

**CITY OF PORT ORFORD
SPECIAL SESSION OF THE COMMON COUNCIL
WEDNSDAY, November 1th, 2023 AT 5:30 P.M.**

If unable to join in person; Please join this meeting from your computer, tablet or smartphone.

<http://meet.goto.com/123384221>

You can also dial in using your phone.

United States (Toll Free): 1 866 899 4679

Access Code: 123-384-221

AGENDA

1. Call to Order/Roll Call
2. Citizens' Concerns (Speak Only for Items on the Agenda)
3. Presentation to Council: Curry County Aquatic Safety
4. Time, Place and Manner Revision (pg. 2-10)
5. ORD 2023-28: Revised DEQ Loan Agreement (pg. 11- 18)
6. ORD 2023-29: Lightspeed Renewal (pg. 19-23)
7. RES. 2023-30: City Recorder/Planner Job Description & Salary (pg. 24-33)
8. RES. 2023-31: City Admin/Finance Director Job Description & Salary (pg. 33-41)
9. 2nd Reading of ORD 2023-25: Amending ORD 22-04; Regarding Water Curtailment, Authorizing Wells on Private Property in City Limits, Providing for Sunsetting Thereof (pg. 42- 44)
10. Adjourn



City of Port Orford

TO: Mayor and City Council
FROM: John Huttli, City Administrator
DATE: November 1, 2023
SUBJECT: Amend Ordinance Chapter 12 Time Place Manner Restrictions Homeless

Summary

The City Council adopted Municipal Code Chapter 12, establishing city owned right of way north of Ray's Food Place as a safe harbor for those experiencing homelessness. Since that time, it has proven unmanageable. The City Council directed staff to look at other options for time place and manner regulations.

Staff has presented two alternatives: one is taken from other jurisdictions which have created exclusionary ordinances, which says you can camp somewhere else, but not in these designated locations. The second alternative is to relocate the safe harbor to another section of city-owned right of way.

Recommendation

This is a policy choice for city council.

Respectfully submitted,

/s/

John Huttli, City Administrator

Chapter 12.10

Reasonable Time Place and Manner Regulations on Camping in Areas Open to the Public Procedures for Removal of Campsites

12.10.010 PURPOSE

This Section establishes reasonable time place and manner regulations for camping in areas open to the public, as well as establishing procedures for removal of campsites not allowed. This Section is intended to carry out the provisions of ORS 105.500 et seq. This section is in addition to and does not replace other city rules, regulations and ordinances regarding camping in the City Limits of Port Orford.

12.10.020 DEFINITIONS

- (1) **CAMP OR CAMPING.** To set up, use maintain or remain in a campsite
- (2) **CAMPSITE.** Any place where indicia of camping is found, also known as an established camping site.
- (3) **HOMELESS or EXPERIENCING HOMELESSNESS** means those persons experiencing homelessness.
- (4) **INDICIA OF CAMPING.** Includes but is not limited to: tents, huts, temporary shelters, lean-tos, shacks or any other structure or vehicle or parts thereof; also includes but is not limited to tarps, cots, beds, sleeping bags, blankets, mattresses, hammocks, clothing, bags, personal effects, cookware, stoves and the like.
- (5) **KEEPING WARM AND DRY.** Means using measures necessary for an individual to survive outdoors given the environmental conditions. “Keeping warm and dry” does not include using any measure that involves fire or flame.
- (6) **LOCAL AGENCY THAT DELIVERS SOCIAL SERVICES** includes but is not limited to Coast Community Health or its successor entity.
- (7) **PERSONAL PROPERTY.** Means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.
- (8) **TO STORE.** To put aside or accumulate for use when needed, to put for safekeeping or to place or leave in a location.

12.10.030 PROHIBITION OF CAMPING ON PUBLIC PROPERTY IN THE CITY OF PORT ORFORD; EXCEPTION

- (1) In addition to Port Orford City Code 12.16.070 which prohibits overnight camping in all city Parks, this section prohibits camping on any public property in the City limits of Port Orford.
- (2) Exception. This prohibition is subject to the following exception.
 - (a) Persons who experience homelessness may camp overnight and otherwise take efforts to keep warm and dry from the hours of 10:00 p.m. to 8:00 a.m. in the public right-of-way — generally between the sidewalk and curb — and unimproved outdoor City-owned property.
 - (b) Camping is not permitted within:
 - _____ (i) Residential zones
 - _____ (ii) 10 feet of business doorways

- (iii) City parks, property with City buildings, or active City parking lots
- (iv) 500 feet (about two blocks) of shelters or homelessness services
- (v) 500 feet (about two blocks) of K-12 schools, not including daycares or preschools
- (vi) Protected natural areas
- (vii) 500 feet (about two blocks) of US 101 Oregon Street, or along roads with speed limits of 35 miles per hour or higher
- (viii) Areas under repair or construction
- (ix) Areas currently hosting permitted special events or under temporary use permit
- (x) Areas without a curb or traffic barrier
- (xi) Within 10 feet any driveway, bridge, culvert, or viaduct

(c) Notwithstanding the above, no indicia of camping can be stored or left unattended on public property between 8:00 a.m. and one hour before sunset. During times allowable under the time provision of this code, those experiencing homelessness may use small tents, or other temporary means of portable shelter that must be fully removed daily without impacting the grounds.

12.10.040 POLICY FOR REMOVAL OF CAMPSITES

(1) This policy recognizes the social nature of the problem of homeless individuals camping on public property and is developed to ensure the most humane treatment for removal of homeless individuals from camping sites on public property.

(2) NOTICE REQUIRED 72 HOURS

(a) At least 72 hours before removing homeless individuals' property from a campsite, law enforcement officials shall post a written notice, in English and Spanish, at all entrances to the camping site to the extent that the entrances can reasonably be identified.

1. When a 72-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals as to where the notice has been posted.
2. The local agency may arrange for outreach workers to visit the camping site that is subject to the notice to assess the need for social service assistance in arranging shelter and other assistance.

(3) The written notice required under subsection (2)(a) of this section must state, at a minimum:

- (a) Where unclaimed personal property will be stored;
- (b) A phone number that individuals may call to find out where the property will be stored;

or

(c) If a permanent storage location has not yet been determined, the address and phone number of an agency that will have the information when available.

(4) When notice not required. The 72-hour notice requirement under subsection (3) of this section does not apply:

(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at an established camping site.

(b) In the event of an exceptional emergency at an established camping site, including, but not limited to, possible site contamination by hazardous materials, a public health emergency or other immediate danger to human life or safety.

(5) All personal property at the campsite that remains unclaimed after removal shall be given to a local agency that delivers social services to homeless individuals, whether notice is required under subsection (2)(a) of this section or not.

(a) The unclaimed personal property must be stored in a facility located in Port Orford.

(b) Items that have no apparent value or utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.

(c) Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.

12.10.050 STORAGE OF UNCLAIMED PERSONAL PROPERTY

(a) Unclaimed personal property shall be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined.

(b) The property shall be stored for a minimum of 30 days during which it shall be reasonably available to any individual claiming ownership. A person claiming ownership shall have the burden of proving ownership, by any reasonable means available.

(c) Any personal property that remains unclaimed after 30 days may be disposed of.

(d) In the alternative to disposal, the city may donate to an IRS 501(c)(3) corporation.

