

**WALDPOR CITY COUNCIL
OCTOBER 10, 2019
MEETING NOTICE AND AGENDA**

The Waldport City Council will meet at 2:00 p.m. on Thursday, October 10, 2019 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER & ROLL CALL
2. MINUTES: *September 12, 2019 Regular Meeting*
3. PUBLIC COMMENTS/PRESENTATIONS
4. PUBLIC HEARING: *Adoption of Updated FEMA Flood Insurance Rate Maps, Flood Insurance Study, and Waldport Development Code Section 16.68 Flood Hazard Overlay Zone*
5. DISCUSSION/ACTION ITEMS
 - A) *Consideration of Ordinance Adopting Amendments to Municipal Code Section 16.68 "Flood Hazard Overlay Zone"*
 - B) *Water System Master Plan & Water Meter Report*
 - C) *Memorial Policy Discussion*
 - D) *Other Issues*
6. COUNCIL COMMENTS AND CONCERNS
7. STAFF REPORTS
8. GOOD OF THE ORDER
9. ADJOURNMENT

The City Council Meeting Room is accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall, (541)563-3561, during normal office hours.

* Denotes no material in packet

Notice given this 4th day of October, 2019 - Reda Q. Eckerman, City Recorder

**WALDPORT CITY COUNCIL
SEPTEMBER 12, 2019
MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: In the absence of Mayor Cutter, Council President Holland called the meeting to order at 2:00 p.m. Councilors Virtue, Dennis, Dunn, Campbell, Woodruff and Holland answered the roll. Mayor Cutter was excused. A quorum was present.

2. MINUTES: The Council considered the minutes from the August 8, 2019 regular meeting. Councilor Campbell **moved** to approve the minutes as presented. Councilor Woodruff **seconded**, and the motion **carried** unanimously.

3. PUBLIC COMMENTS/PRESENTATIONS: Sonna Bell, Hazel Dowell and Marcia Pickner addressed the Council regarding the recent water pressure issues in the area of Peterson Park, citing problems with broken pipes and leaks. Public Works Director Andry indicated he would review the records from that incident, and City Manager Kemp explained the insurance claims process.

Kitty Kelleher, Lyle Read, Cynthia Prante, Harvey Schuch and Kelly Otis addressed the Council regarding concerns about the access to property west of Ocean Hills that was currently under development. The Ocean Hills community is concerned about the utilization of Ocean Hills Drive for ingress and egress, and the potential impact on general residential traffic. There are additional concerns specific to the load limits and condition of the existing bridge, which is the sole access to Ocean Hills subdivision as well as a conduit for utilities to that area. City Manager Kemp explained that development beyond the clearing of the property would involve City review, but no plans have yet been submitted.

Deputy Zach Dowty reviewed the monthly Sheriff's report and provided an update on activities.

Rick Booth addressed the Council regarding the upcoming "Hands Across the Bridge" event on Saturday, September 21. Council President Holland read the proclamation into the record, and noted that he had been impressed by the event last year and was looking forward to this one. It was also noted that the Sheriff's department would also be hosting a "Drug Takeback" event on the 21st as well, from 10:00 a.m. to 2:00 p.m.

Faire Holliday, representing the Lincoln County Health Department, provided a PowerPoint presentation on a proposed Tobacco Retail Licensing program and explained the benefits of implementing such a program in Lincoln County. Councilor Virtue added that the County was also looking at expanding their needle exchange program.

At 3:11 p.m., the Council recessed the meeting to take up the Urban Renewal Agency agenda.

At 3:25 p.m., the Council meeting reconvened.

4. DISCUSSION/ACTION ITEMS:

A. Umpqua Bank Property - Due Diligence Update: City Manager Kemp recommended proceeding with the closing, as due diligence had not revealed any issues. Councilor Holland noted a concern regarding a potential adverse possession issue with the fenced area, and indicated he would do some research. He then **moved** to accept the property, subject to any terms regarding the fence, and to authorize City Manager Kemp to sign the paperwork on behalf of the City. Councilor Woodruff **seconded**, and the motion **carried** unanimously.

B. Water System Master Plan: Following a brief discussion, consensus of the Council was to defer further review of the plan, as well as the Memorial Policy discussion, to the October meeting.

C. Memorial Policy Discussion: Deferred.

D. Other Issues: None.

5. COUNCIL COMMENTS AND CONCERNS: Councilor Virtue cited a recent incident regarding support animals at the library and suggested that employee education on ADA guidelines be provided. Councilor Dennis reported that the Solid Waste District has decided to create a position for a "Green Schools" coordinator to assist the County School District in establishing some guidelines. Councilor Dunn noted that Waldport appeared to be growing, judging by the burgeoning class sizes at the school. Councilor Woodruff wondered about following up on the potential issues cited by the Ocean Hills residents, City Manager Kemp responded that he has already offered to attend a homeowner's meeting to talk with them about their concerns.

6. STAFF REPORTS: The written reports from the City Manager and City Recorder were included in the packet materials. The Public Works Director's report was distributed at the meeting. City Manager Kemp noted that the September 21 Emergency Readiness Fair had been moved from the Lincoln County Commons to the Armory. A ribbon-cutting ceremony for the Scenic Byway was scheduled for September 28 at 4:00 p.m. With regard to the Interpretive Center, the Memorandums of Understanding were being reviewed by counsel and the City should be receiving them soon. Mr. Kemp noted that the City Hall phone numbers will be changing soon, as the City is going back to local service as opposed to the current VOIP system. The new number will be (541)563-3561 and the new fax number will be (541)563-1032. A brief discussion ensued regarding the Pollinator Corridor invoice included in the packet materials. Councilor Holland **moved** to approve paying the invoice. Councilor Woodruff **seconded**, and the motion **carried** unanimously. Councilor Virtue asked about the proposed needle exchange program and Mr. Kemp responded that he had spoken with the Sheriff regarding the issue and suggested putting together a subcommittee to further discuss the idea. Councilors Virtue and Holland volunteered to be on the committee, and Mr. Kemp will schedule a time for them to meet.

7. GOOD OF THE ORDER: Nothing further.

8. ADJOURNMENT: At 4:55 p.m., there being no further business to come before the Council, the meeting was adjourned.

Respectfully submitted,

Reda Q Eckerman, City Recorder

APPROVED by the Waldport City Council this ____ day of _____, 2019.

SIGNED by the Mayor this ____ day of _____, 2019.

Dann Cutter, Mayor

CITY OF WALDPORT
MEETING AGENDA COVER SHEET FOR
DISCUSSION / ACTION ITEMS

TITLE OF ISSUE	PUBLIC HEARING: Adoption of Updated FEMA Flood Insurance Rate Maps, Flood Insurance Study, and Waldport Development Code
REQUESTED BY	City Manager/City Planner <i>Section 16.68 Flood Hazard Overlay Zone</i>
FOR MEETING DATE	October 10, 2019

SUMMARY OF ISSUE

The City Council will hold a public hearing at the October 10, 2019, 2:00 p.m. meeting to consider adoption of updated FEMA Flood Insurance Rate Maps, Flood Insurance Study, and Waldport Development Code Section 16.68 Flood Hazard Overlay Zone (the “Documents”). The Planning Commission held a public hearing September 30, 2019 and made a recommendation to the City Council to adopt the amendments.

The Federal Emergency Management Agency (FEMA) has updated the Documents. Waldport Development Code Section 16.68 Flood Hazard Overlay Zone is being updated to be in accordance with FEMA standards. This will enable the City of Waldport to maintain eligibility in the National Flood Insurance Program. All changes are either required or recommended by FEMA and the Oregon Department of Land Conservation and Development.

The proposed Flood Hazard Overlay Zone amendments mirror the State of Oregon Model Flood Hazard Code which has now been approved by FEMA. In general, the content is revised to more closely match the language in the sections of Code of Federal Regulations (CFR), which contain the minimum requirements for the National Flood Insurance Program (NFIP). The content is also revised to incorporate and update relevant standards in the State of Oregon’s Specialty Codes. A breakdown of the primary changes found in the proposed Flood Hazard Overlay Zone amendments is provided below:

1. Some definitions have been added, removed, or reworded to match the CFR definitions verbatim, as required by FEMA.
2. The proposed amendments note the requirement for coordination with State of Oregon Specialty Codes and incorporates relevant requirements from the Specialty Codes to ensure alignment between the amendment language and the building code language.
3. The floodplain development permit and permit review requirements have been expanded to more accurately capture all of the information a community Floodplain Administrator is required to obtain and review to ensure a floodplain development proposal complies with minimum NFIP and state standards.
4. The amendments include a new section, “Community Boundary Alterations” that reflects the NFIP minimum requirement for communities to notify FEMA when their boundaries change (i.e. when annexations occur).
5. The amendments indicate that floodplain managers have a duty to conduct Substantial Improvement (SI) assessments and Substantial Damage (SD) determinations.

6. Subdivisions and other development proposals (including manufactured dwelling parks and subdivisions) have been addressed in a new section, and the language reflects the minimum NFIP requirements in 44 CFR 60.3(a)(4), and 60.3(b)(3).
7. “Structures Located in Multiple or Partial Flood Zones” has been added to reflect how the NFIP and State of Oregon Specialty Codes address structures that fall within multiple flood zones or are partially within one or more flood zones.
8. The riverine flood zone section has been re-organized slightly to cover the NFIP minimum requirements and additional Oregon Specialty Code requirements for residential structures requiring a building permit.
9. A new “Garages” section addresses the specific requirements for attached and detached garages under the NFIP minimum standards and Oregon Specialty Code requirements.

Attachments: 2019 Flood Insurance Rate Maps (for Waldport)
Proposed Waldport Development Code Chapter 16.68 Flood Hazard Overlay Zone

STAFF RECOMMENDATION or ACTION REQUESTED:

After holding a public hearing, the recommendation is to adopt the 2019 Flood Insurance Rate Maps, the accompanying Flood Insurance Study for Lincoln County and Incorporated Cities, and the amended Waldport Development Code Chapter 16.68 Flood Hazard Overlay Zone.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WALDPOROT REVISING TITLE 16 OF THE WALDPOROT MUNICIPAL CODE BY REPLACING CHAPTER 16.68 "FLOOD HAZARD OVERLAY ZONE" IN ITS ENTIRETY, AND DECLARING AN EMERGENCY.

WHEREAS, the Federal Emergency Management Agency (FEMA) has updated the Flood Insurance Rate Maps and the Flood Insurance Study, and has approved the State of Oregon Model Flood Hazard Code; and

WHEREAS, the attached Flood Hazard Overlay Zone amendments mirror the approved language contained within the State's Model Flood Hazard Code as approved by FEMA; and

WHEREAS, duly noticed public hearings were held and testimony received in September of 2019 by the Waldport Planning Commission and in October of 2019 by the Waldport City Council,

NOW, THEREFORE, THE CITY OF WALDPOROT ORDAINS AS FOLLOWS:

Section 1. Chapter 16.68 of the Waldport Municipal Code will be replaced by the language as contained in Attachment "A" of this Ordinance.

Section 2. Emergency clause. Inasmuch as it is the duty of the City Council to maintain the public health, safety and welfare, and because it is important to implement this change in the Code as soon as practicable to avoid confusion and to resolve any issues of which language applies, now, therefore, an emergency is declared to exist and this Ordinance shall go into full force and effect immediately upon its passage and approval.

ADOPTED by the Common Council of the City of Waldport this ____ day of _____, 2019 by the following vote:

AYES ____ NAYS ____ ABSENT ____ ABSTAIN ____

SIGNED by the Mayor this ____ day of _____, 2019.

Dann Cutter, Mayor

ATTEST:

Reda Q. Eckerman, City Recorder

Chapter 16.68

FLOOD HAZARD OVERLAY ZONE

Sections

- 16.68.010 Statutory Authority, Findings of Fact, Purpose, and Methods**
 - A. Statutory Authorization
 - B. Findings Of Fact
 - C. Statement Of Purpose
 - D. Methods Of Reducing Flood Losses
- 16.68.020 Definitions**
- 16.68.030 General Provisions**
 - A. Lands To Which This Ordinance Applies
 - B. Basis For Establishing The Special Flood Hazard Areas
 - C. Coordination With State Of Oregon Specialty Codes
 - D. Compliance And Penalties For Noncompliance
 - 1. Compliance
 - 2. Penalties For Noncompliance
 - E. Abrogation And Severability
 - 1. Abrogation
 - 2. Severability
 - F. Interpretation
 - G. Warning And Disclaimer Of Liability
 - 1. Warning
 - 2. Disclaimer Of Liability
- 16.68.040 Administration**
 - A. Designation Of The Floodplain Administrator
 - B. Duties And Responsibilities Of The Floodplain Administrator
 - 1. Permit Review
 - 2. Information To Be Obtained And Maintained
 - 3. Requirement To Notify Other Entities And Submit New Technical Data
 - a. Community Boundary Alterations
 - b. Watercourse Alterations
 - c. Requirement To Submit New Technical Data
 - 4. Substantial Improvement And Substantial Damage Assessments And Determinations
 - C. Establishment Of Development Permit
 - 1. Floodplain Development Permit Required
 - 2. Application For Development Permit
 - D. Variance Procedure

1. Conditions For Variances
2. Variance Notification

16.68.050 Provisions For Flood Hazard Reduction

- A. General Standards
 1. Alteration Of Watercourses
 2. Anchoring
 3. Construction Materials And Methods
 4. Utilities And Equipment
 - a. Water Supply, Sanitary Sewer, And On-Site Waste Disposal Systems
 - b. Electrical, Mechanical, Plumbing, And Other Equipment
 5. Tanks
 6. Subdivision Proposals & Other Proposed Developments
 7. Use Of Other Base Flood Data
 8. Structures Located In Multiple Or Partial Flood Zones
- B. Specific Standards For Riverine (Including All Non-Coastal) Flood Zones
 1. Flood Openings
 2. Garages
 3. For Riverine (Non-Coastal) Special Flood Hazard Areas With Base Flood Elevations
 - a. Before Regulatory Floodway
 - b. Residential Construction
 - c. Non-Residential Construction
 - d. Manufactured Dwellings
 - e. Recreational Vehicles
 - f. Appurtenant (Accessory) Structures
 4. Floodways
 5. Standards For Shallow Flooding Areas
 - a. Standards For AH Zones
 - b. Standards For AO Zones
- C. Specific Standards For Coastal High Hazard Flood Zones
 1. Development Standards
 2. Manufactured Dwelling Standards For Coastal High Hazard Zones
 3. Recreational Vehicle Standards For Coastal High Hazard Zones
 4. Tank Standards For Coastal High Hazard Zones

16.68.10 STATUTORY AUTHORITY, FINDINGS OF FACT, PURPOSE, AND METHODS

A. STATUTORY AUTHORIZATION

The State of Oregon has in ORS 197.175 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to

promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Waldport does ordain as follows:

B. FINDINGS OF FACT

1. The flood hazard areas of Waldport are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses may be caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss.

C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in special flood hazard areas;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
7. Notify potential buyers that the property is in a special flood hazard area
8. Notify those who occupy special flood hazard areas that they assume responsibility for their actions
9. Participate in and maintain eligibility for flood insurance and disaster relief.

A. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

1. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage;
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

16.68.020 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage.

Appeal: A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding: A designated Zone AO, AH, AR/AO, AR/AH, or VO on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR, V, VO, V1-30, VE. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard".

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building: See "Structure."

Coastal high hazard area: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Flood or Flooding:

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
 - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS): See "Flood elevation study".

Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Lowest floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured dwelling: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home".

Manufactured dwelling park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

Mean sea level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction: For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by Waldport and includes any subsequent improvements to such structures.

Recreational vehicle: A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special flood hazard area: See "Area of special flood hazard" for this definition.

Start of construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance: A grant of relief by Waldport from the terms of a flood plain management regulation.

Violation: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

16.68.030 GENERAL PROVISIONS

A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all special flood hazard areas within the jurisdiction of Waldport.

B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for "Lincoln County, Oregon and Incorporated Areas", dated October 18, 2019, with accompanying Flood Insurance Rate Maps (FIRMs) 41041C655E, 41041C660E, 41041C662E, 41041C665E, 41041C666E, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and FIRM panels are on file at Waldport City Hall, 125 Alsea Hwy, Waldport, OR.

C. COORDINATION WITH STATE OF OREGON SPECIALTY CODES

Pursuant to the requirement established in ORS 455 that the City of Waldport administers and enforces the State of Oregon Specialty Codes, the City of Waldport does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this ordinance is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

D. COMPLIANCE AND PENALTIES FOR NONCOMPLIANCE

1. COMPLIANCE

All development within special flood hazard areas is subject to the terms of this ordinance and required to comply with its provisions and all other applicable regulations.

2. PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to

comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class A civil infraction per Waldport Development Code Chapter 16.112 Remedies and Subsection 16.112.010 Violation – Penalty. Nothing contained herein shall prevent the City of Waldport from taking such other lawful action as is necessary to prevent or remedy any violation.

E. ABROGATION AND SEVERABILITY

1. ABROGATION

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

2. SEVERABILITY

This ordinance and the various parts thereof are hereby declared to be severable. If any section clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. WARNING AND DISCLAIMER OF LIABILITY

1. WARNING

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

2. DISCLAIMER OF LIABILITY

This ordinance shall not create liability on the part of the City of Waldport, any officer or employee thereof, or the Federal Insurance Administrator for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

16.68.040 ADMINISTRATION

A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The City Planner and their designee is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

B. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties of the floodplain administrator, or their designee, shall include, but not be limited to:

1. PERMIT REVIEW

Review all development permits to determine that:

- a. The permit requirements of this ordinance have been satisfied;
- b. All other required local, state, and federal permits have been obtained and approved.
- c. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions of this ordinance in section 16.68.050.B.4 are met; and
- d. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of sections 16.68.050.A.7; and
- e. Provide to building officials the Base Flood Elevation (BFE) and elevation of lowest floor, including basement, applicable to any building requiring a development permit.
- f. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in section 16.68.020.
- g. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in section 16.68.050.A.1.
- h. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.

2. INFORMATION TO BE OBTAINED AND MAINTAINED

The following information shall be obtained and maintained and shall be made available for public inspection as needed:

- a. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where Base Flood Elevation (BFE)

data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with section 16.68.050.A.7.

- b. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of sections 16.68.050.B.4, 16.68.050.C.1.f and 16.68.040.B.1.b are adhered to.
- c. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).
- d. Where base flood elevation data are utilized, obtain As-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.
- e. Maintain all Elevation Certificates (EC) submitted to City of Waldport.
- f. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this ordinance and where Base Flood Elevation (BFE) data is provided through the FIS, FIRM, or obtained in accordance with section 16.68.050.A.7.
- g. Maintain all floodproofing certificates required under this ordinance;
- h. Record and maintain all variance actions, including justification for their issuance;
- i. Obtain and maintain all hydrologic and hydraulic analyses performed as required under section 16.68.050.B.4.
- j. Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under section 16.68.040.B.4.
- k. Maintain for public inspection all records pertaining to the provisions of this ordinance.

3. REQUIREMENT TO NOTIFY OTHER ENTITIES AND SUBMIT NEW TECHNICAL DATA

a. COMMUNITY BOUNDARY ALTERATIONS

The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps (FHBM) and Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new

area for which the community has assumed or relinquished floodplain management regulatory authority.

b. WATERCOURSE ALTERATIONS

Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:

- 1) A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
- 2) Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.

The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under section 16.68.040.B.4. Ensure compliance with all applicable requirements in sections 16.68.040.B.4 and 16.68.050.A.1.

c. REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

- 1) Proposed floodway encroachments that increase the base flood elevation; and
- 2) Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

An applicant shall Notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

The property owner shall be responsible for preparing all technical data to support the LOMR application and paying any processing or application fees associated with the LOMR.

The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this code and all applicable state and federal laws.

4. SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE ASSESSMENTS AND DETERMINATIONS

Conduct Substantial Improvement (SI) (as defined in section 16.68.020) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with section 16.68.040.B.2. Conduct Substantial Damage (SD) (as defined in section 16.68.020) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in section 16.68.030.B) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

C. ESTABLISHMENT OF DEVELOPMENT PERMIT

1. FLOODPLAIN DEVELOPMENT PERMIT REQUIRED

A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in section 16.68.030.B. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in section 16.68.020, including fill and other development activities.

2. APPLICATION FOR DEVELOPMENT PERMIT

Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically the following information is required:

- a. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of section 16.68.040.B.2.

- b. In coastal flood zones (V zones and coastal A zones), the proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
- c. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
- d. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any nonresidential structure meet the floodproofing criteria for nonresidential structures in section 16.68.050.B.3.c.
- e. Description of the extent to which any watercourse will be altered or relocated.
- f. Base Flood Elevation data for subdivision proposals or other development when required per sections 16.68.040.B.1 and 16.68.050.A.6.
- g. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
- h. The amount and location of any fill or excavation activities proposed.

D. VARIANCE PROCEDURE

The issuance of a variance is for floodplain management purposes only. Flood insurance premium rates are determined by federal statute according to actuarial risk and will not be modified by the granting of a variance.

1. CONDITIONS FOR VARIANCES

- a. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of sections 16.68.040.D.1.c and e, and 16.68.040.D.2. As the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases.
- b. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- c. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
- d. Variances shall only be issued upon:
 - 1) A showing of good and sufficient cause;
 - 2) A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - 3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.

- e. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of section 16.68.040.D.1.b-d are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

2. VARIANCE NOTIFICATION

Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risks to life and property. Such notification and a record of all variance actions, including justification for their issuance shall be maintained in accordance with section 16.68.040.B.2.

16.68.050 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. GENERAL STANDARDS

In all special flood hazard areas, the following standards shall be adhered to:

1. ALTERATION OF WATERCOURSES

Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with sections 16.68.040.B.3.b and c.

2. ANCHORING

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured dwellings shall be anchored per section 16.68.050.B.3.d.

3. CONSTRUCTION MATERIALS AND METHODS

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

4. UTILITIES AND EQUIPMENT

- a. **WATER SUPPLY, SANITARY SEWER, AND ON-SITE WASTE DISPOSAL SYSTEMS**

- 1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- 2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
- 3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

b. ELECTRICAL, MECHANICAL, PLUMBING, AND OTHER EQUIPMENT

Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated one (1) foot or more above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall:

- 1) If replaced as part of a substantial improvement shall meet all the requirements of this section.
- 2) Not be mounted on or penetrate through breakaway walls.

5. TANKS

- a. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
- b. Above-ground tanks shall be installed one (1) foot or more above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.
- c. In coastal flood zones (V Zones or coastal A Zones) when elevated on platforms, the platforms shall be cantilevered from or knee braced to the building or shall be supported on foundations that conform to the requirements of the State of Oregon Specialty Code.

6. SUBDIVISION PROPOSALS & OTHER PROPOSED DEVELOPMENTS

- a. All new subdivision proposals and other proposed new developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals, Base Flood Elevation data.
- b. All new subdivision proposals and other proposed new developments (including proposals for manufactured home parks and subdivisions) shall:
 - 1) Be consistent with the need to minimize flood damage.

- 2) Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
- 3) Have adequate drainage provided to reduce exposure to flood hazards.

