

CITY OF PORT ORFORD
VIRTUAL SESSION OF THE COMMON COUNCIL
THURSDAY, AUGUST 20, 2020 AT 3:30 P.M.

AGENDA

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1. Call to Order
2. Additions to the Agenda
3. Presentations to Council/Citizens
4. Consent Calendar
 - a. Approve Minutes June 18, 2020 Council, June 29, 2020 Workshop, July 16, 2020 Council
5. Citizens' Concerns (Speak Only for Old & New Business Items on the Agenda)
6. Departmental Reports
7. Old Business
 - a. Right-of-Way Request for 16th Street - revisit
 - b. ORD 2021-01 Burn Permit extending the burn time (days)
 - c.
8. New Business
 - a. Task Order for the Grit System – asking for Council approval
 - b. Chapter 17 Zone – Building Height
 - c.
 - d.
9. Considerations
 - a. Citizen
 - b. Staff
 - c. Councilor
 - d. Mayor
10. Future Meetings

Thursday, September 17, 2020, Regular Council Meeting 3:30 p.m. by virtual meeting
11. Adjourn

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- 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.
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- 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, June 18, 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>	Excused	<i>David Johnson, Finance</i>	X
<i>Vacant</i>		<i>Chief H. Hobart</i>	X
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		

Media Present:

Others Present:

1. Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council on Thursday, June 18, 2020 at 3:30 a.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon. Mayor Pogwizd announced that Travis Williams has resigned from the City Council. He no longer lives in the city limits.

2. Additions to the Agenda: None.

3. Consent Calendar – Councilor Garratt moved to approve the consent calendar as written with Councilor LaRoche as second. *Motion carried 3-0*

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

4. Citizen Concerns:

Patricia Blank of Port Orford speaks in support of right of way.

5. State Revenue Hearing

Each year the state distributes excess revenues collected from special taxes such as liquor and gasoline. In order to be eligible to receive these funds, the city must hold two public hearings, one before the budget committee and one before the city council, to discuss possible and proposed uses of the funds. The use of state revenue sharing funds in the past includes police, fire and/or parks operations. The amount estimated and incorporated into the 2020-2021 budget is 11,340 dollars.

Mayor Pogwizd opened the public hearing to receive testimony from the public. Hearing no public testimony, Mayor Popgwizd asked the staff to disclose any correspondence or contact from the public regarding the use of state revenue funds. Hearing none, Mayor Pogwizd closed the public hearing.

6. Department Reports

City Administration:

Councilor Burns asked for information on well drilling with the city yard being a potential site. CA Richardson reports the watershed council was looking into the well while working with a local geologist. They identified Hubbard Creek and the city shop as good locations to drill. Proposals will be needed. The COVID-19 pandemic interrupted the progress.

Councilor Garratt wanted an update on the fire department proposal. David Johnson reported he has been in contact with Nancy multiple times. Currently their attorneys are writing new contract language. There have been changes in the fireboard, which caused a delay. It has been established that January is the end of the two-year period.

7. A. Conditional Use Permit 16-02 and 16-03 Findings: The hearing was conducted at last city council meeting.

Councilor Burns moved to extend the CUP 16-02 and CUP 16-03 and to approve the findings as presented with Councilor Garratt as second. ***Motion carried 3-0.***

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

B. Bid Process for Contact Tank: With the motion, a motion is needed to approve a professional service agreement with Dyer.

Councilor Garratt moved to approve the contact tank going to bid and establish a professional service agreement with Dyer with Councilor Burns as second. ***Motion carried 3-0.***

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

8. New Business:

a. Resolution 2020-14, Adopting the 2020-2021 budget:

Councilor Burns moved to approve the 2020-2021 budget with Councilor Garratt as second. ***Motion carried 3-0.***

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

Property Taxes for the year 2020-2021:

Councilor Garratt moved to approve property taxes 2020-2021 at the rate of 2.2688/1000 with Councilor Burns as second. ***Motion carried 3-0.***

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

Public Safety Option Tax:

Councilor Garratt moved to approve \$1.80/1000 Public Safety Option Tax with Councilor Burns as second. ***Motion carried 3-0.***

Councilor Burns Yes Councilor LaRoche Yes Councilor Garratt Yes

b. Resolution 2020-15, Adopting Employee Wages:

Councilor Burns moved to approve the Resolution 2020-15 with Councilor Garratt as second. *Motion carried 3-0.*

Discussion: None.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Garratt** Yes

c. Resolution 2020-16, State Revenue Sharing:

Councilor Burns moved to approve Resolution 2020-16 with Councilor Garratt as second. *Motion carried 3-0.*

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Garratt** Yes

d. Right of Way Requests – Ken Gibson, Brian Munford, Kristin Howard:

Councilor Burns moved to approve Ken Gibson’s right of way request with Councilor Garratt as second. *Motion failed 1-2.*

Discussion: Councilor Garratt reported he looked at the described trees for removal. The trees were flagged. It appeared city property was going to be modified and damaged in regard to the right of way. He feels the proposal damages more than is reasonable; however, he could not see a better way to achieve their goal of moving a pre-manufactured home onto their property. Councilor Garratt suggests any space not used for driveway should perhaps have trees replanted at owner’s expense.

Councilor Burns reported he also looked at the property. He could not see a problem with the driveway. The large cypress trees will not be removed. Some of the trees to be removed are dead. He feels that it would be an improvement to the property.

Councilor Burns Yes **Councilor LaRoche** No **Councilor Garratt** No

Councilor Garratt moved to approve Ken Gibson’s right of way request with the modification that he be required at his own expense to reasonably replant trees of a similar kind to either side of the driveway to replace those removed with Councilor LaRoche as second. *Motion carried 3-0.*

Discussion: None.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Garratt** Yes

Councilor Burns moved to approve the right of way for Brian Munford with Councilor Garratt as second. *Motion carried 3-0.*

Discussion: Councilor Garratt confirmed Mr. Munford wants to put in a temporary pen to house dog, which will infringe on the city street. In the past the council has accepted similar requests. The pen will be removable at the request of the city.

Councilor LaRoche asks why he cannot put the pen on his own property. Councilor Burns reported there is not room for the temporary pen on Mr. Munford’s property and it is already in place. The neighbors are not concerned.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Garratt** Yes

Councilor Burns moved to deny Kristin Howard’s right of way request with Councilor LaRoche as second. *Motion carried 3-0.* Right of way request is denied.

Discussion: Councilor LaRoche reported it appears to have been denied by public works. Councilor Garratt supports the idea of doing beautification of the city streets and commends Kristin Howard for the interest in making the property and the city streets look nice; however, he is not in favor of approving the right of way simply because the city administration and public works believe it will interfere in the functionality of the city. Councilor Burns agrees that since public works worries the chosen plants could cause roots to be invasive into the city's water lines, he is concerned. Councilors agree that the adjoining property owner should be contacted for permission before anything is done on their property.

Councilor Burns Yes *Councilor LaRoche* Yes *Councilor Garratt* Yes

e. Seasonal Gas Tax Discussion:

Councilor Garratt suggested a seasonal gas tax that would apply six months out of the year during the traveling season. During those months, a two-cent tax is proposed. Other jurisdictions have between two and four cent seasonal gas taxes. Councilor Garratt proposed the revenue be dedicated for percentages to go into different budgets rather than a general fund. He proposed road repair, sidewalk additions and maintenance. Travel months definition is discussed. Councilor Garratt proposed April 15 and subsequent six months. Councilor LaRoche suggested the fishing area be taxed due to the fishing industry's use of fuel through November. CA Richards will research and advise councilors if this can get on the ballot in November. David Johnson believes August 5 is the deadline. He suggested the Street Capital Improvement Fund for the revenue. The marijuana tax will be on the ballot this year also. Councilor Burns suggested a workshop to address variances. He suggested putting this out to the public to see the reaction. Attorney Kudlac reminded council that there are ballot titles, etc. that will have to be approved by council before putting this on the ballot. Councilors will have to discuss whether this will involve cardlock and the port. Travelers use cardlock fuel. Mayor Pogwizd will contact the port to determine their retail.

Councilors will schedule a workshop for Monday, June 29 at 5:00 p.m. to decide on verbiage, and make detailed decisions. Attorney Kudlac will draft a title and some verbiage prior to the workshop.

9. Considerations

a. Citizen

Teresa Kolibaba of Port Orford suggested the plants involved in the right of way for Kristin Howard and the replanting on Ken Gibson's right of way come from a certified nursery and are not from southern Oregon or northern California because of oak root fungus. Ms. Kolibaba speaks on the sign for the Arts Council District. She feels Councilor Burns should not have voted due to a conflict of interest being on the Arts Council, which invalidates his vote. She states there are about 30 businesses between Deady and 9th Street and only four or five that are art related. She feels the Arts District sign is ridiculous.

Chris Hawthorne of Port Orford requested a burn permit. He would like it available for use when the weather is conducive to burning. The burn will be on his property on the lake. He will call the fire dispatch prior to the burn and inform them of the controlled burn. His burns have been inspected favorably in the past. Mr. Hawthorne agreed to inform the neighbors prior to burning. Councilor Garratt suggested he is allowed to burn before the next council meeting or until the Coos FPA changes the fire status. The current burn ordinance allows a 48-hour permit. Due to windy conditions, 48 hours is not often sufficient for safe burning.

Councilor Garratt moved to approve Chris Hawthorne's burn permit to burn until July 23 or until Coos FPA changes their fire danger level above low with Councilor Burns as second. ***Motion passed 3-0.***

Discussion: Councilor LaRoche asks if those who wants a burn permit be allowed to call the office, the office prepare the permit, and the office allows citizens to pick up their permits at a pre-chosen location. David Johnson agrees they can fill out the application, put the money in the box, and the burn permit can be placed outside.

Councilor Burns Yes ***Councilor LaRoche*** Yes ***Councilor Garratt*** Yes

Chris Hawthorne advised he is unable to get city services to lots 800 and 1300 at south end of the city. He requests those lots be put back into the county and out of the city. Attorney Kudlac advised it is a process to change the city boundary in coordination with the county. Mayor Pogwizd called on Mr. Lawton to speak on his experience. Mr. Lawton stated it is a complicated planning commission issue. Mr. Hawthorne reported he cannot get city sewer or city water even though the city water runs through the property. The city has allowed people outside the city limits to get sewer and water, and as a result there is not enough water or sewer availability for people inside the city. Mr. Hawthorne is paying city taxes on the property and his neighbors are not, but the neighbors get the city services and Mr. Hawthorne does not. CA Richards asks if this is a 2-inch line and asks how many houses are on it. Mr. Hawthorne guessed that there are 4 houses on it plus a resort. The resort is not in the city limits. There is also a motel, but it is unknown if the motel is on the water but is on the sewer. CA Richards states the line is too small to accommodate. The city would have to upgrade to a larger diameter waterline. CA Richards will confirm the line size. Attorney Kudlac will look into the de-annexation process.

b. Staff

CA Richards asked for clarification on time limitations for burn permits in the immediate future. Councilor Garratt reiterated the timeline for Chris Hawthorne was July 23 or until Coos FPA changes their fire danger level above low, which ever came soonest. Councilor Garratt feels this is a special circumstance outside of standard permits for Chris Hawthorne since he has an extensively large piece of woodland property that requires continuous clearing and cleaning for fire safety. Mayor Pogwizd suggested changing burning permit verbiage at a later meeting. Councilor Garratt suggested adding the need to modify the permit process to the upcoming workshop. Mayor Pogwizd and councilors agree to add burn permits to the next workshop. David Johnson asked CA Richards to

have Patty put packets for applications for burn permits for citizens to pick up. Citizens can fill them out and ring the buzzer for approval and payment.

CA Richards and councilors expressed appreciation to David Johnson for taking time away from his vacation for this meeting.

Councilor Garratt expressed his appreciation for the police department for interacting with people's feelings and opinions regarding COVID-19. He advised Chief Hobart that there were locals speeding through town at 60 to 70 MPH Tuesday evening at about 8:30.

c. Councilors

Councilor Burns asked that county dispatch be notified on all burn permit uses. Councilor Burns is ready to address the emergency response ordinance and suggests a workshop. Councilor Burns is concerned about the grit system. Mayor Pogwizd advised it is in the budget, which starts July 1. Mayor Pogwizd stated council needs to make a decision about the engineer prior to starting the project. The engineer RFP will also be discussed at the workshop on the 29th.

Councilor Garratt pointed out that the loss of councilors may not provide a good liaison status. He is willing to take on more liaison if needed.

d. Mayor

Mayor Pogwizd encouraged councilors to enjoy the good weather outdoors.

9. Future Meetings:

Workshop Monday, June 29 at 5:00 p.m.

Thursday, July 16, 2020 Regular Meeting of the Common Council at 3:30 p.m. held virtually via the same link as today.

10. Adjourned

There being no further business, Mayor Pogwizd adjourned the meeting at 5:08 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards

City of Port Orford
City Council Workshop Minutes
In the Gable Chambers
Monday, June 29, 2020 at 5:00 P.M.

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

Media Present:

Others Present:

1. Call to Order

Mayor Pogwizd called to order this Workshop of the Common Council on Monday, June 29, 2020 at 5:06 p.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon.

2. Agenda

a. Seasonal Gas Tax

Two cents per gallon was previously discussed and again reviewed. Councilors discuss whether residents will approve two cents for six months out of the year. Councilor Garratt feels it should be written for a road and vehicle fuel station excluding the port fuel station. Fuel goes into boats; however, they are not road taxable. Gas taxes can only be used for repair of roadways and construction of roadways, etc. Ms. Kudlac reports the model code from League of Oregon Cities defines motor vehicle as “all vehicles, engines or machines, moveable or immovable operated or propelled by the use of motor vehicle fuel.” She feels that if the Port is excluded and the Port then sells to citizens, Chevron has a valid complaint that the city is causing loss of Chevron customers. Councilor Cox stated this ordinance is to try and capture tax from tourism for six months and asks why card locks and the local port would be taxed. Ms. Kudlac advised that card locks and the Port would have to be excused in the definition. Travelers also have card locks. Councilor LaRoche feels there is not enough time to educate the citizens. Mayor Pogwizd advised there will be Town Hall meetings through October. Councilor Burns can post information via flyers, vendors and Facebook, etc. If the measure fails, it can be introduced the next year. Councilor Cox agrees it will be a tough sell in three months.