12.10.060 OPTIONAL MEETING BETWEEN LAW ENFORCEMENT AND LOCAL AGENCY

Following the removal of homeless individuals from a camping site on public property, the law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

12.10.070 PENALTY

(a) The penalties of this section are in addition to any and all other penalties allowed under the Codified Ordinances of City of Port Orford, or otherwise allowed by law.

(b) Any person who makes a first violation of any provision of this Section 12.10, shall be punished, upon conviction, by a fine of not more than \$200. Conviction of a first violation does not give rise to any disability or legal disadvantage based on conviction of a crime.

(c) Any person violating this section after being found guilty of a violation of this Section 12.10 shall be subject to criminal prosecution for a misdemeanor, under this section or any other violation of applicable state or local law.

(d) A person authorized to issue a citation for unlawful camping under this code may not issue the citation if the citation would be issued within 200 feet of a notice required under subsection (3) of this section and within two hours before or after the notice was posted.

Chapter 12.10 (Option 2)

Reasonable Time Place and Manner Regulations on Camping in Areas Open to the Public Procedures for Removal of Campsites

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- (1) In addition to Port Orford City Code 12.16.070 which prohibits overnight camping in all city Parks, this section prohibits camping on any public property in the City limits of Port Orford.
- (2) Exception. This prohibition is subject to the following exception.
 - (a) Persons who experience homelessness may camp overnight and otherwise take efforts to keep warm and dry from the hours of 10:00 p.m. to 8:00 a.m. at the property commonly known as unimproved Right of Way 17th Street between Jackson and Washington and Washington between 17th and 18th. No camping is allowed on the travelled portion of the gravel dirt rock right of way.
 - (b) Notwithstanding the above, no indicia of camping can be stored or left unattended on public property between 8:00 a.m. and 10:00 p.m. During times allowable under the time provision of

this code, those experiencing homelessness may use small tents, or other temporary means of portable shelter that must be fully removed daily without impacting the grounds.

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12.10.070 PENALTY

(a) These penalties are not exclusive and may be supplemented by any other applicable penalties in the codified ordinances of Port Orford or state law.

(b) Any person who makes a first violation of any provision of this Section 12.10, shall be punished, upon conviction, by a fine of not more than \$200. Conviction of a first violation does not give rise to any disability or legal disadvantage based on conviction of a crime.

(c) Any person violating this section after being found guilty of a violation of this Section 12.10 shall be subject to criminal prosecution for a misdemeanor, under this section or any other violation of applicable state or local law.

(d) A person authorized to issue a citation for unlawful camping under this code may not issue the citation if the citation would be issued within 200 feet of a notice required under subsection (3) of this section and within two hours before or after the notice was posted.

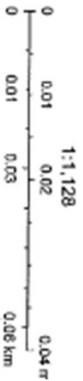
1285 + 85 = 370 Linear ft. x 525 = 192,750

Curry County Web Map



10/23/2023, 1:19:14 PM

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citation
- 30cm Resolution Metadata
- Parcels
- Parcel Labels
- All Roads
- Situs Address (Current)
- Townships
- City Limits
- Urban Growth Boundary
- Countries



The information on this map was derived from digital databases from the Curry County regional geographic information system by LCOG. Care was taken in the creation of this map, but is provided "as-is." Curry County and LCOG cannot accept any responsibility for errors, omissions or positional accuracy in the digital data. Created by LCOG for Curry County.



City of Port Orford

TO: Mayor and City Council
FROM: John Huttli, City Administrator
DATE: November 1, 2023
SUBJECT: Ordinance Authorizing Amended Loan Agreement w/ DEQ

Summary

The City Council previously adopted Resolution 2023 13, authorizing a loan and grant agreement between the DEQ and the City for funds to purchase property in our watershed.

During the execution of that agreement, language was found that created a conflict between that agreement and a prior existing agreement between the City and the USDA.

In the first agreement we pledged our sewer fee revenues as security for the DEQ loan. But we had already pledged that revenue stream to the USDA on a loan to build our ocean outfall.

After conferring with USDA, the DEQ amended its agreement. We have only just recently received updated language in the agreement. It replaced the pledge of the sewer fee revenues with a pledge of the City's "full faith and credit" which means the DEQ gets paid before anyone else (except the USDA on sewer fees).

According to our outside legal lending counsel, this new language requires a new Ordinance be adopted to authorize the revised language.

Recommendation

Adopt Ordinance

Respectfully submitted,

/s/

John Huttli, City Administrator

(I) TERMS OF REPAYMENT: An interest-only payment within six months after the estimated Project Completion Date set forth in ARTICLE 3(A)(10) and thereafter semi-annual payments of principal and interest in accordance with APPENDIX A and ARTICLE 2(F) of this Agreement.

(J) PLEDGE: The Borrower hereby grants DEQ a security interest in and irrevocably pledges its Net Revenues to secure payment of and to pay the amounts due under this Loan Agreement. The Net Revenues so pledged and hereafter received by the Borrower shall immediately be subject to the lien of such pledge without physical delivery or further act, and the lien of the pledge shall be superior to all other claims and liens whatsoever, to the fullest extent permitted by ORS 287A.310. The Borrower represents and warrants that the pledge of Net Revenues hereby made by the Borrower complies with, and shall be valid and binding from the date of this Agreement pursuant to, ORS 287A.310. The Borrower covenants with DEQ and any assignee of this Agreement that except as otherwise expressly provided herein, the Borrower shall not issue any other obligations which have a pledge or lien on the Net Revenues superior to or on a parity with the pledge herein granted without the written permission of DEQ. The lien of this pledge is on a parity with the liens securing all other CWSRF loans between DEQ and the Borrower; provided, however, that this provision shall not affect the priority that prior CWSRF loans are entitled to in relation to any loans between Borrower and any third parties

(K) ANNUAL FEE: An annual fee of 0.5% of the Outstanding Loan Amount (as determined prior to the posting of the payment due on that date) is due during the Repayment Period commencing with the second payment date hereunder and annually thereafter.

(L) LOAN FORGIVENESS: If the Borrower completes the Project, and provided there is no default of any of the terms hereof, DEQ shall forgive fifty percent (50%) of the Loan or \$413,008, whichever is less (the portion of the Loan that is forgiven being referred to as the "Forgivable Loan"), on the date the first repayment is due hereunder. The amount of the Loan forgiveness will be determined when the Final Loan Amount is calculated.

ARTICLE 2: GENERAL LOAN PROVISIONS

(A) AGREEMENT OF DEQ TO LOAN. DEQ agrees to loan the Borrower an amount not to exceed the Loan Amount, subject to the terms and conditions of this Loan Agreement, but solely from funds available to DEQ in the Water Pollution Control Revolving Fund for its Clean Water State Revolving Fund program. This Loan Agreement is given as evidence of a Loan to the Borrower made by DEQ pursuant to ORS Chapters 190, 286A, 287A, and 468, and OAR Chapter 340, all as amended from time to time, consistent with the express provisions hereof.