7. USE OF OTHER BASE FLOOD DATA

When Base Flood Elevation data has not been provided in accordance with section 16.68.030.B the local floodplain administrator shall obtain, review, and reasonably utilize any Base Flood Elevation data available from a federal, state, or other source, in order to administer section 16.68.050. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of section 16.68.050.A.6.

Base Flood Elevations shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more, whichever is lesser in any A zone that does not have an established base flood elevation proposals in compliance with Oregon Specialty Codes, with the exception of development proposals located within a riverine unnumbered A Zone. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided Base Level Engineering data, and photographs of past flooding, etc... where available. The reasonably safe elevation requirement is considered to be at least two feet above the highest adjacent grade. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

8. STRUCTURES LOCATED IN MULTIPLE OR PARTIAL FLOOD ZONES

In coordination with the State of Oregon Specialty Codes:

- a. When a structure is located in multiple flood zones on the community's Flood Insurance Rate Maps (FIRM) the provisions for the more restrictive flood zone shall apply.
- b. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.

B. SPECIFIC STANDARDS FOR RIVERINE (INCLUDING ALL NON-COASTAL) FLOOD ZONES

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in section 5.1 of this ordinance.

1. FLOOD OPENINGS

All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following

requirements. Enclosed areas below the Base Flood Elevation, including crawl spaces shall:

- a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exist of floodwaters;
- b. Be used solely for parking, storage, or building access;
- c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
 - 1) A minimum of two openings,
 - 2) The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,
 - 3) The bottom of all openings shall be no higher than one foot above grade.
 - 4) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area.
 - 5) All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

2. GARAGES

- a. Attached garages may be constructed with the garage floor slab below the Base Flood Elevation (BFE) in riverine flood zones, if the following requirements are met:
 - 1) If located within a floodway the proposed garage must comply with the requirements of section 16.68.050.B.4.
 - 2) The floors are at or above grade on not less than one side;
 - 3) The garage is used solely for parking, building access, and/or storage;
 - 4) The garage is constructed with flood openings in compliance with section 16.68.050.B.1 to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - 5) The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 - 6) The garage is constructed in compliance with the standards in section 16.68.050.A; and
 - 7) The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
- b. Detached garages must be constructed in compliance with the standards for appurtenant structures in section 16.68.050.B.3.f or nonresidential structures in section 16.68.050.B.3.c depending on the square footage of the garage.

3. FOR RIVERINE (NON-COASTAL) SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATIONS

In addition to the general standards listed in section 16.68.050.A the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

a. BEFORE REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

b. RESIDENTIAL CONSTRUCTION

- 1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one (1) foot or more above the Base Flood Elevation (BFE).
- 2) Enclosed areas below the lowest floor shall comply with the flood opening requirements in section 16.68.050.B.1.

c. NON-RESIDENTIAL CONSTRUCTION

- 1) New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall:
 - a) Have the lowest floor, including basement elevated to one (1) foot or more above the Base Flood Elevation (BFE);
Or, together with attendant utility and sanitary facilities,
 - b) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - c) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - d) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth section 16.68.040.B.2.
- 2) Non-residential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in section 16.68.050.B.1.

- 3) Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one (1) foot below.

d. **MANUFACTURED DWELLINGS**

- 1) New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with section 16.68.050.B.1;
- 2) The bottom of the longitudinal chassis frame beam shall be at or above Base Flood Elevation;
- 3) New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;
- 4) Electrical crossover connections shall be a minimum of twelve (12) inches above Base Flood Elevation (BFE).

e. **RECREATIONAL VEHICLES**

Recreational vehicles placed on sites are required to:

- 1) Be on the site for fewer than 180 consecutive days,
- 2) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- 3) Meet the requirements of section 16.68.050.B.3.d, including the anchoring and elevation requirements for manufactured dwellings.

f. **APPURTENANT (ACCESSORY) STRUCTURES**

Relief from elevation or floodproofing requirements for Residential and Non-Residential structures in Riverine (Non-Coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

- 1) Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in section 16.68.050.B.4.
- 2) Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;
- 3) In compliance with State of Oregon Specialty Codes, Appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant

structures on properties that are zoned as non-residential are limited in size to 120 square feet.

- 4) The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- 5) The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- 6) The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in section 16.68.050.B.1;
- 7) Appurtenant structures shall be located and constructed to have low damage potential;
- 8) Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with section 16.68.050.A.5.
- 9) Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

4. FLOODWAYS

Located within the special flood hazard areas established in section 16.68.030.B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:
 - 1) Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge;
 - Or,
 - 2) A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that a Conditional Letter of Map Revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, section 65.12 are fulfilled.

- b. If the requirements of section 16.68.050.B.4.a are satisfied, all new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of section 16.68.050.

5. STANDARDS FOR SHALLOW FLOODING AREAS

Shallow flooding areas appear on FIRMs as AO zones with depth designations or as AH zones with Base Flood Elevations. For AO zones the base flood depths range from one (1) to three (3) feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow.

For both AO and AH zones, adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

a. STANDARDS FOR AH ZONES

Development within AH Zones must comply with the standards in sections 16.68.050.A, B and B.5.a.

b. STANDARDS FOR AO ZONES

In AO zones, the following provisions apply in addition to the requirement in section 16.68.050.B.5.a:

- 1) New construction and substantial improvement of residential structures and manufactured dwellings within AO zones shall have the lowest floor, including basement, elevated one (1) foot or more above the highest grade adjacent to the building. For manufactured dwellings the lowest floor is considered to be the bottom of the longitudinal chassis frame beam.
- 2) New construction and substantial improvements of non-residential structures within AO zones shall either:
 - a) Have the lowest floor (including basement) elevated one (1) foot or more above the highest adjacent grade of the building site; or
 - b) Together with attendant utility and sanitary facilities, be completely floodproofed to or one (1) foot or more above the depth number specified on the FIRM, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as stated in section 16.68.050.B.3.c (1)(d).
- 3) Recreational vehicles placed on sites within AO Zones on the community's Flood Insurance Rate Maps (FIRM) shall either:
 - a) Be on the site for fewer than 180 consecutive days, and

- b) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c) Meet the requirements of (insert citation) above, including the elevation and anchoring requirements for manufactured dwellings.
- 4) In AO zones, new and substantially improved appurtenant structures must comply with the standards in section 16.68.050.B.3.f.
 - 5) In AO zones, enclosed areas beneath elevated structures shall comply with the requirements in section 16.68.050.B.1.

C. SPECIFIC STANDARDS FOR COASTAL HIGH HAZARD FLOOD ZONES

Located within special flood hazard areas established in section 16.68.030.B are Coastal High Hazard Areas, designated as Zones V1-V30, VE, V, or coastal A zones as identified on the FIRMs as the area between the Limit of Moderate Wave Action (LimWA) and the Zone V boundary. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions of this ordinance and the State of Oregon Specialty Codes, the following provisions shall apply in addition to the general standards provisions in section 16.68.050.A.

1. DEVELOPMENT STANDARDS

- a. All new construction and substantial improvements in Zones V1-V30 and VE, V, and coastal A zones (where base flood elevation data is available) shall be elevated on pilings and columns such that:
 - 1) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated a minimum of one foot above the base flood level; and
 - 2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those specified by the State of Oregon Specialty Codes;
- b. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this section.
- c. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures and whether or not such structures

contain a basement. The local floodplain administrator shall maintain a record of all such information in accordance with section 16.68.040.B.2.

- d. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
- e. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
 - 1) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
 - 2) If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
 - 3) Walls intended to break away under flood loads shall have flood openings that meet or exceed the criteria for flood openings in section 16.68.050.B.1.
- f. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum water loading values to be used in this determination shall be those associated with the base flood. Maximum wind loading values used shall be those specified by the State of Oregon Specialty Codes.
- g. Prohibit the use of fill for structural support of buildings.
- h. All new construction shall be located landward of the reach of mean high tide.
- i. Prohibit man-made alteration of sand dunes which would increase potential flood damage.
- j. All structures, including but not limited to residential structures, non-residential structures, appurtenant structures, and attached garages shall

comply with all the requirements of section 16.68.050.C.1. Floodproofing of non-residential structures is prohibited.

2. MANUFACTURED DWELLING STANDARDS FOR COASTAL HIGH HAZARD ZONES

All manufactured dwellings to be placed or substantially improved within Coastal High Hazard Areas (Zones V, V1-30, VE, or Coastal A) shall meet the following requirements:

- a. Comply with all of the standards within section 16.68.050.C;
- b. The bottom of the longitudinal chassis frame beam shall be elevated to a minimum of one foot above the Base Flood Elevation (BFE); and
- c. Electrical crossover connections shall be a minimum of 12 inches above the BFE.

3. RECREATIONAL VEHICLE STANDARDS FOR COASTAL HIGH HAZARD ZONES

Recreational Vehicles within Coastal High Hazard Areas (Zones V, V1-30, VE, or Coastal A) shall either:

- a. Be on the site for fewer than 180 consecutive days, and
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the permit requirements of section 16.68.040 and the requirements for manufactured homes in section 16.68.050.C.2.

4. TANK STANDARDS FOR COASTAL HIGH HAZARD ZONES

Tanks shall meet the requirements of section 16.68.050.A.5.



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Water System Master Plan & **Water Meter Report**

REQUESTED BY: City Manager / Public Works Director

FOR MEETING DATE: September 12, 2019 **and continued to October 10, 2019**

SUMMARY OF ISSUE:

The City of Waldport ("City") last updated its water master plan in 2002. The planning horizon for these types of documents is 20 years. The City contracted with Westech Engineering, Inc. ("Westech") to prepare a new Water System Master Plan ("Master Plan"). Funding for preparing the Master Plan came from a combination of grants and loans from the State of Oregon Industrial Finance Authority ("IFA"). The purpose of today's meeting is for the City Council to review and approve the Master Plan.

Next steps after approval include preparing a strategic financing plan that will sequence the improvements over the next two decades and determine combinations of revenue sources to pay for the proposed improvements, either on a pay-as-you go basis or by issuing debt.

STAFF RECOMMENDATION or ACTION REQUESTED:

**Adopt Resolution approving Water System Master Plan and direct staff as necessary.
Review Preliminary Engineering Report for Water Meter Replacement Project and select preferred alternative for proceeding.**

BACKGROUND:

Westech Engineering, Inc. prepared the Water System Master Plan. Hard copies of the Master Plan were distributed the Council last month, and a link on the city's website is provided below:

www.waldport.org/Documents/pdf%20files/Water%20Master%20Plan-Waldport_V8-1.pdf

The Master Plan includes an executive summary and 12 chapters. In addition, Appendix D includes the *Seal Rock Water District and Southwest Lincoln County Water PUD Intertie Evaluation*, which was funded by a Local Economic Opportunity Fund grant.

The Master Plan achieves the following:

- ✓ Establishes water system design and planning criteria
- ✓ Provides an inventory of the existing water system infrastructure
- ✓ Identifies and prioritizes current and future water system deficiencies
- ✓ Provides specific recommendations to the community and City Council for action

- ✓ Provides the City with a water system master plan that addresses the needs of the City and other regulating agencies

Priorities were assigned based on the following criteria, as further described in Chapter 12:

- Public health concerns
- Consumed infrastructure (end of useful life)
- Capacity or size deficiencies
- City priority
- Demand development

The Master Plan recommends that the City construct all Priority 1 and Priority 2 projects during the planning horizon. Priority 3 projects would come after the 20-year period, or perhaps earlier if private development occurs before then. Westech also recommends commencing design work on highest priority projects as soon as possible after approval of the Master Plan.

Preliminary Engineering Report ("PER") – Water Meter Replacement Project

Westech prepared the attached PER for the Water Meter Project, a requirement of the USDA loan/grant application package. The PER evaluates two options: i) radio read meters using drive-by system (AMR) and ii) fully automated system using radio network (AMI). Cost estimates for each system are in Table 4-1 on page 11, with detailed estimates in Appendix A.

Total cost for the AMR is \$806,000 and \$14,700 in annual operating costs.
Total cost for the AMI is \$1,070,000 and \$32,000 in annual operating costs.

Next Steps: Funding and Implementation Plan

After approval of the Master Plan by Resolution, City Council is requested to direct staff to proceed with scheduling "one-stop" meetings with Oregon IFA, and analyzing and evaluating the framework for financing priority projects, including local and state/federal funding sources.

The City Council is also requested to approve by motion a preferred alternative for meters.

Attached for information and review is a spreadsheet with preliminary sequencing and financing examples. Please note that this analysis differs as it capitalizes, finances and completes the Water Meter Replacement program (Pgm-2) into one year, rather than spreading it over years.

Attachments: Resolution – Water System Master Plan

2019 Water & Sewer Rate Comparison Breakdown (prepared by Public Works)

Spreadsheets – draft phasing and financing plan for the 20-year Water CIP
Scenario 1a: No GO Bond and 70/30 Loan/Grant Split
Scenario 2a: GO Bond and 70/30 Loan/Grant Split

Water Meter Replacement Project – Preliminary Engineering Report (prepared by Westech Engineering, Inc.)

RESOLUTION NO. _____

ADOPTING THE CITY OF WALDPOR WATER MASTER PLAN.

WHEREAS, the planning horizon for master plans is usually about 20 years and City of Waldport last updated its Water Master Plan in 2002; and

WHEREAS, a strategic approach to capital improvements and acquisition of funding for improvements in the City's water system is facilitated by the City having such a plan in place; and

WHEREAS, the City of Waldport, utilizing a combination of grants and loans from the State of Oregon Industrial Finance Authority (IFA), contracted with Westech Engineering to prepare a new plan for the City of Waldport; and

WHEREAS, a favorable review of the document has been made by City staff, City Council and interested citizens;

NOW, THEREFORE, be it resolved by the Common Council of the City of Waldport that the document entitled "Water System Master Plan" as designed and presented by Westech Engineering be hereby adopted as the City of Waldport's current Water System Master Plan.

PASSED by the Common Council of the City of Waldport this _____ day of _____, 2019.

APPROVED by the Mayor of the City of Waldport this _____ day of _____, 2019.

Dann Cutter, Mayor

ATTEST:

Reda Q Eckerman, City Recorder

2019 WATER COMPARISON RATE BREAKDOWN

<u>City/District</u>	<u>Water Base Rate</u>	<u>Unit Rate</u>	<u>Total Base & 4 units</u>
Depoe Bay	43.5	2.62	53.97
Lincoln City	23.88	3.58	23.88
Newport	18.5	2.99	38.24
Toledo	29.43	2.48	34.83
Yachats	44.69	4.63	58.33
Seal Rock	33.5	5.19	54.26
South Lincoln	<u>32.5</u>	<u>3.91</u>	<u>48.15</u>
AVERAGE=	32.29	3.63	44.52
Waldport	23.53	2.49	33.49

2019 WASTEWATER COMPARISON RATE BREAKDWN

<u>City/District</u>	<u>Sewer Base Rate</u>	<u>Unit Rate</u>	<u>Total Base and 4 units</u>
Depoe Bay	31	2.47	40.88
Lincoln City	28.63	4.75	28.63
Newport	23.9	5.34	45.26
Toledo	29.78	4.69	48.54
Yachats	<u>43.61</u>	<u>5.19</u>	<u>58.37</u>
AVERAGE=	31.38	4.48	44.33
Waldport	31.15	3.18	43.87

APRIL 2019 WATER AND WASTE WATER RATE COMPARISON FOR NEIGHBORING CITIES AND WATER DISTRICTS

For comparison, water rates and wastewater rates shown for residential customers being charged for an average of 4 units of water (2992 gallons). Rates have been converted from gallons to cubic feet where necessary. Some towns add extra charges to their base rates. These will be added on in the Total Charges column. A break down of these towns will be included at the end of this comparison.

CITY/DISTRICT	WATER CHARGES	WASTEWATER CHARGES	TOTAL CHARGES
Depoe Bay	53.97	40.88	94.85
*Lincoln City	23.88	28.63	52.51
**Newport	30.46	45.26	91.27
Toledo	34.83	48.54	83.37
***Yachats	58.33	58.37	116.71
****Seal Rock Water District	54.26	N/A	N/A
South Lincoln Water District	48.15	N/A	N/A
AVERAGE=	43.41	44.34	87.74
Waldport	33.49	43.87	77.36

*Lincoln City's base rate includes 4000 gallons of water , then 8.33 per 1000 after the 4000.

** Newport adds a \$7.30 infrastructure fee and an \$8.25 storm fee to their combined base rate monthly.

*** Yachats base rate includes 2 units, then its \$4.63 per unit. The first 2 units have a cap rate of \$2.19/unit added on to their water base rate and their sewer base rate, then any units more than the two have a cap rate of .55 cents per unit.

**** Seal Rock's unit prices increase every 1000 gallons sold; 1st 1000 gals \$5.20, 2nd \$6.40, 3rd \$7.75, 4th \$8.41, etc.

*****Seal Rock Water District and South Lincoln Water District were not included into the Total charges Average since they do not have Wastewater Charges.

WALDPOR WATER MASTER PLAN
2020-2040 CIP - Priorities 1, 2, Annual
Draft Phasing/Financing Plan

Inflation Factor: 4.00%

SCENARIO 1a: NO GO BOND & 70/30 Loans/Grants

Code	Project	Cost	FYE:	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Pgm-2	Water Meter Replacement	\$1,070,000	1	\$1,070,000										
T-1	Water Treatment Plant	\$4,766,000	6		\$859,151	\$899,517	\$899,517	\$929,258	\$966,428	\$1,005,085	\$1,045,288			
ST-1	New 300K G Tank	\$1,010,000	3	\$350,133	\$378,704									
ST-2	2 M Gal Tank Retrofit/Recoat	\$1,165,000	3	\$420,021	\$436,822									
S-1	Permit Extension Applications	\$10,000	1	\$10,400										
S-3	WMCP	\$25,000	1	\$25,000										
D-1	System Design Standards	\$5,000	1	\$5,200										
D-2	Pressure Reducing Valves	\$40,000	1	\$41,600										
D-3	Hemlock Street Waterline	\$10,000	1	\$10,400										
D-6	South Main	\$1,131,000	3											
D-7	Hwy 34 Waterline (Lmt)	\$780,000	2											
SUBTOTAL PRIORITY 1		\$1,012,000		\$1,095,000	\$417,733	\$1,643,311	\$1,709,043	\$1,383,533	\$966,428	\$1,005,085	\$1,045,288	\$515,951	\$536,589	\$558,052
SUBTOTAL PRIORITY 2		\$3,163,000		\$10,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
D-4	Walport Heights Main	\$871,000	5	\$27,040	\$28,122	\$29,246	\$30,416	\$31,633	\$32,898	\$34,214	\$35,583	\$37,006	\$38,486	
D-5	Hwy 34 Waterline (Nelson)	\$257,000	5	\$33,080	\$34,611	\$35,996	\$37,435	\$38,933	\$40,490	\$42,110	\$43,794	\$45,546	\$47,368	
D-8	Norwood Waterline	\$331,000	5	\$2,080	\$2,163	\$2,250	\$2,340	\$2,433	\$2,530	\$2,632	\$2,737	\$2,847	\$2,960	
S-2	Water Rights	\$10,000	1	\$10,400										
S-5	SWLWWD PUD Intertie	\$806,000	5	\$83,640	\$86,786	\$90,397	\$94,095	\$97,849	\$101,632	\$105,466	\$109,350	\$113,284	\$117,268	
S-6	North Weist Raw Water	\$375,000	5	\$5,200	\$5,408	\$5,624	\$5,849	\$6,083	\$6,327	\$6,580	\$6,843	\$7,117	\$7,401	
ST-3	Existing 300K G Tank Retrofit/Recoat	\$513,000	5	\$71,240	\$74,090	\$77,053	\$80,135	\$83,341	\$86,674	\$90,141	\$93,747	\$97,497	\$101,397	
SUBTOTAL PRIORITY 2		\$482,000		\$71,240	\$74,090	\$77,053	\$80,135	\$83,341	\$86,674	\$90,141	\$93,747	\$97,497	\$101,397	
GRAND TOTAL		\$13,657,000		\$1,095,000	\$499,373	\$1,717,401	\$1,786,097	\$1,463,688	\$1,049,769	\$1,091,759	\$1,135,430	\$609,698	\$634,085	\$1,236,744
EXAMPLE DRAFT FINANCING PLAN														
0.45	USDA Grant (Water Meters)	\$481,500	20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.55	USDA Loan (Water Meters)	\$588,500	20	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407
Local Funding Sources														
	>Prop Tax Based (GO Bond)	\$0	40	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	>User Rate Based (Operating/Cash)	\$510,000	N/A	\$25,000	\$74,360	\$39,478	\$41,058	\$42,700	\$44,408	\$46,184	\$48,032	\$49,953	\$51,951	\$54,029
0.70	>User Rate Based (New Debt)	\$8,453,900	40	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121
Total Locally Funded		\$8,963,900		\$501,481	\$466,599	\$468,178	\$469,820	\$471,528	\$473,305	\$475,152	\$477,073	\$479,071	\$481,149	
0.30	Other State/Federal Grants (TBD)	\$3,623,100	20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total		\$13,657,000		\$25,000	\$542,888	\$508,006	\$511,228	\$512,936	\$514,712	\$516,560	\$518,481	\$520,479	\$522,457	
Operating Expenses (Water)		\$25,000		\$25,000	\$74,360	\$39,478	\$41,058	\$42,700	\$44,408	\$46,184	\$48,032	\$49,953	\$51,951	\$54,029
Capital Debt Service Total (Water)		\$0		\$0	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	
Water Service Connections (extrapolated from p. 5-3)		\$1,425		\$1,425	\$1,438	\$1,451	\$1,465	\$1,478	\$1,491	\$1,505	\$1,519	\$1,532	\$1,546	
Cost per Water Connection / Month (Operating)		\$1.46		\$1.46	\$4.31	\$2.27	\$2.34	\$2.41	\$2.48	\$2.56	\$2.64	\$2.72	\$2.80	
Cost per Water Connection / Month (Capital Debt Service)		\$0.00		\$0.00	\$27.15	\$26.66	\$26.42	\$26.19	\$25.95	\$25.71	\$25.48	\$25.25	\$25.03	
TOTAL Cost per Water Connection / Month		\$1.46		\$1.46	\$31.46	\$29.17	\$28.99	\$28.83	\$28.67	\$28.50	\$28.35	\$28.20	\$28.05	
Property Tax Cost per \$1000 AV		\$226,749,750		\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	

WALDPOR WATER MASTER PLAN
2020-2040 CIP - Priorities 1, 2, Annual
Draft Phasing/Financing Plan

