CITY OF PORT ORFORD
REGULAR SESSION OF THE COMMON COUNCIL
IN GABLE CHAMBERS
THURSDAY, APRIL 18, 2019 AT 3:30 P.M.

AGENDA

PUBLIC HEARING: Regarding Comp Plan Tsunami Policies, Tsunami Hazard Overlay Zone, and Overlay Zone Map

1. Call to Order/Pledge of Allegiance

2. Additions to the Agenda

3. Presentations to Council/Citizens

4. Consent Calendar
   a. Minutes of March 21, 2019
   b. Budget Committee Appointments – Carren Copeland & John Leuthe

5. Citizens’ Concerns (Sign Up Only for Old & New Business Items on the Agenda)

6. Departmental Reports
   • Public Works
   • Administration
   • Police Department
   • Finance
   • Planning Department
   • Mayor’s Report

7. Liaison Reports
   • PORT
   • Main St./TLT
   • Fire Board
   • Parks
   • Watershed/Health
   • Emergency Management

8. Old Business
   a. Ordinance 2019-02 Zoning Amendment-Tsunami Hazard Overlay Zone
   b. Ordinance 2019-03 Comp Plan Amendment-Tsunami Overlay Zone
   c. Ordinance 2019-04 Tsunami Overlay Zone Map
   d. Resolution 2019-12 Tourism Advertising Agency
   e. Ordinance 2019-05 Tourism Advertising Agency

9. New Business
   a. Army Corps of Engineers request for variance to the noise ordinance
   b. CTR – Recycle Roll Cart and Annual Rate Increase
   c. ROW Request at 928 Oregon St. – Fence
   d. ROW Request at 1035 Oregon St. – Creating Parking Space

10. Continuing Action Items
    a. Water
    b. Sewer
    c. Advertising
    d. Vac. Rentals
    e. Brd of Appeals
    f. Web Site
    g. Planning Procedures
    h. ADU’s
    i. Council Rules

11. Considerations
    a. Citizen
    b. Staff
    c. Councilor
    d. Mayor

12. Future Meetings
    a. Thursday, May 16, 2019, Regular Council Meeting 3:30 p.m. at City Hall

13. Adjourn
CITY OF PORT ORFORD  
Staff Report

TO: Mayor Tim Pogwizd  
Port Orford City Council

FROM: Crystal Shoji, AICP  
City Planner

DATE: April 8, 2019

SUBJECT: Public Hearings re: Comprehensive Plan Tsunami Policies, Tsunami Hazard Overlay Zone, and Overlay Zone Map

SCHEDULED HEARING DATES: Port Orford City Council Public Hearing: April 18, 2019 at 3:30pm

PROPOSALS FOR CONSIDERATION: Amendments to the Port Orford Comprehensive Plan Goals and Policies, Attachment A

Amendments to the Port Orford Municipal Code, Title 17, Zoning, Attachment B

Amendments to the Port Orford Zone Map to include Tsunami Hazards Overlay Zone

Planning Commission Recommendations

The Planning Commission is recommending land use resilience measures to help reduce the City’s risk. The Planning Commission has proposed amendments to the City of Port Orford Comprehensive Plan Goals and Policies and City of Port Orford Municipal Code Title 17, Zoning, and adoption of Tsunami Hazard Overlay Zone Maps as follows:

I. AMENDMENTS TO THE CITY OF PORT ORFORD COMPREHENSIVE PLAN

The Port Orford Comprehensive Plan Goals and Policies document provides a vision and roadmap for how the community would like to move forward in compliance with the Statewide Planning Goals. The Port Orford Comprehensive Plan was most recently updated in 2012. The Planning Commission’s recommendations for the Port Orford Comprehensive Plan Goals and Policies are included in Attachment A.

See Attachment A - Amendments to the Port Orford Comprehensive Plan Goals and Policies
II. AMENDMENTS TO THE CITY OF PORT ORFORD MUNICIPAL CODE
TITLE 17, ZONING

The Port Orford Municipal Code, Chapter 17, Zoning, regulates the use of all properties in the City. This Port Orford zoning ordinance was most recently amended in 2015. The Planning Commission is recommending amendments that adopt of a Tsunami Overlay zone. Development on properties lying within this zone will be restricted, as described in the ordinance.

The recommendations by the Planning Commission make reference to a Tsunami Evacuation Facilities Improvement Plan (TEFIP). DLCD is preparing the TEFIP with the assistance of the Port Orford Steering Committee, but the TEFIP is not completed. The Beat the Wave Presentation originally scheduled for the fall of 2018, was rescheduled to March 2018 by DLCD and DOGAMI. At this time, Shoji Planning and DLCD are recommending that references to the TEFIP be removed prior to Council adoption. The proposed language to be removed is identified by cross outs on Attachment B.

See Attachment B - Amendments to the Port Orford Municipal Code, Title 17, Zoning Tsunami Hazard Overlay Zone

III. Tsunami Hazard Overlay Zone Map

The Planning Commission considered several scenarios as to the boundary of Tsunami Hazard Overlay zone, which will amend the City of Port Orford Zone Map. The line adopted by the City as the Tsunami Hazards Overlay zone map boundary will limit development within the confines of the line. The Planning Commission’s recommendation is for the City of Port Orford to adopt the boundary of the Tsunami Inundation Zone as defined by Oregon Law (OAR 632-005-0040) which has also been referenced as the Senate Bill 379 “SB 379” line. In response to Planning Commission concerns about reference to the whole series of maps that reference this line as adopted in Oregon law. DLCD has worked with Shoji Planning to organize language to adopt the boundary line language that is included in boldface on Attachment B. Former language that was presented to the Planning Commission is shown with cross outs in Attachment B.

See Attachment C – Tsunami Inundation Zone established in OAR 632-005-0040 (1), Open-File Reports 0-95-55 through 0-95-57

See Attachment D – City of Port Orford Tsunami Hazard Overlay Map

PUBLIC HEARINGS / PUBLIC COMMENTS

The Planning Commission held a hearing on February 12 that was carried over to March 12. Testimony received from citizens is attached to this report and included as Attachment D.

The City Council is scheduled to hold public hearing on April 18 to take public input on the proposed amendments. The City Council has the option of continuing this hearing to
May 16 at 3:30 p.m. to allow for more citizen input, or request more information. Any continuation should specify the location, date and time of the continued public hearing.

Because the proposals are for the general public, applying broadly to properties for the public good, rather than to provide opportunities for specific individual properties, this is legislative hearing process. There is no restriction on discussion of these legislative proposals with members of the public. Input from all citizens, property owners and organizations is to be considered in writing or in person.

**RELEVANT SECTIONS OF PORT ORFORD MUNICIPAL CODE REGARDING AMENDMENTS TO ZONING, COMPREHENSIVE PLAN, AND ZONING MAP**

Note: In this staff report, words quoted from the Port Orford Municipal Code, Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) are shown in *italics*. Findings, analysis and information prepared or paraphrased by staff are provided in non-italicized font.

**Chapter 17.40 Amendments to Zoning and Comprehensive Plan**

**17.40.030 Process for Zone Text, Map or Comprehensive Plan Amendment.**

A. Any amendment to the zoning ordinance text, the Comprehensive Plan Goals and Policies, and/or the comprehensive Plan/zone map is subject to a two-step approval process:
   a. The Planning Commission holds a public hearing and makes a recommendation to the City Council.
   b. The City Council holds a de novo public hearing and makes a final decision.

B. Any amendment shall be adopted by ordinance. (Ord. 2015-08 § 030, 2015)

**Findings:** The proposed amendments to the Comprehensive Plan and zoning have been recommended by the Planning Commission. The Planning Commission is holding a public hearing to make a recommendation to the City Council. The Council has scheduled a public hearing to take testimony and make a final decision. The amendments will be adopted by ordinance.

**17.40.040 Criteria and Approval for Zone Text or Map Amendment.**

An amendment to the zoning ordinance text or map is appropriate when there are findings that all of the applicable conditions exist:
   a. Either the original wording or designation was made in error, or the amendment is justified due to changing circumstances.
   b. Any amendment must comply with the Port Orford Comprehensive Plan Goals and Policies.
   c. The map amendment must be compatible with surrounding zoning. (Ord. 2015-08 § 040, 2015)

**Findings:** The amendments that are proposed are justified because there is currently new information available that defines tsunami inundation scenarios.
The proposed amendments comply with the Port Orford Comprehensive Plan Goals and Policies because tsunami hazards are already addressed within that plan. The new language provides further detail, and does not conflict with any other policies within the Plan.

In addition, the DLCD, through their coastal zone office has recommended amendments and provided funding through the Coastal Resilience Grant for the City of Port Orford to consider appropriate amendments to mitigate tsunami hazards within the City.

The proposed amendments comply with Section 17.40.040.

17.40.050 Authorization and Procedure for Comprehensive Plan Amendment.

An amendment to the Comprehensive Plan is subject to the processes set forth in City of Port Orford Comprehensive Plan Goals and Policies, Statewide Planning Goal 1: Citizen Involvement and Statewide Planning Goal 2: Land Use Planning

Findings: The City of Port Orford Planning Commission has held a number of public workshops and meetings as outlined within this document where the public has had an opportunity to be involved in the planning process. The Planning Commission considers all input from public hearings.

In addition, the Steering Committee held a Day of Action on January 26th, 2019, and distributed a survey with the intent of citizen involvement. The City Council will hold a de novo hearing on the Planning Commission’s recommended amendments, and consider all public comments prior to adoption of any of those amendments.

The proposed amendments comply with Section 17.40.050.

Chapter 17.04 General Provisions

17.04.060 Location of Zones.
The boundaries for the zones listed in this title are indicated on the city zoning map which is adopted and made a part of this title by this reference. The boundaries may be modified in accordance with zoning map amendments which may be adopted by reference.

17.04.070 Zoning Map.
A zoning map or zoning map amendment adopted by Section 17.04.060 or by an amendment thereto shall be prepared by authority of the planning commission or be a modification by the city council of a map or map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the city administrator as long as this ordinance remains in effect.

Findings: The boundary for the Tsunami Hazard Overlay will be adopted by the city, and shown on the Tsunami Hazard Overlay map, which DLCD will produce. The map will be dated with the effective date of the ordinance that adopts the map or map amendment. A
The proposed amendments comply with Chapter 17.04 General Provisions.

**STAFF RECOMMENDATIONS**

The Planning Commission and City Planner respectfully provide these recommendations to be utilized for assistance and guidance in determining how best to proceed as follows. If it pleases the Council, please select from the following recommendations in organizing your decision:

1. Suggest modifications and/or revisions to the draft documents, and instruct staff as to how to proceed.

2. Carry the City Council hearing over to May 16, 2019 to allow for additional public input, more discussion, or to gather additional information; instruct the staff regarding gathering of any additional information.

3. Adopt the Planning Commission recommendations along with agency and staff recommendations included within this packet; state that the adoption is based upon recommended findings included within the staff report.

4. Close the public hearing and specify that the City Council will take no further input; discuss and determine the City Council’s decision and any next steps to adopt.
CITY OF PORTORFORD
CITY COUNCIL MEETING MINUTES
IN THE GABLE CHAMBERS
THURSDAY, MARCH 21, 2019

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<tr>
<td>Jim Auborn</td>
<td>X</td>
<td>Terrie Richards</td>
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<tr>
<td>Jim Campbell</td>
<td>X</td>
<td>Shala McKenzie Kudlac</td>
<td>X</td>
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<tr>
<td>Carolyn LaRoche</td>
<td>X</td>
<td>David Johnson</td>
<td>X</td>
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<tr>
<td>Pat Cox, President</td>
<td>X</td>
<td>Hank Hobart</td>
<td>X</td>
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<tr>
<td>James Garratt</td>
<td>X</td>
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<td>Tim Pogwizd, Mayor</td>
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<tr>
<td>Travis Williams</td>
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Media Present: Port Orford News – Brice Wagner
Others Present: 30

1. Call to Order
Mayor Pogwizd called to order this Regular Meeting of the Common Council of the City of Port Orford in the Gable Chambers on Thursday, March 21, 2019 at 3:30 p.m. He then asked those present to rise and join him in the pledge of allegiance.

3:33PM The Mayor then adjourned to an Executive Session stating ORS 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

2. Additions to the Agenda

3. 3:40PM Special Presentation to Citizens/Council Will Bailey of the Gorse Action Group (GAG) presented the history and dangers of gorse. Most concentrated in Coos and Curry County but spreading North and South along the coast. Mr. Bailey stated several ways to get rid of gorse and listed a few more invasive species they are having trouble with.

4. Consent Calendar Minutes of February 21, 2019. Corrections to 6b. The motion passed not failed. 6c. the dollar amount should be $42,600. Councilor Garratt moved to approve the consent calendar with corrections with Councilor Williams as second.

Motion carried 6 - 0
Councilor Cox Aye  Councilor LaRoche Aye  Councilor Williams Aye
Councilor Auborn Aye  Councilor Garratt Aye  Councilor Campbell Aye

5. Citizens’ Concerns
- Theresa Kolibaba 8d. Ms. Kolibaba does not think it right the council approves the ROW for 550 12th that is more than the Council gave here, it proves dogs have more rights than people do
- Karen Jennings 7a. spoke for the Main Street Association thanking the city for their support for the improvements main street has made and asks the city continue to support them in their ongoing efforts to market Port Orford.
- Casey Folden 8c. Mrs. Folden stated her support for Res. 2019-10 and gave statistics on the number of deaths caused by guns.
- Jane Odson 8c. Ms. Odson stated her support for Res. 2019-10 and that the council is an elected body that should listen to the will of the people.
- Diana Marman 8c. Ms. Marman stated her support for Res. 2019-10
Rich Folden 8c. Mr. Folden stated his support for Res. 2019-10

Brett Webb 8c. Mr. Webb stated his opposition to Res. 2019-10 explaining how the original resolution came about. SB941 was poorly written and with the help of this council positive changes were made and it passed.

Douglas Battersby 6-PD stated his issues with the Police Department

Jack Pruitt 8c. Res. 2019-10 the original resolution was brought to Council by Councilor Webb as an addition to the agenda so no one knew it was going to be discussed. He explained the need for background checks.

6. Departmental Reports

*Public Works – Lead Duane Eckhoff answered questions regarding contact time. He reported continued telemetry issues. Deady Street pump station loses prime during certain events and the need to relocate the pump downhill and asks they consider this as part of the upgrade. He believes the city should be looking for another source of water for future needs.

*Police Department – the Mayor thanked everyone who exercised their right to vote. The Chief wrote a very nice letter at the end of his report.

*Planning Department – written report submitted

*Mayor – is thankful that the levy passed.

*Main St. – Councilor Williams reading from notes given to him. Coming up: Open Heart Dinner, painting murals on trash receptacles, signs, whale mural, and refreshing planters.

*Police Department

*Planning Department – written report submitted

*Mayor – is thankful that the levy passed.

*Main St. – Councilor Williams reading from notes given to him. Coming up: Open Heart Dinner, painting murals on trash receptacles, signs, whale mural, and refreshing planters.