(B) AVAILABILITY OF FUNDS. DEQ's obligation to make the Loan described in this Agreement is subject to the availability of funds in the Water Pollution Control Revolving Fund for its CWSRF program, and DEQ shall have no liability to the Borrower or any other party if such funds are not available or are not available in amounts sufficient to fund the entire Loan described herein, as determined by DEQ in the reasonable exercise of its administrative discretion. Funds may not be available ahead of the estimated schedule of disbursements submitted by the Borrower, which is attached as APPENDIX B. This schedule may be revised from time to time by the parties without the necessity of an amendment by replacing the then

(H) REPAYMENT PERIOD: Ending no later than (a) thirty (30) years after the Completion Date or (b) thirty (30) years after the estimated Completion Date set forth in ARTICLE whichever date is earlier.

(I) TERMS OF REPAYMENT: An interest-only payment within six months after the estimated Project Completion Date set forth in ARTICLE 3(A)(10) and thereafter semi-annual payments of principal and interest in accordance with APPENDIX A and ARTICLE 2(F) of this Agreement.

(J) PLEDGE: The Borrower hereby pledges its full faith and credit and taxing power within the limitations of Article XI, Sections I I and 11b, of the Oregon Constitution to pay the amounts due under the Loan Agreement, which are payable from and secured by all legally available funds of the Borrower.

(K) ANNUAL FEE: An annual fee of 0.5% of the Outstanding Loan Amount (as determined prior to the posting of the payment due on that date) is due during the Repayment Period commencing with the second payment date hereunder and annually thereafter.

(L) LOAN FORGIVENESS: If the Borrower completes the Project, and provided there is no default of any of the terms hereof, DEQ shall forgive fifty percent (50%) of the Loan or \$413,008, whichever is less (the portion of the Loan that is forgiven being referred to as the "Forgivable Loan"), on the date the first repayment is due hereunder. The amount of the Loan forgiveness will be determined when the Final Loan Amount is calculated.

ARTICLE 2: GENERAL LOAN PROVISIONS

(A) AGREEMENT OF DEQ TO LOAN. DEQ agrees to loan the Borrower an amount not to exceed the Loan Amount, subject to the terms and conditions of this Loan Agreement, but solely from funds available to DEQ in the Water Pollution Control Revolving Fund for its Clean Water State Revolving Fund program. This Loan Agreement is given as evidence of a Loan to the Borrower made by DEQ pursuant to ORS Chapters 190, 286A, 287A, and 468, and OAR Chapter 340, all as amended from time to time, consistent with the express provisions hereof.

(B) AVAILABILITY OF FUNDS. DEQ's obligation to make the Loan described in this Agreement is subject to the availability of funds in the Water Pollution Control Revolving Fund for its CWSRF program, and DEQ shall have no liability to the Borrower or any other party if such funds are not available or are not available in amounts sufficient to fund the entire Loan described herein, as determined by DEQ in the reasonable exercise of its administrative discretion. Funds may not be available ahead of the estimated schedule of disbursements submitted by the Borrower, which is attached as APPENDIX B. This schedule may be revised from time to time by the parties without the necessity of an amendment by replacing the then current APPENDIX B with an updated APPENDIX B which is dated and signed by both parties. Furthermore, DEQ's obligation to make any disbursement hereunder shall terminate on October 31, 2023.

(C) DISBURSEMENT OF LOAN PROCEEDS.

ORDINANCE NO. 2023-28

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON, AMENDING AND SUPPLEMENTING RESOLUTION 2023-13, AUTHORIZING THE AUTHORIZED REPRESENTATIVE TO NEGOTIATE, EXECUTE AND DELIVER A CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$826,015 TO FINANCE THE PURCHASE OF A FORESTED PARCEL OF 160 ACRES TO PROTECT THE WATER QUALITY OF THE CITY; AUTHORIZING SUCH OTHER AGREEMENTS, CERTIFICATES AND DOCUMENTS AS MAY BE NECESSARY AND APPROPRIATE TO CARRY OUT SUCH TRANSACTION; AND RELATED MATTERS.

WHEREAS, the Common Council (the “Council”) of the City of Port Orford (the “City”) has determined that it is in the best interest of the City to purchase a forested parcel of 160 acres in the North Fork Hubbard Creek Watershed to protect the water quality of the City, and to meet the City’s current and future water treatment requirements (the “Project”); and

WHEREAS, the City approved Resolution 2023-13 on June 29, 2023 (the “Resolution”) pursuant to the applicable provisions of ORS 287A.150 (the “Act”), to enter into a loan with the State of Oregon, Department of Environmental Quality, Clean Water State Revolving Fund in an amount not to exceed \$826,015, half of which will be forgivable upon completion of the Project (the “2023 DEQ Clean Water State Revolving Fund Loan”) to finance the Project; and

WHEREAS, ORS 468.439 authorizes the City to borrow money through the Oregon DEQ Clean Water State Revolving Fund, notwithstanding the limitations on indebtedness contained in the City Charter; and

WHEREAS, this Ordinance amends and supplements the Resolution to satisfy the requirements of ORS 287A.150 and ORS 468.439; and

WHEREAS, the terms and conditions of the loan, including providing for required reserves and establishing covenants including a debt service coverage requirement, as applicable, will be evidenced by the Clean Water State Revolving Fund Loan Agreement No. R74101 (the “Loan Agreement”); and

WHEREAS, the City finds and determines that it is in the best interest of the City to enact this Ordinance, and to authorize the Authorized Representative (as defined herein) to negotiate, execute and deliver the Loan Agreement and such other agreements, certificates and documents as may be necessary to provide for the financing of the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PORT ORFORD, OREGON, AS FOLLOWS:

Section 1. Authorization of the 2023 DEQ Clean Water State Revolving Fund Loan. The Council authorizes the Authorized Representative to execute and deliver the 2023 Clean Water Loan in an amount not to exceed \$826,015. The Council hereby ratifies its prior findings and determination that the financing of the design and construction of the Project is in furtherance of the purposes of the City and is in the public interest.

Section 2. Authorized Representative. The Council authorizes and directs the City Administrator or his designee (each, an "Authorized Representative"), each acting individually, to execute and deliver the 2023 DEQ Clean Water State Revolving Fund Loan and to take such other actions as set forth in Section 4 herein.

Section 3. Security. The Council authorizes the pledge of the City's full faith and credit and taxing power within the limitations of Article XI, Sections 11 and 11b, of the Oregon Constitution to secure payment of and to pay the amounts due under the Loan Agreement from all lawfully available funds of the City.

Section 4. Delegation for Establishment of Terms and Sale of 2023 DEQ Clean Water State Revolving Fund Loan. In connection with the 2023 DEQ Clean Water State Revolving Fund Loan and the execution and delivery of the Loan Agreement, the Authorized Representative is hereby authorized, on behalf of the City and without further action of the Council, to:

- (a) negotiate, execute and deliver the Loan Agreement that among other things, sets forth the final terms, covenants, representations and agreements determined by the Authorized Representative to be necessary and appropriate in connection with the 2023 DEQ Clean Water State Revolving Fund Loan and consistent with the intents and purposes set forth in this Ordinance;
- (b) establish funds and accounts, as may be necessary or required in connection with the 2023 DEQ Clean Water State Revolving Fund Loan, which funds and accounts shall be continually maintained, except as otherwise provided, so long as the 2023 DEQ Clean Water State Revolving Fund Loan remains unpaid;
- (c) approve, execute and deliver any other agreements, certificates and documents and take other actions as may be necessary to provide for the financing of the Project.

///

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Section 5. Effective Date of Ordinance. This Ordinance shall take effect thirty (30) days after its adoption by the Council.

