CITY OF PORT ORFORD
VIRTUAL SESSION OF THE COMMON COUNCIL
THURSDAY, SEPTEMBER 17, 2020 AT 3:30 P.M.
Please join my meeting from your computer, tablet or smartphone.
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AMENDED AGENDA

1. Call to Order
2. Additions to the Agenda
3. Presentations to Council/Citizens
4. Consent Calendar
   a. Approve Minutes August 20, 2020 Council
5. Citizens’ Concerns (Speak Only for Old & New Business Items on the Agenda)
6. Departmental Reports

HEARING
DARK SKY ORDINANCE

7. Old Business
   a. ORD 2021-01 Burn Permit extending the burn time (days) – Second Reading
   b. Contact Tank Bid Approval
   c. ODOT Speed Signs – cost share
   d. Right-of-Way Request to Revisit Planters on 16th Street
8. New Business
   a. Appointment of Council Seat – Lorin Kessler
   b. Right-of-Way Request – Tina Beresford
   c. Police Department eCITE Grant Approval
9. Considerations
   a. Citizen   b. Staff   c. Councilor   d. Mayor
10. Future Meetings
    Thursday, October 15, 2020, Regular Council Meeting 3:30 p.m. by virtual meeting
11. Adjourn

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

- If you plan to speak/comment during the meeting (when permissible to do so), please announce your name and “how” you are joining the meeting (i.e. by computer and/or phone). Speak slowly and clearly, so the organizer may “find” you and identify your “caller” location.
- Please wait to be called on to speak, to avoid talking over someone.
- When you are not speaking, please mute yourself (so the organizer doesn’t have to do this).
- Please limit side conversations and multitasking while you are in the meeting.
- Be aware even if you are not on camera, sound can be heard over unmuted phones and will be distracting. And if you are on camera “absences” will be noticeable, and also distracting.
- To minimize feedback noise, we will only have the meeting host, Mayor, and one other speaker unmuted at any time during the meeting.
- Please be aware that if poor etiquette is being observed, it may be called out so you have an opportunity to fix the situation.
City of Port Orford
City Council Meeting Minutes
In the Gable Chambers
Thursday, August 20, 2020 at 3:30 P.M.

<table>
<thead>
<tr>
<th>Mayor and Council</th>
<th>Present</th>
<th>City Staff</th>
<th>Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Pogwizd, Mayor</td>
<td>X</td>
<td>Terrie Richards, City Admin/Recorder</td>
<td>X</td>
</tr>
<tr>
<td>Gary Burns</td>
<td>X</td>
<td>Shala Kudlac, City Attorney</td>
<td>X</td>
</tr>
<tr>
<td>Pat Cox, President</td>
<td>X</td>
<td>David Johnson, Finance</td>
<td>X</td>
</tr>
<tr>
<td>Vacant</td>
<td></td>
<td>Fire Chief Hobart</td>
<td>X</td>
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<tr>
<td>James Garratt</td>
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<td></td>
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<tr>
<td>Carolyn LaRoche</td>
<td>X</td>
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</tbody>
</table>

Media Present:
Others Present:

1. **Call to Order**
   Mayor Pogwizd called to order this Regular Meeting of the Common Council on Thursday, August 20, 2020 at 3:31 p.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon.

2. **Additions to the Agenda**: None.

3. **Presentation to the Council/Citizens**: Linda Tarr, chair of Port Orford Watershed Council would like to present an update from last night’s meeting. This will be presented under Department Reports.

4. **Consent Calendar** – Councilor Burns moved to approve the minutes for council meetings of June 18 and July 16 and the workshop on June 29, 2020 with Councilor Garratt as second.
   
   Motion carried 4-0.
   Discussion: None.

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

5. **Citizen Concerns**:
   Teresa Kolibaba addressed the two proposals on the well drilling that says it is based on the agreed upon depth of the two well drillings, but it does not say what the depths are.

   Steve Lawton from Port Orford in the Battle Rock MU-10 zone. Currently under that zoning, he would be able to build a building outright to 35 feet. He feels that is too high. He feels that modifying the height allowance of buildings in the city ordinance is reasonable. The cost is minimal to the community. He stated the city does not have on-site parking requirements for businesses, multifamily unit housing and vacation rentals and is concerned that with
increased density the city will see a lot more traffic, a lot more noise and a lot more vehicles on the roads. He is concerned with the supply of water, volume and pressure of the water system. He is concerned with the ability for the fire department to reach a three-story structure effectively. Changes made to address these concerns will cost the city, and he does not feel the citizens at large should bear the burden of that type of development. He believes the real estate market in Port Orford is shifting towards an investor income driven market, who have a different view of the world compared to permanent residents.

Teresa Kolibaba comments on Mr. Lawton’s concerns. She agrees with the water pressure problems for fires. She agrees a building higher than 35 feet is too high and could obstruct the scenery.

6. **Departmental Reports:**

   **City Administrator:** Cox advised there is a 2-hour class for Port Orford public works staff to attend so they can go into a contained area safely. Councilor Cox is certified to go into enclosed spaces currently and volunteers his time for the city until staff is trained. CA Richards will look into the classes required for closed spaces in an attempt to cross train employees.

   CA Richards speaks on Hubbard Creek. She requires the crew to report the impound water level to her, especially during the summer months.

   Due to water recovery slower than usual, CA Richards would like a notice sent to citizens requesting restricted water usage to necessary water at this time. Councilor Cox suggested crafting the letter from the water conservation plan Phase 1. By consensus, the letter will be drafted and sent.

   **Mayor:** Mayor Pogwizd received a letter from Main Street today advising that the Marine Board wants the kayak launch at Pinehurst and not at 12th Street. This has become a bigger grant to include the launch, restrooms and parking. City Council gave approval for a grant in June. Mr. Dave Lacey is working on the grant. Councilor Burns received an email from Mr. Lacey that sounded hopeful due to the interest from the Marine Board.

   **Financial Director:** Councilor Burns reported on a citizen who received a parking ticket, contested the ticket in court, and the judge ruled in their favor. They did not have to pay the fine, but they still had to pay a 54-dollar administrative fee. The court ruled the citizen should not have received the ticket, thus it seems they should not have had to pay a fee. Any administrative fee should have been to the city, since they wrote the ticket. Legal counsel Kudlac advised that all courts have a fee to use the system. The city has the ability to change that fee system.

   **Councilors:** Councilor Burns reports he now has the key for the valve at the end of the reservoir. He has informed Roger. He will report information on that valve when available.
He stated the sewer NPDES permit is requiring an engineer, which should be in Terrie’s report. The Idaho lift station has issues with the barrel. An outside group that can go into a contained area safely will need to figure out what needs done. The splitter at Wyoming lift station needs to be cut off. CA Richards will research the repairs.

Councilor Cox expressed desire to attend the reservoir assessment with councilor Burns. Councilor Cox advised the well by the plant was capped because of the salinity. There is an option of a well by the laundry mat. Mayor Pogwizd wants clarification on the depth of the wells in the report. Councilor Cox stated the quote is for 100 feet, and if they have to go beyond, they will stop and talk to the city at that point. The report addressed the location on Port Orford Loop and another location, which are not good locations. CA Richards will check on the laundry mat location.

Councilor Cox updated on the Port. They are dredging. Peter DeFazio attended yesterday to survey the dredging and the break water. He is supportive of the Port. Unfortunately, last month the Port lost funds to the state. The Ways and Measures Committee had to restructure their budget, so they had to put those funds back to the state; however, once the Port reaches a certain step they can try and get it back. An EDA federal COVID grant is available, which the port will apply for an amount of 13 million. If received, the project can be a one-phase project instead of three-phase. Halibut season was successful.

Councilor Garratt noted the ODOT speed signs were not on the agenda. CA Richards was asked by Darrin Neavoll if the city would like to have the speed signs on both ends, which is between six and eight thousand dollars for one sign. They will pay for one if Port Orford pays for the other. Councilor Garratt reminded the council that by consensus previously the signs are something council was interested in. He would like the signs on the agenda for the next meeting. Mayor Pogwizd and CA Richards stated the project has been pushed out to 2022, but the signs could be sooner. CA Richards will add the signs to the next meeting agenda.

Councilor Garratt relayed that the fire department asked him to mention that there are several new board members on the fireboard. Proceeding with the new contract should go well. The Fire Chief expressed appreciation to the police department for their assistance with the fire in town last month. The new officer, RJ, was extremely helpful with diverting traffic and putting up ribbons for crowd control.

Linda Tarr speaks about the watershed. Jeff Smith and Erin Minster applied for an Oregon Health Authority grant, which was granted to treat Gorse on the Sorenson property, which is owned by the city, and create a secure water supply ten-year plan. Subsequent to receiving the grant it was discovered there is a conservation easement on the grant that disallows the use of herbicide. Part of the proposal in the grant was to use herbicide. This has delayed the grant pending resolution. There is discussion of having Wild River Land Trust take on the conservation easement. Wild River Land Trust has consulted with the attorneys for Coalition
of Oregon Land Trust to determine whether there is a merger issue, which is when the same entity holds a conservation easement and owns the land. The attorneys stated it is a valid conservation easement now as it is. Wild River Land Trust would be interested in taking on the role of stewardship of that property and holding the conservation easement.

The deadline for completion of the grant is December 31, 2021. The city can ask for an extension from the Oregon Health Authority for another year to use the money. Erin Minster from Southcoast Watershed Partnership stated Oregon Health Authority would likely be open to granting the extension. CA Richards and Erin would have to coordinate in approaching Oregon Health Authority with the extension request. CA Richards reports she has been working with Erin Minster and Max Deacon regarding this. She is waiting for Max to advise where Wild River Land Trust is in the process. There is a cost, but CA Richards has not been provided the fee amount.