7. Old Business

    a. Main Street Assoc. to advertise Port Orford with the TLT funds. Councilor Auborn stated that Main Street has a better relationship with Travel Oregon and feels they could do a much better job for the city. Suggestions made for a sub-committee but with limitations to where the money is spent. Discussion of internet advertising and a TV spot. Council agreed the need for a committee with a process and rules. Council asked for the ordinance in the next council packet. Councilor Garret moved to table until next meeting with Councilor Williams as second. Motion carried 6 - 1

    Councilor Cox Aye       Councilor LaRoche Aye       Councilor Williams Aye
    Councilor Auborn Nay   Councilor Garrett Aye       Councilor Campbell Aye

    b. Right-of-Way request at 404 Jackson – After a brief workshop and discussion the Council did not feel the three-foot garden wall was going to be adequate and without engineering, cutting into the bank would cause slippage. Councilor Cox moved to deny the proposal as submitted with Councilor LaRouche as second. Motion carried 6 - 1

    Councilor Cox Aye       Councilor LaRoche Aye       Councilor Williams Aye
    Councilor Auborn Aye     Councilor Garrett Nay      Councilor Campbell Aye

    c. Communications Trailer is continued discussion and the request was for the city to take ownership of the trailer allowing the Port Orford Ham Radio Operators the use of the trailer for training purposes. Hearing the stipulations from the insurance company Councilor Cox moved that the City take ownership of the communications trailer with Councilor Williams as second. Motion carried 6 - 0

    Councilor Cox Aye       Councilor LaRoche Aye       Councilor Williams Aye
    Councilor Auborn Aye     Councilor Garrett Aye       Councilor Campbell Aye
8. New Business
   a. Additional Dwelling Units; should they be allowed. After some discussion on what ADU’s are and the need the council felt this would be better discussed at a workshop possibly with Planning. Councilor Garratt moved to put this subject to a workshop with Councilor Campbell as second. Motion Carried. **Motion carried 6 - 0**

   b. Resolution 2019-09 the annual adjustment for water and wastewater. Councilor Cox moved to approve Resolution 2019-09 with Councilor Campbell as second. Motion carried. **Motion carried 6 - 0**

   c. Resolution 2019-10 a resolution repealing Resolution 2015-11 Firearms background checks. Councilor LaRoche moved to repeal the resolution with Councilor Williams as second. Discussion: Councilor Garratt did not understand why this has come before them it felt weird to him. Councilor Williams stated that this does not change anything the County is responsible. Legal Counsel Shala Kudlac stated that accepting this or not accepting this the council is taking a position for the city. Councilor LaRoche did not understand this resolution if it does not change anything they why. **Motion failed 6 - 1**

   d. Right-of-Way request at 550 12th Street. The ROW was approved by the Planning Commission. Councilor Campbell feels they need to make sure there is space around the meter for the crew to in there when they need to. Councilor Auburn does not feel that eleven feet is enough for parking. Councilor Cox moved to approve the Right-of-Way for 550 12th Street with Councilor Campbell as second. **Motion carried 6 - 2**

   e. TLT Grants approved by the TLT Committee is before the Council for final approval. Councilor Campbell stated that he does not agree he thinks the Jubilee should get more. Discussion on the importance of the Jubilee fireworks. Councilor Williams moved to approve the TLT applications as presented with Councilor LaRoche as second. **Motion carried 6 - 0**

9. Continuing Action
   d. The Mayor feels that they could remove Vacation Rentals since we only have 4% which is not as alarming as some first thought. Business license are not required and should be discussed.

10. Considerations
   a. Citizens – Teresa Kolibaba suggested advertising airport hubs and possibly storing the Communications Trailer at CCEC.

   Jim Hajek – suggested fixing the Police Levy with a Police District. ADU’s work into vacation rentals which are not good for small communities

   Penny Suess – Deady St. Pump station she would like to be notified when discussion begins and would like to know if the city is going to do anything with the old reservoir as mentioned earlier.

   b. Staff – The City Administrator explained the items in front of them when they came in, the Judges report, sheet to write out motions, gorse information. She asked for an alternative for the
Local Public Safety Coordinating Council – Councilor Cox volunteered. The Mayor asked about removing the liaison to the Parks Commission and appoint another citizen.

c. Council - Councilor Garratt would like to enforce the Council Rules and enforce the three-minute rule for citizens speaking. Not all agreed on how the timing should be kept but did agree they need to pay better attention. The Mayor stated that they [council] often times spend a lot of time on things that are simple items they should be able to take care of very quickly.

Councilor Cox then stated, and not pointing fingers, that every week he hears about a new councilor that doesn’t live in the city limits of town. So I would hope maybe if you feel like you are under that wing that you can take some time before next month and just clear the air on that regardless of what’s going on because he hears about it every week about living situations and it should be easy to put your two cents in on it.

The Mayor stated that he too continues to hear things on it as well. He wants to make it clear that he as the Mayor does not condone that. There is nothing he can do about it but he does not condone it.

Councilor Cox said that it is all hearsay but he doesn’t want to be a part of a council that people are having gray area issues on it. So, if this might fall under your wing you might take a minute to clarify to the council or the public somehow that would be awesome.

Councilor Garratt suggests a community calendar of sorts that could have “all” events and meetings possibly on the city web site. The suggestion was well received but no solution was found.

The Mayor asked about a workshop as suggested. Council agreed one to two hours Thursday prior to Council meeting to meet the needs of some councilors. Limit the workshop to one or two subjects.

11. Future Meetings:

City Council Meeting • March 21, 2019 • 3:30 PM • City Hall Council Chambers

12. Adjourn

There being no further business Mayor Pogwizd adjourned the meeting at 7:30 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards
APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

**If you do not wish to have any specific information in this form given out to the general public, please let us know, in writing, and tell us the reason why. We will try to honor your request within the constraints of the applicable public records law**

I am interested in serving as a member of the Port Orford Budget Committee

Name: Carrren Copeland

Mailing Address: POBx 524 Port Orford OR 97465

Home Address: 28 Beer Circle

Home Phone: 541 332 9019 Work Phone: 541 373 3172

E-mail: julicec @ frontier.com

Current Employment: retired

Area of Interest: financial

Area of expertise: Budget committee, Port Orford Public Library - Treasurer, Port Orford Foundation

Why do you want to serve? Help the city

Previous service in this appointed position or similar position: Budget Committee for Radiology at Kaiser Hospital Sac Co / Budget Committee Port Orford Public Library

Other volunteer activities: Volunteer Port Orford Public Library 15 years other local organizations - fund raisers

Does your schedule allow you to attend;

Daytime Meetings □ yes □ no Evening meeting □ yes □ no

Does your schedule limit the day you could attend meetings? □ yes □ no

Have you ever been convicted of a crime? □ yes □ no If yes, please explain

Additional Comments

Date: April 2, 2019 Signature: Carrren Copeland

Please return application to:

City of Port Orford
P.O. Box 310
Port Orford, OR 97465

Phone: 541-332-3681 Fax: 1-877-281-5307 email: trichards@portorford.org

Application for Committee, etc.
January 2012
APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

If you do not wish to have any specific information in this form given out to the general public, please let us know, in writing, and tell us the reason why. We will try to honor your request within the constraints of the applicable public records law.

I am interested in serving as a member of the PORT ORFORD BUDGET COMMITTEE.

Name: JOHN W. LEUTHE

Mailing Address: PO BOX 524, PORT ORFORD, OR 97465

Home Address: 28 GEEN CIRCLE

Home Phone: 541-332-7019 Work Phone: 541-373-3173 Fax: __________

E-mail: JWLCEC@FRONTIER.COM

Current Employment: RETIRED

Area of Interest: ____________________________

Area of expertise: ELECTRONIC ENGINEER

Why do you want to serve? TO HELP PLAN THE GROWTH POTENTIAL OF THE CITY.

Previous service in this appointed position or similar position BUDGET PLANNING FOR ENGINEER BRANCH IN FEDERAL GOVERNMENT SERVICE.

Other volunteer activities MEMBER AND FORMER CHAIR OF THE PORT ORFORD WATERSHED COUNCIL

Does your schedule allow you to attend;

Daytime Meetings ☑ yes ☐ no Evening meeting ☑ yes ☐ no

Does your schedule limit the day you could attend meetings? ☐ yes ☑ no

Have you ever been convicted of a crime? ☐ yes ☑ no If yes, please explain

Additional Comments ____________________________

Date: 2 APR 2019 Signature: ____________________________

Please return application to:

City of Port Orford
P.O. Box 310
Port Orford, OR 97465

Phone: 541-332-3681 Fax: 1-877-281-5307 email: trichards@portorford.org

Application for Committee, etc.
January 2012 1 of 1
WATER: Water loss March 49.4% March rain report at the water plant 6.2 inches.

- Hubbard Creek: site visit to be scheduled with SC Watershed Council and others for continued discussion on the fish ladder.
- Water Plant: Turbidity meters calibrated. Hydrant at 16th & 101 raised for the upcoming ODOT project
- Leaks & Repairs: CG Hill generator issues repaired.
- Maintenance:
- Other: Request for service up Cemetery Loop, the line is not big enough to serve the current homes cannot add another without upgrading the pipe. Deady St. South properties are selling need to upgrade that part of the system to serve those properties.

SEWER:

✓ Sewer Plant: Issues at the plant that need to be addressed; to name a few are Headworks screen & grit removal, Effluent flowmeter & spool, lab building repairs, UV system, auto dialers for lift stations, digester repair (exposed aggregate)
✓ New Services:

STREETS:

- Maintenance: Brush caused by storm. Dead cat. Dead deer

ROW’s:

- ROW Request at 928 Oregon St. – Fence
- ROW Request at 1035 Oregon St. – Creating Parking Space

PARKS:

- Easter Egg Hunt in Buffington Park approved
- BBQ in the Park July 6th hosted by the Jubilee approved
- Driftwood Boosters Annual Fun Run approved
- Redfish Rocks Team interpretive tv screen to be installed this month

Other: Training with CIS 4/25/19 in North Bend.

Permits - None

SUBMITTED BY: Terrie Richards, City Administrator
Date: March 28, 2019
To: City Election Authority
From: Shelley Denney, Elections Administrator
Subject: Election Abstract

Per ORS 254.545(3) enclosed is the Election Abstract for the March 12, 2019 Special District Election.

Should you have any questions please feel free to contact our office.

Sincerely,

Shelley Denney, C.R.A., C.E.A.
Chief Deputy County Clerk
Statement of Votes Cast by Geography
Curry County, March 12, 2019 Special District Election
06, 07, City of Port Orford, All ScanStations, City of Port Orford Measure 8-96, All Boxes
Official - City of Port Orford
Total Ballots Cast: 493, Registered Voters: 872, Overall Turnout: 56.54%
8 precincts reported out of 8 total

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<tr>
<td>City of Port Orford Measure 8-96 (Vote for 1)</td>
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<td>315 ballots (0 over voted ballots, 0 overvotes, 0 blank voted), 548 registered voters, turnout 57.48%</td>
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| Precinct 07  |       |        |
| City of Port Orford Measure 8-96 (Vote for 1) |       |        |
| 178 ballots (0 over voted ballots, 0 overvotes, 0 blank voted), 324 registered voters, turnout 54.94% |       |        |
| Yes          | 154   | 86.52% |
| No           | 24    | 13.48% |
| Total        | 178   | 100.00%|

| All Precincts|       |        |
| City of Port Orford Measure 8-96 (Vote for 1) |       |        |
| 493 ballots (0 over voted ballots, 0 overvotes, 0 blank voted), 872 registered voters, turnout 56.54% |       |        |
| Yes          | 409   | 82.96% |
| No           | 84    | 17.04% |
| Total        | 493   | 100.00%|

I certify the votes recorded on this abstract correctly summarize the tally of votes cast for the March 12, 2019 Special Dist. Election.

Renée Kolen, Curry County Clerk
By: Shelley Denney,
Chief Deputy County Clerk
Dated this 27th day of March 2019.
For the month of March, the total revenue and expenditures for all funds was $161,138.67 and $183,214.39 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:
The General fund received $38,832.65 in revenue of which $9,756.65 was from property tax receipts, $18,624.65 from citations, $1,156.61 from the State Liquor Tax, $1,054.45 in interest, $2,922.03 in State shared revenue, $1,079.00 in Planning fees, $356.85 in court administrative fees, and $3,882.41 reimbursement from our Workers Compensation Audit. For the month of March, the General Fund disbursed $20,936.97 of which $11,989.11 was for wages, $4,184.00 in citation reimbursements and assessments, $361.77 for training, $242.26 for custodial services, $4.49 for custodial supplies, $1,200.00 for legal services, $246.63 for office supplies, $200.00 for the municipal judge, $271.66 in bank fees, $766.67 for work on the Tsunami Resilience Grant, $142.42 for copier lease, $538.94 for work on the proposed Egrets Bluff subdivision, $280.50 for planning services, $243.00 for advertising of the Tsunami overlay zone public hearing, $170.54 membership to OCCMA, and $94.98 for internet service.

Parks:
Parks received $14,856.48 in revenue of which $8,868.12 is from the fourth quarter TLT Tax, $50.00 rent for the Visitor Center, $1,136.98 rent for the Community Building, $4,109.47 rent for the American Legion Hall, $500.00 donation for the dedication of a bench to Lanny Rice, and $191.91 in interest. For the month of March, $13,422.97 was disbursed for Parks of which $2,996.85 was for payroll, $139.50 for fuel, $1,396.00 for advertisement in the Oregon Coast magazine, $105.98 refund for an overpayment on TLT tax, $600.67 for electricity, $270.00 for maintenance of Battle Rock Park, $53.07 for maintenance of the A-Frame, $103.85 for maintenance at the Visitor Center, $113.00 for maintenance of the American Legion Hall, $5,200.00 for installation of the new toilets at the Visitor Center bathrooms, $609.99 for maintenance of the 12th ST boat ramp, $206.93 for a new handheld blower, $319.39 for equipment maintenance, and $1,307.74 for custodial services.

Public Safety:
$32,898.37 was disbursed for the Police Department of which $29,462.23 was for payroll, $20.75 for office supplies, $751.88 for fuel, $1,070.71 for vehicle maintenance, $75.00 for Kings Online, $1,233.00 for uniforms, and $284.80 for telephone service. Public Safety received $8,435.97 in revenue of which $8,168.70 was from property tax receipts, $50.00 for burn permits, $17.50 for a records request, $45.00 for police reports, and $154.77 in interest.

Water Enterprise:
The Water Department received $31,711.95 in revenue of which $29,998.73 was from the February utility billing of which $2,112.07 is designated to be set aside for Water Capital Reserves, $1,338.00 for one new water connection, and $375.22 in interest. The Water Enterprise Fund paid out $30,154.26 of which $22,774.71 was for payroll, $8.96 for office supplies, $97.47 for postage, $351.04 for telephone services, $217.49 for electricity, $209.84 for fuel, $500.00 for contact services, $45.15 for small tools, $506.20 for meter repairs, $211.77 for disposable gloves, $652.46 for water purification supplies, $640.20 for repair of the water lines, $75.00 for water testing, $3,343.42 for a new pump on Coast Guard Hill, and $520.72 for maintenance of the treatment plant.

Water Capital Reserves:
The Water Capital Reserve Fund received $310.96 in interest. The Water Capital Reserve Fund balance is now $138,378.22.
Sewer Enterprise:
The Sewer Enterprise Fund received $43,769.78 in cash receipts which consists of $871.21 in interest, $772.00 for one sewer hookup fee, and $42,126.57 was from the February utility billing of which $2,164.13 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for March was $81,352.38 of which $21,547.19 was for payroll, $137.53 for electricity, $90.27 for telephone service, $194.16 for fuel, $53.74 for office supplies, $125.00 for a CDL physical, $10,178.04 for repair of the blower VFD, $48,916.00 for the annual payment for sewer revenue bond I & II, $12.99 for small tools and supplies, and $97.46 for postage.

Sewer Capital Reserves:
The Sewer Capital Reserves received $300.86 in interest. The Sewer Capital Reserve Fund balance is now $133,887.39.

Street Fund:
For March the Street Fund received $7,494.18 of which $6,342.29 was from the State Highway tax, $1,012.00 for a street cut deposit, and $139.89 in interest. $4,449.44 was disbursed for Streets, of which $3,450.32 was for wages, $99.00 for the port-a-pott, $178.25 for fuel, $506.09 for a new trimmer and repair of older trimmers, $119.94 for repairs to streets, and $95.84 for electricity.

Streets Capital Improvement Fund
The Streets Capital Improvement Fund received $93.18 in interest and the new balance in now $41,466.02.

Equipment Replacement Fund:
The Equipment Replacement Fund received $91.94 in interest. The balance of the Equipment Replacement Fund is $43,414.09.

