CITY OF PORT ORFORD
REGULAR SESSION OF THE COMMON COUNCIL
THURSDAY, SEPTEMBER 19, 2019 AT 3:30 P.M.

AGENDA

1. Call to Order/Pledge of Allegiance
2. Additions to the Agenda
3. Presentations to Council/Citizens: Samuel Baugh Executive Director South Coast Development Council – Linda Maxon Coast Community Health Report

4. HEARING – ZONE AMENDMENT

5. Consent Calendar
   a. Approve Minutes of August 15, 2019 Workshop
   b. August 15, 2019 Council Meeting
   c. Request for street closure – CCH AUBORN CENTER FOR WELLNESS Grand Opening

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

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

8. Old Business
   a. 

9. New Business
   a. Resolution 2020-03 USDA Approval for Funding for PER
   b. Resolution 2020-04 Amending Council Rules
   c. Resolution 2020-05 Curry County Housing Emergency
   d. Planning Assistant Grant (DLCD) – Possible 10MU Zone Review
   e. Appointments to the Planning Commission
   f. Proclamation – Home Inventory Week
   g. Proclamation – Suicide Prevention and Awareness Month
   h. Appointments to the Planning Commission – Kevin McHugh and Sandra Anderson

10. Continuing Action Items
   a. Water  b. Sewer  c. Chamber

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

12. Future Meetings
   a. Thursday, October 17, 2019, Regular Council Meeting 3:30 p.m. at City Hall

13. Adjourn
Terrie Richards

From: Samuel Baugh <Sam@scdcinc.org>
Sent: Monday, August 19, 2019 11:16 AM
To: trichards@portorford.org
Cc: Shaun Gibbs; Kath Collier
Subject: Presentation to City Council
Attachments: commitmentcard08162019.pdf; 12012018flyer-what we can do4U-bang4buck.pdf; 12102018flyer-masterminds only.pdf; 07012019flyer-sample projects.pdf; 07012019testimonials.pdf; 12062018adjustedv3.pdf; trifold alternative.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Terrie,
Thank you for your time on Friday afternoon, I hope you had a great weekend.

I would like to Present to the City council on Sept 19th regarding becoming a member of South Coast Development Council. I am going to send you some information to give to the council about what we do, cost, success, etc. The real reasons I would encourage PO to participate in SCDC are because:

1. As the regional Economic Developers, we get all of the Request For Information (RFI)'s from Business Oregon. These are companies that are looking for places to locate a business. With us as your Economic Development department we would be better able to support Port Orford in marketing your spaces on a larger scale.

2. With SCDC as your Economic Development contractor with the city we would be able to spend more dedicated time to working in Port Orford. Dedicated time will depend on level of contribution. What we have found that most cities your size have a buy in of $2500- $5000 / year and this allows us to spend 2 days a month in their community.
   a. Cities of comparable size we work with are Lakeside, Coquille, Reedsport, and Gold Beach,
   b. Larger Cities we work with are Florence, Coos Bay, Brookings the majority of these groups are in the $20,000+ / year category and as a result we can dedicate more staff time to their projects.

3. As a regional Economic Development, we are able to work with the counties and cities to get the best fit for the entire region and get groups to work together. As you have seen with our interaction with the Mainstreet association we are able to get people in the communities to start talking and work together.

4. As a member of SCDC you may attend our monthly boards meeting where everyone in attendance shares projects they are working on and what help they may need from other groups. I would like to personally invite you to attend our next board meeting, so you can see some of the things we are working on as a group. Let me know if you would like to attend.
   a. Date Sept 5th
   b. Time 8 am
   c. Location: Newmark center 2110 Newmark Ave, Coos Bay, Room 207

Let's talk further to see what questions you have.
Attached is a commitment card, a bang for your buck flyer, information about a Mastermind group, projects we have worked on and a couple of flyers.

Have a great day,
Sam

Samuel Baugh
Executive Director
South Coast Development Council
#growsouthcoast
Phone: 541-888-7003
Cell: 541-808-7774
The South Coast Development Council, Inc. is a 501(c)3 non-profit economic development organization with a vision “to build a thriving and diversified business community on Oregon’s South Coast.”

I would like to become a SCDC Member/Investor at an annual commitment level of:
- Underwriters: □ Flagship $50,000+ □ Keystone $25,000+ □ Sustaining $10,000+
- Investors: □ Gold $7,500+ □ Silver $5,000+ □ Bronze $2,500+
- Members: □ Associate $1,000+ □ Affiliate $500+ □ Individual $150+

I am interested in...
- □ Serving as a voting member on the Board of Directors (One meeting per month, generally on the first Thursday of each month. Term of two years; elections are held in June.)
- □ No, I am not able to serve as a voting board member at this time.
- □ Serving on the SCDC Executive Committee (Term of one year; elections held in June.)
- □ Sponsoring events □ Sponsoring a new member □ Providing in-kind support

Company Name: __________________________________________________________
Representative Name and Title: ____________________________________________
Mailing Address: _________________________________________________________
Physical Address (if different): _____________________________________________
Telephone: (Office)__________ (Cell)__________
Email: ______________________ Website: ___________________
Amount: ____________________ Preferred Billing Month: ________________
Signature: ____________________

Our mission is to promote and support businesses that provide quality jobs through responsible development on Oregon’s South Coast.
South Coast Development Council  
Member Benefits

By attracting new investment and employment to the region, all SCDC investors indirectly benefit from a vibrant and diversified local economy.

<table>
<thead>
<tr>
<th>Board seats available through the election process per level</th>
<th>5</th>
<th>10</th>
<th>15</th>
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<tbody>
<tr>
<td>Network of business members</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Discount tickets to SCDC hosted events</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Opportunity to participate in Family Relocation Program</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

**Recognition on website including**

| Name and Organization                                       | X  | X   | X  |
| Contact information, link to member’s website               | X  |     |    |
| Logo on members page                                        | X  |     |    |
| Small advertising space in Regional Profile                 | X  |     |    |

**Other recognition opportunities**

| Social media posts, eblasts where possible                  | X  | X   | X  |
| Outreach materials (press releases, newsletters, brochures, etc.) | X  |     |    |
| Video social media posts focused on member recognition      | X  |     |    |
| Signage recognition at SCDC events (Event donors are also recognized) |     |     |    |
| Signage recognition on SCDC marketing materials outside of events |     |     |    |
| Logos included on SCDC letterhead and Website footer        | X  |     |    |

**Board Seats**

- Number of Board seats available for each investor grouping is shown above.
- Investors within the stated groups nominate/vote to fill stated board seats from within their investor group.
- There are no term limits at the Board level.
- Elections are held annually with position changes taking place as of July 1 of every year.

**Voting**: The member must be a paying investor in order to vote at the Board level.

**Executive Committee**

- Members: Chair, Vice Chair, Secretary, Treasurer, Immediate Past Chair, and two “at large” positions.
- Two “at large” positions will be voted on by the Board (one from the Public Sector and one from the Private Sector). In order to hold an “at large” position, the person must represent a paying investor.
- Executive Committee is nominated by and voted on by the general Board.
- Executive term limits are two years. However, a person can move from one position to another, if elected.
- Elections are held annually with position changes taking place as of July 1 of every year.
- The Board Attorney and Board Accountant will serve as ex-officio members of the executive committee.

**Ex Officio**

- The Board may request representation by partner agencies or selected businesses in the community to advise the board and provide broader community participation.
- Ex Officio members are not required to be paying investors and are non-voting positions. Ex-officio members may elect to become paying investors. Paid membership supersedes Ex Officio voting and benefit limits.
South Coast Development Council
Projects in 2019

The South Coast Development Council, Inc. is a 501(c)3 non-profit economic development organization with a vision “to build a thriving and diversified business community on Oregon’s South Coast.” We provide free services from Florence to Brookings, and as far east as Powers. Our council is made up of nearly 30 businesses and private members who support our efforts to improve community livability.

Some of our projects in 2019 included:

- **Staying alive** or Second Chance Survival we help negotiate a better lease in a new location which helped him triple his sales in just over a week.
- **Anderson** is a niche retailer that opened in Reedsport.
- **Runner** we helped Pembina find and get into their new location in the Buggie Bank Building.
- **Emerald Dragon** helped a retailer work through some land use and zoning issues.
- **Oyster** – Worked to open an oyster lunch counter at Clausen’s Oysters.
- **Hometown** - Find local support to invest in and film a series of Hometown movies. Filming should start in August.
- **Gem** or GMA Garnett Finally opened for operation this year. Roughly $20MM in capital expenditures to the area.
- **Barn** or the new Coos County Fairgrounds Livestock Barn. We helped secure the final $216K to finish the Project. Entire project was just over $600K in Capital expenditures.
- **Uptown**; Purchase of several buildings in downtown Coos Bay and Reedsport. We helped secure $200K in grants for facade improvements for the Buggie Bank Building. We have also helped with Fletcher building consultation and the purchase of the Tioga building total Projects $2.2MM. Project is still in progress.
- **Pure**: Hemp and CDB manufacturing
- **Shaun** worked with **Oregon Ride** to put on the Whiskey run biking event.
- **SCDC** is on the core team of the **Oregon South Coast Regional Tourism Network** that received an award at the Governor’s Conference on Tourism that highlighted our region statewide and the amazing things we are doing to grow the economy.
- **DEQ 900 J Permit** – negotiated re-evaluation and extension of fish processing waste water regulations.
- **Opportunity and Enterprise Zone Development**
- **Oregon Works** wrote a grant for the training and completed the training for local businesses to learn how to host an Intern. Project is being handed-off to agencies that will financially support it.
- **Log Truck Driving School** is still in progress. Helped begin the discussion and identify needs; researched local schools and training, also helped build a draft business plan for the school.
<table>
<thead>
<tr>
<th>Businesses Visited during Brookings BNE</th>
<th>83 Projects Received in 2018-2019</th>
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<tbody>
<tr>
<td>First Impressions</td>
<td>Hazel Christmas Tree</td>
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<td>Edward Jones</td>
<td>Hazel Christmas Tree</td>
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<td>Advanced Security Systems</td>
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<td>Gypsiess LLC</td>
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<td>Pacific Coast Trolley</td>
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<td>By My Hand Public House</td>
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<td>The Bell &amp; Whale House</td>
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<td>Wine &amp; Cheese House</td>
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<td>Oregon Property</td>
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<td>Juniper Carnival</td>
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<td>Lifeboat of the West</td>
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<td>Trolley</td>
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<td>Chamber of Commerce</td>
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<td>At River's Edge</td>
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<td>Bigfoot Beverages</td>
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<td>Beachfront Gifts</td>
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<td>Harborfront Gifts</td>
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<td>Ceremony</td>
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<td>C&amp;S Fire Safe Services</td>
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<td>Pithitude</td>
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<td>Feather Your Nest</td>
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<td>Costa Clinical Psychology, LLC</td>
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<td>GBC Automation and Marine, LLC</td>
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<td>Wild Rivers Inspections, LLC</td>
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<td>Eye Center of Brookings</td>
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<td>The Point</td>
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<td>Redwood Cinema</td>
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**Project List, Activities, & Bang**

We supported a total regional capital investment of $24,105,000.

**2018/2019 Revenue**

**Bang for your Buck**

**$105.00**

**Groups**

- BCC Education
- BACF Ambassador
- BCCF Tourism

**Outreach**

- TCP
- Airport
- Jordan Cove
- OFC
- Economic
- GMA Garnet
- Leadership Coop
- Log Truck Drivers

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2019 Work Plan Goals

I. Promote/support businesses that provide quality jobs through Business Retention and Expansion programs

II. Become “first-stop” community resource broker for responsible economic development on Oregon’s South Coast

III. Develop a Marketing and Branding strategy of the SCDC on Oregon’s South Coast.

Bang for Your Buck!

- We supported a total regional Capital Expenditures investment of $24,105,000
- 2018/2019 revenue $230,000
- “Bang for your Buck” $105.00

Major Sponsors

Cities: Coos Bay, Bandon, Florence, & Reedsport; Bandon Dunes Golf Resort/WRCA, Coos County Board of Commissioners, Bay Area Hospital, Jordan Cove LNG, Southwest Oregon Regional Airport, Southwestern Oregon Community College, Umpqua Bank, Oregon Pacific Bank, Pacific Power Corporation, West Coast Contractors, Coos Curry Electric Co-Op

South Coast Development Council, Inc.

Our Mission

Promote & support businesses that provide quality jobs on Oregon’s South coast

Samuel Baugh, Executive Director
South Coast Development Council, Inc.
Phone: 541-888-7003
Cell: 541-808-7774
Email: Sam@scdcinc.org
Web: www.scdcinc.org
#growsouthcoast
How do we do that?

- Create a growing, diversified, and sustainable economy
- Assist with strategic infrastructure investments vital to a sustainable economy
- Be involved in key transportation improvements
- Foster family-wage job creation and retention
- Seek out targeted food-processing/production in support of small farmer, ranchers, and fishermen
- Attract foreign and domestic companies to Oregon’s South Coast
- Develop a regional branding and marketing campaign to enhance tourism; find new markets for local product seeding
- Connect the resource dots through communications; how do we better utilize what we have?

Some Projects from 2018-2019

- Allweather wood
- Anderson
- Attack
- Auto
- Barn
- BC Fisheries
- Breeze
- Buff
- Built
- Chamber
- Chill AEC
- Clay
- Commute
- Dance
- DB Western
- Cold
- Fairview
- Fast
- Flex
- Stead
- North Sea
- Glamor Manor
- GMA Garnet
- Goals
- Golf
- Guardian
- Hazel
- Holiday
- Homestead
- Hometown
- IP Property
- Juniper
- Life Boat
- Live Culture
- Coast
- Lockhart
- Michigan
- Muir
- Navy
- NC Vacation
- Noodle
- Emerald Dragon
- Oceanspray
- Orcaes
- Osprey
- Old Mill
- Oyster
- Paws
- Quality
- Riley Ranch
- Rumor
- Rush
- Runner
- Staying
- alive
- Steak
- Stone
- Tar
- Terra
- Texas
- Tricycle
- Uptown
- Zinc

Our Vision
Build a thriving and diversified business community on Oregon’s south coast

History & Members

The South Coast Development Council, Inc. was founded in 2000 as a 501(c)3 non-profit economic development organization focused on traded sector business recruitment for Oregon’s South Coast. We help many businesses expand their current operations, find new locations, and be a catalyst for many successful start-up businesses.

SCDC is guided by a nearly 40-member Board of Directors that represent large and small businesses, communities, individuals, and non-profits in our region. We are joined by nearly 30 general members and cooperators forming one of the largest and most diverse groups that serve the communities of Coos, Curry, western Douglas, and western Lane counties. Our funding comes primarily from memberships, through both public entities (cities and counties) and private organizations (businesses and individuals).

EIN 93-1287230
What South Coast Development Council, Inc. can do for you

The South Coast Development Council, Inc. is a 501(c)3 non-profit economic development organization with a vision “to build a thriving and diversified business community on Oregon’s South Coast.” Services provided by the South Coast Development Council, Inc. are FREE and privately supported by several local businesses interested in improving community livability.

Some of the things we help with:

- Sales and techniques, marketing strategies
- Personal motivation
- Identify funding sources and potential sponsors
- Solve problems and facilitate agreements
- Facilitate expansion and moves, find and analyze potential locations
- Provide business networking opportunities
- Share information about training, skill building, and mentoring
- Share information about the business community as a whole
- Locate skilled workers/fill vacant positions
- Help celebrate your success!

Bang for Your Buck

For every $1 invested in the South Coast Development Council, the region has seen $139.71 in capital expenditures and $16.35 in payroll. Now that is a HUGE investment in our regional future.
What is Economic Development?

Our socio-economic factors tell the current story—people looking for work, families living in poverty, lower household incomes, more households on public assistance, and lower labor earnings.

The future is economic development. This includes generating new jobs and investments can turn this situation around without sacrificing our beautiful environment. Jobs and investments are a key part of a business retention and expansion effort which traditionally create strong partnerships and collaborations and focuses on traded sector businesses that drive our economy.

Traded sector businesses provide goods and services beyond our local area. These jobs are typically higher paying and help create the highest economic multiplier effect on the economy. Examples of traded sector companies in our area include many natural resource businesses (fishing, timber, mineral, energy, and agriculture), transportation, destination tourism, technology, and manufacturing.

We help support other high economic multiplier businesses such as those that attract seasonal visitor spending. Finally, we work with population driven businesses that meet local demands such as grocery stores, cleaners, realtors, coffee shops, restaurants, etc. These businesses create a lower economic multiplier compared to the traded sector but are critical to a quality of life.

For instance, a Traded Sector business that employs 50+ residents will create 20 new supplier and service jobs, $3 million in personal income, $650,000 of supplier purchases, and create a total annual economic impact of $14 million. This income helps pay for essential services such as public safety (police and fire), community improvements, education and training, libraries, and parks and recreation (Reference: Chabin Concepts. Economic Impact Model developed by Applied Economics).

Economic growth of this kind does not come naturally. It takes a deliberate plan and actions to rev up the economy in a way to support existing businesses and attract new compatible ones. We target businesses which provide quality jobs that are a good fit for our communities.

Economic development is creating new jobs, keeping jobs, and creating a community our families can and will want to live in.

Together we can make change happen.
A few recent testimonials...

September 2018
From: Ciera Milkewicz
Sam—
I just wanted to say a big "THANK YOU" for helping with resume and interview preparation. Because of you, I had an amazingly successful interview with OHSU. Even though they filled the position with another candidate, I feel very confident I will find the right position soon. I appreciate the time and effort you have put into helping me.