7. Old Business
   A. Right of Way Request 16th Street, revisited: Councilor Burns reported that in the time since he asked the mayor to put this on the agenda, he has received information that has changed his mind, and he now stands with the original decision to allow Ms. Howard to place the planter boxes in front of her home on 16th Street. Mayor Pogwizd received a letter two days ago from Kristin Howard asking this be put on the September agenda rather than this agenda. Mayor Pogwizd prefers to take care of the request today rather than the September agenda.
   Discussion: Councilor Garratt is concerned about handicap parking issues. Behind the proposed planter location is a ditch and then a hillside to the house. Counsel Kudlac advised the city is required to have ADA parking in city parking areas; however, this is not a city parking lot. The council needs to consider neighborhood opinion and current use of the property.
   CA Richards informed council a neighbor with a handicap issue uses the city property to park on. The city council should not get involved in neighbor disputes. Councilor Garratt stated that in the city code it states, granting ROW usage license be in the public interest; however, this request seems to be in the interest of one person versus another. There is a slight benefit to the city due to the beautification. This right of way has previously been denied, then approved, and now is in a civil dispute between two neighbors. **Motion failed 3-2.**
   Councilor Cox moved to reverse the right of way decision that was made last month with Councilor Garratt as second.
   Discussion: As above.

| Councilor Burns | No | Councilor LaRoche | Yes | Councilor Cox | Yes | Councilor Garratt | No | Due to councilor tie, Mayor Pogwizd | No |
B. **Extending Burn Permit Usage:** Councilor Cox moved to advance ordinance 2021-01 to a second reading, “the common council of the City of Port Orford amending ordinance 2015-05 to extend the burn permit period” with Councilor Garratt as second. \textit{Motion carried 4-0}.

Discussion: None.

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<tr>
<th>Councilor Burns</th>
<th>Yes</th>
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<th>Yes</th>
<th>Councilor Cox</th>
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8. **New Business:**

A: **Task Order from Dyer Engineers for the Grit System:** Councilor Burns moved to approve task order number 9 for grit system replacement project with Councilor Garratt as second.

Discussion: Councilor Cox asks if the motion is to move forward on the process but not choosing the engineering company, since this type of system has in-house engineers, which will save money. CA Richards advised this is a task order for Dyer Engineers, thus spending money prior to talking to anybody else. If not approved, staff can be directed to pursue another direction. Councilor Burns reported the system has been broken for two years. Trash is getting into the waste plant. The engineers can suggest action to take until the repairs can be made. Councilor Burns identifies that there is no electrical system for the grit system. Councilor Cox believes the motor can be replaced and the shaft can be built and milled. OAWU has engineers on staff for city use. Councilor Garratt would like to move forward on this system and look at repairs and replacement parts moving forward in future projects. Councilor LaRoche wants to confirm the electrical is included. David Johnson will research.

Councilor Burns rescinded his motion to approve task order number 9 with Councilor Garratt rescinding his second. There is no longer a motion on the table. Mayor Pogwizd directed CA Richards to call OAWU tomorrow and email response to councilors on Monday. A special council meeting will be held next week for approval of task order #9 if pertinent information is not obtained.

B: **Chapter 17 Zone Building Height:** Building height is 35 feet across the zones and 10-MU can go as high as 45 feet. Councilor Garratt feels the fire department is not equipped to handle structures beyond two stories. The fire department would have to upgrade equipment at a high cost. City resident’s insurance levels can be affected. Legal Counsel Kudlac advised this is going to be an extensive land-use process. This is not a vote to be made tonight. Council can vote to have the planning commission consider this issue and the planning commission can hold hearings. This will be a hearing vote at both levels and will require notice to the entire city. CA Richards reported that City Planner, Crystal Shoji, advised this could be an expensive process.

Councilor Cox moved to send the issues of reducing the building heights to 25 feet across the zones to planning with Councilor LaRoche as second.
Discussion: Councilor Burns advised that the pitch of a 2-story home can bring the height to 30 feet. He suggested a 2-story building with 30 feet limit. Legal Counsel Kudlac stated the details will be addressed by planning. One zone is easier than the entire town.

Councilor Cox amended his motion to move the building height reduction discussion to Planning Commission with Councilor Burns as second. *Motion carried 4-0.*

Discussion: As above.

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9. Considerations

a. Citizen
Teresa Kolibaba of Port Orford asked if the building height codes will include existing buildings and if it will include the chimney. Councilor Cox advised current buildings are grandfathered in. Ms. Kolibaba asks if the height of each floor will be in the ordinance. Ms. Kolibaba addressed putting a well by the laundry mat and asked how a second well will affect the water output of both wells. Ms. Kolibaba offered a complaint about an officer, and she related that someone was parked across part of her right of way, and he refused to enforce due to no signage. She reported being stopped by the Senior Center on 16th Street, and if you were to go straight you would not go onto the paved road by Carlene’s place since there is a 10-foot offset. There is a 15-foot drop off on the north side of the street. Maybe the road on the East side of Jackson is paved in the wrong spot.

Steve Lawton addressed the building height and stated other communities put timelines on planning commissions with a goal of trying to get it to public meeting by a certain time.

b. Staff
CA Richards asked if there were still email issues with council. It was confirmed that councilors are not receiving emails, and there are other issues. David Johnson advised that a virus was downloaded on CA Richards computer. The virus has captured her address book and is sending infected emails to her contacts.

Councilor Garratt advised Chief Hobart of the appreciation expressed by the fire chief for police officer’s, specifically Officer RJ’s, response and actions at the fire scene in town.

c. Councilor
Councilor Garratt offered to donate IT tech or consultant time to the city to assist with the email virus.

d. Mayor
Mayor Pogwizd stated he had many requests to add agenda items. He reiterated the deadline for adding items to the agenda is by noon the Thursday prior to council.
9. **Future Meetings:**
   Special meeting to address the grit system pending schedule next week.
   Thursday, September 17, 2020 Regular Meeting of the Common Council at 3:30 p.m.

10. **Adjourned**
    There being no further business, Mayor Pogwizd adjourned the meeting at 5:27 p.m.

    Attest:

    ________________________________  ________________________________
    Mayor Tim Pogwizd                 City Recorder, Terrie Richards
CONTACT TANK PROJECT

DREDGING
Per my phone conversation on 9/10/20 – several jobs have been delayed due to the fire situation, our project has moved up the calendar – waiting for a new proposal.

GATE VALVE/HUBBARD CREEK
The gate key issue has been fixed. Waiting to schedule a site visit.

GRIT SYSTEM
OAWU Keith Bedell was scheduled to do a site visit on the 9th – due to the fire situation the visit has been postponed for the week of the 21st.

PARKS
- The Parks Commission has accepted 20 pallets of paver stones from the State of Oregon Parks. There was discussion on where to use them. The Kayak Launch was at the top of the list.

OTHER
- Union Contract meetings have been postponed due to the fire situation
- Sewer NPDES Permit is up for renewal – a work in progress
- Grit System – the task order is before the council for approval this meeting.
- Received 3 applications for the public works superintendent and 3 applications for the public works maintenance.
- September 5, 2020 the 4” main running North and South on Jackson at the First Community Church blew a 2” hole causing an undetermined amount of water loss. Officer Perry first noticed the leak – water bubbling up out of the parking lot storm drain. Four Public Works crew were on site. The leaking line was isolated and repaired the next morning. The Fire Department was on site with their truck helping drain out the water.

★ Unaccounted for Water for July 2020 = 40% (Previous mo. 29%)
Wastewater treatment report 9/10/2020

- Deq is now requiring dmrs to be submitted electronically.
- Ongoing grease removal from lift stations.
- Ammonia removal efficiency is 97%.
- Called out Wyoming lift station, pulled pump, because rags were wrapped around stop float.
- Councilor Burns came out and looked over Wyoming to suggest game plans for Wyoming.
- Wyoming lift station pump 2 running poorly, Larry and I pulled pump and found larger rag bundle in impeller.
- Pressure washing of equipment.
- O and M and gear lube replacement on plant clarifier and blower.
- Lots of weed eating and mowing.
- Contacted Oawu about sending wastewater circuit rider, he rescheduled because of fires near and in between his and our areas concerning the grit system.
- Fixing rust issues at 25th street lift station by applying Rustane and paint, to problem areas.
- Called out due to failed burned out muffin monster drive motor, Rick had forethought to purchase a new one. The guys and I installed this new motor and the muffin monster is again grinding big things into small things.

Questions

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

Contacted undergroundtech.net they are planning on coming out and making recommendations concerning Wyoming lift station needs.
FINANCIAL REPORT  
September 8, 2020

For the month of August, the total revenue and expenditures for all funds was $148,890.53 and $130,843.70 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:
The General fund received $36,848.62 in revenue of which $1,179.19 was from property tax receipts, $24,962.80 from citations, $111.13 from the State Cigarette Tax, $1,715.83 in State Liquor Tax, $2,858.78 in state revenue sharing, $204.62 in interest, $207.50 for Business Licenses, $150.00 to release two impounded vehicles, $843.44 for the 2nd quarter franchise payment from ISN, $3,323.83 for the 2nd quarter franchise payment from Charter, $988.00 in planning fees, and $303.50 in court administrative fees. For the month of August, the General Fund disbursed $21,418.36 of which $14,288.20 was for wages, $220.00 in citation assessments and reimbursements, $117.37 for custodial supplies, $242.26 for custodial services, $1,200.00 for legal services, $1,275.04 for planning fees, $723.76 for office supplies, $300.00 for the municipal judge, $165.10 in bank fees, $621.00 for advertising, $142.42 payment for the copier lease, $140.30 for travel, $310.35 for telephone service, $167.60 for postage, $594.00 to clean a hard drive and upgrade to the firewall, $446.70 for a new monitor and six web cameras, $364.28 for maintenance of City Hall, and $99.98 for internet service.

Parks:
   Parks received $3,270.09 in revenue which consists of $41.51 donation for the Visitor Center, $2,315.65 for the 2nd quarter TLT receipts, $150.11 in rent for the Community Building, $700.19 in rent for the American Legion Hall, and $62.63 in interest. For the month of August, $15,165.11 was disbursed for Parks of which $4,038.93 was for payroll, $135.60 for fuel, $370.06 for electricity, $27.82 for telephone service, $410.86 in maintenance at Battle Rock Park, $143.62 in maintenance at the Committee Building, $74.70 for maintenance at the Visitor Center, $234.78 for maintenance at Buffington Park, $176.08 for maintenance at the American Legion Hall, $176.10 for maintenance at the 12th ST Boat Ramp, $4,068.82 for a new mower, $4,000.00 in TLT Grant disbursements to the Jubilee Committee, and $1,307.74 for custodial services.

Public Safety:
   $35,846.35 was disbursed for the Police Department of which $32,665.78 was for payroll, $10.00 for office supplies, $109.00 for the annual Justice license, $853.13 for fuel, $3.20 for postage, $1,746.00 for Lexipol, and $459.24 for telephone service. Public Safety received $1,049.69 in revenue of which $951.31 was from property tax receipts, $15.00 for insurance reports, and $83.38 in interest.