First reading, in full and by title, this 1st day of November 2023.

Approved:

Pat Cox, Mayor

Attest:

Joseph Harrison, Recorder Pro Tem



City of Port Orford

TO: Mayor and City Council
FROM: John Hutt, City Administrator
DATE: November 1, 2023
SUBJECT: Amend Ordinance 3.22 Extending Franchise for LightSpeed Networks

Summary

This item is continued from the September meeting, where it was a late addition to the agenda. This is a renewal of existing franchise. The existing franchise was a five year with an automatic five-year extension.

This amendment to the ordinance proposes to extend the franchise for a ten-year duration. This is ten year time frame similar to our ordinance with CCEC.

Also, this amendment proposes to update and standardize the City contact person to City Administrator, instead of a named person.

Lastly, there were questions regarding the rate of the fee. We are charging the maximum allowed by statute at 7%. See attached email.

Recommendation

Adopt Ordinance Amending Code Section 3.22 per above and attached. Recommend adopting at single reading as there is no just cause for delay.

Respectfully submitted,

/s/

John Hutt, City Administrator

20

John HuttI

From: Audra Koopmann <audra.koopmann@lsnetworks.net>
Sent: Friday, October 20, 2023 7:55 AM
To: John HuttI
Subject: RE: Franchise Renewal Request I Lightspeed Networks, Inc. Ordinance No. 2013-03

Greetings John,

I appreciate you getting back to me. You are correct in that ORS 221.515 limits them to 7% and that is the rate that is in the current agreement, and this cost does get passed down to the consumer. Most franchises are around 5% to 7%. Here is a link to the Code for the council's review:
https://www.oregonlegislature.gov/bills_laws/ors/e%20tax%20of%20the%20municipality.

Let me know if you have any other questions.

Thank you,

Audra Koopmann
Contract Manager

LS NETWORKS

Direct (971) 339-5497
audra.koopmann@LSNetworks.net
www.LSNetworks.net

From: John HuttI <jhuttI@portorford.org>
Sent: Thursday, October 19, 2023 4:52 PM
To: Audra Koopmann <audra.koopmann@lsnetworks.net>
Subject: RE: Franchise Renewal Request I Lightspeed Networks, Inc. - Ordinance No. 2013-03

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Audra

Thank you for your follow up.
My City Council meets only once per month, unless a special meeting.

At last month's consideration of this item they postponed adoption. They wanted to know if they could change the rate.

At tonight's meeting I will tell them that I believe ORS 221.515 allows them to charge 7%. They may want to change the rate.
I will let them know the franchise fee charge is typically passed on to the customer, our voters. Sometimes that information helps them.

I will let you know what they instruct me to do.

ORDINANCE NO. 2023 - 29

AN ORDINANCE AMENDING SECTION 3.22 OF THE MUNICIPAL CODE OF
PORT ORFORD, GRANTING TO LIGHTSPEED NETWORKS, INC., DBA "LS
NETWORKS" AN OREGON CORPORATION, A TEN-YEAR EXTENSION ON
ITS FRANCHISE TO CONSTRUCT, OPERATE and MAINTAIN a
TELECOMMUNICATIONS NETWORK WITHIN
THE CITY OF PORT ORFORD OREGON

WHEREAS: Lightspeed Networks, Inc., dba LS Networks, an Oregon Corporation, provides Telecommunications services within the City of PORT ORFORD, Oregon; and

WHEREAS: Franchisee has an existing franchise for relating to Telecommunications located in the public rights of way, and the City of PORT ORFORD "City"; and

WHEREAS: the term of that franchise is expiring, both parties desiring to extend the franchise for an additional ten years, all other terms and conditions remaining the same; and

WHEREAS: The Common Council of the City of Port Orford finds it is in the best interest of the citizens of Port Orford to extend the term of the franchise;

NOW THEREFORE, THE CITY OF PORT ORFORD HEREBY ORDAINS AS FOLLOWS:

Port Orford Municipal Code Section 3.22.040 is amended as follows:

3.11.040 Term and Termination. The term of this Franchise shall be ~~five~~ **ten (510)** years, commencing with the effective date of this Ordinance. ~~Thereafter, this Franchise shall continue in full force and effect for an additional five (5) years~~ unless notice is given by either party ninety (90) days before expiration, of its intention to terminate or renegotiate the Franchise. Upon termination or expiration of the Franchise, Grantee shall, within one hundred and eighty days (180), remove all its facilities from the City's Rights-of-Way. Should the Grantee fail to remove its facilities within the one hundred and eighty day period (180), the City may remove.

3.22.190 Notice. Any notice provided for under this Franchise shall be sufficient if in writing and (1) delivered personally to the other party or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested; (2) sent overnight by commercial air courier; or (3) sent by facsimile transmission, provided receipt of such facsimile is confirmed, in writing, on the first business day following the date of transmission. Notice shall be sent to the following address, or such other address as each party may specify in writing:

Name: City of Port Orford, ~~ATTN: Mike Murphy~~
 Title ~~ATTN: City Manager~~ **Administrator**
 Address: P.O. Box 310
 Port Orford, OR 97465
 Phone: (541) ~~332-3681~~ **366-4568**

Name: Contracts Administration
 Title: LS Networks
 Address: 921 SW Oregon St., STE 210
 Portland, OR 97205
 Phone: (503) 294-5300

Facsimile: (541) 332-3830

Facsimile: (503) 227-8585

Notice shall be deemed effective upon the earliest date of actual delivery; three business days after deposit in the U.S. mail as provided herein; one business day after shipment by commercial air courier; or the same day as transmitted by facsimile, provided transmission of such facsimile is confirmed in as provided herein.

[Strike through indicates former text; bold indicates amendment.]

AND FURTHER ORDAINS:

All other terms and conditions of Port Orford Municipal Code section 3.22 to remain the same.

PASSED by the City Council and approved by the Mayor

Pat Cox, Mayor

Attest: Joseph Harrison, Recorder

First Reading _____ / _____ / _____

Effective 30 days after adoption, if accepted by Franchisee.

ACCEPTED: _____, for LightSpeed Networks, Inc
Randall Brogle, President and CEO



City of Port Orford

TO: Mayor and City Council

FROM: John Huttli, City Administrator

DATE: November 1, 2023

SUBJECT: City Recorder / Planner Job Description

Summary

The City Council priority list of February 2023 included an item to send all job descriptions to the City Council. Those have been provided by separate agenda item. This agenda item proposes a hybrid position of City Recorder / City Planner.

Background

Joseph Harrison was hired as Office/Accounting Assistant. Apparently Harrison was used as an Office Assistant, but did not get trained in or used as an Accounting Assistant.

Instead, since time of hire, Harrison was given Recorder tasks to perform. He has routinely prepared agendas and drafted minutes, and has counter-signed Council Ordinances and Resolutions. Prior to this time, Jessica Ginsburg had been counter-signing Council Ordinances and Resolutions per the job description of City Administrator.

On September 21, 2023, the Council approved Resolution 2023-24 which appointed him as the Pro-tem City Recorder, pending further action. He was also recognized for working out of class due to his performance of Recorder duties. He has obtained his Oregon Notary Public designation.

