

**CITY OF PORT ORFORD
VIRTUAL SESSION OF THE COMMON COUNCIL
THURSDAY, OCTOBER 15, 2020 AT 3:30 P.M.**

Please join our meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/518050805>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073) United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 518-050-805

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/518050805>

AGENDA

1. Call to Order
2. Additions to the Agenda
3. Presentations to Council/Citizens
4. Consent Calendar
 - a. Approve Minutes September 17, 2020 Council
5. Citizens' Concerns (Speak Only for Old & New Business Items on the Agenda)
6. Departmental Reports
7. Old Business
 - a. Watershed IGA Grant Extension
 - b. Ordinance 2021-01 Burn Ordinance Second Reading
9. Considerations
 - a. Citizen
 - b. Staff
 - c. Councilor
 - d. Mayor
10. Future Meetings
Thursday, November 19, 2020, Regular Council Meeting 3:30 p.m. by virtual meeting
11. Adjourn

PUBLIC: When you join the meeting (5-10 min. prior to the meeting)

- If you plan to speak/comment during the meeting (when permissible to do so), please announce your name and "how" you are joining the meeting (i.e. by computer and/or phone). Speak slowly and clearly, so the organizer may "find" you and identify your "caller" location.
- Please wait to be called on to speak, to avoid talking over someone.
- When you are not speaking, please mute yourself (so the organizer doesn't have to do this).
- Please limit side conversations and multitasking while you are in the meeting.
- Be aware even if you are not on camera, sound can be heard over unmuted phones and will be distracting. And if you are on camera "absences" will be noticeable, and also distracting.
- To minimize feedback noise, we will only have the meeting host, Mayor, and one other speaker unmuted at any time during the meeting.
- Please be aware that if poor etiquette is being observed, it may be called out so you have an opportunity to fix the situation.

**City of Port Orford
City Council Meeting Minutes
In the Gable Chambers
Thursday, September 17, 2020 at 3:30 P.M.**

Mayor and Council	Present	City Staff	Present
<i>Tim Pogwizd, Mayor</i>	X	<i>Terrie Richards, City Admin/Recorder</i>	X
<i>Gary Burns</i>	X	<i>Shala Kudlac, City Attorney</i>	X
<i>Pat Cox, President</i>	X	<i>David Johnson, Finance</i>	X
<i>Lorin Kessler</i>	X		
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		

Media Present:

Others Present: Darrin Neavoll, ODOT

1. Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council on Thursday, September 17, 2020 at 3:32 p.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon.

2. Additions to the Agenda: None.

a. Appointment of Council Seat – Lorin Kessler

Oath of Office was read by Mr. Kessler. “I, Lorin Kessler, do solemnly swear that I will support the constitution and the laws of the United States and the State of Oregon and charter bylaws, ordinances and proclamations of the City of Port Orford, perform the duties of city councilman in honesty and justice to the best of my ability and as far as possible, I will protect that office and this city from any illegal, unethical, or dishonest practices so help me God; and this I promise under the penalties of perjury.”

Councilor Burns moved to accept Lorin Kessler into the council seat with Councilor LaRoche as second. ***Motion carried 3-2.***

Discussion: Councilor Garratt reiterates a previous statement that he does not feel this is the time to be making appointments. He has no issues against anyone, but he feels council should wait until the new council members come to election prior to adding people. Councilor LaRoche is advised that Mr. Kessler will be filling in the two-year position that was vacated by Travis Williams.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox No
Councilor Garratt No Mayor Pogwizd Yes

3. Presentations to Council/Citizens

None.

- 4. Consent Calendar** – Councilor Cox moved to approve the minutes for the council meeting of August 20, 2020 with Council Burns as second. *Motion carried 4-0.*

Discussion: None.

Councilor Burns *Yes* *Councilor LaRoche* *Yes* *Councilor Cox* *Yes*
Councilor Garratt *Yes* *Councilor Kessler* *Abstained*

5. Citizen Concerns:

Teresa Kolibaba has commented on 7.a., ORD 2021-01, Burn Permit extending burn times (days). The exemptions for following no burning in fire pits, etc. should be prohibited during the fire season.

Doreen Ames reviewed the work Councilor Burns did on the water and sewer system and noted there was damage from storm runoff in 2019 and 2018. She inquired if the city submitted FEMA grant requests for the damage. Coos-Curry Electric filed in 2018 and 2019 and received funding. Ms. Ames also objected to the council position appointment being made prior to citizen comments.

Linda Tarr gave an update from the Watershed Council. She monitors activity on the commercially owned forest in the city watershed. She became aware there is going to be a cut on the property owned by Lone Rock adjoining the Sorenson partial owned by the city. There is no legal obligation for Lone Rock to make any allowances for the fact it is part of the watershed; however, there is a tributary stream that feeds into the north fork of Hubbard Creek. Linda reviewed regulations with Lone Rock manager and asked them to leave a buffer and refrain from herbicide spraying. Lone Rock agreed to a 20 feet buffer and herbicide spraying will be done by hand outside of the buffer. Port Orford Watershed Council has voted to give Linda the authority to pursue buffers and remediate any possible clear-cut on the Wilson parcel. Mayor Pogwizd asked Linda to share her information with Mr. Steve Lawton and expressed his appreciation for her actions

6. Departmental Reports:

City Administrator: Councilor Cox asked for an update on the grit system. CA Richards reported the OAWU had to postpone their attendance in Port Orford due to the wildfires. They have rescheduled for next week to look at the grit system.

Councilor Burns asked if the dredging was rescheduled. CA Richards reported she had a conversation with Mr. Brown. Due to the North Bank fire and other wildfires, he was delayed. He will be giving a new proposal for the project. CA Richards confirmed this will get done before the November deadline.

Councilor Cox asked about the hiring process. CA Richards reported one applicant backed out. A second applicant is not responding to communication attempts. CA Richards moved forward on the third applicant, which is in the background check process. For another opening, a review is being organized. She foresees it will be done next week.

Councilor Garratt asked about the functionality of the radio communication device that was supposed to link the water pumping intake to the water treatment plant. CA Richards stated the booster device was to help communication between Hubbard Creek and the water plant. She will verify the functionality and return the information to council. CA Richards reports that to keep the million-gallon tank to the level it needs to be with the current usage, overtime is needed to run the plant from 9:00 a.m. to midnight. When the flow is increased to over 300,000 gallons/minute, the city will determine if the automation works. Mayor Pogwizd suggested the council discuss a four to midnight shift to end the overtime. Councilors agree to add the shift discussion to the agenda for next month's meeting.

CA Richards addressed the three questions for the planning commission.