Water Enterprise:
The Water Department received $45,904.98 in revenue of which $45,800.67 was from the July utility billing of which $5,385.49 is designated to be set aside for Water Capital Reserves, and $104.31 in interest. The Water Enterprise Fund paid out $29,263.63 of which $26,763.03 was for payroll, $375.96 for telephone services, $251.39 for fuel, $39.99 for internet service, $16.49 for office supplies, $211.13 for electricity, $500.00 for contract services, $25.26 for maintenance of pump stations, $110.58 for water line repairs, $279.15 in bank charges, $36.96 for minor equipment, $429.77 for employment advertising, $34.92 for meter repairs, and $189.00 for postage.

Water Capital Reserves:
The Water Capital Reserve Fund received $141.69 in interest. The Water Capital Reserve Fund balance is now $170,841.39.

Sewer Enterprise:
The Sewer Enterprise Fund received $56,032.29 in cash receipts which consists of $231.91 in interest, and $55,800.38 was from the July utility billing of which $5,124.48 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for August was $22,814.44 of which $21,322.44 was for payroll, $145.99 for electricity, $97.81 for telephone service, $189.00 for postage, $197.16 for fuel, $279.14 in bank charges, $429.77 for employment advertising, $6.99 for minor equipment, $35.68 for office supplies, and $110.46 for internet service.
Sewer Capital Reserves:
The Sewer Capital Reserves received $138.97 in interest. The Sewer Capital Reserve Fund balance is now $167,566.79.

Street Fund:
For August the Street Fund received $4,796.91 of which $4,750.30 was from the State Highway tax, and $46.61 in interest. $6,335.81 was disbursed for Streets, of which $5,892.30 was for wages, $102.00 for the port-a-pott, $135.60 for fuel, $96.93 for electricity, $49.98 for street maintenance, and $59.00 for office supplies.

Streets Capital Improvement Fund
The Streets Capital Improvement Fund received $61.42 in interest and the new balance is now $74,059.25.

Equipment Replacement Fund:
The Equipment Replacement Fund received $61.61 in interest. The balance of the Equipment Replacement Fund is $75,954.11.

Water and Sewer SDC:
The Water SDC Fund received $348.00 in interest. The Sewer SDC Fund received $236.26 in interest. The balances of the SDC funds are as follows:

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<td>Sewer SDC Improvement</td>
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David Johnson
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**Grand Total:**

| 0.00-08/31/20 | 135.41  | 8021.80 |
| 0.00-08/30/08 | 45.6   | 0.10    |
| 0.00-08/25/08 | 16.7   | 1.0     |
| 0.00-08/19/08 | 16.7   | 1.0     |
| 200.00        | 16.7   | 1.0     |

**Total Fund: SEWER ENTERPRISE FUND**

**Name**

**Account**

**Date Range:** 07/01/2020 - 08/31/2020

**Detail Report**

**Beginning Balance**

**Ending Balance**

**Total Activity**

**Total Debits**

**Total Credits**

**Designated for Reserves**
## Bank Transaction Report

**City of Port Orford**

**Transaction Detail**

*Issued Date Range: 08/01/2020 - 08/31/2020*

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Recommendation to City Council

From

Planning Commission

TO: Major and City Council

From: Port Orford Planning Commission

Date: September 10, 2020

Subject: Adopting Outdoor Lighting Code

It is the recommendation of the Port Orford Planning Commission that the Port Orford City Council adopt Ordinance 15.17 (Outdoor Lighting Code)
CHAPTER 15.17 OUTDOOR LIGHTING CODE

SECTIONS:

15.17.010  Title
15.17.020  Purpose
15.17.030  Definitions
15.17.040  Authority
15.17.050  Applicability
15.17.060  General Requirements
15.17.070  Non-Residential Lighting Requirements
15.17.080  Public Lighting Standards
15.17.090  Street and Highway Lighting Standards
15.17.100  Prohibitions
15.17.110  Exemptions
15.17.120  Notice
15.17.130  Enforcement, Abatement, and Penalties

15.17.010 - Title:

This chapter, together with the amendments codified in this chapter, shall be known and may be cited as the City of Port Orford Outdoor Lighting Code and will be referred to herein as "this code".

15.17.020 - Purpose:

The purposes of these lighting standards are: conserving energy to the greatest extent possible; promoting traffic and pedestrian safety; minimizing glare, light trespass, obtrusive lighting, light pollution, and sky glow; and preserving Dark Sky of the natural nighttime environment.

It is the intent of this code to control the obtrusive aspects of excessive and careless outdoor lighting while preserving, protecting, and enhancing the lawful nighttime use and enjoyment of any and all property; to preserve the quality of life for residents of the City and enhance the tourist experience for visitors; and to provide assistance to property owners and occupants in bringing nonconforming lighting into compliance with this code.

15.17.030 - Definitions:

In the case where a definition of a term is found to be in conflict with a definition or term in any other City ordinance or regulation, the more restrictive definition shall apply.

Bulb: means the component of the fixture that produces light.

Canopy: means a covered structure open to the elements, with at least one side open for pedestrian and/or vehicular access.

City: means the City of Port Orford, Curry County, Oregon, USA.
Development Project: for the purposes of Chapter 15.17 means any residential, commercial, industrial, or mixed use land use plan which is submitted to the Jurisdiction for approval or for permit.

Direct Illumination: means illumination resulting from light emitted directly from a lamp or fixture, not light diffused through translucent materials or reflected from other surfaces such as the ground or building faces.

Eave: means an area of a roof which overhangs the walls.

Excessive Lighting: means lighting that exceeds the amount that is needed to perform a visual task at night or required for public safety.

Fixture: means the complete lighting assembly that houses the lamp or lamps together with everything required to control and distribute the light output. The terms "fixture" and "luminaire" may be used interchangeably in this code.

Foot Candle: means the imperial unit of measurement used to quantify the amount of light falling on a surface. One foot-candle is the illuminance produced by a candle on a surface one foot square from a distance of one foot. See also “lux”.

Flood or Spotlight: means any light fixture or lamp that incorporates a reflector, a refractor, or a prismatic lens to concentrate the light output into a directed beam in a particular direction.

Full Cutoff: means zero radiation of light above the horizontal plane or a lighting fixture designed, constructed, or installed, so that the lighting elements (i.e. lamps or bulbs) are not exposed to normal view by motorists or pedestrians, or from adjacent or nearby properties.

Fully Shielded: means a fixture that allows no emission of light above the horizontal plane. For the purpose of this Chapter, full cutoff fixtures are considered fully shielded.

Glare: means stray unshielded light in the field of view that is brighter than the level to which the eyes are adapted, and may result in (a) nuisance or annoyance such as light shining into a window; (b) discomfort causing squinting of the eyes; (c) disabling vision by reducing the ability of the eyes to see into shadows; (d) reduced visual acuity.

Installed: means set up or put in place.

Kelvin (K): means the color temperature scale used to describe the visual characteristics of various light sources. It is measured in degrees on a Kelvin scale (K) and typically ranges from 2000K (warm) to 5000K (cool).

Lamp: See “bulb”.

Light Pollution: means any deleterious effect of artificial light including, but not limited to, glare, light trespass, sky glow, excessive or unnecessary lighting, or any artificial light that might be disruptive to the natural environment.

Light Trespass: means light falling from one property onto an adjacent or nearby property, or onto the public right-of-way.
**Lumen:** means the international unit of measurement used to quantify the amount of light produced by a lamp or emitted from a fixture. For the purposes of this code, measurements in lumens shall refer to "initial lamp lumens" as rated by the manufacturer when the lamp is new, as listed on the packaging.

**Luminaire:** see "fixture".

**Lux:** means the international unit used to measure the amount of light striking a surface. If this unit is used, please divide by 10.76 to convert to Foot Candles.

**Motion Sensor:** means a device that detects physical movement within the sensors local environment and activates a light that is extinguished by a timer.

**Nonessential Lighting:** means lighting which is unnecessary for pedestrian passage or other visual tasks and therefore is not generally useful (i.e., decorative, architectural, and landscape lighting). This includes lighting intended for a specific task or purpose when that task or purpose is not being actively performed, such as parking lot illumination.

**Opaque:** means any material that prevents light from passing through (i.e. impenetrable to light).

**Outdoor Lighting:** means temporary or permanent lighting equipment installed outside the building envelope, whether attached to poles, building structures, the earth, or any other location. For the purpose and intent of this code, fixtures that are installed indoors and are intended to light something outdoors are considered outdoor lighting.

**Replacement:** means the installation of a new lighting fixture or luminaire in place of a pre-existing fixture. Replacement does not mean the changing of light bulbs or lamps with same or lower output. All replacements must comply or continue to comply with this Chapter.

**Seasonal Lighting:** means temporary lighting installed and operated in connection with holidays, traditions, or local festivals.

**Shield or Shielding:** means an opaque material or device that is attached to a lighting fixture to prevent light from being emitted in certain directions.

**Sky Glow:** means the brightening of the nighttime sky by diffuse, scattered light from artificial light sources reducing the ability to view features of the night sky.

**Street Lighting:** means permanent outdoor lighting that is owned and maintained by a municipality or other public agency or private enterprise and is specifically intended to illuminate streets and highways for automotive vehicles and may also incidentally light sidewalks and adjacent private property.

**Temporary Lighting:** means lighting which is intended for uses which by their nature are of limited duration, such as civic events or construction projects, and will not be used for more than one thirty (30) day period within a calendar year, with one thirty (30) day extension.

**Unshielded:** means lighting fixtures capable of emitting light in any direction.
**Up lighted**: means a lighting fixture usually installed on the ground or permanently mounted to an architectural element, tree, or other structure that has the light from the fixture directed in a contained pattern above the horizontal plane to illuminate an adjacent or nearby building element, shrub, tree, or other landscaping.

**15.17.040 - Authority:**

The City of Port Orford and such designees as shall be appointed by City Council shall have the authority to require new lighting and existing lighting meet the provisions of this code.

**15.17.050 - Applicability:**

A. General. The provisions of this code apply to the construction, alteration, movement, enlargement, replacement, and installation of outdoor lighting throughout the City of Port Orford.

B. Application of Code. The standards and requirements of this code are applied in all zones of the City of Port Orford as follows:

1. All existing lighting that fails to comply with this code at the time of its enactment shall mitigate the nonconformance through shielding or capping of the offending light within one hundred and eighty (180) days of the effective date of this chapter.

2. If mitigation cannot bring the offending lights into complete compliance with this chapter, the lights must be moved, relocated, or replaced resulting in compliance within five (5) years of the effective date of this chapter.

3. Any construction or development which requires permitting of any kind, must be in compliance with this chapter at the time the application for the permit is filed. The City of Port Orford will not sign, nor administer, any permitting process without proof of compliance.