SCENARIO 1a: NO GO BOND & 70/30 Loans/Grants

Code	Project	1.54	1.60	1.67	1.73	1.80	1.87	1.95	2.03	2.11	2.19	Future Years	TOTALS
		2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041-50	
Pgm-2	Water Meter Replacement												\$1,070,000
T-1	Water Treatment Plant												\$5,698,727
ST-1	New 300k G Tank												\$1,092,976
ST-2	2 M Gal Tank Retrofit/Recoat												\$1,311,139
S-1	Permit Extension Applications												\$10,400
S-3	WMCP												\$25,000
D-1	System Design Standards												\$5,200
D-2	Pressure Reducing Valves												\$41,600
D-3	Hemlock Street Waterline												\$10,400
D-6	South Main												\$1,610,591
D-7	Hwy 34 Waterline (Lint)												\$1,177,682
	SUBTOTAL PRIORITY 1	\$600,387	\$600,387	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$12,053,715
D-4	Walport Heights Main	\$268,173	\$278,900	\$290,056	\$301,658	\$313,724	\$96,271						\$1,452,511
D-5	Hwy 34 Waterline (Nelson)		\$82,293	\$85,585	\$89,008	\$92,568	\$96,271						\$445,726
D-8	Norwood Waterline			\$110,228	\$114,637	\$119,222	\$123,991	\$128,951					\$597,030
S-2	Water Rights												\$10,400
S-5	SWL/CWD PUD Intertie				\$279,146	\$290,312	\$301,925	\$314,002	\$326,562				\$1,511,946
S-6	North Weist Raw Water					\$135,071	\$140,474	\$146,093	\$151,936	\$158,014			\$731,581
ST-3	Existing 300k G Tank Retrofit/Recoat						\$192,168	\$199,855	\$207,849	\$216,163	\$224,809		\$1,040,843
	SUBTOTAL PRIORITY 2	\$268,173	\$361,193	\$485,868	\$784,449	\$950,898	\$854,829	\$788,900	\$686,347	\$374,176	\$224,809		\$5,790,042
	GRAND TOTAL	\$930,908	\$961,580	\$1,023,856	\$1,084,147	\$1,154,622	\$1,159,091	\$1,158,900	\$1,154,347	\$1,154,176	\$1,154,809		\$17,843,757
	EXAMPLE DRAFT FINANCING PLAN												
0.45	USDA Grant (Water Meters)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.55	USDA Loan (Water Meters)	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$0	\$828,150
	Local Funding Sources												
	> Prop Tax Based (GO Bond)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	> User Rate Based (Operating/Cash)	\$13,085	\$13,609	\$14,153	\$14,719	\$15,308	\$15,920	\$16,557	\$17,219	\$17,908	\$18,625	N/A	\$674,256
0.70	> User Rate Based (New Debt)	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$427,121	\$8,542,411	\$17,084,821
	Total Locally Funded	\$440,206	\$440,729	\$441,274	\$441,840	\$442,429	\$443,041	\$443,678	\$444,340	\$445,029	\$445,745	\$8,542,411	\$17,759,077
0.30	Other State/Federal Grants (TBD)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Total	\$481,613	\$482,137	\$482,681	\$483,247	\$483,836	\$484,448	\$485,085	\$485,747	\$486,436	\$487,153	\$8,542,411	\$18,587,227
	Operating Expenses (Water)	\$13,085	\$13,609	\$14,153	\$14,719	\$15,308	\$15,920	\$16,557	\$17,219	\$17,908	\$18,625	\$0	\$649,256
	Capital Debt Service Total (Water)	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$468,528	\$8,542,411	\$17,912,971
	Water Service Connections (extrapolated f	1,574	1,588	1,603	1,617	1,631	1,646	1,661	1,676	1,691	1,706	N/A	N/A
	Cost per Water Connection / Month (Operating)	\$0.69	\$0.71	\$0.74	\$0.76	\$0.78	\$0.81	\$0.83	\$0.86	\$0.88	\$0.91	N/A	N/A
	Cost per Water Connection / Month (Capital Debt Service)	\$24.80	\$24.58	\$24.36	\$24.15	\$23.94	\$23.72	\$23.51	\$23.30	\$23.09	\$22.89	N/A	N/A
	TOTAL Cost per Water Connection / Month	\$25.50	\$25.29	\$25.10	\$24.91	\$24.72	\$24.55	\$24.34	\$24.15	\$23.97	\$23.80	N/A	N/A
	Property Tax Cost per \$1000 AV	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	N/A	N/A

WALDPOR WATER MASTER PLAN
2020-2040 CIP - Priorities 1, 2, Annual
Draft Phasing/Financing Plan

SCENARIO 2a: With GO BOND & 70/30 Loans/Grants

Inflation Escalator: 4.00%

Code	Project	Cost	FYE:	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Pgm-2	Water Meter Replacement	\$1,070,000	1	\$1,070,000										
T-1	Water Treatment Plant	\$4,766,000	6		\$893,517	\$966,428	\$1,005,085	\$1,045,288						
ST-1	New 300K G Tank	\$1,010,000	3	\$350,133	\$378,704									
ST-2	2 M Gal Tank Retrofit/Recoat	\$1,165,000	3	\$420,021	\$436,822									
S-1	Permit Extension Applications	\$10,000	1	\$10,400										
S-3	WMCP	\$25,000	1	\$25,000										
D-1	System Design Standards	\$5,000	1	\$5,200										
D-2	Pressure Reducing Valves	\$40,000	1	\$41,600										
D-3	Hemlock Street Waterline	\$10,000	1	\$10,400										
D-6	South Main	\$1,131,000	3											
D-7	Hwy 34 Waterline (Lint)	\$780,000	2											
SUBTOTAL PRIORITY 1		\$10,012,000		\$1,095,000	\$417,733	\$1,643,311	\$1,709,043	\$1,383,553	\$966,428	\$1,005,085	\$1,045,288	\$515,951	\$536,589	\$1,135,347
D-4	Walldport Heights Main	\$871,000	5											
D-5	Hwy 34 Waterline (Nelson)	\$257,000	5											
D-8	Norwood Waterline	\$331,000	5											
S-2	Water Rights	\$10,000	1	\$10,400										
S-5	SWLWWD PUD Intertie	\$806,000	5											
S-6	North Weist Raw Water	\$375,000	5											
ST-3	Existing 300K G Tank Retrofit/Recoat	\$513,000	5											
SUBTOTAL PRIORITY 2		\$3,163,000		\$10,400	\$10,400	\$0								
Pgm-1	Eckman/Southworth Streams	\$260,000	10	\$27,040	\$28,122	\$29,246	\$30,416	\$31,633	\$32,898	\$34,214	\$35,583	\$37,006	\$38,486	
Pgm-2	Water Meter Replacement	\$30,000	1	\$33,280	\$34,611	\$35,996	\$37,435	\$38,933	\$40,490	\$42,110	\$43,794	\$45,546	\$47,368	
Pgm-3	Water Use Tracking System	\$20,000	10	\$2,080	\$2,163	\$2,250	\$2,340	\$2,432	\$2,525	\$2,621	\$2,717	\$2,814	\$2,910	
Pgm-4	Leak Detection & Repair	\$70,000	20	\$3,640	\$3,786	\$3,937	\$4,095	\$4,258	\$4,429	\$4,606	\$4,790	\$4,982	\$5,181	
Pgm-5	WMCP Updates	\$100,000	20	\$5,200	\$5,408	\$5,624	\$5,849	\$6,083	\$6,327	\$6,580	\$6,843	\$7,117	\$7,401	
SUBTOTAL ANNUAL PROGRAMS		\$482,000		\$71,240	\$74,090	\$77,053	\$80,135	\$83,341	\$86,674	\$90,141	\$93,747	\$97,497	\$101,397	
GRAND TOTAL		\$13,657,000		\$1,095,000	\$499,373	\$1,717,401	\$1,786,097	\$1,463,688	\$1,091,759	\$1,135,430	\$609,698	\$634,085	\$1,236,744	
0.45	USDA Grant (Water Meters)	\$481,500	20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.55	USDA Loan (Water Meters)	\$588,500	20	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407
Local Funding Sources														
	>Prop Tax Based (GO Bond)	\$4,766,000	40	\$25,000	\$74,360	\$99,478	\$131,058	\$168,700	\$210,408	\$258,564	\$312,972	\$374,391	\$441,953	\$511,951
	>User Rate Based (Operating/Cash)	\$510,000	N/A	\$25,000	\$74,360	\$99,478	\$131,058	\$168,700	\$210,408	\$258,564	\$312,972	\$374,391	\$441,953	\$511,951
0.70	>User Rate Based (New Debt)	\$5,117,700	40	\$25,000	\$74,360	\$99,478	\$131,058	\$168,700	\$210,408	\$258,564	\$312,972	\$374,391	\$441,953	\$511,951
Total Locally Funded		\$10,393,700		\$25,000	\$332,924	\$429,424	\$542,059	\$668,059	\$809,372	\$967,528	\$1,145,354	\$1,340,732	\$1,556,857	\$1,794,853
0.30	Other State/Federal Grants (TBD)	\$2,193,300	20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total		\$13,657,000		\$25,000	\$374,332	\$429,424	\$542,059	\$668,059	\$809,372	\$967,528	\$1,145,354	\$1,340,732	\$1,556,857	\$1,794,853
Operating Expenses (Water)				\$25,000	\$74,360	\$99,478	\$131,058	\$168,700	\$210,408	\$258,564	\$312,972	\$374,391	\$441,953	\$511,951
Capital Debt Service Total (Water)				\$0	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972
Water Service Connections				\$1,425	\$1,438	\$1,451	\$1,465	\$1,478	\$1,491	\$1,505	\$1,519	\$1,532	\$1,546	\$1,560
Cost per Water Connection / Month (Operating)				\$1.46	\$4.31	\$2.27	\$2.34	\$2.41	\$2.48	\$2.56	\$2.64	\$2.72	\$2.80	\$2.89
Cost per Water Connection / Month (Capital Debt Service)				\$0.00	\$17.38	\$17.22	\$17.07	\$16.92	\$16.77	\$16.61	\$16.46	\$16.31	\$16.17	\$16.02
TOTAL Cost per Water Connection / Month				\$1.46	\$21.69	\$19.49	\$19.40	\$19.32	\$19.25	\$19.17	\$19.10	\$19.03	\$18.97	\$18.91
Property Tax Cost per \$1000 AV					\$0.9441	\$0.9278	\$0.9128	\$0.8983	\$0.8843	\$0.8707	\$0.8576	\$0.8449	\$0.8326	\$0.8207
GRAND TOTAL		\$226,749,750												

WALDPART WATER MASTER PLAN
2020-2040 CIP - Priorities 1, 2, Annual
Draft Phasing/Financing Plan

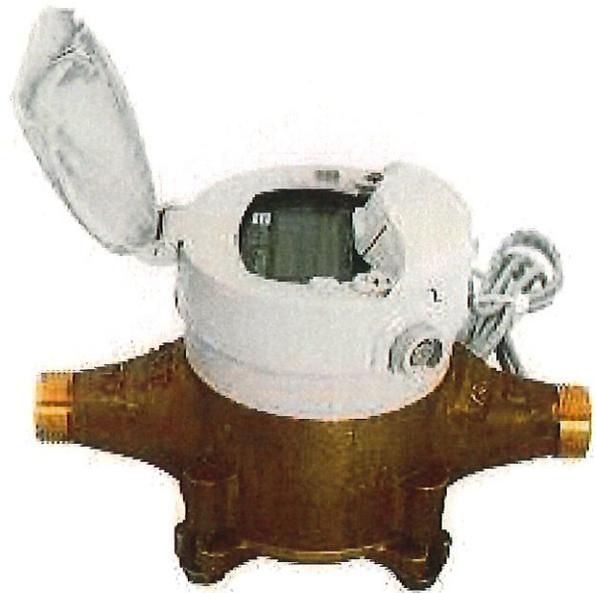
SCENARIO 2a: With GO BOND & 70/30 Loans/Grants

Code	Project	1.54	1.60	1.67	1.73	1.80	1.87	1.95	2.03	2.11	2.19	Future Years	TOTALS
		2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041-60	
Pgm-2	Water Meter Replacement												\$1,070,000
T-1	Water Treatment Plant												\$5,698,727
ST-1	New 300K G Tank												\$1,092,976
ST-2	2 M Gal Tank Retrofit/Recoat												\$1,311,139
S-1	Permit Extension Applications												\$10,400
S-3	WMCP												\$25,000
D-1	System Design Standards												\$5,200
D-2	Pressure Reducing Valves												\$41,600
D-3	Hemlock Street Waterline												\$10,400
D-6	South Main												\$1,610,591
D-7	Hwy 34 Waterline (Lint)												\$1,177,682
	SUBTOTAL PRIORITY 1	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$600,387	\$12,053,715
D-4	Waldport Heights Main	\$268,173	\$278,900	\$290,056	\$301,658	\$313,724	\$326,293	\$339,360	\$352,927	\$366,494	\$380,061	\$393,628	\$1,452,511
D-5	Hwy 34 Waterline (Nelson)		\$82,293	\$85,585	\$89,008	\$92,568	\$96,271	\$100,024	\$103,787	\$107,550	\$111,313	\$115,076	\$445,726
D-8	Norwood Waterline			\$110,228	\$114,637	\$119,222	\$123,991	\$128,951	\$133,911	\$138,871	\$143,831	\$148,791	\$597,030
S-2	Water Rights				\$279,146	\$290,312	\$301,925	\$314,002	\$326,562	\$339,125	\$351,688	\$364,251	\$1,511,946
S-5	SWLWCD PUD Intertie					\$140,474	\$146,093	\$151,936	\$157,779	\$163,622	\$169,465	\$175,308	\$731,587
S-6	North Weist Raw Water					\$192,168	\$199,855	\$207,849	\$216,163	\$224,809	\$233,455	\$242,101	\$1,040,843
ST-3	Existing 300K G Tank Retrofit/Recoat							\$788,900	\$686,347	\$584,794	\$483,141	\$381,588	\$5,790,042
	SUBTOTAL PRIORITY 2	\$268,173	\$361,193	\$485,868	\$784,449	\$950,898	\$854,829	\$788,900	\$686,347	\$584,794	\$483,141	\$381,588	\$324,645
Pgm-1	Eckman/Southworth Streams												\$991,014
Pgm-2	Water Meter Replacement	\$49,263	\$51,233	\$53,282	\$55,414	\$57,630	\$59,935	\$62,333	\$64,826	\$67,419	\$70,116	\$72,913	\$2,973
Pgm-3	Water Use Tracking System												\$108,392
Pgm-4	Leak Detection & Repair	\$5,388	\$5,604	\$5,828	\$6,061	\$6,303	\$6,555	\$6,818	\$7,090	\$7,374	\$7,669	\$7,964	\$31,534
Pgm-5	WMCP Updates	\$7,697	\$8,005	\$8,325	\$8,658	\$9,005	\$9,365	\$9,740	\$10,129	\$10,534	\$10,956	\$11,387	\$45,446
	SUBTOTAL ANNUAL PROGRAMS	\$62,348	\$64,842	\$67,435	\$70,133	\$72,938	\$75,856	\$78,890	\$82,046	\$85,327	\$88,740	\$92,153	\$1,603,871
	GRAND TOTAL	\$930,908	\$426,035	\$553,304	\$854,582	\$1,023,836	\$950,684	\$867,790	\$768,392	\$459,504	\$313,350	\$200,000	\$19,447,628
	EXAMPLE DRAFT FINANCING PLAN												
0.45	USDA Grant (Water Meters)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.55	USDA Loan (Water Meters)	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$41,407	\$828,150
	Local Funding Sources	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$240,795	\$9,631,798
	> Prop Tax Based (GO Bond)	\$13,085	\$13,609	\$14,153	\$14,719	\$15,308	\$15,920	\$16,557	\$17,219	\$17,908	\$18,625	N/A	\$674,256
	> User Rate Based (Operating/Cash)	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$258,564	\$10,342,562
0.70	> User Rate Based (New Debt)	\$512,444	\$512,968	\$513,512	\$514,078	\$514,667	\$515,279	\$515,916	\$516,578	\$517,267	\$517,984	\$518,720	\$20,648,617
	Total Locally Funded	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.30	Other State/Federal Grants (TBD)	\$553,852	\$554,375	\$554,920	\$555,486	\$556,075	\$556,687	\$557,324	\$557,986	\$558,675	\$559,391	\$560,120	\$21,476,766
	Total	\$13,085	\$13,609	\$14,153	\$14,719	\$15,308	\$15,920	\$16,557	\$17,219	\$17,908	\$18,625	\$19,342	\$649,256
	Operating Expenses (Water)	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$299,972	\$11,170,712
	Capital Debt Service Total (Water)	1,574	1,588	1,603	1,617	1,631	1,646	1,661	1,676	1,691	1,706	N/A	N/A
	Water Service Connections (extrapolated)	\$0.69	\$0.71	\$0.74	\$0.76	\$0.78	\$0.81	\$0.83	\$0.86	\$0.88	\$0.91	N/A	N/A
	Cost per Water Connection / Month (Operating)	\$15.88	\$15.74	\$15.60	\$15.46	\$15.33	\$15.19	\$15.05	\$14.92	\$14.78	\$14.65	N/A	N/A
	Cost per Water Connection / Month (Capital Debt Service)	\$16.57	\$16.45	\$16.33	\$16.22	\$16.11	\$16.00	\$15.88	\$15.77	\$15.67	\$15.56	N/A	N/A
	TOTAL Cost per Water Connection / Month	\$0.6898	\$0.6633	\$0.6378	\$0.6132	\$0.5897	\$0.5670	\$0.5452	\$0.5242	\$0.5040	\$0.4847	N/A	N/A
	Property Tax Cost per \$1000 AV												



WALDPORT WATER METER REPLACEMENT PROJECT PRELIMINARY ENGINEERING REPORT

Draft September 19, 2019



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**WALDPOR T WATER METER
REPLACEMENT PROJECT
PRELIMINARY
ENGINEERING REPORT**

**CITY OF WALDPOR T
OREGON**

Draft September 19, 2019

Prepared for
City of Waldport
P.O. Box 1120
Waldport, OR 97394

Prepared By
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APPENDICIES

APPENDIX A – Preliminary Cost Estimates

SECTION 1: PROJECT PLANNING

This section includes a description of the planning area. The section headings follow the guidelines set forth in USDA RUS Bulletin 1780-2 that describes the requirements for a preliminary engineering report.

1.1 LOCATION

The proposed project includes replacing all of the existing customer meters in Waldport's water distribution system. Therefore, the boundaries of the project area coincide with the boundaries of the City's existing water system. The area within the City's urban growth boundary is actually served by three different water utilities. These include the City of Waldport, the Seal Rock Water District, and the Southwest Lincoln County Water People's Utility District. The service areas boundaries within the City's urban growth boundary are shown in Figure 1-1, but only the customer meters inside the City's service area will be replaced as part of the proposed project.

1.2 ENVIRONMENTAL RESOURCES PRESENT

All of the customer meters are located in meter boxes that are generally within sidewalks, driveways, other paved areas, and landscaped areas. The proposed project includes removing the meters from the existing boxes and replacing them with new meters. As such, the project includes very little disturbance of the existing ground. In some cases, it might be necessary to do some minor excavation to replace a damaged meter box. But, these excavations will be limited to the small, previously disturbed, areas around the meter box. In short, the project does not include any grading work, or any other disturbance of areas that have not been previously disturbed. As such, the project does not include any impacts to environmental resources such as wetlands, floodplains, threatened or endangered species, or to any cultural resources.

1.3 POPULATION TRENDS

Based on data provided by the Portland State University Population Research Center, the population within the Waldport UGB was 2,095 people in 2017. According to the Population Research Center, the population within the UGB is projected to grow to approximately 2,801 by 2040. However, some areas inside the Waldport UGB are served by two other water districts in addition to the City's system (Figure 1-1). In addition, the City also serves customers that are located outside of the UGB. As such, the overall population of the City is not a good representation of the population served by the City's water system.

The City has been tracking the number of water service connections for the last several years (Table 1-1). The City currently serves 1,399 connections. Assuming an average population of 2.25 people per connection, the total service population may be estimated to be approximately 3,148 people.

Table 1-1| Water Service Connection History

Year	Number of Service Connections
1996	1241
2001	1249
2007	1337
2012	1364
2019	1399

In 2017, the Portland State Population Research Center published population projections for the Waldport UGB area. The projections show the population inside the UGB increasing from 2,282 in 2017 to 2,801 in 2040. This equates to an average annual growth rate of 0.90%. For this study, it has been assumed that the number of service connections will increase at the same rate as the overall population of the City. Based on this assumption the number of water service connections is expected to increase from the current value of approximately 1,400 to 1,706 in 2040 (Table 1-2). Assuming an average population of 2.25 people per connection, the total 2040 service population may be estimated to be approximately 3,838 people.

Table 1-2| Projected Water Service Connections

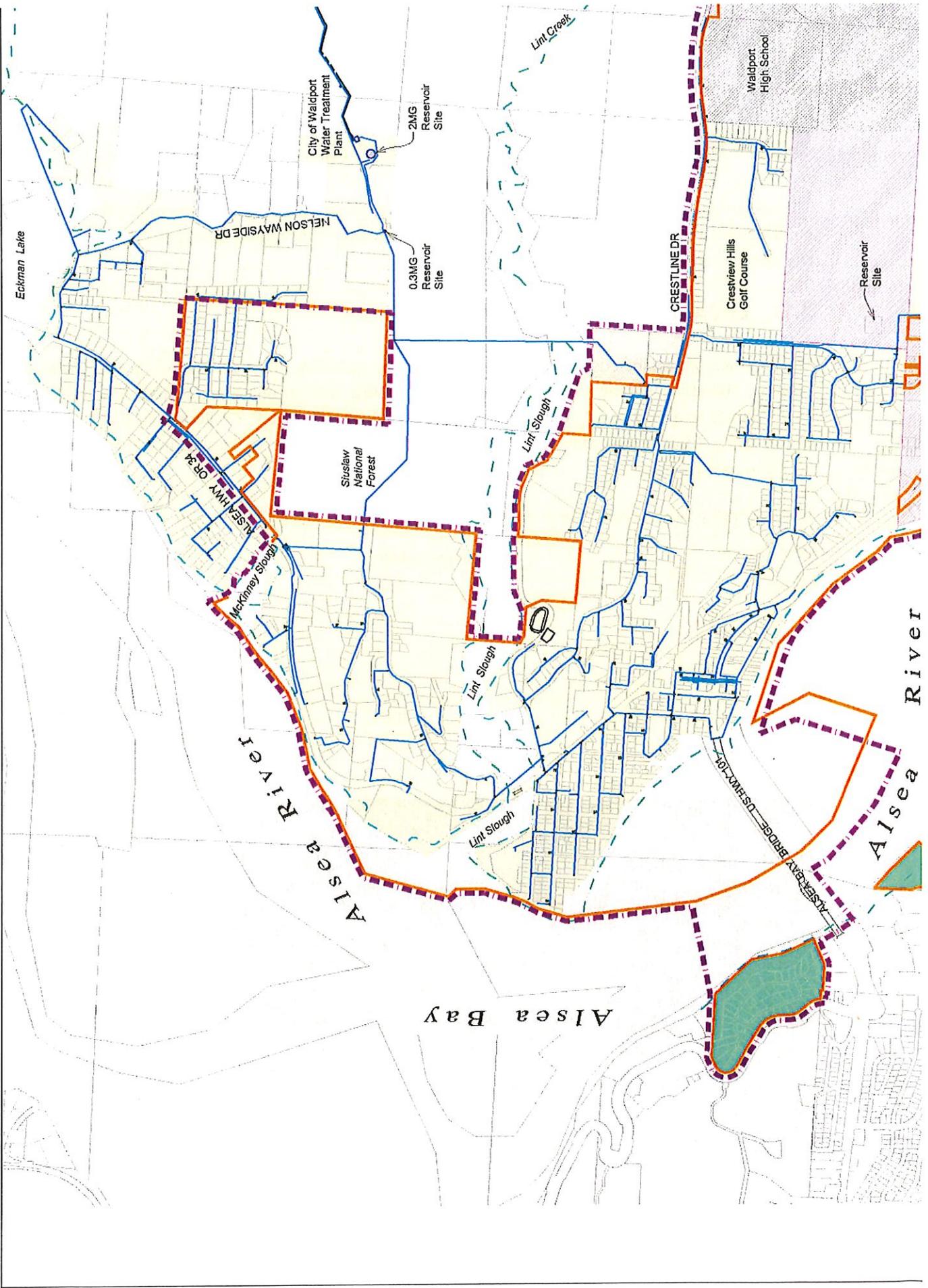
Year	Estimated Number of Water Service Connections ¹
2020	1,425
2025	1,491
2030	1,560
2035	1,631
2040	1,706

¹ Based on average annual growth rate of 0.9%

1.4 COMMUNITY ENGAGEMENT

Community involvement for this project has and will continue to include public discussions at city council meetings. The last public discussion occurred at the May 2, 2019 budget committee meeting. All discussions regarding funding for the improvements, potential debt service, and operation and maintenance costs will occur at public city council meetings as the project moves forward.