- *Does Council have thoughts about preferred heights? We are looking at limiting heights to two stories and limiting heights in feet:* Councilor Cox likes 30 feet. Councilor Burns advised that a two-story building can be as high as a 30 feet height. Councilor Garratt does not want to micromanage the citizens. He agrees with a 30 feet height or two story, whichever applies, to accommodate vaulted ceilings, etc. Councilor LaRoche agrees with 30 feet maximum. Councilor Kessler agrees with 30 feet.
- *Are there any other specific concerns, emergency services and fire safety:* Councilor Garratt reported the fire department can handle any reasonable two-story building. He believes the fire department can access a roof that peaks at 30 feet since the access is far below 30 feet. The fire department is not equipped or certified to handle a three-story building.
- *Does Council want consistency across the zones:* Commissioners agree with consistency across all zones unanimously.

Mayor: Same as above.

Financial Director: Councilor Burns previously provided David Johnson with a name and ticket number and asked if Mr. Johnson has spoken with the judge regarding the ticket. Mr. Johnson confirmed he received the information but has not been able to speak with the judge.

Councilors: Councilor Cox reported the Port hired a project manager for the re-development this week.

7. HEARING, Outdoor Lighting Code:

Mayor Pogwizd called the hearing to order. The hearing is on the Outdoor Lighting Code that has been recommended to Council by Planning. Staff report and Planning report were provided to Council.

Public Testimony

Teresa Kolibaba, resident, reported reading the two reports by Steve and Ann Vileisis and thought they were superb. She stated they omitted nightlight significantly inhibits plant

health and growth and would like to see some graph and illustration in the ordinance explaining the lumens and lux. She stated on page 22 on streetlighting does not address how many feet onto private property a public streetlight can trespass. Page 24, B5 speaking about motion detectors, and shrubbery does activate motion detectors. Page 26, B2 does not define bollard lighting. Page 26, E does not have a definition of a major intersection. Page 27, C does not define how long seasonal lights can be lit and does not define temporary. She gave examples of light trespass at 7th and Jackson and another at Triangle Square where they project light over 200 feet away. She feels they should include something about opaque shields to stop the light from a public street going across private and/or adjacent property. She questions why there has to be streetlights at the crosswalks, because not many people are out at night. She states the lights are not only going to affect plants but will affect people's health and welfare, which will require people to cover their windows with plywood for their health.

Ann Vileisis, resident and president of Kalmiopsis Audubon Society, which has many members living in the City of Port Orford and have been members for two decades through many planning processes, urges council to adopt the updated lighting code recommended by the planning commission after more than a year of work. She reported submitting substantial testimony to the packet and a letter. She reported three important elements of the code; 1) Having full cutoff fixtures that point light down where it is needed. 2) Having a height cap on lights to reduce light trespassing onto neighbors' properties. 3) Specifying a warm color temperature of 2700 kelvins. Currently Port Orford has warm colored sodium vapor lights, but since streetlights will be replaced with LED lights it is critically important to specify a colored temperature. Otherwise, the city may well end up with lights that are unpleasantly cool, or blue lights. This is not only a matter of aesthetics, but also public health. The AMA recommends cities should avoid bluish-tinged lights to the extent possible and recommends a maximum of 3000 kelvins. Ms. Vileisis addressed the closely related issue of lighting on Highway 101, a main street in the city. With the pending pavement process ODOT wants six new tall bright lights at each crosswalk. She is concerned that ODOT is presuming the same standards used in Eugene, Coos Bay, or other cities. She feels that six new tall bright lights will forever change things, putting Port Orford on track to becoming more like a Walmart parking lot. She feels this ordinance will put the city in a stronger position to negotiate with ODOT. She suggested asking ODOT to maintain the status quo with streetlights until a better lighting plan is figured out. She suggested an extended project timeline to give the city time to figure out a better lighting plan. She suggested ODOT proceed with just one new lighted crosswalk at the school compliant with ordinance goals.

Greg Thelen, resident, agrees with everything Ms. Vileisis commented on. He reported he has attended planning commission meetings and feels they have done a great job. He supports the ordinance.

Steve Lawton, resident, previously submitted his testimony but wants to reiterate that the city needs to understand where lighting technology is moving. It is moving to 2700 kelvins. It is

moving away from blue light. Every major manufacturer of televisions, cell phones and other types of electronics are spending millions of dollars on removing blue light due to health concerns. Other larger cities have changed their lights from 3000 to 2700 kelvins at the cost of millions of dollars. Citizens are speaking loudly about their dislike of the bright white LED lights. They are intrusive of the night sky and also shines on the neighborhoods. He would like the City Council to consider 2700 kelvins for a more livable community.

Karen Auburn, resident, agrees with Ms. Vileisis on highway 101 lighting. She likes the idea of looking at incremental ideas, such as a bright light at the crossing by the school and maybe some solar lights compliant with the ordinance installed one at a time.

Tim Palmer, long time resident, reported a strong interest in the appearance, safety and health of the community. He spoke on public cost of lighting and the effects on the nighttime sky. He has seen very little traffic on the mile-long reach of Hwy 101 at night. He stated the Planning Commission has done a remarkable job analyzing the lighting problems and recommending solutions. He urges City Council to accept the Planning Commission's recommendation and pass the updated outdoor lighting ordinance. He understands potential conflict of the new ordinance and ODOT's Hwy 101 project. Mr. Palmer urged council members to follow the planning commission's recommendation to pass this ordinance and then negotiate a better outcome with ODOT that complies with the ordinance. He feels that excessive lighting is unnecessary, annoying, ugly and costly. If there are safety issues, he would like to see the data. He emphasizes that unnecessarily taller and stronger lights would change the appearance and character of Port Orford negatively. The dark sky quality of Port Orford is what makes the town special. He sees no urgency installing new lighting along Highway 101 and the work of the planning commission should be accepted today. If it is not, then any changes in city lighting should wait until the issues of the ordinance are resolved.

Doreen Ames would like a developed reporting method for ordinance violations that allows anonymity to preserve good relationships among neighbors.

Dana Gurnee, resident, supports the ordinance in all regards and urges council to pass the ordinance. He also urges council to find a way to enforce the new ordinance and bring businesses like Gold Beach Lumbar into compliance.

Penny Suess, resident, supports the Outdoor Lighting Code. She feels it is a great step forward for the city and hopes the council will accept and pass the new ordinance. She feels the dark sky will increase the livability for the residents and make visitor's experience more enjoyable. She feels drivers passing through town will see that Port Orford is a village.

Rowland Willis, resident, is pleased to see the Outdoor Lighting Code submitted to the council for final approval. He feels the ordinance has struck a sensible balance and will enable a long-term improvement to the nighttime of the town. He feels that 4000K will efface what the ordinance is trying to achieve. He stated he does not see any mechanisms to bring

attention to noncompliant lights. He suggested that some time in the future the council might find it necessary to put a team together to assess lighting complaints. He would expect the team to go out at night, gather evidence and report back to council enabling council to respond appropriately. Mr. Willis volunteered to be a part of the team if it happens. Mr. Willis would like the Outdoor Lighting Code be included in the Departmental Reports for awhile in the council meetings.