C. Other Laws. Where any provision of federal, state, county, or city statutes, codes or laws conflicts with any provision of this code, the most restrictive shall govern. Where there is a conflict between the general requirements and a specific requirement, the specific requirement shall apply unless otherwise regulated by law.

**15.17.060 - Lighting Standards:**

A. The maximum lumens of any lamp shall not exceed 1,700 lumens.

B. The color temperature of all lamps shall not exceed 2,700K.

C. Lighting fixtures shall be fully shielded or full cutoff fixtures.

D. Direct or indirect illumination shall not exceed 0.2 foot candles upon abutting lots in residential use as measured at the property line.
E. For the purposes of this Chapter, the mounting height of a lighting fixture shall be defined as the vertical distance from the existing grade or average elevation of the finished grade of the surface being illuminated to the lowest light emitting point of the fixture.

15.17.070- Non-Residential Lighting Requirements:

A. **Canopy and Eave Lighting.** Lighting levels under eaves and canopies shall be adequate to facilitate the activities taking place in such locations.

   1. Lighting fixtures mounted on canopies and/or eaves shall be designed, constructed, or installed so the lens cover is recessed from the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy/eave. Light shall be constrained to no more than 85° from vertical.

   2. Lights shall not be mounted on the top or sides (fascia’s) of the canopy/eave and the sides (fascia’s) of the canopy/eave shall not be illuminated.

B. **Exterior Display and Sales Areas.** Lighting levels on exterior display and/or sales areas shall be adequate to facilitate the activities taking place in these locations. The site plan shall designate areas to be considered display/sales areas and areas to be used as parking. These designations must be approved by the City.

   1. Each area designated as an exterior display and/or sales area shall be considered separately.

   2. Lighting fixtures shall be full cut-off fixtures.

   3. Fixtures shall be mounted no more than twenty (20) feet above grade.

   4. Fixtures shall not create glare on adjacent streets, highways, or properties, and shall not create light trespass on nearby and abutting properties.

   5. Exterior display/sales areas shall be illuminated only when the establishment is open for business unless motion sensing devices are installed.

C. **Parking areas.** Parking area lighting shall provide the minimum lighting necessary to ensure adequate vision in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.

   1. All lighting fixtures serving parking areas shall be full cut-off fixtures.

   2. As an alternative in the 10MU zone, the design for a site may adopt the use of parking area lighting fixtures of a particular "period" or "vintage" architectural style.

      a) Mounting heights of such alternative fixtures shall not exceed 15 feet above the elevation of the surface to be illuminated, or the existing grade, or the average elevation of the finished grade, whichever is lower.
b) Such alternative fixtures shall not be located closer than three (3) times the mounting height as measured from existing grade or the average elevation of the finished grade to the lowest light emitting part of the fixture.

D. Security lighting. The purpose of and need for security lighting (i.e. lighting for safety of property) must be demonstrated as part of an overall security plan which includes illumination, surveillance, and response plans; and which delineates the area to be illuminated for security purposes. To the extent that the designated areas is illuminated for other purposes (i.e. parking or display), independent security lighting is prohibited.

1. In addition to the application materials required as part of the lighting plan, applications for security lighting installations shall include a written description of the need for and purposes of the security lighting, a site plan showing the area to be secured and the location of all security lighting fixtures, specifications of all fixtures, the horizontal and vertical angles in which light will be directed, and an adequate cross-sections showing how light will be directed only onto the area to be secured.

2. All security lighting fixtures shall be fully shielded and aimed so that illumination is directed inward from the setback at the property boundaries, directed only onto the designated area, and not illuminate other areas. In no case shall lighting be directed above a horizontal plane, and the fixture shall include opaque shields that prevent the light source from being visible from adjacent properties and roadways. The use of general floodlight fixtures is prohibited.

3. Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level 10 feet above grade or 10 feet above the bottoms of doorways or entries, whichever is greater.

4. Security lighting fixtures may be mounted on poles located no more than 10 feet from the perimeter of the designated secure area.

5. Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located within 5 feet of the perimeter. Sensor activated lights shall be automatically turned off within five (5) minutes after being activated if no additional motion, light, or infrared radiation is detected.

6. Residential security lights shall not be installed or attached to public utility or streetlight poles.

15.17.080 - Public Lighting Standards:

The following additional standards shall apply to all public and semi-public uses.

A. All lighting fixtures shall be full cut-off fixtures.

B. Where illumination is provided, lighting of parks or open space shall have a maximum mounting height of 20 feet, minimum illumination level of 0.3 foot-candles, maximum illumination level of

1. 1.3 foot-candles, and color temperature not to exceed 2,000K.
2. The decision authority, in consultation with the Parks and Recreation Commission and the Public Works Director, shall determine whether off-street walking and bike trails built in accordance with the Parks and Recreation Master Plan, are required to be illuminated in accordance with the standards above.

C. Rustic trails built in accordance with the Parks and Recreation Master Plan shall not be illuminated.

D. The following shall apply to lighting of pedestrian walkways in non-residential zones and multifamily developments:

1. If pedestrian walkways are adjacent to illuminated parking areas, public rights-of-way or common open space this standard shall be met without the need for additional lighting if the ambient lighting meets the illumination levels specified in 15.17.080.B, above.

2. Pedestrian walkways between parking areas and buildings or adjacent to dwellings and off street multi-purpose pathways shall use bollard lights with a minimum illumination level of 0.3 foot-candles, a maximum illumination level of 1.2 foot-candles, and a maximum color temperature of 2,700K.

3. The decision authority, in consultation with the Parks and Recreation Commission and the Public Works Director, may require off-street walk and bike trails built within or adjacent to a multifamily development in accordance with the Parks and Recreation Master Plan to be illuminated in accordance with the standards of Section 15.17.080.B, above.

4. Rustic trails built within or adjacent to a multifamily development in accordance with the Parks and Recreation Master Plan shall not be illuminated.

**15.17.090 - Street and Highway Lighting Standards:**

A. All lighting fixtures shall be level mounted and eighty five degrees (85°) full cutoff type fixtures.

B. Maximum mounting height shall not exceed 20 feet measured from the surface to be illuminated to the lowest light-emitting point of the fixture.

C. Streetlights in residential zones shall be limited to one thousand one hundred (1,100) lumens unless otherwise recommended by the Public Works Department.

D. Non-residential streetlights shall be limited to one thousand six hundred (1,600) lumens, unless otherwise recommended by the Public Works Department.

E. Lights on major intersections on State highways shall be limited to two thousand six hundred (2,600) lumens.

F. Maximum color temperature shall not exceed 2700K.

**15.17.100 - Prohibitions:**
Any light source that does not meet the standards and requirements of this Chapter is prohibited. In addition to nonconforming lighting, the following lighting is specifically prohibited:

A. **Laser Light Source.** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.

B. **Searchlights and Strobe Lights.** The use of searchlights or strobe lights for purposes other than public safety or emergencies is prohibited.

C. **Blinking and Flashing Lights.** Any lighting that is flashing, blinking, rotating, chasing, or rapidly changing in color or intensity is prohibited, except for traffic control fixtures, those used for public safety or emergencies, and seasonal holiday lights.

D. **Externally Affixed Neon Lighting.** Externally affixed neon lighting is prohibited except as a trim element that surrounds windows, doors, or building edges when located on building facades that face street frontages. Such lighting must not be located more than 15 feet from finished grade and must not be used to define a building roof-line or to attract business; and such lighting must not include flashing, intermittent or rotating lights. Notwithstanding the provisions of this subsection, all neon lighting associated with signs must meet the requirements of the City of Port Orford Sign Code.

E. **Bottom Mounted Sign Lighting.** Sign lighting attached to the sign structure is prohibited.

F. **High Intensity Lamps and Fixtures.** The use, installation, sale, offer for sale, lease, or purchase of any high intensity lamp for use as outdoor lighting is prohibited.

G. Lighting within the public right of way or easement when the purpose of the fixture is to illuminate areas outside the public right of way or easement

**15.17.110 - Exemptions:**

The following are not regulated by this Chapter:

A. Lighting for public monuments and statuary. No exemption shall apply to light directed upward.

B. Temporary lighting for theatrical, television, performance areas, and construction sites.

C. Holiday lighting during the months of November, December, and January provided such lighting does not create glare on adjacent streets or adjacent or nearby properties.

D. Lighting that is only used under emergency conditions.

E. Low voltage landscape lighting not exceeding 200 lumens per fixture and aimed so that glare is not visible from adjacent properties.

F. Lighting specified or identified in a temporary use permit.
G. Lighting required by federal or state laws or regulations.

15.17.120 - Acceptance:

The applicant shall, by signing the permit application, agree to comply with the provisions of this Chapter, a copy of which shall be provided with the application packet.

15.17.130 - Enforcement, Abatement, and Penalties:

Lighting disputes should be settled between the parties whenever possible. Education and voluntary compliance are encouraged, however, whenever such disputes cannot be resolved between parties, any peace officer, as defined by ORS 161.015, the Director of the Public Works Department, or any other individual who may be designated by City Council shall enforce this Chapter.

Unlawful acts. It shall be unlawful to erect, construct, alter, extend, repair, move, remove, install, use, or demolish any outdoor lighting in violation of this Chapter, or in violation of a detail statement or a plan approved hereunder, or in violation of a permit issued under the provisions of this chapter.

Notification and Order. The City Council, the Director of the Public Works Department, or any other individual who may be designated by City Council shall issue a Notice of Violation and Order for Abatement. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The property owner or authorized agent of the owner shall comply with the requirements of the notice of violation within the time period given.

Penalty. Any violation of this Chapter, or any portion of this Chapter, shall be considered a civil infraction and is subject to penalties not to exceed the amount of the maximum fine for a Class C misdemeanor. Each day the violation continues shall constitute a separate violation.
To: Port Orford City Council

From: Steve Lawton  
710 Jefferson St. Port Orford

This letter is in support of and respectfully requests that the City Council approve the proposed Outdoor Lighting Ordinance.

The proposed Outdoor Lighting Ordinance reflects an enormous effort by the Planning Commission along with significant citizen input. This proposed ordinance will not make our community less safe or reduce our security.