Figure 1-1: Waldport Water Service Area



SECTION 2: EXISTING FACILITIES

This section includes a description of the relevant existing facilities. The section headings follow the guidelines set forth in USDA RUS Bulletin 1780-2 that describes the requirements for a preliminary engineering report.

2.1 LOCATION MAP

The proposed project includes replacing all of the existing customer meters in Waldport’s water distribution system. Therefore, work will be performed at every existing service connection within the boundaries of the City’s service area (Figure 1-1). The City’s system includes a total of 1,399 water meters that vary by size (Table 2-1). Most of the meters serve single family residences, and all are located in meter boxes (Figure 2-1) near each property.

Table 2-1| Existing Customer Water Meter Inventory

Meter Size	Number of Meters
5/8 inch	1349
1 inch	28
1 ½ inch	8
2 inch	14
Total	1399

Figure 2-1: Typical Water Meter Box



2.2 HISTORY

Historically, the City did not keep good records regarding meter installations. Based on verbal discussions with the City, about half of the meters were replaced about 20 years ago. The remaining meters in the system were installed in the early 1980s. Customer water meters are typically considered to have a 20 year useful life. As such, it is appropriate to replace all of the meters at the present time.

2.3 CONDITION OF EXISTING FACILITIES

The customer meters in the City are all 20 years old or older and either have reached, or soon will reach, the end of their useful life. They continue to function, but are likely under-reporting water usage. This under-reporting is contributing the relatively high values for “unaccounted-for” water in the City’s water usage audits (see section 2.5).

2.4 FINANCIAL STATUS OF WATER UTILITY

The City’s water utility is primarily funded by user rates. The existing monthly user rates consist of a base charge plus a volume usage charge. The base charge varies by meter size and whether the customer is inside or outside the city limits. The base charge for customers located outside city limits is approximately 40% higher than those inside city limits. Both outside and inside residents pay the same per volume usage charges of \$2.57 per 748 gallons (100 cubic feet). Current base charges are listed in Table 2-2.

Table 2-2| Existing Water User Base Rates¹

Meter Size	Inside City Limits ²	Outside City Limits ²
5/8 inch	\$24.33	\$34.24
1 inch	\$60.83	\$85.60
1 ½ inch	\$121.65	\$171.19
2 inch	\$194.64	\$273.91

¹ Water rates effective as of July 1, 2018

² Usage rate for both inside and outside City is \$2.57 per 748 gallons (100 cubic feet)

For the 2018/2019 fiscal year, the City’s water fund collected approximately \$667,000 of revenue. Of this amount about \$75,000 is earmarked for capital improvements and about \$592,000 is used for operation and maintenance. Similar values are budgeted for the 2019/2020 fiscal year.

The revenue allocated for capital improvements (about \$75,000 in FY 2018/2019) is used to service debt and other capital improvement projects. The water utility is currently retiring debt on three loans (Table 2-3). The total annual debt service for these loans is about \$50,000.

Table 2-3| Existing Water Utility Debts

Issue Date	Issue Amount	Debt Holder/ Debt Purpose	Interest Rate	Annual Payment	Principle Balance (June 2018)	Required Reserve Amount	Maturity Date
9/30/2003	\$519,900	OBDD Water Source Improvements	1 %	\$17,352	\$279,313	\$22,160	12/1/2034
1/15/2013	\$165,000	Umpqua Bank Water Reservoir Rehabilitation	3 %	\$16,500	\$75,624	-	1/15/2023
2019	\$247,600	OBDD Water Plant Upgrade, Water Master Plan, McKinney Waterline	1 %	\$8,767	\$247,600	\$8,767	12/1/2044

The water fund also includes capital improvement and SDC funds, with projected balances about \$0 and \$27,000 at the end of the 2019/2020 fiscal years. The City also maintains a debt service reserve of about \$50,000 each year.

The City’s customers mostly consist of residential users, but there are some commercial and industrial accounts (Table 2-4).

Table 2-4| Inventory of Customer Classifications

Type of Account	Number
Residential	1166
Residential Sewer Only ⁽¹⁾	56
Commercial	176
Industrial	1
Total	1399

Notes:

(1) These users do not pay water charges.

2.5 WATER AUDITS

The City performs annual audits of the amount of water produced versus the amount of water sold. This is done by comparing the source water meter readings to the customer water meter readings (Table 2-5).

These comparisons show that approximately 25% of the water produced is not measured by the customer meters. This value is commonly referred to as “unaccounted-for water.” Ideally, the amount of unaccounted-for water should be less than 10% of the water produced. Several factors likely contribute to the higher value

in Waldport. The most significant factor is probably the age of the customer water meters. As the meters age, the mechanical components begin to wear out. This causes the meters to under-read the amount of water passing through them. The proposed water meter replacement program will correct this problem. There are also likely to be authorized water uses that are not currently being metered or tracked by the City. Examples include water for fire fighting, hydrant testing, blowing off the distribution system, and water used for street sweepers and construction purposes. The City is working to develop better tracking systems for these authorized uses.

Table 2-5| Annual Water Loss Data

Fiscal Year	Total Water Sold (Million Gallons)	Total Water Produced (Million Gallons)	Unaccounted for Water (%)
2016-2017	63.58	83.36	23.7 %
2017-2018	64.27	86.58	25.8 %

SECTION 3: NEED FOR PROJECT

This section identifies the need for the proposed project. The section headings follow the guidelines set forth in USDA RUS Bulletin 1780-2 that describes the requirements for a preliminary engineering report.

3.1 HEALTH, SANITATION, AND SECURITY

The proposed project will not directly address any health, sanitation, or security issues.

3.2 AGING INFRASTRUCTURE

As described above, the existing customer water meters have reached the end of their useful life and need to be replaced. As such, aging infrastructure is the primary problem that the proposed improvement will correct.

3.3 REASONABLE GROWTH

The proposed project includes replacing all of the existing customer meters. Therefore, there is no need to plan for future growth. The meters installed for future water service connections will be paid for at a later date.

SECTION 4: ALTERNATIVES CONSIDERED

This section includes a description of the alternatives considered to meet the needs of the proposed water meter replacement project. The section headings follow the guidelines set forth in USDA RUS Bulletin 1780-2 that describes the requirements for a preliminary engineering report.

4.1 DESCRIPTION

There are no alternatives regarding the need to replace the water meters, all meters need to be replaced as described above. However, there are alternatives to evaluate on the type of meter and how the meters are read and data collected.

4.1.1 Meter Types

Two types of meters were considered. The first includes mechanical meters that use some sort of positive displacement device to measure flow. An example would be the SRii meter manufactured by Sensus. This type of meter is similar to the meters that are currently installed in the City. As an alternative to mechanical meters, most manufacturers also offer electronic meters that have no moving parts. These meters use electromagnetic or ultrasonic technology to measure the flow of water through the meters. Examples include the iPerl meter manufactured by Sensus and the flowIQ meter manufactured by Kamstrup.

Ultimately, electronic meters were selected for this project because they are better at measuring low flow and thereby more accurately track the total amount of water used by each customer. For example, a 5/8 inch Sensus SRii mechanical meter begins registering at a flow of 0.25 gallons per minute. Whereas the Sensus iPerl meter begins registering at a flow of 0.03 gallons per minute.

4.1.2 Meter Reading Options

Two alternatives for reading meters and collecting data were considered. Both options include new meters and the same meter technology would be used for each option.

1. Radio read meters using a drive-by system (AMR). Under this option, a vehicle based radio receiver would be used to read each meter using radio signals produced by the meter. These systems require a city staff member to drive around the City with the recording equipment. The meter data would be recorded on a laptop or similar device and later downloaded into the City's billing software. Customers would not have access to the meter data other than as part of their normal monthly bill.
2. Fully automated, real-time reading using a radio network consisting of multiple radio receiving stations installed around the City (AMI). Under this option, a network of radio receiving stations would be installed around the City in strategic locations. These stations would be used to read the data from each meter on an hourly basis. The City would contract with a company to encrypt and securely host the data. City staff and customers would have the ability to view the data in real-time at a website. City staff would periodically download the data for billing purposes.

4.2 DESIGN CRITERIA

Design criteria for the proposed meter replacement project are relatively straight-forward and include the following.

- Meters will be electronic and have no moving parts.
- Meters will be NSF 61 approved for drinking water service.
- Meters will be IP 68 rated for submersible service.
- Meters accuracy shall be 1.5% down to a minimum flow of 0.18 gallons per minute (for ¾ inch and smaller meters).
- Meters reading will be by radio signal and all meters will be AMI compatible.
- Meters shall be fully warranted for a minimum of 15 years with a prorated warranty between 15 and 20 years.
- The AMI system will be capable of reading a minimum of 95% of the customer meters.
- The AMI system shall require no more than four receiving stations.
- The AMI system will include an online customer portal where interested customers can view the meter data.

4.3 MAP

A map of the City's water system is included above (Figure 1-1).

4.4 ENVIRONMENTAL IMPACTS

All of the customer meters are located in meter boxes that are generally within sidewalks, driveways, other paved areas, and landscaped areas. The proposed project includes removing the meters from the existing boxes and replacing them with new meters. As such, the project includes very little disturbance of the existing ground. In some cases, it might be necessary to do some minor excavation to replace a damaged meter box. But, these excavations will be limited to the small, previously disturbed, areas around the meter box and will generally be performed using hand material. The AMI alternative will require the installation of radio receiving stations. However, it is envisioned that these stations will be installed at existing infrastructure such as the City's water storage tanks, City Hall, wastewater pump station sites, etc. These stations may require the installation of a power pole or small radio tower. But these elements will be installed within previously disturbed areas adjacent to the City's existing facilities.

In short, the project does not include any grading work, or any other disturbance of areas that have not be previously disturbed. As such, the project does not include any impacts to environmental resources such as wetlands, floodplains, threatened or endangered species, or to any cultural resources.

4.5 LAND REQUIREMENTS

No land or easements are anticipated to be required for this project.

4.6 POTENTIAL CONSTRUCTION PROBLEMS

The installation of the meters and radio stations (AMI option only) should be routine. A small percentage of the meter installations may require custom installation work to deal with unique site conditions. However, such cases are not likely to be pose a substantial construction risk.

4.7 SUSTAINABILITY CONSIDERATIONS

With the installation of new meters, water loss will be reduced and the City should capture more revenue from water sales. Operational simplicity will result in meter reading due to the use of new technology. Modest energy savings may result from automated meter reading and reduction in water loss.

The AMI option offers the potential to more quickly identify and repair leaks since meters are read on an hourly basis rather than monthly. Therefore, the AMI option offers a slight advantage with respect to water use efficiency.

4.8 COST ESTIMATES

Estimates of the capital construction costs and the annual operation and maintenance costs are included in Table 4-1. The capital construction cost estimates include construction costs in 2019 dollars (ENR 20 Cities Index = 11,311). The capital construction cost estimates include non-construction costs consisting of a construction contingency at 10% of the estimated construction costs. Engineering and administration costs are also included and assumed to be 17% of the construction cost. The estimates also include \$20,000 for the integration of the meter reading software with the City's billing software. This line item is included to account for the costs the City will likely have to pay the billing software company to do the programming needed to integrate the billing software with the new meter reading software.

The estimates of annual operation and maintenance costs do not include the costs for the meter maintenance since the same meters will be used for both options and the maintenance costs specifically related to the meters should be the same. For the AMR option, the meter reading costs are based on 1 day of public works staff time per month to read the meters. Both the AMR and AMI options include annual subscription costs which are included in the annual O&M costs.

Detailed break downs of the cost estimates are included in Appendix A.

Table 4-1| Cost Estimates

Alternative	Capital Construction Cost Estimate	Annual Operation and Maintenance Costs
Alternative 1: Drive By AMR System	\$806,000	\$14,700
Alternative 2: AMI System with Customer Portal	\$1,070,000	\$32,000

SECTION 5: SELECTION OF AN ALTERNATIVE

This section includes a description of the considerations used to select the preferred option. The section headings follow the guidelines set forth in USDA RUS Bulletin 1780-2 that describes the requirements for a preliminary engineering report.

5.1 LIFE CYCLE COST ANALYSIS

Both the capital construction costs and the annual operation and maintenance costs for the AMI option are higher than the AMR option. Therefore, the overall life cycle costs for the AMI option are higher as well. That said, the AMI option is a different system that offers advantages that are described below.

5.2 NON-MONETARY FACTORS

The following table lists the advantages and disadvantage of each option.

Table 5-1| Comparison of Non-Monetary Factors

Alternative	Advantages	Disadvantages
Alternative 1: Drive By AMR System	<ul style="list-style-type: none">• Lower Cost• Upgradable to AMI in the future	<ul style="list-style-type: none">• More labor to read meters• No real-time data available to City or customers• No advanced leak detection or water loss analysis capability
Alternative 2: AMI System with Customer Portal	<ul style="list-style-type: none">• No manual labor required to read meters• Advanced leak detection and water loss analysis available• Full time of use data and leak detection for all customers• Can be used as a tool to reduce leakage and identify problems	<ul style="list-style-type: none">• Higher Construction Costs• High annual costs to maintain data hosting and customer portal• Data security issues

The remainder of this document will be completed when the City selects a preferred alternative. The remainder of the document is required to include a description of the recommended project, a project schedule, a discussion about permit requirements, and information about the overall operating budget of the water utility.

Detailed Cost Estimates

Appendix A

Table A-1**Water Meter Project Option 1: AMR**

Recommended Budget Level Cost Estimates

Waldport Water Meter Replacement Project - Preliminary Engineering Report

3008.4040.0

I. Capital Costs**Construction Costs**

Item	Qty	Unit	Unit Cost	Total Cost
5/8 Inch Meters	1349	Each	\$315	\$424,900
1 Inch Meters	28	Each	\$390	\$10,900
1.5 Inch Meters	8	Each	\$800	\$6,400
2 Inch Meters	14	Each	\$1,100	\$15,400
Remote Shutoff Devices	30	Each	\$350	\$10,500
Meter Installation	1399	Each	\$100	\$139,900
Meter Box Repair	50	Each	\$500	\$25,000
Meter Reading Software and Equipment	All	LS	\$12,000	\$12,000
Construction Total				\$645,000

Soft Costs

Construction Contingency (5%)				\$32,000
Engineering (12%)				\$77,000
Administration Costs (5%)				\$32,000
Billing Software Integration				\$20,000

Total Recommended Capital Project Budget**\$806,000****II. Annual Operation and Maintenance Costs**

Drive By Meter Reading	96	Hours	\$75	\$7,200
AMR Data Hosting Fees	All	LS	\$2,500	\$2,500
AMR Equipment Maintenance	All	LS	\$5,000	\$5,000
Total Estimated Operation and Maintenance Costs				\$14,700

Table A-2

Water Meter Project Option 2: AMI

Recommended Budget Level Cost Estimates

Waldport Water Meter Replacement Project - Preliminary Engineering Report

3008.4040.0

I. Capital Costs

Construction Costs

Item	Qty	Unit	Unit Cost	Total Cost
5/8 Inch Meters	1349	Each	\$315	\$424,900
1 Inch Meters	28	Each	\$390	\$10,900
1.5 Inch Meters	8	Each	\$800	\$6,400
2 Inch Meters	14	Each	\$1,100	\$15,400
Remote Shutoff Devices	30	Each	\$350	\$10,500
External Antennas	400	Each	\$60	\$24,000
Meter Installation	1399	Each	\$100	\$139,900
Meter Box Repair	50	Each	\$500	\$25,000
Radio Receiving Station Equipment	4	Each	\$12,000	\$48,000
Radio Receiving Station Installation	4	Each	\$25,000	\$100,000
AMI Software & Setup	All	LS	\$31,000	\$31,000
Customer Portal Setup	All	LS	\$25,000	\$25,000
Construction Total				\$861,000

Soft Costs

Construction Contingency (5%)				\$43,000
Engineering (12%)				\$103,000
Administration Costs (5%)				\$43,000
Billing Software Integration				\$20,000

Total Recommended Capital Project Budget

\$1,070,000

II. Annual Operation and Maintenance Costs

AMI Data Hosting and Annual Customer Portal Fees	All	LS	\$20,000	\$20,000
AMI Equipment Maintenance	All	LS	\$12,000	\$12,000

Total Estimated Operation and Maintenance Costs

\$32,000





CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Memorial Policy – Discussion

REQUESTED BY: City Council

FOR MEETING DATE: September 12, 2019 **rescheduled to October 10, 2019**

SUMMARY OF ISSUE:

The City of Waldport does not have an official policy on placement of private memorials on public lands. This agenda item is to delve into this matter in more detail.

STAFF RECOMMENDATION or ACTION REQUESTED:

Review other cities memorial policies and provide direction to staff as warranted.

BACKGROUND:

The City of Waldport recently had a request to place a memorial within the City. The City has official policy or program for memorials. While the request was approved by the City Council, the Council requested to review and potentially consider a formal policy regarding memorial placements. Attached are sample policies and procedures from other local jurisdictions.

Typical items covered in these programs may include:

- Purpose
- Eligibility & Criteria (residents, affiliation)
- Types of memorials (trees, benches, plaques)
- Care and maintenance
- Relocation or Removal
- Restrictions
- Procedures
- Application Forms & Approvals

Attachments: Programs for cities of Auburn Hills, Escondido, Salt Lake City, and Wyoming

**City of Auburn Hills
Memorial Tree & Bench Program**

Policy Number: _____
Effective Date: _____

Revision Date: _____
Amended: _____

PURPOSE

To establish policies and procedures for the City Memorial Tree-Bench Program.

STATEMENT OF POLICY

It is the policy of the City of Auburn Hills to establish procedures and guidelines for City Staff to administer the Memorial Tree-Bench Program.

BRIEF HISTORY OF PROGRAM

The City Memorial Tree Program was initiated in 1990 by the Beautification Advisory Commission and offers individuals and families an opportunity to commemorate the life of a loved one through a living memorial – the planting of a tree in one of the city parks or other public spaces. All memorial trees are planted and cared for by city staff. In recent years, memorial benches placed in City Parks have become a second option for memorials.

PROGRAM ELIGIBILITY

Any individual can purchase a Memorial Tree or Bench, however, the individual being honored with the tree must have had some affiliation with the City of Auburn Hills. This affiliation can be: current or former residents; current or former business owners or employees of a business within Auburn Hills; current or former city employees; or some meaningful relationship with any of the above.

PROCEDURES FOR MEMORIAL TREES

- Person contacts the Parks and Recreation Department with interest in the program.
- A fee of \$40 is paid to the City (for plaque, marker post and planting). Fee is deposited into the Tree Fund, with these funds used for new and replacement plaque costs.
- A proper planting location is determined by city staff (working with the individual) and the type of tree is recommended for the site. These are tree types that will have a good chance of living to maturity.
- The individual then chooses and pays for the tree at a local nursery. A 2"-2 ½" caliper tree is the size desired by the city for a Memorial Tree. Cost range for this size tree is \$150 - \$300.
- The tree is tagged "City of Auburn Hills" by the nursery, then picked up by the City and planted by DPS staff in the pre-determined location.
- Wording for the 4" x 4" plaque is provided to the city by the individual. The plaque and marker post are installed by the city when the tree is planted.

Dedications and/or ceremonies are the responsibility of the individual or family, and can be held any day of the year during park hours of operation.

PROCEDURES FOR MEMORIAL BENCHES

- Person contacts the Parks and Recreation Department with interest in the program.
- A fee of \$250 is paid to the City (for wood bench and inset plaque). Fee is deposited into the Tree Fund, noting Memorial "Bench", with these funds used for new and replacement plaque costs.
- A proper bench location is determined by city staff (working with the individual).
- Wording for the 4" x 4" plaque is provided to the city by the individual. The plaque is installed on the bench by the city.

Dedications and/or ceremonies are the responsibility of the individual or family, and can be held any day of the year during normal park hours of operation.

PLAQUES

The following information can be included on the plaque:

- Persons name (in memory of)
- Tree type
- An "Honor Statement" of no more than 50 letters
- Date or dates
- Donated by _____

The City has the right to refuse or reject plaque wording at their discretion.

RECORD KEEPING AND FORMS

The Parks and Recreation Department will manage a database containing information about the Memorial Tree (who purchased it with contact information, the type of tree, location, date of planting, and other relevant information).

The Parks and Recreation Department will create and utilize a one-page form to be completed by the purchaser and will maintain a file of this information. The two-part form will also include basic Memorial Tree Program information for the purchaser to keep for their records.

MEMORIAL TREE CARE AND GUARANTEE

The City will care for and guarantee the Memorial Tree and plaque for the natural life of the tree, not to exceed 50 years. This includes damage or death due to natural events, vandalism, or accident. If the property where the tree is located changes due to sale of property, new construction, or other changes, the tree will be moved (if age of tree allows) or replaced in a suitable location of city choice. Following the implementation of this policy, every attempt will be made to contact the purchaser with the information provided at time of purchase. This information is not available for all prior Memorial Trees planted up to this date (date here).

RESTRICTIONS

- Memorial trees will only be planted in approved locations in city parks or other public spaces, not on private property or along private roads or drives.
- Final recommendation on tree location is provided by the City Arborist. The City will not plant a tree in an area determined to be unsuitable for long-term growth.
- Wreaths, flowers, decorations, signs and plantings are prohibited in and around the Memorial Tree. These items will be removed by City staff when found. The permanent, individualized plaque and marker post serve this purpose.
- There is a limit of three (3) Memorial Trees and/or Benches or combinations of trees and benches per person.

City of Auburn Hills
Memorial Tree and Bench Program
Applicant Form

Name: _____

Address: _____

Phone: _____

Alt Phone: _____

Location of tree-bench: _____

Type of tree: _____

Date of planting: _____

Date of bench placement: _____

Plaque wording: _____

Other notes: _____



CITY OF ESCONDIDO

POLICY FOR PLACING MEMORIALS IN CITY PARKS AND OPEN SPACE

INTENT:

Parks and public open space areas are to be open, aesthetically pleasing, and usable by the public. Memorials that commemorate or remember a special individual can be part of the open space experience provided they are designed and located appropriately. However, because public open space is a precious commodity, and the integrity of the City's natural and recreational areas must be protected, the design, installation, and maintenance of memorials requires standardized policies.

