human services and child welfare investments for clients in the 2019 legislative session by leading efforts to develop and pass SB 1.
- Doubled state funding for Oregon Court Appointed Special Advocates in 2021 by securing \$5.92 million in ongoing funding.
- Heavy involvement in 2017 Oregon Transportation Package, helping shape the employee payroll tax for transit services.

Recent CFM Federal Team Successes

CFM has delivered real results to Pacific Northwest public non-profit and private sector clients for years. We have been successful in securing millions of federal dollars for economic development, natural resource, education, transportation, and public safety projects across the region. Over the last three years, CFM secured more than \$145 million in federal grants for our clients including funding from more than a dozen sub-agencies from a broad range of funding accounts. **As a result, our federal affairs clients are averaging a 62:1 return on investment.**

In addition to federal grants, earmarks are back after a 10-year hiatus. With the first two rounds of earmarks now completed, CFM has secured funding for 52 projects in Oregon and Washington totaling over \$86 million. These projects range from road, transit, water, tourism, police equipment, crisis intervention and dredging. CFM is proud to note that all clients with CFM the last



two years have secured an earmark in the FY22 or FY23 appropriations legislation (**100% success**) and in FY23, 85% of CFM clients secured funding for at least one earmark.

Priority Issues for Clatsop County.

Floodplain Development

For over a decade, CFM's team has been working on floodplain development issues surrounding FEMA, NMFS, and the Endangered Species Act. CFM has advised multiple clients throughout the state that would be impacted by this overhaul in floodplain development policy and lobbied for relief on their behalf. Partnering with others to lobby the congressional delegation, including then House Transportation and Infrastructure Committee Chair Peter DeFazio, those efforts ultimately resulted in a three-year delay from restrictions as mandated by FAA reauthorization legislation. CFM has since been advocating for permanent relief from the changes for the communities we represent and would proudly be a voice for Clatsop County on these issues.

Forest Lands

CFM's team has extensive experience working in Congress on USFS policy, both in our current roles as lobbyists and previously for the Congressmen and Senators we worked for as staff members. Most recently, we have advocated on behalf of existing clients, including Marion County, for increased forest access, improved forest management, enhanced wildfire suppression, and greater flexibility and extensions of Secure Rural Schools funding. CFM has represented Marion County for 20 years, advocating for federal policy that meets the needs of its forested communities, including the following items:

- **Secure Rural Schools** - CFM has advocated for the extension of Secure Rural Schools and full funding for Payments in Lieu of Taxes (PILT) throughout our 20 years of representing Marion County, including seven separate extensions of the program since the program originally expired in 2006. CFM has been deeply involved with lobbying for previous extensions of SRS and PILT funds, working closely with members of the congressional delegation, particularly Senator Wyden, Senator Merkley, Rep. Bonamici, and others.
- **SRS Flexibility** - In March of 2018, we successfully achieved an effort we spearheaded on behalf of Marion County to secure a legislative fix that restored flexibility for counties to utilize expiring SRS Title III funds. The provision was ultimately included in the Fiscal Year 2018 Omnibus Appropriations Bill that extended the SRS program for two more years. Supported by Marion County, AOC, and others, our legislation allowed counties to use SRS Title III funds for critical law enforcement patrols, training, and equipment related to emergency response. This important correction freed up \$6.6 million in funds throughout Oregon that would have otherwise been clawed back by the U.S. Treasury at the end of the Fiscal Year.



- **Forest Management** - CFM has been lobbying the congressional delegation for decades in support of federal forest management reform, including more responsible management of both USFS lands and O&C forest lands. Specifically, we have advocated for a timely, responsible and sustainable plan for managing these lands that provides legal certainty and will revive timber production. Knowing the need for generating economic growth, jobs and financial stability in timber-dependent areas in Oregon, CFM has advocated on the County's behalf for policies that will improve forest health and provide additional jobs and stable revenue streams to fund schools, law enforcement, and other county operations.

Scope of Work

State Affairs

Decisions made in Salem can have a direct and profound impact on the County. CFM proposes a scope of work focused on direct advocacy, legislative and regulatory monitoring, strategic analysis and insider perspectives, and guidance on pending legislation or issues that may impact the County.

CFM closely coordinates with legislators and their staff during the interim to anticipate and prepare for legislation before it's introduced during legislative sessions. Monitoring and impacting legislation on the County's behalf involves maintaining contact with key legislators and committees with jurisdiction over issues important to the County. This approach has allowed CFM to develop an early warning system, alerting the County to relevant, impending legislation.

CFM works closely with state agency officials as legislation is developed, and after passage when laws are implemented. We routinely track the activities of several state agencies during the regulatory and rulemaking process and go the extra mile to maintain good relationships with senior state officials across a broad spectrum of state agencies.

In order to comply with Oregon Government Ethics Commission requirements, CFM traditionally registers all state team members as lobbyists for its clients. Our goal is to fully comply with all public disclosure requirements at the state, federal and local level.

During session, when legislation and policy conversations move quickly, CFM proposes the following plan based on the scope of work provided by the County:

Work Plan: Pre-Session and Interim

- Assist in developing a targeted, proactive legislative agenda and priorities and promoting those priorities to the right decision-makers in the Capitol, the Governor's office and state agency leadership;
- Review process for engagement in preparation of the legislative session;



- Meet with legislators to gain support for policy goals and develop positive relationships of behalf of the County;
- Work with stakeholders (Association of Oregon Counties, etc.) to foster partnerships and coalitions that benefit Clatsop County;
- Monitor interim discussions involving appropriations and funding opportunities at the state level;
- Monitor pertinent rulemaking and administrative activities resulting from legislative concepts in previous sessions; and
- Identify an efficient communication/reporting loop most helpful to the County’s needs for use during interim and throughout session, including attending necessary Board of Commissioner and staff meetings.

Work Plan: During the Legislative Session

- Review and assist with analyzing and prioritizing bills and advising on County action;
- Monitor and track relevant legislation and all committees that impact County priorities and concerns;
- Hold meetings with relevant committee chairs, Governor’s office and other key stakeholders to gain support for key policy goals;
- Identify legislative supporters and relevant opposition;
- Assist in developing strategic communications, creation of talking points and advocacy material;
- Cultivate partnerships and coordinate with stakeholders on County priorities;
- Participate in hearings at the legislature, coordinating county staff and elected officials as needed;
- Provide bill status updates on a weekly or bi-weekly basis and be available to County staff or leadership for further conversations on political issues; and
- Provide a final legislative report within 30 days of close of session.

Federal Affairs

If we are selected to represent Clatsop County, our first step would be to spend time with County officials and focus on what you hope to accomplish in Washington, DC.

This is a fundamental principle for us – conducting research is a critical first step in representing any client. We suggest initiating interviews with County officials and staff to examine the variety of projects and legislative objectives available to you. We often follow these internal sessions with interviews with key policymakers and staff – interviews that focus on their desires and perceptions, which include a universe of competing priorities. This is a key step, especially with the return of earmarks under a narrow scope. Asking what legislators think and listening to their responses cultivates solid relationships.



Working collaboratively with Clatsop County, we will develop a set of funding and policy priorities that serve as your federal policy platform. These priorities will be interwoven strategically with pressing issues facing the federal government. This “Legislative Agenda” will include your priorities, strategically framed in line with opportunities for federal legislation, funding, and regulations.

Once established, we will help you communicate your agenda to key members of Congress and agency officials in a direct, concise and compelling manner. It is necessary to refine messages carefully and produce clear communication tools that elevate the profile of your requests over other worthy “asks.” This is our specialty.

CFM believes our clients are the best faces and voices for their legislative agenda. Our strategy for implementing your agenda will prioritize having Clatsop County officials communicate directly with congressional and agency decision-makers. We will coordinate visits by agency officials, Members of Congress and their staff to the Clatsop County so they learn first-hand about your priorities. This will expand their understanding of projects and further motivate them to be champions for your agenda.

Your CFM federal team of professionals will work daily on Clatsop County’s behalf in the following areas:

- Developing a strategic federal agenda and political outreach plan;
- Tracking, researching and communicating with federal agencies to identify grant opportunities;
- Securing earmarks, grant awards, authorizations, and report language;
- Coalition building on the local and national level;
- Coordinating advocacy with National Association of Counties and other coalitions;
- Developing policy through the legislative (via Congress) and regulatory (via the administration) process;
- Monitoring and informing you of pertinent legislative and regulatory initiatives;
- Providing access to key decision-makers and leaders in Washington, DC;
- Providing opportunity for testimony before Congressional committees; and,
- Drafting legislation.

Managing Conflicts

We have not identified any existing conflicts that would prevent us from representing the County. However, we take potential conflicts and the appearance of conflicts seriously. If a potential conflict were to arise during our contract, we would request an immediate meeting with the County to discuss and to put together a management plan.



Work Quality and Cost Control

CFM's retainer will be inclusive of all time and material fees. CFM asks for reimbursement for mileage expenses not to exceed \$1,000 per year.

Project Team

Organizational Structure and Operations

State Team

CFM's five-person state affairs team is managed by Dale Penn II, partner at CFM. Dale began his career working as committee staff in 2004. For nearly 20 years, Dale has developed strong relationships with legislators, agency personnel and Capitol staff. In addition, he has developed extensive partnerships with industry leaders, grassroots advocates, and consumer champions across issue areas.

Dale prides himself on being involved on every client issue that comes before our firm. Dale would serve as a strategic advisor to the team assigned to working with Clatsop County and summaries of key staff can be found below.

Zack Reeves, State Affairs Senior Vice President. Zack began his career in the Oregon legislature working for the Coastal Caucus, a bipartisan and bicameral group of legislators advocating on issues important to coastal communities. Before joining CFM, Zack spent six years as chief of staff to three state legislators, most recently Senator Lee Beyer (D-Eugene/Springfield), who served on several committees and spearheaded the successful \$5.3 billion statewide transportation package. Prior to that, Zack served as chief of staff to Reps. Jean Cowan and Greg Matthews. In these roles, Zack developed an extensive network in both chambers and on both sides of the aisle. His policy experience spans from veterans and human services to transportation, health care, business, and natural resources. Earlier in his career, he spent five years as a reporter and copy editor at the Statesman Journal in Salem. Zack resides in Corvallis.

Ryann Gleason, State Affairs Manager, focuses on budget, education, elections, and environmental issues. Before joining CFM, Ryann worked for Oregon House Speaker Dan Rayfield, starting when he was co-chair of the Joint Ways and Means Committee. During that time Ryann served as a point of contact for all budget related issues and advised budget writers on state agency, legislator, lobby, and stakeholder budget priorities. This has allowed Ryann to develop strong relationships with members on both sides of the aisle, Legislative Fiscal Office staff, agency staff, members of the lobby, and more. Additionally, Ryann was responsible for significant changes to Oregon's elections laws, including postmark and inactive voter registration. Ryann resides in Wilsonville.



Federal Team

CFM's eight-person federal affairs team is managed by Joel Rubin, partner at CFM. Joel has over 22 years of experience working on federal issues in the Pacific Northwest. Before joining CFM, Joel served as Legislative Director to Congressman Brian Baird (D-WA). He worked on a wide range of issues including transportation, taxes, trade, defense, energy, economics and budget. Joel also was responsible for Baird's Transportation and Budget Committee assignments, managing the legislative agenda and coordinating the appropriations process.

Joel now leads CFM's DC office and has been a registered lobbyist since 2005 representing nearly a dozen public and private sector clients. Joel has strong contacts in the Washington and Oregon delegations, the House Appropriations and Transportation Committees, the Senate Appropriations and Environment and Public Works Committee, Corps of Engineers, Departments of Energy, Justice, Transportation, Commerce, Labor and Veterans Affairs. Through his various municipal and public sector clients, Joel works closely with staff from DC and regional offices of the Corps of Engineers, NMFS, Department of Transportation (FAA, FTA, FHWA), Coast Guard, Commerce and National Park Service.

Joel oversees work for all federal clients and would serve as a strategic advisor to the team. Below is a summary of key staff that will be assigned to working with Clatsop County at the federal level.

Kirby Garrett, Federal Affairs Senior Vice President, has a proven record of helping clients navigate the federal process to secure legislative wins and tens of millions in federal grant funding for important regional projects. Kirby brings extensive federal experience as a lobbyist and previously as a policy staffer in the U.S. House of Representatives. Prior to joining CFM in early 2017, Kirby worked for Oregon Congressman Greg Walden (R-OR). A Bend, Oregon native, Kirby worked his way up in the Walden office, first managing the Congressman's eastern Oregon office before serving as a Legislative Assistant in Washington, DC. There, Kirby managed the Congressman's work on transportation, infrastructure, education, financial services, taxation, labor, and housing issues.

Michael Skipper, Federal Affairs Vice President, has eight years of lobbying experience at the federal and state level representing a range of corporate, nonprofit, and public interests. Michael has a deep network of contacts and relationships with members of Congress, their staff, and federal agency officials. Raised in Oregon's Willamette Valley, after graduating from Oregon State University in 2014, Michael was part of CFM's State Affairs team in Salem. Between state legislative sessions, he pivoted from policy to politics and worked on candidate and ballot measure campaigns throughout Oregon.

Together, Kirby and Michael will work with County officials to craft your federal agenda, sync your priorities with the congressional delegation and provide a strategic roadmap to accomplishing your key objective. Based in DC, they will work daily with congressional staff to ensure your priorities



are top of mind and receive the attention they deserve. They will monitor and advocate for and against important legislation moving through Congress and regularly report back to County officials.

Budget

As an Oregon Company, we would be proud to represent you in Salem and in our nation's capital. Our bottom line isn't our top priority. We get enormous satisfaction serving our community and working on issues that improve our state.

A unique advantage of partnering with CFM is the ability to seamlessly align your state and federal lobbying efforts. For the state lobbying scope of work outlined above, beginning October 1, 2023, we propose a monthly retainer of \$5,000. To include both state and federal lobbying, CFM proposes a monthly retainer of \$9,000 (10 percent discount). To make things simple and eliminate the need for burdensome reimbursement procedures, the proposed retainer includes all out-of-pocket expenses incurred by CFM apart from reimbursement for mileage expense not to exceed \$1,000 per year.



Appendix: Supporting Documents

1. *Proof of registration with the Oregon Government Ethics Commission to conduct lobbying with State legislators and public officials.*
2. *A list of clients from the 2021, 2022, and 2023 legislative sessions.*
3. *Expenditure reports submitted to the Oregon Government Ethics Commission between July 1, 2021 and June 30, 2022.*
4. *An organizational chart.*
5. *Resumes of key project staff.*
6. *A sample legislative tracking report.*
7. *Three references, including a contact name, phone number, and email address, of agencies for which similar services have been performed.*



Proof of Registration with OGEC

Lobbyist Details

Information

Name	Zack T Reeves
Address	495 State Street Suite 510
City, State, Zip Code	Salem OR 97301
Phone	(503) 294-9120
Email	zackr@cfmpdx.com
Role	Lobbyist
Total Expended	\$0.00
Total Reimbursed	\$0.00
Net Expenditures	\$0.00

Lobbyist Details

Information

Name	Ryann Nicole Gleason
Address	495 State Street #541
City, State, Zip Code	Salem OR 97301
Phone	(503) 686-3857
Email	ryanng@cfmpdx.com
Role	Lobbyist
Total Expended	\$0.00
Total Reimbursed	\$0.00
Net Expenditures	\$0.00

Lobbyist Details

Information

Name	Dale Penn
Address	495 State Street Suite 510
City, State, Zip Code	Salem OR 97301
Phone	(502) 294-9120
Email	dalep@cfmpdx.com
Role	Lobbyist
Total Expended	\$63.23
Total Reimbursed	\$63.23
Net Expenditures	\$0.00



CFM State Client Lists

2023

3M; A-To-Be USA LLC; Air Conditioning, Heating, Refrigeration Institute; Association of Home Appliance Manufacturers; Campaign for Tobacco-Free Children; Catholic Community Services; City of Eugene; City of Sherwood; City of Vancouver; Coos Bay and Yaquina Bay Pilot Association; Criminal Justice Reform Clinic at Lewis & Clark Law School; Gainwell Holding Corp.; JE Dunn Construction; Maul Foster & Alongi; National Electrical Manufacturers Association; Oregon Association of Broadcasters; Oregon CASA Network; Oregon Coalition of Local Health Officials; Oregon Land Title Association; Oregon Public Broadcasting; PeaceHealth; Portland Japanese Garden; Providence Health & Services; Rogue Valley Transportation District (RVTD); Salem-Keizer Transit; Titan Freight Systems; Tualatin Valley Water District; Willamette Valley Wineries Association; Youth Villages-Oregon; Port of Morrow; City of Woodburn.

2022

Air-Conditioning, Heating, and Refrigeration Institute; Association of Home Appliance Manufacturers; Catholic Community Services; City of Eugene; City of Sherwood; City of Vancouver; Coos/Yaquina Bay Pilot Association; Gainwell; JE Dunn; National Electrical Manufacturers Association; Oregon CASA Network; Oregon Association of Broadcasters; Oregon Land Title Association; Oregon Public Broadcasting; PeaceHealth; Providence Health & Services; Portland Japanese Garden; Recology Oregon; Rogue Valley Transit District; Salem-Keizer Transit; 3M; Titan Freight; Tualatin Valley Water District; Willamette Valley Wineries Association; Youth Villages Oregon

2021

Air-Conditioning, Heating and Refrigeration Institute; Association of Home Appliance Manufacturers; Catholic Community Services; City of Eugene; City of Sherwood; City of Turner; City of Vancouver; Coos/Yaquina Bay Pilot Association; FHLBank of Des Moines; JE Dunn; Maul Foster & Alongi; National Electrical Manufacturers Association; Oregon CASA Network; Oregon Association of Broadcasters; Oregon Land Title Association; PeaceHealth; Oregon Public Broadcasting; Providence Health & Services; Recology Oregon; Rogue Valley Transit District; Salem-Keizer Transit; TC Energy; Titan Freight; Willamette Valley Wineries Association; Youth Villages Oregon



This Report Has Been Successfully Filed

Confirmation Number HJ2D1UB

Date Filed: 7/9/2021 8:44:42 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q2

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number HJGMT0C

Date Filed: 10/5/2021 6:37:29 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q3

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number CF4TD6C

Date Filed: 1/10/2022 9:04:02 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q4

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number 02MB6F

Date Filed: 4/5/2022 12:24:47 PM

Reporting Year: 2022

Reports: [Initial](#)

Quarter: Q1

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

ZACK REEVES
EXPENDITURE REPORTS

Confirmation Number HATU171

Date Filed: 7/13/2022 11:28:52 AM

Reporting Year: 2022

Reports: [Initial](#)

Quarter: Q2

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

RYANN GLEASON EXPENDITURE REPORTS

*Ryann only has one report in the July 2021-June 2022 window due to being in a different role

Confirmation Number HC9H4AT

Date Filed: 7/11/2022 8:43:53 AM

Reporting Year: 2022

Reports: [Initial](#)

Quarter: Q2

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number 7BG5N

Date Filed: 7/9/2021 8:38:56 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q2

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number C2TTRGG

Date Filed: 10/5/2021 6:36:17 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q3

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number MXDJA2

Date Filed: 1/10/2022 8:45:06 AM

Reporting Year: 2021

Reports: [Initial](#)

Quarter: Q4

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number C73CFXR

Date Filed: 4/5/2022 12:12:18 PM

Reporting Year: 2022

Reports: [Initial](#)

Quarter: Q1

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

This Report Has Been Successfully Filed

Confirmation Number A6XXJXH

Date Filed: 7/11/2022 8:42:28 AM

Reporting Year: 2022

Reports: [Initial](#)

Quarter: Q2

Total Expended: \$0.00

Estimate: No

Reimbursed Expenses

Received From	Reimbursed Amount
<i>No Data to Report</i>	

Itemized Expenses

Expense Date	Paid To	Name of Public Official	Purpose	Expense Amount	Estimated Expense
<i>No Data to Report</i>					

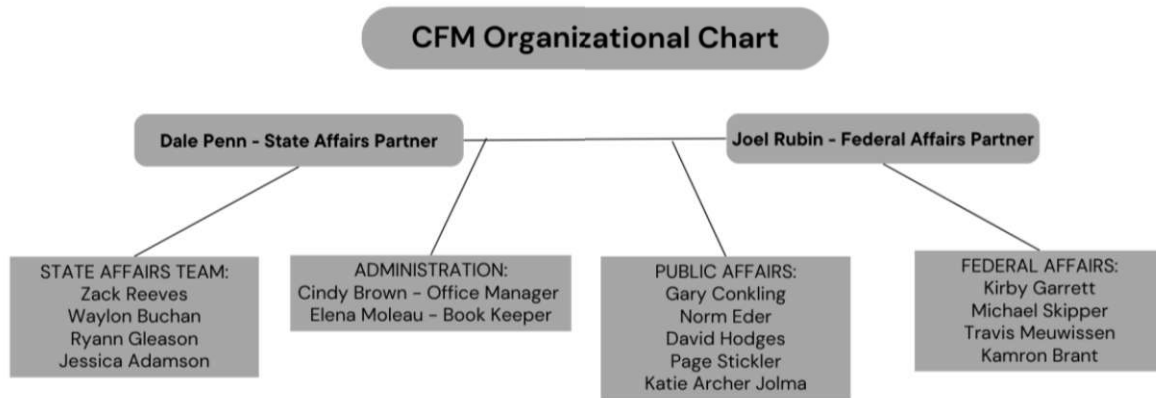
Additional Contributors

Name
<i>No Data to Report</i>

Notices provided to Public Officials

Filename
<i>No Data to Report</i>

Organizational Chart



Zachary T. Reeves

495 State Street, Suite 541, Salem, Oregon 97301 • 541-908-5175 • zackr@cfmpdx.com

EXPERIENCE

Senior Vice President, State Affairs

CFM Advocates

February 2017 – Present

- Represent a broad range of clients before Oregon legislature, state agencies and local governments; areas of expertise include transportation, health care, land use, taxation, public safety and social services.
- Advise clients on political strategies.
- Develop communications materials to support strategies.

