

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

If you can not join in person, please feel free to join this meeting from your computer, tablet or smartphone.

<https://meet.goto.com/928576453>

You can also dial in using your phone.

United States (Toll Free): 1 (877) 309-2073

United States: 1 (646) 749-3129

Access Code: 928-576-453

AGENDA

1. Call to order/roll call/ pledge of allegiance
2. Presentations to the Council/Citizens
3. Consent Calendar (pg. 3-5)
 - a. Application for Appointment Emergency Management: Carol Lawton (3)
 - b. Application for Appointment TLT Committee: Laurie Prouty (4)
 - c. Application for Appointment TLT Committee: Nancy Fraser (5)
4. Additions to the Agenda
5. Citizen's Concerns
6. Departmental Reports
 - a. Administration
 - b. Finance
 - c. Public Works
 - d. Police
 - e. Planning
 - f. Mayors Report
 - g. Liaison
 - i. Port – Webb
 - ii. School – Rask
 - iii. Fire District - Tidey
 - iv. Watershed – Vileisis
 - v. Parks - Tidey TLT
 - vii. Mainstreet – Burns
 - viii. Emergency Mgmt. – Burns
 - ix. N2N - Rask
7. Old Business
 - a. Job vacancies discussion - update
8. New Business
 - a. Resolution 2023-33: Supplemental Budget (6-7; and attachment A)
 - b. Emergency Management Right of Way – initial approval prior to signatures (8-9)
9. Continuing Action Items
10. Considerations
11. Open Executive Session ORS 192.660 (2)(b): To cons the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

12. Executive session: ORS 192.660 (2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

13. Future Meetings – December 21st @ 5:30 pm

14. Adjourn

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 PORT ORFORD EMERGENCY RESPONSE COMMISS

Name: CAROL LAWTON

Mailing Address: P.O. BOX 159

Home Address: 220 18TH ST. PORT ORFORD

Home Phone: CELL 707-815-1308 Work Phone: --- Fax: ---

E-mail: carollawton@yahoo.com

Current Employment: RETIRED

Area of Interest: _____

Area of expertise: HOUSING, PROGRAM DEVELOPMENT, EMERGENCY RESPONSE (PO VOLUNTEER FIRE DEPT, RED CROSS, FLOOD DISASTER RELIEF)

Why do you want to serve? I AM CONCERNED THAT THE CITY IS ILL PREPARED TO RESPOND TO MAJOR DISASTERS SUCH AS FIRES AND FLOODS.

Previous service in this appointed position or similar position CO-CHAIR NAPA RED CROSS, DIRECTOR OF A N/P DISASTER RELIEF ORG. POST 1995 SONOMA COUNTY FLOODS.

Other volunteer activities VOLUNTEER FIREFIGHTER - PORFPD, P.O. PLANNING COMMISSION

Does your schedule allow you to attend;

Daytime Meetings yes no Evening meeting yes no

Does your schedule limit the day you could attend meetings? yes no

Have you ever been convicted of a crime? yes no If yes, please explain

Additional Comments _____

Date: 11-22-'23

Signature: Carol Lawton

Please return application to:

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

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 TLT Committee

Name: Laurie Prouty

Mailing Address: 1035 13th St, Port Orford, OR 97465

Home Address: same

Home Phone: 541-267-2000 Work Phone: _____ Fax: _____

E-mail: laurieprouty@gmail.com

Current Employment: retired

Area of Interest: gardening, outdoor activities, community involvement

Area of expertise: _____

Why do you want to serve? I would like to see the funds go to serve the people of Port Orford + tourists best

Previous service in this appointed position or similar position Yes, I have served on the ~~TLT~~ TLT in the past

Other volunteer activities managing The Port Orford community garden, Volunteering at the Co.op, SMART

Does your schedule allow you to attend;

Daytime Meetings yes no Evening meeting yes no

Does your schedule limit the day you could attend meetings? yes no

Have you ever been convicted of a crime? yes no If yes, please explain

Additional Comments Not on Wednesdays

Date: 11/21/2023 Signature: Laurie Prouty

Please return application to:

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

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 TLT COMMITTEE

Name: NANCY FRASER

Mailing Address: P.O. Box 678

Home Address: 1160 IDAHO ST., PORT ORFORD 97465

Home Phone: 541-253-8499 Work Phone: - Fax: -

E-mail: nancyfraser@gmail.com

Current Employment: -

Area of Interest: _____

Area of expertise: _____

Why do you want to serve? SERVED LAST YEAR.
CONTACTED THIS YEAR BY GARY BURNS

Previous service in this appointed position or similar position SERVED
ON COMMITTEE LAST YEAR

Other volunteer activities COOKING FOR MEALS FOR NEIGHBORS

Does your schedule allow you to attend;

Daytime Meetings yes no Evening meeting yes no

Does your schedule limit the day you could attend meetings? yes no NO TUESDAYS

Have you ever been convicted of a crime? yes no If yes, please explain

Additional Comments _____

Date: 11/20/2023 Signature: Nancy Fraser

Please return application to:

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

CITY OF PORT ORFORD

MEMORANDUM

Date: December 5, 2023

RE: FY-24 Supplemental Budget 2023-33; Exhibit A

ISSUE: The total sum of personnel services in the Planning Department did not total all the amounts correctly.