Mayor Pogwizd asks for consensus from council for adding the Seasonal Gas Tax to the City Council agenda.

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

Discussion: Mayor Pogwizd agrees to put the Seasonal Gas Tax on the agenda next month but does not feel more time should be spent on the topic at this meeting. Councilors agree with the amount of two cents per gallon. Councilors agree with the tax in effect the months of May, June, July, August September, and October. Councilors agree to include diesel and not include propane. Councilors agree to exclude the Port. ODOT can inform the amount of fuel usage from the local stations. CA Richards will contact ODOT.

b. Burn Permit Time Limit.

The current burn permit is a two-day permit. Due to wind conditions, Mayor Pogwizd recommends extending the permit to one week. Councilor Garratt would like a better list of burn stipulations such as wind advisories determining date choice and extension if the permit could not be used during the week due to wind conditions. Councilor Garratt stated the fire department is in support of city ordinances but will issue tickets if not in compliance with a permit. The fire department would be willing to do inspections on fire permits when applications are received for a small fee if the city is interested. Permit inspections will be added to the council agenda. Councilors agree the ordinance should include the permit holder contact and inform Fire Station 2 when a permit will be used.

c. Engineer RFP

Dyer engineering has been the city's engineer record for approximately ten years. CA Richards researched surrounding cities from Reedsport to Brookings. Dyer was number one on the list for everybody. Coos Bay has six to eight engineers they use depending on the project due to engineer expertise. Agate Beach uses Civil West. Closing of RFP is July 15. No RFPs received to date. CA Richards reported the benefit of having an engineer on record is to decrease time consumption in the future when an engineer is needed. Councilors accept Dyer; however, communication with Dyer needs to improve. Communication was lacking with Dyer over the contact tank.

9. Future Meetings:

Thursday, July 16, 2020 Regular Meeting of the Common Council at 3:30 p.m. held virtually via the same link as today.

10. Adjourned

There being no further business, Mayor Pogwizd adjourned the workshop at 5:54 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards

City of Port Orford
City Council Meeting Minutes
In the Gable Chambers
Thursday, July 16, 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>Vacant</i>		<i>Police Chief Hobart</i>	X
<i>James Garratt</i>	Excused		
<i>Carolyn LaRoche</i>	X		

Media Present:

Others Present:

1. Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council on Thursday, July 16, 2020 at 3:31 a.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon. Mayor Pogwizd announced that Councilor Garratt is excused due to inability to connect via internet from his current location.

2. Additions to the Agenda: None.

3. Presentation to the Council/Citizens: Eric Hill with Neighborworks Umpqua reports that Summer Matteson wanted to speak with council on the intergovernmental agreement that they have asked the city to sign for the Community Development Block grant application for Gold Beach. Gold Beach will be leading the application with their assistance. Neighborworks Umpqua is requesting that the City of Port Orford also sponsor via only their signature saying that they would like Neighborworks to contribute to Port Orford as well.

Summer Matteson, Regional Housing Rehabilitation connected for her presentation. Mayor Pogwizd expressed his appreciation for the PPE mask that Summer made available to Port Orford. The PPEs have been delivered to the Port. The city is using some for backup. All businesses that requested the masks did receive them.

Summer Matteson reports that COVID-19 has moved the city administrators and herself to work closer together and streamline efforts that benefit Curry County and communities in the county. She reports that 10 days ago they had a City Council meeting in Gold Beach, and Gold Beach did sign up to be the lead for the CDBG grant with Neighborworks Umpqua. The grant is for housing rehab. The county took on a CDBG grant as the signer in about 2014. They were able to help about 52 homeowners rehab and streamline for energy efficiency, et.al. insulation, window replacement, roofs, etc. The grant serves mostly low to

medium wage income. One-hundred thousand of the five-hundred thousand goes specifically to manufactured homes. Often people who are in manufactured homes do not own the property. The grant was a huge success previously. Having Port Orford and the county sign on means they can provide these services to homeowners' county wide. The City of Port Orford would be at the same level of commitment that the county is, signing the IGA, confirming that they would like to see those services come to their citizens and homeowners. The city of Gold Beach is going to be the lead. They will handle the day-to-day documentation, the 504's and the requirements of the grant with Neighborworks Umpqua. If Port Orford declines this opportunity Regional Housing Rehabilitation will ask Brookings, but their preference is Port Orford.

Councilor Cox moved to agree to allow Terrie to sign the agreement to join the program to assist lower to midrange income citizens possibly receive grant moneys to help with repairs to their homes with Councilor Burns as second. *Motion carried 3-0.*

Discussion: It is clarified there is no financial obligation or commitment.

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** Yes

4. Consent Calendar – Not available.

5. Citizen Concerns:

Teresa Kolibaba speaks on the right of way on 16th for plantar boxes. She asks why the person cannot put the plantar boxes on their own property. Ms. Kolibaba speaks regarding the marijuana tax stating she feels it is ironic that Buddha tried to give money to the city, to the school and they refused it and now are willing to take his money out of tax. Teresa speaks on the seasonal fuel tax stating it is going to be seasonal now, but will it become year around later. She speaks on the budget identifying a volunteer worker's insurance that is \$1700 a month. She wonders what that is for.

6. Departmental Reports:

City Administrator: Councilor Cox comments on the valve at the impound. He asks if anybody has tried to just turn the valve. It has a broken handle, which indicates they may have been turning it the wrong direction and snapped the handle off. CA Richards will research. Mr. Johnson reports the valve is in the budget. CA Richards will confirm dredging schedule.

Councilor Burns asked about the "No Overnight Parking" sign at Battle Rock. CA Richards informed it was suggested by an officer. The sign currently states, "No Overnight Camping." People are parking in their cars overnight and sleeping. Police Officers need a No Overnight Camping sign for enforcement. Councilors agree that CA Richards can proceed with the sign purchase.

Councilor Burns asked about cost for well drilling at the shop yard. CA Richards agreed to research cost. Councilor LaRoche suggested contacting the watershed, as they have previously discussed this issue.

Councilor Burns reported a citizen asked for a zone amendment to remove livestock out of R1. CA Richards stated City Council is aware. Resident will speak at Citizens Considerations during a meeting.

Mayor Pogwizd asked CA Richards regarding going to bid on the contact tank. He would like to see the overtime under control and cease callouts for public works. CA Richards stated the finalization on the packet will be done next week and going out to bid the end of next week or the following week. Councilor Cox advised that the contact tank was separate from the overtime. The overtime was the telemetry and PLC, and those have been fixed. Mayor Pogwizd stated they had to slow down the water production and they are trying to increase the production now. He is hoping the contact time will help resolve the overtime issue. David Johnson stated the PLC has not made a difference in the overtime. This will require research.

May Pogwizd reported there are applicants for public works. CA Richards confirmed there are two for the maintenance position and definitely one, probably two for the public works superintendent position.

Financial Director: None.

Councilors: Councilor Cox reports the Port is trying to get a project manager. Councilor Burns has agreed to liaison the Parks Department. Councilor Burns would like a workshop regarding emergency response to discuss details of the plan to generate a group of people to be involved in and coordinate community response. He was informed there are seven concrete water vaults now unused. He would like those researched for emergency supply caches. Mayor Pogwizd will try to set up an August workshop.

7. Old Business

A. Burning Permit: Extending burn permit from two days to perhaps one week.

Councilor Cox moved to change the wording of the fire permit requirements in section 8.08.020, section A, from verbiage of “after obtaining a permit authorized by City Hall valid for 48 hours” to verbiage of “after obtaining a permit authorized by City Hall valid for seven business days” with Councilor Burns as second.

Discussion: Councilor Cox reported that with the winds in Port Orford this will give the citizens an opportunity to be safer. Mayor Pogwizd reminded council that the motion should include notifying the fire department before burning.

Councilor Cox rescinded his original motion with Councilor Burns rescinding his second.

Councilor Cox moved to change the wording of the fire permit requirements in section 8.08.020, section A from verbiage of “after obtaining a permit authorized by City Hall valid for 48 hours” to verbiage of “after obtaining a permit authorized by City Hall valid for seven business days” and to include verbiage for the permit holder to contact dispatch prior to beginning the burn with Councilor Burns as a second.

Discussion: None. **Motion carried 3-0.**

Councilor Burns Yes **Councilor LaRoche** Yes **Councilor Cox** Yes

B. Final Approval for Engineer of Record: CA Richards reported receiving one packet in response to her RFP request from Civil West Engineers who have been trying to get business from Port Orford for a while. They have assisted with the fish screen at the impound and some with the Deady Street issue. Two engineers can be considered. There is an agreement in place with Dyer Partnership for the contact tank.

Councilor Burns moved to approve Dyer Partnership and Civil West Engineers as Port Orford's Engineer of Record with Councilor LaRoche as second. *Motion carried 3-0.*
Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

C. Seasonal Fuel Tax: Fuel tax May through October for road and sidewalk repair. Two cents per gallon is favored. Councilor Cox suggested tabling this until Councilor Garratt is in attendance and council has time to sell the idea to the citizens. CA Richards suggested discussing no later than January.

Councilor Cox moved to table the Seasonal Fuel Tax until December with Councilor Burns as second. *Motion carried 3-0.*
Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

D: TLT Grant Approvals: This is to approve the second round of TLT grants.

Councilor Burns moved to approve the TLT additions with Councilor Cox as second. *Motion carried 3-0.*

Discussion: Historically, TLT provides grants for beautification. They added businesses into the group; however, an organization can do an in-kind match and a business is required a 100 percent cash match, for instance if they are approved for 1000 dollars from TLT they have to provide 1000 dollars of their own money for the project. CA Richards clarifies that council is asked to approve what the TLT committee already approved; 1) Tasty Kate wants to improve/rehab the corner property for 700 dollars. 2) Battle Rock Communications requested 600 dollars to help create a Jammin' Salmon suit. 3) Main Street's project to continue beautification on the north end of Highway 101 is a total cost of 4,500 dollars. They requested 2,200 dollars. The TLT committee approved 2,159 dollars. The project includes a Mural on the side of Salty Dog's building which is at the cost of 1,500 dollars. Salty Dog is paying 500 dollars of that cost. Council questions if the Salty Dog should have to pay half of the mural cost. The mural is for the beautification of the north end of town, and the building is convenient. There is no assurance that the building will not change hands and the mural will not be painted over. Councilor Cox would like this subject tabled to provide council time to review. Councilor Cox would like their projects addressed separately. Councilor LaRoche would like a presentation to council.

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

Councilor Burns moved to accept the Tasty Kate project with Councilor Cox as second.

Motion carried 3-0.

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

Councilor Burns moved to accept the two Main Street projects to not include the 1,000 dollars for the mural pending a presentation on the mural with Councilor LaRoche as second. **Motion carried 3-0.**

Discussion: CA Richards will ask TLT for the presentation on the mural.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

8. New Business:

A: Approve Application to the Marine Board for Pinehurst Boat Ramp/Kayak

Launch/Restroom: A mechanism to help people get in and out of kayaks at a lake has been offered. The Marine Board does not want it attached to the 12th Street boat ramp since it is already to capacity. They want it at the Pinehurst boat ramp; however, there is just a dirt path to the water without a dock. Karen Auburn has agreed to write a grant to the Marine Board for a boat ramp, kayak launch and restroom. They are asking City Council to approve them to write that grant.

Councilor Burns moved to allow writing of the grant with Councilor LaRoche as second.

Motion carried 3-0.

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

B: Planning Commission Appointment – Kim Nye – Pamela Berndt – Jeanne Jezuit:

Pamela Berndt and Jeanne Jezuit are in attendance. Jeanne Jezuit introduced her extensive local government experience as a commissioner of Parks and Recreation in a 3,500-park district. She was on numerous committees. She has been in Port Orford six years and would like to be part of the process of keeping the best of what is here and planning for the future making sure the city is moving forward with a planning program instead of what is already there. Pamela Berndt introduced herself as a resident of Port Orford for 15 years. She loves the community and would love to be on a team that helps to plan for the future as well as current issues that come up. She works part time for Wild Rivers Land Trust essentially preserving the local wilderness. She loves the outdoors.

Councilor Cox moved to appoint Pamela Berndt and Jeanne Jezuit to the planning commission with Councilor LaRoche as second. **Motion carried 3-0.**

Discussion: None.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

C. Right of Way request – 16th Street:

Councilor Burns moved to approve the right of way request from Kristin Howard with Councilor Cox as second. *Motion carried 3-0.*

Discussion: Kristin Howard is in attendance. She explains to Councilor LaRoche the beautification project is for the right-of-way area and not her property. The area has a slope, then a ditch and then flattens out to the right of way.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

D. City Website – Updating to a newer more user friendly/mobile site: Denning Print, LLC is the current webmaster. CA Richards read information from Denning Print who advised that the way the current website is set up is antiquated, which is not good for search engine optimization, it is not easy to change even the smallest detail and can never be mobile friendly. The pages are set up with HTML table code, which is considered obsolete when used to format an entire site. By switching to CMS Word Press the site will be mobile friendly with easily crawlable pages that result in good SEO and would be simple and quick to update information as needed. Additionally, the site would be entirely secure. It would be safe to have fillable forms, downloads, picture slides, imbedded media files such as videos, etc. CA Richards reported this came up due to COVID-19 implemented changes, a lot of forms need to be accessible other than in-person office visits. The current website cannot accommodate the forms. David Johnson confirms there are funds under improvements for City Hall that would work to fund the website.

Councilor Cox moved to approve the \$375 dollar expenditure to Denning Print for website upgrade with Councilor Burns as second. *Motion carried 3-0.*

Discussion: The hourly rate of having to amend the current website will likely out-cost the cost of website improvement.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

E. Resolution 2021-01 and 2021-02, Marijuana Tax – Should the Council send a 3% revenue tax to the voters. This has to be approved today to meet the timeline.

Councilor Cox moved to approve resolutions 2021-01 and 2021-02 to put the marijuana tax on the ballot with Councilor Burns as second. *Motion carried 3-0.*

Discussion: David Johnson reminded Council that funds from the tax were originally mandated for the police safety but later asked to be put in the general fund. Councilor Burns suggested the funds be put in Emergency Management. David Johnson advised the General Fund is an option in case Emergency Management goes away in the future.