Policy Advisor

State Senator Lee Beyer

2014 – 2017

- Provided support for State Senator Lee Beyer.
- Drafted legislation, provided policy development, advice and analysis, monitored and summarized legislation, worked independently to ensure passage of legislation important to Senator Beyer, presented bill proposals to interested parties.
- Worked closely with members of city, county, state and federal agencies to address issues in Senate District 6.

Policy Advisor

State Representative Greg Matthews

2012 – 2015

- Provided support for State Representative Greg Matthews.
- Drafted legislation, provided policy development, advice and analysis, monitored and summarized legislation, presented bill proposals to interested parties, handled constituent concerns and issues.
- Worked closely with members of city, county, state and federal agencies to address issues in House District 50.

Legislative Aide

State Representative Jean Cowan

2011 – 2012

- Provided support for State Representative Jean Cowan.
- Drafted legislation, provided policy development, advice and analysis, monitored and summarized legislation, handled constituent issues and concerns.
- Worked closely with members of city, county, state and federal agencies to address issues in House District 10.

Legislative Fellow

Oregon Sea Grant

2010-2011

- Provided support for the Oregon Coastal Caucus.
- Provided technical expertise on coastal and marine issues, worked with various advocacy groups and state agencies to draft and introduce legislation, monitored legislation, maintained a flow of communication among members of the Coastal Caucus, attended meetings as a representative of the Coastal Caucus.

EDUCATION

Masters of Public Policy

Oregon State University

Corvallis, Oregon

2012

Bachelor of Arts in Philosophy

Willamette University

Salem, Oregon

2005

Ryann Nicole Gleason

495 State Street, Suite 541, Salem, Oregon 97301 • 503-686-3857 • ryanng@cfmpdx.com

EXPERIENCE

State Affairs Manager

June 2022-Present

CFM Advocates

- Advocate on behalf of a wide variety of clients before the Oregon legislature, state agencies, and local governments; specialties include health care, judiciary and criminal justice reform, environment, and budget asks.
- Monitor and track legislation that impact clients.
- Build and maintain relationships with legislators and their staff, the Governor and their team, and state agencies.
- Provide clients with communications support and political strategy.

Deputy Legislative Director

January 2022-May 2022

House Speaker Dan Rayfield

- Manage and advise policy chairs for House Education, House Housing, House Economic Recovery and Prosperity, and House Rules committee.
- Assist Chief of Staff with budget ask tracking for agency, member, lobby, and stakeholder budget priorities.
- Support the Legislative Director with committee appointments, policy tracking, bill referrals, and coordinating information with the Parliamentarian.

Legislative Director

October 2019-January 2022

Representative Dan Rayfield

- Point of contact on all budget-related issues to the House Co-Chair of the Joint Committee on Ways and Means, including tracking and advising on agency, member, lobby, and stakeholder budget priorities.
- Plan, research, develop, and manage Representative's policy agenda, with a focus on campaign finance reform, ethics, other elections-related issues.
- Manage internal and external communications for the office.
- Manage other legislative staff and interns.

Campaign Manager

October 2019-January 2022

Friends of Dan Rayfield

- Develop and accomplish fundraising goals, assisting with call time and lobby meetings.
- Plan, organize, and execute the Willamette Valley Legislative Fellowship to train college students on policy development and campaign strategy.
- Prepare candidate for endorsement interviews, debates, and other public campaign appearances.

Legislative Assistant

January 2019-September 2019

Representative Paul Holvey

- Assist with policy agenda, managing internal and external communications on priority bills and budget requests.
- Oversee schedule and administrative needs of the office.
- Manage constituent and public relations.

EDUCATION

Bachelor Of Science

2018

Portland State University

- Major: Environmental Studies | Minor: Geography, Sustainability
- Extra-curricular activities: Women's Lacrosse, Captain

KIRBY J. GARRETT

6187 WELLINGTON COMMONS DR. | ALEXANDRIA, VA 22310 | (541) 480-0938 | KIRBYJGARRETT@GMAIL.COM

EXPERIENCE

CFM Strategic Communications, Inc.

- **Vice President, Federal Affairs**, Washington, D.C., *January 2017 – present*
 - Manages federal affairs for Pacific Northwest-based clients to attain successful legislative, appropriation, and grant funding outcomes
 - Maintains relationships with Members of Congress and their staffs to provide principled and strategic advocacy for client priorities
 - Advances client initiatives through carefully crafted agendas and coordination with local, state, and federal partners
 - Identifies grant and funding opportunities of interest to clients and assists with application writing and strategies to successfully achieve funding

Office of U.S. Representative Greg Walden (OR-02)

- **Legislative Assistant**, Washington, D.C., *June 2015 – January 2017*
 - Managed and developed strategy for the Member's legislative portfolio for transportation, infrastructure, interior, education, financial services, tax, labor, housing, firearms, and Postal Service policy
 - Successfully coordinated the introduction, passage, and inclusion of an amendment to the 2016 comprehensive surface transportation bill (H.R. 22, Fixing America's Surface Transportation Act, Public Law No. 114-94)
 - Drafted and advanced legislation (H.R. 4549, Treating Small Airports with Fairness Act of 2016) to unanimous passage through the House that would return needed Transportation Security Administration screening services to small airports, including one in the Member's district
 - Provided policy recommendations directly to the Member on votes, bills, and letters including significant legislation such as the Surface Transportation Reauthorization and Reform Act (H.R. 3763), Every Student Succeeds Act (H.R. 5), and appropriation bills for fiscal years 2016 and 2017
 - Established a network of policy area contacts for industry leaders in Washington, D.C. and Oregon's 2nd district, maintaining close communication on the Member's legislative efforts and priorities
 - Simultaneously coordinated and scheduled the Member's district travel for meetings and events, providing recommendations and coordinating commitments in Oregon
- **Field Representative**, La Grande, OR, *January 2014 – June 2015*
 - Managed the Member's eastern Oregon field office as his only local staff member
 - Traveled extensively with the Member throughout the district while individually staffing town halls, meetings, and other events
 - Arranged all logistical details for local events attended by the Member
 - Maintained and expanded the office's network among community leaders and constituents by participating and speaking on behalf of the Member at meetings and events
 - Assisted constituents with casework for the U.S. Forest Service, Bureau of Land Management, U.S. Department of Agriculture, U.S. Army Corps of Engineers, and related agencies

EDUCATION

- **MPP, George Mason University**, Arlington, VA, *December 2019*
 - Master of Public Policy, Emphasis in Transportation Policy
- **BA, Baylor University**, Waco, TX, *December 2013, Summa cum laude (3.97 GPA)*
 - Political Science, Environmental Studies minor
 - Recipient of Baylor's *President's Gold Scholarship* and *Outstanding Political Science Senior Award*
 - Elected Member of the Baylor University Student Senate

Michael Skipper

311 Massachusetts Ave NE, Washington, DC 20002 • (503) 435-9054 • michaels@cfmdc.com

EXPERIENCE

Vice President, Federal Affairs

CFM Advocates, Washington, DC

January 2019 – Present

- Represent interests of municipalities and transit agencies, individually and collectively, to members of Congress and federal agencies.
- Successfully secured tens of millions of dollars in federal funding for a variety of client initiatives and projects.
- Develop tailored federal legislative and policy priorities, communications strategies, and advocacy plans for clients.

Federal Affairs Associate & Grant Specialist

CFM Advocates, Washington, DC

April 2016 – December 2018

- Coordinate closely with congressional and key federal agency staff to resolve client issues and advocate for their federal priorities.
- Monitor and analyze daily grant announcements, prepare grant summaries and secure congressional support for project submissions.
- Work closely with the Partner of Federal Affairs to prepare clients' federal agendas, develop communications material and talking points and conduct research assignments.

State Affairs Assistant

CFM Advocates, Portland, OR

December 2015 - April 2016

- Monitored legislation for more than 20 clients of widely varying interests and industries.
- Composed client correspondence, including weekly reports detailing policy developments.
- Researched state and federal public policy issues.
- Updated and maintained status of legislation important to clients.
- Planned and executed client events.
- Identified and cultivated business development opportunities.

Field Director

Ballot Measure Campaign, Sherwood, OR

September 2015 – November 2015

- Analyzed data and statistical trends to create, track, and refine a comprehensive engagement plan for over 9,000 voters.
- Coordinated outreach to targeted voters by mail and phone.
- Hired, trained, and organized a voter outreach team of eight paid canvassers.
- Crafted campaign correspondence and voter engagement material.
- Engaged with hundreds of voters each week regarding land-use policy.

EDUCATION

Bachelor of Science in Political Science

Concentration in Environmental Politics and Policy
Oregon State University

March 2015

Priority Bills

SB 0464	Position	Priority	Bill Sponsors
Bill Info	Support	1	Sen Girod, Rep Drazan, Rep Moore Green, Rep Brock Smith
Summary:	Requires tax collector to prorate and cancel property taxes imposed on taxable property destroyed or damaged by wildfire during September 2020 in county covered by state of emergency declared in response to wildfire as if property were destroyed property under current law. Coordinates timing of proration of taxes for property destroyed and damaged by fire or act of God. Applies to property tax year beginning on July 1, 2020. Takes effect on 91st day following adjournment sine die.		
Relating To:	Relating to the taxation of damaged property; creating new provisions; amending ORS 308.425; and prescribing an effective date.		
2/11/21	S - Public Hearing held.		
1/19/21	S - Referred to Finance and Revenue.		

SB 0405A	Position	Priority	Bill Sponsors
Bill Info	Support	1	Sen Girod, Sen Prozanski (Marion Co – non-conforming use extension bill)
Summary:	Tolls time city or county may consider nonconforming use interrupted or abandoned during emergency that limits resumption of use. Until September 30, 2025, requires counties to allow commencement of restoration or replacement of nonconforming uses damaged or destroyed by certain wildfires. Declares emergency, effective on passage.		
Relating To:	Relating to nonconforming uses; creating new provisions; amending ORS 215.130, 215.215 and 215.297; and declaring an emergency.		
4/1/21	H - First reading. Referred to Speaker's desk.		
3/31/21	S S - Third reading. Carried by Girod, Prozanski. Passed.		

SB 0755	Position	Priority	Bill Sponsors
	Monitor	1	Committee on Judiciary and BM110 Implementation
Summary:	Makes form and style changes to provisions in Ballot Measure 110 (2020).		
Relating To:	Relating to substance use.		
4/12/21	S - Work Session scheduled.		

2021 Legislative Update
April 7, 2021

2021 Regular Session
Bill Summary Report

[HB 2247](#) **Position** **Priority** **Bill Sponsor**
[Bill Info](#) Support 1 Rep. Boshart Davis, Rep Evans, Rep Lewis,
Rep Morgan

Summary: Authorizes county to adopt ordinance or resolution authorizing county assessor to waive penalties and interest charged for failure to file property tax return or pay taxes when due. Applies only to 2020-2021 and 2021-2022 property tax years and to delinquencies substantially due to effects of COVID-19 pandemic or 2020 Oregon fire season. Sunsets January 2, 2023. Takes effect on 91st day following adjournment sine die.

Relating To: Relating to the waiver of property tax charges; and prescribing an effective date.

4/5/21 H – Passed unanimously out of committee - Do pass with amendments and be referred to Revenue by prior reference

[HB 2289](#) **Position** **Priority** **Bill Sponsor**
Support 1 Rep. Clem, Committee on Wildfire Recovery

Summary: Directs Housing and Community Services Department to study issues relating to building in areas affected by wildfires and report to appropriate committee or interim committee of Legislative Assembly on or before September 15, 2022. Sunsets December 31, 2022.

Relating To: Relating to building in areas affected by wildfires.

4/12/21 H - Work Session scheduled.
3/29/21 H - Public Hearing held.

[HB 2497](#) **Position** **Priority** **Bill Sponsor**
[Bill Info](#) Oppose 1 Rep. Neron

Summary: Prohibits expansion of Aurora State Airport unless under intergovernmental agreement of Oregon Department of Aviation, Clackamas County, Marion County, City of Aurora and City of Wilsonville. Sets forth required terms of agreement. Sunsets January 2, 2035.

Relating To: Relating to the Aurora State Airport.

1/19/21 H - Referred to Transportation.
1/11/21 H - First reading. Referred to Speaker's desk.

[HB 2682](#) **Position** **Priority** **Bill Sponsors**
[Bill Info](#) Oppose 1 Rep. Rayfield, Sen. Gelser

Summary: Directs Construction Contractors Board to adopt rules that require persons that lease construction vehicles in this state to maintain construction vehicles in condition that allows for safe and reliable operation of construction vehicles, to keep certain logs, records and documents and to provide or offer to provide training in safe and reliable operation of construction vehicles. Requires board to inspect, at least once every two years, persons that lease construction vehicles in this state and assess level of compliance with board's rules. Permits board to charge costs of inspection to person that is subjected to inspection. Requires contracting agency, as part of contracting agency's determination of whether bidder for public improvement contract is responsible, to check

References

Rick Crager – Benton County Chief Financial Officer

Phone: 541-766-6246

Email: rick.crager@bentoncountyor.gov

Uses both state and federal services.

Keith Campbell – Sherwood City Manager

Phone: 503-625-4200

Email: CampbellK@SherwoodOregon.gov

Uses both state and federal services.

Jan Fritz – Marion County Chief Administrative Officer

Phone: 503-588-5212

Email: jfritz@co.marion.or.us

Uses federal lobbying services.



Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Topic: Accept Sealed Bid Offers
Category: Consent Calendar
Presented By: Property Management, Heather Chapman

Informational Summary: Please review and accept the two sealed bid offers on property as follows:

51010DA00800 33731 US Hwy 30, Seaside, OR 97138

Bid #1 Ruby McCord \$5259.00

61028AB10001 2100 S Roosevelt Dr. Seaside, OR 97138

Bid #1 Crystal Flaigg \$20,000.00

275.200 Sale of land not sold by sheriff. (1) When the governing body of a county enters an order under ORS 275.110 directing the sheriff to sell real property acquired in any manner by the county, if all or a part of the land remains unsold after the time set for the sale in the sheriff's published notice or after adjournment of a sheriff's sale, the governing body of the county may sell the lands as provided in subsection (2) of this section.

(2) After the sheriff has unsuccessfully attempted to sell real property of the county as provided in ORS 275.120 to 275.160, the governing body of the county may sell all or a part of the land, or an interest in the land less than the whole fee, at private sale without further notice but for not less than the largest amount bid for the land at the sheriff's sale, or, if no bid was made, at a price the governing body of the county deems reasonable, but at a price no less than 15 percent of the minimum bid set under ORS 275.110 for the sheriff's sale.

(3) A sale under this section must be made in the manner provided by ORS 275.190 (1).

(4) Nothing in this section prohibits the governing body of a county from entering an order at any time under ORS 275.110 directing the sheriff to sell real property of the county as provided in ORS 275.120 to 275.160. [Amended by 1981 c.602 §5; 1989 c.223 §2; 1989 c.688 §1; 2005 c.243 §4]

Requested Action: Adopt the Resolution and Order by accepting the offers and authorizing the Chair to sign the deeds.

Attachment List

- A. Information sheets with maps of properties
- B. Resolution
- C. Deeds

1 IN THE BOARD OF COUNTY COMMISSIONERS
2 FOR CLATSOP COUNTY, OREGON
3

4 AUTHORIZING THE SALE OF)
5 TAX FORECLOSED PROPERTY AS ALLOWED) RESOLUTION AND
6 UNDER ORS 275.200 FOR TWO PARCELS) ORDER
7

8 WHEREAS, Clatsop County acquired an interest through the foreclosure of liens for delinquent
9 real property taxes on certain real property located in Clatsop County more particularly
10 described in a copy of proposed deeds attached as Exhibit A.
11

12 **275.200 Sale of land not sold by sheriff.** (1) When the governing body of a county enters an order
13 under ORS 275.110 directing the sheriff to sell real property acquired in any manner by the
14 county, if all or a part of the land remains unsold after the time set for the sale in the sheriff's
15 published notice or after adjournment of a sheriff's sale, the governing body of the county may
16 sell the lands as provided in subsection (2) of this section.

17 (2) After the sheriff has unsuccessfully attempted to sell real property of the county as
18 provided in ORS 275.120 to 275.160, the governing body of the county may sell all or a part of the
19 land, or an interest in the land less than the whole fee, at private sale without further notice but
20 for not less than the largest amount bid for the land at the sheriff's sale, or, if no bid was made,
21 at a price the governing body of the county deems reasonable, but at a price no less than 15
22 percent of the minimum bid set under ORS 275.110 for the sheriff's sale.

23 (3) A sale under this section must be made in the manner provided by ORS 275.190 (1).

24 (4) Nothing in this section prohibits the governing body of a county from entering an order at
25 any time under ORS 275.110 directing the sheriff to sell real property of the county as provided
26 in ORS 275.120 to 275.160. [Amended by 1981 c.602 §5; 1989 c.223 §2; 1989 c.688 §1; 2005 c.243
27 §4]

28 The County has received payment in the amounts as follows:

29 51010DA00800	Ruby McCord	\$5,259.00
30 61028AB10001	Crystal Flaigg	\$20,000.00

31
32 These are amounts the Board finds to be a reasonable price for the Property in conformity with
33 ORS 275.200.
34

35 NOW THEREFORE,
36

37 IT IS HEREBY RESOLVED AND ORDERED that the County Chair is authorized to execute
38 deeds, in substantial conformance with the deeds attached as Exhibit A, conveying Property to
39 Purchasers, in consideration of a total of \$25,259.00.
40

41 DATED this _____ day of August, 2025

42 BOARD OF COUNTY COMMISSIONERS
43 FOR CLATSOP COUNTY, OREGON
44

45 _____
46 Chairperson

AFTER RECORDING RETURN TO GRANTOR:

Ruby McCord
33766 Highway 26
Seaside, OR 97138

Send Tax Statements To:

GRANTEE:

Larry E McCord
Ruby P Nordmark McCord
Larry and Ruby McCord Revocable Living Trust
33766 Highway 26
Seaside, OR 97138

QUITCLAIM DEED

CLATSOP COUNTY, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to Larry E. McCord and Ruby P. Nordmark McCord Trustees of the Larry and Ruby McCord Revocable Living Trust, Grantee, all of its right, title and interest, including mineral rights, if any, in that parcel of real property situated in Clatsop County State of Oregon, described as follows:

LEGAL: Exhibit "A" attached hereto and incorporated herein by reference

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

ASSESSOR'S ACCT. NO. 51010DA00800
ACCT. ID No. 4652 & 33341 MS
SITUS ADDRESS: 33731 Highway 26, Seaside, OR 97138

THIS PROPERTY IS SOLD "AS IS." CLATSOP COUNTY DOES NOT WARRANT TITLE TO BE FREE OF DEFECTS OR ENCUMBRANCES OR THAT FORECLOSURE PROCEEDINGS OR ANY OTHER PROCEEDING AUTHORIZING THE ACQUISITION, SALE OR TRANSFER OF THIS PROPERTY TO BE FREE OF DEFECTS. CLATSOP COUNTY ONLY SELLS AND CONVEYS SUCH TITLE, IF ANY, AS IT HAS ACQUIRED.