Tom Calvanese supports the ordinance and urges City Council to pass the ordinance. He agrees with what he heard previously from the citizens. He appreciates all the work put into the ordinance.

Linda Tarr, resident of the urban growth boundary, expressed appreciation of all the work of the Planning Commission and supports the previous testimony. She feels it is extraordinary to live in a town and see the stars. She would like that protected.

Letter from Jennifer Head, PhD is read to council members expressing interest in an enforceable and effective outdoor lighting code to reduce light pollution as well as trespass. She addressed light pollution that could easily be rectified if the Outdoor Lighting Code was enforceable. Ms. Head outlined enforceable perimeters regarding outdoor lighting.

With no further testimony, Mayor Pogwizd closed the public hearing.

Discussion:

Mayor Pogwizd shared information from a meeting with ODOT. The mayor supports the dark sky ordinance, and in a perfect world it can work; however, the city approved six lights on the highway at the crosswalks, because ODOT explained the lighting was needed at the crosswalks to keep people safe. For ODOT to stripe a crosswalk, it requires a light. ODOT was proposing six lights at 3000 or 3500K. The dark sky ordinance defines 2700K. ODOT informed the city if they went with 2700K and lowered the lights on the poles, the city would be responsible for the cost of moving the lights closer to the street, buying new poles, and it will cost 60 to 100 thousand dollars, which the city does not currently have. It would also require the city to double the number of lights from 6 to 12 to achieve the same type of lighting. If the ordinance is passed as written, it will burden the city with 100 thousand dollars of cost, which does not include decorative lighting. Darrin Neavoll from ODOT confirmed. ODOT is more than willing to go from 6 lights to 12 lights and reduce the kelvin and move the lights down on the pole, but the city has to come up with the extra cost. Mr. Neavoll reported they are running up against a timeline for the project. If this discussion continues much longer, ODOT will run out of time to deliver the project that they have committed to. Mr. Neavoll reported they can meet the 2700K without moving the lights down on the pole so they can meet the 8300-wattage required. Mr. Neavoll will confirm with engineers that keeping the lights at 2700K, which is on the yellow spectrum, and increasing lumens and mounting lights 25 to 30 feet will meet ODOT standards. ODOT engineers are concerned that 20 feet will deliver more glare. ODOT will re-read the proposed Outdoor

Lighting Code and confirm the least amount of height to make the project work. Mayor Pogwizd suggested a special meeting.

Councilor Burns moved for a first reading of 15.17, Outdoor Lighting Code, with Councilor LaRoche as second. ***Motion carried 5-0. Second reading will be Thursday, 09/24/2020, at 3:30.***

Discussion: Councilor Burns does not think they would have accepted six new crosswalks if they knew it would increase lighting. He feels the current lighting is adequate. Mayor Pogwizd advised that the prior council felt it was very important to have more crosswalks for pedestrian safety since a highway runs through town. Over the years there were non-engineered crosswalks added to the city. ODOT is not even aware how they all got painted. Now ODOT has to bring everything up to standards, which requires lighting. Councilor Garratt reminded councilors that this is a first reading and has to move to a second reading. A final decision can be made after the second reading.

Councilor Burns *Yes* ***Councilor LaRoche*** *Yes* ***Councilor Cox*** *Yes*
Councilor Garratt *Yes* ***Councilor Kessler*** *Yes*

8. Old Business:

A. ORD 2021-01 Burn Permit, extending the burn time (days) – second reading:

Councilor Cox moved to approve ordinance 2021-01 to a second reading with Councilor Burns as second.

Discussion: Councilor Garratt missed the previous meeting, so the fire department inspections were not included. Councilor Garratt stated that the fire department has several volunteers that are willing to inspect the burns. Councilor Garratt outlined the following items he would like to see in the ordinance: 1) Trash in fireplaces is not addressed in the ordinance. It is a current fire hazard concern the fire department has and would like a statement forbidding people from burning trash in their fireplaces. 2) An exception should be written for larger burns that can be monitored by the fire department, which the fire department has volunteered to do in the past. 3) A current limitation on the amount of burn permits issued to a citizen is one per month per property with a fire size limit of 4 feet x 4 feet. He feels there should be an exception for the larger burns monitored by the fire department. 4) The Coos Forest Protective Association rules are not stated in the ordinance and should be added with any exception expressly stated.

Legal Council Kudlac advised changes can be added now to follow Coos Forest Protective and Port Orford Rural Fire before the second reading. Following Coos Forest Protective rules will be added as section 8.08.015 reading, all Coos Forest Protective Association public use restriction implementation plan shall be adhered to except as outlined in 8.08.030. A note could be added, see Coosfpa.net for details. CA Richards will add coosfpa.net to the Port Orford website.

Councilor Cox retracted his motion and Councilor Burns retracted his second.

Councilor Garratt moved to approve ordinance 2021-01 to a second reading with the amendment adding 8.08.015, Coos Forest Protective Association Public Use Restriction Implementation Plan shall be adhered to except as outlined in 8.08.030 (see Coosfpa.net) with Councilor Burns as second. **Motion carried 4-1.**

Discussion: As above.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** No
Councilor Garratt Yes **Councilor Kessler** Yes

B. Contact Tank Bid Approval:

Councilor Burns moved to accept the contact tank recommendation by Dyer Engineers with Councilor Garratt as second. **Motion carried 4-1.**

Discussion: Councilor Cox stated it was a lump-sum bid. He is concerned they missed something and there will be more cost later. CA Richards reported Dyer purchased a bid packet that included the plans, everything that is required to build the project, contract documents that list the materials and requirements. She and Duane reviewed the bid, and Dyer and Duane agreed on the project requirements.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** No
Councilor Garratt Yes **Councilor Kessler** Yes

C. ODOT Speed Signs – cost share

David Johnson stated the signs are not in the budget and he does not feel there is room in the budget for them. It does not fall under exceptions for budget adjustment. They can be approved and put into next year’s budget or ODOT paving project in 2022.

Councilor Cox moved to approve the two speed signs and have money appropriated with next year’s budget cycle with Councilor Burns as second. **Motion carried 5-0.**

Discussion: As above.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** Yes
Councilor Garratt Yes **Councilor Kessler** Yes

D. Right of Way Request to Revisit Planters on 16th Street

Councilor Garratt moved to defer this to next meeting in order to seek counsel with the city’s insurance carrier and with applicable agencies. Motion dies for lack of a second.

Councilor Cox moved for the city to take back the right of way on 16th Street with Councilor LaRoche as second. **Motion carried 4-1.**

Discussion: Councilor Garratt confirms the motion is a complete retraction of the right of way permit and not a modification for compromise. Mayor Pogwizd confirmed.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** Yes
Councilor Garratt No **Councilor Kessler** Yes

9. New Business

A. Appointment of Council Seat – Lorin Kessler

See above.