Councilor Burns Yes Councilor LaRoche Yes Councilor Cox Yes

9. Considerations

a. Citizen

Teresa Kolibaba of Port Orford reported that she knows of a couple citizens that tried to apply for the city maintenance job and were told there was no such position open and the city refused to give them an application. Ms. Kolibaba asked if Neighborwork Umpqua

was giving PPEs to businesses or were they selling them to businesses. Gold Beach Lumber was selling PPEs for 20 dollars a pack. Ms. Kolibaba stated there were no porta-potties at the park over the 4th of July weekend and people were on the beach defecating. Ms. Kolibaba feels a good impression to the citizens would be for Main Street to give all the businesses money for paint so businesses could be painted colorfully rather than blue, gray and brown.

b. Staff

Legal Counsel Kudlac stated there needs to be an executive session at the next meeting. This will need to be done virtually. She asked for help arranging the meeting. Councilor Cox suggested going back to council chambers with social distancing and masks. David Johnson reminded new guidelines allow 10 in attendance. He can set up a secure meeting using GoTo Meeting through their locked secure source. The executive meeting will be at the beginning of the next council meeting.

c. Councilor

Councilors announce their appreciation to Chief Hobart and staff for being on the front line during this pandemic and dealing with the personalities.

d. Mayor

Mayor Pogwizd encouraged councilors to continue with GoTo Meetings due to rising cases of COVID-19.

9. Future Meetings:

Thursday, August 20, 2020 Regular Meeting of the Common Council at 3:30 p.m. held virtually via the same link as today.

10. Adjourned

There being no further business, Mayor Pogwizd adjourned the meeting at 5:16 p.m.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 08/20/20

CONTACT TANK PROJECT

The CCT tank is scheduled to advertise in the Daily Journal of Commerce August 5th, bid opening is scheduled for August 26th, which is a 3-week bid period. The Daily Journal Advertises every Monday, Wednesday, and Friday. The Bidding is scheduled to be online bidding with the Covid Pandemic, but if the City would prefer bid opening at City Hall, we can discuss that. With the online bidding, we will send results to you via internet and the Contractors check the results online. We have set the Contract Time for 210 days from the date of Notice to Proceed to Substantial Completion. This long timeframe is to accommodate the current lead-time of the tank, which was 15-17 weeks from date of approved submittals.

DREDGING

This project will be re-bid. Search for "As-builds" of Hubbard Creek pond area to help with dredging found and sent.

GATE VALVE/HUBBARD CREEK

Councilor Cox suggested seeing how much of the valve stem was left after breaking. Councilor Burns attempted to get a diver to in to answer Councilor Cox's question. Issue with the gate key and unable to complete the investigation.

PARKS

- ⊗ Pinehurst Kayak and Paddle Launch-we have an opportunity to create a new recreational stopping point in PO with the help of the marine board and others. Request council to approve going forward with a grant.
- ⊗ The Coquille Tribe worked on preserving the gravesites on Battle Rock only to have it vandalized. The damage was reported to the State Police.

OTHER

- ◆ Does the city want to purchase the Speed Feedback signs (2) to be place on the North and South end of town? The cost is 16,000, ODOT would share the cost bring the cost to 8,000 to the city.
- ◆ Union Contract discussion started June 25, 2020.
- ◆ Sewer NPDES Permit is up for renewal – this requires the engineer's assistance.
- ◆ Grit System – the task order is before the council for approval this meeting.
- ◆ Received 2 applications for the public works superintendent and 3 applications for the public works maintenance. Interviews scheduled for the week of the 24th
- ◆ Drilling Wells – attached is the cost estimate and explanation given to the Watershed Council for drilling wells in PO. I spoke with Bandon Well and Pump, they do not believe Hubbard Creek and the City Shop are going to be good producing wells. They are going off of data from the surrounding areas in both locations. It is a mystery why the well at Buffington Park was capped off, it produced 60 gallons a minute.
- ★ Unaccounted for Water for July 2020 = 29.1% (Previous mo. 40.1%)

Wastewater treatment report 8/12/2020

- Deq is now requiring dms to be submitted electronically.
 - Ongoing grease removal from lift stations.
 - Ammonia removal efficiency is 95%.
 - Investigated call about back up on Coast guard hill. Our stuff is flowing properly.
 - Sealing of wood products with Thompsons water seal to insure longer life of equipment.
 - Pressure washing of equipment.
 - O and M on plant equipment.
 - Lots of weed eating and mowing.
-
- Need to replace grit system because it is a high priority piece of equipment. The grit system removes grit, sand, wipes and garbage that is flushed. Without this removal it is all accumulating in the bottom of the anoxic and aerobic zones. This will dramatically reduce the life of the plant. Contacted Meunier about the grit system to answer questions about life expectancy about machine, they are in the process of finding answers.

Questions

Idaho lift station has I and I issues in the barrel. Should I look for a group to fix it?

There is a flow splitter feeding Wyoming lift station that is plugging regularly. Can we plan to have that cut off?

Bandon Well & Septic Company, Inc. dba

BANDON WELL & PUMP COMPANY



JAMES A. MACK, SR. - MGWC
Master Ground Water Contractor
Telephone: (541)-347-7867

47530 Hwy 101
Bandon OR 97411

*"From the Bottom of Your Well,
to the Bottom of Your Glass...
Complete Service of Water Systems"*

Thank you for expressing an interest in our services. To accept the attached proposal, please return one signed copy, along with the down payment to our office. You may keep the other copy for your records. If you are signing a faxed copy, or faxing back the original, please mail the original signed copy at your earliest convenience. We must have the **original** signed copy for our records.

If there are highlighted areas on the proposal, or any corrections to be made please complete any missing information and/or note corrections. This will aid us in processing the required forms for the State of Oregon (if applicable).

Upon our receipt of one **COMPLETED** and **SIGNED PROPOSAL COPY**, the **SIGNED INFORMATION NOTICE**; and your down payment, we will schedule your work to be done.

If you have any questions, please call us to discuss your concerns.

Thank you again for this opportunity. We look forward to working with you in the near future.

Sincerely,

Jim Mack, Sr.

James A. Mack, Sr.
Nationally Certified Master Ground Water Contractor

License #1493, #10111, #422-CPI, #521-WTI & CCB #102359

⊕ Pumps: Submersible, Jet, Centrifugal ⊕ Tanks: Pressure, Holding, Contact ⊕ Irrigation Systems
⊕ Treatment & Purification Systems ⊕ Sales, Installation, & Service ⊕ Water Testing

BANDON WELL & PUMP COMPANY
 47530 Hwy 101
 Bandon OR 97411-8233

"One Call Does It All"

(541) 347-7867 FAX: (541) 347-9678

Terrie Richards
 City Of Port Orford
 555 20th Street
 Port Orford, OR 97465
 (541)621-6613

CUSTOMER COPY

PROPOSAL

Actual work dictates actual total cost.

DATE 9/13/2019

Legal Description:	33S15W5NWN~1800	Quote valid 10 days from above date.	
Property Location:	Production Well		
QUANTITY	DESCRIPTION OF WORK REQUESTED	PRICE	TOTAL
1	START CARD FEE (\$225.00 Start Card & \$25.00 Handling)	250.00	250.00
1	MOBILIZATION & DEMOBILIZATION	350.00	350.00
100	6 INCH DRILLING	20.00	2,000.00
0	5 INCH PVC CASING	0.00	0.00
20	6 INCH STEEL CASING	23.00	460.00
0	6 INCH STAINLESS STEEL SCREEN	0.00	0.00
0	12/20 SAND SACK	0.00	0.00
20	BENTONITE GROUT	11.00	220.00
2	GROUTING WELL	150.00	300.00
0	PUMP TEST	0.00	0.00
6	SAND ANALYSIS	75.00	450.00
0	DEVELOPING WELL	0.00	0.00
0	HOLDING TIME	250.00	0.00
			4,030.00
Drill 6 inch diameter hole. If sufficient water is not reached at the first agreed depth, Drilling Contractor will extend to a newly agreed depth for the same drilling rate as shown above. Price quotes are available on water system (pumps, tanks, etc.) / filtration system, upon well construction completion, once water flow (if any) and quality are determined.			
PROPERTY OWNER MUST SIGN AND/OR AUTHORIZE DRILLING ON PROPERTY		TOTAL	\$4,030.00

\$ 2015.00 = 50 % DEPOSIT.

We accept cash, check, VISA/MC.

TERMS: All open accounts will incur a one time \$15.00 credit handling fee. A 2% MONTHLY FINANCE CHARGE (24% ANNUAL PERCENTAGE RATE) will be charged on accounts not paid within 10 days. Minimum Finance Charge of \$2.50 per month.

In case suit or action is commenced to recover the amount due and signed for hereunder, the company/person promises to pay the cost of such reasonable costs as the court may adjudge as and for attorneys' fees and other costs and disbursements.

Consumer Notification Form received & I agree to the terms above & on the reverse side & hereby affix my signature:

Property Owner Customer Signature & Date

Additional Terms on Reverse Side.

(OVER)

BANDON WELL & PUMP COMPANY
 47530 Hwy 101
 Bandon OR 97411-8233

"One Call Does It All"

(541) 347-7867 FAX: (541) 347-9678

Terrie Richards
 City Of Port Orford
 555 20th Street
 Port Orford, OR 97465
 (541)621-6613

CUSTOMER COPY

PROPOSAL

Actual work dictates actual total cost.

DATE 9/13/2019

Quote valid 10 days from above date.

Legal Description:	33S15W5NWNE~1800		
Property Location:			
QUANTITY	DESCRIPTION OF WORK REQUESTED	PRICE	TOTAL
1	MOBILIZATION & DEMOBILIZATION	650.00	650.00
100	12 1/4" DRILLING	40.00	4,000.00
80	8 INCH PVC CASING	16.00	1,280.00
5	10 INCH STEEL PROTECTIVE CASING	40.00	200.00
20	8 INCH STAINLESS STEEL SCREEN	210.00	4,200.00
75	6/9 SAND SACK	26.00	1,950.00
50	BENTONITE GROUT	11.00	550.00
4	GROUTING WELL	150.00	600.00
6	PUMP TEST	150.00	900.00
0	SAND ANALYSIS	0.00	0.00
16	DEVELOPING WELL	175.00	2,800.00
0	HOLDING TIME	250.00	0.00
			17,130.00
	Drill 12 1/4 inch diameter hole. If sufficient water is not reached at the first agreed depth, Drilling Contractor will extend to a newly agreed depth for the same drilling rate as shown above.		
	Price quotes are available on water system (pumps, tanks, etc.) / filtration system, upon well construction completion, once water flow (if any) and quality are determined.		
	FREIGHT +/-	300.00	300.00
PROPERTY OWNER MUST SIGN AND/OR AUTHORIZE DRILLING ON PROPERTY		TOTAL	\$17,430.00

\$ 8715.00 = 50 % DEPOSIT.

We accept cash, check, VISA/MC.

TERMS: All open accounts will incur a one time \$15.00 credit handling fee. A 2% MONTHLY FINANCE CHARGE (24% ANNUAL PERCENTAGE RATE) will be charged on accounts not paid within 10 days. Minimum Finance Charge of \$2.50 per month.

In case suit or action is commenced to recover the amount due and signed for hereunder, the company/person promises to pay the cost of such reasonable costs as the court may adjudge as and for attorneys' fees and other costs and disbursements.

Consumer Notification Form received & I agree to the terms above & on the reverse side & hereby affix my signature:

Property Owner Customer Signature & Date

Additional Terms on Reverse Side.

(OVER)

Terrie Richards

Subject: FW: It's Jubata Time!
Attachments: JubataGrassProfile.pdf

From: Erin Minster, **Sent:** Friday, August 14, 2020 10:03 AM, **Subject:** It's Jubata Time!

Hello Everyone,

This is a friendly reminder that now is the time to take care of jubata grass (aka pampas grass). Jubata grass is a fire hazard, can harbor pests such as rats, and can damage sidewalks and foundations. We will be beginning treatment across Curry County next week, but can't do it all so we need your help. Remember it is everyone's responsibility to help control noxious weeds. Spread the word, not the seeds!

Plume Management:

This is the easiest way to help stop the spread. Cut the plumes and either turn them over and jam back down into the main plant or double bag and landfill. Seeds of jubata grass are thought to only be viable for 6 months or so according to the literature. Unlike many other plants seeds germinate in the Fall usually around October once there has been some moisture. Last year October was pretty warm and we saw lots of sprouting in areas that we had treated in August. Prevention is the cheapest and most effective tool we have.

Herbicide Treatment:

The proper time to apply herbicide is during the "boot" phase which is when the plant puts up it's seed plumes. Like **right now!** If you need assistance with what and how please reach out so we can review your situation. For private landowners we may have funding to assist with treatment so please refer anyone looking for assistance to us. When using herbicides the label is the law. Treatment at the right time and the right way can greatly reduce how much herbicide is used thus saving time, money, and the environment.

Manual Treatment:

People often ask if they can dig up jubata plants. You can, but there are precautions to take and it is not easy. Once a plant gets over an inch or two at the base hand pulling is no longer an option. The plant will quickly grow past what can be done with a shovel, depending of course on how determined the operator is. After that you will need a piece of equipment. While jubata roots don't go real deep or far getting all of it matters. Any small fragment left behind can resprout. Then there is the plant mass itself which should always be flipped over and allowed to dry before disposing. Large root balls can survive and the plant will try it's best to use any remaining energy to put up plumes. The disturbed soil is also a prime location for seeds to germinate so covering the disturbance with grass seed or mulch is recommended. Also, if you've never touched one know that the leaves are super sharp. They can leave a nasty slice so take care to wear you PPE. You may also be in a culturally sensitive area so a different approach may be appropriate. Remember, always call in a utility locate before digging.

Please feel free to share this information. If you have questions let me know.

Best,
Erin

Erin Minster | Technical Coordinator

Curry Soil & Water Conservation District, Curry Watersheds Partnership
29692 Ellensburg Avenue, PO Box 666, Gold Beach, OR 97444
C: 541-373-7002 O: 541-247-2755 ext3 www.currywatersheds.org

"B" Rated Weeds

A weed of economic importance which is regionally abundant,
but may have limited distribution in some counties

Jubata grass
Cortaderia jubata

Other common names: Pampas grass, Andes grass,
Selloa pampas grass, cortaderia, pink pampas grass,

USDA symbol: COJU2
ODA rating: B



Introduction: Jubata grass is native to northern Argentina and the Andes of Bolivia, Peru, Chile, and Ecuador. In its native range, it can be found from sea level to elevations greater than 11,000 feet. It was first cultivated in France and Ireland from seed collected in Ecuador. This robust grass is highly invasive in Northern California.