Water and Sewer SDC:
The Water SDC Fund received $765.83 in interest and $8,664.00 for one hook up. The Sewer SDC Fund received $554.89 in interest and $5,256.00 for one hook up for the month of March. The balances of the SDC funds are as follows:

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<td>Sewer SDC Improvement</td>
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David Johnson
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## Detail Report

**Account:** 030-00-44109  
**Name:** Designated for Reserves - Continued  
**Date Range:** 07/01/2018 - 03/31/2019

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### Total Fund: 030 - WATER ENTERPRISE FUND:

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**Total Activity:** -21,270.40  
**Total Debits:** 131.03  
**Total Credits:** 21,401.43  
**Ending Balance:** -21,270.40
| Post Date | Packet Number | Source Transaction | Description | Designated for Reserves | Account Name | Project Account Number | Project Account | Account Number | Name | Date Range: 07/01/2018 - 03/31/2019 |
|-----------|---------------|--------------------|-------------|--------------------------|--------------|------------------------|-----------------|---------------|----------------|-----------------|---------------------------------|
| 07/02/2018 | UBPKTO0871    | Utility Regular Bill Pa | Utility Regular Bill Packet UBPKTO0871 | 0.00 | -22,281.45 | 244.98 | 22,526.43 | -22,281.45 | | 035-0044115 |
| 07/06/2018 | UBPKTO0875    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 8.88 | -2,478.08 | 2,486.96 | -2,486.96 | 035-0044115 |
| 07/16/2018 | UBPKTO0884    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 13.49 | -2,464.59 | 035-0044115 |
| 07/18/2018 | UBPKTO0885    | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKTO0885 | 1.06 | -2,465.65 | 035-0044115 |
| 07/19/2018 | UBPKTO0886    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 4.45 | -2,461.20 | 035-0044115 |
| 07/19/2018 | UBPKTO0887    | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKTO0887 | 4.50 | -2,465.70 | 035-0044115 |
| 07/25/2018 | UBPKTO0888    | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKTO0888 | 2.38 | -2,468.08 | 035-0044115 |
| 07/31/2018 | UBPKTO0894    | Utility Adj. Bill Other | Utility Adj. Bill Other Packet UBPKTO0894 | 1.50 | -2,466.58 | 035-0044115 |
| 07/31/2018 | UBPKTO0895    | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKTO0895 | 2.59 | -2,469.17 | 035-0044115 |
| 08/01/2018 | UBPKTO0898    | Utility Regular Bill Pa | Utility Regular Bill Packet UBPKTO0898 | 3,107.55 | -5,576.72 | 035-0044115 |
| 08/08/2018 | UBPKTO0906    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 2.39 | -5,579.11 | 035-0044115 |
| 08/08/2018 | UBPKTO0908    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 13.72 | -5,565.39 | 035-0044115 |
| 08/08/2018 | UBPKTO0909    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 19.17 | -5,546.22 | 035-0044115 |
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| 09/27/2018 | UBPKTO0951    | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKTO000 | 5.10 | -8,156.10 | 035-0044115 |
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## Detail Report

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01/02/2019 | UBPKT00986 | Utility Regular Bill Pa | Utility Regular Bill Packet UBPKT00986 | 
01/31/2019 | UBPKT00993 | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKT00993 | 
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02/01/2019 | UBPKT01000 | Utility Regular Bill Pa | Utility Regular Bill Packet UBPKT01000 | 
02/12/2019 | UBPKT01012 | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKT01012 | 
02/13/2019 | UBPKT01015 | Utility Adj. Bill Other | Utility Adj. Bill Other Packet UBPKT01015 | 
02/14/2019 | UBPKT01019 | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKT01019 | 
02/28/2019 | UBPKT01017 | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKT01017 | 
03/01/2019 | UBPKT01020 | Utility Disconnect Bill | Utility Disconnect Bill Packet UBPKT01020 | 
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03/26/2019 | UBPKT01028 | Miscellaneous Adjust | Miscellaneous Adjustment Packet UBPKT01 | 
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Bank Transaction Report
City of Port Orford

Transaction Detail
Issued Date Range: 03/01/2019 - 03/31/2019

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**TOTAL CHECKS** 71,530.90

**EFT**

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**TOTAL EFT** 35,532.69
Date: April 10, 2019

To: Tim Pogwizd, Mayor, City Council members & Terrie Richards, City Administrator

From: Patty Clark, Planning Assistant

I. City Planning Commission Activity

At the regular meeting of April 9, 2019 the Planning Commission accepted minutes of the March 12, 2019 planning commission meeting.

II. Public Hearing

• Egrets Bluff Subdivision

The Planning Commission accepted the Tentative Plat Application for a five parcel subdivision on Arizona Street. (with conditions)

III. Planning Matters

• The Planning Commission approved the right-of-way usage license for 928 Oregon Street. (see recommendation to council)

• The Planning Commission approved the right-of-way usage license for 1035 Oregon Street (see recommendation to council)

• The Planning Commission granted the extension of CUP 16-02 and CUP 16-03 (Elk River Property Development) for 12 months ending 5:00 pm on April 9, 2020.

IV. Permit Clearance Activity

The City planning and public works staff review all requests for building permits within the city to determine whether the request complies with the city’s land use and public works regulations. The city staff confirms that building permit applications conform to these regulations by reviewing Permit Clearance forms that are filed with the city prior to applying to the county for the building permit.

During the months of March, 2019 the city received one applications for review.

1090 12th St. Lot Line Vacation
ORDINANCE 2019-02

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON AMENDING THE ZONING ORDINANCE (Ordinance #278), TO INCLUDE CHAPTER 17.46 IN THE MUNICIPAL CODE

Be it ordained by the Common Council of the City of Port Orford that Port Orford Ordinance #278 is amended and the subsequent Ordinance #2019-02 be added to by the following.

Ordinance #2019-02 New Chapter Added: Municipal Code – Section 17.46 Tsunami Hazard Overlay Zone:

Sections:
17.46.010 Purpose
17.46.020 Definitions
17.46.030 Applicability of Tsunami Hazard Overlay Zone
17.46.040 Uses
17.46.050 Prohibited Uses
17.46.060 Existing Uses
17.46.070 Use Exceptions
17.46.080 Evacuation Route Improvement Requirements

17.46.10 Purpose

The purpose of the Tsunami Hazard Overlay Zone is to increase the resilience of the City in the event of a tsunami by establishing standards, requirements and other measures for review and authorization of land use and development. The intent is to reduce loss of life, reduce damage to private and public property, reduce disruption, and assist the City in responding and recovering from the tsunami event.

17.46.020 Definitions

“Essential Facilities” means:

a. Hospitals and other medical facilities having surgery and emergency treatment areas;

b. Fire and police stations;

c. Tanks or other structures containing, housing or supporting water or fire-suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures;

d. Emergency vehicle shelters and garages;

e. Structures and equipment in emergency preparedness centers; and

f. Standby power generating equipment for essential facilities.

“Hazardous facility” means structures housing, supporting or containing sufficient quantities of toxic or explosive substances to be of danger to the safety of the public if released.

“Special occupancy structures” means
a. Covered structures whose primary occupancy is public assembly with a capacity greater than 300 persons;

b. Buildings with a capacity of greater than 250 individuals for every public, private or parochial school through secondary level or child care centers;

c. Buildings for colleges or adult education schools with a capacity of greater than 500 persons;

d. Medical facilities with 50 or more resident, incapacitated persons not included in subsection (a) through (c) of this paragraph;
e. Jails and detention facilities; and
f. Any structures and occupancies with a capacity of greater than 5,000 persons.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure which exceeds 50 percent of the real market value of the structure either:

a. Before the improvement or repair is started; or
b. If the structure is damaged and is being restored, before the damage occurred. For purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

c. “Substantial improvement does not include either any project for improvement of a structure to comply with existing state, city or county health, sanitary or safety code specifications which are solely to assure safe living conditions, or; an alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

“Tsunami vertical evacuation structure” means a building or constructed earthen mound that is accessible to evacuees, has sufficient height to place evacuees above the level of tsunami inundation, and is designed and constructed with the strength and resiliency needed to withstand the effects of tsunami waves.

17.46.030 Applicability of Tsunami Hazard Overlay Zone.

For new development, this Tsunami Hazard Overlay Zone applies to all lands identified within the tsunami inundation zone established in OAR 632-005-0040 (1) and depicted in Oregon Department of Geology and Mineral Industries Open-File Reports O-95-55 through O-95-57. The City of Port Orford will implement the Tsunami Hazard Overlay Zone identified in these maps utilizing the City of Port Orford Tsunami Hazard Overlay Zone Map, May 2019.

17.46.040 Uses

In the Tsunami Hazard Overlay Zone, all uses permitted pursuant to the provisions of the underlying zone may be permitted, subject to the additional requirements and limitations of this chapter except those uses set forth in Section 17.46.050 Prohibited Uses.

17.46.050 Prohibited Uses

Unless authorized in accordance with 17.46.070 Use Exceptions, the following uses are prohibited in the Tsunami Hazard Overlay Zone:

a. Hospitals and other medical facilities having surgery and emergency treatment areas.
b. Fire and police stations, including structures and equipment in government communication centers and other facilities required for emergency response.
c. Buildings with a capacity greater than 250 individuals for every public, private or parochial school through secondary level or childcare centers.
d. Buildings for colleges or adult education schools with a capacity of greater than 500 persons.
e. Jails and detention facilities.
f. Tanks or other structures containing, housing or supporting water or fire-suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures.
g. Emergency vehicle shelters and garages.
h. Structures and equipment in emergency preparedness centers.
i. Standby power generating equipment for essential facilities.
j. Covered structures whose primary occupancy is public assembly with a capacity of greater than 300 persons.
k. Medical facilities with 50 or more resident, incapacitated patients
l. Residential uses, including manufactured home parks, of a density exceeding 10 units per acre.
m. Hotels or motels with more than 50 units.

17.46.060 Existing Uses

Notwithstanding the provisions of Chapter 17.24, the requirements of the Tsunami Hazard Overlay Zone shall not have the effect of rendering any existing lawful use non-conforming.

17.46.070 Use Exceptions

A use listed within this section may be permitted by the Planning Commission through a Conditional Use Permit process based upon the following criteria. Public schools may be permitted upon findings that there is a need for the school to be within the boundaries of a school district and fulfilling that need cannot otherwise be accomplished.

A. Fire or police stations may be permitted upon findings that there is a need for a strategic location.

B. Other prohibited uses may be permitted upon the following findings:
   1. There are no reasonable, lower-risk alternative sites available for the proposed use;
   2. Adequate evacuation measures will be provided such that life safety risk to building occupants is minimized; and,
   3. The buildings will be designed and constructed in a manner to minimize the risk of structural failure during the design earthquake and tsunami event.

17.46.080 Evacuation Route Improvement Requirements

Except single family dwellings on existing lots and parcels, all new development, substantial improvements and land divisions in the Tsunami Hazard Overlay Zone shall incorporate evacuation measures and improvements, including necessary vegetation management, which are needed to facilitate pedestrian access to the tsunami evacuation routes identified on the 2019 Port Orford Tsunami Evacuation Route Map, which is incorporated into this section by reference. Such improvements shall be proportional to the evacuation needs created by the proposed development. Such measures shall include:

A. On-site improvements:
   1. Informational bulletins, brochures and other forms of communication posted in public areas, meeting rooms or common areas alerting residents, visitors and guest to the threat of Tsunami and nearby evacuation routes and assembly areas.
   2. Wayfinding signage shall be posted in parking areas and pedestrian ways indicating the direction and location of the closest evacuation route and

B. Off-site improvements: Improvements to portions of designated evacuation routes identified on the 2019 Port Orford Tsunami Evacuation route Map that are needed to serve, but are not contiguous to, the proposed development site. Such improvements shall be proportional to the evacuation needs created by the proposed development.

C. Evacuation route signage. Such signage shall be adequate to provide necessary evacuation information consistent with the proposed use of the site. Where multiple developments could occur in the future, the City shall assess a cost proportionate to the development's impact to the overall land use pattern of the area. In no case shall this cost exceed $500.

D. Tsunami Evacuation Structures: Tsunami evacuation structures are not subject to the building height limitations of this code.
The foregoing ordinance was enacted by the Common Council of the *City of Port Orford* this 18th of April, 2019.

Yes: ________________________________

No: ________________________________

Abstain: ________________________________

______________________________
Tim Pogwizd
Mayor of the *City of Port Orford*
Curry County Oregon

ATTEST:

______________________________
Terrie Richards
City Recorder of the *City of Port Orford*
Curry County Oregon
CITY OF PORT ORFORD

Comprehensive Plan
Goals and Policies

Adopted: March 8, 1977
Amended: January 12, 1987
Amended: June 1989
Amended: September 17, 2007
Amended: May 17, 2012
Amended: April 18, 2019

This project was partially funded by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, and the Ocean and Coastal Management Program, Department of Land Conservation and Development.
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STATEWIDE PLANNING GOAL 1: CITIZEN INVOLVEMENT

City Goal

Provide opportunities for citizen involvement in all phases of the planning process.

City Policies

1. The Planning Commission shall serve as the city’s officially recognized committee for citizen involvement (CCI).

2. Citizens are encouraged to participate in planning for the City of Port Orford.
   a. Citizens will have opportunities to assist with data collection, plan preparation, evaluation, and revisions to the Comprehensive Plan and other land use regulations.
   b. Citizens will have opportunities to participate in workshops and public hearings.
   c. Citizens will have opportunities to participate in forums on issues related to the growth and development of the city.

3. Citizens will have opportunities to review and evaluate technical information, adopted plans and implementing ordinances, inventory materials, the rationale used to reach land use policy decisions, and maps utilized for decision-making by the Planning Commission and City Council. Information will be available at the City Hall and online:
   a. The city will provide public notice of all meetings.
   b. The city will disseminate planning information using a variety of methods: media messages, web based digitized information, postings on properties, mailings, depending upon the topic at hand.

STATEWIDE PLANNING GOAL 2: LAND USE PLANNING

City Goals

1. Establish a land use planning process and policy framework as a basis for decisions and actions, and to assure an adequate factual base for such decisions and actions.

2. Assure that the Comprehensive Plan is maintained as the basis for implementing ordinances and future land-use decisions and actions.

3. Identify and address those land use activities that have an effect on the public health, safety and welfare.

4. Ensure orderly efficient growth.

City Policies

1. The Comprehensive Plan Goals and Policies document shall be available to the public at the City Hall, the Port Orford Public Library, and on the city’s website.
2. The Planning Commission will review the *Comprehensive Plan Goals and Policies*, the zoning ordinance, and other plans that are relied upon by the city from time to time. The review will help determine where amendments are needed.

3. The City Council, the Planning Commission, or a person owning property within the city may initiate amendments to the text of this document and to the Comprehensive Plan Map, utilizing the criteria set forth under this section entitled, Goal 2 Land Use Planning.

4. When amending the *Port Orford Comprehensive Plan Goals and Policies*, make findings of fact to respond to the following:
   a. Provide documentation showing that the original plan language or map designation was made in error; or
   b. For a map change document that there has been a substantial change in the character of the area that warrants a change in the map; or
   c. For a change in the text of the Comprehensive Plan Goals and Policies, document that there have been changing circumstances that warrant a change in the goal or policy language.
   d. For both map and text amendments, provide findings as to how the amendment complies with the Statewide Planning Goals pursuant to ORS 197 and other applicable statutory requirements.

5. Coordinate with Curry County and special districts regarding the Urban Growth Boundary and annexations, public facility extensions, long-range planning, and other matters of mutual concern.

6. Coordinate with Curry County within the Urban Growth Boundary (UGB) as set forth in the Urban Growth Area Joint Management Agreement dated October 10, 1978, and any future amendments to the Agreement that have been signed and enacted by both parties.

7. Encourage coordination with local, state and federal agencies having jurisdiction within the City of Port Orford. Exchange of maps, data, and other information as appropriate.

8. Encourage the participation of affected local, state and federal agencies and districts in comprehensive plans updates and revisions.

9. Adopt amendments to the text of this document or the map by ordinance, utilizing the following procedures.
   a. Provide notice required by the Municipal Code Title 17, including notice to the department of Oregon Land Conservation and Development (DLCD).
   b. The Planning Commission shall review any proposed amendment, conduct a public hearing, and make recommendations and findings to support the recommendations, which shall be forwarded to the City Council.
   c. The City Council shall review the Planning Commission's recommendations and conduct a de novo public hearing prior to making their findings and decision.
   d. When an amendment has been finalized and adopted by ordinance, provide any notice required by MC Title 17, including notice to DLCD.
e. Incorporate the language or map into the planning documents and the web site to maintain the plan as a living document that is accessible to citizens.

10. Federal consistency requirements of the Coastal Zone Management Act (Sec 307) requires that all state and federal permits for activities affecting land use within the city shall be reviewed by the City of Port Orford to assure compliance with the Comprehensive Plan before the permit is granted.

STATEWIDE PLANNING GOAL 3: AGRICULTURAL LANDS

City Goal

Encourage sustainable urban agriculture, and conserve rural agricultural lands.

City Policies

1. Maintain urban development within the City of Port Orford, and adjacent to the city within the Urban Growth Boundary, which will in turn alleviate pressure on agricultural lands outside the city limits.

2. Encourage urban agriculture and sustainable agricultural practices, including, but not limited to family and community gardens.