Requests for placing memorials in City public parks and/or open space areas are to be coordinated through the Director of Communications and Community Services (Director) and shall involve the City's Appearance Committee and/or others as directed by the City Manager, to solicit input from appropriate City Departments to evaluate the design, site selection, installation, and maintenance of memorials, and to ensure their public safety. The City has established the following policies.

Note: Temporary Roadside Memorials are subject to the criteria and standards provided in the City's "Temporary Roadside Memorial Policy."

MEMORIAL CRITERIA:

1. A memorial may honor a deceased person or animal, or an event deemed to merit such an honor.
2. The location of memorials shall not interfere with maintenance activities, existing and proposed circulation and use patterns in the park or open space, and shall not impact any historic/cultural resource or sensitive habitat/species.
3. The memorial and its location, design, and materials shall be compatible with any adopted master plan for the park or open space, and any cultural or habitat resource considerations. Specific locations for the display of memorial plaques may be established from time to time.
4. Memorials shall be made of durable materials that will last over time, discourage graffiti, and not incur additional maintenance.
5. The cost of fabrication and installation of a memorial shall be borne by the donor.
6. The City reserves the right to remove or relocate any memorial for any reason. A reasonable effort will be made to contact the donor prior to the removal. Depending on the nature of the memorial, the City may request a Waiver of Rights pursuant to the

Visual Artists Rights Act prior to the installation of the memorial. (See, 17 U.S.C. § 106A(e)(1))

7. The memorial itself, and all artwork contained in it, must be appropriate for viewing by all ages of the general public. Artwork that is obscene or offensive in any way will not be approved.
8. Designated memorial locations may reach a saturation point at which time the City may consider closing the location to additional memorials, expanding the defined area of memorials at that location, or removing memorials to create room for new memorials and making a reasonable effort to return past memorials to their donors.

MEMORIAL OPTIONS:

1. Plaques - Specific areas within public parks and open space areas may be established for the grouped display of memorial plaques involving seating walls, raised planter walls, fences, a defined area on a building wall, contemplative garden paths, etc. The appropriate size and material of the plaques will be specified by the Director.
2. Trees - Tree selection and planting locations will be chosen based on species, topography, soil condition, light exposure, mature plant size, maintenance requirements, and appropriateness for placement; and will be mutually agreed upon by the applicant and the City. The City does not guarantee the memorial tree's viability.
3. Other - Unique memorials in key locations may be considered for applications that represent broader community values; that meet the intent and criteria of this policy; that provide a public benefit; and that include a maintenance program acceptable to the City.
 - a. Park Furnishings - Memorial text may be included on a park furnishing that is donated by an applicant. Furnishings include benches, picnic tables, trash receptacles, recreational equipment, etc. The Director shall establish the specifications for the furnishing and memorial identification.
 - b. Peace Poles - A limited number of individual peace poles may be allowed in public parks as deemed appropriate by the City. Small plaques containing memorial text may be attached to the raised footing of the pole.

APPLICATION AND APPROVAL PROCESS:

1. An application for a tree, bench or plaque memorial shall be completed in writing on forms provided by the City and shall be submitted to the Director with any application fee as may be established. Requests selected from the list of memorial options, and consistent with this Policy, shall be reviewed administratively by the Director or designee. The suitability of the memorial's requested location shall be determined by the Director in his/her sole discretion. The Director may identify an alternative location as more appropriate.

2. Applicants may request other, unique memorials. Such an application must include as much detail as possible including: the design, size, preferred location, materials, colors, maintenance plan, installation information, timeframe, purpose or historic significance, and such other information as the Director deems necessary for an evaluation of the application. The Director may request comments from council members, city staff or city commissions. Upon approval of a memorial request, the donor shall be responsible for the costs to fabricate and install the memorial, and shall coordinate all work with the designated Public Works staff.



City Park / Open Space Memorial Application

Donated furnishings or trees must be on the pre-approved list provided by the City.

Date of Application: _____ Type of Memorial: (circle one) TREE BENCH PLAQUE

Donor Name: _____

Donor Address: _____ City: _____

State: _____ Zip: _____ Phone No.: _____

Name of person honored by memorial: _____

Location: PARK _____ Location _____

Street Address _____

Tree Type: _____

Bench: (circle one) NEW REPLACE EXISTING

Plaque Wording: _____

Donor Signature: _____ Date: _____

OFFICE USE ONLY

Date of Appearance Committee Meeting: _____ (circle one) APPROVED DENIED

Reason for Denial: _____

If this is a replacement memorial, original donor name, address, phone number:

Date notified: _____ Is the original donor interested in replacing or restoring the memorial? YES/NO

If no, do they want the plaque returned? YES/NO _____

If no, date of disposal. _____

Total Payment Due: _____ (circle one) CASH CC CHECK # _____

Date memorial was installed: _____

Placement of Privately-Donated Monuments, Markers, Plaques and Memorials in City Parks

RESPONSIBLE CITY AGENCY: Public Services Department

KEYWORDS: Parks, monument, plaque, marker, memorial

1. General:

1.1 Salt Lake City Corporation (the "City") recognizes that its public parks are public forums for free expression activities. The City also recognizes that it may exercise its own government speech in certain situations.

1.2 On occasion the City receives requests by private persons or entities to allow the placement in a City park of a monument, marker, plaque or memorial.

1.3 The City has an important interest in avoiding overcrowding, clutter, or saturation of City parks with donated monuments, markers, plaques or memorials.

1.4 The City desires to set forth a policy that will guide the City's decisions regarding whether to allow the placement in City parks of such monuments, markers, plaques or memorials.

1.5 The City may exercise selectivity and place some, but not all, offered privately donated monuments, markers, plaques and memorials in City parks. The final decision regarding whether to accept a particular monument, marker, plaque or memorial will be made by the City's Public Services Director.

1.6 The City may select or place monuments, markers, plaques or memorials that portray what the City believes is appropriate for the park in question, taking into account such factors as aesthetics, history, and local culture. Therefore, the monuments, markers, plaques and memorials accepted are meant to convey (and have the effect of conveying) the City's message, which constitutes government speech of the City.

1.7 The City may prohibit privately donated monuments, markers, plaques and memorials in City parks where conservation easements or identified conservation values require protecting the land in a predominantly undeveloped state.

2. Purpose:

The Purpose of this policy is to:

2.1 Establish the objectives for the acceptance and placement of donated monuments, markers, plaques and memorials in the City's park system.

2.2 Define the criteria the City will use in accepting and placing monuments, markers, plaques and memorials that individuals, groups and businesses would like to donate to the City.

2.3 Establish the application requirements for an individual group, or business requesting the placement of a monument, marker, plaque or memorial in a City park.

2.4 Guide the City in determining the appropriate location for the proposed monument, marker, plaque or memorial.

2.5 Ensure that the design, placement and appearance of the monument, marker, plaque or memorial is consistent with the community interest, park function and the natural environment.

3. Objective:

Monuments, markers, plaques or memorials proposed for City parks shall:

3.1 Be consistent, in the City's judgment, with the intended purpose of the City's parks and their surrounding environment.

3.2 Enhance the landscape, recreational and cultural value of the City's parks.

3.3 Encourage community engagement in the enhancement of the City's park system.

The City desires to encourage donations of monuments, markers, plaques or memorials while at the same time managing aesthetic impacts and mitigating on-going maintenance cost.

4. Acceptance Criteria:

The City will use the following criteria in the evaluation of proposed monuments, markers, plaques and memorials:

4.1 No monument, marker, plaque or memorial will be placed in a City park unless it is consistent with this policy or any park-related administrative rules of the City.

4.2 Monuments, markers, plaques or memorials will only be considered for placement by the City if they do one of the following:

- a. Commemorate places or historical events of national or local significance.
- b. Commemorate a community association and/or group that has contributed significantly to Salt Lake City.
- c. Commemorate a deceased individual who contributed significantly to Salt Lake City.

4.3 A monument, marker, plaque or memorial will not be considered for placement if the City believes it would be considered offensive to the inhabitants of the City.

4.4 A monument, marker, plaque or memorial will not be considered for placement if the purpose is to promote a political cause, issue or event.

4.5 The City shall not place a monument, marker, plaque, or memorial in a City park that conveys a message that religion or a particular religious belief is favored or preferred or results in an excessive entanglement of the City with religion.

4.6 The City may allow donors to place a small donor recognition plaque on the monument, marker, plaque or memorial. The City will determine the size of the donor recognition plaque.

4.7 The monument, marker, plaque or memorial must have a logical connection to the specific site where it is to be placed.

5. Assessment and Approval Process:

The City and its citizens value parks and public lands. Therefore any request to add a monument, marker, plaque or memorial will be carefully assessed to ensure that what is being proposed protects the integrity of the City's parks.

The assessment and approval process is as follows:

- 5.1 An individual, group or business proposing to place a monument, marker, plaque or memorial in a City park must submit a detailed application to the City's Public Services Department. The applicant must provide the following information:
- a. The design/structure, etc. of the monument, marker, plaque or memorial.
 - i. A view in its finished condition or as a model.
 - ii. A view of any inscriptions or pictures that may appear on the monument, marker, plaque or memorial.
 - iii. Materials used to construct the monument, marker, plaque or memorial, which must be of high quality to ensure a long life, and be resistant to the elements, wear and tear, and to acts of vandalism.
 - b. The suggested location of the monument, marker, plaque or memorial.
 - i. Public input regarding the placement of a monument, marker, plaque or memorial at a particular location may be required by the City.
 - c. If construction is required, a proposed time frame for the construction to begin and end.
 - d. A detailed explanation of how the proposed monument, marker, plaque or memorial meets the objectives and criteria of this policy.
- 5.2 The Public Services Department will review the application to determine if the proposed monument, marker, plaque or memorial meets the criteria and objectives of this policy. Public Services will not consider the proposed monument, marker, plaque or memorial if it does not meet the stated objectives and criteria of this policy.
- 5.3 The Public Services Department will determine the appropriate location for the proposed monument, marker, plaque or memorial in consultation with the applicant. The location may be different than what the applicant proposed.
- 5.4 The Public Services Department will ensure that the design of the monument, marker, plaque or memorial respects the natural environment of the park in which it will be located. It will also ensure that maintenance and operating implications of the design will be considered before approval.
- a. The City also has an interest in ensuring that on-going maintenance costs do not negatively impact the resources available for maintenance of other City parks.
- 5.5 If the Public Services Department approves the proposed monument, marker, plaque or memorial, the applicant shall construct/install the monument, marker, plaque or memorial and must agree to pay the full cost of designing, building and installing the monument, marker, plaque or memorial. The applicant will also be responsible for future repair and maintenance of the monument, marker, plaque or memorial and shall pay the cost of such repair and maintenance.

5.6 The applicant must furnish acceptable Insurance coverage or appropriate bonding during the construction period and may be required to procure insurance for as long as the monument, marker, plaque or memorial resides on City property.

5.7 Once the monument, marker, plaque or memorial has been constructed/installed on City property it will be deemed as donated to the City and the City will own the monument, marker, plaque or memorial until such time that it is removed from City property.

5.8 If the monument, marker, plaque or memorial becomes damaged or destroyed, the donor shall repair or replace it within six months. If the donor lacks the necessary funds or resources to repair or replace the monument, marker, plaque or memorial within such six-month period, the applicant, subject to applicable legal restrictions, shall, unless otherwise directed by the City, remove the monument, marker, plaque or memorial within 30 days after the City gives, at the last known address of the donor, notice of damage or destruction, and the donor shall pay the cost of removal. If the monument, marker, plaque or memorial is not removed by the donor within 60 days of such notice, the City may dispose of the monument, marker, plaque or memorial based on then current City policies and procedures.

6. Removal and/or Relocation Process:

This section applies to both existing and new donations. The City reserves the right to remove and/or relocate donated monuments, markers, plaques or memorials when (a) they interfere with the site safety, maintenance or construction activities, (b) become unsightly due to vandalism or lack of maintenance and repair, or (c) if the law changes such that the monument, marker, plaque or memorial or its message would be treated solely as the speech of a private person rather than the governmental speech of the City. The City will send a registered letter to each identifiable donor notifying the donor of any action related to the disposition of the donation. In certain situations, such as safety or emergency situations, the notification may be made after the action taken. In the event a monument, marker, plaque or memorial must be permanently removed, the City will seek an alternative location consistent with this policy. If no such location can be found, the information contained on the monument, marker, plaque or memorial may be, at the donor's request, located on a memorial plaque set aside for this purpose at a designated location.

EFFECTIVE DATE (Date signed by Mayor): June 21, 2011

1.

City of Wyoming Parks

Dedication of Memorials & Objects Placement POLICY

City park areas and facilities within parks shall be named for geographic, natural, or historic feature of that park, local folk usage, historic events, to commemorate people who have made outstanding contributions to the City or persons of local historic outstanding civic service.

Guidelines & Conditions:

1. The individual, family, group or organization sponsoring a dedication/memorial must provide sufficient funds to the City to purchase, install, and maintain any memorial plaque or dedication object (e.g. bench, picnic table, play equipment, living trees, rocks, gardens, flagpoles, sculptures, etc.) associated with the recognition.
2. Plaques and markers located on City park property must be in accordance with City standards.
 - a) The location, size and writing on plaques require approval by the designated Park & Recreation Board and Public Works staff.
 - b) Designed to blend with the compliment of the existing park.
 - c) Plaque or marker must be made of bronze or any other pre-approved material by the City.
 - d) Each plaque, marker or memorial object request will be reviewed and by the Parks and Recreation Board and approved by the City Council.
 - e) Selection (with input from the petitioner), purchasing and installation of markers and objects will be coordinated by City.
3. If the dedication includes the gift of an object (e.g. bench, picnic table, play equipment, living trees, rocks, gardens, flagpoles, sculptures, etc.). the City will provide its regular standard of care and maintenance for the object.
4. If the object is damaged due to vandalism, becomes unusable due to age, wear, and tear, or is stolen, the City is not obligated to replace or repair the object.
5. If necessary, due to repair of surround areas, construction or redesign of a facility, the plaque or dedication object may be relocated. If the plaque or other dedication object cannot continue to be reasonably maintained, it may be removed by the City.
6. If the dedication includes the gift or a tree or other plant the City will provide its regular standard of landscape care for the tree. If the tree does not survive, the City is not obligated to provide a replacement.
7. The City will not be responsible for upkeep, repair or replacement of any dedication or memorial plaque whose placement was not sponsored by the City. Dedication or memorial plaques may not be placed in or on City facilities without written City approval.
8. The Park and Recreation Board will, on behalf of the City Council, oversee the provisions of this policy. The City Council will refer naming or dedications in public park, recreation and open space areas and facilities to the Park and Recreation Board for recommendation. The Park and Recreation Board will initiate the naming of new facilities and their features. The City Council will be advised of dedications covered by this policy and asked to confirm facility names.

9. When naming a park or recreational facility for a outstanding individual, is allowed posthumously (at least 3 years since date of passing), and where that person's significance and good reputation have been accepted in the Cities, Counties, State's and/or Nations history.
10. When considering the naming of a park, recreational facility, trail or natural area after a person, consideration will be given when:
 - a. The person was exceptionally dedicated or demonstrated excellence in service in ways that made a significant contribution to the land, community, Wyoming Parks & Recreation, the City of Wyoming, State of Minnesota or the United States.
 - b. The person volunteered and gave extraordinary help or care to individuals, families, or groups, or support to the community.
 - c. The person risked his or her life to save or protect others.
11. A guideline, the threshold for considering the naming of a Park asset will include one or more of the following:
 - a. Land for the majority of the park was deeded to the City by the donor.
 - b. Contribution of a minimum of 50% of the capitol construction costs associated with developing the park/recreational facility.
12. Any individual, family, group or organization can apply for a dedication of memorials and objects in a Wyoming City park in honor of, individuals, groups or organizations that has contributed to the facility or community.
13. Dedications are encouraged to be in the form of facility improvements or enhancements. The approval, placement, and identification of these dedications will be at the discretion of the Parks and Recreation Board and the City Council.
14. Requests must be done so in writing (see Process). Approval is subject to the following guidelines and conditions.

The Process & Procedures

1. All requests to the dedication of memorials in a Wyoming City Park must be submitted in writing to the office of the City Administrator.
2. At a minimum, the attached application form must be completed. Additional information (photos, brochures, area map, drawings, etc.) is recommended.
3. The City Administrator will then transmit the form and supporting documents to the Parks & Recreation Board for review.
4. Application for a dedication/memorial will be reviewed by the Park & Recreation Board at a regular scheduled meeting.
5. The City Administrator will notify the petitioner of the date for Park & Recreation Board consideration.
6. After action has been taken on the request by the Parks & Recreation Board, the recommendation will be sent to the City Clerk to be placed on the City Council agenda.
7. The Clerk will notify the petitioner of the date for Council for approval.

CITY COUNCIL MEETING – October 10, 2019
CITY MANAGER REPORT

1. Financial Report

Last month's summary will be forthcoming- City Accountant has been at CIS training/workshop.

2. Lincoln County Sheriff

Last month's Sheriff's report is attached.

3. City Hall Phone Number: 541-563-3561 / fax 563-1032

4. Scenic Byway Kick-Off Event

Postponed to probably when APP and GIS interpretive component are ready.

5. Open Space Workshop

Reminder: Open Space Workshop scheduled for October 8th at 6 pm in Council Chamber.

6. Housing Policy Meeting

On October 17th from 3 – 5 pm in Newport is the next meeting of the County policy makers group discussing next steps for affordable/workforce housing development.

7. Dispute Resolution – Open House

Please see attached flyer on an upcoming event being held by Lincoln Community Dispute Resolution, also on October 17th.

8. Public Health – Needle Exchange

I met with Councilors Holland and Virtue and I am following up with Lincoln County Health and Human Services for a more definitive program request for consideration by the City. In addition, we will be looking at various policy angles for consideration regarding the City's role and responsibilities with respect to providing or supporting public social services in the community.

9. Homelessness Grant Monies – Lincoln County

Please see attached email and letter from Commissioner Jacobson regarding grants for homelessness infrastructure. Also attached is information provided by the Lincoln County School District. This matter also ties in with our social and community services policy discussion mentioned above in #8.

10. Opioids Class Action Lawsuit

Please see attached notice regarding participation in a class action litigation on opiate prescriptions. I also checked on the website and printed out the flowchart and our potential allocation, which are both attached in front of the notice and Q&A that was sent via mail. I will review this matter with the City Attorney and our neighboring cities and the county for feedback, but it appears to me, at least initially, that it may benefit us to simply stay engaged rather than opting out.



OFFICE OF THE SHERIFF

Sheriff Curtis L. Landers

251 W. Olive Street
Newport, Oregon 97365
Records (541) 265-4912
Civil (541) 265-4915
General (541) 265-4277
Fax (541) 265-4917

MEMORANDUM

DATE: October 3, 2019
TO: Waldport City Council / Kerry Kemp, City Manager
FROM: Brian S. Cameron, Patrol Commander
RE: **WALDPORT NEWS BRIEF – September 2019**

SHERIFF OFFICE NEWS

In December 2018, the decision was made to no longer allow our deputies to conduct field drug testing. The process in the past involved using a Narcotic Identification Kit ("NIK") to positively identify controlled substances such as heroin and methamphetamine. With the rise of the potent drug Fentanyl being introduced to opioids, the risk of exposure to our deputies had greatly increased in recent years. The NIK test required the deputy to remove a sample of the controlled substance from its packing material and place it in the NIK, putting the deputy in close contact to the drug and increasing the chance of exposure.

I reported in January 2018, we felt the solution to continue testing drugs in the field would be resolved by using a device called TruNarc, which allowed deputies to test suspected controlled substances without removing it from its packaging. After training was provided on this product by another agency, we learned of several limitations, combined with a \$22,000 price tag, it no longer seemed to be a viable solution.

Another state-of-the-art product was identified by Detective Abby Dorsey called Detectachem. Detectachem has similar benefits of TruNarc, which allows for testing on the outside of the packaging and only cost about \$3.50 per test. In September all of our deputies received training on Detectachem and they are currently being deployed in all of our patrol vehicles. I am aware of a drug arrest that was made by two of our deputies the same day they received the training.

CALLS FOR SERVICE

During the month of September, the City of Waldport represented **45%** of all Sheriff's Office activity in South Lincoln County, which is down from **54%** last month. Sheriff Deputies responded to or initiated **178** calls for service in the City of Waldport, which is down from **217** calls last month. Of the **178** calls, five (**5**) resulted in arrests for criminal offenses. The arrests ranged from Violating a Restraining Order, Interfere with Making a Report, Harassment, Assault in the 4th Degree, Violation of a No Contact Order and several warrant arrests (one arrestee faced four separate charges).

TRAFFIC ENFORCEMENT

The City of Waldport requests traffic offenses, which occur inside the city limits, be issued into Waldport Municipal Court. There were **42** traffic stops, resulting in **14** citations. This is down from **26** citations issued the prior month. A sample of some of the citation's issued included speeding, driving while suspended, fail to obey a traffic control device, fail to register vehicle and failure to properly use safety belt. I reviewed the locations where the citations were issued and noted they occurred on Highway 101 at various cross streets, Cedar Street, NE Broadway Street, South Crestline Drive and NW Hemlock Street.

TRENDS AND NOTABLE EVENTS

To identify trends each month I use a combination of statistical information and firsthand knowledge from the deputies and supervisors working in Waldport and South Lincoln County.

The crime definition of the month is **Interference with Making a Report**. A person commits the crime of Interference with Making a Report if the person, by removing, damaging or interfering with a telephone line, telephone or similar communication equipment, intentionally prevents or hinders another person from making a report to a law enforcement agency, a law enforcement official or an agency charged with the duty of taking public safety reports. This crime is commonly seen in domestic situations where one party prevents the other from calling the police.

On September 12, 2019, at 8:10pm, Deputy Cody Tadlock was dispatched to a welfare check in the 800 block of NE Broadway Street. The call was initially classified as a welfare check because it came in second hand and dispatch was not clear what the problem was. Upon Deputy Tadlock arrival, he learned there had been a disturbance at the home and when one of the resident's attempted to call 911, the suspect caused physical pain to remove the phone from his hand and then destroyed the phone, denying him the ability to make a report to a law enforcement agency. As a result of Deputy Tadlock's investigation, he located the suspect and Waldport resident the next evening and placed him in custody for **Interference with Making a Report**, Assault in the 4th Degree (felony), Harassment and an Indictment Warrant.

On September 16, 2019, at 7:37am, Sr. Deputy David Boys responded to a trespass complaint at the Waldport Post Office. Sr. Deputy Boys learned the two adult males at the Post Office were having vehicle problems and were attempting to make repairs. A routine check of their names revealed one of the men had a Lincoln County Warrant for his arrest with the charge of Probation Violation. The charge of Probation Violation generally occurs when you are not fulfilling the conditions of your probation. The original charge and why the subject was on probation was listed as Theft 3, which is a theft with a value less than \$100.00. The resident of Waldport was issued a citation to appear in court later in September.

UPCOMING EVENTS

Overtime has been posted to ensure a safe Homecoming event for Waldport High School on October 5th at the Yachats Commons.

Various Halloween event around the county.

Have a great October.