B. Right of Way Request – Tina Beresford

Councilor Burns moved to approve the right of way request for Tina Beresford with Councilor Garratt as second. *Motion carried 3-2.*

Discussion: Councilor Burns stated he is the only neighbor that will be affected by the right of way request and his family has no issues with what she needs to do. Councilor Cox reported on a neighbor who was not allowed to close their meter at the fence and does not like the inconsistency. This right of way request has a stipulation that the gate is always accessible, and the fence is see-through netting to inhibit deer. There is fire access via the loop-around drive.

Councilor Burns *Yes* *Councilor LaRoche* *No* *Councilor Cox* *No*
Councilor Garratt *Yes* *Councilor Kessler* *Yes*

C. Police Department eCITE Grant Approval

CA Richards advised this is a 100 percent grant with no match per Officer Brace. Councilor Burns reported it looks like the grant needs 18,750 dollars to match the 75,000. Officer Brace suggested approving with a stipulation if it is not 100 percent it will be turned down. Deadline for the grant allows for this to be heard at a later meeting.

Councilor Cox moved to table this grant request for another meeting, with councilor as second. *Motion carried 5-0.*

Councilor Burns *Yes* *Councilor LaRoche* *Yes* *Councilor Cox* *Yes*
Councilor Garratt *Yes* *Councilor Kessler* *Yes*

10. Considerations

a. Citizen

Teresa Kolibaba thinks it is inappropriate to vote in a new councilor without public input. She thinks it is inappropriate for ODOT to basically blackmail the city into having streetlights higher than the city wants. She feels 30 feet is too high. She questions why a black car with expired tags parked by a fire hydrant has been allowed to park there without moving for two months and why a Volvo at 600 Jackson Street drove for over a month with expired license plates and then when the plates were obtained, they were backdated to May. She questions where the city police are four days a week. She requested why a volunteer fire officer is afraid of being fired when he has not been hired.

Doreen Ames asks why the city does not apply for federal grants that would offset money such as tax on the water bill. She states there is still time to apply for the 2019 grant. She stated Curry County applied for them and received them. Doreen Ames reported she submitted an email about the ROW on 16th to council asking it to be read into the minutes. She was advised it was too late. It is not in the packet. Doreen Ames feels council should notify everybody that city is sending viruses to people in their contact list. Doreen Ames does not feel it is right to appoint a city councilor without discussion from

citizens. She finds it disgusting that the original packet went out listing Ms. Ames as an appointment and then seeing it was removed the following day without explanation. She filed a complaint has been filed with Oregon AG and feels she was not appointed due to gender, race, face or that she is not a member of the Rotary.

b. Staff

CA Richards has no concerns at this time.

c. Councilor

Councilor Cox is concerned that he did not notice the address. Councilor Garratt reported a document in the packet submitted by Councilor Burns that mentioned putting screens on the roof face on the A-frame to keep the bats out should be a high priority, as it is low cost. It is effective in keeping the bats out and keeps them from getting trapped and die. Councilor Garratt suggested an auto-flushing toilet at the Visitor's Center to resolve the issue with the toilets not getting flushed and clogging up. CA Richards reported a State Parks employee is the janitor for the Visitor's Center and stated the auto flushers will not work. Mayor Pogwizd reminded council they just bought stainless toilets at a large expense a few years ago. Councilor Garratt reminded councilors that when appointing planning commissioners, the process was revised to include potential interviews. That needs addressed before it comes up again. Utilizing the process would be beneficial to appoint city council seats as well. CA Richards reported the charter states the mayor appoints a council position with council approval. A charter can be changed by the people. Councilor Kessler reported he currently lives at the corner of 12th and California in Port Orford. Councilor Cox asked if regular meetings can be considered. Mayor Pogwizd stated there can only be 10 people in the building so no public could attend but could possibly call in. CA Richards stated six people can sit at the dais, one at the podium, but the rest would have to sit in the audience chairs. Councilor Garratt welcomes Lorin Kessler to the city council and appreciates his service.

d. Mayor

Mayor Pogwizd suggested virtual meetings until guidelines are changed by the governor.

11. Future Meetings:

Thursday, October 15, 2020 Regular Meeting of the Common Council at 3:30 p.m.

12. Adjourned

There being no further business, Mayor Pogwizd adjourned the meeting at 6:24 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 10/15/20

CONTACT TANK PROJECT

Dyer received contracts from the Contractor October 8, 2020. Dyer will schedule a Preconstruction Meeting with the City and the Contractor, and typically the NTP will be issued at that time. The tank will have a significant lead time, so until they get a schedule from the Contractor we can't say when they will start construction

DREDGING

Billeter Marine will have a new proposal to me by this council meeting.

GATE VALVE/HUBBARD CREEK

Thanks to Councilor Burns we now have a video of the valve stem.

GRIT SYSTEM

OAWU made a site visit to the sewer plant – see attached letter

PARKS

- ⊗ The Parks Commission chooses to meet in person, in council chambers on the first Thursday every month at 3:30 PM. Due to social distancing there is very limited seating. There are one vacancies on the Parks Commission

OTHER

- ◆ Union Contract meetings have resumed
- ◆ Sewer NPDES Permit is up for renewal – a work in progress
- ◆ September 30, 2020 was both Water Plant Operator/Lead Person and Larry Dell Utility Worker Retired, at their request there was no big send off. Brett Rookhuizen has joined our team as a Public Works Maintenance.
- ◆ John Isadore has been chosen as the Public Works Superintendent to start this month.
- ◆ Advertisements – report submitted by the Main Street Association

This past month has been difficult at best for the city staff losing two very key people to retirement.

COVID-19 has not slowed work for the city, it actually feels as if things have gotten busier than before. Some staff are still working from home. As of October 8, 2020, the total verified number of positive cases in Curry County is currently 35, with 29 recovered cases, 6 active cases, zero hospitalizations and zero deaths.

Please follow the Please remember, it is important that we all follow the OHA and CDC guidelines and Governor's directives about social distancing, wearing facial coverings in public buildings and protecting yourselves by staying home to slow the spread and save lives.