Benefits of the Proposed Outdoor Lighting Ordinance

- Reduction of light trespass and conflict between neighbors
- Installation of 2700K lights (or less kelvins) that emit a warm, amber color
- Elimination of harsh, too white and too bright lights that emit too much blue light
- Lowering of street light fixtures that only shine on the roadway and protect neighborhoods from light trespass
- Reduction of sky glow
- Protection of our night sky
- Creation of a warm, pleasantly lighted community that is consistent with the Port Orford Comprehensive Plan

Cities Converting to 2700K Lights

The proposed Outdoor Lighting Ordinance reflects a major trend in many communities throughout the US to protect their night sky and to create a warm, comfortable night environment within their community. After installing 3000K LEDs, many communities and public utilities are replacing them with 2700K LEDs after receiving too many citizens’ complaints about the harsh and too white light emitted by 3000K LEDs.

The following are some of the communities that are making this conversion because their citizens prefer warm, amber colored 2700K LEDs:

- The City of Phoenix, AZ has converted all of their 100,000+ streetlights to 2,700K LEDs due to citizen complaints about blue light from 3000K LEDs.

- The City of Davis, CA has done the same thing in response to citizen complaints by replacing 3000K LEDs with 2700K lights. The City of Davis will use 15 Watt 2700K LEDs for all residential streets and 32 Watt 2700K LEDs for arterial streets and roadways.

- New York City is currently considering replacing over 250,000 streetlights with LED streetlights that do not cast a harsh, white glare caused by 3000K LEDs which NYC considers is not necessary to properly illuminate NYC streets. Their current streetlights are using old technology (LPS and HPS) and are rated at about 1800 K and emit an “amber color light” preferred by neighborhoods.
Health Concerns Over Bright LED Lights

Scientists, including from Harvard and the American Medical Association, warn that higher Kelvin lights (i.e. “colder” color temperature) – which emit more blue-wavelength of light – are detrimental to human health by suppressing melatonin production. Higher Kelvin lights are further problematic for wildlife by confusing their sense of day and night. There is a real difference between a 2700K white LED and a 3000K white LED - that is a meaningful reduction of blue light emission. So, ANY reduction in blue light emission after dark that we can achieve is better.

Highway 101 Lighting – Need For A Comprehensive Illumination Plan

In anticipation of the ODOT Highway 101 Project scheduled for 2022 and the community’s effort on the proposed Outdoor Lighting Ordinance, it made sense for the multiple stakeholders to convene to review the lighting on Highway 101. Those present were the City, Coos Curry Electric Coop, ODOT, Kalmiopsis Audubon Society, Main Street Revitalization and interested citizens.

The proposed Outdoor Lighting Ordinance can serve as a guide to ensure that the lighting along Highway 101 through downtown creates a warm, pleasantly lighted community that is consistent with the Port Orford Comprehensive Plan while serving the safety needs of vehicles, bicyclists and pedestrians along Highway 101.

The group’s goal is to review and discuss the current and future lighting plan along Highway 101 throughout the downtown corridor of Port Orford. Currently, there are 26 CCEC “franchise lights” and 5 private lights along the Highway 101 corridor. These lights do not create a uniform, consistent lighting system because the lights have been repaired or replaced throughout the years due to our extreme coastal climate. This has resulted in a system with multiple fixture types, multiple fixture heights, multiple lamp types (brightness and color) and light trespass in neighborhoods.

There are some opportunities to reduce light trespass in our City in collaboration with CCEC by adjusting some fixtures (redirect and/or modify), lowering some fixtures on poles, replacing fixtures and installing 2700K lights that emit a warm, amber color. Obviously, there will be a cost to this effort that needs to be determined and shared.

There is a growing concern among many citizens in Port Orford that the additional 3000K ODOT lights mounted at 30 feet high will be harsh, too bright, emit too much blue light, increase trespass light on neighborhoods and negatively impact our night sky. There is a fear that these lights will create what some call a “Walmart Parking Lot Effect”.

ODOT Technical Leadership Center

Ernest Kim, Illumination Engineer and Project Lead for the ODOT Illumination said that 3000K and 4000k LEDs are generally used by ODOT but 2700K LEDs can work and won’t require an ODOT Design Exception. He is aware of the growing concern by citizens over too bright and too white LED lights that emit too much blue light and their preference for warmer 2700K LEDs.
As per ODOT policies and guidelines, when projects lie within the City limits, ODOT has an obligation to try to be consistent with local standards while meeting the needs of the ODOT project team. ODOT lighting decisions on pedestrian crosswalks utilizes engineering judgement of local conditions considering such factors as number of lanes, traffic volumes, night time crash history, posted speeds, presence of transit stops, and other roadway factors. Do we have such data that warrants the additional lights?

Ernest Kim stated that ODOT uses 30 feet as the minimum height due to the concern over vandalism but 25-30 feet can work if we find the right fixtures. He understands our community’s concern over trespass light and how lowering the height of light fixtures directly reduces the amount of trespass light on neighborhoods. He feels confident that we should be able to find a fixture with the “right light footprint” (narrow lighting pattern) that shines directly down on the road with minimal light shining off the roadway into neighborhoods.

Dangerous Night Time Glare From Over Illumination

A recent Federal Highway Administration study on Safety in Roadway Lighting determined that “disability glare” is one of the most important elements in a highway lighting system. Disability glare affects your ability to adequately adjust your eyes for night time vision which is especially significant for older drivers and when they drive from dark, rural highway conditions. This is clearly the case for Port Orford when entering the City from either the north or south on Highway 101 and an important factor to consider when Curry County has the oldest population in the State.

Yellow/Amber Color LEDs

The proposed Outdoor Lighting Ordinance requires LEDs that emit a yellow/amber color.

What seems to be emerging as the best light that both serves the needs for illumination and meets the expectations of citizens and neighborhoods is Narrowband Amber (NBA) LEDs (aka direct amber LEDs; direct emission amber LEDs; limited wavelength amber LEDs). These LEDs provide a yellow LED light with a peak spectral intensity between about 589-595 nm that are similar to Low-Pressure Sodium (LPS) lights

Another option is a Phosphor-Converted Amber (PCA) LED light with a light spectrum similar to a High-Pressure Sodium (HPS) light.
Dear Port Orford City Council members:

I am writing on behalf of the Kalmiopsis Audubon Society in strong support of the upgraded outdoor lighting code recommended by the Port Orford Planning Commission.

Our organization has dozens of members who reside within the City of Port Orford. For more than two decades, we have supported efforts to develop a better outdoor lighting code (through the Port Orford strategic and comprehensive plans and code adoption), and our volunteers have helped better manage lighting in our city by providing free “sky caps” to residents to retrofit non-compliant and glaring yard lights. Our aim has been to conserve the natural starry sky for the benefit of birds and wildlife, for the enjoyment of residents and visitors, to encourage sustainable tourism, and to maintain the livability of our community.

More than a year ago, the Port Orford City Council tasked the Planning Commission with upgrading the city lighting ordinance to reflect recent changes in lighting technology that made our previous ordinance obsolete. The Commission was also directed to make the ordinance more enforceable.

Since then, the Planning Commission has conducted a tremendous amount of research, considering many lighting ordinances from other small towns and cities and taking input from citizens and from the city attorney, to develop an outdoor lighting ordinance to implement the City of Port Orford’s Comprehensive Plan, which includes a policy (Goal 5, Policy 9) to “minimize light pollution and maintain dark sky at night through implementation of the city’s dark sky ordinance.”

Why the outdoor lighting ordinance is so important
The purpose and intent of the ordinance spell out why having a strong code for outdoor lighting is valuable and critical for our small community. In short, benefits include:

- conserving energy and costs,
- promoting traffic and pedestrian safety
- minimizing glare, light trespass, obtrusive lighting, light pollution, and sky glow
- preserving the dark skies of the natural night time environment
Many citizens and visitors enjoy seeing the dark sky at night, which adds to Port Orford’s small-town feel. The majority of cities have already lost their “dark sky, but we still have ours as a unique and valuable natural asset. All we need to do is conserve it into the future! Our “dark sky” is one of the things that makes our town special and is an economic benefit that local businesses have used in their promotions to visitors. Without a strong outdoor lighting code, our town could soon become a commercial strip.

In addition, having a strong lighting code helps to avoid conflicts between neighbors that can result from having obtrusive lights that trespass onto the property of others. This is particularly important because in our town so many residents live close to or interspersed within the commercial zone.

Finally, an outdoor lighting code will help protect migratory birds and seabirds that can become disoriented by bright lights and glare. Most residents have seen the large flocks of Cackling geese that pass over our city in spring and fall, truly a natural wonder; far fewer people realize that tens of thousands of shorebirds fly over our city at night, too, navigating by starlight.

**Past misconceptions about the outdoor lighting code**
In the past, there has been some confusion that a “dark sky” lighting code means a dark town. Instead, the goal is for light to be directed downward where it is needed to provide for safety and security (See attachment, Good Lighting Fixtures Mean).

In the past, some have suggested that more lights in our city would reduce crime. This question is different from the outdoor lighting code, which does not restrict the overall number of lights, but rather requires all lighting fixtures to meet certain criteria.

However, it’s important to note that most cities with crime have it despite the amount of illumination. In addition, research from the group Dark Sky International shows that bright fixtures create glare that actually makes it more difficult for residents and law enforcement officers to see into dark hidey holes.

**Three-key components of the outdoor lighting code**
Three components of the new code are particularly important:

1) **Full cutoff fixtures and/or shielding to make sure light points down**
Use of full cutoff lighting fixtures or shielding is critical to keep light directed where it is needed and to avoid glare, light trespass and sky-glow. With increasing concern about these issues, there is a greater choice and availability of full-cutoff fixtures. In addition, the city still has free “sky caps” available to retrofit non-compliant yard lights.

2) **Capping color temperature of fixtures at 2,700 kelvins**
With new LED illumination, fixtures are graded by color temperature, which is measured in kelvins and refers to the coloring of the light. Blue-white lights are 4,000 /5,000 kelvins and make the night seem like day; 3,000 kelvin lights look like cool-colored fluorescent lights. The planning commission wisely chose a 2,700 kelvin color temperature maximum; this is a warm
white light that provides excellent illumination without cool glare (it can be made brighter with increased lumens, but remains warm in color). You can “google” Phillips illumination to see what different color temperature lights look like.

As an example of why this is a good choice, the city of Phoenix, Arizona recently installed 100,000 new street lighting fixtures that were color temperature 4,000 kelvins, but owing to massive public opposition had to ultimately remove and reinstall fixtures with a 2,700 kelvin color temperature. This example points to the direction of the future, and why Port Orford should choose now to have warm-colored lighting. (See: https://www.phoenix.gov/streetsite/Pages/LED-Street-Lights.aspx)

At the current time, many of our city’s street lights are sodium vapor lights that have a warm pink color (that are roughly 2,700 kelvins). For reference, Coos-Curry Electric Coop has recently installed a 3,000k LED light in front of Kar Kare, near the Port Orford wetlands north of Ray’s Market on the west side of Highway 101. As our public street lights are gradually converted to more efficient LED lights, it will be very important to make sure they will have a warm color temperature instead of a blue-tinge. This is not only an aesthetic matter.