Kerry Kemp

From: PAADA Youth Projects Coordinator <paadadfcyouth@gmail.com>
Sent: Wednesday, October 02, 2019 3:47 PM
To: Kerry Kemp
Subject: Dispute Resolution event invitation
Attachments: invitation to LCDR event.pdf

Hello Kerry,
Attached is an invitation to Lincoln Community Dispute Resolution's upcoming event. We will be showcasing our county-wide services and acknowledging our volunteers and community partners. Our state legislators plan to attend to show support. I hope you can attend on behalf of City of Waldport!

Regards,
Mindy Baxter, Chair
LCDR Board of Directors

--

Mindy Baxter, Coordinator
RESTORATIVE JUSTICE PROGRAMS of Lincoln County
PO Box 2401, Newport Oregon 97365
541-574-2995 **PAADA** <http://PAADA.org>

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To: kerry.kemp@waldport.org
From: paadadfcyouth@gmail.com

Message Score: 15
My Spam Blocking Level: Low

High (60): **Pass**
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LINCOLN COMMUNITY DISPUTE RESOLUTION

Please join us for a showcase of Lincoln Community Dispute Resolution programs and recognition of our volunteers and community partners.

Senator Arnie Roblan and Representative David Gomberg will be in attendance to show their support for community dispute resolution centers state-wide, and to learn more about our active local programs.

Thursday, October 17th from 3:00-5:00 PM
Oregon Coast Community College, Newport
Room 151

Light refreshments will be served

Please RSVP to Mindy Baxter
paadadfcyouth@gmail.com
541-574-2995

Kerry Kemp

From: Kaety Jacobson <kjacobson@co.lincoln.or.us>
Sent: Wednesday, September 25, 2019 3:10 PM
To: Carla Duering; Kerry Kemp; Ronald Chandler; Shannon Beaucaire; sheryl simmons; Spencer Nebel; Wes Hare; dan.cutter@waldport.org; Dean Sawyer; Dick Anderson; John Moore; Robert Gambino; Rod Cross; Willie Worman; Gray, Dr. Karen; Katey Townsend
Cc: Wayne Belmont
Subject: Homelessness infrastructure Grant
Attachments: Letter to cities and LCSO.pdf
Categories: Council Agenda

Dear City Managers, Mayors, and Lincoln County School District,

Please see the attached letter in regards to a new 60k grant program Lincoln County is offering to cities and the school district to address homelessness infrastructure. We are excited to see your proposals.

Respectfully,

--

Kaety Jacobson
Lincoln County Commissioner
Lincoln County Courthouse
225 West Olive Street, Room 110
Newport, OR 97365
KJacobson@co.lincoln.or.us
Office: (541) 265-4100
Cell: (541) 270-5128

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To: kerry.kemp@waldport.org [Remove](#) this sender from my allow list
From: kjacobson@co.lincoln.or.us

You received this message because the sender is on your allow list.



Commissioner Kaety Jacobson

Courthouse, Room 110
225 W. Olive Street
Newport, Oregon 97365
(541) 265-4100
FAX (541) 265-4176

25 September 2019

Dear Mayors, City Managers, and LCSO Superintendent,

I am pleased to announce that after many months of internal and external conversations, Lincoln County is now offering a total of \$60,000 to cities and the Lincoln County School District for projects related to homelessness infrastructure. We are loosely defining homelessness infrastructure as "hard" projects such as purchasing or modifying a building to house the homeless, buying or renting portable restrooms to serve the homeless or other projects that provide infrastructure that serves our homeless population, including homeless students. This grant is different from our existing social service grant program and represents additional monies from the county to work on this critical issue.

Application Requirements:

As of receiving this letter, the application period is open for this grant. It will close either when all 60k is committed or at the end of the fiscal year, whichever comes first. The theme of this grant may change in the following fiscal year, so we can strategically address different issues Lincoln County is facing.

Applications must be made directly by a city or the school district, though they may work with a nonprofit partner to complete the project.

Dollars must be spent on homelessness infrastructure. Disallowed expenses include ongoing expenses incurred by a city or school district because of homelessness (trash cleanup for example), and ongoing expenses from a nonprofit agency that serves the homeless population.

Requests below \$2,000 do not require a cost match. Requests over \$2,000 require a 50% cost match from the city or school district. In other words, if you ask for 10k, you are expected to also put in 10k from your entity's budget.

The maximum amount any entity can ask for is 20k.

To make a request, please put together a one-page letter, outlining the proposed project, how it addresses homelessness infrastructure, and a proposed budget. Email proposal to County Commissioner Kaety Jacobson at KJacobson@co.lincoln.or.us and Legal Counsel Wayne Belmont at WBelmont@co.lincoln.or.us. Please feel free to reach out to me, or Wayne, if you have any questions about this opportunity.

Respectfully,

A handwritten signature in blue ink, appearing to read "Kaety Jacobson", with a long horizontal line extending to the right.

Kaety Jacobson, Lincoln County Commissioner



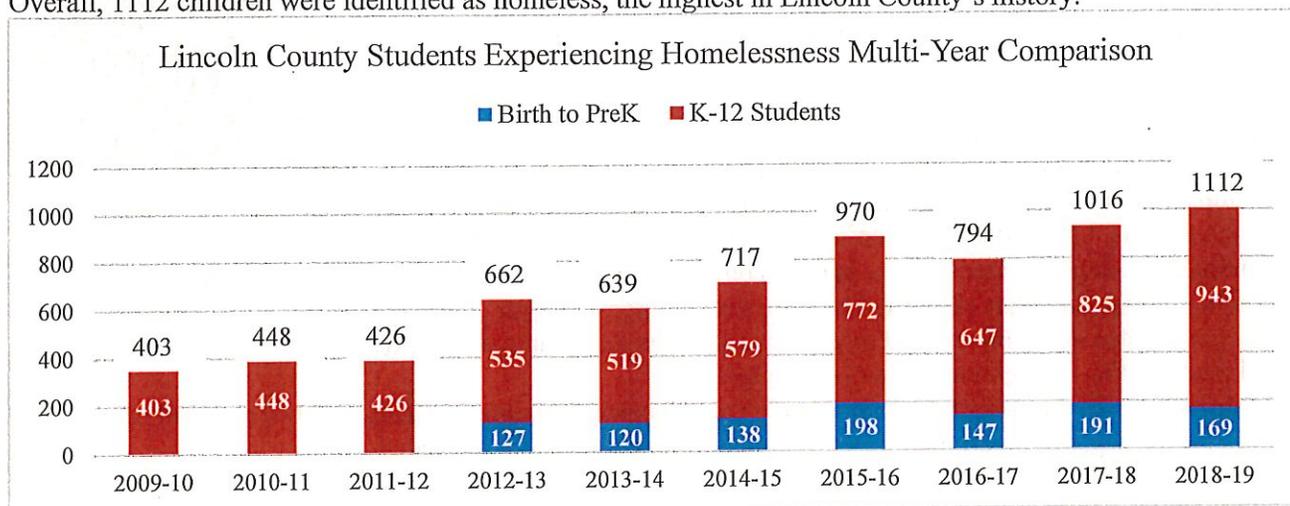
LINCOLN COUNTY SCHOOL DISTRICT



The Homeless Education & Literacy Project (HELP) is a program of Lincoln County School District (LCSD) designed to help homeless students overcome barriers to school attendance and academic success. The McKinney – Vento Homeless Education Act defines homeless students as those who “lack a fixed, regular and adequate nighttime residence.” The heart of the McKinney-Vento Act is to provide school stability and equal access to education for students living in unstable living situations.

The Numbers

Lincoln County has the highest per capita rate of homelessness among children out of all counties in the state (Children First for Oregon, Status of Oregon’s Children 2018). During 2018-19, in grades K-12 there were 943 homeless students or 17% of Lincoln County’s student population. Students that were unaccompanied (not under the supervision of a parent or guardian while homeless) accounted for 135 of the homeless students. Lincoln County’s McKinney-Vento staff identified an additional 169 homeless children from birth to five years old. Overall, 1112 children were identified as homeless, the highest in Lincoln County’s history.



PreK-12 th Grade Children Experiencing Homelessness 2018-19					
	Doubled Up	Motel	Shelter	Unsheltered	Total
East County	135	6	2	68	211
North County	231	7	24	86	348
South County	105	1	18	31	155
West County	294	17	34	53	398
Grand Total	765	31	78	238	1112
Percentage by living situation	69%	3%	7%	21%	

Living situations

- 1) Doubled Up due to loss of housing, economic hardship or similar reasons.
- 2) Motel/hotel due to lack of alternative, adequate accommodations.
- 3) Emergency or transitional shelter.
- 4) Unsheltered includes living in cars, campgrounds, abandoned buildings, substandard housing, trailer parks, bus or train stations, or public or private place that is not designed for humans to live, due to lack of alternative adequate accommodations.

Please note that many families switch between the various McKinney-Vento homeless living situations. Students are placed in a category of homelessness based on the first referral we receive. There are very high rates of mobility between the different categories of homelessness.



LINCOLN COUNTY SCHOOL DISTRICT



McKinney-Vento Act Compliance: Four Advocates and Coordinator ensure federal law is followed and that all homeless children have equal access to education.

Duties include: outreach to students; staff training; ensure immediate enrollment and retention in school; assist students with school fees, immunizations, birth certificates, free meal programs, college financial aid; arrange special transport to school of origin.

HELP Centers and Services to Families

Four HELP Centers provide basic needs resources and educational programs, filling gaps in the community to meet students' needs. HELP Centers are a stable place for students and families to get support. Many of the programs also benefit non-homeless students.

- **School Supplies:** School supplies are offered to every student facing homelessness.
- **Clothing Closet & Basic Resources:** Donated school clothing, shoes, hygiene supplies, household items, and blankets.
- **Basic Assistance Funds:** Donation funds are utilized when there is no other community resource available. Examples include shoe/clothing gift cards, sports gear, hygiene supplies, household items, lost textbooks, camping gear, graduation caps and gowns.
- **Tutoring:** Tutoring provided to K-12 students on an as needed basis or referred to free after school programs.
- **Learning is Fun Together (LIFT):** Kindergarten readiness class for children ages 3-5 and their parents. The target populations are homeless and low-income families that cannot afford pre-K programs and are on the Head Start waiting list. Bilingual class in Newport.
- **Job Opportunities for Youth (JOY):** Students earn income, gain job/life skills, and work toward career goals with the support of caring mentors. Drop-out prevention. Referral needed.
- **Juvenile Crime Prevention (JCP):** Case management of high risk youth ages 10-17 with high risk factors. Students are referred to services such as family or individual counseling, family mediation, drug and alcohol counseling, tutoring, student work, after-school activities, etc.
- **Read & Feeds:** Family meals with a focus on literacy activities. Church volunteers and community groups donate their time, space, supplies and food.
- **East County Backpack Program:** HELP provides oversight of the East County backpack program sending home weekly backpacks full of nutritious meals.
- **Student & Family Workshops:** HELP has partnered with a wide-variety community partners to host workshops that are based on the interests and needs of students and families. Examples include workshops on healthy cooking, parenting classes, and budgeting.
- **Compass Center Family Outreach:** Every Monday afternoon, families and students are invited to visit the Compass Center to access resources and services from the HELP Program and community partners.



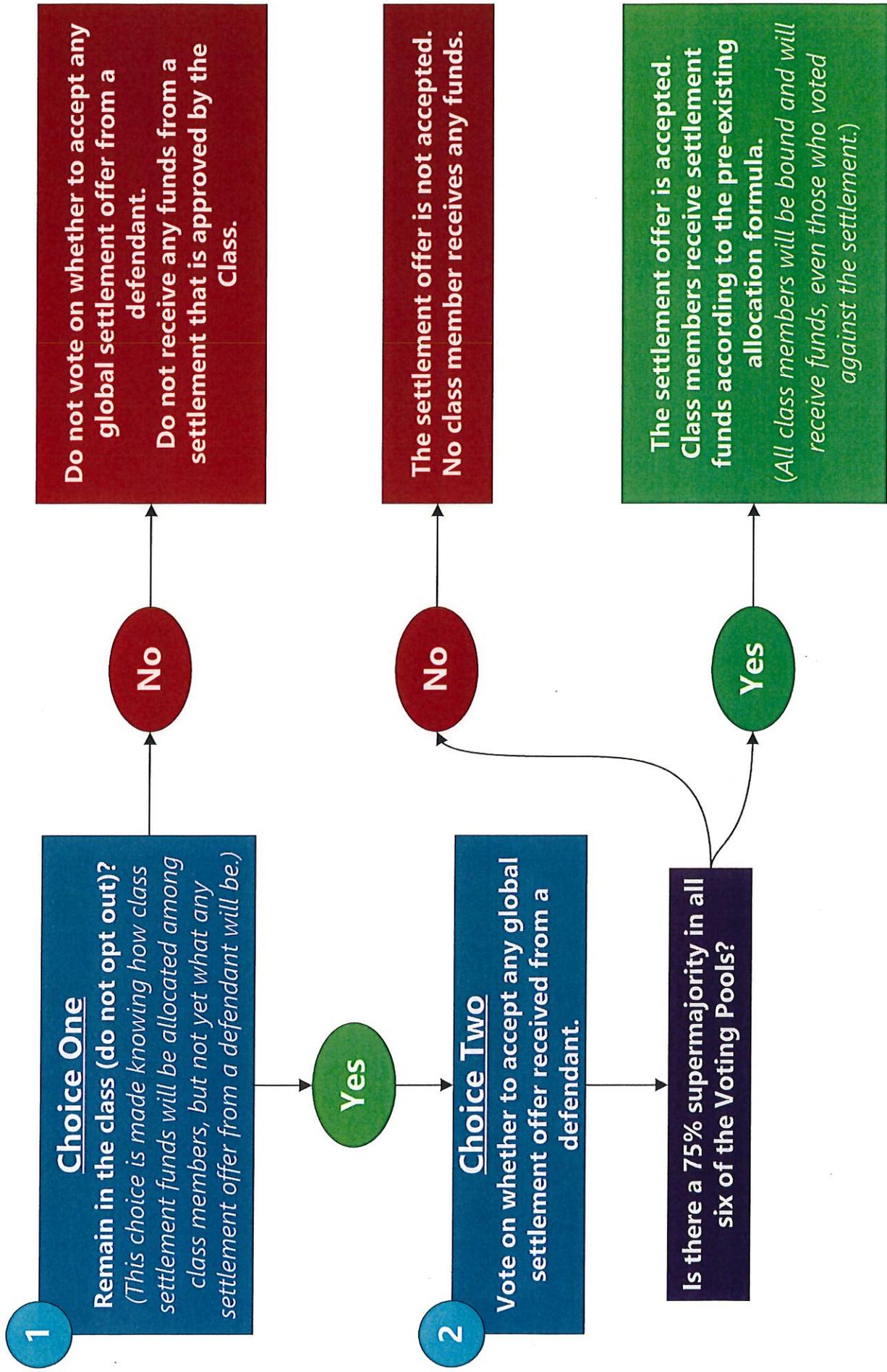
HELP Coordinator – Katey Townsend, 541-265-4506

<https://lincoln.k12.or.us/resources/family/homeless/>

East County HELP Center – 541-336-4357; Newport HELP Center – 541-574-5824;

North County HELP Center – 541-996-4878; South County HELP Center 541-563-8583

Cities/Counties Negotiation Class Flowchart



In Re: National Prescription Opiates Litigation (<http://www.opioidsnegotiationclass.info/>)

MDL No. 2804 (N.D. Ohio)

Allocation Map

Select a State and County, then press Submit. The allocation amount is based on a hypothetical \$1 billion gross settlement for Counties and Cities, of which \$150 million will be reserved for the Class Members' Special Needs Fund⁽ⁱ⁾ and \$100 million will be reserved for a Private Attorneys' Fee Fund⁽ⁱⁱ⁾, which results in \$750 million for the Initial Distribution to Counties & Cities. If you have questions regarding the allocation process, please click [FAQs](http://www.opioidsnegotiationclass.info/Home/FAQ) (<http://www.opioidsnegotiationclass.info/Home/FAQ>) in the menu above.



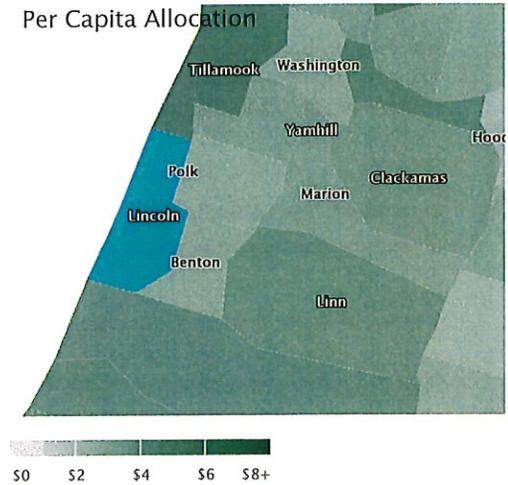
State*

Oregon

County*

Lincoln County

Per Capita Allocation



County-level Allocation for Lincoln County*

Total Allocation Value: \$202,944 Per Capita Value** \$4.40

* This Initial Distribution will be shared between the county and all incorporated municipalities within the county.

** "Per Capita Value" refers to the amount the county would receive per resident based on a hypothetical \$1 billion gross settlement for Counties and Cities. The per capita value was calculated by dividing the allocation to the county by the county's population

The county and the cities within the county will have the opportunity to reach agreement on how the county-level allocation will be shared amongst them. If the county and cities are unable to reach agreement, the funds will be distributed as shown in the table below, according to the default intra-county allocation formula explained in [FAQ 12](http://www.opioidsnegotiationclass.info/Home/FAQ#faq12) (<http://www.opioidsnegotiationclass.info/Home/FAQ#faq12>). Under the default intra-county allocation formula, when a city's share is less than \$500, that amount will instead be distributed to the county in which the city lies to allow practical application of the abatement remedy. Affected cities could seek recovery through intra-county allocation, see [FAQ 12](http://www.opioidsnegotiationclass.info/Home/FAQ#faq12) (<http://www.opioidsnegotiationclass.info/Home/FAQ#faq12>), or from the Class Members' Special Needs Fund, see [FAQ 20](http://www.opioidsnegotiationclass.info/Home/FAQ#faq20) (<http://www.opioidsnegotiationclass.info/Home/FAQ#faq20>). In the rare circumstance that a city with a share of less than \$500 lies in a county that does not have a county government, the amount would instead go to the Class Members' Special Needs Fund, and Class members could seek recovery from that Fund.

Lincoln County	\$148,222
Depoe Bay	\$1,145
Lincoln City	\$22,693
Newport	\$22,651
Siletz	\$14
Toledo	\$7,890
Waldport	\$311

Yachats

\$19

*** This city crosses county borders. To get this city's default allocation for all associated counties, select each associated county in turn from the County list above.

ⁱApplications may be made to the Special Needs Fund by any Class member. Distributions from the Special Needs Fund to Class members are allowed for: (1) a Class member to recover its own costs of litigating its lawsuit; and (2) to obtain additional relief for any local impact of the opioids crisis that is not captured by the Class member's automatic allocation. Applications will be made to and approved by a court-appointed Special Master, on a case-by-case basis. Any unawarded amount remaining in this Special Needs Fund would revert to the Class.

ⁱⁱThe Private Attorneys' Fee Fund (up to but no more than 10% of any Class settlement) is intended to address county and city private counsels' attorneys' fees obligations in lieu of contingency fee contracts. See [FAQ 10](#) (<http://www.opioidsnegotiationclass.info/Home/FAQ#faq10>) for more information.

[Contact Us \(http://www.opioidsnegotiationclass.info/Home/ContactUs\)](http://www.opioidsnegotiationclass.info/Home/ContactUs)

[Privacy Policy \(http://www.opioidsnegotiationclass.info/Home/Privacy\)](http://www.opioidsnegotiationclass.info/Home/Privacy)

[Terms of Use \(http://www.epiqglobal.com/terms-of-use\)](http://www.epiqglobal.com/terms-of-use)

Questions? Contact the Administrator at Info@OpioidsNegotiationClass.info (<mailto:Info@OpioidsNegotiationClass.info>).

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**CLASS ACTION NOTICE AND FREQUENTLY ASKED
QUESTIONS (“FAQs”)**

**To: All U.S. Counties, Cities, and Local Governments as
listed at www.OpioidsNegotiationClass.info**

A court authorized this notice. This is not a solicitation from a lawyer.

- Counties and cities across the country have sued manufacturers, distributors, and retailers of prescription opiate drugs seeking, among other things, reimbursement for monies spent addressing the opioid crisis. All federal actions have been centralized into one court in Ohio and are entitled, In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio). Additional cases are pending in state courts.
- The Court in In re: National Prescription Opiate Litigation has certified a voluntary “Negotiation Class” (“Class”). The Class is defined as: **all counties, parishes, and boroughs (collectively, “counties”); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively “cities”)**. The Class includes all counties and cities, whether they have filed a lawsuit or not. The complete current list of Class Members is available at the Class website: www.OpioidsNegotiationClass.info. This list may be updated as the Court may order.
- **NO SETTLEMENT HAS BEEN REACHED. HOWEVER, IF YOUR COUNTY OR CITY STAYS IN THE CLASS**, it will be bound if a Class settlement is approved in the future. Your county or city will likely **NOT** be provided another opportunity to be excluded from this Class action, so you should read this notice carefully and consult with your counsel regarding your county or city’s rights.
- The Court has certified two Racketeer Influenced and Corrupt Organizations Act (“RICO”) claims under Rule 23(b)(3) and two Controlled Substances Act (“CSA”) issues under Rule 23(c)(4). (see FAQ 7). The Class is certified solely to consider and vote on any future settlement offers made to the Class by one or more of 13 defendants (see FAQ 5). The purposes of the Class are (a) to unify cities and counties into a single negotiating entity to maximize their bargaining power and (b) to provide finality to opioids litigation for any settling Defendant.
- This Negotiation Class will not decide any claims or defenses in opioids litigation on the merits. It is certified as a Negotiation Class only, to facilitate Class Members’ approval or rejection of proposed settlements. There are no proposed settlements at this time, and no guarantee that there will be in the future. **However, your legal rights are affected and it is recommended that you consult with counsel regarding the choice you have to make now.**



YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

<p>STAY IN THE CLASS</p> <p>REQUIRES NO ACTION</p>	<p>Stay in the Class. Await the negotiation outcome, but retain the right to pursue your own lawsuit in the meantime. Give up certain rights if a Class settlement is reached and approved by the Class and Court, but get a share of any Class settlement.</p> <p>By taking no action in response to this Notice, you remain in the Class. As a Class Member, you will still retain your right to pursue your own case unless and until any possible Class settlement is approved by the Court. As a Class Member, you have the right to vote on any settlement proposed to the Negotiation Class. A settlement will not be accepted unless supported by 75% of the voting Class Members, counted by number, population, and allocation, for both litigating and non-litigating entities, and approved by the Court. Settlement funds will be distributed at the county level and each county's share – and city's suggested share – can be viewed now by utilizing the Allocation Map at the Class website, www.OpioidsNegotiationClass.info. If the Court approves any settlement, that judgment will prohibit Class Members from suing the settling Defendant(s) about the claims and issues in the litigation.</p>
<p>REMOVE YOURSELF FROM THE CLASS</p> <p>REQUIRES ACTION BY NOVEMBER 22, 2019</p>	<p>Get out of the Class. Get no portion of any settlement. Keep rights.</p> <p>Those who exclude themselves from the Class cannot vote on, will not have the right to be paid under, and will not be bound by, any Class settlement. You keep any rights to negotiate separately about the same legal claims in this lawsuit, even if the Court approves a settlement for the Class. Class Members may exclude themselves from ("opt out" of) the Class by having an authorized officer or employee complete and sign the Exclusion Request Form enclosed here and submit it on or before November 22, 2019 by email or mail in accordance with the instructions in FAQ 26 below.</p>

- Class representatives and Class counsel will represent the Class in negotiations with Defendants who choose to do so. You may enter an appearance through an attorney (at your own expense) if you desire, but it is not required. Class Membership does not eliminate existing agreements with individual counsel. The procedure for payment of Class/common benefit attorneys' fees/costs in connection with any Class settlement must be approved by the Court. Details of the proposed options and procedures for fees and costs are posted on the Class website.
- For complete information on the Class, the settlement allocation formulas, the Class certification motion and Order, the list of included Class Members, the voting process to be used by the Class in accepting or rejecting any Class settlement offer, and an Allocation Map determining your allocation of any proposed settlement, go to www.OpioidsNegotiationClass.info. Important information on the Opioids-related litigation, including all pertinent Orders and Schedules, and Frequently Asked Questions, will be available on the Class website on an ongoing and current basis.