★ Unaccounted for Water for July 2020 = 34% (Previous mo. 40%)

September 2020

Re: Update on Destination Marketing for City of Port Orford
New Expenditure

From: Port Orford Main Street

New Expense:

Four week Tourism Campaign \$500

This is a tourism campaign on social media, targeted websites, youtube and more by Travel Southern Oregon Coast. As discussed with TSOC, Port Orford will be featured Beach & Nature – Social un-distancing almost impossible. Starts Sept 28

Old Expenses

Bay Area Trade Show (applied to 2021)	\$500
Mile by Mile	\$1460
OR Coast Visitor Guide	\$1690
Travel Oregon Official Visitor Guide	\$3900



CURRY COUNTY ANNOUNCEMENT

*Curry County is seeking a representative for a
vacant North County seat for our
Tourism and Promotion Committee*

Commitment:

- Monthly two hour meetings
- Participation in ongoing recommendations for promoting Curry County as a tourist destination
- Working with community and regional leadership
- The desire to see the business community thrive in ongoing partnerships

Call for more info:

575-247-3222



FINANCIAL REPORT

October 5, 2020

For the month of September, the total revenue and expenditures for all funds was \$168,460.27 and \$200,008.98 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:

The General fund received \$29,777.30 in revenue of which \$1,100.58 was from property tax receipts, \$20,115.22 from citations, \$119.01 from the State Cigarette Tax, \$3,880.91 in State Liquor Tax, \$75.00 to release an impounded vehicle, \$3,900.00 in planning fees, \$194.08 interest, and \$392.50 in court administrative fees. For the month of September, the General Fund disbursed \$41,682.77 of which \$14,394.57 was for wages, \$8,774.80 in citation assessments and reimbursements, \$39.00 late charge for postage, \$242.26 for custodial services, \$1,200.00 for legal services, \$1,255.28 for planning fees, \$1,444.81 legal fees for a disputed planning decision, \$620.38 for office supplies, \$300.00 for the municipal judge, \$145.15 in bank fees, \$463.90 for electricity, \$48.30 travel to the bank and post office, \$142.42 payment for the copier lease, \$314.88 for telephone service, \$129.30 for postage, \$225.75 to reconnect to domain, \$36.98 for minor tools, \$8,299.44 for software maintenance, \$176.70 for transcription services, \$598.87 in dues (\$548.87 for Oregon Ethics Commission and \$50.00 for Oregon Municipal Judges Association), \$2,730.00 was the Generals Funds share of the Audit progress payment, and \$99.98 for internet service.

Parks:

Parks received \$96.75 in revenue which consists of \$45.25 reimbursement for electricity, and \$51.50 in interest. For the month of September, \$7,815.77 was disbursed for Parks of which \$5,420.76 was for payroll, \$108.26 for fuel, \$379.72 for electricity, \$28.32 for telephone service, \$8.99 for maintenance at Buffington Park, \$29.98 for gloves, \$227.50 was Parks share of the progress billing, \$229.53 for vehicle maintenance, \$74.97 for internet service, and \$1,307.74 for custodial services.

Public Safety:

\$38,396.39 was disbursed for the Police Department of which \$35,815.22 was for payroll, \$143.28 for office supplies, \$520.00 was Public Safety's share of the Audit progress billing, \$761.96 for fuel, \$2.60 for postage, \$100.00 for Kings online, \$594.64 for vehicle maintenance, and \$458.69 for telephone service. Public Safety received \$5,377.66 in revenue of which \$881.80 was from property tax receipts, \$30.00 for insurance reports, \$4,402.00 being held as evidence, and \$63.86 in interest.

Water Enterprise:

The Water Department received \$48,384.39 in revenue of which \$46,933.53 was from the August utility billing of which \$5,385.92 is designated to be set aside for Water Capital Reserves, \$1,338.00 for one new service, and \$112.86 in interest. The Water Enterprise Fund paid out \$68,528.36 of which \$46,647.39 was for payroll, \$481.42 for telephone services, \$264.56 for fuel, \$282.33 for equipment lease, \$79.99 for internet service, \$173.68 for office supplies, \$2,818.12 for electricity, \$500.00 for contract services, \$1,820.00 was Water Enterprise's share of the Audit progress billing, \$63.15 for maintenance of the treatment plant, \$757.60 for water line repairs, \$318.19 in bank charges, \$2,764.17 for software maintenance, \$4.49 for minor equipment, \$(15.04) for a returned item, \$1,127.53 for an employee to attend training in Seaside, \$3,430.00 for soda ash, \$253.98 for lab supplies, \$80.00 for testing, \$5,931.35 for work on the new contact tank, \$354.10 annual membership to OAWU, \$199.10 for meter repairs, and \$192.25 for postage.

Water Capital Reserves:

The Water Capital Reserve Fund received \$136.53 in interest. The Water Capital Reserve Fund balance is now \$170,977.92.

Sewer Enterprise:

The Sewer Enterprise Fund received \$58,062.50 in cash receipts which consists of \$249.13 in interest, \$1,544.00 for two new services, and \$56,269.37 was from the August utility billing of which \$5,090.45 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for September was \$35,153.04 of which \$25,727.69 was for payroll, \$2,597.00 for electricity, \$243.35 for telephone service, \$282.33 for equipment lease, \$238.86 for postage, \$275.01 for fuel, \$318.18 in bank charges, \$2,764.17 for software maintenance, \$73.37 for vehicle maintenance, 3.51 for lab equipment maintenance, \$479.48 for lab supplies, \$160.00 for recertification of an employee, \$33.47 for minor equipment, \$28.88 for office supplies, \$615.00 for work on the grit system, \$1,202.50 was sewers share of the Audit progress billing, and \$110.24 for internet service.

Sewer Capital Reserves:

The Sewer Capital Reserves received \$133.91 in interest. The Sewer Capital Reserve Fund balance is now \$167,700.70.

Street Fund:

For September the Street Fund received \$6,592.37 of which \$6,545.63 was from the State Highway tax, and \$46.74 in interest. \$8,432.65 was disbursed for Streets, of which \$7,535.66 was for wages, \$102.00 for the port-a-potty, \$147.71 for fuel, \$94.50 for electricity, \$545.00 for street maintenance, and \$7.78 for vehicle maintenance.

Streets Capital Improvement Fund

The Streets Capital Improvement Fund received \$59.18 in interest and the new balance is now \$74,118.43.

Equipment Replacement Fund:

The Equipment Replacement Fund received \$60.70 in interest. The balance of the Equipment Replacement Fund is \$77,681.47.