There is increasing evidence that warm lights are actually better for people’s health and well-being. Reports from the American Medical Association and others have raised concerns about possible adverse effects of shorter wavelength blue light, with the AMA concluding that communities should be careful “to minimize and control blue-rich environmental lighting by using the lowest emission of blue light possible.” The AMA recommended using fixtures no higher than 3,000 kelvins. (See: https://www.ama-assn.org/ama-adopts-guidance-reduce-harm-high-intensity-street-lights)

3) Height of luminaire fixtures

The new code specifies that light fixtures shall be installed no higher than 20 feet, which, for reference, is the height of the street light currently sited at Kar Kare, north of Ray’s Market, on the west side of the street. The reason to limit light heights is to reduce light trespass into other people’s properties and to create “human-scale lighting,” which would help give our community a small-town feel, without any fancy fixtures. If there are too many, too-tall lights, our town will end up feeling like a Wal-Mart parking lot!

RELATED ISSUE of Highway 101 lighting

Many Port Orford residents live on or within one or two blocks from Highway 101. While 101 is a highway, it’s also our town’s main street so decisions made about lighting on this roadway are extremely important for our community and demand careful consideration. Already people have told me that globe style (instead of full cutoff) street lights shine into their windows more than a block away.

We’ve recently become aware that ODOT, as part of its pending Highway 101 repaving project, is currently planning to add 6 new lights at 6 crosswalks, and recommending fixtures that are 30
feet tall, taller than any other street light fixtures in our town, which are variable in height from 20 to 28 feet.

For reference, Highway 101 street lights in Florence are 26 feet, and street lights in Waldport are 20-25 feet.

Of course, we currently have several crosswalks with existing street lights.

Thus far, ODOT has conducted no outreach to the community regarding the lighting associated with this project and has had no official consultation with the Port Orford Planning Commission regarding this new lighting, which will be taller than any of our city’s current street light fixtures.

We are concerned that after the Planning Commission has spent months developing a sound outdoor lighting code with public input that ODOT’s new lights will put us on the wrong track.

According to ODOT Lighting and Policy Guidelines, “Engineering judgement is used to determine whether or not a crosswalk needs illumination. Consideration should be given to number of lanes, traffic volumes, night time crash history, posted speeds, presence of transit stops and other pedestrian generators.” (See p. 5 [https://www.oregon.gov/ODOT/Engineering/Documents_TrafficStandards/Lighting-Policy-Guidelines.pdf])

Given the low level of traffic (car and pedestrian) at night in our city, I am aware that our City Planning Commission chairman has requested information about night time crash history records used to justify the need for such high lights at all the new crosswalks, but to my knowledge has not yet received any information that shows such lights are warranted.

According to the city financial officer, there are also outstanding questions about the costs of these additional lights to our city.

For all these reasons, I urge the Port Orford City Council to adopt the new outdoor lighting ordinance and to request that ODOT maintain the status quo with Highway 101 street lighting until the city can develop a more thoughtful plan for lighting the Highway 101 corridor.

Sincerely,

Ann Vileisis
President, Kalmiopsis Audubon Society
GOOD LIGHTING FIXTURES mean:

- starry sky
- NOT glare
- good neighbors
- NOT conflict

lights point down
NOT up and out

HOW IT WORKS: LIGHTS POINT DOWN, WHERE NEEDED
Port Orford Outdoor Lighting Code
Severe Light Trespass request.

Rowland Willis, 611 19th street, a keen but frustrated astronomer.

Refresher - Definition of Nuisance.

Under common law, it is recognized that persons are entitled to “use and enjoyment” of
their lands. If one property owner uses their land in a way that interferes with the use
and/or enjoyment of another, the affected party may be entitled to a legal claim of nuisance
and mitigation of its cause.

My issue -

This is my 5th winter in Port Orford living with severe light pollution.

My troublesome neighbor Mr Ryan Ringer, owner of Gold Beach Lumber, has over the last
4 years refused to comply with every request to reduce the impact his lights are having on
his neighbors.

As written, 15.17.050 Applicability B.2 the code offers a 5 year time clause to fully action
compliance. If this clause remains, Mr Ringer will almost definitely take advantage of it.
This means he will have had over 9 years to not do what he should. I will be in in my late
70s and lucky if can see at all.

To my reading, this aspect of the code 15.17.050 Applicability B.2 is in conflict with
15.17.120 Enforcement, Abatement and Penalties.

My request

As the Council reviews/edits and commits this document to be an enforceable code please
use any/all tools available to you to reduce the mitigation and/or enforcement time window.

Please keep in mind that Gold Beach Lumber lights don’t comply with any aspect of the old
ordinance or the new code and it is going to be difficult if not impossible to persuade others
to comply when they realize Gold Beach Lumber doesn’t have to.

Last long-shot request.

I remind you that Port Orford is in a unique position to implement an OLC because in
theory we are in total control of our sky quality - there are no lights from nearby cities.
If at all possible, extend the ordinance to one mile outside city limits. I have been informed
this is a “no-go” but the night sky quality is affected by everyone and benefits all.

Respectfully, Rowland K. Willis
September 10, 2020

Hello, Terrie Richards;
Hello, Port Orford City Council:

I regret that this email is sent so close to next week's meeting of the City Council. If my words can be included in the packet, I would be most appreciative.

I support the direction of the proposed changes to Port Orford's lighting ordinance. The Port Orford Planning Commission worked very long, hard, and intelligently on their proposal, and it deserves to be adopted.

However, I urge that the councilors reduce even further the "temperature" of permissible lighting to 2,700K. The 3,000K in the present proposal is simply too bright, and without a legitimate purpose.

In addition, I urge the council to reduce the allowable height of light poles. I hope the council will not be fearful that our city will offend ODOT in its plans for the city's portion of Highway 101.

If, in the end, ODOT is able to force something undesirable, we will be able to say that we tried and failed. Better that than to fail upfront.

I'm sure you are all aware of how critical these issues are for the future of our city. I hope you can be strong in the face of opposition, especially when that opposition comes from people who will not have to actually live with the results of being timid.
Thank you for your consideration of my words, and for your service.

(Mr.) Dana S. Gurnee
834 Deady St.
Port Orford, OR 97465
ORDINANCE NUMBER 2021-01

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

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

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

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

8.08.020 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
August 27, 2020

Terrie Richards
City of Port Orford
555 W 20TH ST
Port Orford, OR 97465

RE: City of Port Orford
    Chlorine Contact Time Tank Improvements
    Project No. 183.08A

Dear Ms. Richards:

This letter is to recommend action by the City of Port Orford in response to the bids received on August 26, 2020 at 2:00 PM for the above referenced project. Seven bids were received. All seven of the bids were responsive and responsible. Clackamas Construction's bid had minor irregularities with the Bid Bond not attested and the Responsibility Affidavit missing a title. Suulutająq, Inc. did not acknowledge there were no addenda. The bids were in the following amounts:

1. $240,115.00 by Stettler Supply & Construction
2. $269,900.00 by Pacific Excavation, Inc.
3. $274,591.32 by Cascade Water Works LLC
4. $284,000.00 by Wildish Building Co.
5. $293,000.00 by McLennan Excavation, Inc.
6. $343,111.00 by Suulutająq, Inc.
7. $361,463.00 by Clackamas Construction, Inc.

We recommend that the City of Port Orford take the following action:

1. Accept the bids.
2. Award a contract to Stettler Supply & Construction in the amount of $240,115.00.

It is our opinion that Stettler Supply & Construction has sufficient experience and qualifications to satisfactorily construct the project.

Assuming the City of Port Orford and Council concurs with our recommendation; we have enclosed three copies of the Notice of Award. A representative for the City needs to sign all three copies after which they should be returned to our office. (Please do not date the Notice of Award.) We will date the Award following notification that the City of Port Orford accepts the bids and is determined to award the project.
Pursuant to ORS279C.835, the Oregon Bureau of Labor and Industries requires that Form WH-81 be filled out by the contracting agency and sent to them with a copy of the first-tier subcontractor form, if applicable (ORS 279C.370), within 30 days of issuing the Notice of Award. The form is available at: https://www.oregon.gov/boli/WHD/PWR/docs/wh81.pdf

The Owner is also responsible for payment of a Public Works fee to the Bureau of Labor & Industries. This payment is accompanied by Form WH-39 which is available at: https://www.oregon.gov/boli/WHD/PWR/docs/wh39.pdf

Sincerely,

Andrew Hall, PE
Project Engineer
City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

SUBJECT: Digital Speed Signs

Date: 09/17/20

ITEM NO: 7b.

BACKGROUND:
At the time ODOT first came to the council explaining the coming paving project they offered a cost share for the digital speed signs – they will pay half.

The speed signs are the very same signs the City of Bandon has installed at both ends of town reminding you of your current speed and the speed you should be going at that point.

The digital signs would be installed at the first 30 mph speed sign currently posted as you come into town from the North and South.

These signs can be installed now with ODOT scheduling or wait until the paving project in 2022.

FISCAL IMPACT:
Approximately $8,000.00

RECOMMENDATION:
Motion to approve the purchase and installation of the digital speed signs
OR
Motion to put this purchase and installation on hold for the ODOT paving project in 2022

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

July 2020 a ROW was submitted to council for planting Rhododendrons in the ROW of 16th St. Due to the fact that a waterline exists in that ROW the council denied the request.

August 2020 a ROW was submitted to the council for the same address on 16th requesting to place planter boxes in the ROW that would be movable if the city ever needed to work on the waterline. The council approved the request seeing it as beautification.

September 2020 the council has been asked to revisit the approved Right-of-Way by the neighbor Ms. Carlene Armi. Ms. Armi has submitted her concerns and a compromise for the situation.