The other functions that Harrison has been performing are that of a City Planner, or Associate Planner. He has been doing intake and interviews of applications for development. Reviewing and analyzing our code sections relevant to the applications, and drafting staff reports and findings for Planning Commission action. His reports and findings have been reviewed by Contract Senior Planner Crystal Shoji and Planning Director John Huttli. He has prepared agendas for the Planning Commission, attended their meetings, and prepared minutes. He has received favorable reviews from Shoji, the Planning Commission and the public.

Recorder / Planner Job Description

A draft job description has been included for this agenda item. Typically Planners have a four year college degree, but it is not always a requirement.

Salary Analysis

I reviewed salaries of Planners and salaries of Recorders in Oregon.

Planner	Curry County	Junction City	Creswell	Brownsville	Coburg
	\$3029-\$3865	\$3258-\$3667	\$3475-\$4605	\$3530-\$4409	\$2840-\$3674

Recorder	Bandon	Junction City	Cottage Grove	Drain	Coburg
	\$3268-\$4854	\$4191-\$4903	\$4420-\$5641	\$5026	\$4347-\$5624

The lowest planner range of \$2840 plus the highest range \$4605 = \$7445. Divided by 2 gives an average of \$3722 per month. Divide that by 160 hours (4 weeks x 40 hrs per week) = \$23.27 as an average wage for this position.

The lowest recorder range of \$3268 plus the highest range \$5641 = \$8909. Divided by 2 gives an average of \$4455 per month. Divided by 160 = \$27.84 per hour.

Taking the two hourly rates above $\$23.27 + \$27.84 = \$51.11$ and divide by 2 = $\$25.55 = \4088 per month is mid-range of salary.

Therefore, the step schedule (3.5% per year) would look like this:

1	2	3	4	5	6	7	8	9	10
\$22.15	\$22.96	\$23.79	\$24.65	\$25.55	\$26.44	\$27.37	\$28.32	\$29.31	\$30.33

Recommendation

Adopt the job description for Recorder/Planner. Adopt the salary schedule for the job description. Joseph Harrison will be designated as City of Port Orford Recorder/Planner.

Respectfully,

/s/

John Hutt
City Administrator

CITY OF PORT ORFORD
JOB DESCRIPTION
CITY RECORDER / PLANNER

SUMMARY STATEMENT:

The primary duties of the City Recorder/Planner are to provide general and detailed records preparation and management for the City Council and Administrator; as well as provide general and detailed planning program support to the contract Senior Planner, the Planning Director, and the Planning Commission and City Council related to the successful implementation of the City's land use planning/zoning program.

Importance/Frequency of Primary & Secondary Duties:

City Recorder: 50%

Planning Duties

TYPE OF SUPERVISION RECEIVED & EXERCISED:

This position answers directly to the City Administrator/Planning Director and works under supervision of the City Administrator/Planning Director and contract Senior Planner if any. Independence of work will be a function of time on the job. The more experience, the more the position will be unsupervised.

EXAMPLES OF DUTIES FOR THIS POSITION

Recorder 50%

- Attend all Council meetings and record meetings on an audio recording device. Transcribe minutes in a timely manner; distribute copies to Council members for review prior to approval. Maintain a file of minutes for the fiscal year.
- Prepare meeting packets for Council meetings. Organize and schedule special meetings or workshops as needed. Prepare agenda for Mayor and Administrator review. Post agendas for Council meetings and notifies interested news media. Process affidavits of publication.
- Prepare Council chamber for all meetings; arrange chairs, set up sound system, display agendas and related information for public, remove remaining documents from the room after meeting concludes, prepare room for closure.
- Prepare City Ordinances and Resolutions for Council approval. Maintain copies of documents in appropriate files. Update the City Municipal Code book as required.
- Issue and renew business licenses. Notify business owners of need for a license and mail renewal notices. Maintain business licenses in a file and create a data base of related information.
- With City Administrator approval, issue press releases and public notice to local news media regarding City events, legal activities, or public service announcements.
- Attest, sign, and date official and legal documents for the City; attach City seal when appropriate. Perform Notary Public services as needed.
- Comprehension of City Charter, Open Meeting Laws and Council Rules to assist in all areas of responsibility.

- Perform tax lien or property lien searches for other agencies making inquiries.
- Networking with League of Oregon Cities, Oregon Association of Municipal Recorders, or other agencies to gather information that will enhance the operation of the City of Port Orford.
- Establish and maintain a standardized filing code for all City records and documents.
- Perform various support functions for Administrator.
- Provide necessary back up coverage for Receptionist and perform other administrative activities.
- Other duties as assigned.

Planner (50%)

Primary point of contact (POC) for counter/phone/email contact for initial City planning inquiries. This position will also be the main POC for the City's building clearance form processing.

- Provides information to public and other staff or agency personnel regarding zoning and general property information;
- Reviews building and other counter permit applications for planning compliance with city codes, state laws and state rules; makes recommendations to Planning Director and Senior Planner
- Under direction of the Planning Director, investigates violations of planning regulations and ordinances, including site visits;
- Conduct field inspections for land use permits;
- Researches and compiles information on a variety of planning issues from multiple sources; Compiles statistical data and prepares reports to state agencies;
- Prepares maps, charts, tables of limited complexity;
- Performs routine office tasks in designated program areas, including data entry, file management, copying and answering telephone;
- Attends public meetings, assisting Planning Commission, Sr. Planner, Planning Director and the public as appropriate;
- If delegated by the Planning Director, participates on special committees and task forces as needed;
- Maintains automated tracking systems, hard copy files and records related to the Planning Department
- Works with Senior Planner to draft staff reports, findings and final orders for the Planning Director and / or Planning Commission review and approval
- Writes reports on Planning Review packets submitted to the City for review by the Planning Director prior to Director signature.

DESIRED QUALIFICATIONS

Associate's degree and at least two years' experience working in the planning field or similar private or local government work such as: title & escrow, assessment/taxation, surveying, public works, etc., OR at least four years' equivalent experience in field/related field acceptable.

LANGUAGE SKILLS

Ability to communicate effectively both verbally and in writing; establish and maintain effective working relationships with other employees and the public; read and interpret documents such as operating and maintenance instructions, and procedure manuals; write routine reports and correspondence; and communicate effectively.

MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.

REASONING ABILITIES

Ability to exercise initiative and judgment in completing tasks and responsibilities; solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists; and interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

OTHER SKILLS AND ABILITIES

Utilizing computer software to access/update files and to generate reports; the operation of standard office equipment.

WORK ENVIRONMENT

Work is normally performed in an office environment. The position is impacted by the need to meet established deadlines; repetitiveness of tasks; attention to detail/accuracy; uncontrollable workflow; and uncontrollable interruptions and distractions.