Water and Sewer SDC:

The Water SDC Fund received \$335.33 in interest and \$9,096.00 for one new hookup. The Sewer SDC Fund received \$227.65 in interest and \$10,120.00 for two new hookups. The balances of the SDC funds are as follows:

Water SDC	\$429,075.25
Sewer SDC Reimbursement	\$267,172.44
Sewer SDC Improvement	\$ 28,045.72

David Johnson



City of Port Orford

Detail Report Account Detail

Date Range: 07/01/2020 - 09/30/2020

Account	Name		Beginning Balance	Total Activity	Total Debits	Total Credits	Ending Balance
Fund: 030 - WATER ENTERPRISE FUND	Designtated for Reserves		0.00	-14,159.25	211.86	14,371.11	-14,159.25
<u>030-00-44109</u>							
Post Date	Packet Number	Source Transaction	Description	Vendor	Debits	Credits	Running Balance
07/01/2020	UBPKT01373	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01373			3,386.78	-3,386.78
07/08/2020	UBPKT01379	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01379		0.29		-3,387.07
07/08/2020	UBPKT01381	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01381		0.77		-3,387.84
08/03/2020	UBPKT01388	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01388		13.81		-3,401.65
08/03/2020	UBPKT01390	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01390			5,539.71	-8,941.36
08/10/2020	UBPKT01393	Utility Adj. Bill Other	Utility Adj. Bill Other Packet UBPKT01393		150.00		-8,791.36
08/11/2020	UBPKT01394	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01		2.47		-8,788.89
08/11/2020	UBPKT01395	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01		19.86		-8,769.03
08/12/2020	UBPKT01398	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01398			0.11	-8,769.14
08/26/2020	UBPKT01400	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01400			4.51	-8,773.65
08/31/2020	UBPKT01402	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01		0.32		-8,773.33
09/01/2020	UBPKT01404	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01404			5,389.66	-14,162.99
09/11/2020	UBPKT01408	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01408			5.18	-14,168.17
09/15/2020	UBPKT01410	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01		29.70		-14,138.47
09/22/2020	UBPKT01416	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01416			4.13	-14,142.60
09/29/2020	UBPKT01419	Utility Adj. Bill Other	Utility Adj. Bill Other Packet UBPKT01419		8.70		-14,133.90
09/30/2020	UBPKT01426	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01		0.81		-14,133.09
09/30/2020	UBPKT01428	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01428			26.16	-14,159.25
Total Fund: 030 - WATER ENTERPRISE FUND:				0.00	211.86	14,371.11	-14,159.25

Detail Report

Account

Fund: 035 - SEWER ENTERPRISE FUND

Date Range: 07/01/2020 - 09/30/2020

Post Date	Packet Number	Source Transaction	Description	Vendor	Project Account	Total Activity	Total Debits	Total Credits	Ending Balance
Designated for Reserves									
07/01/2020	UBPKT01373	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01373				179.20	13,291.45	-13,112.25
07/08/2020	UBPKT01379	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01379					2,896.25	-2,896.25
07/08/2020	UBPKT01381	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01381					0.27	-2,896.52
08/03/2020	UBPKT01388	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01388					0.80	-2,897.32
08/03/2020	UBPKT01390	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01390					17.27	-2,914.59
08/10/2020	UBPKT01393	Utility Adj. Bill Other	Utility Adj. Bill Other Packet UBPKT01393				100.00	5,237.87	-8,152.46
08/11/2020	UBPKT01394	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01394				7.50		-8,052.46
08/11/2020	UBPKT01395	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01395				26.59		-8,044.96
08/12/2020	UBPKT01398	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01398					0.10	-8,018.37
08/26/2020	UBPKT01400	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01400					4.65	-8,018.47
08/31/2020	UBPKT01402	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01402				1.32		-8,023.12
09/01/2020	UBPKT01404	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01404						-8,021.80
09/11/2020	UBPKT01408	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01408					5,113.24	-13,135.04
09/15/2020	UBPKT01410	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01410				34.21	5.99	-13,141.03
09/22/2020	UBPKT01416	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01416					6.08	-13,106.82
09/29/2020	UBPKT01419	Utility Adj. Bill Other	Utility Adj. Bill Other Packet UBPKT01419				5.89		-13,112.90
09/30/2020	UBPKT01425	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01425				0.40		-13,107.01
09/30/2020	UBPKT01426	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01426				3.29		-13,106.61
09/30/2020	UBPKT01428	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01428					8.93	-13,103.32

Total Fund: 035 - SEWER ENTERPRISE FUND: 0.00 -13,112.25 179.20 13,291.45 -13,112.25

Grand Totals: 0.00 -27,271.50 391.06 27,662.56 -27,271.50



Bank Transaction Report

City of Port Orford

Transaction Detail

Issued Date Range: 09/01/2020 - 09/30/2020

Issued	Number	Description	Amount
Bank Draft			
09/03/2020	DFT0005833	August AsiFlex Admin Fee	3.75
09/04/2020	DFT0005792	AsiFlex	41.66
09/04/2020	DFT0005793	VOYA - Oregon Savings Growth Plan	307.50
09/04/2020	DFT0005794	PERS	1,124.94
09/04/2020	DFT0005795	PERS	855.90
09/04/2020	DFT0005796	PERS	1,908.61
09/04/2020	DFT0005797	PERS	1,290.38
09/04/2020	DFT0005798	PERS	605.98
09/04/2020	DFT0005799	PERS	2,961.52
09/04/2020	DFT0005800	Oregon Dept of Revenue	31.10
09/04/2020	DFT0005801	Oregon Dept of Revenue	25.04
09/04/2020	DFT0005802	Rogue Credit Union	911.38
09/04/2020	DFT0005803	Oregon Dept of Revenue	2,104.30
09/04/2020	DFT0005804	Rogue Credit Union	3,016.79
09/04/2020	DFT0005805	Rogue Credit Union	3,896.68
09/15/2020	DFT0005806	Quadient Finance USA, Inc.	539.00
09/18/2020	DFT0005808	AsiFlex	41.66
09/18/2020	DFT0005809	VOYA - Oregon Savings Growth Plan	307.50
09/18/2020	DFT0005810	PERS	841.72
09/18/2020	DFT0005811	PERS	859.20
09/18/2020	DFT0005812	PERS	1,814.21
09/18/2020	DFT0005813	PERS	1,336.85
09/18/2020	DFT0005814	PERS	546.18
09/18/2020	DFT0005815	PERS	2,815.04
09/18/2020	DFT0005816	Oregon Dept of Revenue	29.04
09/18/2020	DFT0005817	Oregon Dept of Revenue	23.02
09/18/2020	DFT0005818	Rogue Credit Union	851.46
09/18/2020	DFT0005819	Oregon Dept of Revenue	1,912.72
09/18/2020	DFT0005820	Rogue Credit Union	2,593.99
09/18/2020	DFT0005821	Rogue Credit Union	3,640.72
09/21/2020	DFT0005822	U.S. Bank Equipment Finance	142.42
09/30/2020	DFT0005823	PERS	1,841.66
09/30/2020	DFT0005824	PERS	777.49
09/30/2020	DFT0005825	PERS	167.10
09/30/2020	DFT0005826	PERS	1,206.40
09/30/2020	DFT0005827	Oregon Dept of Revenue	16.79
09/30/2020	DFT0005828	Oregon Dept of Revenue	3.76
09/30/2020	DFT0005829	Rogue Credit Union	487.00
09/30/2020	DFT0005830	Oregon Dept of Revenue	1,462.45
09/30/2020	DFT0005831	Rogue Credit Union	3,581.47
09/30/2020	DFT0005832	Rogue Credit Union	2,082.40
Total Drafts			49,006.78