Please see attached
----- Forwarded Message -----
From: Carlene Armil <carlene.armil@yahoo.com>
To: "tpogwizd@porforford.org" <tpogwizd@porforford.org>; "tpogwizd@porforford.org" <tpogwizd@porforford.org>
Sent: Monday, August 31, 2020, 11:00:16 PM PDT
Subject: Fw: Our side of the street

----- Forwarded Message -----
From: Carlene Armil <carlene.armil@yahoo.com>
To: patcoxporforford <patcoxporforford@gmail.com>
Sent: Friday, July 31, 2020, 09:00:30 AM PDT
Subject: Our side of the street

Our side of the street was planted by me and is maintained by me. I was the contractor and developer of our home and site.
I saw what was under the top of our street side and knew that in order to control the erosion it needed to be heavily planted to stop further disruption in the little left over street side that has a slope and steep grade that was naturally occurring there. I have a good feeling that in the 15 years of growth there it will maintain itself well I am hopeful it will continue to keep the grade and street intact, without disturbance. It also provides a privacy barrier and food for the animals and people. I am proud of the development I have done here. I did well. I appreciate you Pat, Know that Carlene

On Friday, July 31, 2020, 08:34:44 AM PDT, Carlene Armil <carlene.armil@yahoo.com> wrote:

WOW I feel the hope here, There is plenty of room for her planter boxes. YOU will clearly see that she is not a gardener and her only concern is to harass us to not park there. THANK YOU SO MUCH!! Me and Vinny

On Friday, July 31, 2020, 08:30:12 AM PDT, patcoxporforford <patcoxporforford@gmail.com> wrote:

Good morning Carlene,

sounds like there's a much better remedy for this and I heard that those planners were really small so I'll talk to Tim and we will remedy it. It doesn't really seem to be too much in front of that lady's house and with a little work seems like an amiable conclusion can be came to.

Thanks,

Pat

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

-------- Original message --------
From: Carlene Armil <carlene.armil@yahoo.com>
Date: 7/31/20 8:26 AM (GMT-08:00)
To: patcoxportorford <patcoxportorford@gmail.com>
Subject: Citations and what YOU can do to make this situation work without further harm

Good morning Pat,
Hope you are on the road to recovery. I am looking into the American Disabilities Act, as well as the free attorneys available to me that the Homehealthcare workers union offers me. I work for the state for Vinny. One part of my pay is to take him places needed for his survival, such as personal shopping etc. My job description in this case is based solely on safety. To place him safely in the car, safely get him through traffic, walking on streets, safely through parking lots and safely in the stores assist him with communications and money exchanges and safety in stores, and back home to safely unload on the streets and unload groceries.
The only place here on the street in front of our home that I consider safe the past 15 years we have lived here is the other side of the street. The large grassy area across from us is flat and he can exit without his fears of being touched by brush ect... and his fear of the sloped unsafe areas. I agree with him. Changes in his daily routines are very hard on Autistic people and this change has been huge. Also, his fear of the crazy neighbor and the 6 months of her harassment, now the change of his parking habits. The wind blows hard here as we all know., a car door can throw a person in any direction when caught in the wind.
I am also being assisted by the company that is the brokerage of this arrangement and sets the plan for us to follow due to his specific needs and his mental health. Keeping every part of his life on track is key, losing his known safe parking spot on the street by our home has upset him and his routine very very much.

On Wend, night we arrived home with a pile of groceries, and the planter boxes blocked the parking space, I parked there anyways and we unloaded. Out came crazy with her phone camera. And a officer followed. I was cited for Criminal mischief 3, harassment, after a explanation of my words the officer ripped up both of the citations but meant to rip up only the harassment one. I have the other citation.

I doubt that I will be fines too much when I have to go to court. The whole incident upset Vinny and my going to court further upsets his routine.

I am looking forward to my meetings with the attorneys, and dealing with the American Disabilities Act. However, I do wish a amendment to the ROW allowing our continued use of the safe parking place on the street in front of our home without a disruption in Vinny's routine can be easily changed by YOU and counsel. If I were you I would hop to it.
Hoping the option to a fast change can be met,
Sincerely Carlene and Vinny Arm

On Tuesday, July 28, 2020, 11:04:12 AM PDT, patcoxportorford <patcoxportorford@gmail.com> wrote:

I haven't forgotten about you Carlene I threw my back out so bad that I can't even lean up. when I'm back on my feet I'll touch base with you maybe I can go over there and look at it.

Thanks

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

-------- Original message --------
From: Carlene Arm <carlene.armi@yahoo.com>
Date: 7/27/20 8:01 PM (GMT-08:00)
To: patcoxportorford <patcoxportorford@gmail.com>
Subject: Re: Planter boxes on 16th Revised. wrong phone number (too early, lol)

P.S. My Son and I would be terriffied to park on our side of the street... the hillside with a huge drop off. and we would certainly refuse to do it. I would not park on this side at all due to terrain. I again chose the safely of the other side of the road
I have great neighbors here.. (except Kristin)
The top house has offered me both of their driveways when not in use. and Jeff the builder here has given me permission to park my trailer in his unused driveway easement in front of his lower lot on that side too. However I have walking issues such as varicose veins and a Achilles tendon issue for the past year.. walking up and down
hillsides are not good for me at all.  
A straight jet across the street seems to be best.
That is why I park there and will continue to do so. I care not to be bullied about it by Kristin.
I'm sorry this is a issue at all Pat, Carlene

On Monday, July 27, 2020, 01:30:54 PM PDT, patcoxportorford <patcoxportorford@gmail.com> wrote:

Good morning,
I looked this weekend and I don't see any planters yet. I noticed that your side of the road is very overgrown so I could get the crew to clear off your ROW so you can park on your side. I will reread through everything and let you know. If we cleared the ROW on your side it will solve the whole problem.

Thank you,
Pat

Sent via the Samsung Galaxy S10+. an AT&T 5G Evolution capable smartphone

-------- Original message --------
From: Carlene Armi <carlene.armi@yahoo.com>
Date: 7/27/20 11:08 AM (GMT-08:00)
To: patcoxportorford@gmail.com
Subject: Re: Planter boxes on 16th Revised.. wrong phone number (too early, lol )

On Monday, July 27, 2020, 11:00:55 AM PDT, Carlene Armi <carlene.armi@yahoo.com> wrote:

Good morning Pat,

I believe, that if Kristin Howard can't put her planter boxes in the place where cars can park on our street, that she won't even place planter boxes on the ROW. As it is her sole reason and interest to block me from parking legally in front of my home.

What I am asking of you and council is to advise her, that she is not welcome to place planter boxes where it stops her only neighbor,(ME), from legally using the street for parking. (as I have done the past 15 years)

Also, to of course not place planter boxes on top of the city main water line (which is exactly under where my car rests when parked there.)

I have no doubt that when she sees she is not able to place the boxes where parking is allowed and on the water line, then she will abandon the GREAT idea she had to stop me, by using council for continued harassment on this issue.

Please contact me (559) 471-9166 to let me know that my concerns were met and she knows her limits or come by to view the situation here. Again, there is plenty of room for her boxes close to her fence, that indeed would not conflict with the parking issue.

Thank you Pat for your considerations on this matter, I know you are a level headed thinker.

Respectfully, Carlene and Vinny Armi
----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com>  
To: Patcoxportorford <patcoxportorford@gmail.com>  
Sent: Wednesday, September 9, 2020, 02:24:38 PM PDT  
Subject: Please place the 16th street ROW back on the agenda at your next council meeting

Hi there Pat,

I am requesting that you place the Row on 16th street back on the agenda at the next city council meeting. Based on the fact that I was not notified of the ROW, as well as any other of the neighbors, and with the strong case that the space was IN USE as public parking for 15 years at the time and would certainly be IN USE in the future years as well.

I strongly feel that this should be adjusted so as to keep the public parking as it was, and allow Miss Howard the upper 15 ft for her rotten wooded planters. Thus allowing for a more just and duel use outcome for the street space in front of our home that we SHARE with Miss Howard. Her application was based purely retaliation.

Please use this letter as my input on this matter to be read out loud at the council meeting to the council members. I am counting on YOU Pat, and the other council members to FIX what they apparently overlooked and make it right for BOTH the citizens on this street.

Thanks Pat, here's hoping,
----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com>  
To: "tpogwizd@portorford.org" <tpogwizd@portorford.org>; "tpogwizd@portorford.org" <tpogwizd@portorford.org>  
Sent: Monday, August 31, 2020, 10:22:50 PM PDT  
Subject: previous owners of Miss Howard's Home  

----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com>  
To: Geraldine <bareaja@gmail.com>  
Sent: Friday, July 31, 2020, 08:46:23 AM PDT  
Subject:  

P.S. You both were caregivers to us as well ... Thank you .. and still are,  

On Thursday, July 30, 2020, 07:21:06 PM PDT, Geraldine <bareaja@gmail.com> wrote:  

To Whom It May Concern,  
This letter is written in support of Carlene Armi, who was our neighbor for 2 years. Carlene is a fierce "mama bear" who is on this planet to care for and protect her son, and her life is dedicated to him like no other we have ever seen. She was also a care taker to us and others as she loved to give and care for so many. We understand the world is a difficult place at present with tremendous fear and anxiety affecting most. We pray for all, that the matter at hand can be decided with kindness and compassion and that we can all live in peace.  
Thank you for listening,  
Geraldine Brown & Charles Tonn
----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com> 
To: "tpogwizd@portorford.org" <tpogwizd@portorford.org>; "tpogwizd@portorford.org" <tpogwizd@portorford.org> 
Sent: Monday, August 31, 2020, 10:24:06 PM PDT  
Subject: Fw: Letter in support of Carlene Armi, from my neighbor Gayle Stewart

----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com> 
To: Patcoxportorford <patcoxportorford@gmail.com> 
Sent: Wednesday, August 19, 2020, 09:12:17 PM PDT  
Subject: Letter in support of Carlene Armi, from my neighbor Gayle Stewart

Aug 8 2020
To Whom it may concern,
I am writing you this letter to inform you of my personal relationship with Ms. Carlene Armi, and also as a character witness.
I own the house directly across the street from Mr. Armi, and have for over 2 years.
In those two years, I have had many personal and business discussions with her, and they have always worked out amicably.
She is open to listening and for me, fairly assessing each situation both as a friend and in dealing with other issues. She tends to look at issues from all sides, and does not hold back her opinions.
I trust Ms. Armi to ultimately make fair and just decisions.
If you have any questions for me, feel free to contact me personally at (775) 742-9084
Sincerely Gayle Stewart
----- Forwarded Message -----  
From: Carlene Armi <carlene.armi@yahoo.com>  
To: "tpogwizd@portorford.org" <tpogwizd@portorford.org>; "tpogwizd@portorford.org" <tpogwizd@portorford.org>  
Sent: Monday, August 31, 2020, 10:34:23 PM PDT  
Subject: Fw: Letter

----- Forwarded Message -----  
From: Teresa Warwood <twarwood@gmail.com>  
To: "carlene.armi@yahoo.com" <carlene.armi@yahoo.com>  
Sent: Sunday, August 23, 2020, 02:01:54 PM PDT  
Subject: Letter

To Whom it May Concern,

I have known Carlene Armi and have been close friends with her for 48 years. We have been to Port orford several times to visit her. As have several of our family members and friends from high school. She always makes our visits about us with her kindness and generosity. She reaches out to those in need and is the kind of person that would give you the shirt off her back.