Your rights and options are further explained below.

Any questions? Read on and visit www.OpioidsNegotiationClass.info.

DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION

Questions? Visit www.OpioidsNegotiationClass.info

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BASIC INFORMATION

1. Why is a Negotiation Class being formed? What is its purpose?

The purpose of the Negotiation Class is to create a cohesive group of cities and counties to negotiate Classwide settlements, on a voluntary basis, with Defendants who make, distribute, or sell opioids nationwide. Class Representatives and Class Counsel will represent the Negotiation Class. Class Members will vote on any Class settlement proposal. If 75% of those Class Members who vote (as described in FAQ 18 and 19 below) support a proposed Settlement, Class Counsel will ask the Court to approve it. The ultimate purpose of the Negotiation Class is to make settlement easier to obtain.

2. Is this the first Negotiation Class Action?

Yes. This is a new use of the Class action mechanism under Federal Rule of Civil Procedure 23, reflecting the unique nature of the national opioids litigation. Unlike any mass litigation before, thousands of cities and counties nationwide are pursuing claims against major defendants. The goal is to recover money to help fight the opioids epidemic, provide prevention and treatment services going forward, and change Defendants' practices.

3. Why use a Class mechanism?

Joining all cities and counties together as a Negotiation Class gives them maximum negotiating power, makes the negotiation of comprehensive settlements a more practical process, enables Defendants to know the group with which they are negotiating, and enables Class Members to vote on resulting settlement offers.

4. Who are the Class Representatives?

The Court has authorized the following 49 counties and cities to serve as the Negotiation Class's Class Representatives: (1) County of Albany, New York; (2) City of Atlanta, Georgia; (3) Bergen County, New Jersey; (4) City of Baton Rouge/East Baton Rouge Parish, Louisiana; (5) Broward County, Florida; (6) Camden County, New Jersey; (7) Cass County, North Dakota; (8) City of Chicago, Illinois; (9) Cobb County, Georgia; (10) City of Concord, New Hampshire; (11) Cumberland County, Maine; (12) City of Delray Beach, Florida; (13) Denver, Colorado; (14) Escambia County, Florida; (15) Essex County, New Jersey; (16) County of Fannin, Georgia; (17) Franklin County, Ohio; (18) Galveston County, Texas; (19) County of Gooding, Idaho; (20) City of Grand Forks, North Dakota; (21) County of Hennepin, Minnesota; (22) City of Indianapolis, Indiana; (23) County of Jefferson, Alabama; (24) Jefferson County/City of Louisville, Kentucky; (25) Jersey City, New Jersey; (26) Kanawha County, West Virginia; (27) King County, Washington; (28) City of Lakewood, Ohio; (29) City of Los Angeles, California; (30) City of Lowell, Massachusetts; (31) City of Manchester, New Hampshire; (32) Maricopa County, Arizona; (33) Mecklenburg County, North Carolina; (34) The Metropolitan Government of Nashville and Davidson County, Tennessee; (35) Milwaukee County, Wisconsin; (36) Monterey County, California; (37) City of Norwalk, Connecticut; (38) County of Palm Beach, Florida; (39) Paterson City, New Jersey; (40) City of Phoenix, Arizona; (41) Prince George's County, Maryland; (42) Riverside County, California; (43) City of Saint Paul, Minnesota; (44) City of Roanoke, Virginia; (45) County of Rockland, New York; (46) City and County of San Francisco, California; (47) County of Smith, Texas; (48) County of Tulsa, Oklahoma; and (49) Wayne County, Michigan.

5. Who are the Defendants?

The Court has authorized the Negotiation Class to negotiate with 13 Defendants (including their affiliates): (1) Purdue, (2) Cephalon, (3) Endo, (4) Mallinckrodt, (5) Actavis, (6) Janssen, (7) McKesson, (8) Cardinal, (9) AmerisourceBergen, (10) CVS Rx Services, Inc., (11) Rite-Aid Corporation, (12) Walgreens, and (13) Wal-Mart. The Negotiation Class is authorized to negotiate settlements with any of these 13 Defendants, on any of the claims or issues identified below in FAQ 7, or other claims or issues arising out of the same factual predicate. If Class Counsel seek to negotiate for the Class with any other defendants, they can file a motion asking the Court to amend the Class certification order.

6. Has a Class settlement been reached with Defendants yet?

No. No Class settlement has been reached yet with any Defendant. But the existence of a Negotiation Class makes the possibility of Class settlement more feasible because a Defendant will know the group with which it is negotiating. There is no guarantee, however, that there will be a Class settlement and it is possible that there will be settlements that do not encompass the Class, such as settlements between one or more Class Members and one or more Defendants.

THE CLASS CLAIMS AND ISSUES

7. What claims and issues are certified for the Negotiation Class?

In this Negotiation Class, the Court certified two federal Racketeer Influenced and Corrupt Organizations Act (“RICO”) claims and two federal Controlled Substances Act (“CSA”) issues. The RICO claims and the issues related to the CSA are similar across the country and the Class. The first RICO claim alleges that five Defendants misled physicians and the public about the need for and addictiveness of prescription opioids, all in an effort to increase sales. The second RICO claim alleges that eight Defendants ignored their responsibilities to report and halt suspicious opioid sales, all in an effort to artificially sustain and increase federally-set limits (quotas) on opioid sales. The CSA issues allege that the CSA required Defendants to create systems to identify, suspend, and report unlawful opioid sales, and that Defendants failed to meet those obligations. As noted in FAQ 5, above, the Negotiation Class is authorized to negotiate Class settlements concerning these claims and issues or other claims or issues arising out of the same factual predicate. **However, this Negotiation Class does not involve claims by State governments against the Defendants and no Class settlement will release or otherwise interfere with any State government’s current or future litigation. This Negotiation Class concerns claims only of counties and cities.** You can read more about these claims and issues in the Court’s Memorandum Opinion certifying this Class, which is posted at www.OpioidsNegotiationClass.info.

8. Has the Court decided any claims or issues?

No. The Court has not decided any Classwide claims or defenses on the merits and the Court will not render any Classwide decisions on the merits of any claims asserted by the Class or individual Members of it. By establishing this Negotiation Class and issuing this notice, the Court is not suggesting the Class would win or lose this case. This Class has been certified for negotiation purposes only.



WHO IS IN THE CLASS

9. What entities are included in the Negotiation Class?

The Negotiation Class is defined as:

All counties, parishes, and boroughs (collectively, “counties”); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively “cities”).

A complete current list of Class Members is available at www.OpioidsNegotiationClass.info. The list may be updated as the Court may order.

The terms “counties” and “cities” are used only as shorthand. The Class includes political subdivisions with other names, such as parishes, villages, towns, townships, etc. The list of Class Members was devised primarily from the U.S. Census Bureau lists of governmental entities that provide services to their residents. Check the Cities and Counties lists posted on the Class website to confirm whether you are a Negotiation Class Member.

10. Are counties and cities with state court-filed actions considered part of the Negotiation Class?

Yes. Counties and cities that sue in state court are Members of this Negotiation Class, with the option to opt out. However, nothing about Membership in the Negotiation Class interferes with the rights of any federal or state court plaintiffs to proceed with their own cases for litigation, trial, or individual settlement. Only if and when a Class settlement has been reached, has been approved by 75% of the voting Class Members as described in FAQ 19, and has been approved by the Court, would Class Members lose their ability to proceed on their own, in exchange for the settlement benefits that they would receive.

11. Will the Negotiation Class end the opioid litigation that my County or City has filed?

Not now and only if a Class settlement is later reached and approved. Your county’s or city’s Membership in the Negotiation Class will not immediately affect any opioid suit it has filed, whether in federal or state court. It also will not stop your county or city from filing or pursuing a lawsuit, and it will not affect any scheduled hearings or trials in any lawsuit. However, if there is a final Class settlement, approved by the required 75% of the voting Class Members and by the Court, the final settlement will likely end all other opioids-related litigation brought by Class Members. In the meantime, you do not need to opt out of the Class to file, continue to prosecute, or settle your own case, and you may keep any settlement or judgment you obtain. If any county or city obtains a judgment or settlement with a Defendant before the Negotiation Class does, however, it will not receive additional compensation through any later Negotiation Class settlement. But by remaining in the Class, your county or city does risk foregoing its own lawsuit (although it would obtain money from a Class settlement) if a Class settlement is reached and approved.

12. How does the Negotiation Class affect other types of opioid plaintiffs that are not counties or cities?

The Negotiation Class does not directly affect the litigation or settlement of the claims of other types of plaintiffs, such as Indian Tribes, third party payors, and others, that are proceeding in federal or state courts. These plaintiffs can organize themselves as groups or propose their own Classes, for trial or settlement purposes.

THE NEGOTIATION CLASS PROCESS

13. Now that the Court has approved this process, what will happen next?

The creation of the Negotiation Class has these next steps:

- On **September 11, 2019**, Judge Polster, the federal judge overseeing all of the national opioids litigation, certified the Negotiation Class to go forward.
- On or before **September 20, 2019**, Class Action Notice will be sent via First-Class mail and posted to the Class website www.OpioidsNegotiationClass.info to all Class Members.
- Class Members have until **November 22, 2019** to decide whether to participate or to opt out of the Class. This is the “opt-out period.” All Class Members are automatically included in the Class. If a Class Member wants to participate, it does not need to do anything at this point. Only Class Members that wish to exclude themselves (“opt out”) and not participate in the Class must act: they must submit a copy of the enclosed Exclusion Request Form on or before **November 22, 2019**, using the instructions in FAQ 26.
- After the close of the opt-out period, the Court will enter an order confirming the Membership of the Class, saying who is in and who is out of the Class.
- After that, the Class will operate if, and only if, one or more of the Defendants wishes to negotiate with the Class as a whole through the Negotiation Class mechanism.
- If a proposed Class settlement is reached, the proposal will be submitted to the entire Class Membership for its approval or rejection in accordance with the voting formula (described in FAQ 18 and 19 below). If no proposed settlement is reached, the Class will not vote and will have no other role.

14. If my County or City chooses to participate in the Negotiation Class, how will it know when there is a proposed Class settlement?

All Negotiation Class Members will be given advance notice of any Class settlement offer, including details on its terms and conditions, and they will have an opportunity to vote on each settlement offer. Class Members will be able to cast their vote securely, through the Class website, which will establish a voting identity and portal for each Class Member. Only Class settlements achieving 75% approval votes, by number, by allocation, and by population, of the litigating and non-litigating Class Members that vote (as described in FAQ 19) will be submitted to the Court, which will make the final determination of whether to approve the settlement.

15. If there is a proposed Class settlement, does the Court still have to approve it?

Yes. If there is a proposed settlement that is approved by 75% of the voting Class Members, as described in FAQ 18 and 19, the Court will review and decide whether to approve it, under the Class action settlement approval process set forth in Federal Rule of Civil Procedure 23(e). Generally, the Court will assess whether any settlement is fair, reasonable, and adequate. All applications for fees and costs also require court approval under Rule 23 procedures. (See https://www.law.cornell.edu/rules/frcp/rule_23.)

16. If there is a proposed settlement and my County or City is included in the Negotiation Class, but it disapproves of the settlement terms, can my County or City object to the settlement?

Yes. As a Negotiation Class Member, you will be entitled under Rule 23(e) to object to any settlement, even if it has received approval from the Class. However, as described in FAQ 27, you

Questions? Visit www.OpioidsNegotiationClass.info



will likely not be able to exclude yourself from the Class at that time. An objection explains your concerns to the Court for its consideration but does not remove you from the Class.

17. How long will the Negotiation Class last?

The Negotiation Class will last for 5 years from the date it is certified by the Court. The Court certified the Class on September 11, 2019 and the Negotiation Class will last until September 11, 2024. After that date, the Class will not exist as an entity with which a Defendant can negotiate. However, the Negotiation Class will continue to exist with regard to: (1) any Class settlements presented to the Negotiation Class for a vote before that date, to carry out the voting and approval process; and (2) any Class settlements reached before that date, to complete settlement administration and enforcement.

VOTING

18. If there is a proposed Class settlement, how will the voting be done?

Each Class Member will vote only once on any particular Class settlement proposal. The vote will simply be yes-or-no, in favor of or against the proposed settlement. Class Members that do not vote will not be counted as either yes or no votes; as with an election for government office in the United States, the only votes that are counted are those of the voters who actually cast votes. Class Members' votes will be tabulated mechanically within each applicable voting pool, to make sure that 75% of each pool is in favor of the proposed settlement before it is presented to the Court. The voting pools are described in FAQ 19. Voting tabulation does not require any effort by the Class Members. The requirement of 75% support of voting Class Members across the different voting pools ensures that no settlement will go forward without a wide cross-section of support from cities and counties of all sizes and interests.

19. If there is a proposed Class settlement, how many votes are needed to approve it?

The agreement to be bound by a supermajority vote means that no settlement can be reached that would bind the Negotiation Class without the approval of 75% of the voting Class Members, defined in several ways. To be binding, 75% of those voting in each of the following six categories must approve a proposed settlement:

- 75% of the total number of voting Class Members that had filed suit as of June 14, 2019 ("litigating entities"). This number is based on all individual Class Members who had suits on file regardless of size, so that each voting entity has one vote;
- 75% of the total number of voting Class Members that had not filed suit as of June 14, 2019 ("non-litigating entities"). This number is based on all individual Class Members who had not filed suit, regardless of size, so that each voting entity has one vote;
- 75% of the total population of all voting Class Members that had filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting city and each person in a voting county equal to one vote. Thus, by way of example, if a county votes yes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county's vote is weighted as 20,000 votes in favor, and the city's vote is recorded as 10,000 votes in favor. The population for each County or City will be based on current census data. The current data is presented on the Class website, www.OpioidsNegotiationClass.info. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;

Questions? Visit www.OpioidsNegotiationClass.info

- 75% of the total population of all voting Class Members that had not filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting city and each person in a voting county equal to one vote. Thus, by way of example, if a county votes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county's vote is weighted as 20,000 votes in favor, and the city's vote is recorded as 10,000 votes in favor. Again, the population for each County or City will be based on current census data. The current data is presented on the Class website, www.OpioidsNegotiationClass.info. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;
- 75% of the litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info; and
- 75% of the non-litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info.

For purposes of counting votes, only votes cast will be considered. In order for a proposed settlement to be binding on the Negotiation Class, 75% of those Class Members who cast votes in **each** of these six categories must be in favor. No settlement will be submitted to the Court for final approval unless 75% of those voting in **each** of the six categories are in favor. No county or city that is not a Class Member as of the deadline for a vote on a proposal will be allowed to vote on that proposal.

ALLOCATION OF CLASS SETTLEMENT FUNDS

20. If there is a Class settlement, how will my County or City's share of the settlement be determined?

Any Class settlement funds will be distributed in three steps:

Step 1: Each county's share of the settlement will be distributed in accordance with an "allocation model." The allocation model uses three factors, based on reliable, detailed, and objective national data, to determine the share of a settlement fund that each county will receive. These factors address the most critical causes and effects of the opioids crisis, and are each weighted equally (1/3-1/3-1/3): (1) the amount of opioids distributed within the county, (2) the number of opioid deaths that occurred in the county; and (3) the number of people who suffer opioid use disorder in the county. This model is designed not to favor either small or large counties based solely on population. Ultimately, the model allocates settlement funds in proportion to where the opioid crisis has caused actual harm.

Step 2: Counties and their constituent cities, towns, and boroughs may distribute the funds allocated to the county among all of the jurisdictions in any manner they choose. If the county and cities cannot agree on how to allocate the funds, the Class website reflects a default allocation that will apply. The default allocation formula uses historical federal data showing how the specific county and the cities within it have made opioids-related expenditures in the past. Any of the affected jurisdictions may ask a Special Master to apply a different formula.

Step 3: If the default allocation is used and a city's share is less than \$500, then that amount will instead be distributed to the county in which the city lies to allow practical application of the abatement remedy. Affected cities could seek recovery through intra-county allocation described in Step 2, or from the Class Members' Special Needs Fund (see FAQ 24). In the rare circumstance that a city with a share of less than \$500 lies in a county that does not have a county government, the amount would instead go to the Class Members' Special Needs Fund, and Class members could seek recovery from that Fund.

Further information about the allocation formulas and their data sources are available at the Class website.

Questions? Visit www.OpioidsNegotiationClass.info



21. What happens if a county and its constituent cities make different decisions about staying in the Class?

- If a county and all of its constituent cities remain in the Class, each entity's share will be determined as explained in FAQ 20.
- If a county remains in the Class, but one or more cities within the County are not in the Class, there are a variety of ways that a Class settlement might address that situation, but it is possible that a Class settlement would require that the County's allocation be reduced.
- If a county is not in the Class, but cities within that county remain in the Class, there are a variety of ways a Class settlement might address that situation. One possibility is that a city would receive no direct monetary allocation because its county has opted out, but that it could seek monetary relief through the Special Needs Fund (see FAQ 24). If a settlement provides a city no possibility of monetary relief because its county has opted out, Class Counsel anticipates the city would not be required to release its claims against the settling Defendant.

22. If there is a settlement between a Defendant and a State or States, what impact will this Negotiation Class have on the division of monies between a State and the cities and counties within the State?

The Negotiation Class process does not interfere with a Defendant's ability to settle directly with one or more States. If a Defendant reaches a settlement directly with a State, nothing about this Negotiation Class process would affect the distribution of those settlement funds between the State and its own cities or counties. The Court has explicitly ordered that the Class's lawyers not involve themselves or the Class in the process of allocating monies secured by States between themselves and their counties and cities.

23. Will Negotiation Class Representatives receive anything more than other Class Members?

Negotiation Class Representatives do not receive preferential treatment under any settlement simply for serving as Class Representatives. Their allocation will be calculated in precisely the same manner as every other Class Member's. However, they can apply to the Court for reimbursement of costs and expenses incurred by reason of serving as Class Representatives. Also, courts often award a modest amount to Class Representatives, called an incentive or service award, so as to encourage Class Representatives to step forward on behalf of others. Any such awards are subject to Class notice and Court approval.

24. What is the Special Needs Fund?

Fifteen percent (15%) of any Class settlement fund will be put into the "Special Needs Fund." Any Class Member may apply for a distribution from the Special Needs Fund: (1) to recover its costs of litigating its own opioids lawsuit, if that case was filed before June 14, 2019; and/or (2) to obtain additional relief for any local impact of the opioids crisis that is not captured by the Class Member's allocation. Applications will be made to and approved by a court-appointed Special Master, on a case-by-case basis. Any unawarded amount remaining in this Special Needs Fund would revert to the Class.

YOUR RIGHTS AND OPTIONS

25. Can my county or city exclude itself from the Negotiation Class?

Yes. You have a **one-time** opportunity to exclude your county or city from the Class and you must do so before November 22, 2019. You must follow the procedure set forth in FAQ 26 below to

Questions? Visit www.OpioidsNegotiationClass.info

exclude your county or city. As explained in FAQ 27, you will likely **not** be given a second opportunity to exclude your county or city from the Class if a settlement is later reached and you should not count on such an opportunity being available at that time.

26. How does my county or city exclude itself from the Negotiation Class?

You may exclude your county or city ("opt out") by signing and sending, either by email or by first-class U.S. mail, the enclosed Exclusion Request Form.

- If submitted by email, the form must be sent to info@OpioidsNegotiationClass.info on or before **November 22, 2019**.
- If submitted by mail, the form must be postmarked on or before **November 22, 2019** and sent by first-class U.S. mail to:

NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

The Exclusion Request Form must be signed by an **authorized** official or employee of the county or city itself, under penalty of perjury pursuant to 28 U.S.C. § 1746, and is subject to verification by the Court. If you exclude your county or city from the Negotiation Class, your county or city will not be bound by any Orders or Judgments regarding the Class, and it will have no right to share in any settlement reached by the Class.

27. If my county or city stays in the Negotiation Class, can it exclude itself later if it doesn't like a proposed settlement?

Not under the current Court Order. The Court's Order certifying the Negotiation Class provides only one opportunity for a county or city to exclude itself from the Class. The exclusion deadline ends on November 22, 2019. If a settlement is reached and proposed to the Class for its approval, Class Members who do not support the settlement may (1) vote against it and/or, (2) if the settlement is nonetheless approved by the Class votes, file objections with the Court. Rule 23 permits a court to offer a second opportunity for Class Members to opt out when a settlement is proposed, but the Rule does not require the Court to give Class Members a second opportunity to opt out. In this case, it is anticipated that the Court will not give Class Members a second opportunity to opt out. Therefore, Class Members should not rely on that possibility. Class Members should expect that there will be no opportunity to opt out of the Class after **November 22, 2019**.

THE LAWYERS REPRESENTING THE CLASS

28. Who are the Class Counsel?

The Court has authorized the following six lawyers to jointly represent the Negotiation Class: Jayne Conroy and Christopher A. Seeger are Co-Lead Negotiation Class Counsel and Gerard Stranch, Louise Renne, Mark Flessner, and Zachary Carter are Negotiation Class Counsel. Each of these six lawyers represents only cities or counties in Opioids-related litigation.

29. How do Class Counsel get paid?

Class Counsel will apply to the Court for approval of fees and costs under Rule 23(h). As a Class Member, you will receive notice and have an opportunity to object to any such application. The Court may appoint fee committees to make recommendations of any fee awards, to avoid duplication of payment, and to ensure appropriate compensation of those whose efforts provided a common benefit. The Court will make the final decision about all fees paid out of the Class's recovery to any lawyer.

Questions? Visit www.OpioidsNegotiationClass.info



30. Under this proposal, what happens to my County or City's current fee agreement with outside counsel?

The current fee agreement that a county or city has with its outside counsel remains in effect. Membership in the Negotiation Class does not change that. In the event of any settlement that achieves Class and Court approval, there would be a "Private Attorneys Fund" from which outside counsel for Class Members that had signed retainer agreements for opioid epidemic-related litigation before June 14, 2019 could apply for fees and costs in lieu of any current fee agreement. That would be a voluntary decision between the county or city and its outside counsel. A total of up to 10% (maximum) of any approved Class settlement amount will be held in the Private Attorneys Fund. Any unawarded amount remaining in this Fund would revert to the Class. The Court must approve all payments from this Fund.

