



CITY COUNCIL AGENDA
September 12, 2016, 6:30PM

Regular Meeting

CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

An executive session will be held at 6:00 PM prior to this regular meeting pursuant to ORS 192.660 (2)f) to consider written advice from our attorney.

Call to order: Time: _____

1. **The pledge of allegiance**
2. **Roll Call:**

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Melinda McVey		
Council Position #2 Larry Brennan		
STARTING VOTE		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. **Special Orders of Business:**
None Scheduled
4. **Consent Calendar:**
None Scheduled
5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting
6. **Public Hearing**
None Scheduled
7. **Citizen Requested Agenda Items**
 - a. Alcohol in park request
 - b. Support letter request

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community

8. Public Contracts and Purchasing

None Scheduled

9. Ordinances & Resolutions

10. Miscellaneous Items (including policy discussions and determinations)

- a. Firm date of Urban Renewal Agency meeting and discuss other logistics related to the URA
- b. Update on November election matters
- c. September is Preparedness Month—info from Senator Brian Boquist
- d. Update on water to ODOT island across the bridge for Main Street

11. City Administrator's Report

To be presented at the meeting

12. Mayor and Council Member Comments

- a. Mayor Karl Popoff
- b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Becky Campbell
 - 4) Doug Brand
 - 5) Tamie Kaufman
- c. Student Liaison, Vacant

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

An executive session will be held at 6:00 PM prior to this regular meeting pursuant to ORS 192.660 (2)f) to consider written advice from our attorney.

The next regularly scheduled City Council meeting is **Monday, October 10, 2016, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. Adjourn Time: _____

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CITIZEN REQUESTED AGENDA ITEMS

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 7.
Council Hearing Date: September 12, 2016

TITLE: Request to consume alcohol in the park

SUMMARY AND BACKGROUND:

City Code Section 5.705 requires written permission from the City Council to sell or consume alcoholic beverages in the City Park.

(23) Alcoholic Beverages. No alcoholic beverages shall be sold or consumed in the park without written permission from the City Council.

5.705 Application for Written Permission.

Any person required to obtain written permission from the City Council for any activity in a city park as described in Section 5.700 of this Code shall submit a request for said permission to the City Administrator and the City Administrator shall place said item on the agenda of the City Council for its next regularly scheduled Council meeting.

A written request has been made by Kelly Timchak of the Lower Rogue Watershed Council to allow the consumption of alcohol during a BBQ they are hosting on September 20th. It will be a small party consisting of the 3 boards that make up the watershed council. There will be no sales.

DOCUMENTS ATTACHED:

- Timchak request letter

REQUESTED MOTION/ACTION:

Approve/deny the request to consume alcohol in the park

Suggested Motion:

I make the motion that the Council APPROVE / DENY the request by the Lower Rogue Watershed Council to allow consumption of alcohol in the park during a BBQ party on September 12, 2016.



"Our purpose is to protect, enhance, and restore long-term natural resources and economic stability of the Lower Rogue Watershed and the near shore environment by providing a coordinated, basin-wide approach to natural resource planning and management."

Lower Rogue Watershed Council
PO BOX 666, Gold Beach, OR 97444
Phone: 541.247.2755 ext.4# | Fax: 541.247.0408
kelly@currywatersheds.org

September 7th, 2016

Council Members of the City of Gold Beach,

The Lower Rogue Watershed Council is hosting a Partnership BBQ on September 20th, from 6-8pm, in Buffington Park. This gathering is a special celebration BBQ for the Curry Watersheds Partnership and the restoration achievements we have accomplished in the 2015-2016 year! Our Partnership consists of the Lower Rogue Watershed Council, the South Coast Watershed Council, and the Curry Soil & Water Conservation District.

It is a small party with all three Boards gathering together, and we would like to make beer available to our members. This is an adult only event and beer will not be sold, merely donated to the cause.

Thank you kindly for taking our celebration into consideration,

Kelly Timchak
Coordinator | Lower Rogue Watershed Council
PO BOX 666
Gold Beach, OR 97444
kelly@currywatersheds.org



SECTION 7.

City Requested Agenda Items

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 7. b.

Council Meeting Date: September 12, 2016

TITLE: Request for letter requesting House hearing on mineral withdrawal proposal

SUMMARY AND BACKGROUND:

In June the Council adopted Resolution R1516-16, a resolution supporting the mineral withdrawal from certain federal lands in our county and neighboring Josephine. As suspected, our collective voices are barely being heard in Washington DC. Congressman DeFazio has asked local proponents to support having a legislative hearing on the matter.