A few comments from the September 2018 Career Day panel discussion attended by Sam Baugh and other business leaders:
--Thank you for coming and speaking to our class. It has really helped us learn more about job readiness skills employers are looking for.
--I learned a lot
--Thank you for coming
--I found your advice really helpful and appreciate you coming in!
--Thanks my dude

June 2019

Seth Silverman recently purchased Clausen Oysters at 66234 N. Bay Road, North Bend. Sam Baugh consulted with them. They made several changes to their product line and service that better utilize their products and make them more available. You can now find their products in several stores, visit the new lunch counter and patio, or grab a quick TAKEOUT! Silverman reported in June, that sales are up 97 percent compared to a month ago. He credits the SCDC for letting people know what is going on and getting people to come out. Want more info? Check out http://www.clausenoysters.com or call (541) 756-3600

August 2018
From: Tobias Read, Oregon State Treasurer
Dear Mr. Baugh,
We came home from Coos Bay and the South Coast with new appreciation for your successes and challenges and I want to be sure you know that I’m grateful for your contributions to our experience. The conversation you were part of will help me do my job better. Thank you and please keep in touch. Best Tobías
July 23, 2018
From Tanya + Clay Rasley, Owners + Makers Canard Labs
Being a small business owner can feel very lonely. Sam and his team at the SCDC make us feel a little less lonely by connecting us to other like-minded business owners through Mastermind Groups and giving us invaluable help with the expansion of our business.

Shaun was lovely enough to connect us with a wonderful second location for our shop in Florence. He accompanied us to the meeting and made us feel as though we had another person in our corner making the transition easy and painless. When we decided to ultimately close that location and refocus our efforts on wholesale and our Coos Bay shop, Shaun rescued us again. He assisted us with the best and easiest way to break a long lease by helping us find another tenant.

Sam was instrumental in introducing our brand to a wonderful shop in Gold Beach securing us a new wholesale stockist! Creating strong relationships with local businesses and helping in any way that they can seems to be the driving force behind what the SCDC stands for.

They practice what they preach. The SCDC team frequents our shop on a regular basis and continues to offer any assistance we may need. They keep us up to date on the new and exciting things happening in the area which is great since we live and breathe our business, we can sometimes be a little out of the loop.

The SCDC is a fantastic resource for ANY business at ANY stage. The people running the SCDC are members of our wonderful community and want to see it succeed just as much as we do. We love that they're here for us making us feel like we are part of one big happy family.

Read more on our website at: www.scdcinc.org/the-blub
Mastermind Discussion Groups

Struggling with business issues, needing some advice, or wanting to help mentor other business owners? You may want to join this informal once a month small group/confidential 2-hour meetings. Currently, there are two groups, with more forming. No cost to join. Membership is controlled so you won’t see any of your direct competitors in the group! If you are interested in more information, contact Sam Baugh (see information left).

Benefits Mastermind group members liked:

- Building connections and network with fellow business owners
- It’s like having your own executive brain trust
- Everyone has a chance to share and be heard
- Gaining sponsors who can help introduce us to other forums
- Finding potential customers/partners
- Finding information resources that can help you achieve your goal
- Complete confidentiality within the group
- “Feels good” safe environment for discussing ideas, issues
- “Good sounding board” where you can “feel a lot more at home”
- Small group environment, not overwhelming
- Organization avoids conflicts with competitors

Our vision is to build a thriving and diversified business community on Oregon’s South Coast.
Your Membership Helps Put the South Coast to Work!

Founded in 2000, the South Coast Development Council, Inc. (SCDC) is a private, non-profit economic development organization funded primarily by membership contributions from the public and private sectors. Our diverse group of member investors includes cities, counties, port districts, private businesses, and individuals interested in growing and improving our region's economy.

Together with the help of our investor partners, SCDC is working to rebuild the economic vitality and future of the South Coast. Please consider contributing to our future and join us today! Your membership will have a positive impact on the economic development of the South Coast, building a sustainable and vibrant economy for generations to come.

As an IRS approved 501(c)3 non-profit organization, your investment may be tax deductible. Please seek the advice of your accountant or tax professional for more information.

Membership/Investor Levels:

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<tr>
<th>Level</th>
<th>Amount</th>
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<td>Platinum Underwriter</td>
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At SCDC, we strive to improve the diversity, vitality, and sustainability of the economy of Oregon’s South Coast!

For more information, call us today or stop by our offices.

South Coast Development Council, Inc.
2110 Newmark, Suite 201
Coos Bay, OR 97420
541-888-7003 - info@scdcinc.org

Samuel Baugh - Executive Director
Shaun Gibbs - Economic Development Specialist
Judy May-Lopez - Economic Development Specialist
Kath Collier - Public Affairs/Outreach

Connect with us on Facebook, Twitter, and Instagram. Visit our website today!

Sign up for our newsletters and weekly updates!

www.scdcinc.org
info@scdcinc.org
The South Coast Development Council is on a mission...

to promote and support businesses that provide quality jobs through responsible development on Oregon’s South Coast.

Our Vision:
Build A Thriving and Diversified Business Community on Oregon’s South Coast

- A diversified and sustainable economy that provides opportunity for future growth
- Family-wage job creation and retention
- Attraction of new industries and companies to the South Coast
- Investments in strategic infrastructure improvements vital to a sustainable economy
- Key transportation improvements, including rail and marine access
- Targeted development of food processing and food production in support of local farmers, ranchers, and fishermen
- Development of a regional branding and marketing campaign, with enhanced local tourism opportunities
- Identify new markets for local products
- Continue to strengthen local and state partnerships in order to better utilize the South Coast’s unique assets

Our Focus:
Business Retention and Expansion

At SCDC, we understand that small businesses have a BIG impact on our local economy!

We believe in the entrepreneurial spirit of the South Coast and we are committed to nurturing that growth and expansion. Because of the investments made by our members, we are able to offer our services to local business owners and entrepreneurs free of charge. These services include market research, site selection, resource connections, business development assistance, and much more.

While we focus on small business development, retention and expansion, we also coordinate with Business Oregon, providing information and assistance to national and international site selectors.

Through the SCDC South Coast region, its cities, and development sites and opportunities receive exposure to industries and organizations around the world.

Thank you to our Sponsor Investors!

Our Goal:
Regional Growth and a Sustainable Future

- Entrepreneurial Development
- Resource Connections
- Assistance obtaining local, state, and federal permits
- Market Research, Traded Sector Analysis, and Targeted Market Expansions/Risk Analysis
- Coordination of private sector and governmental resources in order to attract new and grow existing businesses
- Put the South Coast "on the radar" for those looking to start or expand a business in Oregon
- Develop The REEF, Rural Entrepreneurship Ecosystem Framework: a collaborative "one-stop" resource center for business incubation and start-up, offering co-working and training spaces, a commercial kitchen, and on site partner agencies.
- Open a satellite REEF in Curry County
Building a Vision to Reality

In 2019 Coast Community Health Center will open a small health center in the Umpqua Bank Building in Port Orford to support basic medical services, a pharmacy, behavioral/substance use disorder counseling and support services, and outreach staff. This facility will remain open until our full-service campus is built.

In 2020 our full-service campus located on Tichenor will be constructed to support a fully integrated healthcare facility to service North Curry County. Services will include: primary/preventative healthcare services, full-service pharmacy open to CCHC patients and the community, behavioral health, substance use disorder counseling and support groups, and enabling services supported by our Community Health Workers.

Full-service campus will also welcome SPECIALISTS to visit the community to practice and provide specialty medical services to patients locally.

Our collaboration with Curry Health Network will provide patients with the ability to have lab and radiology services locally while working with our primary care providers for healthcare services.

Our Outreach Office will continue to provide Medicaid application and renewal assistance, private offices for visiting Veterans Counselors, food and shelter counseling, support for housing, linkage to other basic needs & support services.
We will break ground in 2019 to pave the way for the development of a new health care campus on Tichenor, directly adjacent to the Driftwood Elementary School. We will serve the entire community in our new center.
It is with great pleasure that Coast Community Health Center Board of Directors honor the unwavering dedication and commitment Jim Auborn had to the community of Port Orford.

We proudly name our new Center the COAST COMMUNITY HEALTH AUBORN CENTER FOR WELLNESS.

Jim served Port Orford as a volunteer after retirement in 2002 most notably as Mayor for 12 years and City Council two years before and two years after being mayor. A list of his volunteer help in Port Orford and Oregon includes:

- Host at the Visitor Center – first volunteer position
- Host at the Life Guard Station
- Port Orford Rotary Club (incl. a term as President)
- City Parks Commission
- Grant Reviewer- Or. Parks & Recreation Department
- Cub Master for Boys Scouts
- Red Rocks Community Team
- Aspire Program at Pacific High
- Ford Family Leadership and FICA groups
- Gorse Action Group
- Rural Tourism Studio
- S. Coast Umpqua Regional Solutions Committee

**Mayor Jim Auborn**  
February 21, 1940 – April 6, 2019

Jim went over and beyond to advocate for Port Orford and the South Coast. He worked with the other mayors, managers of Curry County. He was active

He networked at the League of Oregon Cities, Small Cities Meetings, and Mayors Association. He advocated Congress at the state and federal levels for our region including in Washington DC for the Copper Salmon Wilderness. Jim supported his wife efforts with the Main Street Revitalization. Jim loved Ribbon Cutting and doing key note addresses.

*James John Auborn was born and raised in Portland, Oregon. He studied chemistry and physics at Oregon State and later physical chemistry at the University of Utah. He holds BS, MS and PhD advanced degrees. His profession career included being a Navy Officer, doing research at GTE and Bell Laboratories and a reviewer for the Office of Navy Research.*
Coast Community Health AUBORN CENTER FOR WELNESS
Facts About Coast Community Health Center Services in Port Orford

1. Healthcare services will be available to all patients, with all types of insurance, including Medicare, Medicaid and those uninsured.
   a. Sliding fee discounts are offered of all patients who meet the financial criteria (insured and uninsured)
   b. Primary care healthcare for all ages will be offered a minimum of 2-days per week. Increasing further in 2020.

2. Pharmacy Services are offered to ALL community members regardless of the prescribing Provider
   a. Pharmacy hours will be Monday – Friday 9am – 6pm. Deliveries will be offered. No weekend hours.
   b. Patients of CCHC receive special 340B pricing reserved for patients of the health center (per federal regulations).
   c. Patients of independent Providers receive CCHC’s retail pricing (which continues to be lower than retail pharmacies).

3. Outreach office will move to the Auburn Center for Wellness to be integrated into the medical services.
   a. Current staff and services will continue in the new location with added benefits being integrated with other services.
   b. Outreach services will be offered Monday – Friday 9am – 5pm.
   c. Clients and patients will continue to have showers, laundry and other outreach services currently offered.
   d. Medicaid assistant will continue to be offered to all community members in need of enrollment/re-enrollment help.

4. Additional Services to be offered to CCHC patients at the Auburn Center for Wellness will include:
   a. Substance Use Disorder Support Groups and Counseling
   b. Behavioral Health Counseling and Support Groups
   c. Wellness Patient Education and Associated Classes

Of Importance

1. CCHC is not building a homeless day or overnight shelter.
2. CCHC partners with the Common Good for supportive food services. CCHC does not run an independent food bank.
3. CCHC services ARE NOT only for those experiencing homelessness, rather serves the entire community with their needs.
4. CCHC will continue to partner in offering office space to ORCCA, SWOCC, Curry Veterans and other agencies.
5. CCHC will continue to partner with Umpqua Bank to provide teller services at the Auburn Center for Wellness.
6. Patients from outside Port Orford or (from ANY COMMUNITY) may seek services at the Auburn Center for Wellness.

Other CCHC Projects in Port Orford

CCHC’s Student Housing Project will support Or. Health Sciences Medical Students for their rural rotation bringing numerous benefits to the community having aspiring medical students live and experience the community.
On behalf of Coast Community Health Center, thank you.

For more information please contact:

Felix Jaramillo, N. Curry Strategic Development Director
541.655.0104

Linda Maxon, Chief Executive Officer
541.347.2529, ext. 110 or, Assistant at 119

Michelle Hanna, Social Determinants of Health Manager
541.347.2529, ext. 116
Coast Community Health Center (CCHC) would like to invite the community to the dedication of the Ashbee Center for Wellness, housed in the newly renovated Umpqua Bank Building located at 718 NW US-101 in Port Orford. Ribbon Cutting, music and light refreshments will begin at 4:00 PM on Friday, September 27th, 2019.

The Umpqua Bank building will house a pharmacy (an absent resource for years), conference rooms, sixth floor and exam rooms slated to open in the coming weeks. The renovation is the result of generous donations, volunteers from Port Orford Rotary and others; work contracted with Paradigm Construction, owned by Mike and Teressa Hewitt, and sweat equity. Port Orford Main Street, with input from CCHC, received a grant from the Oregon Parks and Recreation Department for extender renovations of the Umpqua Bank Building. CCHC has also partnered with OHSU throughout the year for rotations of health professionals. New housing for these professionals is located just north of the former Bank building. Another health care facility will be located near Oakwood Elementary School to provide a full complement of medical/dental/mental health services with groundbreaking in the late fall of 2019.

CCHC, based in Bandon, was established in 2010 as a not-for-profit rural health center, providing medical and other services to Southern Coos and Northern Curry Counties. In 2013 CCHC received the only funding award (in the State of Oregon) under the Bureau of Primary Healthcare, Health Resources Services Administration, to become a Federally Qualified Health Center.

"Words can't express how grateful Coast Community Health Center is for Umpqua's generosity and Port Orford Main Street Revitalization Association partnership," said Linda Mason, CEO of CCHC. "Bringing our comprehensive approach of health assistance to Port Orford has been one of our top priorities."

CCHC wishes to deeply acknowledge its gratitude to the State Historic Preservation Office of Oregon, Oregon Parks and Recreation Department. These grants coupled with Port Orford Main Street Revitalization Association and local commitment, contractors and volunteers have made this become a reality.
PUBLIC HEARING
POZ #19-01
TO AMEND THE
COMPREHENSIVE PLAN
AND ZONING MAPS
ORDINANCE NO. 2020-06

AN ORDINANCE AMENDING THE CITY OF PORT ORFORD ZONING MAP AND COMPREHENSIVE PLAN MAP FROM A RESIDENTIAL 2-R ZONING DESIGNATION TO A COMMERCIAL 4-C DESIGNATION FOR PROPERTY IDENTIFIED AS CURRY COUNTY ASSESSOR’S MAP DESCRIPTION: T33S, R15W, Sec. 05AC, Tax Lot 1200 – 3.64 ACRES.

The City Council of the City of Port Orford finds that:

WHEREAS, the property owners of T33S, R15W, Sec. 05AC, Tax Lot 1200 submitted an application for Comprehensive Plan Map and Zoning Map amendments to change the existing Comprehensive Plan and Zoning designations for the subject property.

WHEREAS, the Port Orford Planning Commission held a properly noticed public hearing on August 13, 2019 which was continued to August 30, 2019 to consider the applicants’ request. Following the public hearing, the Planning Commission passed a motion to recommend that the City Council approve the proposed Comprehensive Plan Map amendments and Zoning Map amendments,

WHEREAS, pursuant to Section 17.40.030 of the Port Orford Municipal Code, notice of public hearing before the City Council was given, and the public hearing on the requested Comprehensive Plan Map amendments and Zoning Map amendments was conducted on September 19, 2019,

WHEREAS, the proposed amendments to the Port Orford Comprehensive Plan Map and the Port Orford Zoning Map to implement the requested zone changes are found to be consistent with the Statewide Planning Goals and in conformance with the Comprehensive Plan. The City Council also finds that the site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area. The findings supporting these decisions are attached as Exhibit A hereto,

THE CITY OF PORT ORFORD ORDAINS AS FOLLOWS:

Section 1. The Port Orford Comprehensive Plan Map is hereby amended to change the Comprehensive Plan designation of the real property identified as T33S, R15W, Sec. 05AC, Tax Lot 1200 from R-2 to 4-C.

Section 2. The Port Orford Zoning Map is hereby amended to reconfigure the zoning designation of the real property identified as T33S, R15W, Sec. 05AC, Tax Lot 1200 from R-2 to 4-C.

Section 3. The City Council adopts the Findings of Fact and Decision Document (Exhibit A) as their own and the Port Orford Comprehensive Plan Map and the Port Orford Zoning Map shall be revised to depict the adopted amendments.

First Reading: ___________  Passage: _______________
Second Reading: ___________  Effective Date: _______________

Signed by me in authentication of its passage this ___ day of ______________, 2019

Attest:

_________________________  _______________________
Mayor, Tim Pogwizd          Terrie Richards, City Recorder
CITY OF PORT ORFORD

Planning Commission Recommendation to City Council
Application No. POZ 19-01

On August 30, 2019, the Port Orford Planning Commission recommended that the City Council approve the staff findings as amended and outlined below within this document, and adopt Map amendments to the Comprehensive Plan Map and the Port Orford Zoning map.

Adoption of these amendments will rezone property described on Assessor's Map T33S-R15W Sec. 05AC, Tax Lot 1200 consisting of 3.04 acres from 2-R, Residential zoning to 4-C, Commercial zoning.

Findings:

1. The purpose of Title 17, Zoning of the City of Port Orford Municipal Code is to encourage appropriate use/development of land within the City of Port Orford, in a manner that does not have adverse effects on the community and its residents. Subject application requests to re-designate Subject Property from a Residential (2-R) designation to a Commercial (4-C) designation.

2. The Residential zone (2-R) allows for various outright and conditional use outlined in Section 17.12.020. According to a statement in the rezone application provided by the applicant, the existing use of Subject Property is a “heavy equipment shop for road construction business.” The existing commercial use is grandfathered under the nonconforming use provision of the City Zoning Ordinance.”

3. The proposed “auction house” use is consistent with the “retail or service establishment” use permitted outright in the 4-C zone.

4. Subject Property is served with both public water supply and sewage disposal from the City of Port Orford. Therefore, there is no minimum lot area for Subject Property pending successful re-designation to Commercial 4-C.

5. The application was deemed complete on June 7, 2019, in compliance with Section 17.04.155 of the Port Orford Municipal Code. On June 7, 2019, the application was tentatively scheduled for the regularly scheduled August 13, 2019 Planning Commission hearing.