STATEWIDE PLANNING GOAL 4: FOREST LANDS

City Goal

Conserve forestlands consistent with sound management of forest resources.

City Policies

1. Limit urban use of forested lands to areas within the Port Orford city limits until such time that those lands within the Urban Growth Boundary are needed for urban uses.

2. When new subdivisions are proposed in the City of Port Orford the city shall seek the opinion of the Oregon Department of Forestry in order to protect forest lands within the Garrison lake watershed, and lands that drain into Gold Run Creek.

3. Consider options for a tree ordinance to reestablish trees and to prevent clear cuts, which allow for infestation of noxious weeds.

STATEWIDE PLANNING GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACE
City Goals

1. Maintain an inventory of natural, scenic and historic resources pursuant to Statewide Goal 5.

2. Resolve conflicts between incompatible development activities and identified natural, scenic and historic resources.

3. Work to acquire viewshed resource property if and when funding is available.

4. Protect archaeological sites within the city.

City Policies

1. Identify specific natural resources such as significant fish and wildlife habitat, ecological areas, wetland and watershed areas through the designated Controlled Development Zone (6-CD).

2. Maintain Tichenor Cemetery as an historic cemetery listed on the Oregon State registry at the State Historic Preservation Office, and support listings of other historic cemeteries and public access to all historic cemeteries.

3. Encourage open space in subdivision developments to be maintained through CC&R’s for the enjoyment of the residents.

4. Port Orford will encourage maintaining access to scenic viewpoints within the city.

5. Port Orford will maintain a riparian buffer along streams, Garrison Lake and the Ocean shoreline to enhance fish habitat, and maintain vegetation as a visual and recreational resource.

6. Examine publicly owned lands including street and alley right-of-ways for potential open space and visual resources prior to vacating property or other actions that convert publicly owned lands to private property.

7. The City of Port Orford supports the development and maintenance of the Oregon Coast Trail and the Oregon Coast Bike Route, both running along Highway 101 through the City of Port Orford.

8. Recognizing that established trees contribute to the aesthetic and environmental quality of the community, the city will consider designating specific trees or groves that could be protected through incentives, voluntary mechanisms, or ordinances.

9. Minimize light pollution and maintain dark sky at night through implementation of the city’s dark sky ordinance.

10. Maintain a listing of historic properties, and encourage property owners of qualifying properties who seek the listing of their properties on the National Historic Register.
11. Notify the Tribes when land development is proposed in archaeologically significant areas and limit access to information that could reveal the location of specific archaeologically significant Indian sites.

12. Coordinate with Oregon State Parks, the State Historic Preservation Office (SHPO), the Tribes, local organizations, and state and federal agencies that oversee specific scenic and historic areas, and have jurisdiction for natural resource programs.

13. Collaborate and cooperate with other land managers and property owners to protect and restore healthy functioning watersheds and ecosystems.

STATEWIDE PLANNING GOAL 6: AIR, WATER, AND LAND RESOURCE QUALITY

City Goals

1. Maintain and improve the quality of air, water and land resources in the City of Port Orford by encouraging protection of watersheds, lakes, rivers, streams and wetlands within the city and the UGB.

2. Restore Garrison Lake for drinking water as a secondary source to Hubbard Creek.

City Policies

1. Support and encourage local, state and federal agencies in continuing environmental evaluations of Garrison Lake, flood hazards to the city, and identification of wetlands.

2. When funding becomes available from state or federal sources, the city will review and update wetland and riparian area mapping.

3. Maintain discharges from the city’s wastewater treatment plant in accordance with the DEQ wastewater discharge permit.

4. Require riparian buffers along the shores of Garrison Lake, Mill Creek and Gold Run Creek. Ensure that no structural or physical alteration or development such as clearing, grading, parking lots, retaining walls or channel alterations are allowed within such designated areas. Consult the Oregon Department of Fish and Wildlife and the Oregon Department of Forestry and the Department of State Lands prior to authorizing a reduction in the standard riparian buffer for a specific proposed development.

5. Require a buffer to protect significant wetlands and notify the Department of State Lands when there is a development proposal in wetland areas.

6. Comply with applicable air and water quality standards established by the Department of Environmental Protection agency and the Oregon Department of Environmental Quality.

7. Support the resolution of problems potentially caused by septic systems along Garrison Lake, its watershed, and tributaries; annex properties to provide sewer hookups if and when feasible.
8. Recognize the jurisdiction of the Water Resources Department (WRD) and the ongoing process of implementing minimum stream flow requirements. Upon notification of implementation requirements, review, and where appropriate enact amendments required by law to maintain consistency with WRD programs.

9. Minimize increases in stormwater runoff rates and volume by utilizing incentives and regulations to mitigate stormwater impacts from new and existing development to reduce flooding and erosion, and to improve water quality and aquatic habitat.

10. Support development of a plan for cleanup of the Mill Creek drainage basin to prevent contamination of Garrison Lake.

11. Coordinate with Curry County and state agencies regarding water, air and land resource quality for lands lying within the UGB.

12. Work with Curry County to require that areas within the Urban Growth Boundary that are designated for rural residential growth provide for adequate sewage disposal, and eventual hook-up to city services when they become available.

13. Strive to reduce infestation of nonnative invasive weeds, by making the Curry County Weed Advisory Board’s Invasive and Noxious Weeds List available to citizens who are applying for permits for development activity.

14. Encourage the use of bio-swales and similar remediation wherever feasible to mitigate pollution from runoff, using native plants wherever appropriate.

**STATEWIDE PLANNING GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS**

**City Goals**

1. Protect life and property from natural disasters and hazards.

2. Maintain inventories and base mapping regarding known areas of natural disasters and hazards, and update information as funding is available.

3. Maintain updated implementing ordinances and rely on these documents to minimize the risk from natural disasters and hazards.

**City Policies**

1. Require analysis and reports from certified professional geologists prior to development in areas of potential geologic hazards such as those having more than 15% slope; carry out development in compliance with an overlay zone and recommendations specific to individual properties.

2. Require maintenance of vegetative cover on steep slope areas to minimize erosion.
3. Maintain and implement flood damage prevention regulations as set forth by the Federal Emergency Management Agency (FEMA) to protect human life and health, minimize expenditures for flood control, relief efforts, damage to public facilities, and future areas of blight due to flood damage, to notify buyers when property is within a flood hazard area, and to continue to qualify for inclusion in the National Flood Insurance Program.

4. Require the provision of adequate safeguards prior to permitting development in areas of known or suspected natural hazards.

5. Work with Curry County to maintain and implement the updated Emergency Operations Plan and the Natural Hazard Mitigation Plan including systems for disaster warnings, and procedures for the protection of citizens in the case of earthquakes, tsunamis and other natural disasters.

6. Consider access to evacuation routes when approving new development.

7. Work with other agencies and community organizations to develop natural disaster shelters outside the tsunami inundation zone.

8. Work with Curry County and state agencies including, but not limited to the Department of Geology and Mineral Industries (DOGAMI) to develop and implement tsunami and other emergency preparedness plans including the Port Orford Natural Hazards Mitigation Plan, the Emergency Operations Plan, the Continuity of Operations Plan and other plans, with the objective of incorporating and coordinating facilities and personnel to be capable of conducting emergency operations. Upgrade emergency operations and facilities as funding becomes available.

9. Prepare a post-tsunami redevelopment plan for the City of Port Orford as opportunities for funding such a plan become available.

STATEWIDE PLANNING GOAL 8: RECREATIONAL USES

City Goals

1. Satisfy the recreational needs of the citizens of Port Orford and visitors by respecting cultural values and improving access to scenic and natural resources.

2. Update the city’s inventory of recreational opportunities

City Policies

1. Maintain open space, protect significant natural features, and utilize practices that conserve and enhance natural biologic values of the community.

2. Maintain the wetland walkway and develop trails as opportunities (including funding) become available.
3. Increase public access to scenic and natural resources.

4. Support programs to enhance fish habitat and enhance properties adjacent to the Port to further recreational opportunities.

5. Consider recreational opportunities when reviewing development plans.

6. Encourage a pedestrian-friendly environment including support for bike lanes and sidewalks along Highway 101 and in new subdivision development.

7. Encourage the Oregon Parks and Recreation Department (OPRD) to maintain Port Orford Heads State Park and Tseriadan State Park, and to further develop Paradise Point State Park.

8. Coordinate with OPRD in regards to plans and proposals affecting state parks and ocean beaches.

9. Maintain and support enhancements and amenities at Battle Rock City Park and Buffington Park.

10. Plan for and develop a new and enhanced visitor center with marine education components at Battle Rock Park as funding opportunities become available.

11. Acquire a parcel of land that is surrounded by Battle Rock City Park to further enhance the park and its beaches.

12. Encourage maintenance of the Port Orford Public Library.

13. Encourage public participation to create public art for the enjoyment of residents and visitors.

14. Seek cooperative partnerships with the Port of Port Orford, the Port Orford Langlois School District, the State of Oregon Parks and Recreation Department, and other local, State, and federal agencies to offer opportunities for outdoor spaces that encourage a healthy and creative population.

15. Examine all city-owned property for public access, open space or recreational value prior to relinquishing ownership.

16. Develop additional access to public open space lands, including but not limited to ocean beaches.

17. Encourage a multi-purpose center, civic and recreational organizations, and activities for citizens all ages.

18. Encourage recreational use of both public and private land.

19. Utilize the city’s inventory of recreational amenities for analysis to prepare language to support applications for outside funding and partnerships that enhance recreational opportunities.
20. Actively pursue funding and partnerships that enhance recreational opportunities.

21. As funding becomes available, develop parks, open space and walking trails with interpretive information, including ADA compliance options to enhance the well being of citizens and visitor attractions. Proposed trails include, but are not limited to the following routes:
   a. Battle Rock Park to the Port of Port Orford to Garrison Lake and to Tseriadun State Park.
   b. From Highway 101 up Coast Guard Hill to Port Orford Heads State Park and down King Street to the beach.
   c. Battle Rock Park to the beach.
   d. Pedestrian and bicycle trails throughout the City, the Urban Growth Boundary and the Port Orford Community Stewardship Area.

22. Develop multi-use paths that enhance community livability while also serving as tsunami evacuation routes.

23. Coordinate evacuation route signage in conjunction with pedestrian and bicycle route planning.

STATEWIDE PLANNING GOAL 9: ECONOMIC DEVELOPMENT

City Goals

1. Provide opportunities throughout the city for a variety of economic activities that are important to the health, welfare and prosperity of the citizens and the community of Port Orford.

2. Diversify and improve the economy of Port Orford, while protecting the natural environment that makes the city a unique and inviting place.

City Policies

1. Designate suitable lands for the creation and expansion of existing industrial, commercial and medical activities, and support and encourage use of areas designated or developed for commercial use.

2. Implement planning ordinances to encourage diversity and a variety of home occupations and cottage industry that are compatible with residential living.

3. Encourage and support efforts to improve Port facilities, the harbor and fisheries including:
   a. Replacement and maintenance of docks and infrastructure.
   b. Rebuilding and maintaining the jetty.
   c. Controlling and mitigating shoaling through dredging or jetty infrastructure.
   d. Encourage the development of educational research and tourism facilities.
4. Encourage improvement of the Cape Blanco Airport facilities to attract tourists, sports enthusiasts, light industry and emergency services.

5. Encourage efforts to stimulate the tourism industry.

6. Encourage human-scale amenities within commercial areas and adjacent to trails and lookouts to encourage tourism and enhance the city’s sense of place.

7. Encourage sustainable practices including, but not limited to community gardens and farmer’s markets.

8. Consider main street improvements and town theme concepts aimed at enhancing the image and impact of the city, and adopt those concepts that are deemed appropriate.

9. Work with Curry County, the Oregon Business Development Department and other communities within Curry County and the region to explore incentives and enhance opportunities to attract business and industry.

10. Encourage programs for education, training and research regarding marine and terrestrial ecology that will support family-wage jobs within the Port Orford Community Stewardship Area.

11. Encourage artistic endeavors and craftsmanship that contribute to the city’s sense of place, by providing a positive ambiance and contributing to retail growth of the community.

12. Encourage environmentally responsible natural resource-based industries including fisheries and wood products to add value and enhance the local economy.

13. Take steps to minimize the existence of derelict buildings.

14. Support local access to and management of our marine resources.

15. Promote fishing as a necessary source of financial security and social welfare in the community.

16. Require protective measures for lodging facilities in tsunami hazard areas.

STATEWIDE PLANNING GOAL 10: HOUSING

City Goal

Provide for opportunities in the housing market to serve Port Orford citizens at varying income levels, taking citizen needs and desires into consideration.

City Policies

1. Allow for a full range of housing types, locations and densities through planning and zoning.
2. Ensure quality construction and public safety through enforcement of city ordinances and reliance on the International Building Code, the Oregon Fire Code, and Oregon Specialty Codes.

3. Encourage upgrading existing housing stock within the city when programs become available to assist with housing rehabilitation.

4. Cooperate with state and federal agencies, private industry, funding institutions, and citizens who are working to develop housing that will meet the city’s needs.

5. Encourage energy efficiency in housing.

6. Promote “green” building through use of materials that reduce negative impacts on human health and the environment.

7. Undertake residential buildable lands inventory, housing needs analysis and residential land needs analysis consistent with Statewide Planning Goal 10, OAR 660, division 8, and the housing statutes in ORS 197 as funding is available.

8. Update Comprehensive Plan inventories to comply with Statewide Planning Goal 10, Housing, Guidelines, (A) Planning, and (B) Implementation, when funding is available.

STATEWIDE PLANNING GOAL 11: PUBLIC FACILITIES AND SERVICES

City Goal

Plan for efficient delivery of public facilities and services to provide a framework for the city’s future, and ensure that new development pays its fair share.

City Policies

1. The city will promote the social, safety, health and well being of the citizens and visitors by encouraging adequate public facilities and services to meet the needs of the citizens:
   a. Transportation (refer to Statewide Goal 12: Transportation, City Goals and Policies within this document).
   b. Medical.
   c. Police and fire services.
   d. Utilities.
   e. Emergency Services.
   f. Education.
   g. Library.
   h. Broadband.
   i. Harbor (refer to Statewide Goal 10: Economic, City Policies, #3).
   j. Water.
   k. Wastewater.
2. Adopt and maintain public facilities plans for water, wastewater and storm drainage consistent with Statewide Planning Goal 11, including Guidelines for (A) Planning and (B) Implementation, and OAR 660, division 11. The City of Port Orford’s latest adopted facilities plans, including the Water Master Plan and Wastewater Collection System Master Plan, and any Stormwater Master Plan are incorporated into the Port Orford Comprehensive Plan Goals and Policies. Incorporating the plans provides the following:
   a. Engineering analysis and planning guidance for successful management of the water system including evaluation of the existing system, identifying deficiencies, estimating current and projected capacity, and recommending improvements.
   b. Engineering analysis and planning guidance for successful management of the wastewater system including evaluation of the existing system, identifying deficiencies, estimating current and projected flow, and recommending improvements.
   c. Engineering analysis and planning guidance for successful management of the stormwater system, which may be a stand-alone plan or an element of the wastewater system plan, with evaluation of stormwater runoff, estimates and projections of flow, and recommendations for improvements.

3. Update and maintain current GIS mapping of utility locations, depth, size and capacity for water, wastewater, and storm drainage systems and other utilities, as funding and information is available.

4. Manage municipal water, wastewater, and stormwater systems in accordance with all applicable state and federal standards.

5. Maintain programs to control long-term costs and to establish the most efficient operations for public services.

6. Encourage housing options in areas that have city infrastructure for water and wastewater, recognizing that where infrastructure is insufficient, new development may be required to install pump stations and other infrastructure to provide the capacity to support the new development.

7. Require plans for the control of surface water drainage in conjunction with applications for subdivisions, partitions and planned unit developments as set forth in implementing ordinances.

8. Encourage the maintenance of solid waste facilities to serve northern Curry County in compliance with DEQ standards, including facilities and programs for recycling and for disposal of hazardous household waste.

9. Assure fire protection services for the City of Port Orford.

10. Collaborate with other agencies to locate critical facilities such as police and fire stations, schools, clinics and water rescue operations in safe and accessible locations.

11. Encourage citizens to utilize sustainable practices that reduce the use of city facilities, including bioswales, rainwater catchment systems, and native plants.
12. Coordinate with utility providers, and encourage options to assure that adequate services are available.

13. Rely on the Port Orford Langlois School District and Southwestern Oregon Community College and other private and public options for the provision of education; encourage expansion of programs and facilities that serve the city.