Mark Sherwood who was one of the supporters with Dave Lacey has respectfully asked that the Mayor and/or Council write a letter to the Congressman in charge of the House Natural Resources Committee: Ron Bishop. His request, and a draft proposed letter, is attached for your review. If the mayor/council chooses to grant the request, I will draft a letter on our City letterhead. I will include our resolution and previous letter (attached) as well.

REQUESTED MOTION/ACTION:

Decide whether to write the letter to Congressman Bishop requesting a hearing on HR 682—the bill requesting the mineral withdrawal.

PRIOR COUNCIL ACTIONS ON THIS MATTER:

COPY OF JUNE 2016 AGENDA REPORT:

Citizen Dave Lacey came to the May meeting requesting that the Council publicly support the Southwestern Oregon Watershed and Salmon Protection Act and mineral withdrawal. We said that we would send a letter supporting the act prior to the comment deadline of May 27th and follow-up with a formal resolution in June.

I sent a letter on May 20th on behalf of the City and received confirmation that the USFS received it. I have attached a copy of the letter, general info on the comment period, and copies of the federal and senate and house bills (S346, HR682). The formal resolution is attached for your adoption.

Jodi Fritts

From: Mark Sherwood <[REDACTED]>
Sent: Friday, September 9, 2016 7:35 AM
To: Jodi Fritts
Subject: Mayor Popoff's Support on Cover Letter to Congressman Bishop
Attachments: BISHOP LETTER, DRAFT.docx

Hi Jodi,

My name is Mark Sherwood. I live in Brookings and met you at Senator Wyden's dinner in Gold Beach. I don't know if you remember me, but we talked about your great letter to the Forrest Service from the city in support of the mineral withdrawal and its accompanying legislation -- the Southwestern Oregon Watershed and Salmon Protection Act.

Since we last spoke, Congressman DeFazio's has been trying to get this legislation a hearing in the house, but has so far been unsuccessful. His staff has asked for local folks to pull together a cover letter with local electeds, businesses and sportsmans groups to send directly to Congressman Ron Bishop who chairs the House Natural Resources Committee. We're hoping that by demonstrating the broad local support for protecting our drinking water, tourism, and fishing jobs Congressman Bishop will consider giving the bill a hearing, which is critical if there's any chance of it working its way through Congress.

It would be great if Mayor Popoff would consider being one of the signatories on the cover letter. The letter is attached for your review and please don't hesitate to call or email with any questions. We would like to send the letter on Thursday, September 15th.

Thank you for all your help!

Warmly,
Mark

--

Mark Sherwood
Communications Director
Native Fish Society
[REDACTED]

DRAFT

Honorable Representative Rob Bishop

Dear Representative Bishop:

We are a group of small business owners, local elected officials, and sportfishermen in Curry County, Oregon. Our businesses --and favorite recreation --is based on the clean water and salmon in our rivers. Our local chambers of commerce call our corner of Oregon the "Wild Rivers Coast" because each fall and winter nearly 100,000 people come here to fish for big salmon and steelhead.

For that reason, we ask that you please schedule H.R. 682, the Southwest Oregon Salmon and Watershed Protection Act for a hearing of the House Committee on Natural Resources. The bill is a non-controversial, straightforward "mineral withdrawal" --nothing more, nothing less.

We need it because two companies, one foreign-owned, wants to develop strip mines for nickel at the headwaters of some our best rivers, including the renowned Illinois, Rogue, and Smith. The ore is poor grade so any mining would require moving a huge amount of earth and cause a lot of damage for not a lot of gain.

Our clean rivers are the economic engines of our small coastal communities that depend on tourism. According to an Oregon Department of Fish and Wildlife report, freshwater fishing brings in nearly \$5 million to our county (latest data is 2007). The same report estimated that visitors made 98,000 freshwater fishing trips and local people made 87,000 fishing trips annually. These add up to a lot of fishing and fishing-generated revenue that is a key to our local economy, our rural food system, and quality of life for residents. The last thing we need is some kind of mine pollution, and we don't trust the EPA to keep our river waters clean.

This bill is non controversial. The legislation is supported by local businesses, cities, water districts, counties, and sportsmen's groups. Please see the attached list (we could provide you with specific letters of support). Two public hearings held by the Forest Service last fall to consider a temporary withdrawal in aid of this legislation drew 500 local people in support. The public comment period drew 45,000 comments; 99 percent were in support.

Because our livelihoods depend on keeping our water clean and filled with salmon, we urge you to schedule a hearing for this popular and non-controversial bill.

If you have any questions or want to come and fish for salmon on our coast, please give a call.