6. This rezone application will be processed following the two-step process summarized in the Staff Report. The application will be reviewed at a public Planning Commission hearing by the Port Orford Planning Commission on August 13, 2019; the Planning Commission will make a recommendation to the Port Orford City Council for the final decision. The Port Orford City Council’s Hearing is scheduled for September 19, at 3:30 p.m. at the City Council Chambers. Any approved amendment will be subject to adoption by Ordinance.
7. The original wording or designation applicable to Subject Property was not made in error. The amendment is justified due to changing circumstances. The existing industrial “heavy equipment shop for road construction” use is allowed under Port Orford Municipal Code nonconforming use provisions, as the existing use predate the zoning ordinance and zoning map designation. Because a new commercial use is proposed to accommodate retail sales at an auction house, the nonconforming clause is no longer applicable. Historically, the site has been utilized for commercial type use for several decades. The applicant’s proposal meets the changing circumstances criteria listed above.

8. The purpose of the Port Orford Comprehensive Plan Goals and Policies is to assist in creating a vision for future economic growth and development patterns for the City of Port Orford. Provided in the Staff Report are pertinent goals and polices that align with the applicant’s proposal to re-designate Subject Property to a Commercial 4-C designation. The Port Orford Comprehensive Plan Goals and Policies are compliant with the Statewide Planning Goals; the Statewide Planning Goals are addressed directly with the City’s Goals in the following section of this document.

9. The Port Orford Planning Commission serves as the City’s officially recognized committee for citizen involvement (CCI) for Port Orford. The Planning Commission takes the needs of all of Port Orford into consideration and works to balance the criteria and to utilize the comments of citizens. In addition, zone changes, plan amendments, and map amendments are all subject to public hearings by the Port Orford City Council. These public hearings and the notices of actions to be considered provide opportunities for community voices to be heard. The applicant’s statement, Attachment A-1 indicating how he will utilize the property will be important to neighboring residential properties. The application complies with Goal 1.

10. The City of Port Orford has established a land use planning process and policy framework as a basis for all decisions and actions related to the use of land, and to assure an adequate factual base for such decisions and actions. The Port Orford Comprehensive Plan and the Port Orford Municipal Code, Title 17 Zoning provide the framework and the expectations of applicants. The applicant complies with the Statewide Planning Goal 2.

11. This application has been initiated by a person owning property within the city applying for an amendment to the Comprehensive Plan Map.

12. The population of the Port Orford community has not grown at rate that was expected when the Comprehensive Plan map designated Subject Property for residential use. The character of the area is that larger timber related industries that employed many people are not so plentiful as they were at the time that the initial Comprehensive Plan and the zoning were put into place. Tourism has grown, and unique retail uses are important to attract visitors and residents.

13. No text change to the Comprehensive Plan Goals and Policies document is proposed.
14. The Statewide Planning Goals have been incorporated into the City of Port Orford Comprehensive Plan Goals and Policies within this decade and acknowledged by DLCD. This Staff Report incorporates a number of Comprehensive Plan Goals and Policies that are pertinent to this application.

15. The applicant is proposing to utilize a site and structure that has been utilized for industrial use as a grandfathered use for many years. The structure that is proposed for commercial use already exists on the property; the property has been in industrial use in the past; the site appears to be suitable for a less intensive use than industrial, which is commercial.

16. The proposed rezone will make it possible to utilize a space that “is seeking a use.” The proposed rezone will provide an opportunity for a use will provide an economic benefit to the City. When a building exists and has no use within a small community, it is likely that the building will become derelict because there is a financial disincentive to invest in a teardown prior to developing something new. The proposed rezone and Comprehensive Plan amendments comply with the City’s policies for economic development. The applicant is proposing to utilize Subject Property for commercial type use, the historic use, which in turn will continue to contribute the City’s tax base and economic opportunities. The application complies with Goal 9.

17. Surrounding zoning and use are mixed. To the south, southeast, and northwest, surrounding properties are zoned Residential 2-R. To the southwest and west surrounding properties are zoned Residential 1-R. To the north, northeast, and east are properties zoned Public Facilities and Park Zone (8-PF). Adjacent to the east is a parcel zoned 8-PF, identified as Tax Lot 1100, which houses an Oregon Department of Transportation (ODOT) maintenance yard. There is no site redevelopment or expansion proposed as part of this application. The proposed allowed uses appear to be more compatible with surrounding zoning than the current heavy equipment shop use of Subject Property.

18. The applicant included a “Basic Proposal” statement with the application, which states the following:

“The property would be used as a general merchandise auction house. No livestock will be on the property or auctioned. Auctions would be held once a month from the hours of 10 a.m. to 5 p.m. There is enough on-site parking for all guest of the auction. The property would be used during the off time to collect auction items and store products with little to no major traffic or impact on surrounding properties. There is an existing cyclone fence and a tree buffer completely around the property. The property has 18-foot gate fronting 14th street. The change of zoning would allow operation within those parameters listed and would benefit the local community by having a place to sell, buy or consign near home.”

Upon reviewing an aerial image of Subject Property, the applicant’s statement in reference to the existing natural buffer is consistent with the aerial image. The applicant complies with the above listed criteria.

19. Subject property, owned by Forest Access, Inc. is proposed for rezoning to the 4-C Commercial zone. Forest Access, Inc. also owns property to the west of Subject property,
which is Tax Lot 100. Tax Lot 100 is landlocked, and cannot be sold separately at this time without organizing an access, which would likely need to come through the Subject Property, Tax Lot 1200. The landlocked parcel, which appears to be a legal lot, is not a problem if there is no sale of Tax Lot 100. The applicant, however, will not be able to utilize Tax Lot 100 for commercial use in the future because there is no proposal to rezone Tax Lot 100 to 4-C. At this time, it appears that the applicant’s intent is to utilize Tax Lot 100 as a buffer between his proposed commercial use and the neighboring residential properties. A rezone and Comprehensive Plan map amendment such as this cannot be conditioned upon maintaining Tax Lot 100 in the same ownership as Subject Property.

20. This year City of Port Orford has approved a small subdivision and a land partitioning that will provide opportunities for new housing. In addition, there are existing lots within the City of Port Orford that are available for housing. The historic use of Subject Property has been for commercial and industrial type use for several decades. The current use as a “heavy equipment shop for road construction” is allowed under Port Orford Municipal Code nonconforming use provisions, as the existing use predates the zoning ordinance and zoning map designation. Due to the history of the sites past and current use, the site is best organized to support commercial use going forward. The applicant complies with Goal 10.

21. The City provided newspaper notice and written notice to affected property owners as required by Section 17.04.90 – 100. The property owner notice is included as Attachment C in the Staff Report. In addition, the City provided the required 35-day notice to DLCD as required by Section 17.40.070.

Council Decision Information

- After consideration of the information provided in the Staff Report and this Recommendation of the Planning Commission, the Council may approve or reject the proposed amendments to the Comprehensive Plan and Zone Map.

- Any decision of the City Council is required to be supported by the adoption of findings that support the decision.

- Any City Council decision to approve may be based upon the findings provided by the Planning Commission.

- The City Council may add, amend, or reject findings provided by the Planning Commission.

- Map amendments are required to be adopted by Ordinance.
CITY OF PORT ORFORD
Staff Report

TO: Kevin McHugh, Planning Commission Chair
    Port Orford Planning Commission

Planning Commission Hearing – For Recommendation
Tuesday, August 13, 2019
3:30 PM, Port Orford City Hall

Mayor Tim Pogwizd
Port Orford City Council

City Council Public Hearing – For Final Decision
Thursday, September 19, 2019
3:30 p.m., Port Orford City Hall

FROM: Crystal Shoji, Port Orford City Planner
    Shoji Planning, LLC

Staff Report includes reference to information provided by
Patty Clark, Planning Assistant at the City

DATE PREPARED: August 6, 2019

SUBJECT: Application No. POZ 19-01
    Comprehensive Plan Map / Zoning Map Amendments

APPLICANT/OWNER: Forest Access Inc.
    Attn: Darrel C. Fromm
    P.O. Box 1019
    Coos Bay, Oregon 97420

SUBJECT PROPERTY: CURRY COUNTY ASSESSOR’S MAP DESCRIPTION:
    T33S, R15W, Sec. 05AC, Tax Lot 1200 – 3.04 acres

Subject Property is located at 817 W. 14th Street, between 12th and 14th Streets, and west of
Arizona Street. The site is served with one access on 14th Street.

PROPOSAL:

The applicant is requesting authorization to modify the Comprehensive Plan/Map and Zoning
Map designation of Subject Property identified above. According to the Port Orford Zoning

Exhibit A
Map, Subject Property is identified with a Residential 2-R zoning designation. The applicant has requested to re-designate Subject Property to a Commercial (4-C) designation to accommodate the proposed “general merchandise auction house” use. The applicant has submitted the following documents:
- Port Orford Land Use Decision Application Form – Attachment A
- “Basic Proposal” Statement - Attachment A-1
- Figure 1 – Zoning Map – Attachment A-2
- Figure 2 – Assessor Map & Ownership – Attachment A-3
- Figure 3 – Plot Plan - Attachment A-4
- ArcGIS Web Map Depicting Subject Property Attachment A-5

**Note:** In the findings and analysis of this Staff Report, words quoted from sources including the Port Orford Municipal Code and Port Orford Comprehensive Plan are shown in *italics*. Findings, analysis, and information prepared are provided in non-italicized font. Quotes from other documents and the applicant are shown within quotes.

**Port Orford Municipal Code, Title 17, Zoning**

**Chapter 17.04 GENERAL PROVISIONS**

**Section 17.04.020 Purposes**

The several purposes of this title are: to encourage the most appropriate use of land; to conserve and stabilize the value of property; to encourage any legitimate use of the land to locate in such a place in the city that it may prosper without harm to its neighbors or the economy of the city as a whole; to aid in the rendering of fire and police protection; to provide adequate light and air; to lessen congestion; to encourage orderly growth of the city; to prevent undue concentration of the population; to facilitate adequate provisions for community utilities such as water, sewerage and transportation; and in general to promote public health, safety, convenience and general welfare.

**Section 17.04.030 Definitions.**

“Comprehensive Plan” means comprehensive development strategies related to the future economic and physical growth and development of the City that are relied on by the City of Port Orford, including plans, maps and report, or any combination thereof.

“Non-conforming structure or use” means a lawful existing structure or use at the time the ordinance codified in this title or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

“Retail use, professional office or service use” means uses involved in the sale, lease or rent of new or used products to the general public; personal care services; entertainment; provision of small product repair or services for consumer and business goods. Examples include are,
bicycle, dry goods, garden shops; dance classes or trade schools; financial services; contractor office; hair salon; office equipment repair; upholsterer. Such uses do not include automobile-dependent uses that serve motor vehicles, such as vehicle repair, gas station, car wash, auto and truck sales.

"Use" means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

Findings:
The purpose of Title 17, Zoning of the City of Port Orford Municipal Code is to encourage appropriate use/development of land within the City of Port Orford, in a manner that does not have adverse effects on the community and its residents.

Subject application requests to re-designate Subject Property from a Residential (2-R) designation to a Commercial (4-C) designation.

Provided above are pertinent definitions from Title 17, Zoning, of the Port Orford Municipal Code.

See Attachment A – City of Port Orford – Land Use Decision Application Form and Supporting Documents, and A-3 -- Curry County Tax Lot Map of Subject Property

Chapter 17.12 USE ZONES
Section 17.12.020 Residential zone (2-R)

A. Purpose of Classification. The 2-R zone is designed to be applied to residential areas where higher density housing is appropriate.

Findings: The Residential zone (2-R) allows for various outright and conditional use outlined in Section 17.12.020. According to a statement in the rezone application provided by the applicant, the existing use of Subject Property is a “heavy equipment shop for road construction business.” The existing commercial use is grandfathered under the nonconforming use provision of the City Zoning Ordinance.”

See Attachment B – City of Port Orford Zoning Map (Depicting Subject Property)

17.12.030 Commercial zone (4-C)

A. Purpose of classification. The 4-C zone is designed to apply to areas where more complete commercial facilities are necessary for community convenience.

B. Uses Permitted Outright. In a 4-C zone, the following uses and their accessory uses are permitted outright, provided that such use of operation does not create a nuisance because of odor, noise, dust, smoke or gas:

Exhibit A
6. Retail or service establishment;

**Findings:** The proposed “auction house” use is consistent with the “retail or service establishment” use permitted outright in the 4-C zone.

**E. Lot Size.** Except as provided in Sections 17.20.030 and 17.20.040 in a 4-C zone, the minimum lot size shall be determined by the county health department as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public and mutual water supply and a public sewage disposal system are available, there shall be no minimum lot area.

**Finding:** Subject Property is served with both public water supply and sewage disposal from the City of Port Orford. Therefore, there is no minimum lot area for Subject Property pending successful re-designation to Commercial 4-C.

**Chapter 17.40 AMENDMENTS TO ZONING AND COMPREHENSIVE PLAN**

**17.40.020 Application for an Amendment**

An application for an amendment by a property owner or his authorized agent shall be accompanied by a fee established by the City Council and findings to support the application. When the application has been deemed complete in compliance with Section 17.04.155 of this ordinance, the application will be scheduled for a public hearing before the Planning Commission.

**Finding:** The application was deemed complete on June 7, 2019, in compliance with Section 17.04.155 of the Port Orford Municipal Code. On June 7, 2019, the application was tentatively scheduled for the regularly scheduled August 13, 2019 Planning Commission hearing.

**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.**

**Finding:** This rezone application will be processed following the two-step process summarized above. The application will be reviewed at a public Planning Commission hearing by the Port Orford Planning Commission on August 13, 2019; the Planning Commission will make a recommendation to the Port Orford City Council for the final decision. The Port Orford City Council’s Hearing is scheduled for September 19, at 3:30 p.m. at the City Council Chambers. Any approved amendment will be subject to adoption by Ordinance.

Exhibit A
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.

Findings:
The original wording or designation applicable to Subject Property was not made in error. The amendment is justified due to changing circumstances. The existing industrial “heavy equipment shop for road construction” use is allowed under Port Orford Municipal Code nonconforming use provisions, as the existing use predates the zoning ordinance and zoning map designation.

Because a new commercial use is proposed to accommodate retail sales at an auction house, the nonconforming clause is no longer applicable. Historically, the site has been utilized for commercial type use for several decades. The applicant’s proposal meets the changing circumstances criteria listed above.

b. Any amendment must comply with the Port Orford Comprehensive Plan Goals and Policies.

Findings:
The purpose of the Port Orford Comprehensive Plan Goals and Policies is to assist in creating a vision for future economic growth and development patterns for the City of Port Orford. Provided below are some pertinent goals and policies that align with the applicant’s proposal to re-designate Subject Property to a Commercial 4-C designation. The Port Orford Comprehensive Plan Goals and Policies are compliant with the Statewide Planning Goals; the Statewide Planning Goals are addressed directly with the City’s Goals in the following section of this document:

City of Port Orford Comprehensive Plan Goals and Policies

STATEWIDE PLANNING GOAL 1: CITIZEN INVOLVEMENT

Goal 1: Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The Port Orford Planning Commission serves as the City’s officially recognized committee for citizen involvement (CCI) for Port Orford. The Planning Commission takes the needs of all of Port Orford into consideration and works to balance the criteria and to utilize the comments of citizens.

In addition, zone changes, plan amendments, and map amendments are all subject to public hearings by the Port Orford City Council. These public hearings and the notices of actions to be considered provide opportunities for community voices to be heard. The applicant’s statement,
Attachment A-1 indicating how he will utilize the property will be important to neighboring residential properties. The application complies with Goal 1.

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.

4. Ensure orderly efficient growth

Findings:
The City of Port Orford has established a land use planning process and policy framework as a basis for all decisions and actions related to the use of land, and to assure an adequate factual base for such decisions and actions. The Port Orford Comprehensive Plan and the Port Orford Municipal Code, Title 17 Zoning provide the framework and the expectations of applicants. The applicant complies with the Statewide Planning Goal 2.

City Policies

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.

Findings:
This application has been initiated by a person owning property within the city applying for an amendment to the Comprehensive Plan Map.

4. When amending the Port Orford Comprehensive Plan Goals and Policies, make findings of fact to respond to the following:

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

Findings:
The population of the Port Orford community has not grown at rate that was expected when the Comprehensive Plan map designated Subject Property for residential use. The character of the area is that larger timber related industries that employed many people are not so plentiful as they were at the time that the initial Comprehensive Plan and the zoning were put into place. In addition, main street retail uses that used to serve the public in small communities have often been replaced by Internet shopping and travel to shop in larger communities. Tourism has grown, and unique retail uses are important to attract visitors and residents. The auction barn use could be considered will provide a unique retail use that attracts visitors and residents.
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.

Findings:
No text change to the Comprehensive Plan Goals and Policies document is proposed.

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.

Findings:
The Statewide Planning Goals have been incorporated into the City of Port Orford Comprehensive Plan Goals and Policies within this decade and acknowledged by DLCD. This Staff Report incorporates a number of Comprehensive Plan Goals and Policies that are pertinent to this application.

STATEWIDE PLANNING GOAL 9: ECONOMIC DEVELOPMENT

City Goals

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

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.

5. Encourage efforts to stimulate the tourism industry.

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

Findings:
The applicant is proposing to utilize a site and structure that has been utilized for industrial use as a grandfathered use for many years. The structure that is proposed for commercial use already exists on the property; the property has been in industrial use in the past; the site appears to be suitable for a less intensive use than industrial, which is commercial.

Due to the shift in the local and regional economy on the southern Oregon coast, new service and tourism-based opportunities have emerged in the area’s economic outlook today. With greater populations visiting the southern Oregon coast year after year, providing for the future needs that benefit both visitors and area residents is crucial to the sustainability of the tourism and local
economy. The Auction Barn Use can encourage efforts to stimulate the tourism industry by providing an interesting venue that can appeal to visitors.