14. Promote the enhancement of the Port Orford Public Library facilities and services.

15. Encourage and coordinate efforts to relocate overhead utilities to underground as appropriate, and assure that mapping information about any underground locations is available at the City for future use.

16. Consider regulations regarding the placement of transmission towers, and the placement and size of wind towers.

17. Address tsunami risks and evacuation routes and signage when planning, developing, improving, or replacing public facilities and services.

18. Update public facility plans to locate future facilities outside of the tsunami inundation zone, whenever possible.

19. Seek funding for updating facilities plans and funding relocation outside the tsunami inundation zone.

20. Plan for future location or relocation of public facilities outside of the tsunami hazard area.

STATEWIDE PLANNING GOAL 12: TRANSPORTATION

City Goal

Work with citizens, other agencies, and other organizations to improve transportation options and connections within the city including streets, facilities for bicyclists and pedestrians and public transportation.

City Policies

1. Encourage efficient and safe travel systems for motorists, pedestrians, and bicyclists by working for improvements to facilities that are unsafe or inadequate.

2. Encourage regularly scheduled freight delivery and pickup services to and from the city.

3. Work with Curry County and others who may be involved in efforts to develop an upgraded east-west highway linking Curry County with the interstate highway system.

4. Encourage diverse transportation systems including air and water modes.
5. Encourage maintenance and enhancement of the Cape Blanco Airport.

6. Encourage the development of transportation systems to meet the needs of the transportation disadvantaged within the city and throughout the South Coast.

7. Encourage mass-transit and commodity transportation services to and from the city.

8. Support water transportation through the development of the Port of Port Orford.

9. Develop a Transportation System Plan (TSP) to provide analysis and guidance for the City, in compliance with OAR 660-015-0000 (12) and in cooperation with the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD) as funding is available.

10. Collaborate with the (ODOT) to identify and implement transportation improvements to Highway 101.

11. When approving subdivisions, land partitions and planned unit developments:
   a. Encourage street and pedestrian connectivity.
   b. Discourage gated communities where connectivity is needed between destinations, neighborhoods and public places.
   c. Assure that all new streets to be accepted by the City of Port Orford are constructed to City of Port Orford standards.
   d. Assure that responsibility for street maintenance is set forth as part of final plat approval where streets are not accepted as city streets.
   e. Require new development to minimize direct access points onto arterials and collectors by encouraging new local streets that access arterials and collector streets.
   f. Consider options for incorporating easements for evacuation routes as appropriate.

12. Encourage pedestrian trails and bicycle routes and facilities.


14. Explore and encourage traffic calming mechanisms along Highway 101.

15. Maintain US 101 Highway Segment Designation Port Orford, Oregon adopted June 20, 2005 as an ODOT Special Transportation Area “STA” including the area between 15th Street and Deady Street to enhance opportunities for developing a more pedestrian-friendly and human-scale environment. The “STA” Highway Segment Designation map and text that provides the primary objective and reasoning for the designation has been adopted as an element of the Inventory, Section B of the Comprehensive Plan of the City of Port Orford.

16. Explore alternate routes that may be organized or identified to allow for transportation to and from the area following a tsunami.

STATEWIDE PLANNING GOAL 13: ENERGY CONSERVATION
City Goal

Promote and encourage energy conversation and the use of sustainable and renewable energy.

City Policies

1. Encourage the development of potential energy resources in the city.

2. Encourage a self-sufficient community, including locally produced food and other products to reduce reliance on travel for goods and services.

3. Consider ways to conserve energy in the City Hall, other city facilities, and public vehicles.

4. Support the use of alternative sustainable and renewable energy sources.

5. Encourage recycling programs and facilities.

6. Encourage pedestrian access, the use of bicycles, and alternatively powered vehicles.

7. Encourage residential, commercial and industrial development within the city to reduce travel distances and conserve energy.

8. Encourage housing rehabilitation and insulation to reduce heating costs.

STATEWIDE PLANNING GOAL 14: URBANIZATION

City Goal

Provide for an orderly and efficient transition from rural to urban use.

City Policies

1. Maintain the Urban Growth Boundary (UGB), and make any amendments to the UGB in compliance with Statewide Planning Goal 14, including Guidelines (A) Planning and (B) Implementation, ORS 197.298 and OAR 660 Division 24.

2. Encourage development within the city prior to expansion into the UGB.

3. Assure that applicants pay for any extensions of water or sewer into the UGB, and require annexation where services are provided outside the city limits.

4. Maintain Curry County large lot rural zoning under Curry County’s jurisdiction within the UGB until such time as urban services become available and land is annexed, at which time a city zone shall be applied.

5. Coordinate with Curry County as set forth in the signed joint Urban Growth Area Management Agreement, and follow the processes to continue to coordinate planning between Curry County and the City of Port Orford.
STATEWIDE PLANNING GOAL 15: WILLAMETTE RIVER GREENWAY

Statewide Goal 15, Willamette River Greenway, is not applicable to the City of Port Orford or Curry County.

STATEWIDE PLANNING GOALS 16 – 19: COASTAL

The Coastal Goals include Statewide Goals 16 – 19. In order to comply with the requirements of the coastal goals, the City of Port Orford will utilize the definitions set forth within OAR 660 Division 015, Statewide Planning Goals and Guidelines, to implement Statewide Planning Goals 16 – 19, where those definitions are more specific than those within Municipal Code Title 17.

STATEWIDE PLANNING GOAL 16: ESTUARINE RESOURCES

Statewide Goal #16 applies to designated estuaries and the unique environmental, economic and social values of the estuaries and associated wetlands. The City of Port Orford is not part of a designated estuarine system.

Garrison Lake is a coastal lake, which is defined as a lake in the coastal zone bordered by a dune formation, with direct hydrologic surface or subsurface connection with saltwater. Policies for Garrison Lake and associated wetlands are included in this document within Statewide Goal 6: City Goals and Policies, Air, Water and Land Resources Quality, and in Statewide Goal 17, which provides the Coastal Shorelands Boundary and describes the features included within the Boundary.

STATEWIDE PLANNING GOAL 17: COASTAL SHORELANDS

City Goals

1. Promote the integrity of the coastal shorelands to protect and maintain water quality, fish and wildlife habitat, economic resources and scenic and recreational amenities, and to reduce hazards to life and property.

2. Manage the shoreland areas to be compatible with the characteristics of adjacent coastal waters, and to avoid adverse impacts to adjacent coastal waters.

3. Provide for water-dependent and water-related uses, and for nondependent nonrelated uses, in the city, compatible with existing or committed uses.

4. Provide for water-oriented uses that provide for enhanced views or access to coastal waters in conjunction with water-dependent and water-related uses.

5. Maintain coastal vegetation to reduce erosion and promote natural buffers.
City Policies

1. Include lands contiguous with the ocean and coastal lakes within the Coastal Shorelands Boundary as set forth in OAR 660-015-0010 (2) as follows:
   a. Areas subject to ocean flooding, as mapped by FEMA, and lands within 100 feet of the ocean shore or within 50 feet of Garrison Lake.
   b. Adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body.
   c. Natural or manmade riparian resources, especially vegetation necessary to stabilize the shoreline and maintain water quality and temperatures necessary for maintaining fish habitat and spawning areas.
   d. Areas of significant shoreland and wetland biological habitat, where habitat is primarily derived from or related to the association with coastal waters.
   e. Areas necessary for water-dependent and water-related uses, including areas of recreational importance, which utilize coastal water or riparian resources, lands designated for navigation and port facilities, dredge material disposal and mitigation sites, and areas having characteristics suitable for aquaculture.
   f. Areas of exceptional aesthetic or scenic quality where the quality is primarily derived from or related to the association with coastal water.
   g. Coastal headlands.
   h. Specific shoreland areas which have been identified by the city are the ocean beach shorelands, Garrison Lake and associated marsh shorelands, the Heads, the Port of Port Orford, areas adjacent to the ocean that are mapped as hazard areas, areas identified as having geologic instability, and water-dependent and water-related recreational areas associated with Garrison Lake.

2. Define the Coastal Shorelands Boundary generally as shown in the Curry County Comprehensive Plan, and cooperate with Curry County to delineate and utilize digitized mapping for the Shorelands Boundary described as follows:
   a. Lands lying north of the City of Port Orford, within the UGB, defined as being at the top of the sea cliff to the northerly end of Garrison Lake Spit (Curry County Comprehensive Plan Map);
   b. On the Garrison Lake spit the boundary is defined as being a line located 100 feet inland from mean high tide (Curry County Comprehensive Plan Map);
   c. At a point 1,500 feet south of Garrison Lake State Wayside, the boundary crosses the spit to a line defined as being a uniform horizontal distance of 50 feet inland from the ordinary high water mark of Garrison Lake following the entire perimeter of the Lake;
   d. At the south end of the Garrison Lake spit, the boundary is defined as the boundary of the Port Orford Head State Wayside Park to its southeasterly intersection with the top of the sea cliff at Nellie’s Cove;
   e. At the southeasterly corner of Port Orford Heads State Wayside, the boundary is defined as a line, which follows the top of the sea cliff in an easterly direction to the mouth of Gold Run Creek.
   f. From the southeasterly city limits to the southerly limit of the UGB, the coastal shorelands boundary is defined as being at the tip of the sea cliff (Curry County Comprehensive Plan Map).
3. Require property owners to maintain and restore riparian vegetation within the coastal shoreland boundary where development activity is proposed.

4. Support public access and work with Oregon State Parks within shoreland areas as appropriate, to identify vacated rights of way, and to develop easements that provide access to the water, to ocean views and for emergency vehicle access.

5. Protect shorelands which are designated as especially suited for water-dependent development from uses which would commit those shorelands to non-water-dependent uses.

6. Allow water oriented uses in conjunction with and incidental to water-dependent and water-related uses to allow for retail sales, and tourist amenities including, but not limited to restaurants within the Port area and adjacent areas that will attract the public because of enhanced views or access to coastal waters.

7. Support open space and a diverse range of low impact amenities within the shorelands, including but not limited to parks, walkways, boardwalks and viewpoints, while maintaining resource protections.

8. Continue to comply with the requirements of National Flood Insurance Program, amending the ordinance as necessary.

9. Where there are any existing developed commercial/industrial waterfront areas suitable for redevelopment, which are not designated as especially suited for water-dependent uses, the city shall invite the preparation of a plan for these areas to allow for a mix of water-dependent, water-related, and water oriented nondependent uses with public access to the shoreline as funding and options for redevelopment become available.

STATEWIDE PLANNING GOAL 18: BEACHES AND DUNES

City Goals

1. Protect western beaches to the north of the Heads, and beaches to the east and south of the heads.

2. Continue to protect the narrow strand of beach and dune sands ranging from 750 to 1,000 feet in width that separate Garrison Lake from the Pacific Ocean, recognizing that the oceanward side of these stabilized dunes are active growing foredunes.

3. Encourage enhancement of existing dune features and native coastal vegetation to promote natural buffers from high tides and tsunami conditions, while reducing erosion.

4. Reduce hazards to human life and property from natural or man-induced action or development activity associated with beaches and dunes.
City Policies

1. Minimize vegetation removal and activities that would contribute to erosion for any development activity in dune areas.

2. Prohibit residential use, commercial and industrial buildings and development on beaches and dunes, working in conjunction with applicable Curry County, State and Federal agencies.

3. Identify appropriate sites for emergency and public access to the beaches.

4. Protect the groundwater in beach and dune areas to minimize loss of vegetation and loss of water quality, and to prevent intrusion of salt water into water supplies.

5. Issue permits for beachfront protective structures only where development including houses, commercial and industrial buildings, and vacant subdivision lots which are physically improved through construction of streets and provision of utilities existed on January 1, 1977, or where an approved exception to the Statewide Planning Goals allowed for residential development, commercial and industrial buildings.

STATEWIDE PLANNING GOAL 19: OCEAN RESOURCES

City Goal

Conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

City Policies

1. Support the Red Fish Rocks Marine Reserve in the territorial sea and the greater marine stewardship area in and around Port Orford, for research, healthy ecological functions, and future economic and social benefits and ecological and economic values.

2. Cooperate with the local fishing industry, educational institutions, research groups, coastal nongovernmental organizations, ODFW, and other State and Federal agencies to utilize and share information and carry out programs to promote understanding of Ocean resources and systems.

3. Support the Port of Port Orford and nongovernmental organizations in developing a nearshore marine research and educational facility in Port Orford.

4. Support the use of ocean resources for sustainable food production, as an economic resource, and as a brand for sustainable seafood production for the community.

5. Cooperate with the Port and nongovernmental organizations in organizing for speakers, educational programs and workshops to share information about the territorial sea, the fishing industry, Marine Reserve programs and other programs that provide forums for information about ocean resources.
6. Support exploration of areas having characteristics suitable for aquaculture and the development of aquaculture facilities in the Port Orford Community Stewardship Area. Explore areas having characteristics suitable for aquaculture.

PORT ORFORD GOALS FOR COASTAL RESILIENCE

City Goals

1. Include pre-and post-tsunami disaster planning as part of planning process.

2. Support tsunami preparedness and related resilience efforts.

3. Take reasonable measures to protect life and property to the fullest extent feasible, from the impact of a tsunami.

4. Adopt the latest Department of Geology and Mineral Industries (DOGAMI) Tsunami Inundation Maps of the City of Port Orford.

5. Adopt a Tsunami Hazard Overlay Zone.

6. Identify locations, and secure property above the tsunami inundation zone for temporary housing, business and community functions post event, including but not limited to Oregon State Parks, Coos Curry Electric and Cape Blanco Airport.

City Evacuation and Assembly Location Policies

1. Utilize potential land subsidence projections, utilizing mapping from DOGAMI to plan for evacuation routes.

2. Adopt a tsunami evacuation route plan identifying current and projected evacuation needs, designating routes and assembly areas. Identify needed improvements.

3. Consider placement permits for storage and shelter facilities and other temporary housing to ensure that planning incorporates shelter facilities and storage that will be needed.

4. Provide road development or other incentives to property owners that donate land or provide easements for evacuation routes, assembly areas, and potential shelters.

5. Incorporate signing for routes (way finding in all weather and lighting conditions), needed vegetation management, and considerations for downed power poles.

6. Work with organizations and neighboring jurisdictions to identify inter-jurisdictional evacuation routes and assembly areas where feasible.

7. Seek funding opportunities to plan for and develop vertical evacuation structures in areas where reaching high ground is impractical.
8. Seek funding opportunities for multi-use paths and roads as an element of tsunami evacuation route planning.

9. Provide informational materials related to tsunami evacuation routes to the public.

10. Consider policies that incorporate dedications for evacuation routes in proposed new developments.

11. Consider temporary housing, and other options for carrying out business and community functions in response to a tsunami event.

City Development Policies in High Risk Areas

1. Prohibit increased residential density zoning and intensive uses in tsunami hazard areas except where mitigation for life safety and tsunami resistant structure design and construction is implemented.

2. Comply with seismic structural components for development of new essential facilities as set forth in ORS 445.466 - 455.477, and any additional lands included in the City’s Tsunami Hazard Overlay Zone.

3. Encourage building techniques that address tsunami peak hydraulic forces which will minimize impacts and increase the likelihood that structures will remain in place.

4. Encourage enhancement of existing dune features and native coastal vegetation to promote natural buffers and reduce erosion.

City Hazard Mitigation Policies

1. Support tsunami hazards and resilience strategies within the community’s FEMA approved hazard mitigation plan.

2. Maintain Comprehensive Plan policies that ensure hazard mitigation plan action items related to land use.

City Tsunami Awareness Education and Outreach Policies

1. Encourage and support tsunami education and outreach, training and practice.

2. Encourage a comprehensive and ongoing tsunami preparedness community education and outreach program.

3. Collaborate with local, state and federal planners and emergency managers for the purpose of developing a culture of preparedness supporting evacuation route planning and other land use measures that minimize risk and maximize resilience.
City Debris Management Policies

Identify needs and organize policies for a debris management program along with public and private entities, to include options for use of heavy equipment following a tsunami.
In all other respects, The Port Orford Comprehensive Plan I remain the same and in full force and effect.