GETTING MORE INFORMATION

31. How can my County or City keep up with what's going on in this case?

Pertinent news and information will be posted at the Class website, www.OpioidsNegotiationClass.info on an ongoing basis. As a Class Member, you also will have the opportunity to sign up, through the Class website, for email notices alerting you to the fact that new information has been posted to the Class website.

DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION

DATE: September 11, 2019.



4539000717044

**IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019**

EXCLUSION REQUEST FORM

Read this page carefully then turn to Page 2 if you want to sign and send

Complete this form **ONLY** if your County or City does **NOT** want to remain a Class Member and does not want to share in any potential negotiated Class settlement. If your County or City does not complete and submit this form, it will be deemed to be a Class Member so long as it is a County or City in the United States as those terms are described in the Class Notice and is on the list of Class Members found at www.OpioidsNegotiationClass.info.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

_____	x	
	:	
In re NATIONAL PRESCRIPTION	:	1:17-md-2804 (DAP)
OPIATE LITIGATION	:	
_____	x	

Class Notice Administrator
NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

Dear Class Notice Administrator:

My County or City does **NOT** want to be a member of the Negotiation Class certified in the *In re National Prescription Opiate Litigation*. I understand that by completing the information requested on page 2, signing, and submitting a copy of this form by email (to the email address on page 2) sent on or before **November 22, 2019** OR by first-class U.S. mail (to the mailing address on page 2) post-marked on or before **November 22, 2019**, I am opting my County or City out of the Negotiation Class and it will **NOT** be a Class Member. I understand that by timely submitting this form, my County or City is foregoing the right to share in any Class settlement that may be obtained. I understand that my County or City is **NOT** guaranteed an opportunity to opt back in if there is a Class settlement, so this is our final decision. I also understand that by opting out, my County or City will not be bound by any judgment entered as part of any Class settlement.

I understand that if my jurisdiction is a Class Member and wants to remain a Class Member, it does not need to do anything now. I understand that I should **NOT** return this Exclusion Request Form if my jurisdiction wants to remain a Class Member.

I understand that, if I have any questions, I may contact Class Counsel at 1-877-221-7468, or visit www.OpioidsNegotiationClass.info **BEFORE** I mail this form to you and **BEFORE** **November 22, 2019**.

**TURN TO PAGE 2 IF YOU WANT TO SIGN EXCLUSION/OPT-OUT FORM
AND FOR EMAIL AND MAILING ADDRESSES**





4539000717044

**IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019**

EXCLUSION REQUEST FORM
Read Information on Page 1 carefully before signing

Having read and understood the information on page 1, the County or City **(circle one)** entitled _____ in the State of _____ hereby excludes itself from the Negotiation Class certified by the United States District Court in the Northern District of Ohio in *In re National Prescription Opiate Litigation*, MDL 2804. Under penalty of perjury and in accordance with 28 U.S.C. § 1746, I declare that I am an official or employee authorized to take legal action on behalf of my County or City.

Signature: _____

Print name: _____

Title: _____

City or County Represented: _____ (Circle one): City / County

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Date: _____

BY NOVEMBER 22, 2019

EMAIL TO:

**OR SEND BY
FIRST CLASS MAIL TO:**

info@OpioidsNegotiationClass.info

NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

“LOOKING BACK”

The Council has been making history in Waldport for over a century, and I thought you might find reading minutes from 100 years, 75 years, 50 years and 25 years ago somewhat interesting.

- Reda Eckerman, City Recorder -

October 7, 1919

Common Council of the City of Waldport met in special session Tuesday, October 7th, 1919 with Mayor Goucher presiding. Councilmen present: Banta, Starr, Ruble, Vaughn, Knowles.

Minutes of last meeting were omitted. Minute book not being at hand.

Treasurer's report was read, showing \$358.00 in City Treasury.

The following bills were presented and allowed: M. Ruble, \$6.50 for repairs on fire engine house; E.J. Sphar \$25.50, services as City Marshall for Aug. & Sept., also labor performed; W.H. Waterbury, \$35.00 for legal services to date; Sam Hayes \$77.80 for hauling sawdust, rock & dirt for the months of June, July and Aug.; Sam Hayes \$28.75 for hauling sawdust, rock & dirt for the month of Sept.; C.E. Linton \$14.68 for 13 months salary as Treasurer, stamps & stationery.

Bill of Kent & Durbin for hall rent tabled.

Motion was made and carried instructing City Clerk and Marshall to post notices of caucus meeting to be held October 18th to name candidates for regular election to be held November 4th.

Motion to use same valuation figures as last year, also a 4 mill levy was carried.

Motion to adjourn, carried.

Geo. G. Miles, Recorder

October 5, 1944

The regular monthly meeting of the Common Council of the City of Waldport was held in the Council Chambers of the said City at 8 P.M. of the above date with Mayor Goodman presiding. Councilmen present: C.C. Clay, Harry Dey, Desmond Fulp, H.A. McMillin. Absent: E.E. Mills and E.K. Starr. City officials present: Recorder Kelly, Treasurer Burns, Marshall & Fire Chief Rhoades, City Attorney McCluskey, Engineer Ambler and Water Superintendent Houge.

Minutes of the previous meeting were read and upon the motion of Councilman Fulp, 2nd by Dey the sentence by Councilman Clay's re the Marshall co-operating with the Recorder be stricken from the minutes. Carried.

Councilman Fulp moved, 2nd by McMillin, that all bills approved by the Finance Committee be allowed and warrants be drawn on the Treasurer for the respective amounts. Carried.

Councilman Clay moved, 2nd by Fulp, that Otto Houge's building application be approved. Carried. Councilman Clay moved, 2nd by Dey, that Dr. N.A. Mann's building application be approved. Carried. Councilman Clay moved, 2nd by Dey, that Oral D. Barteaux building application be approved. Carried.

A petition was presented for use of city water, signed by W.H. Ridgeway, Ed King, I.E. Schissler, A.N. Combs, V.M. Johnson and S.D. Webb. Councilman Clay moved, 2nd by Fulp, to lay a permanent extension (line) westerly from present terminus of the secondary main serving area along the Alsea Highway. Carried.

Letter received from Frank Atwood. Councilman Fulp moved, 2nd by Dey, that Mr. Atwood's resignation as one of the appraisers of railroad right-of-way land be accepted. Carried.

Communication from Neta L. Twombly was read and ordered placed on file, and the one

received from Post War Readjustment Committee the Recorder was instructed to make proper reply.

Councilman Fulp moved, 2nd by Dey, that the Street Committee and City Engineer Ambler work out a suitable drainage system for Maple Street and take such action they deemed advisable. Carried.

It was moved by Councilman Fulp and seconded by Councilman McMillin that the City Recorder give notice of the regular bi-annual election to be held Tuesday, November 7, 1944, by posting notice thereof in three public places in the said city not less than ten days before the date set for such election at which said election where will be elected city officers: Mayor, Treasurer and three councilmen, four-year term.

The following named were appointed to serve on the Election Board for the election to be held November 7th: Rev. John B. Hood and Mrs. E.M. Blackman for judges and Mrs. Cliff Buker, Mrs. C.C. Clay and Mrs. Earl McMillin for clerks of the said election.

Councilman Fulp moved, 2nd by Clay, that H.D. Clemens be appointed to assist in appraising right-of-way land and the Recorder be authorized to notify him. Carried.

Upon the motion of McMillin, 2nd by Dey, the Council voted to adjourn until the next regular meeting Thursday, November 2nd at 8 P.M.

H.L. Kelly, City Recorder

Leo Goodman, Mayor

October 9, 1969

Roll Call: Mayor Joe Bird; Councilmen Boydston, Seaman, Grier, Pankey, Sulsar, McMillin; Supt. Halverson, Asst. Supt. Becker, Attorney Hollen, Engineer Cullen, Police Chief Mitchell, Recorder Blackman.

Motion by Councilman Pankey, seconded by Councilman Sulsar, accepting the minutes as printed. Motion carried.

Councilman by Councilman Sulsar, seconded by Councilman Grier, accepting the reports of Superintendent, Assistant Superintendent and the Chief of Police. Motion carried.

Ballots for recall election were canvassed. Recalling Mayor Bird: For recall - 45, Against recall - 171, Total votes 216. Recalling Councilman Grier: For recall - 54, Against recall - 162, Total votes 216. Motion by Councilman Sulsar, seconded by Councilman Boydston, accepting the canvass of votes. Motion carried.

Water Committee reported the water line at the Shell Oil Plant has been installed.

Motion by Councilman Pankey, seconded by Councilman Grier, holding up the last payment on the sump pump installed in Red River until it has been checked out to see if it operates properly. Motion carried.

Water and Street Committee were asked to check the street drain in front of the Ced Olsen property on Broadway Street.

Motion by Councilman Pankey, seconded by Councilman Grier to liquidate the Retirement Fund and to deposit it into the General Fund as the time deposits become due. Motion carried.

Motion by Councilman Seaman, seconded by Councilman Sulsar, authorizing the Sewer Committee to revise the sewer rate structure for the new sewer system. Motion carried.

Motion by Councilman Seaman, seconded by Councilman Grier to pay Officer Mitchell for the Baby Sitter. Motion carried.

Motion by Councilman Pankey, seconded by Councilman Sulsar, authorizing Engineer Cullen to draw up an easement on the road to the Shell Oil Plant. Motion carried.

Regular bills were audited by the Finance Committee. Motion by Councilman McMillin, seconded by Councilman Sulsar that the bills be paid. Motion carried.

Meeting adjourned by Mayor Bird. 9:20 p.m.

October 13, 1994

Roll Call: Mayor Fred O. Boehme, Council President Pat Tryon, Councilors John Atkinson, Jan Hansen, Matt Pompel, George Russell, Ken Train. Attending staff: City Manager Margaret Bauer, City Attorney Dave Gordon.

Approval of Minutes: Councilor Russell moved for the adoption of the September 8, 1994 City Council minutes with the correction noted. Councilor Tryon seconded and the motion carried.

Financial Report: City Manager Bauer presented the September 30, 1994 financial statement to the City Council. Ms. Bauer explained that there are several different formats that are available. Explanations of how different forms are read were provided.

City Manager Bauer gave a brief explanation to the City Council of how Ballot Measure 5 affects the City of Waldport and how taxes are collected/distributed to the City.

Discussion of the financial statement format ensued. Ms. Bauer was instructed to provide the Council with samples of the different financial statement formats at the next Infrastructure Planning Committee and the Finance and Administration Committee meeting.

Committee Minutes: None were available.

Staff Reports: City Manager Bauer reported that the new wastewater treatment plant is now running correctly. She explained that the engineering firm and the valve manufacturer had been on site at the new plant, and had provided needed assistance. Further explanation of the valve malfunction was provided. Ms. Bauer also explained that the wastewater treatment plant computer had been experiencing "glitches" but that this problem had also been resolved.

City Manager Bauer discussed the water treatment plant and continuing improvements which are being made. Ms. Bauer noted that the Water Master Plan improvements are listed as a number 1 priority in the recommended list to the Northwest Economic Adjustment Initiative application.

It was reported that neither the DEQ nor the Division of State Lands will allow the City to discharge the silt which has built up in the North and South Fork dams of Weist Creek. Alternative methods of disposal were suggested. Also noted, the Forest Service denied the City's request for a locked gate on the road that accesses the South Weist Creek dam. The Forest Service has scheduled that road for closure but because of the City's need for the road the culverts will not be removed and the City will be solely responsible for the maintenance of that road. Discussion ensued. It was the consensus of the City Council that City Manager Bauer pursue having that access road gated.

Ms. Bauer reported on items to come before the next Infrastructure Planning Committee.

It was reported that the storm water drainage problems on the corner of Highway 34 and John Street have been reduced but because the street is so level, some drainage problems may still occur. A storm drain will therefore be installed to drain water to the Highway 34 catch basin.

Ms. Bauer reminded the City Council that during the budget process the Budget Committee recommended that consideration for fire services be brought before the City Council. If the Council so desires and wishes to bring this question before the voters at the March election, the process should be started immediately. The Council noted that if increased funding for fire services is to be sought they should first meet with neighboring fire districts to discuss the potential for merger or consolidation. Discussion ensued. It was agreed to meeting with other fire districts to discuss the issue. It was suggested that meeting times and dates be discussed after the City Council meeting.

The City Manager noted that an Urban Renewal meeting has been scheduled for Thursday, October 27th at 7:30 p.m.

City Manager. Bauer reminded the City Council that the process for a fire services serial

levy should be finalized at the December City Council meeting to ensure that the same Council that conducted the process would also be the one voting on the matter. (Potential changes may arise from the November 8, 1994 election.) Discussion ensued.

City Attorney Dave Gordon had nothing to report.

Citizens Concerns & Comments: Mr. George Waggoner of the Bayview Mobile Home Park addressed the City Council with his concerns that a stop light be placed at the intersection of Mill Street and Highway 34. It was explained to Mr. Waggoner that this would be a matter better addressed to ODOT.

Mr. Craig White, Waldport volunteer fireman, announced to the City Council that on Wednesday, October 19, between the hours of 7:00 p.m. and 8:00 p.m. the Fire Department would be testing a new tsunami warning system.

Correspondence: Three letters were included in the Council packets; Ms. Bauer presented additional correspondences. Color photos of the beach below Yaquina John Point were distributed and discussed. A letter was also received from Trudi Rhodes which was read into the record. A request from the Waldport Library Board of Trustees, notifying the Council of Fay Anderson's resignation from the board and recommending the appointment of Lucille Clint, was also entered into the record. Councilor Tryon moved for the appointment of Ms. Clint, Councilor Hansen seconded and the motion carried.

Public Hearing: None.

Old Business: None.

New Business: Consider acceptance of Skyline Terrace in Norwood Heights 2. Mayor Boehme explained that a letter from City Planner Steve Williams noting that the street does meet City standards was included with the packet materials. Additional materials were noted by the City Manager. Discussion of the street and turn-around area ensued. In order to accept Skyline Terrace as a City street, the City Council discussed Resolution 750. Councilor Train moved for the acceptance of Resolution 750. Councilor Russell seconded. After extensive discussion, Councilor Russell asked that a performance bond sufficient to provide for a cul-de-sac at the end of the street be required. Mr. Flaming related to the City Council measure that had been taken in the development of this subdivision. Councilor Atkinson explained that the City Council is bound to abide by the Development Code. The question was called for. Councilor Train voted aye; no other votes. More discussion ensued. A vote was taken on the original motion and passed unanimously.

Consider the approval of a letter to Lincoln County Board of Commissioners' prioritizing infrastructure projects for the Northwest Timber Initiative. City Manager Bauer explained that the Highway 101/Starr Street/Norwood Drive intersection was added to her listing of proposed projects. Ms. Bauer asked for the Council's consensus on the prioritization of these projects. Councilor Atkinson expressed his concern that the Water Master Plan be placed as the number one priority. It was the consensus of the City Council that completion of the Water Master Plan be listed as the number one priority. Councilor Train expressed agreement with the letter from Trudi Rhodes and stated that he would like to see the sewer collection system and surface water management system listed as priorities 2 and 3. Discussion ensued. Ms. Bauer explained the three determining criteria which will be used to establish the distribution of grant funding. After discussion, it was Councilor Tryon's suggestion that each Councilor submit their list with numbered priorities to the City Manager to be averaged.

Consent Calendar: The City Council was asked to consider recommending a liquor license approval for Ray's Food Place. Councilor Pompel moved to recommend approval. Councilor Russell seconded and the motion carried. Councilor Atkinson abstained.

Ordinances and Resolutions: Resolution 750 accepting Skyline Terrace as a City street was adopted by the Council earlier in the meeting. Councilor Train moved for the adoption of Resolution 751, establishing a Traffic Safety Commission. Councilor Hansen seconded and the motion carried.

Councilor Russell asked if a letter of support should also be written. It was noted that the resolution passed by Council contains a statement of support.

Mid-Management Reports: Reports were received from the Police Chief regarding the Police Department and from the Library Director regarding the Waldport Library.

Meeting Adjourned.

**Waldport Public Library
Board of Trustees
Minutes of Regular Meeting August 13, 2019**

Members Present:

Brian Fodness, Chair
Jed Hansen
George Sisikin
Gary Hodges
Kevin Quill

Others Present:

Sue Bennett, Library Director
Greg Holland, City Council Member

Members Absent:

Call to order, introductions & review of agenda: Brian Fodness, Chair, called the meeting to order at 9:30 a.m.

Welcomed new member, Kevin Quill.

First order of business was to elect a new chair. Brian Fodness was nominated and unanimously voted as chair.

Minutes: Mr. Hansen moved to approve the June minutes and Gary Hodges seconded. The minutes were unanimously approved.

Financial Report: The financial report for the end of the year was not available at the time of the meeting. The end of the year financial report will be available for the next meeting of the Board

Committee Reports: The Friends of the Waldport Library have not met since the last Board meeting.

No minutes from the Teen Advisory Board (TAB).

Director's Report: Ms. Bennett provided a review of the programs and future programs for the youth and adults. The regularly schedule programs continued this month in addition to the summer reading programs.

Old Business:

New Business:

Lincoln County Library District Update: Brian Fodness provided and update for the district. The LCLD offices are now in their new building.

Board Members concerns:

Actions or Recommendations to the City Council: No reports to City Council. Greg Holland mentioned the Council is holding a workshop regarding the open space October 8 at 6:00 pm. Suggested the library send a representative since the RC Club made a presentation for the use of a portion of the space.

Public Comment: None.

Announcements: None

Next Regular Meeting: September 10, 2019 at 9:30 a.m.

Adjournment: Mr. Fodness adjourned the meeting at 10:18 a.m.

Waldport Public Library

Monthly Circulation FY 2019-20

Patron Category	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
LCLD-Adult	3281	3,005	2,489										8,775
LCLD-Youth	158	56	23										237
Waldport Adult	1,891	1,923	1,741										5,555
Waldport Youth	80	40	52										172
CITIES (Adult & Juv)	8	0	0										8
Temporary 1 yr	2	9	11										22
Temporary	68	61	55										184
OCCC	2	0	0										2
Oregon Passport	90	147	154										391
Interlibrary loan out	<u>64</u>	<u>63</u>	<u>57</u>										184
Chinook Circ	5,644	5,304	4,582	0	0	0	0	0	0	0	0	0	15,530
FY2019	5,159	5,368	4,832	5,552	4,888	5,179	4,888	4,829	5,309	5,059	4,711	4,958	60,732
% circ in public lib	53%	50%	49%										
Library2Go *	<u>398</u>	<u>428</u>	<u>391</u>										1,217
GRAND TOTAL	6,042	5,732	4,973	0	16,747								
FY2019	5,463	5,704	5,146	5,908	5,233	5,498	5,234	5,124	5,635	5,443	5,027	5,327	64,742
Interlibrary loan In	49	52	34										135
Computers	1,164	1,042	868										3074
WiFi	1647	1374	927										3948
Patrons added	50	30	34										114
Webpage Visits*	573	469	381										1423
Program attendance	1112	962	270										2344
Program attendance FY2019	1030	592	203	498	321	681	319	464	646	472	285	977	6488

Director's Report
August/September 2019

Programs

August/September Programs

Summer Reading Program continued with the last performance August 14. The weekly performances averaged about 70 people per show.

The first annual cosplay event was August 3 with a little over 400 in attendance. Since it was our first event, we over planned by quite a few. Everyone we spoke with seemed to have a good time and look forward to another event next year. The event was funded by a Trust Management grant and we do have a little remaining. I will contact the grantees and see if we can use the remaining amount for a second event next August. If we scale back the event both in size and locations, we should be able to hold the event through our library budget.

The adult programs continue to do well with attendance hitting our most at 20 attendees.

We again offered two camps in addition to our normal programs, Young Writer's Camp and a Drone Camp. Both camps were paid for by a grant from Trust Management. We only had three kids for the drone camp but plan to have another camp early in June 2020.

The Young Writer's camp traveled the area and wrote about their experiences.

The RC club was asked by the State Fair to enter cars again in the STEM division of the fair. The State Fair has also asked us to participate in the Teen Expo on August 27. John Bennett and the kids will have a table at the fair with their cars and explain to people what the club is about and what they do. The kids again won ribbons for the cars they painted.

Future Programs

I am hoping to bring in more health related programs for adults. We have a mushroom class on October 7 that has had a great deal of interest. Space is a concern.

Usage Statistics

Average about the same as previous years. The annual report was completed September 28 and submitted to the State Library. We are down in all areas; circulation, computer usage and program attendance. Although we show a decrease in performance attendance, it was due to one less assembly at the school. In 2017/18, we were able to get two performances at the school and last year we only had one. Assemblies provided at least 300 attendees.

Miscellaneous

The library received a charitable contribution from a family in the amount of \$2,000 for the youth outreach programs.

The FY2020 budget provided for \$12,000 to hire a facility planner to determine the space needs for the library. We received a proposal from a space planner from Oregon who has considerable experience determining the space needs for libraries in Oregon, California, Washington and Utah. Should she be chosen, she will meet with the Board as well as other stakeholders.

The library is closing on October 18th for an in-service day at Newport Public Library. Participants will include all the libraries within the LCLD and Tillamook County libraries. All Board members are welcome to attend. I will send out an agenda as soon as it is available.

**City of Waldport
2019 LAND USE / BUILDING PERMIT ACTIVITY**

For the Period September 1, 2019 through September 30, 2019

Date	Application/ Activity	Applicant	Zoning	Tax Map/Lot Location	Description	Status
9/4/19	Building Permit	Chad & Renee Mulberry	R-3	13-11-19AB/400 240 Grant St	Remodel single family dwelling	Approved 9/10/19
9/12/19	Manufactured Home Placement Permit	Christine Sebastiani	R-1	13-11-30BD/200 1880 S. Crestline Dr	New manufactured home	Approved 9/16/19
9/12/19	Building Permit	Christine Sebastiani	R-1	13-11-30BD/200 1880 S. Crestline Dr	New attached garage	Approved 9/16/19
9/12/19	Manufactured Home Placement Permit	Kathy & Robert Reischman	R-3	13-11-18DD/2700 1020 Broadway	New manufactured home	Approved 9/30/19
9/16/19	Manufactured Home Placement Permit	Suzanne & Joel McLaughlin	R-1	13-11-20BC/4400 445 Waldport Hts. Dr	New manufactured home	Approved 9/17/19
9/16/19	Building Permit	Suzanne & Joel McLaughlin	R-1	13-11-20BC/4400 445 Waldport Hts. Dr	New attached garage	Approved 9/17/19
9/20/19	On-Site Waste Management	Suzanne & Joel McLaughlin	R-1	13-11-20BC/4400 445 Waldport Hts. Dr	New septic system	Approved 9/23/19
9/30/19	Building Permit	Gary Tryon	R-3	13-11-19AB/5500 NE corner of Bay St & Fayette St	New duplex	Approved 10/1/19
9/30/19	On-site Waste Management Permit	Steve Elhart	R-1	13-11-29AB/7500 1260 Virginia Pl Peterson Park	New septic system	Approved 9/30/19