In addition to the specific job duties outlined below, the following general duties are required of all City employees

- Courteous and respectful interactions with citizens, staff, and other persons;
- Responsive to citizen and staff requests;
- Cost-effective use of city resources;
- Support a positive work environment;
- Communications: keep others informed of work issues by maintaining quality communications;
- Work to resolve issues of conflicting personalities and needs;
- Conduct business in accordance with the letter, spirit and intent of all relevant laws and refrain from illegal, dishonest or unethical behavior

PHYSICAL REQUIREMENTS

Check if required for essential job function	ACTIVITY	Continuously 67-100%	Frequently 34-66%	Occasionally 0-33%
X	Standing		X	
X	Sitting – ½ hour or more		X	
X	Moving about work area		X	
	Bending		X	
	Stoop Position 1 minute plus			X
	Climbing stairs			X
	Crawling – hands/knees			X
	Reaching overhead			X
	Lifting up to 20 lbs.			X
	Lifting overhead			X
	Moving/carrying items			X
X	Dexterity/coordination		X	
X	Keyboard operation	X		
X	Rapid mental/hand/eye coordination	X		
	Operation of motor vehicle			X

SALARY SURVEY REPORT

Prepared for:

City of Coburg, Oregon

August 2021*

*Report data from FY 2020/21, report finalized August 2021

Report Prepared by:

Ruth S. Mattox
Contracted Consultant



Local Government Personnel Services - LGPS
a program of Lane Council of Governments
859 Willamette St, Ste 500
Eugene, OR 97401



541-682-4283 | www.lcog.org

TABLE OF CONTENTS

1 SCOPE OF STUDY	1
1.1 PROJECT SUMMARY	1
1.2 POSITIONS INCLUDED	1
1.3 COMPARATORS	2
2 METHODOLOGY	3
2.1 OVERVIEW	3
2.2 POSITION ANALYSES	3
3 FINDINGS AND ANALYSIS	4
3.1 INSUFFICIENT JOB MATCHES	4
3.2 HEALTH INSURANCE COMPARISON	5
3.3 PAID LEAVE COMPARISON	6
3.4 ANCILLARY BENEFITS COMPARISON	7
3.5 INCENTIVE COMPARISON	8
3.6 SALARY STRUCTURE COMPARISON	9
4 RECOMMENDATIONS	10
4.1 OVERVIEW	10
4.2 SALARY SCHEDULE	10
4.3 CLASSIFICATION SERIES	10
4.4 MARKET PLACEMENT	11
5 FUTURE CONSIDERATIONS	12
5.1 RECRUITMENT	12
5.2 MAINTENANCE AND CONTINUATION	12
APPENDIX A: RAW SURVEY DATA	1
INDEX OF POSITIONS INCLUDED IN THE RAW DATA, APPENDIX A	II

Raw Data Report

City Recorder											
Organization	population	Title	MONTHLY SALARY (PER 1.6 FTE)					ADJUSTED COMPENSATION			Comments
			MIN	MD	MAX	PERS	EE/No Cost	MIN	MD	MAX	
Lane County	381,365	NCC									
Eugene	173,620	Management Analyst 2	5,298.80	6,077.07	6,855.33	6%	-193.80	5,422.93	6,247.89	7,072.85	
Springfield	61,535	Administrative Aide/City Recorder	4,678.58	5,614.29	6,550.00	6%	-195.58	4,763.72	5,755.57	6,747.42	
Corvallis	59,730	City Recorder	6,133.37	7,181.03	8,228.69	6%	-162.00	6,339.37	7,449.89	8,560.41	Bachelor's Degree + 4 years experience
Cottage Grove	10,155	Administrative Assistant / City Recorder	4,420.00	5,030.50	5,641.00	6%	-115.54	4,569.66	5,216.79	5,863.92	
Stayton	7,890	NCC									
Junction City	6,200	City Recorder	4,191.00	4,547.00	4,903.00	6%	0.00	4,442.46	4,819.82	5,197.18	
Creswell	5,585	City Recorder	4,329.08	5,099.38	5,869.67	6%	0.00	4,588.83	5,405.34	6,221.85	
Brownsville	1,720	NCC									
Amity	1,705	NR									
Tangent	1,265	NCC									
Drain	1,165	Administrative Assistant / Planner	5,026.42	5,026.42	5,026.42	6%	0.00	5,328.00	5,328.00	5,328.00	Also HR minimal training
		Average	4,868.18	5,510.81	6,153.44		-95.27	5,065.00	5,746.19	6,427.38	0
		Median	4,678.58	5,099.38	5,869.67		-115.54	4,763.72	5,405.34	6,221.85	# of position matches
Coburg	1,375	City Recorder	4,347.20	4,985.03	5,624.67	6%	-110.16	4,497.87	5,174.93	5,851.99	
		% difference from average	-11.98%	-10.53%	-9.40%		13.51%	-12.61%	-11.04%	-0.83%	NCC: No Comparable Class NR: No Response Received
		% difference from median	-7.62%	-2.28%	-4.36%		-4.88%	-5.91%	-4.45%	-6.32%	

Raw Data Report

Planning Technician											
Organization	population	Title	MONTHLY SALARY (PER 1.6 FTE)					ADJUSTED COMPENSATION			Comments
			MIN	MD	MAX	PERS	EE/No Cost	MIN	MD	MAX	
Lane County	381,365	Land Management Technician	3,503.07	4,174.74	4,846.40	6%	-90.00	3,663.25	4,375.22	5,087.18	
Eugene	173,620	Planning & Land Use Technician 1	3,823.73	4,290.87	4,758.00	6%	-193.80	3,859.35	4,354.52	4,849.68	
Springfield	61,535	Permit Specialist, Journey	3,846.25	4,615.00	5,383.75	6%	-195.58	3,881.45	4,696.32	5,511.20	
Corvallis	59,730	Permit Technician II	4,161.24	4,724.58	5,287.92	6%	-162.00	4,248.91	4,846.05	5,443.20	
Cottage Grove	10,155	Planning Technician	3,029.00	3,447.00	3,865.00	6%	-115.54	3,095.20	3,538.28	3,981.36	
Stayton	7,890	NCC									
Junction City	6,200	Planning Technician	3,258.00	3,462.50	3,667.00	6%	0.00	3,453.48	3,670.25	3,887.02	
Creswell	5,585	Planning and Public Works Specialist	3,475.58	4,040.42	4,605.25	6%	0.00	3,684.12	4,282.84	4,881.57	
Brownsville	1,720	Administrative Assistant - Planning	3,530.80	3,970.20	4,409.60	6%	-115.06	3,415.74	3,855.14	4,294.54	
Amity	1,705	NR									
Tangent	1,265	NCC									
Drain	1,165	NCC									
		Average	3,578.46	4,090.66	4,602.87		-104.00	3,662.69	4,202.33	4,741.97	0
		Median	3,516.94	4,107.58	4,681.63		-115.30	3,673.69	4,318.68	4,865.62	# of position matches
Coburg	1,375	Planning Technician	2,840.93	3,257.80	3,674.67	6%	-110.16	2,901.23	3,343.11	3,784.99	
		% difference from average	-25.96%	-25.57%	-25.26%		5.99%	-26.25%	-25.70%	-25.28%	NCC: No Comparable Class NR: No Response Received
		% difference from median	-23.80%	-26.06%	-27.40%		-4.67%	-26.63%	-29.18%	-28.55%	

Salary Survey Notes
Recorder Planner
City of Port Orford

	City of Bandon	Gold Beach	Curry County
Planner	\$24.17 - \$31.55	\$19.43 - \$26.04	\$4131 - \$4789
Recorder	\$20.43 - \$30.84	N/A	N/A

RESOLUTION 2023 – 30
ADOPTING JOB DESCRIPTION FOR CITY RECORDER / PLANNER 1
ESTABLISHING SALARY RANGE

WHEREAS, the Common Council for the City of Port Orford (City/Council) has set a priority of updating job descriptions; and

WHEREAS, the City currently has an employee performing functions of Recorder Pro Tem and Planner 1; and

WHEREAS, the City has no job description, nor corresponding salary schedule for an employee performing duties in that combination; and

WHEREAS, the City has reviewed recent salary surveys in jurisdictions comparable and close in proximity as outlined in the City Administrator’s memorandum of October 19, 2023 with supporting documents; and

WHEREAS, the City has provided the Job Description and Salary Data to Teamsters 206, and is otherwise informed in the premises;

NOW THEREFORE, the Common Council for the City of Port Orford RESOLVES

The Job Description of Recorder / Planner for the City of Port Orford is adopted;

BE IT FURTHER RESOLVED

The corresponding salary range for the position is adopted.