The true and actual consideration paid for this transfer stated in terms of dollars is **\$5,259.00 (Five Thousand Two Hundred Fifty-Nine and 00/100) DOLLARS.**

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporation and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on this 13th day of August, 2025

Clatsop County Board Chair

STATE OF OREGON)
) ss.
County of Clatsop)

This Quitclaim Deed was acknowledged before me on this ____ day of _____ 2025 by, _____ as Chairperson of the Board of Commissioners for Clatsop County, a political subdivision of the State of Oregon.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

Exhibit A

Commencing at the Southeast corner of Sec 10, T5N, R10W WM Clatsop County Oregon:
Thence along the South line of said Sec 10, T5N, R10W, WM N 88°30'05" W a distance of 731.0 ft to a point; thence N 03°06'15" W a distance of 1410.0 ft, m/l, to an iron pipe which the Southeast corner of the Bud Darling property as desc in Book 261, page 717, Deed Records, Clatsop County, Oregon and also on the West line of H Neitzel property as desc in Book 182, page 67, Deed Records Clatsop County Oregon and also on the Northerly right of way line of US Hwy 26; thence Northwesterly along the Northerly right of way line of said US Hwy 26 a distance of 247.7 ft to an iron pipe which is the true point of beginning; thence N 20°30' E a distance of 136 ft to an iron pipe; thence N 40° W a distance of 86.1 ft to a point; thence S 20° 30' W a distance of 136.0 ft. m/l, to a point, which is on the Northerly right of way line of said US Hwy 26; thence Southeasterly along the Northerly right of way line of said Hwy 26 a distance of 86.1 ft to the point of beginning Together with a non-exclusive easement for egress and ingress as contained in deed recorded Nov 18, 1974 in Book 403, page 966, Clatsop County records.

AFTER RECORDING RETURN TO GRANTOR:

Crystal Irean Flaigg
1255 Ave A #1
Seaside, OR 97138

Send tax statements to:

GRANTEE:
Crystal Irean Flaigg
1255 Ave A #1
Seaside, OR 97138

QUITCLAIM DEED

CLATSOP COUNTY, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to Crystal Irean Flaigg, Grantee, all of its right, title and interest, including mineral rights, if any, in that parcel of real property situated in Clatsop County State of Oregon, described as follows:

LEGAL: Exhibit "A" attached hereto and incorporated herein by reference

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

ASSESSOR'S ACCT. NO. 61028AB10001
ACCT. ID No. 13804
SITUS ADDRESS: 2100 S Roosevelt Dr, Seaside, OR 97138

THIS PROPERTY IS SOLD "AS IS." CLATSOP COUNTY DOES NOT WARRANT TITLE TO BE FREE OF DEFECTS OR ENCUMBRANCES OR THAT FORECLOSURE PROCEEDINGS OR ANY OTHER PROCEEDING AUTHORIZING THE ACQUISITION, SALE OR TRANSFER OF THIS PROPERTY TO BE FREE OF DEFECTS. CLATSOP COUNTY ONLY SELLS AND CONVEYS SUCH TITLE, IF ANY, AS IT HAS ACQUIRED.

The true and actual consideration paid for this transfer stated in terms of dollars is **\$20,000 (Twenty Thousand and no/100) DOLLARS.**

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporation and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on this 13th day of August, 2025.

Clatsop County Board Chair

STATE OF OREGON)
) ss.
County of Clatsop)

This Quitclaim Deed was acknowledged before me on this ____ day of _____ 2025 by, _____ as Chairperson of the Board of Commissioners for Clatsop County, a political subdivision of the State of Oregon.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

Exhibit A

Commencing at the Southeast corner of Lot 18, Block 29, Cartwright Park, Clatsop County, State of Oregon; thence along the South line of said Lot 18 N 82°26' W 25.44ft to the true Point of Beginning, said point being marked by a 5/8" rebar; thence N 02°48'55" E 25.31ft to a 5/8" rebar; thence N 87°11'05" W 6.0 ft to a 5/8" rebar; thence N 02°48'55" E 55.59ft to a point on the North line of Lot 17, Block 29, Cartwright Park; thence along the North line of Lot 17 N 82°26'00" W 53.0ft m/l to the East bank of the Necanicum River; thence Southerly along said East bank 80ft, m/l to a point on the South line of Lot 18; thence along the South line of Lot 18 S 82°26'00" E 59ft m/l to the point of beginning

Together with an easement for ingress, egress and utilities described as follows: Beginning at the Northeast corner of Lot 17, Block 29, Cartwright Park; thence along the North line of said Lot 17 N 82°26'00" W 38.12ft to a 5/8" rebar; thence S 02°48'55" W 11.72ft to a point; thence S 85°39'32" E 25.28ft to a point; thence S 79°55'44" E 11.62ft to a point on the East line of said Lot 17; thence along the East line of said Lot 17 N 07°34'00" E 10.75ft to the point of beginning; All of the above being located in the Northeast quarter of Sec 28, T6N R10W, WM Clatsop County, Oregon

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Agenda Title: Approve the 2025-26 Budget and Appropriation Adjustments
Category: Consent Calendar
Presented By: Andrew Sullivan, Finance Director

Issues Before the Commission: Approve the 2025-26 budget and appropriation adjustment as required by ORS 294.338 and ORS 294.463.

Informational Summary: Attached is the R&O required by ORS 294.338 and ORS 294.463 for a budget adjustment in fiscal year 2025-26. This adjustment is necessary to comply with Oregon Budget Law as a result of the need to expend unanticipated grant revenue and to transfer appropriations between categories within an organizational unit.

The need for the budget adjustment is further explained in the attached Schedule "A".

Fiscal Impact: The fiscal impact is \$0 as grant revenue is being received, and the transfer of appropriations are based on the adopted budgeted funds.

Recommended Action:

Approve the budget adjustment to remain in compliance with Oregon budget law per ORS 294.338 and ORS 294.463, and authorize the Chair to sign.

Attachment List

- A. Resolution and Order
- B. Schedule "A" Appropriation Adjustments

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

In the matter of the adjustment of the fiscal year 2025-26 budget and appropriations by authorizing the expenditure of unanticipated grant revenue, per ORS 294.338; and authorizing the transfer of appropriations between categories within an organizational unit, per ORS 294.463.)
RESOLUTION AND ORDER

It appearing to the Board that there is a need to make an adjustment in the fiscal year 2025-26 budget by authorizing the expenditure of unanticipated grant revenue, and authorizing the transfer of appropriations between categories within an organizational unit.

Where as the need for said adjustment, the purpose of the authorized expenditures and the amount of appropriations adjustment, is more particularly described in the Schedule of Revenue and Appropriation Adjustments attached hereto and incorporated herein as Schedule "A"; and

Where as it appearing to the Board that such adjustments are allowed pursuant to ORS 294.338 and ORS 294.463; now, therefore, it is

RESOLVED AND ORDERED that the Schedule of Revenue and Appropriation Adjustments attached hereto as Schedule "A" be approved.

ADOPTED AND APPROPRIATED this 13th Day of August 2025.

BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

Mark Kujala, Chair

Schedule A
2025-26 Budget Adjustments

I. **ADJUSTMENTS INVOLVING A TRANSFER OF APPROPRIATIONS BETWEEN CATEGORIES WITHIN AN ORGANIZATIONAL UNIT**

<u>ORGANIZATIONAL UNIT</u>	<u>ACCOUNT</u>	<u>INCREASE</u>	<u>DECREASE</u>
Building Codes	036/7165/82-2471	80,000.00	
Building Codes	036/7165/82-9901		80,000.00

Comment:

Building Codes budgeted for a structural plan review and fire/life safety plan review in FY24-25. However, due to time constraints these services were not contracted. This budget adjustment allows for those services to be provided this FY.

II. **ADJUSTMENTS INVOLVING UNANTICIPATED GRANT REVENUE**

<u>ORGANIZATIONAL UNIT</u>	<u>ACCOUNT</u>	<u>INCREASE</u>	<u>DECREASE</u>
Clatsop County Fisheries	039/8500/81-4441	64,400.00	
Clatsop County Fisheries	039/8500/82-4100	64,400.00	

Comment:

This grant revenue is from ODFW's Restoration and Enhancement program. It is to be used for a pile replacement project located at Tongue Point.

**Clatsop County Board of Commissioners
Regular Meeting Minutes**

July 9, 2025

Judge Guy Boyington Building & Remote Video Conferencing
www.clatsopcounty.gov/meetings

FLAG SALUTE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Chair Mark Kujala, Vice Chair Courtney Bangs, Commissioner Pamela Wev, and
Commissioner Lianne Thompson

Excused: Commissioner Anthony Huacuja

AGENDA APPROVAL

Chair Kujala stated that as a result of the work session held just prior to this meeting, Consent Calendar Item 5 would be removed from the agenda.

Vice Chair Bangs moved to approve the agenda as amended. Commissioner Thompson seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

BUSINESS FROM THE PUBLIC

None.

CONSENT CALENDAR

4. 2025-27 County Provider Agreement for School-Based Mental Health Services
- ~~5. Authorize the Sale of Tax Foreclosed Property to Record Owner~~
6. Jail Medical Director Contract
7. Reset the Hearing Date for the Vacation of a portion of unbuilt Park Street.

Item 5 was removed from the Consent Calendar during the Agenda Approval.

Vice Chair Bangs moved to approve the Consent Calendar as amended. Commissioner Wev seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

COMMISSIONER'S LIAISON REPORTS

Commissioner Thompson reported on testimony she provided to the legislature regarding collaboration between the County and State, Land Conservation and Development Commission (LCDC) hearings, her experience with Narcan training, and the availability of seismic rehabilitation funding.

Commissioner Wev reported on efforts to prevent the closure of Tongue Point Job Corps and plans to help the residents should the facility be closed.

Vice Chair Bangs reported on the ferry's centennial event in Washington, and her experience with providing written testimony to the legislature.

Chair Kujala thanked Policy Analyst Rapinchuk for coordinating with CFM Advocates and lobbyists in Salem, Senators Weber's and Javadi's representation of the County, Vice Chair Bangs' campaign for a seat on the Oregon Senate, the work session presentation on using short-term rentals (STRs) and vacant homes for long-term housing, and efforts to increase applications for Planning Commission vacancies.

COUNTY MANAGER'S REPORT

County Manager Bohn reported on the recount of the Cannon Beach initiatives, confirming that the results would be published by the Secretary of State's Office and would be shared on the County's website. He also reported on his upcoming meeting with the new executive director of Sunset Empire, David Carr.

BUSINESS AGENDA

8. Adopt Proposed Fee Schedule for Clatsop County to be implemented July 10, 2025

Finance Director Sullivan presented the Staff report on the proposed fee schedule.

Vice Chair Bangs appreciated that the County was pursuing a full cost recovery method for permitting fees.

Vice Chair Bangs moved to adopt the proposed fee schedule to be implemented effective July 10, 2025 as presented. Commissioner Thompson seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

9. Proposed Annual Update to Strategic Plan 2021 (FY 25-26 Priorities)

Management Policy Analyst Rapinchuk presented the Staff report on the proposed Strategic Plan priorities for fiscal year 2025-2026.

Commissioners complimented the graphics and language used in the documents and expressed appreciation of Staff's work on the Strategic Plan.

Vice Chair Bangs moved to approve the proposed Annual Update to Strategic Plan 2021, affirming Clatsop County’s priorities for carrying out the vision and mission of Strategic Plan 2021 in FY 25-26. Commissioner Wev seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

10. Cost of Living Adjustment for Unrepresented Employees

Human Resources Director Cameron presented the Staff report on the proposed cost of living salary adjustment for unrepresented employees, explaining how Staff determines cost of living adjustments for represented employees and noting the collective bargaining agreement requires a wage adjustment of no less than 2.5%.

Vice Chair Bangs approve the attached Resolution and Order implementing a cost-of-living adjustment of 2.5% for Clatsop County unrepresented, confidential, casual, and contracted employees, effective July 1, 2025. Commissioner Thompson seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

11. 2025-27 OHA IGA #048233 for the Financing of School-Based Mental Health Services

Management Policy Analyst Rapinchuk presented the Staff report on the proposed agreement with the Oregon Health Authority (OHA) to finance school-based mental health services provided by Clatsop Behavioral Health (CBH), explaining that this was one of several service elements that had been removed from the County Financial Assistance Agreement and proposed as a direct contract for continuity of services while the agreement was being negotiated. She confirmed the direct contracts for individual services elements were two-year contracts.

Staff responded to the Commissioners’ concern that the direct contracts would not be renewed due to lack of funding, noting that while gap funding would be necessary to fully fund the services, school-based mental health was a priority for the Governor and the State, and there was no reason to believe the services were vulnerable to lack of funding. However, the phrase “subject to the availability of funds” was omitted from the Agreement and the contracts, so the Commission had the option to terminate the contracts if funding was not available. Staff also confirmed that metrics on the service elements would be provided to the Board.

Commissioners briefly discussed how lack of funding was impacting child care programs and efforts to obtain a larger distribution of funding for such services.

Vice Chair Bangs moved to approve the Intergovernmental Agreement #048233 (County Contract #C9145) between the Oregon Health Authority and Clatsop County in a not-to-

exceed amount of \$446,080 and authorize the County Manager to sign the agreement and any subsequent amendments. Commissioner Wev seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

PUBLIC HEARING

12. STR Regulations for Properties Zoned Coastal Residential (CR)

County Counsel Pope conducted the first reading of Ordinance 25-10.

Director Henrikson presented the Staff report on the proposed STR regulations for the CR Zone, noting that four words would be deleted from Chapter 5.24 of the Development Code to remove STRs in the CR Zone from the operating standards that currently govern Arch Cape and that operating standards for STRs in the CR Zone would be included in Chapter 5.12 where they belong. She also provided a brief overview of the differences between the two sets of operating standards.

Chair Kujala opened the public hearing, confirmed that no Commissioner had a conflict of interest to report, and called for public testimony.

Public Testimony:

Scott Harn, 79238 Ray Brown Rd, Cove Beach, expressed support for Ordinance 25-10 because the ordinance corrects a mistake and maintains good governance.

Jeff Davis, 79432 Ray Brown Rd, Cove Beach, shared his concerns about allowing on-street parking in Cove Beach, his opposition to including Cove Beach in Section 5.24, and his support for a seven-night limit on STR turnovers in Cove Beach.

Nancy Chase, 79089 Tide Rd, Arch Cape, expressed support for the ordinance and concern about enforcing the seven-night limit.

Chair Kujala closed the public hearing.

Commissioner Thompson moved to continue the public hearing on this matter to July 23, 2025 and conduct the second reading at that time. Vice Chair Bangs seconded the motion.

Ayes: Kujala, Bangs, Wev, Thompson

Nays: None

Motion Carried: 4 to 0

GOOD OF THE ORDER

There was nothing for the good of the order.

ADJOURNMENT

The meeting adjourned at 6:49 pm.

Approved by,

Mark Kujala, Chair

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Agenda Title: Amendments to Board Rules
Category: Business Agenda
Presented By: Don Bohn, County Manager

Issue Before the Commission: Shall the Board Rules be amended to clarify Board of Commissioner process and expectations?

Informational Summary: The Board of Commissioners adopts Board Rules to establish written guidance in the conduct of board meetings and other operational issues of the governing body. The Board Rules are reviewed regularly and amended periodically by the Board of Commissioners. The last revision was adopted by the Board in June 2022.

On May 28, 2025, the Board of Commissioners reviewed and discussed the proposed amendments during a work session. Although additional amendments were discussed, the Board indicated an interest in adopting the suggested changes and proceed with additional changes as a separate process.

The suggested changes include minor edits, clarifications and new sections to address emerging issues/laws.

Revised or new sections include:

Rule 3.7 Liaison Roles – reorganized and amended

Rule 10.2 Social Media Guidelines – new section to address emerging case law

Rule 14.4 Food and Beverages – new section to address ethics commission guidance

Section 15 Travel Policy – amended to reflect revised travel approval process, travel scheduling and monthly expenditure reports

Fiscal Impact: N/A

Requested Action:

I move that the Board of Commissioners approve amendments to the Board Rules.

Attachment List

- A. Board Rules with track changes

INTRODUCTION

Formatted: Font: 14 pt

~~Clatsop County Charter Section 5. Meetings A. states “The Board shall adopt rules governing its meetings.” These rules govern the board’s meetings and a number of operational issues that are necessary for the county board to oversee the county.~~

These rules start with general policy statements patterned on the ~~board training concepts~~ developed by John and Miriam Carver. The general policy statements serve as direction and reminders for the board. They are also a reference point for the rules since the rules shall be consistent with and support the general policy statements. The general policy statements are to be reviewed each year.

The rules are designed to be adopted by resolution ~~of the board~~. ~~The rules are to be and~~ reviewed and updated regularly. ~~The rules are intended to guide the board processes, but when necessary the board should deviate from the rules if the county is better served through the process.~~

PREAMBLE

In our representative form of democracy, citizens are the owners of the County's assets—collectively known as the public commonwealth.

Members of the Clatsop County Board of Commissioners are elected to be trustees of the commonwealth. The Board makes decisions about how the assets will be managed. The Board is the ultimate authority on what objectives the County will pursue (e.g., what services it will offer, to whom, with what funding) and how it will conduct business. It delegates authority to pursue those objectives to the County Manager, staff, and committees, once it agrees that the objectives are specific and clear enough that any actions taken by its delegates to achieve the objectives are likely to be acceptable.

Citizens have expectations about how their elected representatives will behave while performing the governing functions. They expect them to:

- Be polite and respectful
- Become aware of opportunities and challenges related to the governance and management of the commonwealth
- Work cooperatively to make optimal decisions that consider the interests of current and future owners.

In carrying out their work, Board members:

- Serve collectively as the link between the public and the staff employed to manage the commonwealth.
- Speak with authority about how the commonwealth will be governed or managed only when they speak as a Board, using the voting procedures they have adopted. In general, those procedures require the members to:
 - Listen to everybody
 - Establish facts
 - Work toward agreement. Ultimately, agreement means either:
 - Unanimity: members agree on the optimal decision
 - Consensus: some members believe a different course would be preferable, and express their reasons, but in the interest of creating a clear message about a need for action through a unanimous Board decision, agree to support an action.
 - Majority: some members cannot support the majority ~~decision, decision~~ and express their ~~reasons, but~~ reasons but agree

that (1) the majority decision was ~~derived~~ arrived through a legitimate process following Board rules, and (2) the County will follow the adopted decision.

- Deserve respect from the public and one another as duly elected representatives. They will operate with respect, monitor their performance, and take steps to maintain that respect.

GOVERNANCE PROCESS

Policy 1. GLOBAL GOVERNANCE PROCESS The purpose of the Board, ~~on behalf of the residents and visitors of Clatsop County~~ is to see to it that Clatsop County, Oregon (a) achieves appropriate results for appropriate persons at an appropriate cost, and (b) avoids unacceptable actions and situations.

Policy 2. GOVERNING STYLE The Board will govern lawfully, with an emphasis on: (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Board and County Manager roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

Policy 3. BOARD JOB DESCRIPTION Specific job outputs of the Board, as an informed agent of the residents and visitors, are those that ensure effective governance, appropriate organizational performance, and legal/ethical standards.

Policy 4. AGENDA PLANNING To accomplish its job ~~products~~ with a governance style consistent with Board policies, the Board will follow an agenda that (a) completes a re-exploration of these policies regularly and (b) improves Board performance through Board education and enriched input and deliberation.