Distribution in Oregon: Escaped jubata grass occurs in most southwestern Oregon counties on disturbed ditch banks, road cuts, cliff-sides and logged areas. It is less common on the northern Oregon coastline.

Description: Jubata grass is a perennial grass ranging 6 to 10 feet tall. Plants have long leaves arising from a tufted base or tussock. The flower cluster is a plumed panicle at the end of a very long stem. Stems generally are at least twice as long as the tussock. Plumes consist of hairy female flowers, deep violet when immature, turning pinkish or tawny cream-white at maturity. Jubata grass is easily confused with pampas grass, *Cortaderia selloana*. The two species are distinguished by stem height, leaf, plume, and spikelet color, florets, leaf tip, and presence of viable seed. The tussocks of jubata grass are less erect and more spreading and not fountain-like, when compared to tussocks of pampas grass.

Impacts: Jubata grass has the potential to greatly impact Oregon's coastal ecosystems. Escaped plants crowd out native vegetation and are very competitive in forestry operations. In clear cuts, jubata grass can out-compete seedling trees retarding their establishment and growth. It creates a fire hazard with an excessive build-up of dry leaves, leaf bases, and flowering stalks. Large clumps can complicate road access and fire management activities by blocking vehicles.

Biological controls: No approved biological control agents are available.



FINANCIAL REPORT

August 5, 2020

For the month of July, the total revenue and expenditures for all funds was \$156,940.83 and \$203,686.04 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:

The General fund received \$35,308.39 in revenue of which \$2,014.79 was from property tax receipts, \$20,179.30 from citations, \$95.57 from the State Cigarette Tax, \$2,004.10 in State Liquor Tax, \$279.63 in interest, \$411.00 for Business License, \$75.00 to release an impounded vehicle, \$2,912.00 in planning fees, \$7,197.00 reimbursement for equipment used to comply with social distancing regulations, and \$140.00 in court administrative fees. For the month of July, the General Fund disbursed \$48,048.53 of which \$13,964.29 was for wages, \$2,724.20 in citation assessments and reimbursements, \$16,729.16 for liability insurance, \$242.26 for custodial services, \$1,200.00 for legal services, \$2,348.32 for planning fees, \$977.24 for office supplies, \$300.00 for the municipal judge, \$449.01 in bank fees, \$78.89 for transcriptionist fees, \$142.42 payment for the copier lease, \$5,392.26 for dispatch services, \$1,628.15 in dues (\$1,013.15 annual membership to League of Oregon Cities, \$615.00 annual membership to Lane Council of Government) \$1,053.18 for two new computers, \$512.95 for electricity, \$206.22 for maintenance of City Hall, and \$99.98 for internet service.

Parks:

Parks received \$10,357.18 in revenue which consists of \$45.25 reimbursement for electricity, \$10,232.97 for the 2nd quarter TLT receipts, and \$78.96 in interest. For the month of July, \$14,588.41 was disbursed for Parks of which \$4,190.67 was for payroll, 1,377.10 for liability insurance, \$88.95 for fuel, \$384.99 for electricity, \$74.97 for internet, \$22.99 for minor equipment, \$7,141.00 in TLT Grant disbursements (Port Orford Library \$741.00, Port Orford Mainstreet Revitalization Association \$6,400), and \$1,307.74 for custodial services.

Public Safety:

\$46,437.52 was disbursed for the Police Department of which \$34,602.06 was for payroll, \$63.30 for office supplies, \$10,710.74 for PP&E insurance, \$661.58 for fuel, \$50.00 for Kings Online, \$53.00 for annual dues for the shooting range in Brooking, and \$296.84 for telephone service. Public Safety received \$1,776.81 in revenue of which \$1,615.37 was from property tax receipts, \$30.00 for insurance reports, and \$131.44 in interest.

Water Enterprise:

The Water Department received \$39,134.42 in revenue of which \$37,664.28 was from the June utility billing of which \$3,387.84 is designated to be set aside for Water Capital Reserves, \$1,338.00 for one new service connections, and \$132.14 in interest. The Water Enterprise Fund paid out \$43,939.80 of which \$28,703.22 was for payroll, \$492.82 for telephone services, \$229.12 for fuel, \$39.99 for internet service, \$2,674.07 for electricity, \$500.00 for contract services, \$8,925.62 for PP&E insurance, \$28.38 for maintenance of pump stations, \$7.59 for water line repairs, \$305.00 for training, \$1,500.00 for the annual water system survey, \$25.00 for software maintenance, \$9.98 for minor equipment, \$16.48 for vehicle maintenance, and \$482.53 for employment advertisement.

Water Capital Reserves:

The Water Capital Reserve Fund received \$170.91 in interest. The Water Capital Reserve Fund balance is now \$170,699.70.

Sewer Enterprise:

The Sewer Enterprise Fund received \$50,127.57 in cash receipts which consists of \$267.45 in interest, \$772.00 for one new service connection, \$240.00 from Elk River Fish Hatcher for water testing, and \$48,848.12 was from the June utility billing of which \$2,897.32 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for July was \$36,757.89 of which \$21,670.80 was for payroll, \$2,492.24 for electricity, \$25.00 for software maintenance, \$217.54 for telephone service, \$160.00 for training, \$237.68 for fuel, \$7,854.54 for PP&E insurance, \$28.49 for minor equipment, \$2,894.00 for the annual water quality permit, \$482.52 for a job posting, \$202.50 for engineering services, \$382.39 for lab supplies, and \$110.19 for internet service.

Sewer Capital Reserves:

The Sewer Capital Reserves received \$167.63 in interest. The Sewer Capital Reserve Fund balance is now \$167,427.82.

Street Fund:

For July the Street Fund received \$4,904.60 of which \$4,843.23 was from the State Highway tax, and \$61.37 in interest. \$13,913.89 was disbursed for Streets, of which \$6,310.70 was for wages, \$102.00 for the port-a-pott and \$29.94 for shop maintenance, \$125.50 for fuel, \$99.38 for electricity, \$5,406.37 for PP&E insurance, \$825.00 for street maintenance, and \$1,015.00 in preparations for paving of Port Orford Loop.

Streets Capital Improvement Fund

The Streets Capital Improvement Fund received \$74.09 in interest and the new balance is now \$73,997.83.

Equipment Replacement Fund:

The Equipment Replacement Fund received \$72.65 in interest. The balance of the Equipment Replacement Fund is \$74,225.84.

Water and Sewer SDC:

The Water SDC Fund received \$410.67 in interest and \$9,096.00 for one new connection. The Sewer SDC Fund received \$279.91 in interest and \$5,060.00 for one new connection for the month of July. The balances of the SDC funds are as follows:

Water SDC	\$419,295.92
Sewer SDC Reimbursement	\$257,594.00
Sewer SDC Improvement	\$ 27,040.25

David Johnson



City of Port Orford

Detail Report
Account Detail

Date Range: 07/01/2020 - 07/31/2020

Account	Name	Beginning Balance	Total Activity	Total Debits	Total Credits	Ending Balance
Fund: 030 - WATER ENTERPRISE FUND						
030-00-44109	Designated for Reserves	0.00	-3,387.84	0.00	3,387.84	-3,387.84
07/01/2020	UBPKT01373				3,386.78	-3,386.78
07/08/2020	UBPKT01379				0.29	-3,387.07
07/08/2020	UBPKT01381				0.77	-3,387.84
Total Fund: 030 - WATER ENTERPRISE FUND:		0.00	-3,387.84	0.00	3,387.84	-3,387.84

Detail Report

Date Range: 07/01/2020 - 07/31/2020

Account Name

Beginning Balance Total Activity Total Debits Total Credits Ending Balance

Fund: 035 - SEWER ENTERPRISE FUND

035-00-44115

Designated for Reserves

0.00 -2,897.32 0.00 2,897.32 -2,897.32

Post Date	Packet Number	Source Transaction	Description	Vendor	Project Account	Debits	Credits	Running Balance
07/01/2020	UBPKT01373	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01373				2,896.25	-2,896.25
07/08/2020	UBPKT01379	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01379			0.27		-2,896.52
07/08/2020	UBPKT01381	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01381			0.80		-2,897.32

Total Fund: 035 - SEWER ENTERPRISE FUND: 0.00 -2,897.32 0.00 2,897.32 -2,897.32

Grand Totals: 0.00 -6,285.16 0.00 6,285.16 -6,285.16



Bank Transaction Report

City of Port Orford

Transaction Detail

Issued Date Range: 07/01/2020 - 07/31/2020

Issued	Number	Description	Amount
Bank Draft			
07/02/2020	DFT0005705	AsiFlex	41.66
07/02/2020	DFT0005706	VOYA - Oregon Savings Growth Plan	307.50
07/02/2020	DFT0005707	PERS	757.27
07/02/2020	DFT0005708	PERS	815.24
07/02/2020	DFT0005709	PERS	1,717.34
07/02/2020	DFT0005710	PERS	1,288.75
07/02/2020	DFT0005711	PERS	510.00
07/02/2020	DFT0005712	PERS	2,664.71
07/02/2020	DFT0005713	Oregon Dept of Revenue	27.46
07/02/2020	DFT0005714	Oregon Dept of Revenue	22.66
07/02/2020	DFT0005715	Rogue Credit Union	805.52
07/02/2020	DFT0005716	Oregon Dept of Revenue	1,807.00
07/02/2020	DFT0005717	Rogue Credit Union	2,329.42
07/02/2020	DFT0005718	Rogue Credit Union	3,444.36
07/07/2020	DFT0005738	Oregon Dept of Revenue	0.40
07/07/2020	DFT0005739	PERS	95.90
07/07/2020	DFT0005740	Rogue Credit Union	61.88
07/10/2020	DFT0005743	June AsiFlex Admin Fee	3.75
07/20/2020	DFT0005724	AsiFlex	41.66
07/20/2020	DFT0005725	VOYA - Oregon Savings Growth Plan	307.50
07/20/2020	DFT0005726	PERS	805.67
07/20/2020	DFT0005727	PERS	822.81
07/20/2020	DFT0005728	PERS	1,780.54
07/20/2020	DFT0005729	PERS	1,298.79
07/20/2020	DFT0005730	PERS	588.22
07/20/2020	DFT0005731	PERS	2,762.82
07/20/2020	DFT0005732	Oregon Dept of Revenue	28.59
07/20/2020	DFT0005733	Oregon Dept of Revenue	23.04
07/20/2020	DFT0005734	Rogue Credit Union	838.20
07/20/2020	DFT0005735	Oregon Dept of Revenue	1,893.14
07/20/2020	DFT0005736	Rogue Credit Union	2,536.65
07/20/2020	DFT0005737	Rogue Credit Union	3,583.80
07/21/2020	DFT0005742	U.S. Bank Equipment Finance	142.42
Total Drafts			34,154.67
Check			
07/02/2020	15147	CIS-Health Insurance	12,462.39
07/02/2020	15148	Void Check	0.00
07/02/2020	15149	Void Check	0.00
07/02/2020	15150	Void Check	0.00
07/02/2020	15151	Teamsters Local U. #206	296.50
07/07/2020	15152	Bay Area Copier Company	275.73
07/07/2020	15153	Carson Oil Company	117.38
07/07/2020	15154	Coos-Curry Supply, Inc.	110.64
07/07/2020	15155	Curry County Sheriff	5,392.26
07/07/2020	15156	Gold Beach Lumber	101.39
07/07/2020	15157	Roto Rooter, A Waste Connection Co.	102.00

Issued	Number	Description	Amount
07/07/2020	15158	Shoji Planning, LLC	2,348.32
07/07/2020	15159	TransUnion Risk and Alternative Data Solutions, Inc.	50.00
07/07/2020	15160	Vend West Services	34.75
07/07/2020	15161	Charter Communications	300.16
07/07/2020	15162	Department of Environmental Quality	2,794.00
07/07/2020	15163	Department of Environmental Quality	100.00
07/07/2020	15164	Lane Council of Governments	615.00
07/07/2020	15165	League of Oregon Cities	1,013.15
07/07/2020	15166	Oregon Health Authority DWS	1,500.00
07/07/2020	15167	Ziplay Fiber	98.39
07/08/2020	15168	WILLIAM CARL JOHNSON	8.18
07/08/2020	15169	WAYNE MARKEL	77.56
07/17/2020	15170	Allstream	130.90
07/17/2020	15171	AT&T Mobility	296.84
07/17/2020	15172	City of Brookings	53.00
07/17/2020	15173	OAWU	305.00
07/17/2020	15174	Office Depot, Inc.	429.23
07/17/2020	15175	PERS	95.90
07/17/2020	15176	Port Orford Main Street Revitalization Association	5,500.00
07/17/2020	15177	Port Orford Main Street Revitalization Association	900.00
07/17/2020	15178	PORT ORFORD PUBLIC LIBRARY	741.00
07/17/2020	15179	Rogue Credit Union	61.88
07/17/2020	15180	Yelena Kamnyanskaya	53.00
07/17/2020	15181	C & K Market	11.49
07/17/2020	15182	Coos-Curry Electric Co-op	855.43
07/17/2020	15183	Void Check	0.00
07/17/2020	15184	Curry County Reporter	189.00
07/17/2020	15185	Curry County Treasurer	571.20
07/17/2020	15186	ODOT Fuel Sales	1,225.45
07/17/2020	15187	Oregon Dept of Revenue CFA	2,100.00
07/17/2020	15188	Port Orford News	228.70
07/17/2020	15189	The Dyer Partnership Engineers & Planners, Inc.	202.50
07/17/2020	15190	Tyler Technologies	50.00
07/20/2020	15191	CIS-Health Insurance	12,462.59
07/20/2020	15192	Void Check	0.00
07/20/2020	15193	Void Check	0.00
07/20/2020	15194	Void Check	0.00
07/20/2020	15195	Teamsters Local U. #206	296.50
07/21/2020	15196	Amazon Capital Services, Inc.	233.03
07/21/2020	15197	Bryan Thompson	825.00
07/21/2020	15198	Charter Communications	99.98
07/21/2020	15199	Department of Environmental Quality	160.00
07/30/2020	15200	Law Offices of Frederick J Carleton	1,200.00
07/30/2020	15201	AccuScript Transcription and Typing Services	78.89
07/30/2020	15202	Budge-Mchugh Supply Company	1,015.00
07/30/2020	15203	CIS-PPL	51,003.53
07/30/2020	15204	CIS-Worker's Comp	7,486.13
07/30/2020	15205	Coos-Curry Electric Co-op	5,308.20
07/30/2020	15206	Void Check	0.00
07/30/2020	15207	Country Media Inc.	547.35
07/30/2020	15208	Dell Marketing L.P.	1,053.18
07/30/2020	15209	IDEXX Distribution, Inc. US Reference Info.	382.39
07/30/2020	15210	Office Depot, Inc.	62.80
07/30/2020	15211	PLATT	131.55