She is an extremely hard worker and dedicated mother who stands up for the rights of her children and herself. She has devoted her life to taking care of her autistic son, and he has excelled in her care. She has fostered his artistic talent to create a small business that will hopefully produce means to care for him when she is no longer able.

Carlene looks out for her community and is proactive for causes that support the residents and businesses of Port Orford. She is very proud of her little town.

Sincerely,
Gary and Teresa Warwood
August 9, 2020

The Common Council  
City of Port Orford  
Attn: Honorable Gary Burns and other Council members

Let me introduce myself. My name is Don Yagura and my wife Lynda Townsend-Yagura has known Port Orford resident Carlene Gregowirz-Armi for nearly fifty years, since they met in grade school in California. As a result, I too have met Carlene over ten years ago and can personally attest to her highly ethical behavior, her character and particularly her unwavering love and devotion to her autistic son, Vinny, for whom she is the sole full time care provider.

Carlene has been experiencing an extremely difficult situation with her neighbor across the street, Kristin Howard, for the past six months. On the street they share (on 16th street, past the Jackson street intersection off Highway 101), which is fairly narrow, parking can certainly be a daily challenge, as will be explained. For the past 15 years, Carlene has had to park across from her home on 16th street to allow safe ingress as well as egress to her vehicle for her son on the passenger side. But her neighbor Howard has chosen to place unsightly wooden blocks on this level portion of the public street so as to deny Carlene and Vinny any parking access, forcing Carlene to park behind this blocked off area which is uneven and very unsafe for Vinny, as there is no level shoulder.

Not only are Kristin Howard’s actions reprehensible in this regard, but they demonstrate a shocking lack of compassion or sense of humanity towards Carlene and especially Vinny. This has resulted in Vinny’s safety being compromised, as Carlene has to instead let Vinny out on this street before she is able to park her vehicle elsewhere. Site photos or a personal inspection will reveal that there is very little actual parking space on this section of 16th street, due to the presence of large mature trees and dense shrubbery. Thus, there is virtually no parking space on Carlene’s side of 16th street.
It is my belief, as well as that of other neighbors, that Carlene should be lawfully be granted parking across from her home, for Vinny’s personal safety, as ADA would allow and reinforce in other public places. This is certainly not an unreasonable request, and one that if brought to greater media awareness, would generate even more support for this position.

Please do not hesitate to contact me, if the need arises. I would be glad to discuss further.

Sincerely,

Don Yagura, JD  
(916) 837-2789  
dcyagura@gmail.com
APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

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

I am interested in serving as a member of the _________

Name: Lovin J. Kessler

Mailing Address: P.O. Box _______ St. Port Orford, Oregon 97464

Physical Address: __________________________

Home Phone: _________ Work Phone: _________ Fax: _________

E-mail: SeasonedIrland.com

Current Employment: _________

Your area of interest: _________ Participating in the growth of Port Orford

Your area of expertise: _________ Organized, Public Speaking, Communications

Why do you want to serve? _________ Port Orford is now my home, my family have emigrated from Olympic Peninsula.

Previous service in this appointed position or a similar position _________ Involved as a member of the Council at Black Butte.

Other volunteer activities _________ Frequent Martial Arts for 30 years. All volunteer.

Does your schedule allow you to attend?

Daytime Meetings _________ Evening meetings _________

Does your schedule limit the days you could attend meetings? _________

Have you ever been convicted of a felony? _________ If Yes, please explain.

Additional comments: _________

Date: 8/5/2020 _________ Signature: _________

Please return to:

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

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

Oct. 20, 2017

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APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

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

I am interested in serving as a member of the ____________________________ by Appointment.

Name: ____________________________

Mailing Address: ____________

Physical Address: ____________

Home Phone: ____________ Work Phone: ____________ Fax: ____________

E-mail: ____________________________

Current Employment: ____________________________

Your area of interest: ____________________________

Your area of expertise: ____________________________

Why do you want to serve? I feel I represent the working class and seniors of Port Orford and seek to present their perspective on Council.

Previous service in this appointed position of a similar position: ____________________________

Other volunteer activities: ____________________________

Does your schedule allow you to attend?

Daytime Meetings [ ] yes [ ] no  Evening meetings [x] yes [ ] no

Does your schedule limit the days you could attend meetings? [ ] yes [x] no  If yes, please explain.

Have you ever been convicted of a felony? [ ] yes [x] no  If yes, please explain.

Additional comments: ____________________________

Date: ____________  Signature: ____________________________

Please return to:

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

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

Oct 20, 2017  x:\archive\city forms\applications & evaluation forms\application for Committee, Commission_2017
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: TINA L. BERESEFORD
Name: Phone #: 541-252-6044
Address: 2270 JEFFERSON
Signature: 7/12/2020
Property location: 2270 JEFFERSON 87, PORT ORFORD
Assessors Map: 32515W336
Lot #: 3215-3360-01108-00

Description of Improvements: Attach Drawings / Plans if available:
Install a fence, made of T-Post supports, PVC pipe, and plastic netting to surround a garden area partially in City ROW. Purpose: to protect the plants from deer. Access to water will be easy via gate (non-locking).

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:
   - No - A. Potential impact on existing utilities (water, sewer, storm water, etc.) including potential future maintenance requirements for those utilities.
   - No - B. Will the proposed use negatively impact visibility for traffic on adjoining roadways?
   - No - C. Are there any other potential public safety concerns?
   - No - D. Will the proposed use be likely to create negative visual impact on adjoining properties?
   - No - E. Will the proposed use impact any other existing uses?
   - No - F. Is granting the ROW usage license in the public interest?
OFFICE USE ONLY

PUBLIC WORKS REVIEW
Reviewed By: Duane Eckhoff Title: PW Lead Date: 9/___
Recommendation: Approve ___ Approve w/Conditions ___ Deny ___
Conditions As long as gate is "Never" locked

POLICE DEPARTMENT REVIEW
Name: ___________________ Title ___________________ Date __________
Recommendation: Approve ___ Approve w/Conditions ___ Deny ___
Conditions

CITY ADMINISTRATION REVIEW & FINAL DECISION
Recommendation: Approve ___ Approve w/Conditions ___ Deny ___
Conditions The water meter "must always" be available to the City.

If Applicant disagrees with City Administration Review and Final Decision, the matter may be appealed to the City Council. Appeals must be in writing, and requested within 30 days of the final administrative decision or the decision becomes final.

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

Note: This property is on the dead end of Jefferson St North, off of 25th St. There are no developed properties beyond this house.
City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

SUBJECT: Police eCRASH/eCITE Grant

Date: 09/17/20

ITEM NO: 8 c..

BACKGROUND:

This project will provide eCrash and eCitation software and hardware (and up to 18 months of maintenance) for Port Orford PD to begin implementing the software licensing and hardware needs for their electronic reporting system.

This grant will help Port Orford PD achieve the purchase and installation of eCrash and eCitation equipment. This will greatly help increase the use of electronic crash reporting to the state, achieve efficiencies and reduce redundancies in citation processing at the officer level as well as the records division and the courts.

Officers currently do not have access to electronic ticketing/crash reporting and must hand write all uniform traffic citations and state crash reports. The forms are then hand entered by records staff, court staff, DMV staff and Crash Data staff. This causes a duplication of efforts as well as increased risk for errors. This software will save both time and money on unnecessary data entry redundancies where electronic transfer is possible.

FISCAL IMPACT:

The agency named in this document hereby applies for $75,000.00 in Transportation Safety funds to be matched with $18,750.00 in funds from source Agency hard or soft match funding to carry out a traffic safety project described in this document.

RECOMMENDATION:

Motion to approve the application of the eCRASH/eCITE Grant

OR

Motion to deny participation in this grant opportunity

Submitted by: Terrie Richards  Terrie Richards, City Administrator
Port Orford Facility and Equipment Maintenance 7/2020

Water Plant

- New roof in 5 years or less
- Replace bad windows
- Replace damaged siding
- Repair water damage around affected windows and anywhere else in need
- Replace affected trims around doors, windows facias
- Strip the gutters
- Prep (Needs major prepl) and paint the outside of the building (suggest renting a spray setup)
- Address water plants toilet issue (get a camera in the waste pipe and see what the blockage is and map the waste pipe from the toilet out)
- Repair faulty concrete around floor drains

Waste Treatment Plant

- Repair roof (Use a flat top roof coating treatment) Some day maybe add a sloped roof over existing roof.
- Repair soffits around building
- Treat all metal door vents and any other outside metal with rust reformer and paint
- Install the dryer
- Repair or replace roll up door
- Figure a way to transfer water from pond to pond , maybe syphon (bad valve)
- Repair or replace grit system

The Park

- Put screens on roof vents of A frame to keep bats out

Visitor Center

- Will need a new roof in a few years, eliminate sky lights
- Paint the building
- Look for a toilet solution (folks don’t want to flush the toilet and it clogs up. We spend a lot of man hours unplugging these toilets! What are other towns doing?)

All Outside City Structures

- Lift stations, pump houses, electrical panels, anything that is above ground that the city has in it’s inventory should be prepped and painted. All metal should have rust reformer used and painted.

Councilor Burns
Port Orford Facility and Equipment Maintenance 7/2020

The Shops and Yard

- We didn't inspect the shops and yard. I know there are some doors that need rust treatment and painting.
- Need to check the roofs out.
- Need to evaluate the need for painting buildings. Repair any rot and trims.

Vehicle Maintenance

- Log each vehicles maintenance
- We didn’t check out the vehicles but I know the Vacon needs repair. We need it online. Can we use it to pump the Waste Plant if it was working? We should be using this rig to pump out the sewer pipes throughout the system a couple of times a month in different regions of the town to lighten the load on the Treatment Plant is what Jacob told me.

Impound

- Replace valve under dam (Roger will dive and try to get some photos of the valve)
- Need to see how the valve is attached and if it can easily be removed for repair or replacement. See if the new valve can go on the other side of dam if too difficult to remove old valve.

Test Wells

- Cost of drilling a test well?
- What locations do we have to drill?
- What sort of system would it take to link wells into our system?