Policy 5. BOARD CHAIR'S ROLE The Board Chair, a specially empowered member of the Board, assures the integrity of the Board's processes and may, secondarily, occasionally represents the Board to outside parties.

Policy 6. BOARD MEMBERS' CODE OF CONDUCT The Board commits itself and its members to ethical, civil, professional and lawful conduct, including proper use of authority. The Board will show appropriate decorum when acting as Board members, including during interactions with staff, volunteers, ~~and stakeholders, and the public.~~

Policy 7. BOARD COMMITTEE PRINCIPLES Board committees, when used, will be assigned ~~so as~~ to reinforce the wholeness of the Board's job and ~~so as never not~~ to interfere with delegation from the Board to the County Manager.

Policy 8. COST OF GOVERNANCE The Board will invest in its governance capacity.

BOARD-MANAGEMENT DELEGATION

Policy 1. GLOBAL BOARD-MANAGEMENT DELEGATION The Board's sole official connection to the operational organization, its achievements and conduct will be through a County Manager as provided for in the County Home Rule Charter.

Policy 2. UNITY OF CONTROL Only officially passed motions of the Board are binding on the County Manager.

Policy 3. ACCOUNTABILITY OF THE COUNTY MANAGER The County Manager is the Board's only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the Board is concerned, is considered the authority and accountability of the County Manager.

Policy 4. DELEGATION TO THE COUNTY MANAGER The Board will instruct the County Manager through written policies that prescribe the organizational ends to be achieved, and proscribe organizational situations and actions to be avoided, allowing the County Manager to use any reasonable interpretation of these policies.

Policy 5. MONITORING COUNTY MANAGER PERFORMANCE Systematic and rigorous monitoring of County Manager job performance will be solely against the only expected County Manager outputs: organizational accomplishment of Board policies and organizational operation within the boundaries established in Board policies and County Manager Expectations.

COUNTY MANAGER EXPECTATIONS

Policy 1. GLOBAL EXECUTIVE CONSTRAINT The County Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices.

Policy 2. TREATMENT OF THE POPULACE With respect to interactions with people, the County Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

Policy 3. TREATMENT OF STAFF With respect to the treatment of ~~paid and staff and~~ volunteers ~~s-staff~~, the County Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

Policy 4. FINANCIAL PLANNING/BUDGETING The County Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year to deviate from the Board's adopted budget, risk financial jeopardy, or fail to be derived from the ~~long range~~ ~~long-range~~ financial plan.

Policy 5. FINANCIAL CONDITION AND ACTIVITIES With respect to the actual, ongoing financial condition and activities, the County Manager shall not cause or allow the development of financial jeopardy or deviation of actual expenditures from the Board's priorities.

Policy 6. EMERGENCY COUNTY MANAGER SUCCESSION In order to protect the Board from sudden loss of County Manager services, the County Manager shall not permit there to be fewer than two other executives sufficiently familiar with Board and County Manager issues and processes to enable either to take over with reasonable proficiency as an interim or successor.

Policy 7. ASSET PROTECTION The County Manager shall not cause or allow ~~corporate~~ ~~County~~ assets to be unprotected, inadequately maintained, or unnecessarily risked.

Policy 8. COMPENSATION AND BENEFITS With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the County Manager shall not cause or allow jeopardy to financial integrity.

Policy 9. COMMUNICATION AND SUPPORT TO THE BOARD The County Manager shall not cause or allow the Board to be uninformed or unsupported in its work.

ENDS POLICIES OVERVIEW

The Ends Policies according to Carver “refers to the effects an organization seeks to have on the world outside itself.” ...”The concept embraces the impact, difference, change, benefit, or outcome to be obtained in the lives of consumers or consumer-like populations. Let’s call this *results*.

The identity, description, or characteristics of the consumers or populations to receive the results would be the *recipients*.

The monetary expense, relative worth, or relative priority of a result or set of results, or the comparative priority of certain recipients rather than others getting the results would be the *cost*. Keep in mind that *cost can mean cost in other results forgone*, not just cost in monetary terms.”

These will require the board to focus and guide the county through the development and in subsequent years the review of the strategic plan.

- John and Miriam Carver, REINVENTING Your Board – a Step by Step Guide to Implementing Policy Governance, John Wiley and Sons, Inc. 2006, P. 151-2

CLATSOP COUNTY BOARD RULES

SECTION 1 - AUTHORITY

Rule 1.1 Authority of Rules

~~Chapter III Section 5(A)-A~~ of the county charter provides that the board will adopt board rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction on debating, voting, membership, attendance, agendas, and other matters. The rules are intended to serve as a guide for the board. These rules provide the basic outline required to work together. The board may need to vary from these rules from time to time to best serve the public interest.

Rule 1.2 Board Authority

All questions regarding these rules will be resolved by a majority vote of the board.

Rule 1.3 Limited Public Forum

The meetings of the board, including regular meetings special meetings, work sessions and emergency meetings are open to the public in accordance with the Oregon Public Meetings Law (ORS 192.610 to 192.69). The meetings are considered a limited public forum at which board business is conducted in accordance with the agenda and rules of the board. The board chair, as the presiding officer, along with the board has the authority to require discussions at meetings to be addressed to the items under discussion. The board has the right to require persons attending the meeting, addressing the board or participating in the meeting to conform to the rules of the board and ~~direction~~the direction of the board chair or the presiding officer.

Rule 1.4 Presentation to Board Members

The rules will be presented to all board members before the time they take the oath of office. Each appointed or elected board member will acknowledge in writing that the member has received and reviewed a copy of these board rules within 30 days of receiving the rules. The clerk of the board will furnish a form of acknowledgement to the member and retain the signed copy.

SECTION 2 – GENERAL RULES

Rule 2.1 Open Meetings

All board meetings will be held in accordance with the Oregon Public Meetings Law (OPML). All final action by the board will take place at board meetings that are open to the public.

Rule 2.2 Quorum

~~Chapter III Section 6.(A)~~ of the county charter provides that a majority of the board members is a quorum to conduct business, but a smaller number may meet and compel attendance of the absent members. Pursuant to Chapter III, Section 6 (B) of the county charter, “No action of the Board shall be valid or binding unless adopted by an affirmative vote of at least three members.”

Rule 2.3 Compelling Attendance

When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, a board member may move for a call of the house. The motion will be put in the following form: “I move for a call of the house.” That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two board members present must concur for call of the house motion to pass. If the motion is passed, then all unexcused absent board members will be requested to attend or return to the meeting. The county manager will provide the administrative staff assistance necessary to compel ~~attendance~~ the attendance of the unexcused absent board members ~~at the meeting~~. The board chair is authorized to recess the meeting to a time certain while attendance is being compelled.

Rule 2.4 Vacant Positions as Relates to Quorum

If a board position is vacant, that vacant office will be counted in determining the majority of the board members that is necessary for a quorum to conduct business.

Rule 2.5 Vote Required

Chapter III, Section 6. (B) of the county charter provides that expressed approval of at least three members of the board is necessary for any board decision except when the charter or board rules requires approval by concurrence of a majority of the entire membership of the board.

Rule 2.6 Entire membership

The entire membership of the board is comprised of five (5) board members. The absence from a particular meeting does not affect the required number of board members to constitute the majority of the entire membership. If a board position is vacant, that position will be considered when determining the entire membership of the board. This interpretation is applicable to any time the concurrence of the majority of the entire membership of the board is required for a board decision. Concurrence of the majority of three (3) members of the board is required for the passage of an ordinance.

Rule 2.7 Rules of Order

“Roberts Rules of Order, Newly revised, Tenth Edition’ or the latest editions published thereafter hereafter referred to as “Robert’s Rules of Order” will provide guidance for board proceedings. County Counsel will advise the board chair on meeting protocols.

Rule 2.8 Suspension of Rules

The vote to suspend board rules requires a majority vote of those members of the board who are present. If the motion is approved, the rules will be suspended for that item only.

Rule 2.9 Records of Proceedings

The clerk of the board will attend all meetings, unless excused, and keep an accurate record of the proceedings of the board meetings. The county manager will appoint and supervise the clerk of the board. The county manager may appoint such deputy clerks as needed. The records of the proceedings are to be known as ‘minutes.’ The minutes will be kept in accordance with the Oregon Public Records and Meetings Law (OPML).

SECTION 3 – BOARD MEMBERS

Rule 3.1 Board Defined

Chapter III Section 1 (A) of the county charter states that the board consists of five board members elected from districts and by the electorate from the districts.

Rule 3.2 Qualifications to Hold Office

Chapter Section III Section 1 (-B) and (-and-C) of the county charter provides qualifications for eligibility of elective office to the board. The county charter

provides that no person will be eligible to fill the elective office of the board unless that person at the time of the election is a qualified voter and has resided in the district for twelve (12) months immediately preceding the election or appointment. Furthermore, it is a requirement that the person once elected to the board must continue to meet the qualifications for the office during the term.

Rule 3.3 Attendance

It is the duty of each board member to attend all meetings of the board. [Chapter III](#) Section 3. ~~(A)-(6)~~ of the county charter provides that an office will be deemed vacant upon the absence from three (3) consecutive meetings of the board without board consent. ~~The consent of the board for such an absence must be in writing and obtained prior to such absence, if possible.~~ Consent will be given for good cause. The board has the authority to make the final decision concerning good cause.

Rule 3.4 Excused Absence

When a board member cannot attend a meeting, the member will notify the board chair or county manager prior to the meeting. The board chair or presiding officer will determine if the absence is considered 'excused' or 'unexcused'. If the absence is for good cause and there are no objections from other board members who are present, the clerk will note the absence in the minutes as excused. If the board upon an affirmative vote of the majority of the board, determine the absence is ~~is~~ not for good cause, the clerk will record the absence in the minutes as unexcused. There will be a presumption that the absence is unexcused if there is ~~not~~ notification of the absence prior to the meeting. The board will make the final decision on ~~whether or not~~ whether an absence is excused or unexcused.

Rule 3.5 Explanation of Unexcused Absence

If any member has two (2) consecutive unexcused absences from meetings or subcommittee meetings of the board, the board may request an explanation at a meeting of the board.

Rule 3.6 Filling Vacancies

[Chapter III](#) Section 3. of the county charter provides that vacancies of elected offices of the county will be filled by appointment by a majority of the remaining board members. The appointee's term of office shall be from the date of appointment until the expiration of the term of office of the last person

elected to that office. When such vacancies occur, the board will follow the procedure set out for filling that specific vacancy as established in the County Charter Chapter III Section 3 Vacancies-(B). In the event that three or more elected offices become vacant, the vacancies shall be filled consistent with ORS 236.225 (2).

Rule 3.7 ~~Board Memberships and~~ Liaison Role(s) of Board Members In their official capacity as an elected official, Board members serve a variety of liaison roles, including County and Community committees and boards. Serving these respective liaison roles is considered a key function of a board member.

Recognized liaison roles, include:

<u>County Committees/Boards</u>	<u>Community Committees/Boards</u>
<u>Ambulance Service Advisory Committee</u>	<u>Clatsop Economic Development Resources (CEDR)</u>
<u>Property Value Appeals Board (PVAB)</u>	<u>Columbia Pacific Economic Development District (COL-PAC)</u>
<u>Human Services Advisory Committee (HSAC)</u>	<u>Columbia River Estuary Study Taskforce (CREST)</u>
<u>Public Safety Coordinating Council (PSCC)</u>	<u>Northwest Area Commission on Transportation (NWACT)</u>
<u>Recreational Lands Advisory Committee</u>	<u>Northwest Oregon Housing Authority (NOHA)</u>
<u>Fair Board</u>	<u>Northwest Oregon Works (NOW)</u>
	<u>NW Senior and Disability Services</u>
	<u>Oregon Coastal Zone Management Association (OCZMA)</u>
	<u>Soil and Water Conservation District</u>
	<u>Council for Forest Trust Land Counties (CFTLC)</u>
	<u>Regional Housing Task Force</u>

Formatted: Font: 14 pt, Underline

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

1. Board Member Assignment

The board chair shall assign membership to ~~regional boards~~ liaison roles during the first month of the year following the general election. The assignments shall be based on input from board members, ~~and~~ and the board chair shall attempt to ~~assign board members to regional boards that they have an interest in and desire to serve and such other appointments as the Board~~

shall decide assign based on individual board member interest and the balance between board members in terms of number and workload associated with the assignments. If there are conflicts the board chair's decision shall be final.

The Council for Forest Trust Land Counties (CFTLC) member shall be appointed by formal board action at the first regular meeting in November.

2. Board Member Participation

a) County Committees and Boards. The board member shall not be a voting member of the board or commission, unless otherwise provided by the committee or board bylaws or statute. The board member shall participate on behalf of the full board. (refer to table on page 13)

b) Community Committees and Boards. The board member shall participate on behalf of the full board. If a board member believes the decision of the community committee or board is inconsistent with the majority view of the board, the board member may delay the decision until the full board can consider the question and provide advice, abstain from the decision, or make the decision and explain to the board the direction at an ensuing meeting of the board. (refer to table on page 13)

3. Board Member Reports

— Board members shall provide updates to the full board regarding matters of significance at the board work session and/or regular meeting.

4.- Technical Assistance and Support

Technical assistance and support are available through the County Manager. Appropriate staff will be assigned depending on the subject matter.

B.— Liaison Membership

Seeking and/or accepting appointment to a state board or committee shall be discussed with the full board. Participating in such boards and committees is encouraged but should not diminish participation and availability to fulfil assigned liaison roles described in Rule 3.7.

1. Board Member Reports

Board member shall provide updates to the full board regarding matters of significance at the board work session and/or regular meeting.

2. Technical Assistance and Support

Technical assistance and support is available through the County Manager. Appropriate staff will be assigned depending on the subject matter.

Rule 3.7.2 Association of Oregon Counties and Other Association Related Roles

Seeking and/or accepting appointments with the Association of Oregon Counties (AOC) or other association-related roles (i.e. NACO) shall be discussed with the full board. Participating in such boards and committees is encouraged but should not diminish participation and availability to fulfil the liaison roles described in Rule 3.7.

1. Board Member Reports

Board member shall provide updates to the full board regarding matters of significance at the board work session and/or regular meeting.

2. Technical Assistance and Support

Technical assistance and support is available through the County Manager. Appropriate staff will be assigned depending on the subject matter.

SECTION 4 - BOARD MEETINGS

Rule 4.1 Regular Meetings

Chapter III Section 5: of the county charter provides that the board must generally meet at least twice each month at a time and place designated by the board. At least one of the meetings shall be convened after 5:00 p.m. The board designates through these rules two regular meetings of the board, which will be held on the second and fourth Wednesday of each month at a time determined by the board, except on holidays in which event the board will meet on the next ensuing business day. The board may establish an alternative board meeting schedule during the months of November and December to accommodate the holiday schedule.

Rule 4.2 Notice of Meeting

The notice of the regular meeting of the board, including the agenda that lists items to be considered by the board, will be given in accordance with ORS 192.640. However, the notice does not limit the items that can be considered by the board nor prevent the board from discussing any item brought before the board in accordance with ORS 192.610 to 192.690.

Rule 4.3 Meeting Format

Regular board meetings and work sessions may take place in one of two manners:

1. Hybrid - the meeting will take place in the Guy Boyington Building and accessible virtually for viewing, listening and/or participation by board members, staff, public and other interested parties. Any change in the location or time of the regular meetings and work sessions shall be noted in the notice of the meeting.
2. Virtual – the meeting will take place electronically via a meeting platform (i.e. Zoom) for viewing, listening and/or participation by board members, staff, public and other interested parties.

Rule 4.4 Special Meetings

Special meetings may be called at any time upon the board chair’s request or the request of three (3) members of the board. All meetings of the board will be called, noticed, and held in accordance with the county charter, county code, rules of the board, and ORS 192.610 to 192.690.

Rule 4.5 Special Meetings Limited Purpose

Notice of a special meeting will designate the time and place as well as the business to be considered. Only business as set forth in the notice will be considered by the board, unless an actual emergency occurs in which case notice will be given in accordance with ORS 192.640 (3). The rules of procedure for special meetings will be the same as those provided for general meetings of the board insofar as such rules are applicable. The agenda to be followed at the special meeting will generally be the agenda format set forth in SECTION 5 of the Board Rules.

Rule 4.6 Emergency Meetings

The board chair or a majority of the board members may call an emergency meeting. An emergency meeting of the board may be called with less than 24 hours’ notice provided an actual emergency exists. The meeting will be

convened and notice will be provided pursuant to ORS 192.640 (3). Attempts will be made to contact the media to provide notice of the emergency meeting. The board once convened shall have sole discretion to determine if an emergency exists.

Rule 4.7 Executive Session Meetings

The board may meet in executive session in accordance with ORS 192.660. Items discussed in executive session will be exempt from public disclosure pursuant to ORS 192.660. Board members will not disclose items discussed in executive session. The county manager and county counsel will attend all executive sessions, unless they are excluded by the board or are required to be excused. County staff persons as allowed by the board may attend. Other persons authorized by ORS 192.660 may attend. The board by rule may define “news media representative” within the meaning of the statute ORS 192.660 that are allowed to attend executive sessions. All final actions or decisions must be made in public session.

Rule 4.8 Information Not To Be Disclosed

All information discussed or considered in executive sessions of the board shall be undisclosed, unless otherwise authorized by the board. This policy extends to all statements made in executive sessions, to all documents considered, and all other information presented or considered regardless of the format, in executive sessions of the board. To the extent this policy may be inconsistent with Oregon Public Meeting Law, the law (ORS 192.610-192.690) shall control. This policy shall apply regardless whether persons attending any particular executive session are reminded of the policy. The board, in its sole discretion, may make exceptions to this policy if it is in the public interest to do so, and if a majority of the members vote in accordance with ORS 192.610 (1).

Rule 4.9 Adjourned and Recessed Meeting

The board may adjourn or recess any meeting to a later date and time by a majority vote of the board members present. At least 24 hours’ notice will be provided. The notice will state the date and time of the adjourned or recessed meeting.

Rule 4.10 Cancellation of Meeting

A majority of the board members may agree to cancel a meeting when deemed appropriate. If there is no business to transact or a quorum of the board

cannot attend and there is no urgent necessity to have a meeting, the board chair may cancel the meeting. Board members will be notified of the cancellation prior to notice being provided to the public. Notice of cancellation will be given as soon as possible to the public.

SECTION 5 – AGENDAS AND ADDITIONAL ITEMS FOR CONSIDERATION

Rule 5.1 Preparation of the Agenda

The county manager, with the advice and consent of the board chair, will prepare the agenda along with the documentation for board meetings. Any member of the board may request, through the county manager or board chair, that an item be placed on the agenda. If there is no item to be considered under a section of the agenda, that section will be omitted from the agenda and the agenda will be renumbered accordingly. The final authority regarding consideration of items on the agenda is the board.

Rule 5.2 Non-agendized Items

Prior to the meeting, the county manager may send out additions to the agenda with the appropriate documentation. The board may consider the items that are not listed on the published agenda. The board must, by a majority, place the item on the agenda which can be accomplished through approval of the agenda or by separate motion on the specific item. Action may then be taken on the item.

Rule 5.3 Time for Submission of Items

Items for the board agenda will be submitted in time to allow for sufficient research by staff and recommendations from advisory boards, commissions or committees.

Rule 5.4 Reports by Staff

The board will receive a written report from the staff, or supporting documentation and information, on each item to be considered by the board at least six (6) days prior to the board meeting.

Rule 5.5 Additional Items

After consulting with the board chair, the county manager may, not later than forty-eight (48) hours prior to the meeting, send out additions to the agenda documentation and information. With prior notice to the board and under circumstances that cannot be avoided, the county manager may submit

additional documentation at the board meeting. Any board member may request and will be granted adequate time to review the documentation or delay deliberation concerning the item.