Respectfully,

Dave Lacey, South Coast Tours, LLC
Harvey Young, Fishhawk River Company

Dean Finnerty, TU
Bob Rees, NW Steelheaders

WE HOPE TO ALSO GET:

James Smith, Arch Rock Brewing Company
Larry Brennen, Arch Rock Brewing Company

Curry County Commissioner David Smith
Gold Beach Mayor? City manager?

RESOLUTION R1516-16

A RESOLUTION IN SUPPORT OF THE SOUTHWESTERN OREGON WATERSHED AND SALMON PROTECTION ACT OF 2015—MINERAL MINING WITHDRAWAL FROM CERTAIN FEDERAL LANDS IN CURRY & JOSEPHINE COUNTY

WHEREAS, Federal Senators Ron Wyden and Jeff Merkley introduced Senate Bill 346, and Federal Representative Peter DeFazio introduced House Bill 682, both known as the Southwestern Oregon Watershed and Salmon Protection Act of 2015; and

WHEREAS, those federal bills were introduced to protect the Hunter Creek and Pistol River watersheds from the catastrophic effects of nickel mining at Red Flats; and

WHEREAS, the proposed nickel mining at Red Flats is by a foreign owned company and their venture will bring no economic benefit to Curry County; and

WHEREAS, it appears that special interest lobbyists are attempting to persuade federal senate and house members from other regions and states that the mining proposal is an economic benefit to our region and our region supports the mining; and

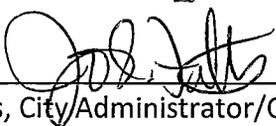
WHEREAS, the Wild Rivers Coast which starts at Klamath, California and extends north to Bandon, Oregon has the highest concentration of federally designated Wild & Scenic Rivers in the United States: the Klamath, the Smith, the Chetco, the Rogue, the Illinois, and the Elk—the area encompassed by the act as introduced in the S346 & HR682 federal bills; and

WHEREAS, in the past 4 years, Travel Oregon and the Wild Rivers Coast Regional Tourism Collaborative (comprised of city, county, state, and local tourism and economic development professionals) have invested a significant amount of time and resources in developing an experiential outdoor recreation economy on the southcoast because of the region's superlative natural resources and scenic wonders; and

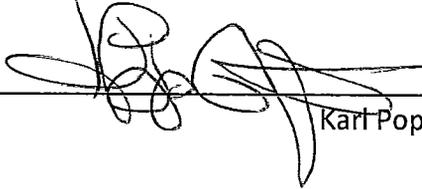
WHEREAS, any large scale mining, but specifically nickel mining at Red Flats, will have a detrimental and devastating impact on habitat, fish and wildlife, the environment, and our fragile tourism economy.

NOW, THEREFORE, BE IT resolved the City Council of the City of Gold Beach formally opposes any mining in the national forest surrounding our community, but specifically the Red Flats nickel mining proposal, and **fervently supports** the efforts of Senators Wyden & Merkley, and Representative DeFazio to have the areas designated in S346 and HR682 **PERMANENTLY WITHDRAWN** from any possible or future mining.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 13th DAY OF JUNE, 2016.



Jodi Fritts, City Administrator/City Recorder



Karl Popoff, Mayor

Jodi Fritts

From: FS-comments-pacificnorthwest-rogueriver-siskiyou <comments-pacificnorthwest-rogueriver-siskiyou@fs.fed.us>
Sent: Friday, May 20, 2016 12:09 PM
To: Jodi Fritts
Subject: Your comment letter/document was received by the "comments-pacificnorthwest-rogueriver-siskiyou" mailbox.

Your comment letter/document was received by the "comments-pacificnorthwest-rogueriver-siskiyou" mailbox. This is an automated message, please do not reply. If a response is required by the Forest Service, it will be forthcoming.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • www.goldbeachoregon.gov

Visitor Center: 541-247-7526 • www.goldbeach.org

Friday, May 20, 2016

SENT VIA EMAIL & USPS

Robert MacWhorter, Forest Supervisor
% Shannon Downey
Rogue River-Siskiyou National Forest
3040 Biddle Rd,
Medford, OR 97504

RE: SW Oregon Mineral Withdrawal

Dear Mr. MacWhorter:

Please accept this letter as a placeholder comment in favor of SW Oregon Mineral Withdrawal legislation. The Gold Beach City Council, at the May 9th Council meeting, voted to send a letter supporting the mining withdrawal proposal as well as draft a resolution in support of the withdrawal. The resolution will be ratified at the June 13th Council meeting. Even though the comment period will be officially closed at that time, I will forward a copy of the resolution once signed.

The Red Flat mining proposal--that was the genesis of this proposed withdrawal legislation--is located in close proximity to the City of Gold Beach. In the past our area has been heavily dependent on a natural resources extraction economy that was strongly encouraged by the USFS and other federal agencies. Most of that extraction was in the form of timber, but Curry County does have a long history of mineral extraction as well--mostly aggregate, though, not hazardous mining like nickel mining.