Issued	Number	Description	Amount
07/30/2020	15212	U. S. Cellular	295.09
07/30/2020	15213	Zipty Fiber	74.97
07/30/2020	15214	ZiptyFiber	36.00
Total Checks			124,550.50
EFT			
07/02/2020	DFT0005704	Payroll EFT	20,840.78
07/20/2020	DFT0005723	Payroll EFT	21,584.60
07/31/2020	48	Gary Milliman	300.00
07/31/2020	49	Gregory T. Ryder	1,550.00
07/31/2020	50	Terrusa, David R	500.00
Total EFT			44,775.38

City of Port Orford

P.O. Box 310, Port Orford, Ore. 97465
(541) 332-3681 / Fax (877) 281-5307

CITY RIGHT-OF-WAY USAGE LICENSE

City Ordinance Chapter 12.24

Licensee Information:

Name: KRISTIN HOWARD Phone #: 541-332-1583 Date: 6/26/2020
Address: PO BOX 1110 PORT ORFORD Signature: KRISTIN HOWARD
Property location: 245 16th St. PORT ORFORD, OR 97465
Assessors Map: _____ Lot#: 3901

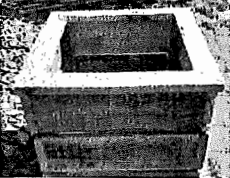
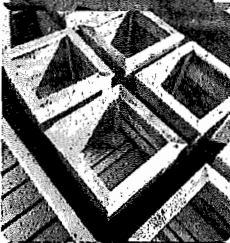
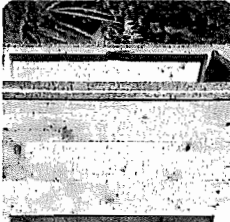
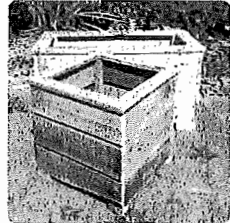
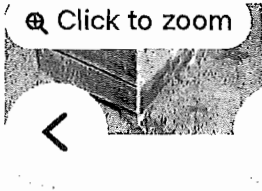
Description of Improvements: Attach Drawings / Plans if available:

please see enclosed letter

APPROVED JULY 16, 2020

Agreements:

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



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.

8.08.020 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

City Council Meeting

August 20, 2020

Page 1 of 2

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 20th day of August 2020

Passed or Failed by the following Roll Call Vote

Yes: _____

No: _____

Passed _____ Failed _____

Mayor Tim Pogwizd

ATTEST:

Terrie Richards, City Recorder

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 08/20/20

SUBJECT: Grit System Task Order #9

ITEM NO: 8 b.

BACKGROUND:

Dyer Partnership has submitted a task order to start the Sewer Plant Grit System project.

The existing grit classifier is no longer working and is in need of replacement. It has reached the end of its service life and is no longer repairable due to the inability to obtain parts.

Engineering services are needed for developing this project.

FISCAL IMPACT:

\$250,000 already set aside in the budget

(This project was budgeted for in the FY2019-2020 budget and carried over to the FY2020-2021 budget.)

RECOMMENDATION:

Approve Task Order #9 from Dyer Partnership for the Wastewater Treatment Plant Grit System replacement project.

SUBMITTED BY: *Terrie Richards* Terrie Richards, City Administrator

TASK ORDER NO. 9
City of Port Orford
WWTP Grit Classifier Replacement

SCOPE OF WORK: The City plans to remove the existing grit classifier at the headworks of the wastewater treatment plant and replace it with a new unit.

FOUNDATION: The existing grit classifier is no longer working and is in need of replacement. It has reached the end of its service life and is no longer repairable due to the inability to obtain parts.

SCOPE OF ENGINEERING SERVICES

The City needs engineering services for developing this project.

Engineering Services to Be Provided:

Coordination

- Coordinate with City staff, in particular the wastewater department.
- Conduct design review meeting with City staff. Arrive at concurrence on system details, material type, and electric power supply. Provide progress reports to staff throughout the process.

Construction Documents

- Perform engineering design required for the project improvements.
- Review Classifier Proposals with City for unit selection, basis of design.
- Prepare design plans and cost estimates for City review and comment.
- Prepare construction documents to include drawings and specifications.
- Provide final estimated costs for construction and an estimated time line for construction.
- Submit final documents to City for review and approval.

Bidding and Contracts

- Prepare bidding documents including bidding requirements and contract documents.
- Prepare advertisement for bids and send to Owner-approved publications (Owner to pay advertising expense).
- Reproduce or upload electronic copies (as appropriate) of bidding documents and

distribute to approved plan exchanges and interested bidders.

- Respond to bidder questions and prepare necessary addendums, if needed.
- Attend Pre-Bid meeting with Owner and Contractors.
- Attend bid opening.
- Review bids and recommend contract award based on public contracting rules.
- Prepare construction contracts for execution.
- Issue Notice of Intent to Award, Notice of Award and Notice to Proceed.

Contract Administration

- Provide Construction Management – Administer Construction Contract between Owner and Contractor.
- Attend and administer a Pre-Construction job meeting.
- Review submittals.
- Review and process requests for information, change orders, and pay requests.
- Attend meetings with Owner and Contractor as required.

Inspection Services

- Provide up to 4 site visits for onsite inspection of construction.

Project Closeout

- Perform Substantial and Final Completion walk-through with Owner and Contractor.
- Provide record drawings to the Owner.

Schedule (anticipated)

- Design – August-September 2020
- Bid Services – October 2020
- Construction: Spring 2021 (Anticipated and dependent upon equipment delivery times)

Assumptions and Exclusions

- Existing electrical system is adequate to supply power to new classifier; redesign of electrical power feed, controls, and alarms is not required.
- The new classifier will be located on the existing elevated slab and the new classifier piping will connect to existing piping. Below grade piping will not be replaced or redesigned.
- The existing vortex grit removal system will not require replacement or modification.
- DEQ review not required.
- Engineer is not responsible for the Construction Contractor's safety or means and methods of construction.
- Copies of existing WWTP plans are available for review.
- City funding will be used for the project. No environmental or other funding required permitting or studies are required.
- Certified payroll will not be checked by the Engineer.

Proposed Fee

Services will be performed and billed on a time and materials basis, in accordance with the conditions of the Professional Services Agreement and fee listed herein and Attachment A. The fee for these services is not to exceed a maximum \$25,200.00 including all professional services and reimbursable expenses.

PAYMENT METHOD: Monthly Billing

City of Port Orford

The Dyer Partnership
Engineers & Planners, Inc.

Terrie Richards, City Administrator

Steve Major, PE, President

Date: _____

Date: _____

ATTACHMENT A

ESTIMATE OF MAN HOURS AND COSTS

DATE: 07-06-20 *PROJECT:* WWTP Grit Classifier Replacement *Phase 1:* Design

TASK	MAN HOURS							
	PRIN MGR	PROJ MGR	PROJ ENGR 2	PROJ ENGR 1	DRAFT CAD	INSPECT	SUR CREW	CLER 2
1: Site Visit		4	4					
2: Review Classifier Proposals	1	2	4					
3: Develop Plans for Classifier Rep.		4	8		16			
4: Develop Specs for Classifier Rep.	1	1	8					2
5: 90% Design Review Meeting		4						
6: Final Plan Revisions	1	4	4		4			2
7: Cost Estimates		1	2					
8: Project Admin., Review & Set-Up	1	2	2					1
9:								
TOTAL ESTIMATED HOURS	4	22	32	0	20	0	0	5

MATERIAL COSTS	DESCRIPTION OR UNIT	QUANTITY	UNIT COST	TOTAL COST
REPORT				0.00
PHOTOGRAPHS				0.00
COST ESTIMATE				0.00
PLANS AND PRINTS		4	30	120.00
SPECIFICATIONS				0.00
OTHER				0.00
				0.00
TOTAL MATERIAL COSTS -----				\$120.00

TRAVEL AND PER DIEM	DETAIL	TOTAL COST
MILEAGE	210	\$0.57
COMMERCIAL PER DIEM		0.00
LOCAL TRANSPORTATION LODGING		0.00
TOTAL TRAVEL AND PER DIEM -----		\$120

OTHER SIGNIFICANT COSTS	DETAIL	TOTAL COST
REPRODUCTION OTHER		
TOTAL OTHER SIGNIFICANT COSTS -----		\$0

PREPARED BY: AJS

ESTIMATE OF MAN HOURS AND COSTS

DATE: 07-06-20 *PROJECT:* WWTP Grit Classifier Replacement *Phase 2:* Bidding Period Services

TASK	MAN HOURS							CLER 2
	PRIN MGR	PROJ MGR	PROJ ENGR 2	PROJ ENGR 1	CAD	INSPECT	SURVEY CREW	
1: Prepare Bid Documents	1	6	2					8
2: Prepare Advertisement		1						1
3: Reproduced/upload plans								2
4: Responds to Bid Questions		4	4					2
5: Attend Pre-Bid		4						2
6: Attend Bid Opening		4						2
7: Review Bids & Recommend Award		1						2
8: Prepare Construction Contracts	1	1						4
9: Issue NoIA, NoA, & NiP		4						2
TOTAL ESTIMATED HOURS	2	25	6	0	0	0	0	25

MATERIAL COSTS	DESCRIPTION OR UNIT	QUANTITY	UNIT COST	TOTAL COST
REPORT				0.00
PHOTOGRAPHS				0.00
COST ESTIMATE				0.00
PLANS AND PRINTS		4.00	30	120.00
SPECIFICATIONS				0.00
OTHER				0.00
TOTAL MATERIAL COSTS	-----			\$120.00

TRAVEL AND PER DIEM	DETAIL	TOTAL COST	
MILEAGE	210	\$0.57	
COMMERCIAL PER DIEM		0.00	
LOCAL TRANSPORTATION		0.00	
LODGING		0.00	
TOTAL TRAVEL AND PER DIEM	-----		\$120

OTHER SIGNIFICANT COSTS	DETAIL	TOTAL COST	
SHIPPING			
REPRODUCTION			
OTHER			
TOTAL OTHER SIGNIFICANT COSTS	-----		\$0

PREPARED BY: AJS

ESTIMATE OF MAN HOURS AND COSTS

DATE: 07-06-20 *PROJECT:* WWTP Grit Classifier Replacement *PART 3:* Construction Administration/Inspection

TASK	MAN HOURS							SURVEY CREW	CLER 2
	PRIN MGR	PROJ MGR	PROJ ENGR 2	PROJ ENGR 1	CAD	INSPECT			
1: Precon Meeting			6						1
2: Site Inspections		6					24		2
3: Construction Admin	1	2	14						6
4: Final Inspections/Startup	1	1	6						1
5: Record Drawings			1		5		1		1
TOTAL ESTIMATED HOURS	2	9	27	0	5	25	0	11	

MATERIAL COSTS	DESCRIPTION OR UNIT	QUANTITY	UNIT COST	TOTAL COST
REPORT				0.00
PHOTOGRAPHS				0.00
COST ESTIMATE				0.00
PLANS AND PRINTS	Record Drawings	1.00	30	30.00
SPECIFICATIONS				0.00
OTHER				0.00
TOTAL MATERIAL COSTS -----				\$30.00

TRAVEL AND PER DIEM	DETAIL	TOTAL COST
MILEAGE	500	\$0.57
COMMERCIAL PER DIEM	5@\$15	75.00
LOCAL TRANSPORTATION		
LODGING		0.00
TOTAL TRAVEL AND PER DIEM -----		\$360

OTHER SIGNIFICANT COSTS	DETAIL	TOTAL COST
SUBCONSULTANT - TRAFFIC SIGNAL RELOCATION		
1ST CONTACT TELEPHONE		
SHIPPING		
REPRODUCTION		
OTHER		
TOTAL OTHER SIGNIFICANT COSTS -----		\$0

PREPARED BY: AJS

SUMMARY

BREAKDOWN OF PROPOSED FEE

DATE: 07-06-20 PROJECT: WWTP Grit Classifier Replacement

	LABOR		PROJECT				
	RATE \$/HR.	-----1----- HRS. AMOUNT	-----2----- HRS. AMOUNT	-----3----- HRS. AMOUNT	-----3----- HRS. AMOUNT	-----3----- HRS. AMOUNT	
DIRECT LABOR COSTS:							
PRINCIPLE MANAGER-----	150.00	4	600.00	2	300.00	2	300.00
PROJECT MANAGER-----	140.00	22	3,080.00	25	3,500.00	9	1,260.00
PROJECT ENGINEER 2-----	130.00	32	4,160.00	6	780.00	27	3,510.00
PROJECT ENGINEER 1-----	120.00	0	0.00	0	0.00	0	0.00
DESIGNER-----	95.00	20	1,900.00	0	0.00	5	475.00
INSPECTOR	95.00	0	0.00	0	0.00	25	2,375.00
SURVEY CREW	150.00	0	0.00	0	0.00	0	0.00
CLERICAL 2-----	52.00	5	260.00	25	1,300.00	11	572.00
TOTAL DIRECT LABOR COSTS:			\$10,000		\$5,880		\$8,492
DIRECT PROJECT EXPENSES							
A. MATERIAL COSTS (BREAKDOWN ATTACHED)			120.00		120.00		30.00
B. TRAVEL & PER DIEM (BREAKDOWN ATTACHED)			119.70		119.70		360.00
C. OTHER SIGNIFICANT COSTS (BREAKDN ATTACHED)			0.00		0.00		0.00
D. ADMINISTRATIVE FEE \$0 % OF A,B,&C			0.00		0.00		0.00
TOTAL OF: A THROUGH D			\$239.70		\$239.70		\$390.00
TOTAL FEE (PER PHASE):			\$10,238		\$6,096		\$8,858
	Phase	1:	Design				\$10,238
	Phase	2:	Bidding Period Services				\$6,096
	Phase	3:	Construction Administration/Inspection				\$8,858
					Total Tasks 1+2+3		\$25,191
					Rounded Total Tasks 1+2+3		\$25,200

PREPARED BY: AJS

Chapter 17.12

USE ZONES

Sections:

- 17.12.010 Residential zone (1-R).**
- 17.12.020 Residential zone (2-R).**
- 17.12.030 Commercial zone (4-C).**
- 17.12.040 Industrial zone (5-I).**
- 17.12.050 Controlled development zone (6-CD).**
- 17.12.060 Marine activity zone (7-MA).**
- 17.12.070 Public facilities and park zone (8-PF).**
- 17.12.080 Shoreland overlay zone (9-SO).**
- 17.12.090 Battle Rock mixed use zone (10-MU).**

17.12.010 Residential zone (1-R).

- A. Purpose of Classification. The 1-R zone is designed to be applied to residential areas where dwellings are appropriate.
- B. Uses Permitted Outright. In a 1-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. Private stable where building site is one acre or more;
 - 4. Farming where building site is one acre or more, but not including commercial livestock production;
 - 5. Home occupation;
 - 6. Childcare facility;
 - 7. Residential care home;
 - 8. Residential care facility.
- C. Conditional Uses Permitted. In a 1-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
 - 1. Church or school;
 - 2. Grange hall or community building;
 - 3. Public use facility or public utility, including, but not limited to, fire stations;
 - 4. Recreational vehicle temporarily used to relieve a hardship for a period not to exceed 12 months;
 - 5. Utility facility, including substation or pumping station or private generator;
 - 6. Commercial communications transmitter or receiver antenna;
 - 7. Planned unit development on a lot not less than three acres.
- D. Provision of Sewer and Water.
 - 1. Sewer service shall be provided by the City of Port Orford, with hookups installed to City standards.
 - 2. Sewer lines for new development shall connect to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer shall pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.
 - 3. Water lines to connect sites for new development to existing mains shall be installed to City standards. In areas where a water main is not adjacent to the lot proposed for development, the applicant will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension but the City is under no obligation to participate.

