

CITY OF PORT ORFORD
REGULAR SESSION OF THE COMMON COUNCIL
Thursday, October 17th, 2024, at 5:00 P.M.

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

<https://meet.goto.com/618602125>

You can also dial in using your phone.

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

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Access Code: 618-602-125

AGENDA

1. **Call to Order/Roll Call/ Pledge of Allegiance**
2. **Executive Session Under ORS 192.660 (2)(d): To conduct deliberations with persons designated by the governing body to carry on labor negotiations. And ORS 192.660 (2)(i): To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.**
3. **Possible Action out of Executive Session**
4. **Reconvene Public Meeting: The earliest general Council business will start is the normal 5:30 start time.**
5. **Additions to the Agenda**
6. **Presentations to the Council - None**
7. **Consent Calendar (pg. 3)**
 - a. **Minutes September 12th, 2024 (Attachment) – will be online by 10/11/2024**
8. **Citizen's Concerns (On agenda items only – 3 minute time limit)**
9. **Public Hearing: None**
10. **Departmental Reports (pg. 4-6)**
 - a. **Administration**
 - b. **Finance (As attachment + Audit)**
 - c. **Public Works**
 - d. **Police**
 - e. **Planning**
 - f. **Mayor's Report**

- g. Liaison**
 - i. Port – Webb**
 - ii. School – Rask**
 - iii. Fire District - Tidey**
 - iv. Watershed – Vileisis**
 - v. Parks - Tidey**
 - vi. TLT - Pogwizd**
 - vii. Mainstreet – Burns**
 - viii. Emergency Prep. – Burns**

11. Old Business (pg. 7-10)

- a. Res 2024-11 Adjustment Policy Revision**

12. New Business (pg. 11)

- a. Right of Way Permit – Community Building**

13. Continuing Action Items

14. Considerations

- a. Citizens**
- b. Councilors**

15. Adjourn

Consent Calendar (7)(a) Minutes 9/12/2024

These minutes will be made available online @ <https://portorford.org/public-notices/> as soon as they are available. And archived @ <https://portorford.org/city-council-meetings/> after they have been approved and signed.

Department Reports: Administration (10)(a)

Personnel

We have hired John Stackhouse for the WWTP job. He has his Associate's Degree from Linn-Benton Community College in Water and Wastewater Management. He has worked with water purification in the chip manufacturing industry and is excited to get started.

Anne Heath is our new Financial Consultant. She will prepare our Council Reports, help with the audits, prepare future budgets, and reconcile our monthly transactions. She will be onsite two days per month and will work remotely when she needs to monitor our financial tracking system.

Grants Update

Focus grants this month included the Business OR grant to pay for the dredging loan (50% forgivable), the BRIC grant for the leaky pipes and meters, and the culvert removal grant through DEQ (100% forgivable).

Tobe Porter and the Friends of the Community Building Complex have secured multiple grants from philanthropic foundations this month. The goal is to raise \$400,000 to complete the American Legion Hall renovation. The Community Building renovation is a separate grant process through a Federal Community Development Block Grant (CDBG). The Architecture firm of HGE is in the planning phases of the project and we will share initial plans soon.

Deady Street Update

Citizens have been on Boil Water notices frequently, since the major leak on 9th Street. When the water treatment operators do a backwash, the Deady Street pump loses its prime. Public Works employees have to manage the system each time and the people have to boil their water in the pressure drops below 20psi (per OHA). John and his crew figured out how to change their backwash protocol slightly to prevent this from happening. Here's hoping this change continues to work! A new pump was ordered the first week of October and has shipped. John feels the pump was damaged somehow during the leak on 9th.

Commercial Bulk Water: Information Update on Rate Change

Per Council direction from September's meeting, I researched other Cities' bulk water rates. After discussion with multiple stakeholders, and reviewing existing code, we will propose an ordinance update at a future meeting. The general thoughts for new rates will be in the range of \$150 per 3000 gallons (an average tanker size) per month, and increase as water usage increases.

Department Reports: Finance(10)(b)

As attachments. And will be available @

<http://portorford.org/wp-admin/post.php?post=314&action=edit>

Department Reports: Public Works (10)(c)

The report will be delivered at the meeting.

Department Reports: Planning (10)(e)

No new significant events to report.
There is a vacancy on the Planning Commission.

Liaison Reports 10(g)

Port: None Submitted

School: Nothing to Report

Fire District: None Submitted

Watershed: None Submitted

Parks: None Submitted

TLT: None Submitted

Main Street: Main Street continues to staff the Visitor Center. We are still getting 30 or so visitors a day, all very enthusiastic in finding out about our Community and all of the things is offers.

Main Street will be organizing the Hughe's House teas again this holiday season.

Our Discover Port Orford Facebook and Instagram pages now have more members than the Bandon page has.

The car counter at the Battle Rock parking lot should be installed already or very soon that will help collect data for future grants.

EPC: The EPC is working on a Community inventory of businesses and organizations that could be a part of an emergency response. Hoping to finalize the survey and information letter soon. Commissioner Burns will meet with Melissa to go over this.

The EPC is working on who will have the keys to the 2 emergency containers in the Community.

Commissioner Miller is working on figuring out if we can use an antenna on the City Hall roof for the base radio. We keep inching closer to installing the base radio in City Hall and Public Works truck radios.

Commissioner Burns will be meeting with the school district to discuss the curriculum for an emergency education program for the High School. Hopefully the High School students will then do a class for Driftwood Elementary students.