In the past 20 years, and specifically in the past 10, our area has worked really hard to make lemonade from the lemons we were handed in the early '90s (no harvesting of a *renewable* resource on federal lands that make up 75% of our county). But the timber discussion is a horse beaten so dead there isn't enough left for glue--so no point in going there. It is what it is, and we will never go back to harvesting and replanting, so we have tried to move on. We are making lemonade economically by working on building a successful tourism economy that embraces the "wild" in the wilderness and wild rivers that surround us.

Nickel mining--anywhere--but specifically HERE would be catastrophic to that tourism economy, and, in my opinion, kind of a slap in our faces. We are no longer permitted to

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Wild Rivers
Coast
101 MILES OF NATURE'S BEST



harvest and replant trees--a renewable natural resource: but now federal agencies may allow devastating extraction of a non-renewable source metal. Those extraction activities scar and pollute the surrounding areas and bring ZERO income to the locals that are affected by the devastation. How does that comport with the past 25 years of rhetoric that logging destroys the environment and threatens fish habitat? Roads aren't even being maintained in the national forest surrounding Gold Beach because that maintenance may adversely impact habitat. But strip mining is a possibility?

The mining company isn't even an American company. If you want to say there is controversy surrounding this issue: **there it is**—a foreign company strip mining a one-of-a-kind wilderness area, devastating salmon habitat, devastating watersheds of federally designated wild rivers, and destroying a fragile tourism economy in one of the most economically devastated counties in the entire west. All based on some obscure law over 100 years old? THAT is the controversy.

We are a first world country. We know what strip mining does to the environment and to communities surrounding it. The fact that we have to even say: STOP. PLEASE. is shameful in 2016.

But that is what we are saying: STOP PLEASE. Help us preserve our fragile tourism economy. Help us to preserve the wild areas that make us America's Wild Rivers Coast. Withdraw these areas from consideration for mineral extraction. Not just for 5 years. Not even for 20. Withdraw them permanently.

Thank you for the opportunity to comment on this very important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi".

Jodi Fritts

City Administrator

jfritts@goldbeachoregon.gov

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File Code: 1950

- Date: April 27, 2016

Dear Stakeholder:

The Rogue River-Siskiyou National Forest, in conjunction with the Medford and Coos Bay BLM, has prepared an environmental assessment (EA) for the 2015 Southwestern Oregon Mineral Withdrawal in aid of legislation. The proposed withdrawal is located on the Wild Rivers and Gold Beach Ranger Districts and BLM Medford and Coos Bay Districts in Josephine and Curry counties, Oregon. The area encompasses 101,021 acres in the Rough and Ready-Baldface Creek and the Hunter Creek-North Fork Pistol River subwatersheds.

The area would be temporarily withdrawn from settlement, sale, location, and entry under the public land laws, location and entry under the United States mining laws, and operation of the mineral and geothermal leasing laws while Congress considers legislation for a permanent withdrawal.

Please see the EA and its supporting documents for additional details. The EA is available for review online at: <http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=47877> and at the offices of the Rogue River-Siskiyou National Forest and the BLM Medford and Coos Bay Districts. For additional information about the project, please contact Roy Bergstrom at (541) 618-2061 or via email at rbergstrom@fs.fed.us.

Administrative Review (Objection): This 30-day notice and comment period is provided pursuant to 36 CFR 218.25. Comments will be considered, however, no pre-decisional objection and administrative review period is provided because the decision for withdrawal rests with the Secretary of the Interior and not with the Forest Service or Bureau of Land Management. Please see the section entitled "Decision Framework" in the EA (pg 2) for details about the decision process and the role of the agencies.

Comments and timeframe: Written, facsimile, hand-delivered, and electronic comments concerning this proposal will be accepted for 30 calendar days following publication of this notice on April 27, 2016. The publication date in the newspapers of record is the exclusive means for calculating the comment period for this analysis. Comments must be made in writing, should be within the scope of the proposed withdrawal, have a direct relationship to the proposal, and include supporting reasons. Individuals and organizations are responsible for ensuring that their comments are received in a timely manner.

How to Comment: If you wish to comment, please include the following information:

1. Name and address
2. Subject: SW Oregon Mineral Withdrawal
3. Identification of the individual or entity who authored the comment

Submit your written comments using one of the following methods:

1. **Via email:** Send to comments-pacificnorthwest-rogueriver-siskiyou@fs.fed.us. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc, .docx), or Adobe (pdf). Please include "SW Oregon Mineral Withdrawal" in the subject line.
2. **Via U.S. postal service:** Send to Robert MacWhorter, Forest Supervisor, c/o Shannon Downey, Rogue River-Siskiyou National Forest, 3040 Biddle Road, Medford, OR 97504.