- E. Lot Size. Except as provided in Sections 17.20.030 and 17.20.040 in a 2-R zone:
 - 1. Lot sizes suitable for building shall be dependent on the availability of public water. If the lot is not served by public water system, the lot area shall conform to the State requirements established for on-site water supply.
 - 2. When both a public water and sewage system are available:
 - a. For uses other than a mobile home park, the minimum lot area shall be 5,000 square feet; or
 - b. The minimum lot width shall be 50 feet.
- F. Setback Requirements. Except as provided in Sections 17.20.010 and 17.20.020 in 1-R zone yards shall be as follows:
 - 1. The front yard shall be a minimum of 10 feet.
 - 2. The side yard shall be a minimum of five feet.
 - 3. The rear yard shall be a minimum of five feet.
- G. Height of Buildings. Except as provided in Section 17.20.050 in a 1-R zone no building shall exceed 35 feet in height. (Ord. 2015-08 § 1, 2015; Ord. 2009-03 § 010, 2009; Ord. 411-94 Att. A, 1994; Ord. 278 §§ 2.110—2.150, 2.220, 1977)

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.
- B. 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;
 - 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;
 - 6. Home occupation;
 - 7. Childcare facility;
 - 8. Residential care home;
 - 9. Residential care facility.
- C. Conditional Uses Permitted. In a 2-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
 - 1. Mobile home park;
 - 2. Church or school;
 - 3. Grange hall or community building;
 - 4. Public use facility or public utility, including, but not limited to, fire stations;
 - 5. Recreational vehicle temporarily used to relieve a hardship for a period not to exceed 12 months;
 - 6. Utility facility, including substation or pumping station or private generator;
 - 7. Commercial communications transmitter or receiver antenna;
 - 8. Planned unit development on a lot not less than three acres;
 - 9. Hospital, sanitarium, retirement home, medical or dental clinic.
- D. Provision of Sewer and Water.
 - 1. Sewer service shall be provided by the City of Port Orford, with hookups installed to City standards.
 - 2. Sewer lines for new development shall connect to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer shall pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.

3. Water lines to connect sites for new development to existing mains shall be installed to City standards. In areas where a water main is not adjacent to the lot proposed for development, the applicant will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension but the City is under no obligation to participate.
- E. Lot Size. Except as provided in Sections 17.20.030 and 17.20.040 in a 2-R zone:
1. Lot sizes suitable for building shall be dependent on the availability of public water systems. If the lot is not served a public water system, the lot area shall conform to the State requirements established for on-site water supply.
 2. When both a public water and sewage system are available:
 - a. For uses other than a mobile home park, the minimum lot area shall be 5,000 square feet; or
 - b. The average lot width shall be a minimum of 50 feet.
- F. Setback Requirements. Except as provided in Sections 17.20.010 and 17.20.020 in a 2-R zone, yards shall be as follows:
1. The front yard shall be a minimum of 10 feet.
 2. The side yard shall be a minimum of five feet.
 3. The rear yard shall be a minimum of five feet.
- G. Height of Buildings. Except as provided in Section 17.20.050 in a 2-R zone no building shall exceed 35 feet in height. (Ord. 2009-03 § 1, 2008; Ord. 411-94 Att. A, 1994; Ord. 278 §§ 2.210, 2.220, 2.250, 1977)

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:
1. Single-family dwellings or duplex;
 2. Multiple-family dwellings;
 3. Hotel or motel;
 4. Club or lodge hall;
 5. Hospital, sanitarium, retirement home, medical or dental clinic;
 6. Retail or service establishment;
 7. Automobile service station;
 8. Machinery, farm equipment, marine or automotive sales, service, storage or repair;
 9. Building material storage yard;
 10. Plumbing, electrical or paint contractors storage, repair or sales shop;
 11. Tire retreading or vulcanizing shop;
 12. Wholesale, trucking and storage establishment;
 13. Machine shop or cabinet shop;
 14. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabricating activities except those specifically listed in Section 17.12.040(C);
 15. Park playground, fire station, library or museum;
 16. Childcare facility;
 17. Residential car home;
 18. Residential care facility.
- C. Conditional Uses Permitted. In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
1. Mobile home park and/or recreational vehicle park;
 2. Planned unit development on a lot of at least three acres in area;

3. Utility facility, including substation or pumping station or private generator;
 4. Communications transmitter, receiver, antenna or tower;
 5. Wind generator;
 6. Prefabricated structure.
- D. Provision of Sewer and Water.
1. Sewer service shall be provided by the City of Port Orford, with hookups installed to City standards.
 2. Sewer lines for new development shall connect to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer shall pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.
 3. Water lines to connect sites for new development to existing mains shall be installed to City standards. In areas where a water main is not adjacent to the lot proposed for development, the applicant will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension but the City is under no obligation to participate.
- 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 as 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.
- F. Height of Buildings. Except as provided in Section 17.20.050 in a 4-C zone, no building shall exceed 45 feet in height. (Ord. 2009-03 § 1, 2008; Ord. 2015-08 § 1, 2015; Ord. 2004-05 § 1, 2004; Ord. 278 §§ 2.310—2.340, 1977)

17.12.040 Industrial zone (5-I).

- A. Purpose of Classification. The industrial zone is generally intended to provide for limited or light industrial uses. Conditional uses in this zone are designed for heavier industrial uses.
- B. Uses Permitted Outright. In a 5-I zone, the following uses and their accessory uses are permitted outright:
1. Single-family dwellings or duplex;
 2. Multiple-family dwellings;
 3. Hotel or motel;
 4. Club or lodge hall;
 5. Hospital, sanitarium, retirement home, medical or dental clinic;
 6. Retail or service establishment;
 7. Automobile service station;
 8. Trailer or camping vehicle park;
 9. Machinery, farm equipment, marine or automotive sales, service, storage or repair;
 10. Building material storage yard;
 11. Plumbing, electrical or paint contractor's storage, repair or sales shop;
 12. Tire retreading or vulcanizing shop;
 13. Wholesale trucking and storage establishment;
 14. Machine shop or cabinet shop;
 15. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabrication activities except those specifically listed in subsection C of this section;
 16. Utility facility, including substation or pumping station or private generator;
 17. Communications transmitter, receiver, antenna or tower;
 18. Childcare facility;
 19. Residential care home;

20. Residential care facility.
- C. Conditional Uses Permitted. In a 5-I zone, the following and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
1. Manufacturing plant, including lumber and plywood mills;
 2. Rendering plant or slaughterhouse;
 3. Pulp or paper mill;
 4. Cement or asphalt plant;
 5. Airport or heliport;
 6. Church or school;
 7. Park, playground, fire station, library or museum;
 8. Planned unit development on a lot of at least three acres in area.
- D. Provision of Sewer and Water.
1. Sewer service shall be provided by the City of Port Orford, with hookups installed to City standards.
 2. Sewer lines for new development shall connect to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer shall pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.
 3. Water lines to connect sites for new development to existing mains shall be installed to City standards. In areas where a water main is not adjacent to the lot proposed for development, the applicant will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City may consider sharing in the cost of the main line extension but the City is under no obligation to participate.
- E. Lot Size. Except as provided in Sections 17.12.030 and 17.12.040 in a 5-I zone, the minimum lot size shall be as determined by the State Health Department as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public or mutual water supply and a public sewage disposal system are available, there shall be no minimum lot area. (Ord. 2015-08 § 1, 2015; Ord. 2009-03 § 1, 2008; Ord. 278 §§ 2.410—2.430, 1977)

17.12.050 Controlled development zone (6-CD).

- A. Purpose of Classification. The purpose of the 6-CD zone is to recognize and protect natural resources, such as significant fish and wildlife habitats, ecological area, wetland and watershed and areas necessary to maintain or protect the quality of air, land and water resources. Future development is to be controlled in order to enhance these unique qualities.
- B. Uses Permitted Outright. In a 6-CD zone, the following uses and their accessory uses are permitted outright:
1. Wildlife and water life sanctuaries;
 2. Recreational uses which do not involve the use of structures;
 3. Hunting, fishing and similar activities;
 4. Aquiculture and accessory facilities.
- C. Conditional Uses Permitted. In a 6-CD zone the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
1. Public utility facilities;
 2. Communication facilities;
 3. Structures for recreation activities;
 4. Extraction of natural materials;
 5. Public or private natatorium, wayside, day use parks, school study areas. (Ord. 278 §§ 2.510, 2.520, 1977)

17.12.060 Marine activity zone (7-MA).

- A. Purpose of Classification. The marine activity zone is to provide areas suitable for uses which depend upon or are benefitted by a waterfront location, and to reserve such areas for these uses.
- B. Uses Permitted Outright. In a 7-MA zone, the following uses and their accessory uses are permitted outright:
 - 1. Boat launching or moorage facilities, marina, boat charter service;
 - 2. Piers, docks, bulkheads, jetties and backfills;
 - 3. Seafood processing, storage and sales;
 - 4. Boat and marine equipment sales, service, storage, rental or repair;
 - 5. Fishing supply storage, manufacturing and sales;
 - 6. Retail sales of water sporting goods or similar commodities;
 - 7. Dredging and fill maintenance;
 - 8. Offices which are related to marine activity;
 - 9. Experimental laboratory for research or marine coastal production or resource;
 - 10. Aquaculture and accessory facilities;
 - 11. Open recreation area and park or recreational facility.
- C. Conditional Uses Permitted. In a 7-MA zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:
 - 1. Eating and drinking establishments;
 - 2. Motel or hotel;
 - 3. Gift, novelty, or specialty shops, including the manufacture of such goods;
 - 4. Government structure and use of land;
 - 5. Storage of marine-oriented materials;
 - 6. Public utility or public communication facilities;
 - 7. Small boat manufacturer.
- D. Lot Size. Except as provided in Sections 17.12.030 and 17.12.040 in a 7-MA zone, the minimum lot size shall be as 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 public sewage disposal system are available, there shall be no minimum lot area.
- E. Height of Buildings. Except as provided in Section 17.12.050 in a 7-MA zone, no building shall exceed 45 feet in height. (Ord. 278 §§ 2.610—2.640, 1977)

17.12.070 Public facilities and park zone (8-PF).

- A. Purpose of Classification. The 8-PF zone is designed to identify and reserve publicly owned areas for the development of needed public facilities and service.
- B. Uses Permitted Outright. In an 8-PF zone, the following uses and their accessory uses are permitted outright:
 - 1. Schools, including nursery or day care center;
 - 2. Parks or recreational facilities;
 - 3. Public utilities and services;
 - 4. Public parking;
 - 5. Government structure, office or use;
 - 6. Community centers;
 - 7. Cemeteries.
- C. Conditional Uses. In an 8-PF zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32, and when it is found that the site is not needed for or is inappropriate for a permitted use, the proposed use is an interim use, or the use is to be conducted in conjunction with a permitted use:
 - 1. A nongovernmental business or professional office conducted in a public building;

2. A single-family dwelling, or a manufactured home in accordance with the provisions of Section 17.16.040 and in conjunction with a permitted use. (Amended during 1996 codification; Ord. 278 §§ 2.710, 2.720, 1977)

17.12.080 Shoreland overlay zone (9-SO).

- A. Purpose of Classification. The purpose of the 9-SO zone is to protect shoreland resources identified in the comprehensive plan and to apply development standards to all uses within the shoreland boundary as applicable.
- B. Uses Permitted Outright. In the 9-SO zone, the following uses are permitted outright. If they are conditional uses in the underlying zone, they shall be subject to the conditions referenced in Chapter 17.32.
 1. Uses allowed in the underlying zone;
 2. Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
 3. Water-dependent commercial and recreational developments;
 4. Aquaculture;
 5. Single-family residences on existing lots or parcels;
 6. Dredged material disposal (DMD), mitigation or restoration on sites designated in the comprehensive plan.
- C. Conditional Uses Permitted. In the 9-SO zone the following uses and their accessory uses are permitted in accordance with Chapter 17.32.
 1. Uses permitted conditionally and other uses allowed in the underlying zones;
 2. Water-dependent commercial uses;
 3. Water-dependent industrial uses;
 4. Subdivisions and partitions;
 5. Temporary use of dredged material disposal (DMD), mitigation or restoration sites;
 6. Other uses not listed in subsection B of this section which are permitted in the underlying zone;
 7. Riprap, shoreline or erosion-control structure.
- D. Additional Coastal Resources. Except where findings are contained in the comprehensive plan, uses in areas identified as coastal wetlands, significant wildlife resources, coastal headlands, exceptional coastal landscapes or historic and archeological sites, shall require affirmative findings that the above resources are protected. These resources are identified on the coastal shorelands inventory.
- E. Riparian Vegetation Protection. Except as necessary for water-dependent uses, all developmental mineral extraction activities shall be set back 50 feet from the stream bank of all perennial streams to protect riparian vegetation as identified in the comprehensive plan. A lesser distance may be approved based on a specific site investigation as part of the permit application process and concurrence with the lesser distance by the Oregon Department of Fish and Wildlife and Division of State Lands.
- F. Solutions to Erosion and Flooding Problems.
 1. Nonstructural solutions to problems of erosion and flooding shall be preferred to structural solutions. Where shown to be necessary and allowed, water and erosion control structures such as jetties, bulkheads, seawalls, and similar protective structures and fill shall be designed to minimize adverse impacts on water currents, erosion and accretion patterns.
 2. Further, where listed as a permitted activity within this zone, riprap shall only be allowed upon findings that:
 - a. Land use management practices and nonstructural solutions are inadequate;
 - b. Adverse impacts on water currents, erosion and accretion patterns are minimized. (Ord. 278 §§ 2.810—2.850, 1977)