The foregoing ordinance was enacted by the Common Council of the City of Port Orford this 18th Day of April 2019 by the following vote:

Yes: _______________________________________________________________

No: _______________________________________________________________

Abstain: ____________________________________________________________ Passed: ___ Failed: ___

ATTEST:

Tim Pogwizd
Mayor of the City of Port Orford
Curry County Oregon

ATTEST:

Terrie Richards
City Recorder of the City of Port Orford
Curry County Oregon
ORDINANCE 2019-04

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON ADOPTING AMENDMENTS TO THE PORT ORFORD ZONING MAP OF MARCH 2008

Be it ordained by the Common Council of the City of Port Orford that the Zoning Map of March 2008 be amended to incorporate the Tsunami Hazard Overlay Zone (Chapter 17.46) to reflect changes set forth in Ordinance 2019-02 as follows:

Ordinance 2019-02 New Chapter Added: Municipal Code – Chapter 17.46 Tsunami Hazard Zone to be added as follows:

<table>
<thead>
<tr>
<th>Zone</th>
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<tbody>
<tr>
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<td>Chapter 17.46</td>
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</table>

Ordinance #278 – Article II: Municipal Code – Chapter 17.46, Tsunami Hazard Overlay Zone is amended by adding to Chapter 17, to read as follows:

Sections:
17.46.010 Purpose
17.46.020 Definitions
17.46.030 Applicability of Tsunami Hazard Overlay Zone
17.46.040 Uses
17.46.050 Prohibited Uses
17.46.060 Existing Uses
17.46.070 Use Exceptions
17.46.080 Evacuation Route Improvement Requirements

The red area on the attached map of the Comprehensive Plan is therefore now changed to add the Tsunami Hazard Overlay Zone.

The foregoing ordinance was enacted by the Common Council of the City of Port Orford this 18th day of April, 2008.

Yes: ________________________

No: ________________________

Abstain: ________________________

Tim Pogwizd
Mayor of the City of Port Orford
Curry County Oregon

APPROVED AS TO FORM AND CONTENT:

________________________
Shala McKenzie-Kudlac
City Attorney of the City of Port Orford

ATTEST:

________________________
Terrie Richards
City Recorder of the City of Port Orford
Curry County Oregon
City of Port Orford Tsunami Hazard Overlay Map

The Tsunami Regulatory Line identifies lands that will be subject to the provisions of Port Orford Municipal Code, Chapter 17.46, Tsunami Hazard Overlay Zone.
RESOLUTION 2019-12

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD
APPOINTING THE PORT ORFORD MAIN STREET REVITALIZATION
ASSOCIATION AS THE TOURISM PROMOTION AGENCY FOR THE CITY OF
PORT ORFORD

WHEREAS, The City increased the TLT Tax to 7 (seven) per cent; and

WHEREAS, One of the seven percent (one seventh of the total) Transient Room tax funds collected must be used only for tourism promotion through the Tourism Promotion Agency; and

WHEREAS, Resolution 2013-08 designated the Port Orford & North Curry County Chamber of Commerce as the Tourism Promotion Agency for Port Orford; and

WHEREAS, the Port Orford & North Curry County Chamber of Commerce is no longer active; and

WHEREAS, the Port Orford Main Street Revitalization Association of Port Orford agreed to act as the Tourism Promotion Agency for Port Orford; and

WHEREAS, the Port Orford Main Street Revitalization Association is a tax exempt 501(c ) (3) nonprofit organization;

NOW, THEREFORE,

BE IT RESOLVED by the Common Council of the City of Port Orford, that the Port Orford Main Street Revitalization Association be appointed as the City’s Tourism Promotional Agency so that money designated for tourism promotion can be used to promote the Port Orford area.

ADOPTED by the Common Council of the City of Port Orford, and effective this 18th day of April 2019.

SIGNED BY THE MAYOR this 18th day of April 2019.

By: __________________________
Tim Pogwizd, Mayor

ATTEST:

______________________________
Terrie Richards, City Recorder
ORDINANCE 2019-05

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD AMENDING ORDINANCE 2013-01 TO REFLECT RESOLUTION 2019-12 AND AMEND THE DESIGNATION OF THE CITY OF PORT ORFORD TOURISM ADVERTISING AGENCY

Be it ordained by the Common Council of the City of Port Orford that Ordinance 2013-01 and the Port Orford Municipal Code, Title 3 Revenue and Finance, Chapter 3.08 Transient Lodging Tax, be amended by the following:

Section 3.08.240 Disposition and Use of Transient Room Tax Funds
(1) The funds collected under this ordinance shall be retained by the City and allocated to the Parks Fund. The City Council may appropriate a portion of the funds collected under this ordinance through TLT Grants for City Area tourism development and City Area beautification; which may be to contract for a seasonal parks worker or can be used for tourism related facilities as provided by this ordinance and those grants shall be allocated by the TLT Expenditure Committee with Council approval. (Ord. 2000-04 § 1, 2000) (Ord. 2009-07 § 240, 2008) (Ord. 2012-01 § 240, 2011).

(2) One of the seven percent (one-seventh of the total) Transient Room tax funds collected must be used for tourism promotion through the Port Orford & North Curry County Chamber of Commerce which is designated as the a Tourism Promotion Agency for the City of Port Orford, in accordance with Resolution 2013-08 and State Law, and shall not be allocated by the TLT Expenditure Committee but by with City Council Approval.

In all other respects, Ordinance 2013-01 and the Port Orford Municipal Code, Title 3 Revenue and Finance, Chapter 3.08 Transient Lodging Tax shall remain the same and in full force and effect.

The foregoing ordinance was enacted by the Common Council of the City of Port Orford this 18th day of April, 2019 and effective the 18th day of May, 2019 by the following vote:

Yes: ________________________________
No: ________________________________
Abstain: ____________________________
Passed: ________ Failed ____________

______________________________
Tim Pogwizd
Mayor of the City of Port Orford
Curry County Oregon

ATTEST:

______________________________
Terrie Richards
City Recorder of the City of Port Orford
Curry County Oregon

Ordinance 2019-05 TLT Grant Funding Procedures
April 18, 2019
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# Chapter 3.08

## TRANSIENT LODGING TAX

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<td>Ordinance Retroactive</td>
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<tr>
<td>3.08.280</td>
<td>Severability</td>
</tr>
</tbody>
</table>
3.08.010 Definitions.

For the purpose of this chapter, the following words shall mean:

“Accrual accounting” means a system of accounting in which the operator enters the rent due from a transient into the record when the rent is earned, whether or not it is paid.

“Cash accounting” means a system of accounting in which the operator does not enter the rent due from a transient into the record until the rent is paid.

“City area beautification” means the enhancement and beautification of the city within the city’s limits, but excluding acquisition, maintenance and/or repairs of city infrastructure with the exception of facilities used by tourists. (Ord. 2003-06 § 01, 2003)

“City area tourism development” means 1) the expenditure of funds in areas outside of the City limits for the purpose of advertising and promoting areas within the city of Port Orford and surrounding areas and 2) advertising and support of activities within the city limits which draw tourists to the area. (Ord. 2003-06 § 01, 2003)

“Collection reimbursement charge” means the amount a transient lodging provider may retain as reimbursement for the costs incurred by the provider in collecting and reporting a transient lodging tax and in maintaining transient lodging tax records.

“Conference center” means a facility that:

a. Is owned or partially owned by a unit of local government, a governmental agency or a nonprofit organization; and

b. Meets the current membership criteria of the International Association of Conference Centers.

“Convention center” means a new or improved facility that:

a. Is capable of attracting and accommodating conventions and trade shows from international, national and regional markets requiring exhibition space, ballroom space, meeting rooms and any other associated space, including but not limited to banquet facilities, loading areas and lobby and registration areas;

b. Has a total meeting room and ballroom space between one-third and one-half of the total size of the center’s exhibition space;

c. Generates a majority of its business income from tourists;

d. Has a room-block relationship with the local lodging industry; and

e. Is owned by a unit of local government, a governmental agency or a nonprofit organization.

“Local transient lodging tax” means tax imposed by a unit of local government on the sale service or furnishing of transient lodging.

“State transient lodging tax” means tax imposed by a unit of local government under ORS 320.205.

“Tourism” means economic activity resulting from tourists.

“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 and festivals designed to attract tourists.

   “Tourism promotion agency” includes:
   a. An incorporated nonprofit organization or governmental unit that is responsible for the tourism promotion of a destination on a year-round basis.
   b. A nonprofit entity that manages tourism-related economic development plans, programs and projects.
   c. 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”:
   a. Means a conference center, convention center or visitor information center; and
   b. Means 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 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:
   a. Requires the person to travel more than 50 miles from the community of residence; or
   b. Includes an overnight stay.

   “Transient” means an individual who occupies or is entitled to occupy space in transient lodging for a period of thirty (30) consecutive days or less, counting portions of days as full days. The day a transient checks out of a hotel shall not be included in determining the thirty (30) day period if the transient is not charged rent for that day. A person occupying space in transient lodging shall be considered a transient until a period of thirty-one (31) days has expired unless there is agreement in writing between the operator and the occupant providing for a longer period of occupancy or the tenant actually extends occupancy more than thirty (30) consecutive days. A person who pays for lodging on a monthly basis, regardless of the number of days in the month, shall not be considered a transient. (Ord. 96-16 § 1, 1996; Ord. 212-90B § 1, 1990)

   “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.

   “Unit of local government” has the meaning given that term in ORS 190.003.

   “Visitor information center” means a building, or a portion of a building, the main purpose of which is to distribute or disseminate information to tourists.

3.08.020 Tax Imposed

An individual who occupies or is entitled to occupy space in transient lodging shall pay a tax in the amount of seven percent of the rest charged for the privilege of occupancy in a hotel in the city. The tax constitutes a debt owed by the transient to the city, and the debt is extinguished only when the tax is remitted by
the operator to the city. The transient shall pay
the tax to the operator at the time the rent is
paid. The operator shall enter the tax into the
record when rent is collected if the operator
keeps records on the accrual accounting basis.
If the rent is paid in installments, a
proportionate share of the tax shall be paid by
the transient to the operator with each
installment. In all cases, rent paid or charged
for occupancy shall exclude the sale of goods,
services or commodities. All transient funds
shall be held in trust by the operator on behalf
of the transient until remitted to the city. (Ord.

3.08.030 Rules for Collection of Tax
by Operator

A. Every operator renting space for lodging
or sleeping shall collect a tax from the
occupant. The tax collected or accrued
constitutes a debt owed by the operator to the
city.

B. In cases of credit or deferred payment of
rent, the payment of tax to the operator may be
deferred until the rent is paid, and the operator
shall not be liable for the tax until credits are
paid or deferred payments are made.

C. the City Administrator shall enforce this
chapter and may adopt rules and regulations
necessary for enforcement with approval of
City Council.

D. For rent collected on portions of a dollar,
fractions of a penny of tax shall not be
remitted. (Ord. 212-90B § 3, 1990)
(Ord.2012-01 § 050, 2012)

3.08.040 Operator’s Duties

An operator shall collect the tax when rent is
collected from the transient. The amount of
tax shall be stated separately in the operator’s
records and on the receipt given by the
operator. An operator shall not advertise that
the tax will not be added to the rent, that a
portion of it will be assumed or absorbed by
the operator, or that a portion will be
refunded, except in the manner provided by
this chapter. (Ord. 212-90B § 4, 1990)

3.08.050 Exemptions

The tax shall not be imposed on:

A. An occupant staying more than thirty
(30) consecutive days.

B. Any occupant of a hospital room medical
clinic, convalescent home, or home for the
aged, disabled or otherwise infirm;

C. Any occupant whose rent is paid as
charitable assistance from any recognized
nonprofit organization such as a church or
Common Good;

D. Any recreational vehicle park. (Repealed:
Ord. 2004-03 § 050, 2004);

E. Any government employee on official
government business who presents a
hotel/motel tax exemption certificate at the
time of their current occupancy. (Ord. 96-16 §

3.08.060 Operator’s Registration Form

A. An operator of a hotel shall register with
the tax administrator, on a form provided by
the administrator, within fifteen (15) days
after beginning business or within thirty (30)
calendar days after passage of the ordinance
codified in this chapter.

B. The registration shall include:

1. The name under which the operator
transacts or intends to transact business;

2. The location of the hotel;

3. Any other information the tax
administrator may require to facilitate
collection of the tax;

4. The signature of the operator.
C. Failure to register does not relieve the operator from collecting the tax or a person from paying the tax. (Ord. 212-90B § 6, 1990)

3.08.070 Certificate of Authority

A. The tax administrator shall issue a certificate of authority to the registrant within ten days after registration.

B. Certificates are non-assignable and nontransferable and shall be surrendered immediately to the tax administrator on cessation of business at the location named or when the business is sold or transferred.

C. Each certificate shall state the place of business to which it applies and shall be prominently displayed.

D. The certificate shall state:
   1. The name of the operator;
   2. The address of the hotel;
   3. The date when the certificate was issued;

   4. This Transient Occupancy Registration Certificate signifies that the person named on the certificate has fulfilled the requirements of the Transient Room Tax Ordinance of the City of Port Orford by registering with the tax administrator for the purpose of collecting the room tax imposed by the City of Port Orford and remitting the tax to the tax administrator.® (Ord. 212-90B § 7, 1990)

3.08.080 Collections, Returns and Payments

A. The taxes collected by an operator are payable to the tax administrator on a quarterly basis on the fifteenth day of the following month for the preceding three months and are delinquent on the last day of the month in which they are due. The initial return may be for less than the three months preceding the due date. The quarters are:

   First quarter January, February, March
   Second quarter April, May, June
   Third quarter July, August, September
   Fourth quarter October, November, December

B. A return showing tax collections for the preceding quarter shall be filed with the tax administrator, in a form prescribed by the tax administrator, before the sixteenth day of the month following each collection quarter.

C. 1. The operator shall withhold five percent of the tax to cover the expense of collecting and remitting the tax.

   2. In instances where credit is extended to the transient for charges for rental through the use of a credit card or other similar transaction whereby the amount paid to the operator is discounted by contract between the operator and the issuer of the credit card, the amount of such discount may be excluded from the definition of “rent” and no tax shall be imposed on the amount so discounted.

D. Returns shall show the amount of the tax collected or due for the related period. The tax administrator may require returns to show the total rentals on which the tax was collected or is due, gross receipts of the operator for the period, a detailed explanation of any discrepancy between the amounts, and the amount of rentals exempt.

E. The operator shall deliver the return and the tax due to the tax administrator’s office. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.

F. For good cause, the tax administrator may extend the time for filing a return or paying the tax for not more than one month. Further extensions may be granted only by the common council of the city of Port Orford.

G. The tax administrator may require returns
3.08.090 Delinquency Penalties

A. An operator who has not been granted an extension of time for remittance of tax due and who fails to remit the tax prior to delinquency shall pay penalty of ten percent of the tax due in addition to the tax.

B. An operator who has not been granted an extension of time for remittance of tax due and who fails to pay a delinquent remittance before the expiration of thirty-one (31) days following the date on which the remittance became delinquent shall pay a second delinquency penalty of fifteen (15) percent of the tax due, the amount of the tax due and the ten percent penalty first imposed.

C. If the tax administrator determines that nonpayment of a remittance is due to fraud or intent to evade the tax, a penalty of twenty-five (25) percent of the tax shall be added to the penalties stated in subsections A and B of this section.

D. In addition to the penalties imposed by this section, an operator who fails to remit the required tax shall pay interest at the rate of 0.5 percent per month, on the tax due, exclusive of penalties, from the date on which the tax first became delinquent until paid.

E. Each penalty imposed and the interest accrued under the provisions of this section shall be merged and become part of the tax required to be paid.

F. An operator who fails to remit the tax within the required time may petition the common council of the city of Port Orford for waiver and refund of the penalty or a portion of it. The common council of the city of Port Orford may, if good cause is shown, direct a refund of the penalty or a portion of it. (Ord. 212-90B § 9, 1990)

3.08.100 Deficiency Determination

A. In making a determination that the returns are incorrect, the tax administrator may determine the amount required to be paid on the basis of the facts contained in the return or on the basis of any other information.

B. Deficiency determination may be made on the amount due for one or more than one period. The determined amount shall be payable immediately on service of notice, after which the determined amount is delinquent. Penalties on deficiencies shall be applied as provided in Section 3.08.090.