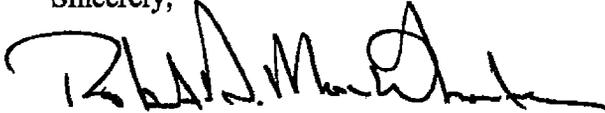


3. **Via FAX:** Please include the subject matter and send ATTN: Shannon Downey to (541) 618-2400.
4. **In person:** Comments may be hand-delivered at the Medford Interagency Office at 3040 Biddle Road, Medford, Oregon during normal business hours: 8:00 AM-4:30 PM, Monday through Friday, excluding holidays.

Comments received in response to this solicitation, including names and addresses of those who comment, will become part of the public record for this proposed action and will be available for public inspection. Pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality. Where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without names and addresses.

If you require documents or have questions about the comment period, please contact Shannon Downey at (541) 618-2074 (email: shannonldowney@fs.fed.us).

Sincerely,



ROBERT G. MACWHORTER
Forest Supervisor

114TH CONGRESS
1ST SESSION

S. 346

To withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2015

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southwestern Oregon
5 Watershed and Salmon Protection Act of 2015”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ELIGIBLE FEDERAL LAND.**—The term “eli-
4 gible Federal land” means—

5 (A) any federally owned land or interest in
6 land depicted on the Maps as within the Hunter
7 Creek and Pistol River Headwaters Withdrawal
8 Proposal or the Rough and Ready and Baldface
9 Creeks Mineral Withdrawal Proposal; or

10 (B) any land or interest in land located
11 within such withdrawal proposals that is ac-
12 quired by the Federal Government after the
13 date of enactment of this Act.

14 (2) **MAPS.**—The term “Maps” means—

15 (A) the Bureau of Land Management map
16 entitled “Hunter Creek and Pistol River Head-
17 waters Withdrawal Proposal” dated June 25,
18 2014; and

19 (B) the Bureau of Land Management map
20 entitled “Rough and Ready and Baldface
21 Creeks Mineral Withdrawal Proposal” dated
22 June 12, 2014.

23 **SEC. 3. WITHDRAWAL OF FEDERAL LAND, CURRY COUNTY**
24 **AND JOSEPHINE COUNTY, OREGON.**

25 (a) **WITHDRAWAL.**—Subject to valid existing rights,
26 the eligible Federal land is withdrawn from all forms of—

1 (1) entry, appropriation, or disposal under the
2 public land laws;

3 (2) location, entry, and patent under the mining
4 laws; and

5 (3) operation under the mineral leasing and
6 geothermal leasing laws.

7 (b) AVAILABILITY OF MAPS.—Not later than 30 days
8 after the date of enactment of this Act, the Maps shall
9 be made available to the public at each appropriate office
10 of the Bureau of Land Management.

11 **SEC. 4. EXISTING USES NOT AFFECTED.**

12 Except with respect to the withdrawal under section
13 3, nothing in this Act restricts recreational uses, hunting,
14 fishing, forest management activities, or other authorized
15 uses allowed on the date of enactment of this Act on the
16 eligible Federal land in accordance with applicable law.

17 **SEC. 5. TECHNICAL CORRECTIONS TO WILD AND SCENIC**
18 **RIVERS ACT RELATING TO THE CHETCO**
19 **RIVER, OREGON.**

20 Paragraph (69) of section 3(a) of the Wild and Scenic
21 Rivers Act (16 U.S.C. 1274(a)) is amended to read as fol-
22 lows:

23 “(69) CHETCO, OREGON.—

24 “(A) DESIGNATIONS.—The 44.5-mile segment from
25 its headwaters to the Siskiyou National Forest boundary;

1 to be administered by the Secretary of Agriculture in the
2 following classes:

3 “(i) The 27.5-mile segment from its
4 headwaters to Mislatah Creek as a wild
5 river.

6 “(ii) The 7.5-mile segment from
7 Mislatah Creek to Eagle Creek as a sce-
8 nic river.

9 “(iii) The 9.5-mile segment from
10 Eagle Creek to the Siskiyou National For-
11 est boundary, one mile below Wilson
12 Creek, as a recreational river.

13 “(B) WITHDRAWAL.—Subject to valid rights, the
14 Federal land within the boundaries of the river segments
15 designated by subparagraph (A), is withdrawn from all
16 forms of—

17 “(i) entry, appropriation, or disposal
18 under the public land laws;

19 “(ii) location, entry, and patent under
20 the mining laws; and

21 “(iii) operation under the mineral
22 leasing and geothermal leasing laws.”.