The proposed rezone will make it possible to utilize a space that “is seeking a use.” The proposed rezone will provide an opportunity for a use will provide an economic benefit to the City. When a building exists and has no use within a small community, it is likely that the building will become derelict because there is a financial disincentive to invest in a tear-down prior to developing something new. The proposed rezone and Comprehensive Plan amendments comply with the City’s policies for economic development. The applicant is proposing to utilize Subject Property for commercial type use, the historic use, which in turn will continue to contribute the City’s tax base and economic opportunities. The application complies with Goal 9.

c. The map amendment must be compatible with surrounding zoning.

Findings:
Surrounding zoning and use is mixed. To the south, southeast, and northwest, surrounding properties are zoned Residential 2-R. To the southwest and west surrounding properties are zoned Residential 1-R. To the north, northeast, and east are properties zoned Public Facilities and Park Zone (8-PF). Adjacent to the east is a parcel zoned 8-PF, identified as Tax Lot 1 100, which houses an Oregon Department of Transportation (ODOT) maintenance yard.

There is no site redevelopment or expansion proposed as part of this application. The proposed “auction house” use appears to be more compatible with surrounding zoning than the current heavy equipment shop use of Subject Property.

The applicant included a “Basic Proposal” statement with the application, which states the following:

“The property would be used as a general merchandise auction house. No livestock will be on the property or auctioned. Auctions would be held once a month from the hours of 10 a.m. to 5 p.m. There is enough on-site parking for all guests of the auction. The property would be used during the off time to collect auction items and store products with little to no major traffic or impact on surrounding properties. There is an existing cyclone fence and a tree buffer completely around the property. The property has 18-foot gate fronting 14th street.

The change of zoning would allow operation within those parameters listed and would benefit the local community by having a place to sell, buy or consign near home.”

The “Basic Proposal” statement provided by the applicant provides information as to how the proposed auction house use will not interfere with nearby and adjacent properties. Also, upon reviewing an aerial image of Subject Property, the applicant’s statement in reference to the existing natural buffer is consistent with the aerial image. The applicant complies with the above listed criteria.

8

Exhibit A
Subject property, owned by Forest Access, Inc. is proposed for rezoning to the 4-C Commercial zone. Forest Access, Inc. also owns property to the west of Subject property, which is Tax Lot 100. Tax Lot 100 is landlocked, and cannot be sold separately at this time without organizing an access, which would likely need to come through the Auction Barn property, also known as Subject Property, Tax Lot 1200. The landlocked parcel, which appears to be a legal lot is not a problem if there is no sale of Tax Lot 100. The applicant, however, will not be able to utilize Tax Lot 100 for commercial use in the future because there is no proposal to rezone Tax Lot 100 to 4-C. At this time, it appears that the applicant’s intent is to utilize Tax Lot 100 as a buffer between his proposed commercial use and the neighboring residential properties, which would probably appeal to residential neighbors. A rezone and Comprehensive Plan map amendment such as this, cannot be conditioned upon another maintaining Tax Lot 100 in the same ownership as Subject Property.

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.

Finding:

This year City of Port Orford has approved a small subdivision and a land partitioning that will provide opportunities for new housing. In addition, there are existing lots within the City of Port Orford that are available for housing. The historic use of Subject Property has been for commercial and industrial type use for several decades. The current use as a “heavy equipment shop for road construction” is allowed under Port Orford Municipal Code nonconforming use provisions, as the existing use predates the zoning ordinance and zoning map designation. Due to the history of the sites past and current use, the site is best organized to support commercial use going forward. The applicant complies with Goal 10.

See Attachment A-1, Basic Proposal.
See Attachment A-5 – Aerial Image Depicting Subject Property and Applicant’s Parking

17.40.060 Notice for Public Hearing on Amendment

Notice of any Public Hearing shall comply with Section 17.04.90 of this ordinance and any additional requirements of ORS 227 applicable in regards to notice to property owners for any specific zone change. The names for this written notice to property owners shall be obtained from the records of the County Assessor. Failure of a person specified in this section to receive the notice shall not invalidate any proceedings in connection with the application for a change in zone. The hearings body may continue a public hearing to a date and time specified at an advertised hearing in order to obtain more information without further notice or to give further notice to persons it decides are affected by the proposed change in zone.

Findings:

Exhibit A
The City provided newspaper notice and written notice to affected property owners as required by Section 17.04.90 – 100. The property owner notice is included as Attachment C. In addition, The City provided the required 35-day notice to DLCD as required by Section 17.40.070.

Staff Recommendations

All the criteria from the City Municipal Code and Comprehensive Plan provided within this Staff Report are relevant. The Planning Commission will make a recommendation to the Port Orford City Council. The Port Orford City Council will make a final decision.

1. Any decision to approve may be based upon the findings provided throughout the Staff Report.

2. Decision-makers from the Planning Commission and/or City Council may add findings, remove findings where they do not agree, or provide new findings to support their decision. New findings may be made taking into consideration public testimony, personal observations, or other knowledge; all findings must address the criteria.
CONSENT PETITION FOR THE ZONING CODE CHANGE

ADDRESS OF PROPERTY TO BE REZONED
817 14th street Port Orford, OR 97465

PROPERTY ID NO. OF PROPERTY TO BE REZONED
R16050

We understand that the petitioner seeks to rezone this property from 2-R Zoning to 4-C Zoning and we do hereby consent to and accept the changes made to this property in the City of Port Orford.

<table>
<thead>
<tr>
<th>PRINT AND SIGN NAME</th>
<th>ADDRESS</th>
<th>PROPERTY ID NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Print: Michael Rowe</td>
<td>882 12th</td>
<td>3315-05 AC TL 300</td>
</tr>
<tr>
<td>Signature: Michael Rowe</td>
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<td></td>
</tr>
<tr>
<td>Print: Gerd Schindler</td>
<td>997 Arizona Port Ochod, OR</td>
<td>3315-05 AC TL 1304</td>
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<td>Signature: Gerd Schindler</td>
<td></td>
<td></td>
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<tr>
<td>Print: William R. Nelson</td>
<td>745 12th St Port Orford 97465</td>
<td>3315-05 AC TL 1300</td>
</tr>
<tr>
<td>Signature: William R. Nelson</td>
<td></td>
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<tr>
<td>Print: Grady William</td>
<td>819 12th st Port Orford 97465</td>
<td>3315-05 AC TL 1602</td>
</tr>
<tr>
<td>Signature: Grady William</td>
<td></td>
<td></td>
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<tr>
<td>Print: Edwin Liszka</td>
<td>872 12th Street</td>
<td>3315-05 AC TL 302</td>
</tr>
<tr>
<td>Signature: Edwin Liszka</td>
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</table>

Exhibit B
Timothy R Sparks
1 Hamlet Place
Port Orford, OR 97465

Planning Commission
Port Orford, OR 97465

As I am the one probably most affected by a zone change, I must be in opposition.

A conditional use would be agreeable, but not a zone change. I have lived at this address for the last 42 years and have seen changes in ownership with no issues. However, a zone change would allow for any number of unwanted businesses to come in and probably cause a devaluation of my property.

If the zone change does pass, I would request that a privacy fence be erected on my south property line to discourage the Looky Lous.

Also requested would be a time period that no other business could be established other than the auction house as presented in flyer passed in the neighborhood.

Thank you for your consideration.

Timothy R Sparks

[Signature]
August 12, 2019

To: Mayor, City Council and Planning Commission City of Port Orford, Oregon. We the undersigned owners of the property known by the address Lot 3 of the Hamlet do hereby protest the following zoning change proposed for the property known by the address(es) 817 West 14th Street Port Orford, Oregon.

We ask that the above city government officials deny the proposed zone change/development on 14th street. 14th street currently has 2 commercial fueling stations, a heavy equipment repair and storage facility, city services (maintenance) building that accesses from 14th and a community park with apartments in close proximity. We have a number of families with small children who access the park and school and elderly persons that ride electric carts to access their needs. 14th street already contains a hodgepodge of zoning all the way from Oregon Street to Lakeshore Drive interspersing residential, commercial and industrial (heavy equipment) storage and repair facilities that create safety hazards for all of us that live in this area and others who access the park facilities.

Melissa L. Harner (owner)
3 Hamlet Street
Port Orford, Or.
541-373-1853
Hello,

I hope this email finds you well. I am writing to you today regarding the proposed plan amendment for the zoning code, case number POZ 19-01. I learned about these proposals through DLCD’s PAPA portal. The PAPA portal stated that the case would be heard before the Planning Commission on 8/13. Could you send me the staff reports for these proposals? I have not been able to find it on the city’s website.

My interest in this proposal comes from a partnership with the Fair Housing Council of Oregon and Housing Land Advocates. Together we review all proposals submitted to DLCD and conduct detailed staff report reviews to any that might have statewide planning goal 10 and/or fair housing implications. The goal of this work is to ensure inclusive communities statewide.

Please reach out if you have any questions. I look forward to hearing from you.

Thank you for your help.

Best,

Carina Garcia
project coordinator
(pronouns: she/her)

1515 SW Fifth Avenue, Ste 1022 \ Portland 97201
w: 503.912.7026 \ c: 541.701.8341 \ www.enviroissues.com
August 13, 2019

To: Planning Commission  
City of Port Orford  
Patty Clark

Re: Application No. FOZ 19-01  
Zoning Change to Commercial in a Residential Neighborhood  
817 14th Street, Port Orford

Dear Commissioners,

I submit this letter in connection with the Zoning Change application for the property located at 817 14th Street in Port Orford.

I live on 12th Street and will be directly affected by a change in the zoning of the subject property.

The property sits at the entrance to the Hamlet, a quiet residential neighborhood. It also backs up on 12th Street, a quiet, lovely street where I have lived for ten years.

While the proposed use of the property as a general merchandise auction house is presented as a benefit to the community changing the zoning on that property could have a long-range negative effect on the neighborhood.

A zoning change runs with the land so when the land is sold, it would allow a commercial enterprise to come into our quiet, peaceful neighborhood - a commercial enterprise that most likely would not be an auction house that holds an auction once a month. Certain uses are permitted outright under section 17.12.030 Commercial zone (4-C). What protection is there for the residents if the property is rezoned and later sold?

A Notice was left on my doorstep by the applicants. I have attached a copy to this letter as Exhibit A. This notice states that because of the nonconforming use permit if the current zoning is not changed that we could end up with "a logging operation or heavy equipment company such as a rock construction business, heavy equipment shop, or heavy equipment paint shop" and that "these businesses would most likely be [in] operation 8 a.m. to 6 p.m. 7 days a week with noise every day." They further go on to say that "the property could be sold as is to a like business and could open without any zoning requirements or changes needed under current status."

It is my understanding that when a nonconforming use is discontinued it cannot be reinstated or resumed unless specifically approved by the city council (17.24.030). The subject property has not been used as a logging operation or rock construction business or a heavy equipment paint shop in the ten years I have lived here. I believe that any

Exhibit F
such nonconforming use would be considered abandoned and require approval by the city council.

Additionally, 17.24.030 states that if a nonconforming use is changed it shall be changed only to a use conforming with the zoning regulations. Under this provision it does not appear we could end up with a logging operation, rock construction business, etc.

I believe the important thing for the Planning Commission to consider is the long-range effect of rezoning the property if the owners decide to no longer run an auction house or sell the property. What is to protect the residents from a use that substantially and unreasonably interferes with the peaceful use and enjoyment of their properties and their quality of life?

Very truly yours,

Christine Roney
Notice
817 14th street Port Orford, OR 97465

6. Home occupation
7. Childcare Facility
8. Residential Care Home
9. Residential Care Facility

These permitted uses could always have a major impact to the property and to your surroundings 24/7 with an increase of public services needed. The size of the property would allow a large area for dwellings on the 3.16 acres and creates insufficient parking for homesites as most developments have only offer one parking spot per dwelling.

**Conclusion:** The property has an existing cyclone fence; the property has one entrance and one exit on the access side of 14th street and will not be using the 12th street access. Allowing residential dwellings, they could access all The Right of Way Accesses on 12th and 14th making a larger impact to surrounding homeowners. In final considerations we hope you consider to chose to allow us to change the zoning of this property to better benefit Port Orford and its local community.
Notice
817 14th street Port Orford, OR 97465

Uses as current zoning and uses: The current R-2 zoning allows residential properties to be built, such as apartment complexes and single-family dwellings. Property has a non-conforming use permit to allow commercial use on this property as a machine shop, Truck shop, or heavy equipment storage facility.

Our proposal and new use of commercial zoning: We would use this property as a general merchandise auction House - NO LIVESTOCK WILL BE ON PROPERTY OR AUCTIONED. We would only be auctioning contents ONCE a month from the hours of 10 a.m. to 5 p.m. with moderate traffic, with enough on-site parking included for all guests of the auction. We would be using the property during the off time to collect auction items and store products with little to no major traffic or impact to surrounding properties. The change of zoning would allow us to operate within those parameters and would benefit the community/locals to have a place to sell, buy or consign close to home.

If current zoning doesn't change: This zoning will allow multiple of uses that could impact your property. The first use would be leaving it at current zoning with non-conforming use would allow a logging operation or heavy equipment company such as a rock construction business, heavy equipment shop, or heavy equipment paint shop. These businesses would most likely be operation 8 a.m. to 6 p.m. 7 days a week with noise every day. The property could be sold as is to a like business and could open without any zoning requirements or changes needed under current status. There also other options for the property which include the residential uses permitted:

Uses Permitted Outright. In a 2-R zone, the following uses and their accessory uses are permitted outright:
1. Single-family dwelling or duplex;
2. Manufactured home, in accordance with Section 17.16.040;
3. Multiple family dwelling; (Such as Apartment complexes)
4. Private stable where building site is one acre or more;
5. Farming where building site is one acre or more, but not including commercial livestock production

- A -
NOTICE OF A PROPOSED CHANGE
TO A COMPREHENSIVE PLAN OR
LAND USE REGULATION
FORM 1

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation at least 35 days before the first evidentiary hearing. (See OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: City of Port Orford – Patty Clark, Planning Assistant and Crystal Shoji, Planning Director
Local file no.: POZ 19-01
Please check the type of change that best describes the proposal:

☐ Urban growth boundary (UGB) amendment including more than 50 acres, by a city with a population greater than 2,500 within the UGB
☐ UGB amendment over 100 acres by a metropolitan service district
☐ Urban reserve designation, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
☐ Periodic review task – Task no.:
☒ Any other change to a comp plan or land use regulation (e.g., a post-acknowledgement plan amendment)

Local contact person (name and title): Patty Clark
Phone: 541-267-2491 E-mail: patty@porortford.org
Street address: P.O. Box 310 City: Port Orford Zip: 97465

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The applicant has proposed a rezone of property from Residential (2-R) to Commercial (4-C). There is an existing commercial non-conforming use of Subject Property at this time. The rezone is desired to accommodate a new commercial use. The applicant’s proposal is consistent with the historic use of the site and adjacent current use to the east (ODOT Storage Yard). Due to an existing natural buffer surrounding the site and statement clarifying how the new use will be organized, impact on adjacent uses would likely be minimal to no impact. The applicable Port Orford Municipal Code references are: Title 17 Zoning, Chapters 17.04 General Provisions, 17.08 Administration, 17.12 Use Zones, and 17.40 Amendments. The Staff Report will be available no later than Tuesday, August 6, 2019.

Date of first evidentiary hearing: 8-13-2019
Date of final hearing: Unknown

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

☒ Comprehensive Plan text amendment(s)
☒ Comprehensive Plan map amendment(s) – Change from Residential to Commercial

☐ New or amended land use regulation

☒ Zoning map amendment(s) – Change from Residential (2-R) to Commercial (4-C)

Form updated February 12, 2018
An exception to a statewide planning goal is proposed – goal(s) subject to exception:

X Acres affected by map amendment: 3.04 acres

Location of property, if applicable (site address and T, R, Sec., TL): T33S, R15W, Sec. 05AC, Tax Lot 1200

List affected state or federal agencies, local governments and special districts: DLCD, City of Port Orford, Port Orford Fire District
CITY OF PORT ORFORD
CITY COUNCIL WORKSHOP MINUTES
IN THE GABLE CHAMBERS
THURSDAY, August 15, 2019

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<tr>
<td>Gary Burns</td>
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<td>Terrie Richards</td>
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<td>Jim Campbell</td>
<td>x</td>
<td>Shala McKenzie Kudlac</td>
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<tr>
<td>Travis Williams</td>
<td>x</td>
<td>David Johnson</td>
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<tr>
<td>Pat Cox</td>
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<td>Hank Hobart</td>
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<tr>
<td>Carolyn LaRoche</td>
<td>x</td>
<td>Patty Clark</td>
<td></td>
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<tr>
<td>Tim Pogwiz, Mayor</td>
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<tr>
<td>James Garratt</td>
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Media Present:
Others Present:

Call to Order
Mayor Pogwizd called to order this Workshop of the Common Council of the City of Port Orford in the Gable Chambers on Thursday, August 15, 2019 at 2:08 p.m.

Subject for Discussion: Planning zoning
President Cox requested clarification on the process of who puts the stakes in, measures outsets and grading. Planning Assistant Patty Clark states the city does not have staff available for that process. President Cox suggests since it requires only a string line and tape measurer, which public works has, that the city reconsider. The boundary line on new building is not determined. City ordinance requires two corner stakes. President Cox reported it will take the city an hour to determine corners for 25 buildings a year, which is two a month. He feels the city can accommodate. He feels the city is not aware enough. Councilor Williams reminded that per CA Richards, with public works being union employees, the contract would be renegotiated. Mayor Pogwizd suggested reading the public works job description to see what is included and amend as necessary.