Check

09/02/2020	15276	Curry County Road Department	510.79
09/02/2020	15277	Daily Journal of Commerce	615.00
09/02/2020	15278	KDP Certified Public Accountants, LLP	3,500.00
09/02/2020	15279	Marsh Excavation, LLC	545.00
09/02/2020	15280	OAWU	354.10
09/02/2020	15281	USA Blue Book	254.77
09/02/2020	15282	Gary Milliman	50.00
09/04/2020	15283	CIS-Health Insurance	12,485.69
09/04/2020	15284	Void Check	0.00
09/04/2020	15285	Void Check	0.00
09/04/2020	15286	Void Check	0.00
09/04/2020	15287	Teamsters Local U. #206	296.50
09/11/2020	15288	CAROLYN MARTIN	62.15
09/11/2020	15289	PATRICIA LOUISE RICE	71.02
09/11/2020	15290	CINDY HITT	3.10
09/15/2020	15291	AccuScript Transcription and Typing Services	176.70
09/15/2020	15292	C and M Equipment	59.77
09/15/2020	15293	Carson Oil Company	279.12
09/15/2020	15294	CASH IN OFFICE	70.23
09/15/2020	15295	Clark, Patricia	48.30
09/15/2020	15296	Coos-Curry Electric Co-op	5,515.17
09/15/2020	15297	Void Check	0.00
09/15/2020	15298	Gold Beach Lumber	116.40
09/15/2020	15299	Quadient Leasing USA, Inc.	564.66
09/15/2020	15300	Rogue Credit Union-Visa	1,907.87
09/15/2020	15301	Void Check	0.00
09/15/2020	15302	Shoji Planning, LLC	1,255.28
09/15/2020	15303	U. S. Cellular	290.09
09/15/2020	15304	UPS	46.61
09/15/2020	15305	ZiPLY Fiber	74.97
09/15/2020	15306	RACHEL STIEFBOLD	555.54
09/18/2020	15307	CIS-Health Insurance	11,049.30
09/18/2020	15308	Void Check	0.00
09/18/2020	15309	Void Check	0.00
09/18/2020	15310	Void Check	0.00
09/18/2020	15311	Teamsters Local U. #206	268.00
09/21/2020	15312	Allstream	133.67
09/21/2020	15313	AT&T Mobility	295.43
09/21/2020	15314	Bay Area Copier Company	123.02
09/21/2020	15315	Budge-Mchugh Supply Company	896.24
09/21/2020	15316	Charter Communications	400.19
09/21/2020	15317	Comp-U-Talk, Inc.	225.75
09/21/2020	15318	Coos-Curry Electric Co-op	838.07
09/21/2020	15319	Void Check	0.00
09/21/2020	15320	Coos-Curry Supply, Inc.	85.45
09/21/2020	15321	Country Media Inc.	1,174.85
09/21/2020	15322	Curry County Treasurer	897.60
09/21/2020	15323	Golders NAPA Auto Parts	41.00
09/21/2020	15324	Hach Company	224.71

09/21/2020	15325	Kar Kare Auto Parts	196.07
09/21/2020	15326	KDP Certified Public Accountants, LLP	3,000.00
09/21/2020	15327	Law Offices of Frederick J Carleton	1,444.81
09/21/2020	15328	Northstar Chemical, Inc.	3,430.00
09/21/2020	15329	ODOT Fuel Sales	1,278.38
09/21/2020	15330	Office Depot, Inc.	205.58
09/21/2020	15331	Oregon Dept of Revenue CFA	3,300.00
09/21/2020	15332	Roto Rooter, A Waste Connection Co.	102.00
09/21/2020	15333	TransUnion Risk and Alternative Data Solutions, Inc.	100.00
09/21/2020	15334	Tyler Technologies	13,402.78
09/21/2020	15335	USA Blue Book	253.98
09/21/2020	15336	Vend West Services	34.75
09/21/2020	15337	ZiPLY Fiber	98.39
09/24/2020	15338	CIS-Worker's Comp	7,486.13
09/24/2020	15339	Curry County Road Department	83.85
09/24/2020	15340	Curry County Treasurer	911.20
09/24/2020	15341	Department of Environmental Quality	160.00
09/24/2020	15342	Jessica Goldstein	33.00
09/24/2020	15343	Matthew Bjorke	33.00
09/24/2020	15344	McCowan Clinical Laboratory, Inc.	80.00
09/24/2020	15345	Michael Wilson	100.00
09/24/2020	15346	Office Depot, Inc.	483.63
09/24/2020	15347	Oregon Dept of Revenue CFA	3,500.00
09/24/2020	15348	Oregon Government Ethics Commission	548.87
09/24/2020	15349	Oregon Health Authority DWS	335.00
09/24/2020	15350	The Dyer Partnership Engineers & Planners, Inc.	4,756.50
09/24/2020	15351	ZiPLY Fiber	36.00
09/28/2020	15352	Law Offices of Frederick J Carleton	1,200.00
09/30/2020	3049	Dell, Lawrence J	4,062.41
09/30/2020	3050	Eckhoff, Duane K	6,383.79
Total Checks			103,402.23

EFT			
09/04/2020	DFT0005791	Payroll EFT	23,219.95
09/18/2020	DFT0005807	Payroll EFT	21,964.16
09/30/2020	54	Gary Milliman	300.00
09/30/2020	55	Gregory T. Ryder	1,550.00
09/30/2020	56	Terrusa, David R	500.00
Total EFT			47,534.11

Action: Approval to Request an Extension and Contract Modifications for Drinking Water Protection Grant Administered through Business Oregon

In 2019, the City of Port Orford was awarded a highly competitive \$30,000 drinking water source protection grant through Oregon Health Authority (administered by Business Oregon) for wildfire risk reduction planning and implementation in the Hubbard Creek watershed. Due to unanticipated delays and restrictions within conservation easement areas, partners are unable to complete the work as proposed. However, fortunately, Oregon Health Authority recently confirmed that the City and partners can still utilize the grant money if they submit a modified scope of work that is in keeping with the project's original intent of reducing wildfire risk. This OHA grant provides a unique opportunity, with no match requirement, to implement protective actions for our drinking water supply.

The City Manager requests Council's approval to:

- 1) Submit a letter to Business Oregon requesting:
 - a. a project extension of one year to allow ample time for planning and on-the-ground work (the new deadline would be 1/21/23);
 - b. review and approval of a modified scope of work (draft below) that delineates tasks to be performed; and
 - c. approval of an Intergovernmental Agreement (IGA) between the City and Curry Soil and Water Conservation District in the modified contract language. This was the intention in the original Letter of Interest application submitted to OHA.
- 2) Upon signing the abovementioned modified contract with Business Oregon, establish an Intergovernmental Agreement with Curry Soil and Water Conservation District to complete all project tasks.