○

114TH CONGRESS
1ST SESSION

H. R. 682

To withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2015

Mr. DEFAZIO (for himself and Mr. HUFFMAN) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

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10 (B) any land or interest in land located
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15 uses allowed on the date of enactment of this Act on the
16 eligible Federal land in accordance with applicable law.

17 **SEC. 5. TECHNICAL CORRECTIONS TO WILD AND SCENIC**
18 **RIVERS ACT RELATING TO THE CHETCO**
19 **RIVER, OREGON.**

20 Paragraph (69) of section 3(a) of the Wild and Scenic
21 Rivers Act (16 U.S.C. 1274(a)) is amended to read as fol-
22 lows:

23 “(69) CHETCO, OREGON.—

24 “(A) DESIGNATIONS.—The 44.5-mile segment from
25 its headwaters to the Siskiyou National Forest boundary;

1 to be administered by the Secretary of Agriculture in the
2 following classes:

3 “(i) The 27.5-mile segment from its
4 headwaters to Mislatah Creek as a wild
5 river.

6 “(ii) The 7.5-mile segment from
7 Mislatah Creek to Eagle Creek as a sce-
8 nic river.

9 “(iii) The 9.5-mile segment from
10 Eagle Creek to the Siskiyou National For-
11 est boundary, one mile below Wilson
12 Creek, as a recreational river.

13 “(B) WITHDRAWAL.—Subject to valid rights, the
14 Federal land within the boundaries of the river segments
15 designated by subparagraph (A), is withdrawn from all
16 forms of—

17 “(i) entry, appropriation, or disposal
18 under the public land laws;

19 “(ii) location, entry, and patent under
20 the mining laws; and

21 “(iii) operation under the mineral
22 leasing and geothermal leasing laws.”.

○



MISC. ITEMS

**INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS**



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 a.**

Council Meeting Date: September 12, 2016

TITLE: Finalize URA meeting date later in month and bylaw information

SUMMARY AND BACKGROUND:

Councilor Kaufman requested the following: *(staff numbered each item for discussion purposes)*

- 1) *Given all the confusion, may I request an agenda item for the coming council meeting to discuss requesting staff assistance to assist GBURA in having a meeting on the 22nd? Staff would handle the public notice?*

For the GBURA meeting,

- 2) *At the meeting 1st on the agenda to clarify or elect officers of the committee so we have a structure who will call meetings, who will facilitate, who will take minutes, who will do the next agenda, who will do the public notices of future meetings etc.*
- 3) *Second we should all come prepared having reviewed the plan and the IGA with the city. (Jodi can you email the IGA please).*
- 4) *Perhaps besides familiarizing each other with the plan, we can begin the process of deciding to save for a bigger project or spend the small amount on something of a smaller scale?*

STAFF RESPONSES:

Item #1: I will put together the agenda for the Thursday, September 22nd meeting. I need a time though. Will we be meeting at our usual 6:30?

ITEM #2: I have attached to this report information regarding bylaw best practices and 3 samples of similarly sized cities (under 5,000ish) URA bylaws: Tillamook, Veneta, and Phoenix.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

ITEM#3: I made hard copies of the plan, report, amendment, maps, and implementing documents for all of you. I will also email copies of all these for your digital records. We do not have an IGA. We had discussion a long while back about who would be staff to the agency. Honestly, it would be easiest if it was the city administrator, especially since I am also the city planner and economic development is part of my duties. Most small cities do it that way. I did a quick review of other small cities with URAs and all their managers are the staff. I can't actually see it taking that much staff time, and if it does become burdensome then we can discuss it again. And even if you did hire staff (or a volunteer) I would still have to coordinate with them so my time is in the URA agency either way. The URA doesn't have any funds to hire staff at this time, and there isn't anything to administer at this time.

ITEM #4: Up to you guys!



Best Practices for URA in Oregon

Appendix B: Suggested Bylaw Contents, and Appendix C: Barriers to Development

Actions that require concurrence include:

- Establishing an urban renewal plan with maximum indebtedness exceeding the limits established in ORS 457.470.
- Computing the division of taxes for an urban renewal area that exceeds the limits imposed by “revenue sharing” legislation described in ORS 457.470(2) and ORS 457.470 (4).
- Amending an urban renewal plan to increase maximum indebtedness beyond the limits established in ORS 457.420(3) and ORS 457.470(5).