Mayor Pogwizd reported the city is charging 91 dollars for all three zones. He is concerned that 91 dollars is not covering Planning’s time. Mayor Pogwizd would like the cost of zones addressed. Councilor Garratt suggested isolating criteria that makes the application more time consuming and check off that criteria. For each checkmark, an additional fee should be issued. CA Richards informed council of the application process. Citizens approach Planning Assistant Clark who determines zoning and provides the appropriate packet. The citizen will read the packet, fill it out and return it to Planning Assistant Clark. The citizen may not understand everything in the packet and return to planning with questions, which requires more of the planning assistant’s time to provide explanations and assistance. Planning Assistant Clark advises that new build require an address, which involves additional employee time. President Cox would like to research what other cities charge.

Councilor Garratt suggests charging landowners for using Assistant Planner Patty Clark to assist with their paperwork, such as they do for records requests. CA Richards suggests that is what the
fee covers. Councilor Garratt believes the fee is a base application for handling a completed form; however, it is not for assistance filling out the application.

Steve Lawton speaks on small towns and fees. Small towns do not have the revenue stream, but once the volume of permits is up the current fee will cover expenses. Mr. Lawton encourages council to research larger cities to get an idea what Port Orford will need for a fee structure in the future. Mr. Lawton suggests Port Orford require locational surveys on new building in the community at the cost burden of the landowner.

Councilor Campbell reports lack of staffing in planning for the last two or three years since building has picked up. Councilor Campbell suggests coming up with a plan for staffing. He suggests working with the county through a contract.

President Cox has concerns about the 10-MU district. He is concerned with making decisions or completing the checklist without seeing the full set of plans. Planning Assistant Clark informs him they do see the entire set of plans without the grading plan, which is not necessary for the building construction. Grading is not inspected. It is suggested that public works be provided the tools and training to inspect the runoff and grade.

Planning Assistant Clark addresses a four-plex that has one water meter. It was listed as a single-family dwelling with four bedrooms. The county changed it to a duplex zoned 1R. CA Richards confirms the city approves one meter per duplex and one meter for a single-family dwelling. Council members are aware of apartments and motels with one meter. Planning assistant Clark reports the 14-unit apartment pays 14 base rates on one meter.

Mayor Pogwizd addresses Coast Community Health with two mobile homes on one lot. Planning Assistant Clark advised it went through Shala. The mobile homes will be connected and are student housing. Port Orford ordinance allows “other housing” in the 10-MU. Parking on the property is required. Assistant Clark has been informed they were going to have parking behind the building. President Cox asks who inspects and enforces ordinance. CA Richards will contact Felix and ask where the off-street parking is. Councilor Williams reminds that the 10-MU allows more outright uses than other uses do.

President Cox is concerned about county inspections. Permits being approved by Port Orford are being inspected by county and approved even if not in compliance. Council has been informed that a duplex on 13½ appears to be a four-plex and the height is not in compliance. This has not been inspected by the city.

Councilor LaRoche asks why the city cannot make an owner tear down a building that is not legal according to city standards. President Cox reports they never get the certificate of occupancy. President Cox reports in the past building was slow, and it was easy to keep track of one or two builds a year. Currently, there are many builds, which may continue or may not continue. The City would need funding for staffing to handle these problems appropriately at the risk of the building permits decreasing in number in the future.

Councilor Williams addressed contracting with Curry County for a building department. Councilor Williams spoke with Curry County, and they advised they have only two people in the building office who are overworked. They [the county] also have seen an influx in building. When their influx decreases, the Port Orford influx will also decrease. Councilor Williams
identifies that Port Orford has the appropriate guidelines but does not have the infrastructure to enforce the guidelines. He feels this is a temporary problem. Councilor Williams would like to see the fee increased. Property owners agree that permit fees are low. He would not want to see the fees be a deterrent for building in the City of Port Orford but needs to cover the city’s cost.

Councilor Williams addresses his experience with the 10-MU zone. He reports the 10-MU zone has more outright uses than the standard zone. The 10-MU allows the town from 9th Street to be a different situation, meaning 10-MU can do whatever they want and all others have to follow guidelines. Councilor Williams does not think it is right for someone to own property or a business without the same regulations. The two mobile homes at Coast Community Health would not be outside of regulation in the 10-MU zone but would be in all the others zones. The City allowed that to happen in the 10-MU zone but has to turn down others wanting to accomplish the same thing outside of the 10-MU zone. Councilor Williams would like to see the 10-MU zone be fixed or go away.

Councilor Williams states that any building under 5000 square feet does not require fire sprinklers. Anything that is a commercial building, the county requires state fire marshal sign-off prior to issuing the permit. The county is responsible for contacting the fire marshal; however, due to workload they might ask the owner to make that contact. The two manufactured homes connected should require fire marshal sign-off prior to permit being issued by the county. It is in the city ordinance that permits be signed off by the state fire marshal; however, the city does not do that. Councilor Williams is concerned that the connected manufactured homes are not built for commercial use. CA Richards reported that the manufactured homes will have students living in them as if they were apartments, which she thinks is not commercial use. Councilor Williams reported they are living there to attend their training classes, which is commercial use. Within commercial use, flooring joists, flooring packages, walls, tiebacks, wall-structures, everything is different on a commercial use. Planning Assistant Patty Clark reported that everything under 10-MU allows a manufactured home as an outright use. Councilor Williams states it is allowed under 10-MU as a single home for a one-dwelling family home.

President Cox reported the 10-MU zone was to promote growth at that end of town. Councilor Campbell and Assistant Planner Clark reported the intent for the 10-MU zone is unclear. It was because the mayor at the time wanted it in place so that area of the town could be an artsy special area of town with off-street parking. The city got a grant to accomplish the zone. The 10-MU zone allows building on the property line. President Cox inquired about challenges that might need to see change. Assistant Planner Clark would also like to see the 10-MU zone change to 4C. Mr. Steve Lawton, a citizen living in the zone, agrees it should be changed. The 10-MU zone prevents vertical growth with a view. Without the 10-MU zone, building restrictions prevent growth from a medical facility, public care facility, manufacturing, etc. The vision statement that created the 10-MU zone was to be an essence of a rural coastal community.

Mayor Pogwizd reported the 10-MU zone does address a manufactured home park. It details there has to be a 10-foot-wide landscape buffer between the right of way and the manufactured home park.

President Cox reports that Crystal Shoji helped create the 10-MU zone. He suggests that she review the 10-MU zone. Mayor Pogwizd reported that Ms. Shoji advised him that the 10-MU zone was written so loosely that anything can be done in the 10-MU zone. She said that the
council has the capability of changing the 10-MU zone to whatever the council wants it to be. Prior to 10-MU the area was all zoned 4C, which is commercial/residential.

Councilor Williams reported issues and complaints with animals in the city. He reviewed 1R property, and is not sure of the intent, but it reads to him that farm animals are not allowed in 1R unless it is one acre or more. He considers a chicken a farm animal. He feels this is the time and the place to change 1R to not allowing farm animals on 1R property unless one acre or more. As it is, it is vague.

Councilor Cox would like to see the 1R zone changed to not accept duplexes. Mayor Pogwizd read 1R zone to permit single-family dwellings, duplex, manufactured home, and private stable or farming on an acre or more. Most of the zoning was established in 1977.

Mayor Pogwizd reminds council the meeting is for discussion. Changes have to be made in a regular council meeting. To change the 10-MU zone the comp plan will have to be changed, etc.

President Cox recapped that there are a lot of problems with the 10-MU zone, as identified in this meeting. He suggested options of rewriting it or reverting back to 4C. Mayor Pogwizd would like council to take the 10-MU and 4C zone home and start reviewing for a month or two to determine if 10-MU needs rewritten or reverted back to 4C.

Adjourn
There being no further business Mayor Pogwizd adjourned the meeting at 3:09 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards
City of Port Orford

City Council Meeting Minutes
In the Gable Chambers
Thursday, August 15 at 3:30 P.M.

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<tr>
<th>Mayor and Council</th>
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<th>City Staff</th>
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<tr>
<td>Gary Burns</td>
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<td>Terrie Richards, City Admin/Recorder</td>
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<td>Tim Pogwizd, Mayor</td>
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<td>Shala McKenzie Kudlac, City Attorney</td>
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<td>Pat Cox, President</td>
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<td>David Johnson, Finance Director</td>
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<td>Jim Campbell</td>
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<td>Hank Hobart, Police Chief</td>
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<td>James Garrett</td>
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<td>Carolyn LaRoche</td>
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<td>Travis Williams</td>
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Media Present: Port Orford News – Brice Wagner
Others Present: 17

Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council in the City of Port Orford Gable Chambers on Thursday, August 15, 2019 at 3:30. He asked those present to rise and join him in the Pledge of Allegiance.

1. Additions to the Agenda – None.

2. Special Presentation to Citizens / Council –
Doug Battersby is not present for presentation.

Jim Graham, US 2020 Census – Article 1, section 2, US Constitution – every person in the United States shall be counted. The decennial census controls power, justice and money for the next ten years.

Justice: The census determines social justice programs apportionment and funding, and where the social justice programs are deployed or initiated. Events in the City of Port Orford affecting the economy and community are based on census apportionment information. In a rural community OSU Extension, which is the Port and agricultural areas around Port Orford, rural housing, rural loans are all through and because of apportionment via census data.

Power: The US House of Representatives is apportioned based on census. The 435 seats are distributed among the 50 states based on the census data. School districts, fire districts, port districts are based on apportionment information. Voting precincts at a community level are based on census data. The polling booths in the precincts are placed at the center of mass of population determined by census data: Power from voter all the way to US House of Representatives and Electoral College are portion based on census.

Money: Numbers are based on 2015 numbers. The numbers will be bigger now. Of 675 billion dollars in federal money, 13-1/2 billion goes to Oregon. Most of the Federal money that comes to Oregon is matched with state funds, which gives us a 27 billion dollars that is
apportioned across all of Oregon residents. That is approximately 3,200 dollars per person each year for the next ten years.

The census is ten questions per person in the household and should take less than 20 minutes per small household. Three methods are offered. This year, an online option is offered. There is a telephone assistance line in 13 languages. The paper form is available in English and Spanish. The census is offered in 59 languages by enumerators that go door to door to those who have not responded online by telephone or paper form by about May 31 of 2020. The data that are reported are reported in aggregate only. There is no personal identifying information in the data that is reported by the census bureau. Employees are prohibited by law from divulging person identifying information to any person, organization or other government agency. That includes law enforcement at the federal, state and local levels.

Challenges to an accurate census: Persons that are hard to identify and reach. These are people who want to be invisible, the homeless, immigrants and migrants. Persons with distrust of government and those who have a reason to fear the government. Young children in a household that are not identified on a census form are the most difficult for the census bureau to identify and correct for. If the challenges are not counted, the City of Port Orford does not receive the money for the next ten years for those not counted; however, those not counted will still be drawing from state, school and city funds.

The Census Bureau are hiring people from the community to service the community that they are familiar with. The money paid to the people with a temporary census job in the community will contribute to the city economy.

Councilor Garratt moved to approve the proclamation for the US 2020 census with Councilor Williams as second. No discussion. Motion carried 6-0

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David Brock Smith, Legislative Update – David Brock Smith, State Representative House District 1. The legislative session for the State of Oregon ended on June 30, 2019. Twenty of the chief sponsored bills passed

House bill 2294: Regarding chronic wasting syndrome with regards to deer population. Oregon does not have that chronic wasting syndrome; however, urine is taken from wasted deer to attract deer during hunting season. Legislature has banned the ability to use deer attractants in Oregon and allows only artificial.

Senate bill 256: Repealed the sunset moratorium on oil and gas and sulfur leasing in the territorial sea in Oregon’s waters. A law was made in Oregon, that if any oil and gas exploration occurs, and there is oil and gas derived from the exploration outside of Oregon’s three-mile waters, there will not be an ability for them to transvers over Oregon’s waters to bring it to the coast of Oregon for export. This is for the protection of the fishing industry.

House bill 2020: A result of the Cap and Trade program legislation, which ultimately failed in the legislature. HB 2020 made a lot of promises in essence but did not articulate in legislation how resources would come to rural Oregon to support the industries that would be impacted. Oregon ranks 6th in the nation with regards to emissions per capita. Our forests
providing oxygen contribute regardless of carbon emissions from wildfires. Data for replanting in the fire areas is being collected. The Cap and Trade bill will be brought back in the 2020 legislative session.

House bill 2007: Statewide ban on older diesel trucks, which would not be allowed to register after 2020. An older diesel engine would not be considered for a state contract.

Paid Family Leave passed: The bill passed with a 60/40 split.

Federal tax code changes: Opportunity Fund in Opportunity Zones is a tax shelter for investment in low-income communities. Port Orford census tract was chosen for the federal opportunity zones for investment.

House bill 2437: Removal fill law, regarding farmers and ranchers: Removal-fill law was written for developers with regards to wetlands and not being able to fill in wetlands.

3. Citizens’ Concerns
Teresa Kolibaba: 7b – Ms. Kolibaba reports the area they want to put it in is a mixed-use area. She feels it is contradictory to have an arts district sign in a mixed-use area with more restaurants and bars in the area than art establishments. Ms. Kolibaba questions if you can designate a neighborhood as a district when it is mixed use and there is more than one type of business in that neighborhood.

4. Consent Calendar
Minutes of July 18, 2019
Councilor Williams moved to approve the Consent Calendar as presented with Councilor Campbell as second. No Discussion. Motion carried 6-0

| Councilor Cox  | Yes | Councilor LaRoche  | Yes | Councilor Williams  | Yes | Councilor Burns  | Yes | Councilor Garratt  | Yes | Councilor Campbell  | Yes |

5. Department Reports –
Administration – The water loss report is missing the percentage number. CA Richards advises it is 39.2 prior to the leak detection test. It was reported to CA Richards that somebody is cleaning out their closet and filling the dumpster at the Visitor Center with clothing and furniture. The dumpster at the Visitor Center is designed for the garbage that Public Works removes from the garbage cans. The dumpster will now be locked. The signs for the dog park are installed. CA Richards will get the addresses for the two new applications for single-family dwellings. CA Richards attended a listening session with Councilor Burns and Councilor Garratt. The water situation was discussed. CA Richards answered the questions and referred to the master plan.

Police Department – President Cox reported on an incident at the Senior Center where citizens were frightened of recreational drug users at the location. Chief Hobart advised to call 911.

Public Works – Duane Eckhoff reported regarding water; Councilors Garratt and Burns visited the water plant for a tour. Dyer Engineer was on site for contact tank issues and the PLC issue. The repeater radio has been ordered. Mr. Eckhoff feels it is necessary to do the leak detection. Mr. Eckhoff reported 13 leaks in the last two months. One was a 4-inch
mainline on Jackson Street. Approximately 38 thousand gallons of water was lost in the time it took to isolate the leak. The Coast Guard hill pump skid is in disrepair. Mr. Eckhoff suggests an engineer from Dyer look at it. Jeff Brown from Billeter Marine looked at a possible dredging of 25 yards per the limits of the permit. Quarterly, monthly and yearly testing is done at the cost of $2,300. These are mandatory tests by the Oregon Health Authority. A pump motor burned up in the chem room on the Poly pump. The new raw water master meter has been received, there is a difference of 50 gallons a minute between this and the treated water meter now. That is a difference of 42,000 gallons a day between raw water coming in and treated water going out. Two new water and sewer services are hooked up.

Wastewater: The light burned out on the camera, going in for repair. There is ongoing operational maintenance at lift stations. A new grinder pump at the visitor’s center. The grit system went down in June due to an electrical storm, which caused four or five items at the wastewater plant to need repair/replacement. Reese Electric is assisting with a relay and a switch. An irrigation pump was replaced due to the storm. The wiring was fried. A sump pump is not working but has good voltage and might have to be replaced also. Coos Curry Electric has been notified. Grease removal program is continuing with local businesses. Jacob hosted a tour for council members Burns, Garratt, Cox and Mayor Pogwizd. Jacob attended a half-day school on NetDMR; follow-up training is required. The water heater at the wastewater plant has been replaced. A new pump to be installed in the Flake Street lift station.

Streets: Public Works has been trimming and working on potholes. Repaired drainage issue at the bottom of Hensley Hill. Traces of water and gravel - removed. Four loads of rock put on Hubbard Creek Road to the impoundment. Public Works helped Main Street Assoc. and the Highway 101 project by placing a rock by the bench at the Kar Kare Clinic and moving the bus stop in Rays parking lot over.

Parks: The dog park signs are up. Mowing and trimming done in the park with sand around the horse arena. Ready for the dedication this weekend.

Mr. Eckhoff reports 36 locates and over 60 service calls in the last few months. President Cox gave report on the sanitary survey. The DFS/OHA representative suggested considering a settling tank to mechanically fix the problem. Mr. Eckhoff saw that as a temporary fix. President Cox requested why that is not an option as a permanent fix. It had been discussed in the past and removed from the table.

Port: Port has had to put meetings off until the end of the month due to staff problems. Port is working on breakwater.

Advertising/TLT – Main Street had an extensive meeting regarding workforce housing. They are attempting to find other ways to mitigate the issues that are preventing the increase in the workforce housing. Water conservation methods being built into the building is suggested to prevent workforce housing delay. A meeting with Julie Miller from Bandon is planned for advertising.

Fire Board – Fire board was going to make modifications to their board but found out they were unable to. The new tender has arrived.

Parks – Councilor Williams was not able to attend the parks meeting. Commissioner Thompson relayed to Councilor Williams he was appointed to work on sign verbiage for Battle Rock and research the sign sizes.

Watershed – Councilor LaRoche reported the watershed meeting is next week.
Health – Mayor Pogwizd met with Felix on Coast Community Health. They are working on a grant. They want to go through CDBG through the city; however, the city cannot have two CDBG grants open. The city will be using CDBG for water and sewer issues.

Emergency Management – Councilor Campbell was not informed of any meetings.