17.12.090 Battle Rock mixed use zone (10-MU).

- A. Purpose of Classification. The intent of the Battle Rock mixed use (10-MU) zone is to maintain small coastal town ambiance and small town neighborhood character by enhancing the economic value by identifying its unique features with planning that can systematically organize the development that will occur in the future, to encourage pedestrian friendly tourist commercial uses, and provide opportunities for residents and visitors to enjoy the built and natural environment.
- B. Uses Permitted Outright. In the 10-MU zone, the following uses and their accessory uses are permitted outright subject to the conditions within this chapter:
1. Single-family dwelling or duplex;
 2. Manufactured home, in accordance with Section 17.16.040;
 3. Multiple-family dwellings;
 4. Home occupations;
 5. Hotel, motel or other lodging;
 6. Restaurants;
 7. Club or lodge hall;
 8. Emergency care facilities, medical or dental clinic;
 9. Retail use, professional office or service use, including galleries;
 10. Light manufacturing;
 11. Park playground, fire station, library or museum;
 12. Childcare facility;
 13. Residential care home or residential care facility;
 14. Any permitted use where building footprint exceeds 6,000 square feet, shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review;
 15. Any permitted use where building height exceeds 35 feet shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review;
 16. Any permitted use where building length exceeds 125 feet shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review.
- C. Conditional Uses Permitted. In a 10-MU zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32, and subject to the conditions within this 10-MU zone chapter:
1. Manufactured home park, subject to Section 17.32.050(A) and (E);
 2. Planned unit development, planned community, and cluster residential with multiple structures subject to Chapter 16.16 on a lot of at least three acres in area, and subject to Section 17.32.050(A);
 3. Utility facility, including substation or pumping station or private generator, subject to Section 17.32.050(A) and (D);
 4. Wireless telecommunications facility, subject to building height restriction of zone, and subject to Section 17.32.050(A) and (D);
 5. Wind generator, subject to Section 17.32.050(A) and (D);
 6. Unified development on a lot of at least one-half acre, or 21,780 square feet, subject to Section 17.32.050(A);
 7. Any permitted use with prefabricated structure, subject to Section 17.32.050(A) and (I).
- D. Other Applicable Use Standards.
1. Outdoor sales and/or service areas over 200 square feet in size are not permitted in this zone, except for restaurants, farmers markets, plant nurseries, sculpture gardens.
 2. Outdoor storage areas will be enclosed and screened from view by suitable hedges, fencing or walls and will not exceed 200 square feet in size.
 3. Indoor storage will not be the principal use of property.

- E. Design Standards for All New Development. All new structures and substantial improvements in a 10-MU zone shall conform to the following design standards:
1. Building Size. Any building more than 125 feet in length, or exceeding 35 feet in height or with a footprint greater than 6,000 square feet shall be considered a large structure requiring site plan review in compliance with standards set forth in Chapter 17.33.
 2. Building Articulation. All new commercial structures shall utilize at least six of the following design features; all new residential structures shall utilize three:
 - a. Dormers.
 - b. Recessed entries.
 - c. Cupolas or tower.
 - d. Bay or bow windows.
 - e. Attached garage.
 - f. Roof with a pitch greater than nominal 3/12.
 - g. Offsets on building face or roof that are a minimum of 12 inches.
 - h. Covered porch entry.
 - i. Pillars or posts.
 - j. Eaves that are a minimum of six inches.
 - k. Roof of tile, composition, shake, standing seam metal, or other metal roofing simulating traditional roofing materials such as slate and tiles.
 - l. Horizontal lap siding.
 - m. Shingle siding.
 - n. Parapets.
 - o. Other design features may be considered subject to approval by the City's designated design specialist, the City Planning Commission, or the City Council as applicable to the approval process.
 3. Highway 101 Ground Floor Façade. All new structures and substantial improvements, fronting Highway 101, shall provide at least 25% of the ground floor facade facing the highway with windows or building entrances.
 4. Off-Street Parking for Properties with Frontage on Highway 101 and for New Commercial Structures Throughout the Battle Rock Mixed Use Zone (10-MU). All off-street parking areas shall be located behind, under, or to the side of a building, and shall incorporate a landscaped buffer from adjacent property as well as from any sidewalk abutting the parking area.
 5. Mechanical Equipment. All mechanical equipment shall be concealed from view of public streets and neighboring properties.
 6. Landscaping. All new structures and substantial improvements shall have lot design to conform to the following landscaping requirements:
 - a. All areas abutting a street that are not occupied by structures or driveway shall be landscaped or provide public space such as walking path, sidewalk, or bench area.
 - b. Lots with footprint area for new structure or combined new structures exceeding 3,000 square feet shall provide landscaping coverage for at least five percent of lot area.
 7. Drive-Through/Drive-In Facilities. Drive-through/drive-in facilities shall conform to the following placement standards:
 - a. The drive-through/drive-in use shall orient to an alley, driveway, or interior parking area, and not a street;
 - b. The drive-through/drive-in facilities shall not be located within 20 feet of a street and shall not be oriented to a street corner;
 - c. Drive-through/drive-in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.

8. Manufactured Home Park. When manufactured homes within the manufactured home park are oriented with their back or side yards facing a public right-of-way, the Planning Commission may require installation of fencing and planting of a 10-foot wide landscape buffer between the right-of-way and the manufactured home park for the privacy and security of residents and the aesthetics of the streetscape.
9. Commercial-Residential Overlay (CRO). The CRO is intended to combine residential household living with public and commercial services at an appropriate neighborhood scale.
 - a. New commercial structures shall be a maximum of 1,750 square feet.
 - b. Commercial conversions and remodels shall have a maximum of 1,750 square feet designated for commercial use.
 - c. Except as provided in Sections 17.20.010 and 17.20.020, in the CRO setbacks shall be as follows:
 - i. The front yard shall be a minimum of 10 feet.
 - ii. The side yard shall be a minimum of five feet.
 - iii. The rear yard shall be a minimum of five feet.

The light blue area on the map (Exhibit B attached to the ordinance codified in this section and included by reference) is the commercial-residential overlay and is now an overlay within the Battle Rock mixed use (10-MU) zone.

F. Sewer and Water Line Hookups.

1. Provision of Sewer and Water. Sewer and water shall be provided by the City of Port Orford, and distribution systems shall be built to City and State specifications.
2. Sewer Line Hookups. Sewer lines shall be installed to City standards to connect sites for new development to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer will pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City shall consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.
3. Water Line Hookups. Adequate water lines shall be installed to City standards to connect sites for new development to existing mains. In areas where a water main is not adjacent to the individual lot that is proposed to be developed, the developer will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City shall consider sharing in the cost of the main line extension, but the City is under no obligation to participate.

G. Lot Size. In a 10-MU zone, there shall be no minimum lot area.

H. Height of Buildings. Except as provided in Section 17.20.050 in a 10-MU zone, no building shall exceed 45 feet in height.

- I. Uses Not Listed. It is recognized in the development of a comprehensive Land Development Ordinance that:
1. Not all uses of land and water can be listed, nor anticipated; or
 2. A use may have been inadvertently omitted from the list of those specified as permitted or conditional in each of the various districts designated; or
 3. Ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this chapter.

Therefore the phrase “plus other uses deemed to be similar and not more obnoxious or detrimental to the public health safety, and welfare” shall be unmentioned, but included in “Uses Permitted Outright” and “Conditional Uses Permitted” in this district. The classification of an outright use or a conditional use is the responsibility of the Planning Director. Should a conflict arise over the classification of the proposed use, an interpretation by the Planning Commission can be requested. (Ord. 2008-08 § 9, 2008; Ord. 2008-04 § 1, 2007; Ord. 278 § 2.910, 1977)

Chapter 17.15

HISTORIC PRESERVATION

Sections:

- 17.15.010 Title.
- 17.15.020 Purpose.
- 17.15.030 Applicability.
- 17.15.040 Definitions.
- 17.15.050 The Historic Preservation Commission.
- 17.15.060 Duties of Commission.
- 17.15.070 Severability.
- 17.15.080 Conflicts with other laws.
- 17.15.090 Identification and evaluation of historic resources.
- 17.15.100 Landmark register.
- 17.15.110 Treatment of historic resources listed in the landmark register.
- 17.15.120 Removal of landmarks from the landmark register.
- 17.15.130 Economic hardship.
- 17.15.140 Appeals.
- 17.15.150 Re-submittal of a previously denied application.
- 17.15.160 Enforcement of the provisions of this chapter.

17.15.010 Title.

The City of Port Orford Historic Preservation Ordinance. (Ord. 2012-06 § 1, 2012)

17.15.020 Purpose.

The City of Port Orford establishes a Historic Preservation Ordinance to identify, recognize, and preserve significant properties related to the community's history; encourage the rehabilitation and ongoing viability of historic buildings and structures; strengthen public support for historic preservation efforts within the community; foster civic pride; and encourage cultural heritage tourism.

The process is a voluntary process for property owners who wish the historic value of their property to be preserved. (Ord. 2012-06 § 2, 2012)

17.15.030 Applicability.

No provision of this chapter shall be construed to prevent the ordinary maintenance of a landmark when such action does not involve a change in design, materials, or appearance. No provision in this chapter shall be construed to prevent the alteration, demolition, or relocation of a landmark when the Building Official certifies that such action is required for the public safety. At his or her discretion, the Building Official may find that under State law and Section 17.15.110(D)(3) that a landmark does not meet current building code but is not dangerous. (Ord. 2012-06 § 3, 2012)

17.15.040 Definitions.

The following definitions apply to terms used in this chapter. Terms not defined have their commonly construed meaning:

Alteration: An addition, removal, or reconfiguration that changes the appearance of a landmark. Painting, when color is not specifically noted in landmark's record of designation, and ordinary maintenance are excluded from this definition.

Building: A house, barn, church, hotel, or similar construction created principally to shelter any form of human activity.

Certificate of appropriateness (COA): A document issued by the Historic Preservation Officer indicating that the applicant has satisfactorily met the provisions of this chapter for the alteration, relocation, or demolition of a landmark.

Demolition: The complete destruction or dismantling of 65% of, or greater, of the entirety of a landmark.

Eligible/contributing: A building, structure, object, or site originally constructed within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of the City of Port Orford.

Eligible/significant: A building, structure, object, or site originally constructed within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of the City, and are likely individually eligible for listing in the landmark register.

Exceptional significance: The quality of historic significance achieved outside the usual norms of age, association, or rarity.

Historic Commission: A subcommittee of the City Planning Commission responsible for the administration of this chapter.

Historic integrity: The quality of wholeness of historic location, design, setting materials, workmanship, feeling, and/or association of a historic resource, as opposed to its physical condition.

Historic resource: A building, structure, object, site, or district that is at least 50 years old or is of exceptional significance and potentially meets the integrity and significance criteria for listing in the landmark register, but may not necessarily be recorded in the historic resource survey.

Historic resources of Statewide significance: Buildings, structures, sites, and objects, that are listed in the National Register.

Historic resource survey: The record of buildings, structures, objects, and sites recorded by the City of Port Orford used to identify historic resources potentially eligible for listing in the City of Port Orford landmark register.

Historic significance: The physical association of a building, structure, site, object, with historic events, trends, persons, architecture, method of construction, or that have yielded or may yield information important in prehistory or history.

Landmark: A building, structure, site, or object, listed in the landmarks register.

Landmark register: The list of historic resources officially recognized by the City of Port Orford as important to its history and afforded the protection under this chapter.

National Register of Historic Places: The nation's official list of buildings, structures, sites, and objects, important in the nation's history and maintained by the National Park Service in Washington, D.C., and hereinafter referred to as the "National Register." Historic resources listed in the National Register are referred to as "Historic Resources of Statewide Significance" in Oregon Revised Statutes.

Non-contributing: A building, structure, object, or site originally constructed within the applicable period of significance that does not retain or exhibit sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties do not strengthen the historic integrity of an existing or potential historic district in their current condition.

Not in Period: A building, structure, object, or site that was originally constructed outside the applicable period of significance.

Object: A construction that is largely artistic in nature or is relatively small in scale and simply constructed in comparison to buildings or structures, including a fountain, sculpture, monument, milepost, etc.

Ordinary maintenance: Activities that do not remove materials or alter qualities that make a historic resource eligible for listing in the landmark register, including cleaning, painting, when color is not specifically noted

in the landmark's record of designation, and limited replacement of siding, trim, and window components when such material is beyond repair and where the new piece is of the same size, dimension, material, and finish as that of the original historic material. Excluded from this definition is the replacement of an entire window sash or more than 20% of the siding or trim on any one side of a resource at any one time within one calendar year.

Period of significance: The time period, from one to several years or decades, during which a landmark was associated with an important historic event(s), trend(s), person(s), architecture, method(s) of construction.

Record of designation: The official document created by the Commission that describes how a landmark meets the criteria for listing in the landmark register.

Rehabilitation: The process of returning a landmark to a state of utility through repair or alteration, which makes possible an efficient use while preserving those portions and features of the landmark and its site that convey its historic significance.

Relocation: The removal from or moving of a landmark from its original location noted in the record of designation.

Site: The location of a significant event, prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of any existing building, structure, or object.