Appendix B: Suggested Bylaw Contents for Urban Renewal Agencies

General Information

- Official name of the organization
- Primary office location
- Agency’s purpose(s)
- Procedures for amending the bylaws

Governing Board Information

- General powers of the governing board
- Number of board members
 - o Members’ backgrounds (e.g., real estate, development, finance, two outside directors, etc.)
- Terms and term limits of members
- Nomination and election of members
- Resignation of members
- Removal of a member (e.g., with or without notice, failure to attend three consecutive meetings, etc.)
- Process for filling vacancies
- Notice required for board of members’ meetings

- Frequency of meetings and meeting procedures (e.g., four per year)
- Quorum requirements
- Descriptions and powers of standing committees (if any)
- Meeting procedures (e.g., actions without a meeting, meeting by telephone, etc.)
- Action taken without a meeting (e.g., consent in writing to waive a meeting, vote, etc.)

Officers

- Qualifications for holding office
 - Duties of officers (e.g., chair, vice-chair, secretary, and treasurer)
 - Process for selecting or appointing officers
 - Terms and term limits (if any)
 - Provision for a executive director (if not an officer)
 - Circumstances under which officers may be removed
- Fiscal Matters
- Audit (only needed if different from the statutory requirement)
 - Indemnification and insurance
 - Purchasing (contracting)
 - Should be consistent with municipal organization
 - Investments (only needed if different from the jurisdiction entity or statutory requirements)

Special Note: It is not necessary for an organization's bylaws to specify rules of order. However, if they do specify rules of order (e.g., Robert's Rules of Order), then the organization should be very careful to follow those procedures. Any action taken by the board that does not follow those rules of order may be vulnerable if challenged.

Appendix C: Barriers to Development

In the operation of an urban renewal district, many unforeseen issues can arise that complicate the urban renewal plan and require course corrections and changes along the way. This is inevitable given that most urban renewal plans require 20 or more years to complete. This section highlights several of the most common types of barriers to implementation that can arise, and it provides some strategies that an urban renewal agency can use to avoid the barriers, or mitigate them if they cannot be avoided.

The potential barriers are organized into several categories: Political/Policy, Physical, Economic, Financial:

A. *Changing board political/policy or council priorities.* Over the life of an urban renewal district, a city council or urban renewal board will change, and along with that change, their priorities as to the types of projects that they want to fund may also change. This is inevitable. Sometimes these changes will be for very good reasons (new economic conditions, community aspirations, or other factors) and at times they may seem capricious and merely based on opinions or special interests. In either case, the best strategy for urban renewal agency staff is to provide the board with good information on which to base its decisions. This means being able to point to existing plans and policies that support the desired investments, financial and economic analyses to demonstrate the positive impacts that the projects will have, and producing annual reports that clearly communicate the pattern of success and interconnectedness of the projects identified in the original plan.

B. *Community opposition.* Despite the public involvement that goes into the formation of an urban renewal area, new opposition may arise from the community when it comes time to implement specific projects. As with changing board or council priorities, the reasons for opposition to projects may be well-grounded or they may be very narrow or self-serving. There are no silver bullets to avoiding community opposition to projects, but it is always advisable to conduct outreach early and often in order to understand where potential opposition might lie. In this way, the community will be informed about the reasons for (and benefits of) the proposed project, educated about the policy support for the project, and ensured that there are no surprises when the project is brought to the board. Likewise, many staff seek out project advocates in the community who can support the urban renewal agency in communicating the project's benefits to others.

C. *Outdated regulations.* Do not overlook that urban renewal projects must meet zoning and building codes like every other type of project. Often times, especially in an older downtown, issues related to historic buildings, parking

codes, mixed-uses (allowances or prohibitions), and numerous other issues can add additional hurdles to making projects possible. Coordinating urban renewal planning with other planning efforts is essential.

Physical

- **Environmental remediation.** Sometimes the costs of environmental remediation needed to implement a project are higher than anticipated during the planning process (or such remediation was not even anticipated). Better project analysis in the planning stage can help avoid these situations, but particularly as it pertains to environmentally contaminated sites, such surprises cannot always be avoided. If this occurs, options can include re-scoping the project to reduce overall costs or pursuing brownfield remediation grants and other sources of project funding.
- **Off-site impacts.** As with environmental remediation, some project costs may not be known until project implementation has already begun. These can often include off-site impacts such as traffic impacts (and associated mitigation costs), wetlands mitigations, historical impacts, view corridors, and other factors. Again, there is no single solution to avoiding this situation, but it speaks to a need to plan for project costs beyond the direct costs of the project construction itself.
- **Building barriers.** Many buildings within URAs that need rehabilitation are plagued with challenging and expensive obstacles, such as seismic and asbestos problems. Often the extent of these maladies in older buildings isn't clear until after work on them has already begun. This can create situations where private and public (TIF) resources that were committed to the project are no longer sufficient to complete it. While establishing a contingency fund in advance can help mitigate the financial impact, this is sometimes still insufficient. These circumstances usually bring the public and private partners back to the table to work out viable solutions.