Rule 5.6 Public Comments

The chair has the discretion in allowing comment during Business from the Public or allowing comment under the business agenda item. People wishing to speak during business from the public in-person must fill out and sign a public comment sign-in card and present it to the clerk of the board. People wishing to speak during business from the public virtually must email or call the clerk of the board by 3:00 p.m. the day of the Board meeting. Comments by an individual under business from the public will be limited to two (2) minutes unless extended by the board chair or approved by a majority of the board. The maximum time allowed for public comments, including all speakers is thirty (30) minutes, however, this time may be changed by majority vote of the board. Speakers may address the board for less than the allotted time. Speakers who wish the board to consider written material are encouraged to submit information in writing at least seven (7) days prior to the board meeting. In the case of public hearings or items on the board agenda for action, the submission of written material for consideration or inclusion in the record may be subject to stricter time limits established by the board and publicized by the county. Speakers may also submit information at the meeting, however, it may not be considered by the board subject to the board's discretion.

Rule 5.7 Consent Calendar

The county manager with approval of the board chair will place items previously reviewed or routine in nature on the consent calendar. Items may be removed from the consent calendar by the board chair or at the request of a board member. Ordinances will not be placed on the consent calendar. Public comments will be held prior to the approval of the consent calendar to allow the public to address items to be considered under the consent calendar.

Rule 5.8 Agenda Availability

Board agendas and the accompanying documents are available at the county manager's office and are posted on the county's website normally six (6) days prior to the board meeting. Interested persons are encouraged to read the agenda along with supporting material, and address questions to the board

chair, board, or county staff prior to the meeting. The board chair and board value public input. In order to efficiently conduct county business those who have concerns are encouraged to address these issues prior to the board meeting.

Rule 5.9 Work Session Meeting Agenda

The board may hold work sessions as needed. The work session will be attended by the county manager, the county counsel, the board chair and board. Other department heads will be expected to attend if requested by the county manager. The work session is intended for discussion and no decisions or actions will be taken on the items. Work sessions are open to the public and the public is welcome to attend. Public input will not be taken except with specific permission of the board chair or a majority of the board. The agenda may be altered by the board chair or by a majority of the board in attendance.

Rule 5.10 Business Meeting Agenda

The board may hold its regular business meetings at the time, place and manner specified in these rules. The business meetings are open to the public and the public is welcome to attend. Public input will be taken as provided for in these rules. Minutes of the board meeting will be taken by the clerk of the board. The agenda may be altered by the board chair or by a majority of the board in attendance pursuant to these rules. Regular business meetings occur on the 2nd and 4th Wednesday of the month at 6:00 p.m.

Rule 5.11 Joint Meeting or Community Forum Meeting Agendas

The board may hold joint meetings or community forums with other governmental entities or with the county's board, commissions, or committees or other governmental entities or an open forum to conduct business and to discuss issues, relationships, strategic plans or issues. The purpose of the community forum would be to listen and communicate. These meetings are open to the public and the public is welcome to attend. Public input will be taken as determined by the board chair or a majority of the board members.

SECTION 6 – BOARD CHAIR

Rule 6.1 Board Chair

[Chapter III](#) Section 4 of the county charter provides that the board chair will preside and facilitate all board meetings, preserve order, enforce the board rules, and determine the order of business pursuant to board rules. Pursuant to [Chapter III](#) section 4(B)-B. of the county charter at the first meeting in January, annually, the board will elect a chair from the board. The board chair is a voting member of the board and has no veto authority. The board chair, with the consent of the board, will appoint members of boards, commissions, and committees established by ordinance or resolution. The board chair will sign all records of board decisions. The board chair will review and if allowed approve all expense reimbursement claims submitted by the county manager prior to payment (See also Rule 13.1). The board chair serves as the political head of the county government.

Rule 6.2 Board Vice Chair

In the absence of the board chair, the board vice chair will act as the board chair and serve as the presiding officer. Pursuant to section [Chapter III 4\(B\)-](#) of the county charter at the first meeting in January, annually, the board will elect a vice chair from the board. Wherever in the rules the board chair is mentioned and the board chair is absent, the board vice chair may exercise the authority as the board chair. The board vice chair presides in the absence of the board chair and acts as the board chair when the board chair is unable to perform the board chair's duties.

Rule 6.3 Presiding Officer Pro Tem

In the absence of the board chair or the board vice chair at any meeting of the board where a quorum is present, the board members present may appoint a presiding officer pro tem who will preside at the meeting. The presiding officer pro tem will exercise all the authority of the board chair.

Rule 6.4 Presiding Officer Pro Tem for Specific Items

The board chair, with the consent of the appointed board members and the concurrence of the members present, may appoint a board member to serve as the presiding officer pro tem for specific items to come before the board meeting for consideration. If any board member objects to the appointment, the consent of the quorum will be obtained. The rulings and decisions of the presiding officer pro tem will have the same force and effect as those of the

board chair. The board chair will be allowed to participate as any other board member.

SECTION 7 – PROCEDURES AT MEETINGS

Rule 7.1 Board Chair’s Duty

The board chair will call the board members to order at the hour designated for the meeting. The board chair may compel attendance in accordance with board rule 2.3. Should there not be a quorum within fifteen (15) minutes the members present will adjourn until a quorum can be gathered or until the next scheduled meeting time established by the board or to the next regular meeting day and time.

Rule 7.2 Board Chair’s Role

The board chair will preserve order and decorum, may speak to the points of order in preference to other members and will decide all questions of order subject to an appeal to the board by a majority of the board members. No member may speak more than once on an item concerning an appeal of the board chair’s decision without permission of the board. If two or more members request the floor at once, the board chair will name who is to speak first.

Rule 7.3 Address the Board Chair

When any board member is about to speak in debate or deliver an item to the board, the board members should respectfully address the board chair or presiding officer. The board member should confine the remarks to the question under consideration and avoid addressing personalities.

Rule 7.4 Voting Required

Pursuant to county charter [Chapter III](#) section 5.(-F), every board member who is present will vote for or against the question before the board unless the board member provides an explanation for abstaining. Every board member may refrain for just legal cause and will announce the legal reason or justification for abstaining from voting.

Rule 7.5 Discussion of Agenda Items

Discussion may occur at any time on an item. The board chair will control and determine what item will be discussed.

Rule 7.6 Seconding Motions

Generally, no motion will be considered unless it has been seconded. When a motion is seconded, the mover may withdraw the motion with the consent of the second at any time before discussion and before any amendment is proposed. Routine motions that have the general consent of the board do not require a second, unless requested by any member of the board. Other motions not requiring a second: division, point of order, parliamentary inquiry, permission to withdraw or modify a motion and other such procedural inquiries.

Rule 7.7 Reconsideration

When a question has been decided, it will be in order for a member who voted on the prevailing side to move for reconsideration at the same meeting or next following meeting only.

Rule 7.8 Failure to Follow Rules

Failure to follow the rules of the board in conducting business or to abide by the rules of procedure does not invalidate the decisions of the board nor will it be grounds to later challenge the validity of a decision.

Rule 7.9 Ordinances

The board exercises its legislative authority by adoption of ordinances. Ordinances require the concurrence of a majority of the entire membership of the board.

Rule 7.10 Public Legislative Hearing

When the board conducts a public hearing concerning the exercise of legislative authority, the board will follow the legislative hearing format. That format is hereby attached as Exhibit [12](#) to these rules and by this reference incorporated.

Rule 7.11 Public Administrative Hearing (reserved)

Rule 7.12 Public Quasi-judicial Hearing

The board exercises its quasi-judicial authority usually by adoption of an ordinance. When the board conducts a quasi-judicial public hearing the board will follow the quasi-judicial hearing format. There are two separate and distinct types of quasi-judicial public hearing procedures that will be used by the board and they are as follows:

A. Quasi-judicial Land Use Public Hearing Procedure

Whenever the board is considering a land use issue that requires a quasi-judicial land use public hearing procedure, the board will use the procedure in the Land and Water Development and Use Code Section 2.2150 page II-18 and by this reference is incorporated in these rules.

B. Quasi-judicial Non-land Use Public Hearing Procedure

Whenever the board is considering a non-land use issue that requires a quasi-judicial non-land use public hearing procedure, the board will use the procedure that is hereby attached as Exhibit 23 and by this reference is incorporated in these rules.

Rule 7.13 Ex-parte Contact

When the board holds a quasi-judicial public hearing, the board should declare any ex-parte contact. The ex-parte contact rules are provided for in state law and board members are encouraged to seek advice from county counsel if there are questions. The board member should clearly state the content of the contact and follow the advice of the county counsel for disclosure. Failure to state ex-parte contact could raise questions of prejudice and affect the credibility of the board member.

Rule 7.14 Public Comment Registration

Interested persons who want to offer the board comments during the public comment part of the board agenda shall fill out a public comment form at the board meeting or notify the clerk of the board by email or phone call by 3:00 p.m. the day of the board meeting. The public comment registration form shall be part of the meeting records in accordance with the Oregon Public Meeting Law ORS 192.650. The registration contains a provision by which a person may indicate that they do not wish their address, phone number or e-mail address released in any public records request. When the person addresses the board that person should state their name, but does not need to state their mailing address, phone number or email address. The county manager is assigned to draft, revise, and produce the necessary form that complies with this rule.

Rule 7.15 How to Testify

Those addressing the board should do so in a courteous and considerate manner. The person needs to register and follow other rules as provided in

the board rules. The public will be furnished guidelines and should comply with these guidelines for testifying before the board. The guidelines and helpful information shall assist the public in testifying and will be provided at each board meeting. The county manager is assigned to draft, revise, and produce the guidelines.

SECTION 8 – ENFORCEMENT OF BOARD RULES

Rule 8.1 Presiding Officer

The board chair or presiding officer will enforce the board rules. In addition, the board chair or presiding officer has the authority to preserve decorum and will determine all points of order, subject to the right of any board member to appeal to the board. The board chair or presiding officer will enforce order, prevent attacks on personalities or the impugning of members' motives, and keep those in debate to the question under discussion.

Rule 8.2 Board members

Board members will preserve order and decorum during board meetings, and will not by conversation or other action delay or interrupt the proceedings or refuse to obey the orders of the board chair or presiding officer and board rules. Board members will when addressing staff of board members confine themselves to questions or issues that are under discussion; will not engage in personal attacks; will not impugn the motives of any speaker; and will at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of the office. Board members will not attack the knowledge, skills, abilities and personalities or impugn county staff members' motives in board or at county meetings. The board members may discuss or suggest anything with the county manager related to county business.

Rule 8.3 Attire at Board Meetings (reserved)

Rule 8.4 Removal or Exclusion of Any Person

Any persons making disruptive or threatening remarks or actions during a meeting will be barred from further attendance at that meeting, unless permission is granted by a majority vote of the commissioners present. The board chair may summon the assistance of the Sheriff's Office or other administrative staff to prevent further interruption by such person by any action necessary, including the removal of that individual. In case the board chair should fail to act, any board member may move to require enforcement of this rule; and, upon an affirmative vote of the board majority present, the

Sheriff or administrative staff will be authorized to remove the person(s) as the board directs. The county exclusionary policy may also be used to enforce decorum during in-person and virtual meetings.

SECTION 9 – AD-HOC COMMITTEES

Rule 9.1 Structure of Ad-Hoc Committees

Ad-Hoc committees include up to two board members and additional committee members as approved by the board. The board chair is assigned the authority to recommend the membership and formation of ad-hoc committees and may refer items to the appropriate committee on approval of the board.

Rule 9.2 Duty of Ad-Hoc Committees

The board may form ad-hoc committees to deal with specific tasks within specific timeframes in order to make recommendations to the board. The board will establish membership criteria for the ad-hoc committees on a ~~case by case~~ case-by-case basis.

Rule 9.3 Appointment of Ad-Hoc Committee Members

The board chair will appoint members of the ad hoc committees. The board chair will designate the ad hoc committee chair and vice chair. Membership on the committee will be appointed as needed to advise the board on specific programs or projects. Members will continue to serve until their mission is accomplished or they are replaced or reappointed.

Rule 9.4 Functions of Ad-Hoc Committees

Each member of the ad-hoc committee will have a vote on the committee. The reports of the ad-hoc committee will only be recommendations to the board. The board reserves all authorities with regard to the disposition of the recommendations.

Rule 9.5 Removal of Members from Ad-Hoc Committees

The board chair with the board's consent may remove any member of the ad hoc committee at any time.

Rule 9.6 Meetings of the Ad-Hoc Committee

The meeting time and place of the committees will be decided by the appointed chair of the ad-hoc committee with the consent of the committee

members. The ad-hoc committee chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet. A majority of the committee however may consent to hold a meeting. Meetings are public meetings and will be conducted in accordance with Oregon Public Meeting Laws.

Rule 9.7 Staff Support of Ad-Hoc Committees

The county manager has the responsibility to furnish the necessary staff support for each ad-hoc committee. The county manager will assign the specific duties to the staff supporting and working with the membership of the ad-hoc committee. The committee will not have the authority to assign specific tasks to any staff person of the county but will work through the county manager.

Rule 9.8 Ex-officio Members of Ad-Hoc Committees

The board chair, county manager and the county counsel will be ex-officio, non-voting members of all ad-hoc committees. The ex-officio members may attend any committee meeting. If they attend, they may participate in the discussion, but they are not required to attend the committee meetings unless assigned by the board.

SECTION 10 – ELECTRONIC ~~MAIL~~ COMMUNICATION AND SOCIAL MEDIA

Rule 10.1 Electronic Communication

All board members will observe the county technology use policies and the following guidelines when using an electronic media, including text messages and electronic mail, for correspondence as elected officials:

A. Subject to Disclosure

All board e-mail correspondence is subject to the Oregon Public Records Law ORS 192.311410 – 192.478505 and Oregon State Records Retention OAR 166-150 standards and is subject to disclosure. ORS 192.311410(54)(a) defines a "public record" as *including*:

any writing that contains information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.

B. Purpose of Electronic Communication

E-mail and text messages may be used for correspondence, meeting scheduling, sending informative information messages, or request information from other members of the county, the county manager or county department directors.

C. Not Appropriate for Policy Issues with a Quorum

~~E-mail~~ Electronic communication may not be used to discuss policy issues with a quorum of the board at one time or a quorum of an ad-hoc, advisory board, commission or committee. Communicating with a majority of these bodies is a violation of Oregon Public Meeting Law ORS 192.670(1).

Rule 10.2 Social Media Guidelines

Board members use of social media is classified in one of three categories:

A. Personal

Board members may maintain personal social media account(s). Personal social media accounts should avoid announcements about official County responsibilities or actions and should not solicit the public's views about County governance-related topics. If a personal social media account is used in these ways, the Courts will likely view them as "official" County sites, requiring conformance with requirements outlined in Section 10.2.C.

B. Campaign

A campaign site is permissible during campaign season and is not considered an official site of the County. These sites may be dormant after a campaign or transition to either a personal or official site.

C. Official

The official platform(s) for sharing information and communicating as an independently elected District Commissioner. These sites are administered by the individual Board members (with technical support from staff) and are expected to conform to the following:

- a. Branded as an "official site" and considered a limited public forum. Official sites will be enrolled in content management software.

- b. Comply with federal, state and county laws including, First Amendment rights of free speech, public records, copyright, retention, fair use, privacy and financial disclosure laws.
- c. Maintain confidentiality of county information as appropriate.
- d. Emphasize interactions that are respectful, factual and aligned with County policies and public information.
- e. If used for constituent engagement, communication will be based on the official position of the County, unless clearly stated as a personal view.
- f. Communication will be professional and avoid personal attacks.
- g. Comments will be moderated, and the County reserves the right to hide posts that are inappropriate or unlawful. Consult with County Counsel prior to blocking users or hiding user comment(s).

SECTION 11 - PROCLAMATIONS

Rule 11.1 Requests for Proclamation

Organizations, citizens, or board members may request a proclamation that proclaims a specific date or dates to recognize the efforts of community groups or individuals. The board chair shall determine whether the proclamation is appropriate for board consideration. Upon receipt, the clerk of the board shall notify the board chair of the request and on approval of the board chair shall prepare the proclamation for the board chair's signature. The proclamation shall be placed on a board agenda for board approval prior to the board chair signing the proclamation.

Rule 11.2 Reading of Proclamations

At the discretion of the board chair, a proclamation may be read at a board meeting or presented or mailed to the requesting individual, organization or group.

SECTION 12 - COMMUNITY AND MEDIA RELATIONS

Rule 12.1 Relationships with residents

The county shall establish and maintain open, honest, respectful and uniform relations with residents of the community, and shall endeavor to keep residents informed about the deliberations and decisions of the Board of

Commissioners and about county policies, operations, services, activities and plans in a timely manner. Information made available by the county shall be useful, accurate, clear and truthful. Information requested from the county shall be provided promptly and on an equal basis without favoritism [and in accordance with public records request law](#).

Rule 12.2 Commissions and Committees

The members of commissions and committees serving as advisors to the board shall be advised by board liaisons and county staff from time to time regarding relations with the media. When issues involving commissions and committees arise that may involve scrutiny by the media board members are encouraged to advise the county manager to offer county staff media relations services. The chairperson of the committee should be the spokesperson when practical. Board, commission and committee members are cautioned to only represent what is in the record and to not speculate on the outcome of decisions by the commission, committee or board.

Rule 12.3 Providing Timely Information

The county shall promote and encourage the receipt of timely information from residents of the community about commission decisions, county policies, operations, activities and plans.

Rule 12.4 Granting Interviews

The county shall promote the understanding and support of its residents of the community for commission decisions and county policies, operations, activities or plans. County staff, as appropriate, shall comply with requests for interviews from both the print and electronic media regarding commission decisions and county policies, operations, activities or plans.

Rule 12.5 County Information to be Provided, Exceptions

The county shall provide any and all information requested by the news media unless, upon written advice of county counsel, the information requested is confidential and privileged from public disclosure by legislative decree of the State of Oregon.

Rule 12.6 County Manager to Establish Guidelines

The county manager's office may coordinate all news media requests for information and shall adopt procedures, guidelines and instructions to county

employees that ensure that all such requests are responded to promptly and accurately.

Rule 12.7 Media Deadlines and Releases

When providing information requested by the news media, the county shall be mindful of media deadlines and shall do its best to respond in a timely manner. All news releases or public service announcements issued by the county shall be distributed to all news organizations without favoritism.

Rule 12.8 Board Copied on All Releases

Copies of news releases prepared and distributed by the county shall be given to the board.

Rule 12.9 Corrections

If misinformation is reported by any news media, the county may promptly inform the reporter or media organization involved of the correct information. The County shall request a timely correction or clarification when the misinformation reported seriously reflects adversely upon the county's policies, operations, activities or plans.

SECTION 13 – REIMBURSEMENT OF CLAIMS

Rule 13.1 Board and Manager Reimbursement

Claims by members of the board for reimbursement of expenditures made on behalf of the county will be reviewed by the manager prior to payment. The manager will submit to the board chair for approval any claims by commissioners not conforming to the approved appropriations or which are unusual in nature. The board chair will review and approve or deny the reimbursement.

SECTION 14 - FINANCIAL RESPONSIBILITY

Rule 14.1 Board Responsibility

The board shall maintain general oversight of the financial operation of the county through:

- A. Annual review, adoption and adherence to the policies, unless the board identifies a specific variance from the policies, in the long-range financial plan.

- B. Attendance and participation as members of the county budget committee.
- C. Hold public hearings and adopt the budget prior to July 1 the start of the fiscal year.
- D. Take immediate action to avert financial crisis in the county.
- E. Hold the county manager accountable for reporting the condition of the budget and financial condition of the county.

Rule 14.2 Manager's Responsibility

The county manager is responsible for the careful administration of the adopted budgets of all County agencies. The Manager is responsible for:

- A. Directing departmental and agency expenditures in a manner that will assure that total expenditures for the department or agency will not exceed approved appropriations. The Manager is authorized to transfer funds between personal services and materials and supplies if necessary, but may not authorize an increase in full-time employees or the purchase of capital equipment in excess of those items proposed in the budget.
- B. Promptly informing the board and recommending appropriate action whenever it appears that, because of changes in revenue or expenditure projections, the approved expenditures of a fund may exceed the available resources exclusive of any contingency appropriation.
- C. The Manager shall hold department and agency heads responsible for assuring that expenditures do not exceed approved appropriations within major classes, such as Personal Services, Materials and Supplies, and Capital Outlay. The county manager is authorized to increase expenditures for any line item within the class, provided that an offsetting decrease will be made elsewhere in the class.
- D. Department and agency heads will promptly inform the county manager and recommend appropriate action whenever it appears that expenditures in a major class will exceed approved appropriations despite the efforts of the department or agency to control them.