Dated this 19th day of October, 2023

Pat Cox, Mayor, City of Port Orford

Attest: Joseph Harrison, Recorder



City of Port Orford

TO: Mayor and City Council
FROM: John Hutt, City Administrator
DATE: November 1, 2023
SUBJECT: Job Description and Pay Scale Finance Director City Administrator Combined

Summary

This memorandum proposes adoption of a Job Description combining the functions of Finance Director and City Administrator.

Discussion

The City currently employs a full-time City Administrator at a salary of \$75,000 per year. It employs a Finance Director on a contract basis in an amount not to exceed \$41,000.

The City has recently had a back-log of administrative tasks to perform, many of which are nearing completion. Similarly, the contract Finance Director has been brought in to attend to an over-due audit and to oversee the performance of a special audit.

Once the back-log has been cleared in both these functions, it is anticipated that the City Administrator job may absorb the part-time functions of the Finance Director. However, because the Finance Director job has a more specialized skill set, it is recommended that the job be described as Finance Director / City Administrator.

If adopted, the City would be able to consolidate the combined payments of approximately \$115,000 per year, which should make the position more competitive. This should allow more robust recruitment and hopefully attract a candidate who can meet Port Orford's long-term finance and administration needs.

Recommendation

Adopt job description and pay scale for Finance Director / City Administrator.

Respectfully submitted,

/s/

John Hutt, City Administrator

CITY OF PORT ORFORD
FINANCE DIRECTOR / CITY ADMINISTRATOR
JOB DESCRIPTION

General Purpose

Port Orford

Port Orford is a small community of 1200 people in Curry County on the Southern Oregon Coast. Its annual budget is approximately \$6.5 million annually. It has 15 employees, a water plant and sewer plant and police department. It contracts for municipal fire protection services. It has a City Council Mayor form of government; a Planning Commission, a Parks and Recreation Commission, an Emergency Response Commission and a Transient Lodging Tax Expenditure Commission.

The Position

The Finance Director / City Administrator position for the City of Port Orford is the Chief Executive Officer of the City. As such, the position performs and/or supervises complex professional, supervisory, administrative and technical accounting and finance functions necessary to maintain the accounting and financial records and systems of the City. Organizationally, the Finance Director / City Administrator (FDCA) reports to the City Council; however, with respect to accounting and necessarily related matters, the Finance Director functions independently similar to the City Attorney in the sense that both must act within the ethical and professional rules of their professions, and may not be directed to act contrary to those rules.

Supervision Received

Supervised by Mayor, who has hire and fire authority with consent of City Council. Mayor to be the liaison between the City Administrator and the City Council.

Supervision Exercised

Supervision is a responsibility of this Position. and have general supervision over all City employees and all appointive City Officers except that the FDCA shall not employ or dismiss a department head without the concurrence of the Mayor and Common Council; shall not impinge on the City Attorney's ethical obligations to the Common Council of the City of Port Orford; shall have no control over judicial activities of the Municipal Judge and shall have no power of appointment or removal of the Municipal Judge or City Attorney. Those directly Supervised include the Chief of Police, the Public Works Administrator, as well as City administrative staff, currently: Payroll Accounts Payable Clerk; Utility Billing and Municipal Court Clerk; City Recorder and Planner.

Essential Duties and Responsibilities

Finance Director Roles

The Finance Director is responsible for preparation and administration of the annual budget and, under general policy direction, plans, supervises and coordinates the City's fiscal and accounting

activities including: financial accounting and reporting; internal controls; internal auditing; financial and accounting data processing; payroll processing; billing and collection of locally-administered taxes and fees.

Establish selection criteria, interview, select candidates, train, evaluate and supervise all City professional, para-professional and clerical fiscal and accounting staff.

Conduct, direct and/or oversee all investigative and corrective accounting projects.

Prepare or supervise preparation of the City's annual financial report(s); oversee annual independent audit; and interface with independent auditor(s).

Develop or assist in the development of financial studies, plans, forecasts, estimates, and finance-related ordinances and resolutions. Gather, interpret, and prepare data for studies, reports and recommendations. Review and advise on City utility rates. Administer grants.

Oversee Budget Officer in the development and administration of the City Budget.

Assure the financial soundness and integrity of the City to assure its capability to meet commitments and to maximize the delivery of services to citizens.

Serve as financial advisor to the City Council, and other City staff. As requested, make related presentations to City Council, committees and commissions and represent the City at finance-related events.

“Finance” and “financial” primarily refers to accounting, reporting and information management aspects of the City's fiscal activities and procedures related to those activities. It does not include providing advice as to the social desirability of one proposed expenditure over another.

City Administrator Roles

The City Administrator is responsible for overall management of City departments and utilities; and provides support to the Mayor and City Council. Plan, organize, and direct the overall City government, monitor activities of the entire City organization and assure that City Council directives are properly implemented and monitored.

Maintain positive attitude when dealing with the public, Mayor and the City Council. Regular evening and weekend work is required to attend meetings and meet deadlines; constant attendance is required.

Essential responsibilities and duties, at the direction of the City Council, include, but are not limited to the following:

Assume full responsibility for all City operations including administrative services, and public works programs

Direct and participate in the implementation of City goals, objectives, policies, priorities, and procedures.

Responsible for seeing that City ordinances and resolutions are enforced.

Responsible for overseeing the operation of all public utilities owned and operated by the City.

Have general supervision over all City property and equipment.

See that the provisions of all franchises, leases, contracts, permits and privileges, granted by the City are fully observed.

Establish, within City policy, appropriate service and staffing levels; monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; allocate resources.

Plan, direct and coordinate, through staff, the work plan for City projects and programmatic area of responsibility; review and evaluate work methods and procedures; meet with management staff to identify and resolve problems.

Assess and monitor workload, administrative support systems and internal reporting relationships; identify opportunities for improvement.

Make or cause to be made, studies and surveys of the duties, responsibilities and work of the personnel employed by the City.

Maintain positive contact with community groups to represent the City; develop community relations program and policies; represent the City to neighboring jurisdiction, governmental bodies, organizations and the news media.

Meet with citizens to review and resolve customer service and other issues.

Communicate with State and Federal officials and legislators to present the City's viewpoint on pending administrative or legislative actions.

Meet with representatives of agencies and outside entities to negotiate formal and informal agreements between City, State, and County governments and private interest as issues arise.

Provide leadership and direction in such areas as major projects and long range capital programs.

Directs the preparation of plans and specification for work which the City Council orders.

Confers with residents, taxpayers, businesses, and other individuals, groups, and outside agencies having an interest or potential interest in affairs of City concern.