Commissioner Burns attended the Hometown Hero's event at Driftwood Elementary with a Go Bag display and information sheets on possible contents. The EPC stresses that a Go Bag can start with a trash bag. Start putting things in it that would be handy to have if you had to BUG OUT of your home because of an emergency. We're asking every household in the Community to work toward being able to survive for 2 to 4 weeks on their own; water, food and medical needs. We can see what Communities are going through recovering from Hurricane Helene. It's been a few weeks and many have not been reached yet.

We had more discussion on acquiring a Starlink setup. And we continued to discuss who would be the Incident Command and the chain of command for an emergency event. Eventually we will be making a recommendation to the City Council to make the final decision on this.

Resolution 2024-11: Updating 13.04.080 & 13.08.030(E) MEMO

Background: The City of Port Orford has a policy to adjust water and sewer bills when a catastrophic leak has happened so citizens can get some forgiveness on a leak if they have fixed it. Additionally, The City of Port Orford is currently in a period of water curtailment and The Common Council is trying to find ways to incentivize citizens to use less water.

Issue: As rates have increased, the formula for calculating the adjustment hasn't been updated and now it gives the highest adjustment for normal usage over 10,00 gallons. However, since the City is trying to prioritize decreasing citizen water use, the water leak policy should reflect that and give larger adjustments to citizens who use less water on average.

Recommended Motion:

- I, Councilor [Name], move to approve Resolution 2024-11: Updating 13.04.080 Collection Procedures as written with the following percentage adjustments.....
- I, Councilor [Name], move to approve Resolution 2024-11: Updating 13.04.080 Collection Procedures as amended with the following percentage adjustments.....
- I, Councilor [Name], move to direct staff to create an alternative

Resolution 2024-11: Updating 13.04.080 & 13.08.030(E) Collection Procedures

AN ORDINANCE TO AMEND CHAPTER 13 OF THE PORT ORFORD MUNICIPAL CODE TO UPDATE THE ADJUSTMENT POLICY ON CATASTROPHIC WATER LEAKS

WHEREAS, The City of Port Orford has been offering adjustments on water bills to citizens when they have a catastrophic water leak, and

WHEREAS, The current adjustment formula has not been updated while the rates have been being increased; and

WHEREAS, The City of Port Orford is under a policy of water curtailment, and

WHEREAS, The current adjustment formula doesn't incentivize less usage,

NOW, THEREFORE, BE IT RESOLVED THAT the City Council authorizes the City of Port Orford to adopt the following revision to Chapter 13.04.080 Collection Procedures & 13.08.030 Collection Procedures.

13.04.080 Collection Procedures

C. Adjustments to User's Fee.

1. If a waterline serving the user's premises is broken, resulting in a water consumption use fee which is materially greater than the user's average monthly water consumption use fee, recalculated at the existing consumption use fee rates, the user may apply to the City Administrator for an adjustment **if they are a full-time resident of the City**. In order for an adjustment to be made, application for an adjustment must be made within three months of the billing in question, or within three months of the effective date of this section, whichever is later.

2. The user shall present evidence to the City Administrator of the break, and the user's average monthly water consumption use fee. Upon satisfaction that break has occurred, been repaired, and that the water fee was materially greater than the user's average monthly water consumption use fee, the City Administrator shall credit an amount, calculated in subsection (C)(3) to the user, through a credit to a future month's billing. As used in this subsection, a water consumption use fee is "materially greater" if the water consumption use fee is at least 200% of the water consumption use fee at the same time the previous year. For purposes of this section, all water consumption use fees will be recalculated at the consumption use rate in effect at the time of the leak.

3. If the water consumption fee charged meets the test in subsection (C)(2), the credit due the customer will be calculated as follows. The water consumption for the same billing period the previous year will be considered to be the actual use of the customer **(usage under the base rate will be treated as the full amount of the base rate)**, and no relief will be granted on that portion. All usage over that amount will be charged according to the following formula:
 - **If the usage last year was under the base usage, charge (25%?) of the overage.**
 - **If the usage last year was between the base usage and 5,000 gallons, charge (50%?) of the overage.**
 - **If the usage last year was between 5,000 gallons and 10,000 gallons, charge (65%?) of the overage.**
 - **If the usage last year was between 10,000 gallons and 20,000 gallons, charge (80%?) of the overage.**
 - **If the usage last year was over 20,000 gallons, charge (90%?) of the overage.**

~~cost for 5,000 gallons of water, divided by five. The average consumption is 5,000 gallons.~~

Further, there shall be a cap on the amount that may be charged to the customer equal to the amount of the total of the customer's previous 12 months' water bills, including the base rate, recalculated to current rates in effect at the time of the leak.

13.08.030(E) Adjustment to User Fees

1. If a waterline serving the user's premises is broken, resulting in a sewer use fee which is materially greater than the user's average monthly sewer use fee, the user may apply to the City Administrator for an adjustment to the sewer use fee charged for the month during which the break occurred.

Any such application shall be made within three months of the date of repair of the break.

2. The user shall present evidence to the City Administrator of the break, repair of the break, and the user's average monthly sewer use fee. Upon satisfaction that break has occurred, been repaired, and that the sewer fee was materially greater than the user's average monthly sewer use fee, the City Administrator shall rebate an amount to the user equal to the difference between the sewer use fee actually charged and the average monthly sewer use fee. **If a break or leak resulted in no additional sewer usage, the rebate may increased further at City Administrator discretion.** As used in this subsection, a sewer use fee is "materially greater" if the sewer use fee is 130% of the average monthly user fee.

Attest:

Mayor, Pat Cox

Date

City Recorder, Joseph Harrison

Date

New Business: Right of Way Permit for Community Building Work

Has been attached as an additional document and is available @

<http://portorford.org/wp-content/uploads/2024/10/CC-Agenda-10.17.2024.pdf>