Rule 14.3 Investment Policy

The board shall review the county's investment policy regularly and adopt an investment policy that is consistent with state law.

Rule 14.4 Food and Beverages

Food, beverage and other related items provided by the county to the board, including any of their relatives or household members who are accompanying them during County-related events such as, but not limited to meetings, team building activities, training and conference are provided as part of the Board's official compensation package.

SECTION 15- TRAVEL POLICY

Rule 15.1 Purpose and Scope

This policy pertains to all travel and travel-related expenses for the board. This policy does not apply to social gatherings, committee meetings or business meetings held in the county.

Rule 15.2 Reimbursable Travel Defined

The term Reimbursable Travel will be defined as official travel outside the county as defined within this Policy.

Rule 15.3 Monthly Travel Expenditure Report

-Staff will prepare a monthly report summarizing travel, training and mileage reimbursement expended to date (fiscal year) per board member. The report will include prospective travel with estimated expenses.

Rule 15.43 Reimbursable Travel Approval

~~The board approves reimbursable commissioner travel that is consistent with this policy.~~ Board members will advise the board of the purpose and benefit relevancy of travel, and if questioned, board members will be responsible for assuring the board and electorate that the travel is in the best interest of the county. ~~Travel requiring airplane flight out of state, except the State of Washington, will be preapproved by the board.~~ At no time will a board member engage in travel that results in -costs that exceed the per capita allowance provided in the adopted budget. For travel, training and/or mileage reimbursement exceeding the allocation, the board member must seek preauthorization from the board to either 1) reallocate any projected unexpended funds from other board members, or 2) request additional funds

authorized pursuant to Oregon Budget Law. ~~beyond,~~ All travel to Washington DC for the purpose of federal lobbying must be preapproved by the full board.

Rule 15.5 Travel Scheduling and Reservations

All travel and related overnight accommodations will be scheduled and coordinated by the County Manager's Office.

Rule 15.~~6~~4 Travel Expense Form

All travel expenses will be documented on a travel request for reimbursement form that is provided by the clerk of the board. Travel request forms must be submitted to the County Manager for review and approval with regard to compliance with this travel policy and for processing. Any unresolved disputes shall be referred to the Chair of the Board. The Board Chair may resolve the dispute or refer to the board at a public meeting to resolve. The board's decision shall be final.

Rule 15.~~7~~5 AOC Conference Attendance

Attendance at the annual ~~The annual~~ Association of Oregon Counties's (AOC) meeting-Conference is encouraged. ~~considered to be important, relevant and in the best interest of Clatsop County. It is assumed that the board will attend the AOC Conference.~~

Rule 15.6—Budget Consideration

Upon proper approval of the Travel Request Form, the County will reimburse for all reasonable and necessary travel expenses which are directly related to the board ~~Board of Commissioner authorized~~member's assignments, such as commercial transportation, lodging, registrations, parking fees, mileage and communication charges at actual cost. A per diem amount per the county travel policy will ~~may~~ be paid on days of travel for meals.

Rule 15.9 Reimbursement of Significant Other Expenses

The County will not reimburse travel-related expenses for personal guests of an elected official, unless expressly authorized by the board prior to the travel.

Rule 15.10 Reimbursement of Entertainment

Entertainment expenses are not reimbursable except for expenses of entertainment associated with conference programs. Examples of non-

reimbursable entertainment expenses include, but are not limited to, alcoholic beverages, theater tickets, and sporting event tickets.

Rule 15.11 Mileage Reimbursement

Mileage will be reimbursed at the [privately owned vehicle IRS-GSA](#) approved rate for authorized use of the board's private vehicles on ~~County official~~ business [outside of the County](#). When traveling to a place outside of the County, reimbursement shall start at the commissioner's residence [or temporary duty station](#). ~~Rent a car if reasonable.~~ Carpooling is ~~encouraged~~ [encouraged where applicable to save county resources](#).

Rule 15.12 Least Expensive Transportation Mode

Out-of state transportation related expenses will be based upon the least expensive mode of transportation available, unless a more expensive mode is necessary due to business-related requirements. In determining the least expensive mode, commercial bus ~~service~~ and train [service](#) will be excluded.

Rule 15.13 Lodging

Reimbursement of lodging expenses will be based on what is a normal and reasonable cost for the area. Proximity to the conference, seminar, or meeting will also be ~~taken into account~~ [considered](#). If a double room is required because a spouse or personal guest has accompanied an elected official, the County will reimburse only the cost of a single room. The County will reimburse any business-related communications costs (telephone, fax, modem, etc.). The County will not reimburse the cost of any in-room movie or personal communications costs.

Rule 15.14 Meals

Board members will be reimbursed for meals at actual cost, [or at the established per diem rate](#). Board members will be responsible for justifying expenses that are considered excessive or out of the ordinary. A total meal cost includes food, [non-alcoholic](#) beverages, taxes, and tips. Reimbursement of tips will be limited to no more than 20% of the total meal cost. The county will not reimburse the cost of any alcoholic beverages. Board members are required to retain and submit receipts for all meals ~~in order to receive~~ [reimbursement](#).

Rule 15.15 Meals included in Registration Fees

The County will not reimburse for meals if they are included in registration fees (for example, a conference banquet). Complimentary continental breakfasts are not considered meals and will not reduce a daily standard meal allowance.

Rule 15.16 Request ~~t~~To Receive Travel Expense Report.

Only "reimbursable" travel expenses need to be entered on the Travel Expense Report. In other words, include only those costs needed to calculate the amount due ~~needs to be included~~. The county retains all travel expense reports, submitted reimbursement receipts and county cash reimbursements.

Rule 15.17 Submission for Reimbursement

Board members shall submit all receipts and reimbursable expenses in a timely manner, generally no later than the 10th of the month following the month that the expense was incurred. If a board member is requesting reimbursement, the travel expense form along with receipts shall be delivered to the ~~County Manager~~ Clerk of the Board.

16- 19 - RESERVED FOR EXPANSION

SECTION 20 - ADOPTION, AMENDMENTS AND REVISIONS

Rule 20.1 Adoption, Amendments and Revisions

These rules shall be adopted by resolution. Amendments and revisions to the rules shall be adopted by resolution.

Rule 20.2 Review

These rules shall generally be reviewed every two years in a work session.

Exhibit 1

Fair Board	The Board meets on the first Tuesday of each month at 5:30 p.m.	Fairgrounds, 92937 Walluski Loop Astoria
National Association of Counties (NACO)	There is a legislative conference in Washington, D.C. each March. There is also an annual conference held in a different location each year	
Northwest Area Commission on Transportation (ACT)	The Committee meets every other month.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Economic Alliance (NOEA)	Meets as needed.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Housing Authority (NOHA)	The Committee meets the first Thursday of each month at 10:00 a.m.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Oregon Regional Partnership	Meets as needed.	Rotates among the three counties, Clatsop, Columbia and Tillamook.
Northwest Senior and Disability Services	The Committee usually meets the 3 rd Thursday of each month at 1:30 pm.	Rotates among the five counties, Clatsop, Marion, Polk, Tillamook, Yamhill.
Oregon Coastal Zone Management Association (OCZMA)	Meeting schedule is posted: http://www.oczma.org/index.php	
The Oregon Consortium and Oregon Workforce Alliance	Meets monthly	Rotates throughout service delivery area.
Soil & Water Conservation District	The District meets the first Wednesday of each month at 10:00 a.m.	4H & Extension Conference Room, 2001 Marine Dr., Astoria

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted Table

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted Table

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted Table

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

▲		
▲		
▲		
▲		

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Exhibit 12 - Public Legislative Hearing

PUBLIC LEGISLATIVE HEARING
Clatsop County Board of County Commissioners

1. Announce the Item
2. Declaration of Conflicts of Interest or Abstentions
3. Staff Reports
4. Open the Public Hearing
 - a. Chair announces time limits
 - b. Testimony
 1. Invites each speaker to the table
 2. Informs speakers to state name and address at the beginning of testimony and reminds speaker to speak into the microphone.
 3. Remind speakers to be brief.
 - c. Close Public Testimony
5. Recommendations from Staff
6. Board Deliberation
7. Decision

- a. Ordinance – motion to take action; if approved, complete motion then ask for second reading by title only.
 - 1. Board may need a roll-call vote
 - 2. Majority of entire membership required to approve an ordinance

Exhibit 23 - Quasi-Judicial Non-Land Use Public Hearing Procedure

QUASI-JUDICIAL NON-LAND USE
PUBLIC HEARING PROCEDURE
Clatsop County Board of County Commissioners

1. Announce the Item
2. Declaration of bias, conflicts of interest, and ex-parte contacts.
3. Ask if there any objections from the public to any member of the Board hearing this matter?
4. Staff Report
5. Open the Public Hearing
 - a. Chair announces time limits
 - b. Testimony
 1. Invites each speaker to the table
 2. Informs speakers to state name and address at the beginning of testimony and reminds speaker to speak into the microphone.
 3. Remind speakers to be brief.
 4. Order to testimony
 - a. Applicant (appellant)
 - b. Proponent (supporters of appellant)
 - c. Opponent/Neutral (of appellant)
 - d. Rebuttal by applicant (appellant)
 - c. Close Public Testimony
6. Questions of proponents and opponents from the floor or the board directed through the chair.
7. Public Agency letters or comments
8. Close of public testimony portion of hearing
9. Final comments from staff and recommendation
10. Deliberation of board including discussion of criteria with findings of fact

11. Board Action

- a. Resolution and Order approval could be required.
- b. Voice vote is permitted.
- c. Majority of quorum required unless ordinance then majority of total board.

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Agenda Title: Hearing for vacation of a portion of Park Street
Category: Public Hearing
Presented By: Vance Swenson, County Surveyor

Issue Before the Commission: Conduct a Public Hearing, approve the road vacation and authorize the Chair to sign the Resolution and Order vacating a portion Park Street

Informational Summary: On March 26, 2025 the Board of Commissioners accepted a petition and ordered a Road Master's Report for the road vacation of a portion of unbuilt Park Street right-of-way in the plat of Cannon Beach Park Extension in the Southwest Quarter of Section 30, Township 4 North, Range 10 West. On May 28, 2025, the County Engineer presented the Road Master's Report to the Board of Commissioners, who then set the public hearing date, updated for August 13, 2025. The County has notified the abutting property owners and advertised as required by law. The portion of Park Street to be vacated was never built. County Staff received one response via email requesting additional evaluation of the proposed vacated portion of street for significance as part of a greenbelt or pathway system. It is included herein with a reply letter recognizing the oversight of not overtly listing that evaluation as a portion of their initial analysis. This Public Hearing is the final step in the road vacation process. After the Public Hearing, the Board will make a decision to approve or deny the vacation.

Fiscal Impact: Petitioners have paid the road vacation fee of \$5,786 to cover all expenses of the vacation.

Requested Action:

I move to approve the Resolution and Order vacating a portion of Park Street and authorize the Board Chair to sign the Resolution and Order.

Attachment List

- A. Road Master's Report
- B. Resolution and Order to Approve the Road Vacation
- C. Public Comment Email with letter of reply



Clatsop County

Public Works

1100 Olney Ave.
Astoria, OR 97103
Ph: (503) 325-8631 \ Fax: (503) 325-9312
www.clatsopcounty.gov

To: Linda Eyerman

From: Dean Keranen, PE, County Engineer

Date: July 24, 2025

Re: Vacation of a portion of unbuilt Park Street in the plat of Cannon Beach Park Extension in the Southwest Quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian.

Thank you for your email reply and for providing public comment for the upcoming public hearing to consider vacating a portion of Park Street in Arch Cape. Input from community members is a vital part of the information presented to the Board of Commissioners as they consider their decision. Because public rights-of-way are owned collectively by the public, it is essential that both appointed staff and elected commissioners carefully evaluate their potential future use in community plans for access, whether for motorized access or non-motorized pathways.

Apologies for not overtly mentioning the Southwest Coastal Community Action Plan and its policies while addressing the Guidelines in the Policies for Road Vacation; it was an oversight not to state clearly that our responses to Guideline Items A through I were also intended to evaluate the proposed vacation's potential significance as part of a greenbelt or pathway system. Specifically, the answers to Items D and E also directly apply to considerations for greenbelt or pedestrian and bicycle pathways:

- D. What the economic feasibility of constructing a road over the existing terrain would be.
The existing terrain of this portion of the roadway would not be economically feasible to construct a roadway. The issues are located south of this section of right of way where a bridge would likely be needed to cross an existing creek. Beyond this creek crossing the existing wetlands within the right of way make it very prohibitive to constructing a roadway. The extent of the wetlands is almost the entire width of right of way for approximately two hundred feet.
- E. Whether the existing right of way has been replaced or superseded by a nearby road relocation or if there is planned road relocation.
The existing right of way has not been replaced or superseded by any other roads and there is no road relocation being proposed. There are seven other road rights of way extending south of East Shingle Mill Lane, four of which would require significantly less wetland impacts for road extensions, although all of them would still require a creek crossing.

There will be at least four remaining rights of way accessing the same immediate area that are much better suited for future pedestrian, bicycle, or vehicular access.

Sincerely,

Dean Keranen, PE
Clatsop County Engineer

From: Linda Eyerman <linda@gaylordeyerman.com>

Sent: Thursday, July 24, 2025 5:14 PM

To: Dean Keranen <dkeranen@clatsopcounty.gov>

Cc: Gail Henrikson <ghenrikson@clatsopcounty.gov>; Terry Hendryx <THENDRYX@clatsopcounty.gov>

Subject: Re: Hearing on Vacation of Public Right-of-Way in Arch Cape

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Dean, I appreciate the response. Your reasoning on this ROW makes sense, and protecting our wetlands has been a priority for the Arch Cape community for a very long time.

We have been discussing the pedestrian path idea in connection with the ACFCB Community Club's Emergency Preparedness Project. Most of that south end of Arch Cape will be inundated if there is a tsunami, including Hwy 101, and finding ways to get people to higher ground and to our Resiliency Hubs at the Church and Fire Station are critical. Any ideas or help your department can provide at any time would be appreciated.

Linda Eyerman

linda@gaylordeyerman.com

On Jul 24, 2025, at 2:41 PM, Dean Keranen <dkeranen@clatsopcounty.gov> wrote:

Hi Linda,

We received your email and it will be included in the record. Attached is an official response along with the roadmaster's report which is referenced in my response.

Thank you,

Dean Keranen, PE

Assistant Public Works Director

Clatsop County Public Works

1100 Olney Ave.

Astoria, Oregon 97103

Office: 503-325-8631

dkeranen@ClatsopCounty.gov

From: Linda Eyerman <linda@gaylordeyerman.com>

Sent: Monday, July 7, 2025 1:58 PM

To: Terry Hendryx <THENDRYX@clatsopcounty.gov>; Dean Keranen <dkeranen@clatsopcounty.gov>

Cc: Gail Henrikson <ghenrikson@clatsopcounty.gov>

Subject: Hearing on Vacation of Public Right-of-Way in Arch Cape

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Director Hendryx and Mr Keranen,

There is an upcoming hearing (8/13/25) on vacating an unbuilt public right-of-way in Arch Cape. Board of Commissioners Agenda for 7/9/25 at page 80 et seq. I've read the materials presented earlier (5/28/25) to the Board of Commissioners and do not see that the County's newest policies on the subject of vacating public rights-of-way in the Southwest Coastal Planning Region were considered. These policies were adopted by the Board of Commissioners in 2024 as part of the updated Southwest Coastal Community Plan. I assume the absence of findings on these policies is an oversight that can be corrected.

I was one of the members of the Citizen Advisory Committee (CAC) charged with updating the Southwest Coastal Community Plan. I have an interest in assuring that the policies recommended by the CAC and adopted by the BOC be implemented. I am copying Gail Henrikson, Community Development Director, on this email since her department was in charge of the Community Plans update project.

The Southwest Coastal Community Plan (2024) includes four new policies relating to vacated rights-of-way, two of them mandatory.

The new Public Facilities Policy provides:

"Prior to approving vacation of a public right-of-way, the County should evaluate the right-of-way for possible significance as part of a greenbelt or pathway system."

The County also adopted several new Transportation Policies involving the creation of a greenbelt or pathway system and/or addressing the use of vacated public rights-of-way:

"1. The County may plan for the use of platted, public rights-of-way within the SW Coastal Planning Area to enhance mobility for pedestrians and/cyclists. When considering proposals to vacate platted, public rights-of-way, the County should examine the potential significance of the right-of-way as part of a network of pedestrian and/or bicycle routes within the SW Coastal Planning Area."

"2. The County should coordinate with ODOT to a plan for bicycle and pedestrian pathways throughout Arch Cape ..."

"5. The County may create a transportation plan for the east side of Arch Cape that identifies common frontage roads, limits access points onto Highway 101, facilitates building streets to minimize

disturbance to the land, and converts rights-of-way that are not needed for motorized travel into bike paths and pedestrian trails.”

The idea of using platted, public rights-of-way for public purposes is important to the community of Arch Cape. We are a residential area divided by a major highway with a 50 mph speed limit. A pathway system would provide a safe alternative to pedestrians and bicyclists having to travel on Hwy 101. As it is, pedestrians and bicyclists use the highway shoulders to get to a beach access, visit neighbors, and get their mail. A pathway system also would provide a greenbelt as development reduces our forest and wildlife habitat. In addition, a pathway system would provide hiking and other recreation opportunities for both residents and visitors and, in the event of an emergency, provide safe passage for those trying to get to higher ground and to the community’s resilience hubs. We were very pleased that these four policies made it through the County’s rigorous review process and into the final Community Plan document.

Thank you for considering this and hopefully revising the analysis to include additional considerations. I request this email be entered into the record as public comment in connection with the upcoming hearing. Thank you.

Linda Eyerman

80296 Pacific Road, Arch Cape, OR 97102

linda@gaylordeyerman.com

This message has been prepared on resources owned by Clatsop County, Oregon. It is subject to the Internet and Online Services Use Policy and Procedures of Clatsop County.

<Eyerman Response Letter 7-24-25.pdf>

<Road Master Report.pdf>

ROADMASTER'S REPORT

To: Vance Swenson, PLS, County Surveyor

From: Dean Keranen, PE, County Engineer

Date: April 30, 2025

Re: Vacation of a portion of unbuilt Park Street in the plat of Cannon Beach Park Extension in the Southwest Quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian.

The Board of Commissioners has been petitioned by Jeffery and Anne Miller, and Timothy and Jennifer Schiller to vacate a portion of unbuilt Park Street in the plat of Cannon Beach Park Extension in the Southwest Quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon. Maps are attached showing the area that has been requested to be vacated.

The proposed portion of Park Street in the plat of Cannon Beach Park Extension to be vacated was never built.

On March 4, 2025, a petition to vacate this roadway was submitted to the County Surveyor. The notarized signature of Jeffery and Anne Miller, and Timothy and Jennifer Schiller representing sixty six (66) percent of the adjoining ownership of the property to be vacated.

On March 26, 2025 the Board of Commissioners accepted the petition, initiated the proceedings and ordered the Clatsop County Engineer to prepare a written report pursuant to ORS 368.346.

The portion of the old platted street to be vacated is not physically built and there are no structures built within it.

The Clatsop County Community Development Director did not present any objections to the proposed vacation.

According to our records, the property owners abutting the portion of street to be vacated are as follows and two of the three have signed the vacation petition:

Miller Family Revocable Trust
31922 E. Shingle Mill Lane
Arch Cape, OR 97102

Ehler Rev Inter Vivos Trust
PO Box 878
Seaside, OR 97138

Timothy and Jennifer Schiller
31938 E. Shingle Mill Lane
Arch Cape, OR 97102

The utilities and agencies on our notification check list have either responded with no objection or have not responded and therefore it is assumed that they have no interest in the current right-of-way to be vacated.

Therefore, as the County Engineer of Clatsop County, I believe that it is in the public interest as stated above, to vacate that portion of unbuilt Park Street right-of-way in the plat of Cannon Beach Park Extension as described herein.