Provide support to the Common Council; assist council members with a variety of activities, providing leadership and information as requested; assist council members in drafting policies, facilitating the development of City plan, regulations and ordinances; attend council meetings. Make monthly written reports to the City Council on activities occurring that month.

Provide staff support to boards and commissions.

Attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of public administration and management.

Perform related duties and responsibilities as directed by the Mayor and City Council.

Educational Benefits Continuing Education Opportunity

The City of Port Orford encourages continuing education and training and will therefore provide an educational benefit to the City Administrator. The City will pay the cost of tuition, books, supplies, and necessary expenses for continuing education (on line) up to and including a Masters Degree in Public Administration or related field, within Budgetary Constraints and the approval of the Mayor. A minimum grade of B is required to receive this benefit. If a class is graded “pass/fail” a passing grade is required.

Qualifications

1. U.S. citizen and resides within a normal driving time of 1 hour from the City of Port Orford. Preferred that candidate relocate to City of Port Orford within a year of hire.
2. Valid Oregon driver’s license.
3. Capable of obtaining bond.
4. Subject to annual reporting for Oregon Ethics Statement of Economic Interest.
5. Subject to criminal background check upon offer of employment.

Education and/or Experience

Bachelor's degree (B.S.) from four-year college or university with a major in Accounting; minimum of 5 years progressive governmental experience, or 5 years of general supervisory experience, with at least 5 years in a local government finance department with progressive responsibilities. Typical duties to satisfy this qualification would have included, but not be limited to: hiring & evaluation of accounting and financial professional and para-professional staff; direct supervision of other professional and /or management staff; overall responsibility for preparation of governmental financial reports in accordance with Generally Accepted Accounting Principles.

1. Extensive knowledge of and experience with accounts receivable, accounts payable, purchase order, and payroll systems and the demonstrated ability to oversee and supervise technical and clerical staff performing those duties.
2. Knowledge of operations, services and activities of a municipality; principles and practices of public administration, program development and administration, municipal budget preparation and administration, personnel administration, and report preparation. Knowledge of rules and regulations governing public meetings; pertinent Federal, State and local laws, codes and regulations. Familiarity with Oregon Revised Statutes.
3. Experience and demonstrable competence with other computer application software such as word processors, databases and spreadsheets. Knowledge of Tyler Technology Government Accounting software a plus. City currently uses Tyler Technology Government Accounting software.

Tools and Equipment Used

Personal computer; computer network workstation; 10-key calculator; telephone; copy machine; fax machine.

Physical Demands

The physical demands described herein are those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands and fingers to handle or feel objects, tools or controls; and reach with hands and arms. The employee is occasionally required to walk.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may

be made to enable individuals with disabilities to perform the essential functions. The noise level in the work environment is usually quiet to moderate.

Exempt/Non-exempt Status

This position is exempt.

SALARY RANGE
FINANCE DIRECTOR / CITY ADMINISTRATOR

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
\$99,729	\$103,220	\$106,832	\$110,571	\$114,442	\$118,447	\$122,593	\$126,883
Step 9	Step 10						
\$131,324	\$135,921						

RESOLUTION 2023 – 30
ADOPTING JOB DESCRIPTION FOR FINANCE DIRECTOR / CITY ADMINISTRATOR
ESTABLISHING SALARY RANGE

WHEREAS, the Common Council for the City of Port Orford (City/Council) has set a priority of updating job descriptions; and

WHEREAS, the City currently has two persons performing functions of City Administrator and Finance Director; and

WHEREAS, the City Administrator has reported that much of the work being done by the two individuals is backlogged work, and once that backlog is addressed it is estimated that a single person could perform both functions; and

WHEREAS, the City’s pay scale for full time City Administrator and full time Finance Director makes competing for candidates difficult; and

WHEREAS, the City has reviewed the memorandum and supporting documents from the City Administrator and is otherwise informed in the premises;

NOW THEREFORE, the Common Council for the City of Port Orford RESOLVES

The Job Description of Finance Director / City Administrator for the City of Port Orford is adopted;

BE IT FURTHER RESOLVED

The corresponding salary range for the position is adopted.

Dated this 1st day of November, 2023

Pat Cox, Mayor, City of Port Orford

Attest: Joseph Harrison, Recorder



City of Port Orford

TO: Mayor and City Council

FROM: John HuttI, City Administrator

DATE: November 1, 2023

SUBJECT: Amendment to Curtailment Ordinance Allowing Wells

Summary

The City Council considered this matter in Spring of 2023 after Planning Commission consideration. Then again in Fall at a Special Meeting Workshop, then adopted at a First Reading on October 19, 2023 moved on to a Second Reading after some amendments.

The version put forth for adoption at this second reading reflects the work the Council has done on this to date.

Respectfully,

/s/

John HuttI
City Administrator

13.05.041 Allowance of Private Wells During Period of Curtailment

Purpose and Application. The purpose of this Ordinance is to allow development within the City during the period while Ordinance 2022-04 regarding Water Curtailment is in effect.

This Ordinance does not apply to wells existing, applied-for, or under contract at the time of adoption of this ordinance.

1. The Planning and Building staff of the City and County are authorized to accept an on-site well that meets all of the standards for a domestic well sufficient to support the proposed use as a permitted method of providing potable water to said development site, and to make note of such alternative water source on the plat map, planning clearance form, building permit or other such development review and entitlement document.
2. Water System Development Charges shall be payable prior to **planning clearance**.
3. Any such well may be used for drinking water supply up to not more than 24 months following the repeal of the curtailment policy, at which time the said development site must be connected to the City's municipal water system, with all relevant fees payable at that time.
4. **All well water usage shall be metered. Only water meters approved by the City's Public Works Superintendent shall be installed and used for this purpose. The purpose of said meter is to collect data pertaining to water use that is utilized in determining domestic sewer use fees. The meter location shall be approved by the City's Public Works Superintendent or designee.**
5. Said well may remain in use on the condition that the owner install, maintain and have inspected regularly a back flow prevention device **and that the property hooks up and pays the City Water SDC fee within 24 months of the repeal of the water curtailment.**

ORDINANCE 2023 – 25
AMENDING CITY ORDINANCE 2022-04
REGARDING WATER CURTAILMENT
AUTHORIZING WELLS ON PRIVATE PROPERTY IN CITY LIMITS
PROVIDING FOR SUNSETTING THEREOF
CODIFIED ORDINANCES CHAPTER 13.05

WHEREAS, the Common Council for the City of Port Orford (City/Council) has enacted Port Orford Municipal Code (POMC) Chapter 15, known as the City of Port Orford Water Curtailment Code, and,

WHEREAS Section 13.050.100 of said Chapter sets forth standards for new water services, and,

WHEREAS, it IS THE DESIRE OF THE City Council to provide for an alternative method of providing potable drinking water to support new development during the period of said curtailment, and,

WHEREAS, it is the intent of the City Council to provide for said alternative on a temporary basis until the water curtailment emergency is resolved;

NOW THEREFORE, be it ORDAINED by the Common Council for the City of Port Orford, amendments to Ordinance 2022-04 Code Chapter 13.05 is amended as attached on Exhibit A adopted and incorporated hereto

FIRST READING 10/19/2023
SECOND READING / /

Pat Cox, Mayor, City of Port Orford

Attest: Joseph Harrison, Recorder pro Tem