Streetscape: The physical parts and aesthetic qualities of a public right-of-way, including the roadway, gutter, tree lawn, sidewalk, retaining walls, landscaping and building setback.

Structure: A functional construction made usually for purposes other than creating human shelter, such as an aircraft, bridge, barn, fence, dam, tunnel, etc. (Ord. 2012-06 § 4, 2012)

17.15.050 The Historic Preservation Commission.

The Historic Preservation Commission is a subcommittee of the Planning Commission and composed of at least three persons. The Planning Commission serves the purpose of conducting land use procedures when needed. The Historic Preservation Commission will now be referred to as the Commission. (Ord. 2012-06 § 5, 2012)

17.15.060 Duties of Commission.

- A. Employing the procedures and criteria in Section 17.15.090, the Commission shall identify and evaluate properties in the City of Port Orford and maintain a Historic Resource Survey consistent with the standards of the Oregon State Historic Preservation Office, hereinafter referred to as "SHPO."
- B. Employing the procedures and criteria in Section 17.15.110, the Commission shall designate properties to the landmark register.
- C. Employing the procedures and criteria in Section 17.15.120, the Commission shall review and act upon applications for the alteration, relocation, or demolition of landmarks.
- D. The Commission shall support the enforcement of all State laws relating to historic preservation.
- E. The Commission shall perform any other functions that may be designated by resolution or motion of the City Council.
- F. The Commission may publish and adopt written and graphic guidelines and example materials to clarify the criteria in this chapter and to assist applicants in developing complete and viable applications to designate, alter, rehabilitate, relocate, or demolish landmarks. Documents intended to be used for the regulation of alterations as defined in this chapter must be voted on and adopted by the Commission and approved as part of the City of Port Orford Zoning and Development Code using the established procedures for amendments.
- G. The Commission may undertake to inform the citizens of, and visitors to the City of Port Orford, regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of landmarks; provide information on State and Federal preservation programs; and document landmarks prior to their alteration, demolition, or relocation and archive that documentation.

- H. For purposes consistent with this chapter and subject to the approval the City Council, the Commission may seek, accept, and expend public appropriations; seek, accept, and expend grant and gift funds; cooperate with public and private entities; assist the owners of landmarks in securing funding for the preservation of their properties; and report on such activities to the City Council.
- I. The Commission may comment on local, State, or Federal issues, laws, and requests relating to historic preservation.
- J. The Commission may seek expert assistance and elect to form ad hoc committees to carry out its business. (Ord. 2012-06 § 6, 2012)

17.15.070 Severability.

If any portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this chapter, which shall remain in force and effect. (Ord. 2012-06 § 7, 2012)

17.15.080 Conflicts with other laws.

If the provisions of this chapter are found to be in conflict with Federal or State laws, the Federal or State law shall prevail. This chapter will take precedence over previously adopted City Code Section 17.16.070. (Ord. 2012-06 § 8, 2012)

17.15.090 Identification and evaluation of historic resources.

The historic resource survey lists, describes, and determines the eligibility of historic resources for listing in the landmark register. Not all properties listed in the historic resource survey are eligible for listing in the landmarks register. A property need not be first listed in the historic resource survey before being nominated to the landmark register under Section 17.15.100.

- A. The Commission shall determine and periodically revise priorities for the identification and evaluation of historic resources based on the community's needs and interests.
- B. Before commencing inventory studies or updates, the Commission/Planning Commission shall provide public notice describing the inventory, its purposes, and invite public participation as required to news media and posted at Post Office.
- C. Surveyed properties shall be identified as eligible/contributing (EC), eligible/significant (ES), non-contributing (NC), or not in period (NP). Evaluation and documentation of properties in the Historic Resource Survey shall meet the requirements of the document "Guidelines for Historic Resource Surveys in Oregon, 2010" or most recent guidance for such efforts published by the SHPO and be supplied to the agency within six months of the completion of the study.
- D. The historic resource survey shall be maintained as a public record with the exception of archaeological sites, which is prohibited by State law.
- E. Citizens shall have the opportunity to review and correct information included in the historic resource survey.
- F. The Commission may collect further information, including, but not limited to, current photographs, architectural descriptions based on on-site observations, or archival documentation for properties already listed in the landmark register or National Register for the purposes of administering this chapter pursuant to the provisions of this section. (Ord. 2012-06 § 9, 2012)

17.15.100 Landmark register.

The Commission may designate historic resources to the landmark register as a means of providing recognition of their significance and providing incentives and guidelines for their preservation. The landmark register is maintained by the City of Port Orford and shall be available to the public.

- A. Historic resources within the corporate boundaries of the City of Port Orford and listed in the National Register before and after the adoption of the ordinance codified in this chapter are automatically listed in the landmark register and need not be documented and adopted as outlined in subsections (B)(2) through (B)(4). In such cases, the National Register nomination shall serve as the record of designation. As historic resources of Statewide significance, all National Register-listed properties are subject to the regulations in Section 17.15.110, pursuant to Oregon State Law. Notice of this action shall be provided in writing to each property owner and to the Commission at its next regularly scheduled meeting.
- B. Criteria for Designating Historic Resources to the Landmark Register. Any building, structure, object, or site may be designated to the landmark register if it meets all the criteria of subsection A or all of the criteria listed below:
1. The property is located within the boundaries of the City of Port Orford.
 2. The property is over 50 years of age or of exceptional importance.
 3. The property possesses sufficient historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that may destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on principal facades, addition of upper stories or the removal of original upper stories, covering the exterior walls with non-historic materials, moving the resource from its original location to one that is dissimilar to the original, additions which significantly detract from or obscure the form and appearance of the historic resource when viewed from the public right-of-way.
 4. The property has historic significance as demonstrated by meeting at least one of the following criteria:
 - a. Association with events that have made a significant contribution to the road patterns of our history; and/or
 - b. Association with the lives or persons significant in our past; and/or
 - c. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; and/or
 - d. Have yielded, or may be likely to yield, information important in prehistory or history.
- C. Nomination Procedure. The nomination procedures are as follows:
1. The nomination for a historic resource to the landmark register must include a statement discussing how the property meets the criteria under subsection B of this section and be documented at a minimum to the standards established by the Oregon Historic Preservation Office for Intensive Level Surveys in the document "Guidelines for Historic Resource Surveys in Oregon, 2010" or most recent guidance for such efforts published by the SHPO. They may establish additional standards for a complete application.
 2. Prior to setting the proposed nomination on the agenda for the next relevant Commission meeting, property owners shall be informed in writing of the nomination process pursuant to local and State law. To be listed in the landmark register, the property owner(s) shall provide to the City a written statement acknowledging that the owner understands the nomination process and the results of such a designation, and wishes to have their property listed in the landmark register.
 3. Upon acceptance of a complete application and receipt of written owner consent, the Commission/Planning Commission shall schedule a public hearing before the Commission pursuant to applicable State and local laws.
 4. The Commission/Planning Commission shall review the documentation for completeness, accuracy, and compliance with subsection B, "Criteria for Designating Historic Resources to the Landmark Register" of this section. The Commission/Planning Commission may make a recommendation to approve, deny, or table the application pending further testimony, or to allow for the petitioner to provide additional information as requested by the Commission. The Commission shall develop written findings to support its decisions.

5. Applications will be approved or denied by the Commission/Planning Commission.
 6. Upon final approval by the Commission/Planning Commission, a record of designation shall be prepared that includes the original nomination materials, and any testimony or additional materials considered during the nomination process that establishes the eligibility of the historic resource for listing in the landmark register.
 7. A record of designation may be amended through the process described in subsection C at the next regular Commission meeting.
- D. Results of Listing in Landmark Register. Historic resources listed in the landmark register receive the following benefits:
1. Landmarks are protected under the provisions of Sections 17.15.110 through 17.15.150.
 2. The Commission/Planning Commission shall consider granting zoning variances and/or conditional use permits in order to encourage the productive use and preservation of landmarks.
 3. The local Building Official shall consider waiving certain code requirements in accordance with the existing State Building Code.
 4. Property owners of landmarks may seek technical or financial assistance from the Planning Commission in applying for grants or tax incentives for rehabilitating their properties as resources and funds are available.
 5. Property owners of landmarks are eligible to receive City pass through grants and loans to assist with the preservation of their buildings as resources and funds are available. (Ord. 2012-06 § 10, 2012)

17.15.110 Treatment of historic resources listed in the landmark register.

The Landmarks Commission shall use the provisions of this section to preserve the exterior character-defining features of individual landmarks; the exterior of individual buildings in landmark historic districts; and exteriors and interiors of City-owned landmarks.

- A. Activities not subject to the provisions of this section:
1. Alterations to building interiors.
 2. Application of exterior paint color when color is not specifically noted in record of designation.
 3. Alterations to landscape features not specifically identified as historically significant in record of designation.
- B. No landmark or exterior landscape or archaeological element noted as significant in the record of designation shall be altered, relocated, or demolished, or a new building or structure constructed on the same lot as a landmark without a certificate of appropriateness signed and issued by the Planning Commission. Certificates must be presented to the Building Official before a building or demolition permit is issued.
1. An application for a Certificate of Appropriateness must include a description of the proposed activity, accompanying maps, photographs, drawings, and other documentation. The Planning Commission may establish additional standards for a complete application, including defining different criteria for a complete application under provisions in subsections C, D, and E of this section.
 2. Upon acceptance of a complete application, the Commission shall decide at the next scheduled Commission Meeting if the proposed work is subject to provisions in subsection C, D, or E of this section.
 3. The Commission minutes will summarize the proposed project, noting the criteria specified in this chapter under which the application shall be considered. At the next scheduled meeting, the Commission will make a recommendation to approve, approve with conditions, or deny the application for a certificate of appropriateness. Materials that may be used in the preparation of the report include the record of designation; and/or National Register nomination; and/or other archival photos, maps; and/or other documentary evidence specific to the subject property; and/or observations from on-site inspections from the public-right-of way to document its historic appearance or alteration over time; and/or documents

and publications of the National Park Service or Oregon State Historic Preservation Office. Documents not available from the City at the time of application for a certificate of appropriateness shall be made available to the applicant at least 10 calendar days before a public hearing is held or administrative decision is made.

4. The Commission shall review and act upon applications for the alteration, relocation, and demolition of a landmark. Applications for the alteration of a landmark may be approved, approved with conditions, or denied. Applications for the relocation or demolition of a landmark may be approved, approved with conditions, or the action delayed for up to one year. The Commission minutes will reflect findings to support its decisions.
 5. Approval for the alteration of a landmark shall be effective for a period of two years and one year for the relocation or demolition of a historic resource.
- C. The Commission may approve the alteration of a landmark without a public hearing when the proposed alteration will not significantly change the qualities that merited the listing of the landmark in the landmark register.
- Activities eligible for this provision include the following:
1. Construction of a fence that meets code requirements of the City of Port Orford.
 2. Demolition of an outbuilding noted as sharing a lot with a landmark and specifically noted as not historically significant in its designation.
 3. New addition to a landmark or new construction not visible from the public right-of-way.
- D. A public hearing before the Commission/Planning Commission shall be required for activities not exempted in subsections (A)(1) through (A)(3) and C)(1) through (C)(3) of this section.
1. Prior to submitting an application for a permit pursuant to this section, proponents are encouraged to request a pre-application conference to review concepts and proposals. The Commission may assign a staff member or other appropriate person(s) to complete the consultation. The Commission may also form ad-hoc committees for this purpose. Commission members participating in pre-application conferences shall disclose their ex-parte contact at the time of a public hearing on the proposal.
 2. Upon acceptance of a complete application the Planning Commission as the parent to the Historic Preservation Commission shall schedule a public hearing pursuant to applicable local and State laws.
 3. In order to approve an application for the alteration of a landmark, the Commission/Planning Commission must find that the proposal meets the following guidelines as applicable:
 - a. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships; and/or
 - b. The historic integrity of a property shall be retained and preserved. The relocation of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided; and/or
 - c. A property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken; and/or
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved; and/or
 - e. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved; and/or
 - f. Deteriorated historic features should be repaired rather than replaced. The severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence; and/or

- g. Chemical and physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used; and/or
 - h. Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken; and/or
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment; and/or
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
4. In addition to meeting the applicable guidelines in subsections (D)(3)(a) through (D)(3)(j) of this section, in order to approve an application for the alteration of a landmark the Commission/Planning Commission must find that the proposal meets the following design standards as applicable:
- a. Vacant buildings shall be weather- and vandal-proofed in order to minimize further deterioration and the threat to public safety; and/or
 - b. Rehabilitation work, especially on the exterior and the principal facades shall preserve the existing historic features or replace them if absolutely necessary with features and materials known to have existed on the building through verifiable evidence such as photographs. Alterations to landmarks shall not be based on speculation, but instead on documentary evidence; and/or
 - c. New additions shall be subordinate to the original building, meaning lower in height, attached to the rear or set back along the side, smaller in scale, and have less architectural detail; and/or
 - d. Height, width, setback, roof shape, and the overall scale and massing of new buildings within historic districts and on lots with existing landmarks, or additions to landmarks shall be compatible with the existing historic building(s).
 - e. Architectural details on new construction (including wood or metal trim, porches, cornices, arches, and window and door features, etc.) shall be complimentary, but shall not replicate historic features on surrounding historic buildings; and/or
 - f. Window and door opening should be similar in size and orientation (vertical to horizontal) to openings on historic buildings and shall take up about the same percentage of the overall façade as those on surrounding historic buildings; and/or
 - g. Moving landmarks shall be avoided, especially to create artificial groupings; and/or
 - h. The demolition of landmarks shall be avoided whenever possible; and/or
 - i. Any applicable design guidelines adopted by the Commission in Section 17.15.060.
- E. A public hearing before the Commission/Planning Commission shall be required to relocate or demolish a landmark.
- 1. In order to approve an application for the relocation of a landmark, the Commission shall find that:
 - a. The applicant has completed a replacement plan for the site, including drawings approved by the Building Official. Plans must be submitted for review by the Commission pursuant to subsection D as it relates to new construction; and
 - b. The Building Official determines and states in writing that the building may not be safely removed from the site; and
 - c. The value to the community of the proposed use of the property outweighs the value of retaining landmark at the original location. Public testimony shall be considered when making this determination.
 - 2. In order to approve an application for the demolition of a landmark, the Commission must find:
 - a. The conditions in subsection (E)(1)(a) through (c) have been met as applicable; and