Additionally, the city is currently in the process of hiring a Finance Director and needs to outsource those duties in the interim.

Finally, the hummous pond at the wastewater treatment plant is in danger of overflowing creating an emergency situation. The pond needs to be pumped down to prevent an overflow into the nearby lake and creating a public health hazard. Public Works Superintendent has contacted a company that can pump half of the pond now for \$95,000.

RECOMMENDATION: Recognize that the total of the Planning Departments personnel is \$13,637 and approve a \$3,551 reduction to the Contingency account in non-department. This action is needed to bring the FY-24 Budget into balance.

Accept the following allocated costs to outsource the Finance Directors duties in the FY-24 Budget. A bid has been accepted by the City in an amount not to exceed \$40,784. It is recommended to allocate that cost to other funds in the same percentages as would be used for the Finance Director's wage. The amount allocated to each fund is as follows:

General Fund, Non-departmental, increase line "62160 Professional services" by \$12,291 and reduce line "98500 Contingency" by the \$12,291 to keep that fund in balance. The \$12,291 and \$3,551 equals a total change to "98500 Contingency" of \$15,842.

Parks Fund, Material and Services, line "62160 Professional Services" increase of \$3,357 and line "98500 Contingency" is reduced by \$3,357.

Public Safety Fund, Material and Services, line "62160, Contract Services" increase of \$3,967 and line "98500 Contingency" is reduced by \$3,967.

Water Enterprise Fund, Material and Services, line 62160, Contract Services" increase of \$8,416 and line "98500, Contingency" is reduced by \$8,416.

Sewer Enterprise Fund, Material and Services, line 62160, Contract Services" increase of \$12,163 and reduce "98500, Contingency" by the same \$12,163.

Street Fund, Material and Services, line 62160, Contract Services" increase of \$1,591 and line "98500, Contingency" is reduced by \$1,591.

It is recommended to include the pumping of the hummous pond in the FY-24 Sewer Enterprise budget by transferring \$95,000 spending authority from line "63201, Operating Loan – Water Enterprise" to line "62821 Repairs & Maint. – STP.

ACTION: Approve Resolution 2023-33 as outlined in Exhibit A to ensure that the budget remains in compliance with local budgeting laws.

FORMAT: The Appropriation Resolution Exhibit A uses the same format as the original budget that was adopted by the Council on June 15, 2023. The column titled "2023-2024 Council Adopted Budget" is the actual amount adopted by the Council on June 15, 2023. The next column is the proposed changes to the budget by this resolution and the last column titled "Appropriation Resolution 2023-33 is the net effect of those changes. I have included only the pages of the FY 24 budget that will be changed by this resolution along with a summation to show that all of the funds are still balanced.

RESOLUTION 2023-33

A RESOLUTION BY WHICH THE CITY OF PORT ORFORD MAKES APPROPRIATIONS AND ADJUSTMENTS TO THE 2023-2024 MUNICIPAL BUDGET THROUGH AN APPROPRIATION RESOLUTION.

WHEREAS, the State of Oregon ORS 294.463 allows a municipality to revise its annual budget through the adoption of an Appropriation Resolution, and

WHEREAS, unexpected events have occurred which could not have been ascertained at the time the 2023-2024 budget was prepared, and which necessitate adjustments to the General, Parks, Public Safety, Water, Sewer and Streets Funds, and

WHEREAS, a transfer of spending authority between categories in the aforementioned funds is necessary to ensure the budget remains in compliance with local budgeting laws, and

WHEREAS, these changes represent less than a ten percent change in funds;

NOW, THEREFORE,

BE IT RESOLVED by the *Common Council of the City of Port Orford* that the following addition to revenues and appropriations in the 2023-2024 Adopted Budget, as set forth in Exhibit A attached hereto, hereby be adopted:

ADOPTED by the Common Council of the City of Port Orford and effective this 5th day of December 2023.

SIGNED BY THE MAYOR this _____ day of December 2023.

Pat Cox, Mayor

ATTEST:

Joseph Harrison, City Recorder

City of Port Orford

CITY RIGHT-OF-WAY USAGE LICENSE

City Ordinance Chapter 12.24

Licensee Information:

Name: Department of Emergency Response Gary Burns Date: 11/28/2023
 Phone: 541 761 1997
 Address: _____ Signature: Gary Burns

Property location: 9th STREET between Deady St. & Jefferson St.
 Assessors Map#: _____ Lot#: _____ South End of Town

Description of Improvements: Attach Drawings / Plans if available:

Clear and grade to level for several emergency cache containers.

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.

City of Port Orford

OFFICE USE ONLY

PUBLIC WORKS REVIEW

Reviewed by: _____ Title: _____ Date: _____

Recommendation: Approve _____ Approve w/Conditions _____ Deny _____

Conditions _____

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 _____

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.