Vacation Description

A portion of Park Street in the town plat of Cannon Beach Park Extension recorded in Book 8, Page 43, Clatsop County Town Plat Records in the southwest quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon described as follows:

All of that portion of Park Street lying between the south right-of-way line of Webb Avenue (now known as East Shingle Mill Lane) and the center line of Arch Cape Creek.



This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

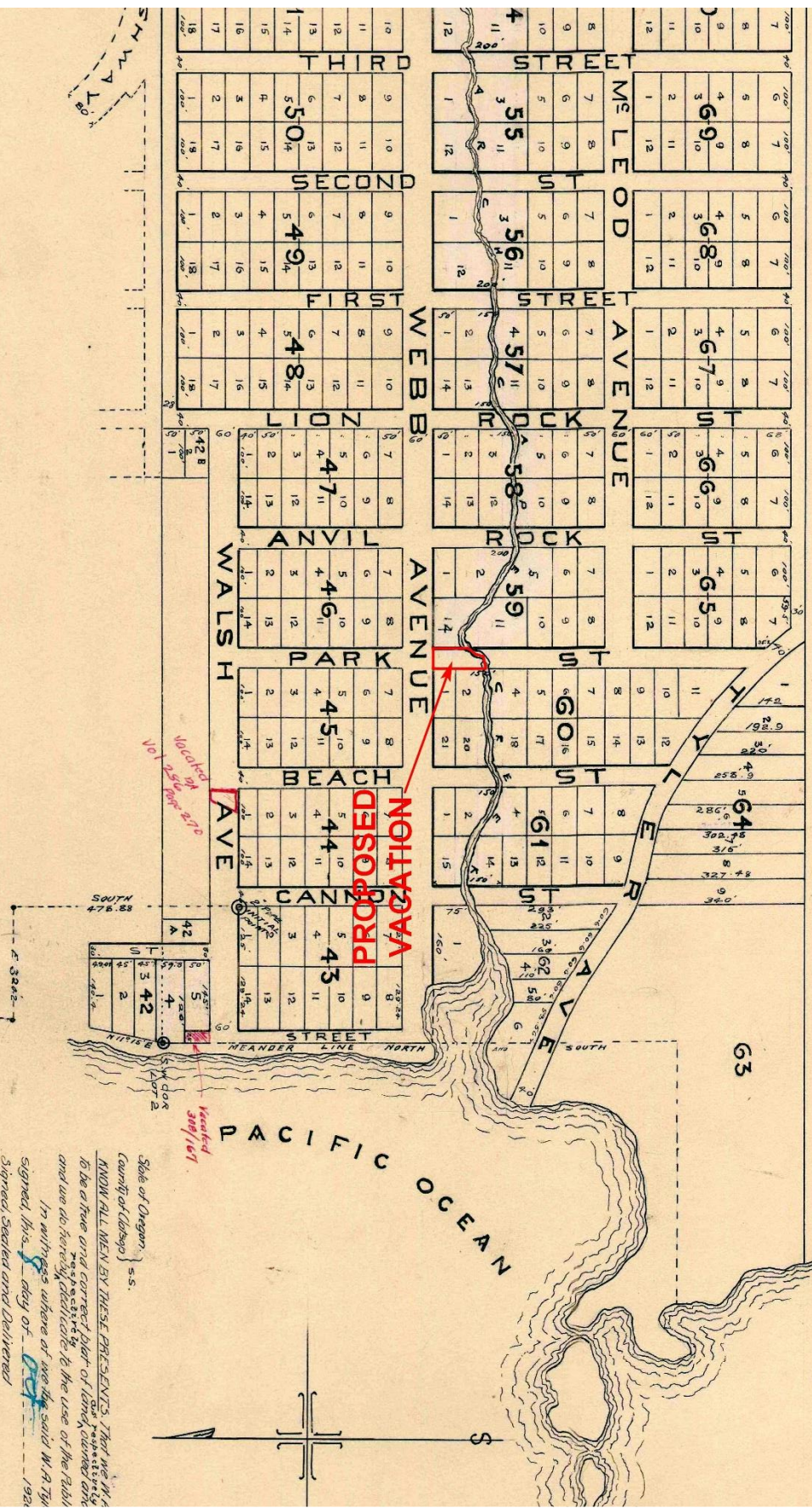




This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.



PLAT OF CANNON BEACH PARK EXTENSION



State of Oregon } s.s.
 County of Clatsop }
 KNOW ALL MEN BY THESE PRESENTS, THAT we M. A. T. B. and W. A. T. B. do hereby certify that the above and foregoing plat of land is a true and correct plat of land as shown and we do hereby dedicate to the use of the Public in witness whereof we the said M. A. T. B. signed this day of Oct 1922
 Signed, Sealed and Delivered
 in the presence of
 Witnesses
M. A. T. B.
W. A. T. B.
David [unclear]
 State of Oregon } s.s.
 County of Clatsop }
 On this 5 day of Oct 1922
 said County and State appeared the said M. A. T. B.

Park Street Vacation
Policy for
Road Vacations

Per Clatsop County Commissioners Journal Entry # 2000030016

I. Authority:

Road vacation proceedings will be conducted according to ORS 368.326 to 368.426 and the following guidelines and procedures.

II. Guidelines:

The following issues will be considered when determining if it is likely that the roadway will be necessary for current or future development:

A. Whether or not a roadway is currently constructed on right of way to be vacated.

There is no roadway constructed within the right of way.

B. Whether the proposed vacation would be contrary to general public benefit. A public right-of-way, for a road or other use, is a public trust and should be considered as such prior to any recommendation for approval of its vacation. The fact that abutting property owners are in agreement for a proposed vacation does not necessarily mean that the vacation should be granted.

There is no public benefit in keeping the right of way.

C. Whether the roadway has been opened for use in past years and should be vacated if probable or possible future area development could result in opening the roadway for use.

The portion of this roadway to be vacated has never been used and is not needed for future development.

D. What the economic feasibility of constructing a road over the existing terrain would be.

The existing terrain of this portion of the roadway would not be economically feasible to construct a roadway. The issues are located south of this section of right of way where a bridge would likely be needed to cross an existing creek. Beyond this creek crossing the existing wetlands within the right of way make it very prohibitive to constructing a roadway. The extent of the wetlands is almost the entire width of right of way for approximately two hundred feet.

E. Whether the existing right of way has been replaced or superseded by a nearby road relocation or if there is planned road relocation.

The existing right of way has not been replaced or superseded by any other roads and there is no road relocation being proposed. There are seven other road rights of way extending south of East Shingle Mill Lane, four of which would require significantly less wetland impacts for road extensions, although all of them would still require a creek crossing.

- F. Whether the road to be vacated is strictly rural and is not close to an area that is developing or has potential to develop. If the road is within the Urban Growth Boundary of any City, that the City also approves of the vacation.**

The area is strictly rural and although the lots south of the creek have been platted since the 1920s there has been no development of them.

- G. Whether the physical relationship of the right of way to other public or county roads lends itself to the development of abutting properties into adequately sized lots or parcels.**

The location of the right of way does not lend itself to development of abutting properties due to the location of wetlands.

- H. Whether the vacation of the roadway would deny access to any property owner.**

There are seven other road rights of way extending south of East Shingle Mill Lane that could serve the properties south of the creek. All of those properties are under a single ownership.

- I. Whether there are any special considerations pertinent to this road vacation.**

There are no special considerations for this road vacation.

III. Procedures:

In addition to those requirements of ORS 368.326 – ORS 368.426, the road vacation process will include the following:

- A. The County Assessor, County Surveyor and Planning Department will be contacted regarding the vacation.
- B. All Utilities and Emergency Services will be noticed of the vacation.
- C. The petitioner may be required to exchange right of way within their property, if needed for a new alignment.
- D. If the street or roadway to be vacated is in a subdivision, vacating the adjacent lots should also be considered in the vacation process.
- E. Vacation will be examined for compliance with the Coastal Shore Lands Goal. All road vacations must comply with coastal Shore Lands Goal, also known as Goal 17.
- F. An on-site investigation will be conducted.
- G. Under certain circumstances there may be charges in addition to the vacation fee to reflect post vacation property values.

Reviewed and answered by Dean Keranen, County Engineer
April 30, 2025



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

In the Matter of the Vacation of a Portion) Findings of Fact, Conclusions
of Park Street in the Town Plat of Cannon) and Order
Beach Park Extension)

This matter came for public hearing before the Board of County Commissioners for Clatsop County sitting in regular session for the transaction of business on August 13, 2025.

The Board finds and determines from the evidence the following:

FINDINGS OF FACT

1. A portion of Park Street in the town plat of Cannon Beach Park Extension is proposed to be vacated described as follows:

A portion of Park Street in the town plat of Cannon Beach Park Extension recorded in Book 8, Page 43, Clatsop County Town Plat Records in the southwest quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon described as follows:

All of that portion of Park Street lying between the south right-of-way line of Webb Avenue (now known as East Shingle Mill Lane) and the center line of Arch Cape Creek.

2. The vacations were checked for compliance Oregon law, the Southwest Coastal Community Plan and with the Public Works “Policy for Vacations”.
3. A petition to vacate a portion of Park street was submitted to the County Surveyor. The notarized signatures of Timothy and Jennifer Schiller and Jeffery and Anne Miller represents over 60% of the abutting ownership of the property to be vacated.
4. The County Engineer conducted an investigation and presented his Road Master’s Report on the proposed vacation to the Board of Commissioners on May 28, 2025. The Road Master Report provided that the vacation would be in the public’s best interest and that the board should schedule a hearing on July 9, 2025 to determine the vacation.
5. On July 9, 2025, this Board postponed the public hearing and set 6:00 P.M. on Wednesday, August 13, 2025, at the Judge Guy Boyington Building, as the time and place for the public hearing to the proposed vacation.
6. Written notice, via certified mail – return receipt, of the time and place of the hearing was sent to the following landowners within and abutting the proposed vacation and persons holding a recorded interest in property abutting the proposed vacation: The

Ehler Revocable Inter Vivos Trust, Jeffery and Anne Miller, and Timothy and Jennifer Schiller.

7. Notice was posted pursuant to ORS 368.346.
8. Notice of the proposed vacation was published in the Daily Astorian newspaper.
9. An email from Linda Eyerman was received requesting a revision in the Roadmaster's analysis to include recognition of additional considerations required in the Southwest Coastal Community Plan. The email and reply letter from the Clatsop County Engineer are included as public comment in connection with this public hearing.
10. _____ from the public appeared in person or otherwise to support the vacation prior to the close of the hearing on August 13, 2025.
11. _____ from the public appeared in person or otherwise to object to the vacation prior to the close of the hearing on August 13, 2025.

CONCLUSIONS

1. The petition filed by the landowners met the requirements of the Oregon Revised Statutes.
2. All notices to landowners and persons holding a recorded interest in property proposed to be vacated were timely and appropriately mailed pursuant to state statutes.
3. Approval is in the public's best interest and would allow better use of this property by abutting landowners.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that a portion of Park Street shall be vacated as described as follows:

DESCRIPTION OF ROAD TO BE VACATED:

A portion of Park Street in the town plat of Cannon Beach Park Extension recorded in Book 8, Page 43, Clatsop County Town Plat Records in the southwest quarter of Section 30, Township 4 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon described as follows:

All of that portion of Park Street lying between the south right-of-way line of Webb Avenue (now known as East Shingle Mill Lane) and the center line of Arch Cape Creek.

IT IS FURTHER ORDERED that this Order shall be recorded with the County Clerk, and that notice of this determination, findings of facts, conclusions and order will be mailed to the abutting property owners.

IT IS FURTHER ORDERED that the ownership of the vacated areas shall vest with the property owners as determined by Clatsop County herein in accordance with ORS 368.366 (2). Clatsop County does not warrant or guarantee title to the property so vacated. Abutting property owners and other interested parties shall be responsible for all costs associated with seeking appropriate legal confirmation of status of title and purchase of any title insurance in the vacated portion of right-of-way. The vacation of this property does not authorize any use or development contrary to applicable planning, zoning or building laws or regulations of county, state or other regulatory agencies.

DATED THIS 13TH day of August, 2025.

BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

Mark Kujala, Chair

FORM APPROVED BY:

Anthony Pope
Clatsop County Legal Counsel

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 13, 2025

Agenda Title: Ordinance 25-10: STR Regulations for Properties Zoned Coastal Residential (CR)
Category: Public Hearing
Presented By: Gail Henrikson, Community Development Director

Issue Before the Commission: Conduct the second public hearing of Ordinance 25-10, revising Chapter 5.24 of the Clatsop County *Code of Regulations* related to operational standards for short-term rentals in areas of unincorporated Clatsop County that are zoned Coastal Residential (CR)

Informational Summary: Since 2003, short-term rentals in Arch Cape have been governed by their own set of operating requirements. In 2018, when Ordinance 18-01 was adopted, a separate set of operating standards were created for all other STRs outside of Arch Cape. Those new standards covered Cove Beach and other properties zoned Coastal Residential (CR).

On April 27, 2022, the Board of Commissioners adopted Ordinance 22-03, which transferred operating standards for short-term rentals from the County's zoning code to the Clatsop County Code (CCC). A new section was created in the County Code (Chapter 5.24) to address operational requirements for STRs in Arch Cape, Cove Beach and the Coastal Residential (CR) zone. The inclusion of Cove Beach and the CR zone was made based on staff's understanding of the direction of the Board during a work session held on January 26, 2022.

Following adoption of Ordinance 22-03, STRs in Cove Beach and the Coastal Residential zone continued to operate under the requirements of Section 5.12, CCC, instead of the standards in Section 5.24. The primary differences between the two sets of operating standards are:

- 1) Chapter 5.24 allows on-street parking for STRs; and
- 2) Chapter 5.24 limits STR rentals to one rental during every seven-day period. For example, if an owner rents the dwelling from Sunday, January 1 through Thursday, January 5, the owner **could not** rent the dwelling for January 6 and 7 to a different set of guests. Instead, the STR would need to remain vacant until January 8, when the seven-day rental period would reset.

At the May 21, 2025, work session, your board directed staff to revise the code to remove properties zoned Coastal Residential (CR) from the STR operating standards in Chapter 5.24, CCC, which would place the CR-zoned properties back under the regulations established in Chapter 5.12, CCC, which govern all other short-term rentals within unincorporated Clatsop County.

Public notices were mailed to all STR owners with properties zoned Coastal Residential, as well as to all property owners within the CR zone. A public hearing notice was also published in *The Astorian* newspaper on July 12, 2025.

Your Board conducted the first public hearing on July 9, 2025. Your Board received written comments prior to the meeting from John Meyer and Nancy Chase supporting the ordinance. At the meeting, Nancy Chase and Scott Harn spoke in support of the ordinance. Jeff Davis spoke in opposition to the ordinance.

On July 23, 2025, your Board conducted the second public hearing. Written comments from Viviane Simon-Brown were provided to your Board prior to the meeting. During the public hearing, comments in support of the ordinance were provided by Scott Harn. Viviane Simon-Brown, Rick Smith, Karynn Fish, and Jeff Davis spoke in opposition to the ordinance. Mr. Davis also noted that he spoke on behalf of Bob and Jane Brown, Rick and Leslie Smith, Nancy and Jeff Weil, Susan Phillips and David Rumker, Karynn Fish and Adam Smith, Jock and Beth Wise, Michael Knighten, Mark and Chance Felisky, Viviane Simon-Brown.

Following the close of the public hearing and further discussion, your Board voted 2-1 to approve the ordinance. Because there was not a quorum that voted in favor of the ordinance, the vote failed. Your Board then voted unanimously to continue this item to your August 13, 2025, regular meeting.

Fiscal Impact: None anticipated

Requested Action:

Adopt Ordinance 25-10 as presented.

Attachment List

- A. Ordinance 25-10

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE COUNTY OF CLATSOP**

In the Matter of:

**An Ordinance amending Clatsop
County Code Title 5: Business
Regulations, Chapter 5.24 to exclude
properties zoned Coastal Residential
(CR) from the Arch Cape STR
operating standards.**

ORDINANCE NO. 25-10

Doc # _____

Recording Date: _____

RECITALS

WHEREAS, on January 24, 2018, the Clatsop County Board of Commissioners adopted Ordinance 18-01, establishing regulations for short-term rentals in unincorporated Clatsop County, excluding Arch Cape; and

WHEREAS, Ordinance 18-01 applied to all properties zoned Coastal Residential (CR); and

WHEREAS, on April 27, 2022, the Clatsop County Board of Commissioners adopted Ordinance 22-03 which applied the Arch Cape STR operating standards in Chapter 5.12, Clatsop County Code, to properties zoned Coastal Residential; and

WHEREAS, at its May 21, 2025 work session, the Clatsop County Board of Commissioners directed staff to remove Coastal Residential properties from the Arch Cape standards in Chapter 5.24 and to place the Coastal Residential properties under the STR operating regulations in Chapter 5.12 Clatsop County Code;

**NOW THEREFORE, THE BOARD OF COMMISSIONERS OF CLATSOP COUNTY ORDAINS
AS FOLLOWS:**

SECTION 1. ADOPTION

The Board of County Commissioners hereby approves an amendment to Chapter 5.24, Clatsop County Code, to remove properties zoned Coastal Residential from the requirements of Chapter 5.24 and to have those properties subject to Chapter 5.12, which establishes the operating standards for all other short-term rentals within unincorporated Clatsop County, as shown in **Exhibit 1**, attached hereto and incorporated herein by this reference.

SECTION 2. SEPARABILITY

Ordinance 25-10

1st Public Hearing: July 9, 2025

2nd Public Hearing: August 13, 2025

Agenda Item #11.

Page 201

The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. CONFORMANCE OF STATE LAW

This Ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the state of Oregon, or its agencies, or any ordinance, rule, or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS

This Ordinance shall supersede, control and repeal any inconsistent provision of any County Ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. APPLICABILITY

This Ordinance shall apply within the unincorporated areas of Clatsop County.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect on the 30th day following adoption by the Board of Commissioners as provided in Chapter III, Section 8(B) of the Home Rule Chapter for the Government of Clatsop County.

Approved this ____ day of _____, 2025

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

By _____
Mark Kujala, Chair

Date _____

By _____
Theresa Dursse, Recording Secretary

First Reading: July 9, 2025

Second Reading: August 13, 2025

Effective Date: September 12, 2025

EXHIBIT 1

NOTE:

~~Strikethrough~~ text is to be deleted

Underlined text is to be added

*** indicates text that is not changing, but which has been omitted for brevity

CHAPTER 5.12. SHORT-TERM RENTALS (EXCLUDING AR-RCR ZONE)

Section 5.12.010: Short title.

Section 5.12.020: Purpose and findings.

Section 5.12.030: Separability.

Section 5.12.040: Conformance of State law.

Section 5.12.050: Inconsistent provisions.

Section 5.12.060: Applicability.

Section 5.12.070: Definitions.

Section 5.12.080: Standards.

Section 5.12.090: Permits required.

Section 5.12.095: Limitations on the Number of Permitted Short-Term Rentals.

Section 5.12.100: Fees established.

Section 5.12.110: Complaints.

Section 5.12.120: Compliance, revocation and appeals.

Section 5.12.060: Applicability.

This chapter shall apply within the unincorporated areas of Clatsop County including within urban growth boundaries, but shall not apply within the boundaries of any incorporated city or within the unincorporated area of Arch Cape. Provided, for short term rentals located within an urban growth boundary, and subject to an Urban Growth Boundary Management Agreement, the requirements in the Urban Growth Boundary Management Agreement will apply. This chapter does not apply to hotels, motels, bed and breakfast facilities, hostels, licensed or registered campgrounds or RV parks, or other traveler's accommodation which are inspected and licensed pursuant to Oregon Administrative Rule. (Ord. 2018-01 § 6; Ord. 2018-09 § 1; Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)

Section 5.12.080: Standards.

All short-term rentals shall comply with the following standards:

- A. No more than one dwelling unit may be rented on a single lot or parcel.
- B. All applicable County transient room taxes shall be paid pursuant to County Code of Regulations Chapter 3.16.
- C. Quiet Hours:
 1. The hours of 10:00 p.m. until 7:00 a.m. the next day are required quiet time. Renters who violate this standard may be issued a citation and be subject to a fine pursuant to Clatsop County Code Chapters 1.11 and 8.12.