C. In making a determination, the tax administrator may offset overpayments that have been made against a deficiency for a subsequent period or against penalties and interest on the deficiency. The interest on the deficiency shall be computed as provided in Section 3.08.090. (Ord. 212-90B § 10, 1990)

3.08.110 Redemption Petition

A determination becomes payable immediately on receipt of notice and becomes final within ten days after the tax administrator has given notice. However, the operator may petition for redemption and refund by filing a petition before the determination becomes final. (Ord. 212-90B § 11, 1990)

3.08.120 Fraud, Refusal to Collect, Evasion

A. If an operator fails or refuses to collect the tax, make the report, or remit the tax, or makes a fraudulent return or otherwise willfully attempts to evade the tax payment, the tax administrator shall obtain facts and information on which to base an estimate of the tax due. After determining the tax due and
the interest and penalties, the tax administrator shall give notice of the amount due.

B. Determination and notice shall be made and mailed within three years after discovery of fraud, intent to evade, failure or refusal to collect the taxes, or failure to file a return. The determination becomes payable immediately on receipt notice and becomes final ten days after the tax administrator has given notice.

C. The operator may petition for redemption and refund if the petition is filed before the determination becomes final. (Ord. 212-90B § 12, 1990)

3.08.130 Notice of Determination

A. The tax administrator shall give the operator a written notice of determination. If notice is mailed it shall be addressed to the operator at the address that appears on the records of the tax administrator, and service is complete when the notice is deposited in the post office.

B. Except in the case of fraud or intent to evade the tax, a deficiency determination shall be made and notice mailed within three years after the last days of the month following the close of the quarterly period for which the determination has been made or within three years after the return is filed, whichever is later.(Ord. 212-90B § 13, 1990)

3.08.140 Operator Delay

If the tax administrator believes that collection of the tax will be jeopardized by delay, or if a determination will be jeopardized by delay, the tax administrator shall determine the tax to be collected and note facts concerning the delay on the determination. The determined amount is payable immediately on service of notice. After payment has been made, the operator may petition for redemption and refund of the determination if the petition is filed within ten days from the date of service of notice by the tax administrator. (Ord. 212-90B § 14, 1990)

3.08.150 Redetermination

A. the common council of the city of Port Orford is designated as a committee to hear and determine appeals of order or decisions of the tax administrator, upon petition for redetermination of tax or other pertinent matters for which the tax administrator is herein designated or directed to perform. The city council, in such capacity, shall act as a committee to hear and determine such orders or decisions or dismiss the appeals therefrom, as may be just, and shall prescribe such forms, rules and regulations relating to appeals as it may deem necessary.

B. An operator against whom a determination is made under Section 3.08.100, or person directly interested, may petition the common council of the city of Port Orford for a redetermination, redemption and refund within the time required in Section 3.08.140. If a petition for redetermination and refund is not filed within the time required, the determination is final on the expiration of the allowable time.

C. If a petition for redetermination and refund is filed within the allowable period, the tax administrator shall set the time and place of the hearing before the common council of the city of Port Orford at the next regularly scheduled council meeting as prescribed in the council rules and regulations and give the operator notice of the time and place of the hearing. The common council may continue the hearing if necessary.

D. The common council, sitting as a committee as herein above provided, shall have the authority:

1. To approve, modify or disapprove all forms, rules and regulations prescribed by the
tax administrator in the administration and enforcement of this chapter;

2. In a review of the tax administrator=s determination, the council committee may take such evidence and make such investigation as it may deem necessary;

3. The council committee may change the amount of the determination as a result of the hearing. If an increase is determined, the increase is payable immediately after the hearing.

E. A petition for redetermination is not effective unless the operator has complied with the payment provisions. (Ord. 212-90B § 15, 1990)

3.08.160 Security for Collection of Taxes

A. The tax administrator may require an operator to deposit security in the form of cash, bond or other security. The amount of security shall fixed by the tax administrator and shall not be greater than twice the operator’s average quarterly liability for the period for which the operator files returns or five thousand dollars ($5,000.00), whichever amount is less.

B. Within three years after a tax becomes payable or within three years after a determination becomes final, the tax administrator may bring an action in the name of the city in the courts of this state, another state, or the United States to collect the amount delinquent and penalties and interest. (Ord. 212-90B § 16, 1990)

3.08.170 Liens

A. the tax, interest, penalty and filing fees paid to the tax administrator and any advertising costs incurred when the tax becomes delinquent shall be a lien from the date of its recording with the county clerk until the tax is paid. The lien shall be superior to all subsequently recorded liens on all tangible personal property in the operator’s hotel. The lien may be foreclosed and the necessary property sold to discharge the lien.

B. Notice of the lien shall be issued by the tax administrator when the operator has defaulted in payment of the tax, interest and penalty. A copy of the notice shall be sent by certified mail to the operator.

C. Personal property subject to the lien may be sold at public auction after ten days notice published in a newspaper of general circulation in the county.

D. A lien for the tax, interest and penalty shall be released by the tax administrator when the full amount has been paid to the city. The operator or person making the payment shall receive a receipt stating that the full amount of the tax, interest and penalty has been paid, that the lien is released and that the record of the lien is satisfied. (Ord. 212-90B § 17,1990)

3.08.180 Refunds by City to Operator

When the tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the tax administrator, it may be refunded if a written verified claim stating the specific reason for the claim is filed within three years from the date of payment. The claim shall be submitted on forms provided by the tax administrator. If the claim is approved, the excess amount may be refunded to the operator or it may be credited to an amount payable by the operator and any balance refunded. (Ord. 212-90B § 18, 1990)

3.08.190 Refunds by City to Transients

If the tax has been collected by the operator
and deposited 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 if a written verified claim stating the specific reason for the claim is filed with the tax administrator within three years from the date of the payment. (Ord. 212-90B § 19, 1990)

3.08.200 Refunds by Operator to Transient

If the tax has been collected by the operator and it is later determined that the transient occupied the hotel for a period exceeding thirty (30) days without interruption, the operator shall refund the tax to the transient. The operator shall account for the collection and refund to the tax administrator. If the operator has remitted the tax prior to the refund or credit to the transient, the operator shall be entitled to a corresponding refund. (Ord. 212-90B § 20, 1990)

3.08.210 Records Required of Operators

Every operator shall keep guest records, accounting books and records of room rentals for a period of three years and six months. (Ord. 212-90B § 22, 1990)

3.08.220 Examination of Records

During normal business hours and after notifying the operator, the tax administrator may examine books, papers and accounting records related to room rentals to verify the accuracy of a return or, if no return is made, to determine the amount to be paid. (Ord. 212-90B § 22, 1990)

3.08.230 Confidentiality

The tax administrator or a person having an administrative or clerical duty under the provisions of this chapter shall not make known in any manner the business affairs, operations or information obtained by an investigation of records and equipment of a person required to file a return or pay a transient occupancy tax or a person visited or examined in the discharge of official duty; or the amount or source of income, profits, losses or expenditures contained in a statement or application; or permit a statement or application, or a copy of either, or a book containing an abstract or particulars to be seen or examined by any person. However, nothing in this section shall be construed to prevent:

A. Disclosure to or examination of records and equipment by city official, employee or agent for collecting taxes for the purpose of administering or enforcing the provision or collecting the taxes imposed by this chapter;

B. Disclosure, after filing a written request, to the taxpayer, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, of information concerning tax paid, unpaid tax, amount of tax required to be collected, or interest and penalties. However, the City Attorney shall approve each disclosure referred to in this subsection when, in the tax administrator’s opinion, the public interest would suffer;

C. Disclosure of names and addresses of persons making returns;

D. Disclosure of general statistics regarding taxes collected or business done in the City. (Ord. 212-90B § 23, 1990)

3.08.240 Disposition and Use of Transient Room Tax Funds

(1) The funds collected under this ordinance shall be retained by the City and allocated to the Parks Fund. The City Council may appropriate a portion of the funds collected under this ordinance through TLT Grants for
City Area tourism development and City Area beautification; which may be to contract for a seasonal parks worker or can be used for tourism related facilities as provided by this ordinance and those grants shall be allocated by the TLT Expenditure Committee with Council approval. (Ord. 2000-04 § 1, 2000), (Ord. 2009-07 § 240, 2008), (Ord. 2012-01 § 240, 2011), (Ord. 2013-01 § 240, 2012).

(2) One of the seven percent (one seventh of the total) Transient Room tax funds collected must be used for tourism promotion through the Port Orford & North Curry County Chamber of Commerce which is designated as the Tourism Promotion Agency for the City of Port Orford in accordance with Resolution 2013-08 and State Law, and shall not be allocated by the TLT Expenditure Committee but by City Council Approval. (Ord. 2016-04 § 240, 2012)

(3) Port Orford and North Curry County Chamber of Commerce as the designated Tourism Promotion Agency for the City of Port Orford must provide to the City a quarterly report which consists of copies of invoices, checks, and when possible copies of the ads run for which the money was spent. Tourism Promotion is defined as advertising, promoting the City of Port Orford at least two hours away or 100 plus miles from Port Orford. Receipt of future funds is contingent upon receiving these documents. These reports will be provided to the City Council in their packet for approval. (Ord. 2016-04 § 240, 2014)

3.08.250 Transient Lodging Tax Expenditure Committee

(1) A Transient Lodging Tax Expenditure Committee may be appointed by the Mayor, with Council approval, to advise the council on the expenditure of any transient room tax funds appropriated by the Council for City area tourism development, beautification and tourism promotion. The committee shall be composed of five members of the City, excluding members of the City Council and City employees. (Ord. 2000-04 § 2, 2000) (Ord. 2012-01 § 250, 2011) (Ord. 2013-01 § 250, 2012).

(2) The members of this committee shall not receive compensation for their services on the committee.

(3) The term of office shall be for four (4) years. No member shall be appointed to more than three consecutive terms without first taking a one-year break in service. After such break in service the members shall be eligible to be reappointment for up to three (3) additional four (4) year terms before another one-term break in service. (Ord. 2012-01 § 250, 2011)

(4) No member shall vote on a funding petition of any organization of which said member is a current member.

(5) Should any member resign or be removed from office as herein provided, the Mayor, with Council approval, shall appoint a replacement member to fill the unexpired term of the replaced or resigned member.

(6) Any member of this committee may be removed from this committee for cause upon written recommendation by the Common Council.

(7) A quorum of three members shall be necessary to conduct the business of this committee.

(8) This committee shall select from its members a Chairperson, Vice Chairperson, and a Secretary who shall serve at the pleasure of this committee.

(9) This committee shall keep a record of its meetings and proceedings and shall keep all minutes, records and files of this

3.08.255 Grant Funding Procedures

(A) Any recognized nonprofit organization and any business or commercial property in the City Limits may file an application for grants of transient room tax funds. The application shall state the name of the organization or business to be funded, the amount of funds requested, a description of the project to be funded, a statement of the public purpose furthered by the project, the source of matching funds, or matching cash in the case of a business and such other information as may be required by the City. A business or commercial property may not use labor or donated services as a match, but must match the grant with cash, only.

(B) All organizations, businesses or commercial property receiving funding under this section shall provide quarterly financial reports, which includes a detailed report of the expenditure of funds received from the City, and sufficient supporting documents to demonstrate to the satisfaction of the City Council that the funds were expended pursuant to the terms of the grant. A business or commercial property must show expenditure of cash to match the grant funds; no in-kind is allowed for a business or commercial property. Reports of uncompleted projects shall be made no later than June 30 of the fiscal year.

(C) Any grant funds that are not utilized by an approved grant application shall revert to the City of Port Orford TLT Grant budget line to be used by the TLT Committee for re-assignment, either to increase an existing grant or to be added to the grant funds available the following year, with the approval of the City Council.

(D) The Transient Lodging Tax Expenditure Committee shall provide reports to the Finance Department detailing status of all grants, and unexpended funds pursuant to section 3.08.255 subsection (B) of this code. If reports are not received in a timely manner, unexpended funds revert to the City of Port Orford TLT Grant budget line.

(E) In order to increase awareness and attendance among visitors, all grant applications that seek to fund an event shall promote it outside Port Orford at least 60 days before the event. A media sheet listing free sources of listings and announcements will be provided at the time the grant is awarded. Documentation of these efforts will be required in the final report. If no free sources are available, this requirement may be waived.

(F) The Port Orford & North Curry County Chamber of Commerce, as the dedicated Tourism Promotion Agency for the City of Port Orford (pursuant to Resolution 2013-08 and Section 3.08.240 subsection 2 of this code) shall provide quarterly reports to the Finance Department detailing Tourism Promotion. (2013-01 § 240, 2012).

3.08.260 Violation Penalty

Any operator or other person who shall fail or refuse to register as required herein, or who shall fail or refuse to furnish any return, supplemental return or other data required by the tax administrator, or with intent to defeat or evade the determination of any amount evade the determination of any amount due hereunder, shall make, render, sign or verify any false or fraudulent report, commits an offense which constitutes a violation of this chapter, punishable by a fine in an amount to be fixed by a cognizant court, not exceeding five hundred dollars ($500.00) (Ord. 212-90B § 27, 1990).
3.08.265 Administrative Compensation

The City of Port Orford will be paid 5% of the collected taxes in payment for administering the Transient Lodging Tax. Said payment will be deposited into the General Fund. (Ord. 2003-06 § 5, 2003)

3.08.270 Ordinance Retroactive

The provisions of this ordinance apply to any funds collected prior to the effective date of this ordinance. (Ord. 2000-04 § 4, 2000)

3.08.280 Severability

The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections. (Ord. 2000-04 § 5, 2000)
Good afternoon Terrie,

The US Army Corps of Engineers currently has a contract out for solicitation now to repair the breach in the Port breakwater. This work will occur this summer between 1 June and 31 October 2019. The Corps is aware that the City has a noise ordinance prohibiting loud noises between 10pm and 7am, however, the contractor conducting the work on the breakwater will need to take advantage of all daylight hours, as this is a large magnitude construction job that must be accomplished in a short time frame. The Corps would like to request a variance to the noise ordinance to allow work to occur during daylight hours, to include sunrise and sunset, for the length of the construction work.

Work occurring will include tractor trailer trucks transporting rock to the Port, large scale machinery (to include off-road movers and cranes) working on the Port dock, and the placement of large rocks on the breakwater itself. The purpose and need of this project is to repair and restore the functionality of the breakwater, which is to protect the federal navigation channel and reduce wave heights along the dock face. Repairing the damaged breakwater will increase the safety of the channel by decreasing wave heights along the dock face, improving the ability of the Port's customers to access the ocean and increasing the safety and reliability of the federal channel.

I am requesting to be placed on the City Council's agenda for the April 18th, 3:30 meeting.

Please let me know if you have any questions, or if additional information is needed.

Thank you,

Kate Groth
Coastal Project Manager
Coos Bay Field Office
541-514-8488
April 10, 2019

City of Port Orford
PO Box 310
Port Orford, OR 97465

RE: 2019 Rate Adjustment Request

Dear City Council:

Customarily, each year we request a rate adjustment based on the prior year’s US CPI average. The CPI for 2018 was 2.50%. This will result in a $0.56 per month adjustment for a basic 32 gallon cart service. Please use this notice and the other information enclosed to consider a rate adjustment effective June 1, 2019.

We appreciate the opportunity to serve the City of Port Orford.