6. Old Business
   a. Council Rules – Councilor Cox read a prepared statement declaring that in June of 2019 the council voted to change the councilor rules. Councilor Cox does not feel the new rules are in compliance with what the council is about. Section 2.3 empowers the mayor and the administrator to prepare the agenda and the order of the business. Councilor Cox asks why these meeting guidelines are absent. Section 2.7, states everyone must be recognized by the chair should be put into the new rules. In section 3.4 of the new rules, we are taking away the ability of the mayor to warn someone that they are going to be removed from the chambers and putting that onto the sergeant of arms. Councilor Cox is concerned the new rules impede the mayor that administers this functionality and to stop promoting public comment. Councilman Cox requests the council to consider going back to the last council rules with the implementation of the three-minute rule. He feels that citizens of Port Orford are the best resource for making the right decisions. Previous council rules promoted public interaction, and Councilor Cox personally cannot accept changing that in any way.

**Councilor Cox makes a motion to go back to the previous council rules with the three-minute time restriction with Councilor LaRoche as second.**

Discussion: Councilor Garratt feels he has not had an appropriate amount of time to research or address this and feels there are serious errors in the presentation given by Council Cox; however, there could be remissions made in the changes. The proposal was not intended to include as much elimination as just mentioned. There were several workshops addressing this, and this presentation has not been made. Councilor Garratt suggests not approving the motion and readdress this at next meeting. Councilor Cox reported having one workshop regarding this subject. These points were brought up. The letter at last meeting was written, because Mr. Cox felt like it was not addressed. Councilor Cox was under the impression there would be two readings where this could have been brought up.

Councilor Williams reports having an issue with the three-minute time restraint, and that the general purpose with the council rules was to fix the time. The other changes are not of interest to Councilor Williams. He would like to see that the time is changed.

CA Richards reports the last two pages of the council rules were sent to her to make the changes.

Councilor LaRoche would like to make sure that the time is correct on all of the rules. She would like the audience to be able to speak even if it takes longer than three minutes. Otherwise, she did not see challenges with the old rules.
Shala Kudlac reported not being at the workshops; however, advises that the only person who has the authority to remove somebody from a public meeting is a law enforcement officer. The rules need to reflect that, as they did in the previous rules prior to change.

Chief Hobart advised the council that the police cannot determine disorderly unless it is egregious. Law enforcement will need input from council as to how much behavior is disorderly during the meeting. Ms. Kudlac reports that ultimately what the city can do in such a situation, is to simply shut down the meeting. Councilor Cox suggests 3.4.1: Before the sergeant of arms removes any person from the meeting room for conduct described in 3.3.2, that person shall be given a warning by the Chair to cease his or her conduct, should stay in the council rules. Councilor Garratt reports that is addressed in the new rules 3.3.2.

*Mayor called for a vote. Motion tied.*

| Councilor Cox | Yes | Councilor LaRoche | Yes | Councilor Williams | Yes | Councilor Burns | No | Councilor Garratt | No | Councilor Campbell | No |

Resulting in tie, Mayor Pogwizd voted yes, to go back to the old council rules, but this definitely needs to be revisited at a workshop. Ms. Kudlac has pointed out problems with the new rules as well as the old rules.

b. Right-Of-Way Request – Main Street Arts District Sign:

**Councilor Campbell moves to approve the main street sign proposal with Councilor Burns as second.**

Discussion: Councilor Garratt agrees with the right-of-way, as Port Orford is declared as an arts town. Councilor Campbell feels the sign is too large for the location it is going to be placed. Councilor Williams asks Beverly for the letter they were to receive from the property owner. Beverly reports the letter was sent to the two property owners, and no reply has been received; however, they will come to the Main Street mailbox, which is not mail that Beverly has access to. Councilor Williams addresses location and sign size. Documents presented do not indicate size. The sign will be primarily be facing northeast due to the curve of the highway at the location. The actual sign has not been determined. There is not a final design yet. The proposal has three possible sizes, the first two being six feet, either 12x6 or 10x6. The third could be 8x8. A site study, text and art will determine the shape and size of the sign. The sign will be within the 75 square foot ordinance. Council will have approval of the final design. Beverly advises that approval by adjacent landowners is not in the city ordinance. It is a rule that planning has been using. This only appears in the ROW request that previously went to planning, which planning set rules for.

Councilor LaRoche advises of a previous letter from an adjoining property owner not approving of the sign. Beverly agreed with receiving the letter; however, there were no reasons in the letter explaining his disagreements. Councilor LaRoche would like to see something from the property owner in agreement. Councilor LaRoche feels the sign will
only be visible northbound and southbound will have to look back to see the sign. Beverly reminded that this is on public property and the adjacent property owner did not give a reason to work with for his veto. The property owner does not live in Port Orford and his adjoining property is empty and not developed.

Councilor Cox asked for Ms. Kudlac’s input on results of moving forward without permission from adjoining properties. Ms. Kudlac reported this is a process adopted by resolution, thus it does not have to be an ordinance. Ms. Kudlac advises that the person applying for the right-of-way usage license must prove they are the owner of the property adjacent to the city’s right-of-way, which is not applicable in this situation. If the adjacent property owner objects, this can be brought back to the council and the council can make a decision about removing the sign. The license can be pulled at any point in time.

Councilor Garratt feels that the project is beneficial to the community and the adjacent landowner that vetoed permission has property on a hillside above, which will not be impacted. The adjacent property owner is an absentee owner.

*Mayor called for a vote. Motion carried 4-2.*

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7. New Business
   a. Municipal Judge Contract Renewal: The judge is requesting 300 dollars a month pay rather than 200 a month. The judge reduced his continuing education from 2000 dollar to 1000 dollars. The judge increased annual dues to 50 dollars.

   Councilor Cox moved to approve the contract renewal for the municipal judge as presented with Councilor LaRoche as second. *Motion carried 6-0.*

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8. Continuing Action Items:
   a. Rural Fire Department,
   b. Website in December
   c. Council rules
   d. Vacation rentals. Gary has a group working on ADUs currently
   e. Water and sewer
   f. Planning procedures. 10-MU zone and commercial zone needs reviewed by council members.

9. Considerations
   a. Staff –
      *Shala Kudlac:* Ms. Kudlac reviews the role as councilors and role as employers. Councilors are all employers of the city staff. Due to that, citizens will come to council with praise and complaints. Councilors individually do not play any role in dealing with
city employees or lower level administrative employees. Complaints need to come back to the city and go through proper channels of administration, which are in the employee handbook, Oregon Revised Statutes, and insurance carrier. This can be technical, complicated and slow. Councilor Cox asked if these should start at the mayor. Ms. Kudlac stated these should generally not start with the mayor. Mayor Pogwizd reported a lot of negative commentary over the last several months. Mayor Pogwizd reported the city could end up in a lawsuit if the city does not protect staff. Negative comments will not be entertained at Citizens Considerations from this day forward. These will be shut down immediately in a council meeting. The citizens can file a written complaint with the city administrator.

b. **Citizen** –

**Teresa Kolibaba:** Ms. Kolibaba feels that councilors rationalized violating the state sign law and does not agree with that.

**Rowland Willis:** Mr. Willis reported that the Port Orford dark sky ordinance was important in making a decision to live in Port Orford. Mr. Willis reports there are no nearby cities, thus Port Orford creates their own light pollution. Mr. Willis suggests developing a mechanism to enforce compliance or consider getting rid of the ordinance. Mr. Willis reports this is his last submission to council; however, he will continue attending the planning meetings related to the dark sky ordinance.

**David Brock-Smith:** Representative for house District 1. District 1 has the 1.7 million dollars for south county sediment containment and 452,000 dollars to move forward with the Rogue sediment study. Aggregate buildup of sediment in the Rogue River impacts the salmon population. 2 million dollars was approved for Curry Health Network to expand their emergency department in Brookings. Money invested in Curry Health Network will generate revenue that will affect Curry Health Family Medical. Curry Health Family Medical is currently operating at a loss. Legislation also secured 1.6 million dollars to assist Port Orford in moving forward and finishing the redevelopment project on the dock. Legislation expanded the Farm to School program from a little over 3 million dollars to 15 million dollars.

**Jim Hajek:** Read from a prepared statement, that at the July 18 city council meeting a discussion was had regarding the elimination of the various websites of their invitations to climb Battle Rock. Mr. Hajek volunteered to obtain the website addresses and asked if the city council recommended any verbiage. None recommended, Mr. Hajek used the verbiage “We, the City of Port Orford Oregon, respectfully request that you remove from your website all referenced to the public climbing the Battle Rock located at Battle Rock Park. This request has become necessary due to the continued desecration of the graves, worsening erosion, proliferation of poison oak and the ever-present danger of serious bodily injury from falls. Thank you for this most important cooperation. Terrie Richards, etc.” CA Richards copied the verbiage and forwarded it for comments to 15 others including Parks Commissioners, City Councilors, Mayor, and the city attorney. One suggested the term “promoting” in the first sentence. One other wanted to delete all
reasons with the exception of erosion, as it is unknown who else might have access to the information in our request. Mr. Hajek feels the city must make the strongest case possible to get the desired results or removal. He does not feel that erosion alone is going to get a rocket-like response, if any. He does not understand what is incorrect about the other reasons, and by leaving them off the request the city is greatly reducing the chances of a speedy compliance. Mr. Hajek requests the city reconsider and authorize the City Administrator to forward the original message. Councilor Garriott asked CA Richards what her intentions were with the letter. Ms. Kudlac reports the changes were made on her advice. She does not have a concern about the poison oak. She is concerned that the reason of desecration of graves will point out there are graves and possibly serve as an invitation. Ms. Kudlac reminds council that the letter is a public document and can be accessed by anybody. Including the bodily harm clause might give the public ideas adverse to the city from a legal point of view. Mayor Pogwizd is concerned about the last sentence discussing bodily harm and is in agreement with Ms. Kudlac. Mr. Hajek inquired about recreational immunity on injury for climbing the rock. Ms. Kudlac states there is recreational immunity, though she is reluctant to get involved with it. Mr. Hajek reported that the graves are already on the web.

c. Council –
Councilor Williams asks council to maybe consider removing the 10-MU zone and review the difference between R1, R2 and 4C.

Mayor Pogwizd asks for confirmation from Dyer on whether the option for a settling tank is still an option.

10. Future Meetings:

City Council Meeting > Thursday, September 19, 2019 > 3:30 > City Hall Council Chambers.
City Council Workshop > Thursday, September 19, 2019 > 2:00 > City Hall Council Chambers.

11. Adjourned
There being no further business, Mayor Pogwizd adjourned the meeting at 5:41 p.m.

Attest:

________________________  _________________________
Mayor Tim Pogwizd        City Recorder, Terrie Richards
> Nearly 3 years ago, Pacific High School was celebrating a State Basketball Championship and Senator Ron Wyden (D-OR) was hosting a town hall at Driftwood Elementary School. The late Mayor Jim Auborn and the CEO of Coast Community Health (CCH) Linda Maxson were in the audience as well as a large crowd of Port Orford citizens. The major topic on everyone's mind that day was health care. And their concerns were taken to heart by Senator Wyden and others in attendance.
>
> Mayor Auborn and his wife Karen had always had health care - or the lack thereof - in Port Orford on their minds. There hasn’t been a pharmacy in Port Orford for years and those needs left a huge unfilled void. That situation is about to change.
>
> On September 27th that void will be filled and dreams will become a reality as Coast Community Health opens its doors. At 4:00PM, Joe Auborn, Karen Auborn, and other dignitaries will cut the ribbon, opening the doors of CCH AUBORN CENTER FOR WELLNESS. This ceremony will be followed by food, beverages and music as we celebrate the long-awaited opening of the Pharmacy and medical offices in the old Umpqua Bank Building.
>
> We are requesting a closure of the block from Washington (just off Hwy 101) North to 8th Street as we celebrate the first phase of the journey to bring health care to the town of Port Orford.

Respectfully,
Port Orford Main Street Revitalization Association
City of Port Orford

CITY COUNCIL ADMINISTRATION REPORT

SUBJECT: Miscellaneous Reporting

ITEM NO: 6

PARKS:

- Battle Rock (not the park) Commissioner Thompson researching requirements of signage.
- The Dog Park Grand Opening set for August 18, 2019 – went well there were several people with dogs at the gathering.
- The Arts Council ask permission to move the Crab Pot Christmas Tree to the south side of the A-Frame so they can decorate that area for Christmas.
- Mini Golf shed is in and waiting to be used. Arts Council creating score cards and are going to put an artistic sign on the shed.
- The Cinnamon Run was approved – Port Orford track team annual track competition; the will be assisted by the Port Orford Rotary for flagging and food.
- One of the backboards at the basketball court was broken – waiting to replace it.
- Commission Goals: new big pavilion at Buffington, train shelter at the Dog Park, correct the Visitor Center issues, new playground equipment, freshen up the skate park, handball court and extend the nature trail.

Other:

- July 31, 2019 the Small City Allotment Grant - waiting to hear results.
- July 1, 2019 OSHA Consultant walk through results have been addressed.
- Board of Commissioners meeting here in Chambers on September 25, 2019 at 5:00 PM.
- Web Page: I have met with Denning Print LLC in regards to taking over the web page January 1. Researching others web designers.
- New Single Family Dwellings Permits: 0
- Thanks to the crew the city hall looks so much better – is a work in progress.
- Leak Detection: sent out requests for RFP – received two out of three – American Leak Detection is in town September 17th – 20th

★ Water Loss for August 2019 = 45%
★ Union contract is coming up for discussion in 2020 – as of right now the only thing we see is some verbiage change in a couple of areas.

SUBMITTED BY: Terrie Richards
Terrie Richards, City Administrator
For the month of August, the total revenue and expenditures for all funds was $160,672.93 and $141,079.83 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:
The General fund received $36,745.52 in revenue of which $2,265.55 was from property tax receipts, $23,587.71 from citations, $1,781.06 from the State Cigarette Tax, $2,689.60 in State Revenue Sharing, $895.03 in interest, $949.40 in Business License, $91.00 in Planning fees, $873.30 in LSN franchise fees, $3,199.33 in Charter franchise fees, $42.25 in miscellaneous receipts, and $371.29 in court administrative fees. For the month of August, the General Fund disbursed $24,777.93 of which $14,047.71 was for wages, $4,397.60 in citation reimbursements and assessments, $242.26 for custodial services, $1,200.00 for legal services, $603.25 for office supplies, $300.00 for the municipal judge, $314.13 in bank fees, $1,654.28 for planning services, $94.00 for postage, $124.21 for repairs to City Hall, $491.85 for electricity, $745.50 for work updating our Municipal Code Book, $142.42 payment for the copier lease, $26.41 for custodial supplies, $162.00 for the Planning Commissions Public Notice, $116.27 health insurance late fee, $21.06 for mileage reimbursement for travel to and from the bank and post office, and $94.98 for internet service.

Parks:
Parks received $3,686.21 in revenue of which $52.00 in Visitor Center donations, $1,873.09 in TLT receipts, $100.00 in Visitor Center rent, $238.08 in Community Center rent, $1,265.18 rent for the American Legion Hall, and $157.86 in interest. For the month of August, $10,773.49 was disbursed for Parks of which $3,508.36 was for payroll, $165.97 for fuel, $280.40 for electricity, $3,500.00 in TLT Grants to Port Orford Jubilee for fireworks, $292.58 for maintenance at Battle Rock Park, $13.23 for maintenance at the Community Building, $29.99 for maintenance at the Visitor Center, $52.90 for maintenance at Buffington Park, 39.68 for maintenance at the American Legion Hall, $39.70 for maintenance at the 12th Street Boat Ramp, $14.93 for gloves, $4.40 for vehicle maintenance, $51.61 for office supplies, $1,076.62 for a hedge trimmer and a loop trimmer, $395.38 for signs at the dog park, and $1,307.74 for custodial services.

Public Safety:
$29,190.60 was disbursed for the Police Department of which $27,192.33 was for payroll, $331.17 for office supplies, $954.33 for fuel, $109.00 for computer services, $17.99 for minor equipment, $228.52 for training, $75.00 for Kings Online, and $282.26 for telephone service. Public Safety received $2,828.24 in revenue of which $1,897.24 was from property tax receipts, $45.00 for Police reports, and $886.00 for a grant from Curry Health Foundation for First Responder Medical Kits.

Water Enterprise:
The Water Department received $54,629.84 in revenue of which $48,433.65 was from the July utility billing of which $4,269.32 is designated to be set aside for Water Capital Reserves, $98.00 for irrigation meters, $1,078.00 for contactor water usage, $4,696.46 reimbursement from our insurance company for a new dump trailer, and $323.73 in interest. The Water Enterprise Fund paid out $40,291.93 of which $27,316.09 was for payroll, $28.23 for office supplies, $111.42 for postage, $587.18 for telephone services, $39.99 for internet service, $1,963.89 for electricity, $399.78 for fuel, $500.00 for contact services, $2,910.50 for water Soda Ash, $2,892.80 for maintenance of water lines, $1,300.00 for pump station repairs, $331.20 membership renewal to OAWU, $1,778.26 for maintenance of the treatment plant, $57.59 for vehicle maintenance and $75.00 for water testing.

Water Capital Reserves:
The Water Capital Reserve Fund received $298.50 in interest. The Water Capital Reserve Fund balance is now $139,917.03.
Sewer Enterprise:

The Sewer Enterprise Fund received $54,811.32 in cash receipts which consists of $575.26 in interest, and $54,236.06 was from the June utility billing of which $3,234.94 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for August was $28,931.59 of which $21,290.30 was for payroll, $516.42 for electricity, $187.87 for telephone service, $397.59 for fuel, $59.99 for internet service, $2,798.56 to maintenance to the Treatment Plant, $1,982.22 for repair to lift station, $770.68 for lab equipment, $59.65 for office supplies, $95.00 for rubber boots, $138.44 for minor equipment, $389.22 for Flake Street pump, and $245.65 for postage.