2. The owner or contact person shall notify every renter, in writing, of the quiet times and that a renter may be fined for violations under this chapter.
- D. The owner or contact person shall attempt to contact a renter by phone, text, email and/or other method within 20 minutes of receiving any complaint concerning the conduct of a renter.
- E. Renter Notification Requirements: The current short-term rental permit and “Good Neighbor” flyer shall be permanently and prominently displayed inside and near the front entrance of the short-term rental and provided to adjacent property owners within 300 feet of the property, and shall list the following:
1. The name, address, email and phone number of the owner and designated agent;
 2. The maximum occupancy and vehicle limits for the short-term rental unit;
 3. Identification of the number and location of parking spaces available;
 4. A map showing the property boundaries;
 5. For properties within a tsunami inundation zone, the tsunami evacuation route.
 6. Emergency information regarding power outages, wildfires and landslides, in addition to tsunamis
 7. An informational statement to remind renters to remove all trash from the beach;
 8. An informational statement cautioning renters to make sure all fires are extinguished before leaving the beach;
 9. The County shall, within seven calendar days of the issuance of the short-term rental permit, provide a copy of the permit, “Good Neighbor” flyer and contact information for the designated agent to property owners within 300 feet of the subject property. The property owner shall provide the required payment, as established by the Clatsop County Board of Commissioners.
- F. Solid Waste Disposal: The owner shall provide covered garbage containers that shall be secured with tight-fitting covers at all times to prevent leakage, spilling or littering. All garbage must be placed and be kept in secured containers provided for that purpose. A container shall be considered “secure” if the lid is able to be fully closed and the lid will remain closed even after all trash has been placed in the container. If needed, multiple secure containers shall be provided. Containers shall not block access to the property or dwelling unit. Garbage shall be removed a minimum of one time per week unless the short-term rental is not rented. Owners shall provide guests with information about recycling opportunities.
- G. At least one functioning fire extinguisher shall be accessibly located on each floor within the dwelling unit.
- H. Electrical:
1. All plug-ins and light switches shall have face plates.
 2. The electrical panel shall have all circuits labeled.

3. Ground fault circuit interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
- I. A smoke detector must be provided and maintained in each sleeping area, outside each sleeping area in its immediate vicinity and in each additional story and basement without a sleeping area.
- J. All fireplaces, fireplace inserts and other fuel burning heat sources shall be properly installed and vented.
- K. All interior and exterior stairways with four or more steps and that are attached to the structure, must be equipped with a hand railing.
- L. All interior and exterior guardrails, such as deck railings, must be able to withstand a 200 pound impact force.
- M. Emergency Escape and Rescue Openings.
 1. Sleeping areas in premises rented as a short-term rental shall have at least one operable emergency escape and rescue opening. Sill height shall not be more than 44 inches above the floor. Openings shall open directly into a public way or to a yard or court that opens to a public way.
 2. Minimum net clear opening at grade floor openings shall be five square feet and 5.7 square feet at upper floors. Minimum net clear height is 24 inches and net clear width is 20 inches. If the emergency escape or rescue opening does not meet these standards, then an alternative may be accepted by the Clatsop County Building Official that meets the standards of the Oregon Residential Specialty Code.
 3. A sleeping area in a short-term rental that lacks the required emergency escape opening shall not be used as a sleeping area. Where equipped with a door, it shall remain locked at all times when the dwelling is being used as a short-term rental. Such a noncompliant sleeping area shall not be included in the maximum occupancy calculation for the short-term rental. The owner or contact person shall notify every renter, in writing, that the noncompliant sleeping area may not be used for sleeping.
- N. Exterior hot tubs shall have adequate structural support and shall have a locking cover or other barrier to adequately protect against potential drowning when a hot tub is not available for permissive use.
- O. Occupancy: The maximum occupancy for a short-term rental unit shall be calculated on the basis of the lesser of either: (1) the maximum onsite sanitary capacity, as approved by the Clatsop County Environmental Health Division; or (2) an average of two persons per sleeping area, up to a maximum of 14 persons. For the purpose of maximum occupancy, those under two years of age shall not be counted. Tents and recreational vehicles shall not be used to increase the number of people approved to occupy a short-term rental.
- P. Parking:

1. There shall be at least one off-street parking space available for each approved sleeping area in short term rental, plus one additional parking space.
2. If otherwise permitted, trailers for boats and all-terrain vehicles will be allowed in available off-street parking spaces.
3. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. Renters may be cited and fined under existing State law in the event they park illegally.
4. The owner or contact person shall notify every renter in writing of the required off-street parking and other parking spaces available to serve the short-term rental.

Q. A house number, visible from the street, shall be maintained.

R. If the property is not connected to a public sewer the on-site wastewater treatment system must be able to handle the capacity of the number of bedrooms of the home and the total number of occupants. The owner must either provide an existing system evaluation report for on-site wastewater systems completed by a DEQ qualified evaluator, or provide current DEQ records showing appropriate capacity. Cesspools are prohibited for use with short-term rentals. A holding tank may be used if the owner has a signed pumping contract with a DEQ licensed sewage disposal service, and an alarm system that meets DEQ requirements.

S. The owner shall provide annual water sampling results for non-regulated water supplies, including private wells and springs. The results should include bacteria and nitrate levels, results for inorganic materials and volatile organic chemicals.

(Ord. 2018-01 § 8; Ord. 2018-09 § 1; Ord. 2019-04 § 1; Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)

Section 5.12.090: Permits required.

- A. An owner shall obtain and maintain a current permit whenever a dwelling unit is used as a short-term rental.
- B. Before commencing or continuing operation of a short-term rental the owner shall apply for and pay the appropriate fee for a permit. Following receipt of a completed application, the required permit fee and supporting documents as listed on the application checklist, inspections will be scheduled by Clatsop County Environmental Health and Building Codes Division. Upon final approval Clatsop County Environmental Health and Building Codes Division, a permit shall be issued to the owner which shall be good for two years from the date issued, or such period as provided in subsection G below.
- C. Any new short-term rental owner shall obtain a permit prior to using a dwelling for that purpose.

- D. An application for a short-term rental permit shall be completed and submitted to Clatsop County by the owner of the short-term rental on forms provided by Clatsop County and shall include, or be followed by, the following information:
1. A list of all property owners of the short-term rental including names, address and telephone numbers. Property ownership, for the purposes of this chapter, shall consist of those persons listed on the Clatsop County tax records.
 2. An application for certification by the Clatsop County Building Official to verify that the short-term rental complies with standards found in Section 5.12.080.
 3. A development permit from the Clatsop County Planning Department verifying that the proposed use is permitted in the zone where the building is located, that all required parking is provided on site, and that no violations exist on the property.
 4. The name, address and telephone numbers of a contact person who shall be responsible and authorized to respond to complaints concerning the use of the short-term rental.
 5. Proof of liability insurance coverage on the short-term rental.
 6. A statement that the owner of the short-term rental has met and will continue to comply with the standards and other requirements of this chapter.
 7. If the proposed short-term rental utilizes a non-public supply for potable water (i.e., well, cistern, etc.) applicant must submit water testing results for both bacteria and nitrates that have been taken within the last 90 days. The water testing results must be from a currently-licensed potable water testing lab in the State of Oregon.
- E. When a certification application is received by the County Building Codes Division, the inspection will be scheduled for the next available regular inspection day. A permit shall not be issued until a short-term rental passes inspection.
- F. The County will have inspection checklists available so that owners can determine what improvements, if any, will be needed before an inspection is scheduled. An owner should ensure that all items on the checklist have been completed prior to calling for an inspection. All reinspections due to incomplete items will be subject to a reinspection fee.
- G. All short-term rental permits shall be renewed every two years on their application anniversary date and are subject to a permit fee on renewal. Renewal applications may be submitted up to 60 days prior to the expiration date of the current permit. All renewals must be completed no later than 30 days following the expiration date of the current permit. A permit that is not successfully renewed within 30 days of the expiration of the current permit, will be considered null and void and all operation of the STR must cease until such time as a new

permit is approved. In the event a permit renewal cannot be completed within the allotted time, the Community Development Director shall review the circumstances and make a determination regarding whether the permit should be expired. The Director's determination shall be based upon a demonstration of hardship that was not of the owner's making, which prevent renewal of the permit within the 30-day grace period.

- H. A permitted short-term rental shall be reinspected every two years of operation. An interim inspection will be required in the following cases:
 - 1. There has been a fire, flood, earthquake, landslide, tsunami or other event that caused substantial damage to the structure;
 - 2. The permit was revoked; or
 - 3. There has been an addition or substantial modification to the structure.
- I. Transfer of Permits: Short-term rental permits may be transferred, subject to the following limitation:
 - 1. Discontinuance: A short-term rental shall be considered discontinued when the permit is not renewed within 30 days of the expiration date of the permit. If a permit is determined to have been discontinued, a new permit, conforming to the requirements of this Ordinance shall be required. If the zone in which the property is located has exceeded the maximum number of short-term rentals allowed under this ordinance, no new permit shall be approved.
 - 2. Discontinuation does not apply to circumstances such as fire or other catastrophes outside of the owner's control. Discontinuation is not considered to have occurred if the use is interrupted or abandoned for any period while a federal, state or local emergency order temporarily limits or prohibits use of the short-term rental.
- J. If the contact person of record for a short-term rental changes, the property owner shall notify the County within 30 days of the change. The County shall, within seven calendar days of the receipt of notice of the change, provide a copy of the updated permit and contact information for the designated agent to property owners within 300 feet of the subject property. The property owner shall provide the required payment, as established by the Clatsop County Board of Commissioners. County staff shall also notify Code Compliance, Building Codes, and Public Health of any changes to the contact of record.

(Ord. 2018-01 § 9; Ord. 2018-09 § 1; Ord. 2019-04 § 1; Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)

Section 5.12.095: Limitations on the Number of Permitted STRs

- A. There shall be a maximum limit on the number of STRs allowed west of U.S. Highway 101 in unincorporated Clatsop County. This limit shall be equal to 10% of the existing number of single-family dwelling units as established in the table below.
- B. No limits are imposed for properties east of U.S. Highway 101, except for the rural community of Arch Cape (see Chapter 5.24).
- C. Clatsop County Community Development shall be responsible for updating and amending this table each calendar year, following certification of the tax roll.
- D. No new STR permit shall be approved in any zone that exceeds the maximum limit allowed by this Chapter.
- E. Permits that have been issued prior to the effective date of this ordinance may be renewed, per the procedures of Section 5.12.090(G).

ZONE	CURRENT NUMBER OF STRs (WEST OF U.S. HIGHWAY 101)	NUMBER OF EXISTING DWELLINGS WEST OF U.S. HIGHWAY 101	10% MAXIMUM
Coastal Beach Residential (CBR)	25	301	30
Coastal Residential (CR) – Cove Beach	18	70	7
Coastal Residential (CR) – Outside Cove Beach	4	33	3
Residential-Agriculture 1 (RA-1)	12	268	27
Residential-Agriculture 2 (RA-2)	1	23	2
Residential-Agriculture 5 (RA-5)	3	195	20
Single-Family Residential 1 (SFR-1)	9	294	29
Urban Growth Boundary/Gearhart (UGB)	9	211	21
TOTAL	81	1,395	139

(Ord. No. 24-19, 1/22/2025)

Section 5.12.110: Complaints.

All complaints shall proceed as follows:

- A. The complaining party shall first attempt to communicate with the short-term rental complaint hotline or the contact person designated on the permit and describe the problem.
- B. The contact person shall respond to all complaints via phone, email, text and/or other method within 20 minutes. The contact person shall physically respond to complaints as required below:
 - 1. Level 1 and Level 2 complaints: Physical response within 60 minutes.
 - 2. Level 3 complaints: Physical response within 24 hours.Delayed responses due to traffic congestion/accidents and/or acts of nature will be considered on a case-by-case basis.
- C. If the initial contact does not resolve the complaint, the complaining party may lodge a complaint with the County by submitting a signed written complaint including the time, date and nature of the alleged violation. If photos or video are available, those may be included with the complaint form in order to document the violation.
- D. Following receipt of a signed written complaint, the County may investigate to determine whether a violation of this chapter has occurred. The property owner shall allow the County to inspect any records related to the short-term rental dwelling unit upon request of the County.
- E. Short-term rental complaints shall be investigated based on the following priorities:
 - 1. Level 1:
 - a. Septic violations
 - b. Operation without a permit
 - 2. Level 2:
 - a. Over-occupancy
 - b. Outdated contact information
 - 3. Level 3 (General code violations not inherent to STRs):
 - a. Parking violations related to required on-site parking
 - b. Lighting violations
 - c. Garbage complaints
 - 4. Level 4 (activities outside the jurisdiction of Code Compliance shall be referred to the appropriate enforcement agency):
 - a. Trespassing
 - b. Animal complaints
 - c. Burning/fires without a permit or in violation of burn bans
 - d. Noise

- e. Parking violations related to on-street parking and blocking of emergency vehicles
- F. If a violation is determined to have occurred a notice of violation or a notice of warning may be issued, based upon the priority level of the complaint.
- G. If the alleged complaint is not observed by the code compliance specialist; is determined not to have occurred; or if the complaint has been resolved, the complaint shall be logged, the result noted, and the case file shall be closed. Notices of warning or violation shall not be issued for complaints that are not observed, that are determined not to have occurred, or that have been resolved prior to the County code compliance specialist visiting the property.
- H. Unsubstantiated Complaints and False Reporting. The County may impose a fine for filing a false complaint regarding the condition, operation, or conduct of occupants of a short-term rental or their guests. Per Section 1.11.010, Clatsop County Code, the submittal of a false complaint is a Class B violation and may be subject to fines as specified in Section 1.11.010(C).

(Ord. 2018-01 § 11; Ord. 2018-09 § 1; Ord. 2019-04 § 1; Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)

Section 5.12.120: Compliance, revocation and appeals.

- A. Compliance.
 - 1. Owners of short-term rental units shall comply with this chapter and obey all applicable ordinances and regulations of the County, and shall be subject to the enforcement and penalty proceedings contained in this chapter.
 - 2. If a violation of this chapter is found by the County Code Compliance Specialist to have occurred, the County may issue a citation pursuant to Clatsop County Code Chapter 1.11, or initiate enforcement action pursuant to Clatsop County Code Chapter 1.12.
 - 3. In addition to any other remedy allowed under Chapters 1.11 and 1.12 of the Clatsop County Code, the Community Development Director, or designee, may
 - a. attach conditions to the existing short-term rental permit;
 - b. require another inspection;
 - c. suspend the short-term rental permit until all conditions are met;
 - d. revoke the short-term rental permit; or
 - e. Prohibit an owner from obtaining a short-term rental permit for a period of up to five years.
- B. Suspension or Revocation of Permit. Permits may be suspended or revoked based upon the following:

1. If the property owner fails to submit required water testing results on an annual basis, the property owner's short term rental permit shall be revoked.
2. Level 1 violations shall result in the immediate suspension of the short-term rental permit and/or immediate cessation of use of the dwelling unit as a short-term rental.
3. Issuance of the first notice of violation may result in the permit being flagged and the permit holder being placed on a 90-day probation period.
4. Issuance of the second notice of violation within 365 days of the first notice of violation may result in the suspension of the short-term rental permit for 90 days. A mandatory reinspection shall be required to reinstate the permit. The cost of the reinspection fee shall be paid by the property owner.
5. Issuance of the third notice of violation within 365 days of the first notice of violation may result in the suspension of the short-term rental permit for 120 days. A mandatory reinspection shall be required to reinstate the permit. The cost of the reinspection fee shall be paid by the property owner.
6. Issuance of the fourth notice of violation with 365 days of the first notice of violation may result in revocation of the short-term rental permit for one year. A mandatory reinspection shall be required to reinstate the permit. The cost of the reinspection fee shall be paid by the property owner.
7. Issuance of two notices of warning within a 90-day period may result in the permit being flagged and the permit holder being placed on a 30-day probation period.
8. Issuance of three notices of warning within a 90-day period may result in the suspension of the short-term rental permit for 30 days. A mandatory reinspection shall be required to reinstate the permit. The cost of the reinspection fee shall be paid by the property owner.
9. Issuance of four or more notices of warning within a 90-day period may result in the revocation of the short-term rental permit for 365 days. A mandatory reinspection shall be required to reinstate the permit. The cost of the reinspection fee shall be paid by the property owner.
10. The Community Development Director, or designee, shall determine whether the level and number of violations requires revocation of the STR permit.
11. Emergency Revocation.
 - a. Building Official:
 - i. In the sole discretion of the County Building Official, when a building code violation exists at a short-term rental that presents an immediate serious fire or life safety risk, the County Building Official

may immediately revoke the short-term rental permit as a fire or life safety risk.

- ii. The Building Official shall provide written documentation (in layman's terms) of the violation, and notification of a property owner's right to appeal, prior to leaving the inspection site.
 - iii. At any time following the emergency revocation of a short-term rental permit pursuant to this subsection, the County Building Official may reinstate the permit upon a reinspection by the County Building Official verifying that the subject building code violation has been corrected.
- b. Public Health Director:
- i. In the sole discretion of the County Public Health Director, when annual water testing results indicate that testing levels may precipitate an acute public hazard, the County Public Health Director may immediately revoke the short-term rental permit as a public safety risk.
 - ii. The Public Health Director shall provide written documentation (in layman's terms) of the hazard, and notification of a property owner's right to appeal.
 - iii. At any time following the emergency revocation of a short-term rental permit pursuant to this subsection, the Public Health Director may reinstate the permit upon receipt of certified water testing results that verifying the acute public hazard has been corrected.
- c. Upon an emergency revocation, the short-term rental shall not be rented or used as short-term rental unless the revocation is lifted and the permit reinstated or a new short-term rental permit is obtained.
- d. Notice of any conditions, suspension, or revocation shall be delivered by personal service and certified mail to the address of the property owner on the permit and to the contact of record. The notice shall contain a provision on the appeal rights and date by which an appeal must be filed.

C. Appeal.

- 1. If an application for a permit or the renewal of a permit is denied; or if an owner disagrees with a decision of the County Code Compliance Specialist; or if an owner disagrees with a decision of the Community Development Director to revoke a permit; the owner may appeal the decision as provided in this section.
- 2. To file an appeal the owner must submit a request to the County Code Compliance Specialist within 20 days of the date of the notice of conditions, suspension or revocation.

3. The hearing process and procedure shall follow the process of Clatsop County Code Chapter 1.14.
 4. If the hearings officer denies the appeal or upholds revocation of a permit, the owner may appeal to the Board of County Commissioners by written notice delivered within 30 days of denial or revocation by the hearings officer.
 5. Except in cases where an STR is operating without a required permit, or following an emergency revocation by the Building Official or Public Health Director, a short-term rental may continue to operate unless and until a permit is otherwise revoked in a final decision.
- D. **Costs.** Any property owner found in violation of the provisions of this chapter shall be required to reimburse the County for its costs of enforcement including reimbursement of staff time, investigation costs, mailings, service fees, mileage and other costs related to the investigation and prosecution of the violation in question.
- E. **Additional Remedies.** The provisions of this section are in addition to and not in lieu of any other enforcement and penalty remedies contained in this chapter or other County ordinance or State law.

(Ord. 2018-01 § 12; Ord. 2018-09 § 1; Ord. 2019-04 § 1; Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)

CHAPTER 5.24: SHORT-TERM RENTALS (AC-RCR ZONE)

Section 5.24.010: Purpose.

Section 5.24.020: Permit required.

Section 5.24.025: Limitations on the Number of Permitted Short-Term Rentals.

Section 5.24.030: Short-term rental permit application requirements.

Section 5.24.040: Short-term rental standards.

Section 5.24.050: Conformity required; display of permits.

Section 5.24.060: Compliance, hearings and penalties.

Section 5.24.010: Purpose.

The purpose of this section is to regulate short-term rentals to enhance livability and safety in the Arch Cape Rural Community Residential (AC-RCR) ~~and Coastal Residential~~ zone ~~neighborhoods~~. Rentals of a short-term dwelling unit shall be limited to either a minimum period of seven nights or, if for fewer than seven nights, then to no more than one rental within a seven-night period. Use of a short-term rental by a record owner of a property shall not be considered to be a rental under this section.

(Ord. 2022-03 § 1; Ord. No. 24-19, 1/22/2025)