DRAFT Modified Scope of Work

- Port Orford has in the past, partnered with the Port Orford Watershed Council, Curry Wildfire Preparation Team, South Coast Watershed Council, Curry Soil and Water Conservation District, and other partners, to eradicate gorse and replant trees in strategic areas of the watershed. Project partners will employ on-the-ground crews to revisit existing firebreak and forest restoration areas where gorse was previously removed, and remove, or otherwise treat, new growth using non-chemical means. In addition, where feasible, partners will establish new firebreak or gorse-free areas, and plant native shrubs/trees that can out compete invasives over time.
- Project partners will develop a wildfire risk reduction planning document that includes an evaluation/assessment of priority wildfire risks related to gorse infestation in the drinking water source area and actions needed to reduce those risks over time. The planning document will also include: strategies for outreach/education with landowners; evaluating appropriate treatment or land management techniques; identify potential funding partners or strategies for

continued management of risks; and achieving longer-term goals of land purchases in the watershed and/or establishing new conservation easements.

- Project partners will hold at least one public meeting to share information with landowners and interested residents on the importance of wildfire risk reduction in the watershed. The public meeting will also be an opportunity to obtain input from landowners and residents on actions needed to accomplish this.
- As part of the planning effort, and to the extent that funding allows, project partners will conduct research to identify and reach out to landowners of specific parcels in the watershed where wildfire risk reduction is a high priority.



CITY OF PORT ORFORD

◆ 555 W. 20th St. ◆ P.O. Box 310, Port Orford, OR 97465 ◆ Ph: 541-366-4568 ◆ Fx: 877-281-5307 ◆

October 9, 2020

Tawni Bean, Regional Project Manager
Business Oregon
775 Summer St NE, Suite 200
Salem, OR 97301-1280

Re: Request for Extension and Scope of Work Revision for Project U20010 – Port Orford Watershed Invasive Species Management Control

Dear Tawni:

Thank you for your assistance with administering our current Drinking Water Source Protection project, #U20010, funded through Oregon Health Authority.

We have experienced unexpected delays in implementing the project scope of work and have recently learned that a conservation easement in the Hubbard Creek watershed would significantly limit our ability to implement the project as written.

Oregon DEQ's Drinking Water Protection Program checked with Tom Pattee from OHA about the feasibility of a scope of work modification. Tom confirmed through communication in late September, that as long as the City keeps the overall intent of the project, he would approve a scope of work revision. In addition to modifying the scope of work, the City requests an extension of one year to provide project partners ample time to complete the work. The new deadline would be January 21, 2023.

The City intends to sign an Intergovernmental Agreement (IGA) with Curry Soil and Water Conservation District to complete this work, as was the intention when we first submitted the original Letter of Interest (LOI) for this project. Please let us know of any specific requirements to ensure the modified contract between the City and Business Oregon allows the project work to proceed through an IGA.

The proposed scope of work revision would include the following key tasks (those with an * would not change from the original LOI):

- *Develop a planning document that provides strategies for wildfire risk reduction through invasive species management in the Hubbard Creek drinking water source area.
- Remove and/or treat gorse through non-chemical means in existing firebreaks where previous invasives species management was conducted.
- *Where feasible, remove gorse in new areas to reduce wildfire risk using non-chemical means where required.
- Conduct outreach and education activities with landowners and residents to share information about the importance of wildfire risk reduction through invasive species management.

We look forward to hearing from you soon regarding these requested changes. Thank you very much for your assistance and support for us to pursue this important watershed project!

Sincerely,

Terrie Richards

Terrie Richards, Port Orford City Administrator
555 20th Street
Port Orford, Oregon 97465

ORDINANCE NUMBER 2021-01

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD AMENDING ORDINANCE 2015-05 TO EXTEND THE BURN PERIOD

The Common Council of the City of Port Orford hereby ordains that the adopted Ordinances 2006-08 and 2015-01 are hereby replaced to remove burn barrels and change the rules for burning.

8.08.05 Definition

Yard debris The by-product of maintaining naturally occurring organic growth, except poison oak.

8.08.010 Prohibited Fires

No person shall conduct any outside open burning including, but not limited to, kindling maintaining or burning any bonfire, outdoor rubbish or waste fire or use any trash burners, incinerators or burn barrels nor authorize any such fires or use of such devices on public or private land, unless as authorized by the city as provided herein.

8.08.015 Use Restrictions

Coos Forest Protective Association Public Use Restrictions Implementation Plan shall be adhered to except as outlined in 8.08.030. See: coosfpa.net

8.08.020 Permit Required Fires

Council may authorize otherwise prohibited fires subject to the payment of the cost of the permit for inspection by the fire chief or police chief, or their designee, and shall be limited to the burning of natural, untreated or otherwise processed wood.

1. Yard debris- after obtaining a permit authorized by City Hall, valid for 7 business days and the permit holder must contact Curry County dispatch prior to beginning the burn. With a permit one may burn personal yard debris, collected from permitted property, in one pile not to exceed four feet by four feet by four feet. Reasonable amounts of non glossy paper may be used as an ignition source.

2. "Burn to learn" events, or special events or occasions, after DEQ and Council approval, not to exceed one event per year per applicant.

3. No person shall apply for more than one permit in any one calendar month. No permit shall be issued to any one property at a rate exceeding one per calendar month. Permits are specific to persons and properties, and are otherwise non-transferable.

8.08.030 Exempt Fires

The following fires are exempt from the prohibition of this ordinance:

1. Fires in appropriate barbecue appliances.
2. Outdoor patio or yard fireplaces

- 3. Decorative or ornamental
- 4. Ceremonial fires

8.08.040 Nuisance

No person shall conduct a permitted burn if such a burn creates a nuisance to others, as determined and enforced by the City of Port Orford Police Chief, or his designee.

8.08.050 Safety

One with the Permit and/or the property owner is hereby responsible for maintaining a safe, controlled, permitted burn, and is solely responsible for injuries and/or damages resulting from failure to do so. A fire must be manned by a person 18 or over, with a fully charged hose and a shovel.

- 1. No fire may be lit, fed, stoked, or otherwise encouraged to burn except during daylight hours.
- 2. Permits may not be issued during fire season, and may be otherwise restricted by Fire Chief, or Police Chief, at their discretion.

8.08.060 Violations

Unless otherwise established by statute or ordinance, violation of a provision of this ordinance is a civil violation, punishable by a fine not to exceed \$1,000.00 for each occurrence.

8.08.070 Severability

A. The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

DATED the 15th day of October 2020

Passed or Failed by the following Roll Call Vote

Yes: _____

No: _____

Passed _____ Failed _____

Mayor Tim Pogwizd

ATTEST:

Terrie Richards, City Recorder