Sewer Capital Reserves:

The Sewer Capital Reserves received $288.81 in interest. The Sewer Capital Reserve Fund balance is now $135,376.26.

Street Fund:

For August the Street Fund received $5,841.13 of which $5,279.47 was from the State Highway tax, $414.00 for a street cut permit, and $147.66 in interest. $7,114.29 was disbursed for Streets, of which $5,807.45 was for wages, $99.00 for the port-a-pott, $228.11 for fuel, $11.99 for minor tools, $106.30 for electricity, $19.46 for vehicle maintenance, and $841.98 for rock and cold mix.

Streets Capital Improvement Fund

The Streets Capital Improvement Fund received $89.45 in interest and the new balance in now $41,927.13.

Equipment Replacement Fund:

The Equipment Replacement Fund received $109.76 in interest. The balance of the Equipment Replacement Fund is $54,780.02.

Water and Sewer SDC:

The Water SDC Fund received $802.52 in interest and the Sewer SDC Fund received $541.63 in interest for the month of August. The balances of the SDC funds are as follows:

- Water SDC: $376,173.05
- Sewer SDC Reimbursement: $230,274.18
- Sewer SDC Improvement: $23,611.35

David Johnson
# Bank Transaction Report

## City of Port Orford

**Transaction Detail**

Issued Date Range: 08/01/2019 - 08/31/2019

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Grand Totals:

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RESOLUTION 2020-03

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD, AUTHORIZING APPLICATION FOR THE PRELIMINARY ENGINEERING REPORT TO UPDATE THE PRIORITIES OF THE WATER AND SEWER MASTER PLANS

WHEREAS, Rural Development Oregon is accepting applications for the SEARCH (Special Evaluation Assistance for Rural Communities and Household) grant program; and

WHEREAS, the City of Port Orford desires to participate in the grant program to the greatest extent possible as means of providing needed updated priorities to the 2014 Water and Sewer Master Plan; and

WHEREAS, the Port Orford City Council and City Staff have identified improvements within the water and sewer system as a priority need in the City of Port Orford; and

WHEREAS, the Preliminary Engineering Report is a required document to apply for funding to make repairs to our water and sewer system; and

WHEREAS, the City of Port Orford hereby certifies that the matching share for this application is readily available at this time,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Port Orford, that City Staff is authorized to apply for a SEARCH grant from Rural Development Oregon for the completion of the water and sewer Preliminary Engineering Report.

PASSED AND ADOPTED by the Common Council of the City of Port Orford this 19th day of September, 2019

______________________________
Tim Pogwizd, Mayor

ATTEST:

______________________________
Terrie Richards, Recorder
RESOLUTION 2020-04


WHEREAS, the Common Council of the City of Port Orford abides by Council Rules; and

WHEREAS, from time to time the Common Council may amend rules to accommodate changes in community and/or staff; and

WHEREAS, the City wishes to operate in the most efficient manner;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Port Orford, that the City of Port Orford Rules of Council, Section 2.6 be amended to read as follows:

2.6 Speaking by Members of the Audience at a Public Hearing:

2.6.1 Members of the audience wishing to speak at the public comment period at a public hearing shall raise their hand and wait to be recognized by the chair. After recognition, that person shall come to the microphone provided, state his or her name and place of residence for the record, and limit his or her remarks to the issue under consideration. All remarks and questions shall be addressed to the presiding officer and not to any individual council member, staff member or other person. The chair may then designate a staff member or council member to answer the question, if appropriate. Public comment shall be limited to 3 minutes unless extended by the chair.

ADOPTED by the Common Council of the City of Port Orford and effective this 19th day of September, 2019.

______________________________
Tim Pogwizd, Mayor

ATTEST:

______________________________
Terrie Richards, City Recorder
RESOLUTION 2020-05

A RESOLUTION OF THE CITY OF PORT ORFORD SUPPORTING THE COUNTIES DECLARATION OF A HOUSING EMERGENCY IN CURRY COUNTY

WHEREAS, State Planning Goal 10, Housing, requires urbanized or urbanizable lands, be inventoried for adequate number of housing units. However, U.S. Census and other data show the need for housing units in Curry County is a severe issue. County Planning Goal 10 requires the county plan for land allocations to encourage a wide variety of safe and affordable housing; and,

WHEREAS, according to the Oregon Health Authority, only four other counties in the state have a higher homeless rate. For every 1,000 people in Curry County, 7.1 of them are homeless. In looking at children, only two counties have a higher rate than Curry County. The County’s homeless student rate is 86.1 students per 1,000 enrolled students; and,

WHEREAS, the U.S. Census Bureau reports 22,364 persons in the county, and 12,613 housing units; 430 have no bedroom, 60% of which are rentals; and,

WHEREAS, according to the Robert Wood Johnson Foundation, 17% of the housing in the county has ‘severe housing problems’. Severe housing problems’ are defined as overcrowding, high housing costs, or lack of kitchen or plumbing facilities; and,

WHEREAS, of all housing units in the county, 338 lack complete kitchen facilities, 95% of which are rentals, and, 82 lack complete plumbing, 61% of which are rentals; and,

WHEREAS, the median gross rent is $856, the median mortgage $1,413; median household income is $42,519, but per capita the income is $26,925 meaning a single person would spend 38% of their income on rent, or, 64% on a mortgage. Only 5,235 people are employed in the county; overall 16% of the residents fall below the poverty level; and,

WHEREAS, in Curry County 15.4% of the population are Veterans. These Veterans median income is below the state average, and substantially below the national average, with locally 2,891 Veterans being below the poverty level; and,

WHEREAS, Oregon building and safety codes became effective in 1974 and 475 of all housing units were built prior to state safety codes. The manufactured home rules changed in 1976 to ensure better quality and safety, and 22% of all mobile homes predate the 1976 code; and,

WHEREAS, the Curry County Assessor reports 3,881 mobile homes and manufacture homes in the county, 12% of which are assessed as below average condition with 27% of all mobile and manufactured homes having a value of less than $10,000; and,

WHEREAS, with the assistance of AllCare, Advanced Health, Oregon Coast Community Action, United Way, Easter Seals, Coos-Curry Housing Authority, Department of Veteran Affairs and other local, state and federal agencies and foundations and charitable trusts, The City of Port Orford believes the infrastructure and resources necessary to secure housing to all families is not only an obtainable goal for Curry County, but for families within Curry County.

NOW, THEREFORE BE IT RESOLVED, the City of Port Orford Common Council, herein assembled, resolves to support the Counties declaration of a housing emergency exists in Curry County.
BE IT FURTHER RESOLVED, monies be directed to ensuring an adequate number of housing units are created and made available to house all residents, with a particular focus on our children and families, and Veterans; Planning and development processes be revised in Curry County to encourage development; and new programs be created to address the safety and adequacy of existing housing so every family has the option to be in a safe and healthy home. The City of Port Orford Common Council further resolves to request, by this resolution, that Governor Kate Brown declare a 24 month State of Emergency and consider Curry County an ‘emergency area’ as provided in ORS 401.165, and, provide assistance to help with the availability, adequacy, and affordability of housing in Curry County, Oregon, as well as suspend limiting rules, per ORS 401.168(2), which prevent housing options in the unincorporated areas of Curry County.

Passed by the City Council September 19, 2019, and made effective September 19, 2019.

Attest:

Mayor Tim Pogwizd

City Recorder Terrie Richards
Community Partners:

The Department of Land Conservation and Development is pleased to offer Planning Assistance grants to help Oregon communities implement successful planning and development programs.

Please see the attached letter and agreement offer for the 2019-2021 Grant Young Memorial Planning Assistance Grants. The offer consists of an agreement (ready for your signature); and Attachment A (Closeout Report Form). The funds are easy to secure (sign and return page 7 of the agreement offer) and easy to account for (submit the Closeout Report by April 30, 2021). Please see the attached offer letter for complete instructions on how to secure the agreement.

This offer is good through **October 31, 2019**.

Thank you,
STATE OF OREGON
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

2019-2021 GRANT YOUNG MEMORIAL
PLANNING ASSISTANCE GRANT

<table>
<thead>
<tr>
<th>Offer Date: August 26, 2019</th>
<th>Grant No. GY-21-100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grantee</td>
<td>DLCD Grant Manager</td>
</tr>
<tr>
<td>City of Port Orford</td>
<td>Angela Williamson, Grants Administrative Specialist</td>
</tr>
<tr>
<td>PO Box 310</td>
<td>503-934-0054</td>
</tr>
<tr>
<td>Port Orford, Oregon 97465</td>
<td><a href="mailto:DLCD_GFGrant@state.or.us">DLCD_GFGrant@state.or.us</a></td>
</tr>
<tr>
<td></td>
<td>CLOSING DATE: April 30, 2021</td>
</tr>
</tbody>
</table>

GRANT AMOUNT: $1,000

This grant is named in honor of Grant Young, DLCD’s Eastern Oregon regional representative who passed away in 2017. Mr. Young was a strong advocate for smaller jurisdictions in the Eastern Oregon region and a proponent for creative use of these grants. He helped find productive uses of the grants by pooling or leveraging the funds or simply suggesting uses for the dollars in ways to advance the objectives of the jurisdiction. Mr. Young put a considerable amount of effort into helping small cities and counties in his region address local needs.

INSTRUCTIONS – READ CAREFULLY
In order to receive this grant, Grantee must sign this Agreement and scan it and e-mail it to DLCD at DLCD_GFGrant@state.or.us by October 31, 2019. Alternatively, the signed Agreement may be mailed to:

Angela Williamson, Grants Administrative Specialist
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301

If the Agreement is not signed and returned without modification by Grantee by the due date, DLCD may withdraw the grant offer. Upon receipt of the signed Agreement, the DLCD Grant Program Manager will countersign the Agreement and return an electronic file containing the executed Agreement to Grantee with a payment voucher for the grant amount as listed in the Grant Amount box above, to the address provided above.
STATE OF OREGON
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

2019-2021 PLANNING ASSISTANCE GRANT
AGREEMENT

DLCD Grant Number: GY-21-100
City of Port Orford

This agreement (“Agreement”) is made and entered into by and between the State of Oregon, acting by and through its Department of Land Conservation and Development, hereinafter referred to as “DLCD,” and City of Port Orford, hereinafter referred to as “Grantee,” and collectively referred to as the “Parties.”

1. Effective Date and Availability of Grant Funds. This Agreement is effective on the date on which every party has signed this Agreement and all required State approvals have been obtained (“Effective Date”). Grant Funds under this Agreement are available for eligible costs as defined in Section 8 incurred beginning on the Effective Date and ending on the earlier of the termination of this Agreement or April 30, 2021 (“Closing Date”). DLCD’s obligation to disburse Grant Funds under this Agreement ends 60 days after the earlier of termination of this Agreement or the Closing Date.

2. Agreement Documents. The Agreement consists of this document and one attachment, all of which are attached hereto and incorporated by reference:

3. Grant Funds. The maximum, not-to-exceed, grant amount that the DLCD will pay to Grantee is $1,000. Disbursements will be made only in accordance with the schedule and requirements contained in this Agreement.

4. Closeout Report. Grantee must submit a closeout report to DLCD within 30 days after the termination of the Agreement or the Closing Date, whichever is earlier to the DLCD Grant Manager in writing by personal delivery, e-mailing, or mailing at the address or number set forth in the attachment. The closeout report is attached to this Agreement.

5. Subsequent funding: Eligibility for subsequent funding to the Grantee is contingent upon receipt of the closeout report as referenced in Section 4.

6. Acknowledgment. All reports, studies, and other documents produced in whole or in part under this grant must indicate on the cover or title page an acknowledgment of the financial assistance provided by DLCD.

7. Final Products. Grantee shall provide copies of all final products produced under this grant to DLCD upon request. Grantee must describe final products in the Grant Closeout Report. DLCD may display products on its website.
8. **Acceptable use of grant funds.** Grant funds may be used by Grantee to accomplish and carry out one or more of the following:
   a. Paying the salary of an employee or the fee of a contractor for day-to-day administration of the Grantee’s planning program, including but not limited to: answering planning and zoning questions; providing planning and zoning information; carrying out administrative actions such as zone changes, permits, land divisions, and similar ministerial and quasi-judicial actions; updating application forms; and enforcing local zoning regulations.
   b. Preparing for meetings such as planning commission, city council, and board of commissioners for planning and zoning related matters. Examples include postage, copying, paper, notices, and other documents.
   c. Creating, updating, amending, or codifying all or a part of a comprehensive plan, land use regulations, or other planning studies or reports.
   d. Collecting data and conducting inventories and studies related to comprehensive plan elements, land use regulations, development codes, zoning ordinances.
   e. Updating and reprinting maps, inventory data, and plan documents.
   f. Developing and implementing a public facility financing plan.
   g. Supporting citizen involvement programs and activities.
   h. Developing and conducting public workshops on planning and zoning.
   i. Developing, amending, or implementing intergovernmental coordination programs or agreements.
   j. Developing and implementing a dispute resolution program.
   k. Training in land use planning for local elected and appointed officials, staff, and citizens on land use planning.
   l. Purchasing maps, aerial photos, GIS products, or mapping software.
   m. Other planning activities or products pre-approved by DLCD.

9. **Excluded uses of grant funds:** The grant funds may not be used for office equipment or other types of hardware such as desks, tables, chairs, cabinets, appliances, computers, printers, photo copiers, digital equipment, vehicles, outdoor supplies, beautification projects, and other business supplies. Grant funds may not be used by the grantee for legal or administrative costs associated with defending the grantee or other grantees from decisions made by the Land Conservation Development Commission or DLCD. Grant funds may not be used for legal or administrative costs associated with Measure 37 or Measure 49 costs incurred by Grantee.

10. **Subsequent funding.** Eligibility for subsequent funding is contingent upon timely receipt of the Closeout Report by DLCD.

11. **Unexpended Funds.** Grantee will return all unexpended grant funds to DLCD with submission of the Closeout Report.

12. **Payment.** All grant funds will be disbursed upon execution of this Agreement.

13. **DLCD Funds.** DLCD certifies that at the time this grant is written sufficient funds are available and authorized.
14. Reporting. At any time during the grant period, when requested by the DLCD grant manager, Grantee shall provide a written report on the status and progress of work performed under this grant.

15. Indemnity.
   a. GENERAL INDEMNITY. SUBJECT TO THE LIMITS OF THE OREGON CONSTITUTION AND STATE OF OREGON TORT CLAIMS ACT, IF APPLICABLE TO GRANTEE, GRANTEE SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS DLCD, THE STATE OF OREGON AND THEIR AGENCIES, SUBDIVISIONS, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS FROM AND AGAINST ALL CLAIMS, SUITS, ACTIONS, LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY FEES, ARISING OUT OF, OR RELATING TO THE ACTS OR OMISSIONS OF GRANTEE OR ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, OR AGENTS UNDER THIS AGREEMENT.

   b. CONTROL OF DEFENSE AND SETTLEMENT. GRANTEE SHALL HAVE CONTROL OF THE DEFENSE AND SETTLEMENT OF ANY CLAIM THAT IS SUBJECT TO SECTION 15.a; HOWEVER, NEITHER GRANTEE NOR ANY ATTORNEY ENGAGED BY GRANTEE SHALL DEFEND THE CLAIM IN THE NAME OF THE STATE OF OREGON OR ANY AGENCY OF THE STATE OF OREGON, NOR PURPORT TO ACT AS LEGAL REPRESENTATIVE OF THE STATE OF OREGON OR ANY OF ITS AGENCIES, WITHOUT FIRST RECEIVING FROM THE OREGON ATTORNEY GENERAL, IN A FORM AND MANNER DETERMINED APPROPRIATE BY THE ATTORNEY GENERAL, AUTHORITY TO ACT AS LEGAL COUNSEL FOR THE STATE OF OREGON. NOR SHALL GRANTEE SETTLE ANY CLAIM ON BEHALF OF THE STATE OF OREGON WITHOUT THE APPROVAL OF THE ATTORNEY GENERAL. THE STATE OF OREGON MAY, AT ITS ELECTION AND EXPENSE, ASSUME ITS OWN DEFENSE AND SETTLEMENT IN THE EVENT THAT THE STATE OF OREGON DETERMINES THAT GRANTEE IS PROHIBITED FROM DEFENDING THE STATE OF OREGON, OR IS NOT ADEQUATELY DEFENDING THE STATE OF OREGON’S INTERESTS, OR THAT AN IMPORTANT GOVERNMENTAL PRINCIPLE IS AT ISSUE AND THE STATE OF OREGON DESIRES TO ASSUME ITS OWN DEFENSE.

16. Recovery of Grant Moneys. Any Grant moneys disbursed to Grantee under this Agreement that are expended in violation or contravention of one or more of the provisions of this Agreement (“Misexpended Funds”) or that remain unexpended on the earlier of termination or expiration of this Agreement must be returned to DLCD. Grantee shall return all Misexpended Funds to DLCD promptly after DLCD’s written demand and no later than 15 days after DLCD’s written demand. Grantee shall return all Unexpended Funds to DLCD within 14 days after the earlier of expiration or termination of this Agreement.”
17. **Termination:**
   a. **DLCD’s Right to Terminate at its Discretion.** At its sole discretion, DLCD may terminate this Agreement:
      
      i. **For its convenience** upon thirty (30) days’ prior written notice by DLCD to Grantee;

      ii. **Immediately upon written notice** if DLCD fails to receive funding, appropriations, limitations, allotments or other expenditure authority at levels sufficient to allow DLCD, in the exercise of its reasonable administrative discretion, to continue to make disbursement under this Agreement; or

      iii. **Immediately upon written notice** if federal or state laws, regulations, or guidelines are modified or interpreted in such a way that the Project is no longer allowable or no longer eligible for funding under this Agreement.

   b. **DLCD’s Right to Terminate for Cause.** In addition to any other rights and remedies DLCD may have under this Agreement, DLCD may terminate this Agreement immediately upon written notice by DLCD to Grantee, or at such later date as DLCD may establish in such notice, after the occurrence of any of the following events:

      i. **Grantee is in default** because Grantee institutes or has instituted against it insolvency, receivership or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis;

      ii. **Grantee is in default** because Grantee commits any material breach or default of any covenant, warranty, obligation or agreement under this Agreement, fails to perform any of its obligations under this Agreement within the time specified herein or any extension thereof, or so fails to pursue its work hereunder as to endanger Grantee's performance under this Agreement in accordance with its terms, and such breach, default or failure is not cured within fourteen (14) calendar days after DLCD’s notice, or such longer period as DLCD may specify in such notice.

   c. **Grantee’s Right to Terminate for Cause.** Grantee may terminate this Agreement by written notice to DLCD if DLCD is in default because DLCD fails to pay Grantee any amount due pursuant to the terms of this Agreement, and DLCD fails to cure such failure within thirty (30) calendar days after Grantee’s notice or such longer period as Grantee may specify in such notice; or

   d. **Termination** under Section 14 shall be without prejudice to any claims, obligations, or liabilities either party may have incurred prior to such termination.