Sincerely,

Luke Pyke
Site Manager

Enclosures:

2018-2019 Exhibit A rate comparison
2018 CPI Adjustment- Department of Labor
# City of Port Orford Rate Schedule

**Exhibit A**  
**July 1, 2019**

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<td>68.65</td>
</tr>
</tbody>
</table>

|                      |               |           |                                             |
| **Commercial Cart Service** |               |           |                                             |
| 32 gallon per month  | 25.03         | 2.50% 0.63 | 25.66                                         |
| 48 gallon per month  | 37.54         | 2.50% 0.94 | 38.48                                         |
| 64 gallon per month  | 50.07         | 2.50% 1.25 | 51.32                                         |
| 96 gallon per month  | 75.10         | 2.50% 1.88 | 76.98                                         |

|                      |               |           |                                             |
| **Commercial/Container Rental Service** |               |           |                                             |
| Per Loose Yard Trash Service | 28.95   | 2.50% 0.72 | 29.67                                         |
| Per Loose Yard Brush Service    | 14.10   | 2.50% 0.35 | 14.45                                         |
| Per Loose Yard Metal Service    | 14.10   | 2.50% 0.35 | 14.45                                         |
| Auto Lock Charge              | 4.21    | 2.50% 0.11 | 4.32                                          |
| Dumpster Rental                | 16.43   | 2.50% 0.41 | 16.84                                         |
| Extra bag- on route            | 6.02    | 2.50% 0.15 | 6.17                                          |
| Medical Waste- 1 Gallon Sharps | 26.48   | 2.50% 0.66 | 27.14                                         |
| Medical Waste Tub collection per gallon | 3.49    | 2.50% 0.09 | 3.58                                          |
| Return Trip Charge- next day  | 13.43   | 2.50% 0.34 | 13.77                                         |
| Roll- Off Daily Rent Charge    | 2.38    | 2.50% 0.06 | 2.44                                          |
| Special Handling Charge        | 1.34    | 2.50% 0.03 | 1.37                                          |
| Special Trip/ Off Route Trip/Delivery Charge | 28.63  | 2.50% 0.72 | 29.35                                         |
| Start; Stop; Resume; Seasonal Stop | 7.27 | 2.50% 0.18 | 7.45                                          |

|                      |               |           |                                             |
| **Recycling**         |               |           |                                             |
| Residential recycle only (no solid waste service) | 16.17 | 2.50% 0.40 | 16.57               |
| Commercial Cardboard- routed | up to 25% of commercial yard rate | 3.75 | 20.32 |
| Commercial Commingle  | up to 50% of commercial yard rate | 3.75 | 20.32 |

<p>| | | | |
|                      |               |           |                                             |
| <strong>Compacted Waste</strong>   |               |           |                                             |
| Extra Heavy Demolition or Mechanically | 2.75 times yard rate |</p>
<table>
<thead>
<tr>
<th>Year</th>
<th>Period</th>
<th>Label</th>
<th>Observation Value</th>
<th>12-Month Net Change</th>
<th>12-Month % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>M01</td>
<td>2018 Jan</td>
<td>247.867</td>
<td></td>
<td>2.1</td>
</tr>
<tr>
<td>2018</td>
<td>M02</td>
<td>2018 Feb</td>
<td>248.991</td>
<td></td>
<td>2.2</td>
</tr>
<tr>
<td>2018</td>
<td>M03</td>
<td>2018 Mar</td>
<td>249.554</td>
<td></td>
<td>2.4</td>
</tr>
<tr>
<td>2018</td>
<td>M04</td>
<td>2018 Apr</td>
<td>250.546</td>
<td></td>
<td>2.5</td>
</tr>
<tr>
<td>2018</td>
<td>M05</td>
<td>2018 May</td>
<td>251.588</td>
<td></td>
<td>2.8</td>
</tr>
<tr>
<td>2018</td>
<td>M06</td>
<td>2018 Jun</td>
<td>251.989</td>
<td></td>
<td>2.9</td>
</tr>
<tr>
<td>2018</td>
<td>M07</td>
<td>2018 Jul</td>
<td>252.006</td>
<td></td>
<td>2.9</td>
</tr>
<tr>
<td>2018</td>
<td>M08</td>
<td>2018 Aug</td>
<td>252.146</td>
<td></td>
<td>2.7</td>
</tr>
<tr>
<td>2018</td>
<td>M09</td>
<td>2018 Sep</td>
<td>252.439</td>
<td></td>
<td>2.3</td>
</tr>
<tr>
<td>2018</td>
<td>M10</td>
<td>2018 Oct</td>
<td>252.885</td>
<td></td>
<td>2.5</td>
</tr>
<tr>
<td>2018</td>
<td>M11</td>
<td>2018 Nov</td>
<td>252.038</td>
<td></td>
<td>2.2</td>
</tr>
<tr>
<td>2018</td>
<td>M12</td>
<td>2018 Dec</td>
<td>251.233</td>
<td></td>
<td>1.9</td>
</tr>
</tbody>
</table>

Annual Average CPI 2018 2.5

Source: Bureau of Labor Statistics

Generated on: March 11, 2019 (02:17:52 PM)
CTR is pleased to present you with the option of implementing a curbside cart recycling program for the City of Port Orford. Cart recycling has become the norm in solid waste services and we feel the City of Port Orford deserves the opportunity to participate in a modernized program. All areas in the City where we currently offer curbside recycle pick up would change to the new cart system.

Curry County is 6% below its goal for the State of Oregon’s recycle recovery rate. Implementing a cart recycling program allows residents increased volume for material and promotes more opportunity to recycle. The top 15 Counties in Oregon by pounds of recycle per individual all provide cart recycling to the residents in the Cities and urban growth boundaries. By adding the City of Port Orford to the program, in which the City of Brookings is in, allows ample opportunity to increase the recovery rate and capture missing recyclables.

Below are key components to the cart recyclable program which I look forward to discussing.

96gal/65gal Cart Recycling Program

- All participating customers will receive a roll cart
- Customers who utilize the cart may be able to downsize their trash service
- Customers will receive a 64 gal cart picked up every other week
- Customers upon request could receive a 96 gal cart picked up every other week
- Glass will be picked up in the 18 gal bins the same week as the recycle
- All customers will receive an educational brochure to explain the program
- This option would equate to a price increase of $3.75 per month

Benefits of a Cart Recycling Program

- **More Recycling**: With the implementation of a cart collection system it will allow customers two and a half more times the space than our current system. With the added space people are less likely to carelessly throw away items that could be recycled. According to the DEQ communities with cart recycling average 711 lbs. per household per year compared to 547 lbs. per year with 18 gal bins.
- **Downsizing**: Customers who utilize the full potential of the cart may be able to downsize their trash cart.
- **Cleanliness**: Use of a cart with a lid reduces the incidence of wind-blown litter resulting in cleaner streets and storm water drainage systems. Carts also help prevent animal scavenging.
- **Ease of Use**: Rolling a wheeled cart to the curb is easier than carrying a bin or, in many cases, multiple bins to the curb. The carts are well engineered with a low center of gravity for stability helping them stay upright during wind storms.
- **Safety**: Automated cart collection is safer for our workers. Distracted drivers today represent a major safety risk for workers in the public streets. Based on the Bureau of Labor Statistics, solid waste collection is the 6th most dangerous job in the nation with many of the accidents resulting from public traffic.
• **Space for the cart:** The perception of a larger cart is commonly misunderstood as people believe they don’t have the space. Below illustrates the carts have a similar footprint of what we are currently using with the difference being in the height. The 96-gallon carts have a footprint of 5.8sq.ft; 65-gallon carts have a 4.3sq.ft. footprint and the current 18-gallon bins have a footprint of 2.95sq.ft. The new roll carts are larger than the 18 gallon bins but only by 2.85sq.ft. Please note, many residents have more than one bin and often leave larger recycling pieces outside of the bin for collection.
## City of Port Orford Cart Recycling Size Reduction Potential Comparison

### Residential Service with Recycle Cart
*without 2018 CPI adjustment*

<table>
<thead>
<tr>
<th>Current Size</th>
<th>New Size</th>
<th>Reduction Savings</th>
<th>New Rate</th>
<th>without annual CPI</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 gallon per month</td>
<td>-</td>
<td></td>
<td>$21.10</td>
<td>proposed new size offered</td>
</tr>
<tr>
<td>32 gallon per month</td>
<td>21.0</td>
<td>$4.96 per month</td>
<td>$22.31</td>
<td>$26.06</td>
</tr>
<tr>
<td>48 gallon per month</td>
<td>32.0</td>
<td>$11.18 per month</td>
<td>$33.49</td>
<td>$37.24</td>
</tr>
<tr>
<td>64 gallon per month</td>
<td>48.0</td>
<td>$11.15 per month</td>
<td>$44.64</td>
<td>$48.39</td>
</tr>
<tr>
<td>96 gallon per month</td>
<td>64.0</td>
<td>$22.33 per month</td>
<td>$66.97</td>
<td>$70.72</td>
</tr>
</tbody>
</table>

### Rate including with 2.5 % 2018 CPI adjustment

<table>
<thead>
<tr>
<th>Current Size</th>
<th>Current Rate</th>
<th>CPI 2018 2.5%</th>
<th>Roll-Cart Program</th>
<th>July 1, 2019 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 gallon per month</td>
<td>-</td>
<td></td>
<td></td>
<td>$21.10</td>
</tr>
<tr>
<td>32 gallon per month</td>
<td>$22.31</td>
<td>$0.56</td>
<td>$3.75</td>
<td>$26.62</td>
</tr>
<tr>
<td>48 gallon per month</td>
<td>$33.49</td>
<td>$0.84</td>
<td>$3.75</td>
<td>$38.08</td>
</tr>
<tr>
<td>64 gallon per month</td>
<td>$44.64</td>
<td>$1.12</td>
<td>$3.75</td>
<td>$49.51</td>
</tr>
<tr>
<td>96 gallon per month</td>
<td>$66.97</td>
<td>$1.68</td>
<td>$3.75</td>
<td>$72.40</td>
</tr>
</tbody>
</table>
Recommendation to City Council

From
Planning Commission

TO: Major and City Council
From: Port Orford Planning Commission
Date: April 10, 2019
Subject: Accept City Right-of-Way usage license for 928 Oregon St.

It is the recommendation of the Port Orford Planning Commission that the City Council approve the ROW usage license for 928 Oregon St. allowing them to install a 6ft privacy fence to match the alley fence. (city staff reviewed and comments made)

The recommendation passed with a vote of 3 yes and 1 no.
CITY RIGHT-OF-WAY USAGE LICENSE
City Ordinance Chapter 12.24

Licensee Information:

Name: **ARTHUR Angelini**  Phone #: **(541) 295 7423**
Address: **928 OREGON ST**  Signature: **[Signature]**
Property location: **PO BOX 712**
Street location: **10th ST** Assessors Map: **3315-05 Lot #: 4500**

Description of Improvements: Attach Drawings / Plans if available:

**INSTALL LEFT PRIVACY FENCE TO MATCH ALLEY FENCE**

Agreements:

1. Licensee confirms they are the owner of the property adjacent to the City's right of way.
2. Licensee agrees that this license is personal to the licensee, non-transferable and may be revoked by the City of Port Orford at any time and without notice to licensee.
3. Licensee agrees that the use of the City's right of way is limited to the specific use authorized by this license.
4. Licensee shall notify in writing any purchaser of the property of this revocable license.
5. Licensee shall have all utilities and property lines located and marked at licensee's expense before submitting permit. (Utility locate service 1-800-332-2344)
6. The City of Port Orford reserves the right to remove any ground cover, landscaping or structures without compensation to licensee/property owner for utility installation/repair, Street maintenance/repairs, Street widening, Sidewalk construction and/or any other Street improvements, Right-of-way maintenance or any other actions deemed necessary by the City of Port Orford.
7. HOLD HARMLESS CLAUSE: The licensee agrees that their performance under this license is at their own sole risk and that they shall indemnify the City of Port Orford, its agents and employees and hold harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this license and from any loss arising from the licensee's use of the property, or from the licensee's failure to perform fully hereunder, and the licensee further agrees to defend the City of Port Orford, its agents, and employees, against all suits, actions or proceedings brought by any third party against them for which the license holder would be liable hereunder.
8. If applicant disagrees with the action of City Staff, an appeal may be filed with the City Council within 14 days of the action, or the decision becomes final.
9. Criteria that will be used to evaluate proposed right of way use:
   A. Potential impact on existing utilities (water, sewer, storm water, etc.) including potential future maintenance requirements for those utilities.
   B. Will the proposed use negatively impact visibility for traffic on adjoining roadways?
   C. Are there any other potential public safety concerns?
   D. Will the proposed use be likely to create negative visual impact on adjoining properties?
   E. Will the proposed use impact any other existing uses?
   F. Is granting the ROW usage license in the public interest?
To: ARTHUR ANGELINI
Email: asteveangellni@yahoo.com

Below lists utilities that were statused by USIC as Excavation Site Clear.

Please note there may be other Utilities which include private facilities that may be present in the work area and are NOT the responsibility of USIC to locate or mark.

Follow all Federal, State, and Local Laws.

<table>
<thead>
<tr>
<th>Ticket Number</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>19053765</td>
<td>928 OREGON ST</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utility</th>
<th>Locate Date/Time</th>
<th>Ticket Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHARTER COMMUNICATIONS OR</td>
<td>03/05/2019, 12:03 PM</td>
<td>Excavation Site Clear</td>
</tr>
</tbody>
</table>

You are receiving this notification because your contact information is listed on the above ticket from the One Call System. If you have any questions regarding this notification, please contact USIC at 1-800-762-0592 or reply to this email TicketNotification@USICllc.com.
Recommendation to City Council

From

Planning Commission

TO: Major and City Council
From: Port Orford Planning Commission
Date: April 10, 2019
Subject: Accept City Right-of-Way usage license for 1035 Oregon St.

It is the recommendation of the Port Orford Planning Commission that the City Council approve the ROW usage license for 1035 Oregon St. incorporating the City staff conditions and comments and recommending and requiring that the applicant have a no RV parking sign put in place before using the parking.

The recommendation passed with a vote of 3 yes and 1 no.
City of Port Orford
P.O. Box 310 Port Orford, OR 97465
(541) 332-3681

CITY RIGHT-OF-WAY USAGE LICENSE
City Ordinance Chapter 12.24

Licensee Information:
Name: Christopher Freeman
Address: 1035 Oregon St
Property Location:
Street Location: 1035 Oregon

Licensee Information:
Date: 4-1-19
Name: Christopher Freeman
Phone #: 916-212-0095
Address: 1035 Oregon St
Signature: CSF

Property Location:
Street Location: 1035 Oregon

Description of Improvements:
I'm looking for 3 parking spots

on 11th St

Agreements:
1. Licensee confirms they are the owner of the property adjacent to the City's right of way.
2. Licensee agrees that this license is personal to the licensee, non-transferable and may be revoked by the City of Port Orford at any time and without notice to licensee.
3. Licensee agrees that the use of the City's right of way is limited to the specific use authorized by this license.
4. Licensee shall notify in writing any purchaser of the property of this revocable license.
5. Licensee shall have all utilities and property lines located and marked at licensee's expense before submitting permit. (Utility locate service 1-800-332-2344)
6. The City of Port Orford reserves the right to remove any ground cover, landscaping or structures without compensation to licensee/property owner for utility installation/repair, Street maintenance/repairs, Street widening, Sidewalk construction and/or any other Street improvements, Right-of-way maintenance or any other actions deemed necessary by the City of Port Orford.
7. HOLD HARMLESS CLAUSE: The licensee agrees that their performance under this license is at their own sole risk and that they shall indemnify the City of Port Orford, its agents and employees and hold harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this license and from any loss arising from the licensee's use of the property, or from the licensee's failure to perform fully hereunder, and the licensee further agrees to defend the City of Port Orford, its agents, and employees, against all suits, actions or proceedings brought by any third party against them for which the license holder would be liable hereunder.
8. If applicant disagrees with the action of City Staff, an appeal may be filed with the City Council within 14 days of the action, or the decision becomes final.
9. Criteria that will be used to evaluate proposed right of way use:
   A. Potential impact on existing utilities (water, sewer, storm water, etc.) including potential future maintenance requirements for those utilities.
   B. Will the proposed use negatively impact visibility for traffic on adjoining roadways?
   C. Are there any other potential public safety concerns?
   D. Will the proposed use be likely to create negative visual impact on adjoining properties?
   E. Will the proposed use impact any other existing uses?
   F. Is granting the ROW usage license in the public interest?
Public Works Review

Name: Duane Eckhoff  Title: Lead Person  Date: 4-2-19

Recommendation: Approve:  Approve with conditions: X  Deny:  

Conditions: APPLICANT WILL BE RESPONSIBLE FOR ALL MAINTENANCE AND UPKEEP AND DRAINAGE.

Police Department Review

Name: Hank Ubbert  Title: Chief  Date: 4-3-19

Recommendation: Approve:  Approve with conditions: X  Deny:  

Conditions: Reviewed & consulted neighboring Chevron Co. Management & other POPD staff as long as no part of parked vehicles stick out over, or onto pavement of 11th St. Rear angle in parking only would help?

City Administration Review and Final Decision

Name: Terrie Richards  Title: City Admin  Date: 4-9-19

Approved:  Approved with conditions: X  Denied:  

Conditions: Approved with the understanding this parking is available to anyone who wishes to park there and that ORD 10.04.300.310 & 320 is followed.

If Applicant disagrees with City Administration Review and Final Decision, the matter may be appealed to the City Council. Appeals must be in writing and requested within 14 days of the final administrative decision, or the decision becomes final.

In order to have standing to appeal, you must be the applicant, an adjoining property owner, or and an adversely affected citizen of the City of Port Orford.
4 Apartments For Seniors

Oregon St.

1 2 3

11 km

4 Park