18. **Failure to Comply:** If a party fails to comply with any of the requirements or conditions of this Agreement, the other may, without incurring liability, refuse to perform further pursuant to this Agreement. DLCD shall make no further reimbursement to Grantee and Grantee shall
upon demand by DLCD promptly repay DLCD all unexpended grant funds and grant funds expended in breach of this Agreement.

19. **Accounting and Fiscal Records**: Grantee shall maintain its fiscal records related to this Agreement in accordance with generally accepted accounting principles. The Grantee shall maintain records of the receipt and expenditure of all funds subject to this Agreement for a period of six (6) years after the Project End Date, or for such longer period as may be required by applicable law or until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement, whichever date is later. Accounting records related to this Agreement will be separately maintained from other accounting records.

20. **Governing Law, Consent to Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively, “Claim”) between DLCD (or any other agency or department of the State of Oregon) and Grantee that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County in the State of Oregon. In no event shall this section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, from any Claim or from the jurisdiction of any court. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

21. **Audit**: The Oregon Secretary of State, Attorney General of the State of Oregon and the Director of DLCD or any other duly authorized representative of DLCD shall have access to and the right to examine any records of transactions related to this Agreement for six (6) years after the final disbursement of Grant Funds under this Agreement is authorized by DLCD.

22. **Amendments**: Amendments must be facilitated by the DLCD Grant Manager. An amendment to this Agreement may be initiated at any time during the grant period, but must be received at the DLCD Salem Office at least ninety (90) days prior to the Closing Date and be signed by all parties on or before sixty (60) days prior to the Closing Date.

23. **Counterparts**: This Grant Agreement may be executed in any number of counterparts, and any single counterpart or set of counterparts signed, in either case, by all the parties hereto shall constitute a full and original instrument, but all of which shall together constitute one and the same instrument.

24. **Survival**. All agreements, representations, and warranties of Grantee shall survive the execution and delivery of this Agreement, any investigation at any time made by DLCD or on its behalf and the making of the Grant.

25. **Successors and Assigns**. Recipient may not assign this Agreement or any right hereunder or interest herein, in whole or in part, without the prior written consent of DLCD. This
Agreement shall be binding upon and shall inure to the benefit of the parties and their respective permitted successors and assigns.

26. **Validity and Severability.** If any provision of this Agreement is held to be invalid, such event shall not affect, in any respect whatsoever, the validity of the remainder of this Agreement and the remainder shall be construed without the invalid provision so as to carry out the intent of the parties to the extent possible without the invalid provision.

27. **Relationship of the Parties.** Nothing contained in this Agreement or any acts of the parties hereto shall be deemed or construed to create the relationship of principal and agent, or of partnership, or of joint venture or of any other association other than that of independent contracting parties.

28. **No Third Party Beneficiary Rights.** No person not a party to this Agreement is an intended beneficiary of this Agreement, and no person not a party to this Agreement shall have any right to enforce any term of this Agreement.
**DLCD Planning Assistance Grant Information and Signature Page**

This grant, approved by the Director of DLCD, acting on behalf of the Land Conservation and Development Commission, constitutes an obligation of funds in return for the work described herein. By signing the document, Grantee agrees to comply with the provisions contained in and attached to this Agreement. Upon acceptance by Grantee, the signed Agreement shall be returned to DLCD.

By signing this Agreement the Parties each represents and warrants that it has the power and authority to enter into this Agreement and that the Agreement is executed by its duly authorized representative. By signing the document, Grantee agrees to comply with the terms of this Agreement.

<table>
<thead>
<tr>
<th>Grantee Jurisdiction Name</th>
<th>E-mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>City of Port Orford</strong></td>
<td></td>
</tr>
</tbody>
</table>

| Mailing Address, City, State, Zip code |

| Telephone Number | Fax Number |

<table>
<thead>
<tr>
<th>Print Name of Authorized Official For the Grantee</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
</table>

| Signature of Authorized Official For the Grantee |

<table>
<thead>
<tr>
<th>Print Name of Authorized Official for DLCD</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gordon Howard</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Signature of Authorized Official for DLCD |

| Grant Program Manager | |

| Date |

85 of 94
## Grantee
City of Port Orford

### Funding / Grant Period From:

#### Agreement Execution

<table>
<thead>
<tr>
<th>Transactions</th>
<th>Grant Funds – Already Dispersed</th>
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<tbody>
<tr>
<td>DLCD Grant Funding Expenditures</td>
<td>$1,000.00*</td>
</tr>
<tr>
<td>1. Salaries and Benefits</td>
<td>Do not write in this space</td>
</tr>
<tr>
<td>2. Supplies and Services</td>
<td></td>
</tr>
<tr>
<td>3. Agreements (including consultants – provide name and contact information)</td>
<td></td>
</tr>
<tr>
<td>4. Other (provide detailed list and explanation)</td>
<td></td>
</tr>
<tr>
<td>5. DLCD Total (add lines 1, 2, 3, 4)</td>
<td></td>
</tr>
</tbody>
</table>

### Summary of Activities and Products
Provide a brief description of activities performed and/or products worked on using funds from this grant in the space provided below. Expenditure detail not needed for this section. In many cases a sentence or two is all that is required but we welcome as much information as you can provide.

<table>
<thead>
<tr>
<th>Local Contributions – not required</th>
<th>Final Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Salaries and Benefits</td>
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<tr>
<td>7. Supplies and Services</td>
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</tr>
<tr>
<td>8. Agreements</td>
<td></td>
</tr>
<tr>
<td>9. Other</td>
<td></td>
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</tbody>
</table>

### Certification
I certify to the best of my knowledge and belief that this report is correct, complete, and that all expenditure are for the purposes set forth in the award document. I further certify that all records are available upon request, and the financial records will be retained for SIX (6) YEARS after the Final Products and Payment are received.

### DLCD Certification (for DLCD use only)
I certify, as a representative of the Department of Land Conservation and Development, that the grantee:

- has met the terms and conditions of the grant and that all funds have been expended.
- has not met the terms and conditions of the grant for the reasons stated on the attached sheet, and reimbursement from the grantee in the amount of $__________ is due.

### Final Report

<table>
<thead>
<tr>
<th>Grants</th>
<th>2019-21 Grant Young Memorial Planning Assistance Grant Closeout Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant No. Assigned by DLCD</td>
<td>GY-21-100</td>
</tr>
<tr>
<td>Funding / Grant Period To:</td>
<td>4/30/2021</td>
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**PLEASE DO NOT WRITE BELOW THIS LINE**

<table>
<thead>
<tr>
<th>Voucher#</th>
<th>Date Signed</th>
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</thead>
<tbody>
<tr>
<td>PCA</td>
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</tr>
<tr>
<td>OBJ. CODE</td>
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</tr>
<tr>
<td>VENDOR NO.</td>
<td></td>
</tr>
<tr>
<td>AMOUNT</td>
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</table>
Closeout Form Attachment - Instructions

Instructions for
Department of Land Conservation and Development
2019-21 Planning Assistance Grant Closeout Report

If you have questions about the Closeout Report or what the grant can be used for, please contact
Angela Williamson, Grants Administrative Specialist at 503-934-0054 or
DLCDD.GFGrant@state.or.us.

The closeout report documents the allowable expenditures of previously distributed funds.
Unexpended funds must be returned to DLCDD.

- In the second row of the closeout report, please fill in the Starting Date ("Funding / Grant
  Period From") for which the reimbursable expenditures were incurred. This will be the
date the city or county signed the grant agreement.

- Under “Transactions,” complete items 1–5 for how the grant funds were used (required)
  and items 6–10 for local contributions (optional). Please do not include expenditures for
  projects or activities that the grant did not contribute to.

1. **Salaries and Benefits** include the grantee’s staff time, including Other Personnel
   Expenses. Receipts are not required with this report submission.

2. **Supplies and Services** include the grantee’s supplies used for the planning program
   and services not covered by an agreement or contract. Receipts are not required with
   this report submission.

3. **Agreements** include consultants, attorneys, and any company or individual retained
   by the grantee to conduct work under the grant. This category does not include
   employees of the grantee, but rather an individual or entity that invoices the grantee
   for services rendered. Information required for the closeout report is: Name, address,
   and phone number of the payee. If there are multiple entities, please provide the
   amount of grant funds allocated for the reimbursement of each individually. If space
   in the Summary of Activities and Products box is insufficient to identify contractors,
   please attach an additional sheet.

4. Please provide a brief explanation and dollar breakdown for amounts listed as
   “Other.” Receipts are not required.

5. The **Total** listed in the “DLCDD Grant Expenditures” section cannot exceed the total
   amount of the previously dispersed funds. If the total is less than the dispersed
   amount, the difference between the amount previously dispersed and the amount
   listed on the **Total** of the DLCDD Grant Expenditures section is due and payable to
   DLCDD upon submission of the closeout report. Please send a check with the report to:
   DLCDD, Attn: Fiscal Department, 635 Capitol Street NE, Suite 150; Salem, OR
   97301.
• Reporting of Local Contributions (boxes 6–10) is not required. DLCD asks for the information to receive accurate information regarding the cost of activities and/or products worked on in compliance with this grant. This category includes both in-kind and cash contributions.

• Certification (box 11): Please read and understand the certification statement. If you have questions please contact Angela Williamson, Grants Administrative Specialist at 503-934-0054 or DLCD.GFGrant@state.or.us.

• Returning funds (box 12): When returning general grant funds that were awarded to the jurisdiction because expenditures were less than the grant funds award to the jurisdiction, please indicate the number of dollars being returned.

Boxes 13–16 are for documenting responsibility for the information being submitted and requesting payment. Please use dark blue or black ink so the information shows when copied or scanned.

13. Print Name and Title legibly.

14. Print the mailing address where payment should be sent.

15. Signature of Authorized Certifying Official: by signing this box this person takes responsibility of the information and accuracy of the information.

16. “Date” is the date the closeout form was signed. It must be sent by the closeout date.

• The “Summary of Activities and Products” box, located on the top right side of form, must be completed. Please provide a brief description of activities performed and/or products worked on in compliance of this grant. Use additional sheets as needed. The Planning Assistance Grant Awards Conditions describes in detail the projects and activities allowed. (If you have questions, please contact Angela Williamson, Grants Administrative Specialist at 503-934-0054 or DLCD.GFGrant@state.or.us).

The grant funds dispersed to you must be used after the date on which all parties have signed the agreement and not after the closing date of this agreement.

It is important that you retain documentation of expenditures in a grant file maintained in your jurisdiction for six (6) years from the closeout date.

**Two ways to submit the Closeout Report:**

1. E-mail a PDF file of the signed closeout form attachment and cover memo to DLCD.GFGrant@state.or.us.

2. Send the hard copy of the signed closeout form and cover memo via US Mail to:

Grants Administrative Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
Dear Mayor and City Council,

Last year, more than 846,000 acres were burned, and about 4,000 Oregonians had to evacuate their homes. This year’s wildfire season is far from over, which means time to prepare is now.

September is national preparedness month. A time of year to get ready for all types of disasters. Fires, earthquakes, floods, tornadoes, and winter storms are just a few of reasons to build an emergency kit and plan an escape route.

Those steps are essential to preparation, but two others are equally important and often overlooked – creating a home inventory and reviewing insurance coverage.

Having the right insurance coverage and an up-to-date home inventory are critical to financial resiliency. That importance is highlighted by the fact that National Preparedness Month is being kicked off with “Insurance Week” Sept. 1-7.

The Oregon Division of Financial Regulation invites you to join our efforts to help Oregonians protect their property and recover from disaster by declaring the first week of September as Home Inventory Week.

It is easy to get involved. Visit dir.oregon.gov/prepnow to get a draft proclamation, promotional flyers, social media content, and other resources to help your neighbors and constituents prepare for the next disaster by building a home inventory and reviewing their insurance coverage.

If you have any questions about “Home Inventory Week” or need anything else, please contact our Outreach Coordinator Kevin Jeffries, kevin.p.jeffries@oregon.gov 503-947-7238

Sincerely,

Andrew Stolfi
Insurance Commissioner
Oregon Division of Financial Regulation

Our Mission: To protect and serve Oregon’s consumers and workers while supporting a positive business climate
City of Port Orford
Proclamation

HOME INVENTORY WEEK

WHEREAS, EACH September is recognized as National Preparedness Month, and

WHEREAS, Oregonians have witnessed and experienced natural disasters in our own community, and

WHEREAS, every community member can take active steps to protect their families and neighbors from natural and manmade disasters, and

WHEREAS, every family and business in Port Orford, Curry County, Oregon is encouraged to take active steps to be financially secure after a disaster, and

WHEREAS, every community member is encouraged to make sure they are properly insured against fire, flood, earthquakes, and storms, and

WHEREAS, every community member is encouraged to create a home inventory to include as part of their disaster preparedness kit,

NOW, THEREFORE, I Tim Pogwizd Mayor of the City of Port Orford do hereby declare that the week of September 1, through September 7, 2019, be known as

HOME INVENTORY WEEK

and join cities across Oregon to encourage everyone to build a home inventory of their personal property, and speak with an insurance agent to make sure they are financially prepared for a disaster

THEREFORE, I, Mayor Tim Pogwizd, do hereto set my hand and cause the official seal of the City of Port Orford, Oregon, to be affixed this 19th day of September, 2019.

Mayor Tim Pogwizd
NATIONAL PREPAREDNESS MONTH 2019
PREPARED, NOT SCARED

September 1-7 is Home Inventory Week

PREPARE NOW LEARN HOW

Get ready at dfr.oregon.gov/preparenow
In 2018:

More than 500,000 acres burned statewide

Nearly 4,000 Oregonians evacuated from wildfires

Over 300 earthquakes in Oregon

PREPARE NOW LEARN HOW

Get ready at dfr.oregon.gov/preparenow
At the August 28th Curry County Board of Commissioner’s meeting, it was proposed that the above topic be included on the agenda for the September 4th regular board meeting. The proposed establishment of such a council is attached and below my signature. Please review.

The initial purpose is to:

Lead a drive for countywide adoption of the Zero Suicide Attempt approach providing training and assistance to behavioral health care organizations, on implementation.

Enroll Advanced Health, AllCare and other appropriate sources to provide a health needs assessment to help identify where to focus efforts.

Put in a system wide safety net that will prevent attempts and save lives.

I am interested to receive feedback in three specific areas:

1. Any suggestions on missing items in the attached document?

2. Your written testimony - for or against (Please send it to me in a reply to this email. ALL testimony received will be presented as provided.) Your verbal testimony - for or against. This may or may not be appropriate at the September 4th meeting, since the actual proposal may be moved to the September 18th meeting agenda.

3. Your interest in possibly being on the Council.

Yours in service,

Gordon Clay

Curry County Suicide Prevention Council

MANDATED: Yes

FUNCTION: Shall develop and recommend to BOC (Board of Commissioners) plans to provide for and influence awareness and prevention of suicide attempts.

FOUNDATION:

MEMBERSHIP REQUIREMENTS: Comprised of members of agencies and societal segments that are impacted by, provide for and influence prevention of suicidal attempts.

POSITIONS: LPSCC; Juv Dir; first responder (CalOr/MASA, firefighter or EMS); DHS rep; hospital rep; county mental health rep; child/family svc rep; peer counselor; (1 - Advanced Health or AllCare rotating rep); OYA rep; BOC liaison; mayor/city mgr/city rep; school superintendent; 3 student reps (one each school district); VSO; tribal community; faith based; media (radio or newspaper); 3 lay

TERM: At pleasure of BOC except: 3 lay (2 years) and student/superintendent (1 schl year)

NUMBER OF MEMBERS: 23 named positions; quorum- majority voting members present; 5 minimum

SPECIAL INSTRUCTIONS: BOC appts lay members. addl voting members may be added with BOC approval

INFORMATION CONTACT: Board Liaison

Council President recruits, BOC makes appts.
Suicide Prevention and Awareness Month

WHEREAS, suicide is the leading cause of death in Oregon for 15-54 year olds, and

WHEREAS, more people in the U.S., Oregon and Curry County including more Oregon youth 15-24 died by suicide than ever before, and

WHEREAS, the stigma associated with mental illness and suicide works against suicide prevention by discouraging persons at risk from seeking lifesaving help, and

WHEREAS, by increasing awareness of suicide as a public health issue supports citizens to gain new knowledge of suicide and prevention, and

NOW, THEREFORE, the Port Orford City Council hereby proclaims September 2019 as

SUICIDE PREVENTION AND AWARENESS MONTH

BE IT FURTHER RESOLVED that the City Council encourage all citizens to learn the warning signs and use that information to ask a troubled friend, colleague or family member “R U OK?”

In Witness Whereof, I, Mayor Tim Pogwizd, do hereto set my hand and cause the official seal of the Port Orford, Oregon, to be affixed this 19th day of September, 2019.

Mayor Tim Pogwizd