Economic

- **Changing Market Conditions.** Regardless of the financial boost given to a project by urban renewal, it will not be successful if there is not market demand for the target users of the project upon completion – be they apartment tenants, office users, or industrial businesses. Without demonstrated demand for the type of space to be built, the space will stay empty or perform below financial targets, and it may compete with nearby properties, diluting the overall economic impact. Successful urban renewal projects should be based on a sound market analysis and urban renewal agencies should be ready to delay (or accelerate) timelines to address evolving market conditions. Likewise, public-private partnerships should have provisions to relieve developers of certain obligations if

market conditions do not support ongoing investment.

- **Property Ownership.** Blighted properties that an urban renewal agency is targeting for redevelopment may be owned by an entity that is unwilling or unable to sell it to the agency or a developer. Since urban renewal agencies can no longer condemn properties for private reuse, agencies are left with three options:
 - o Try to work with the existing owner on rehabbing the target property so that it is not as great of a detriment to the URA.
 - o If viable, work around the blighted property, and continue trying to address it in the future.
 - o Explore whether the blighted property can be redeveloped for public use (e.g., plaza, parks, public parking, etc.), in which case it could be acquired through condemnation.

Financial

- **Slow TIF Growth.** Particularly in the early years of an URA, there may be little increment created, meaning that there is little capacity to fund projects. This is a common situation that cannot be avoided. Financial projections should be carefully reviewed to ensure that they are realistic about the types of projects that may be built in the early years and the amount of new increment that they will generate. If growth is slow, the URA or the jurisdiction may want to find other sources of funding to ensure that projects can move forward early, starting the momentum that will create greater increment over the long term.
 - o It may be necessary or desirable to utilize other funding sources, such as utility resources (existing or debt), to stimulate activity within an URA, with subsequent repayment of those resources from future tax increment.
- **Demolitions.** An often-overlooked problem is the demolition of structures in a district or the departure of a major user. When an URA has a relatively large portion of its taxable value based in just a handful of properties, it becomes vulnerable to negative growth if one or more of those users should go away and there is no commensurate development with which it can be replaced.
- **Tax abatements.** The State of Oregon authorizes a number of tax abatement programs as incentives for development, including affordable housing and multi-family housing tax abatements and enterprise zones, where property taxes are waived on new, qualifying development for a typical period of five to ten years. While these abatements can serve as an important financial incentive that can make the difference on whether a project gets built, the abatement of taxes means that the investment will generate no increment to support the URA for the life of the plan.

This is not to say that such abatements should not be used, but that their financial impact should be discussed by policy makers and must be accounted for in the urban renewal plan's financial analysis.

- **Declining values.** Prior to the recession that began in 2007, it was not anticipated that real property values would decline below taxable assessed value, particularly an urban renewal plan's base year assessment. However, it is now known that such declines are possible and urban renewal agencies should carefully monitor economic conditions to anticipate such declines and adjust accordingly.
- **Debt capacity.** There are many external factors that will affect the urban renewal agency's debt capacity, including, but not limited to, revenue and revenue projections, interest rate and other terms, the city's or county's bond rating, and fluctuations in national and international bond markets overall. While many of these issues are largely outside the control of the URA, financial plans and projections should be updated to reflect the most current rates and terms. Additionally, an individual entity's risk tolerance needs to be factored into financial modeling.
- **Utilities and equipment.** In some districts, a sizable portion of tax revenues come from private property (equipment) and utilities. The valuation of these utilities has been volatile, particularly with changes in valuation methodologies. Additionally, if major utility infrastructure is abandoned and/or relocated outside the urban renewal area, significant impacts to tax increment revenue can result. Likewise, if significant utility infrastructure is constructed in the URA, significant tax increment can result.

Urban renewal areas that include significant equipment valuations face similar considerations. The relocation in or out of an URA can have significant immediate positive and negative impacts to tax increment. In addition, depreciation schedules for expensive equipment will impact TIF.



URA Bylaws Phoenix

**PHOENIX URBAN RENEWAL AGENCY
Phoenix, Oregon**

RESOLUTION NO. 15-2

**A RESOLUTION OF THE PHOENIX URBAN RENEWAL AGENCY
APPROVING AND ADOPTING AGENCY BYLAWS, and RESCINDING
RESOLUTION 14-1.**

BE IT RESOLVED that the Phoenix Urban Renewal Agency adopts the following bylaws:

ARTICLE I - AUTHORITY

Section 1. Name: The name of the Agency shall be the Phoenix Urban Renewal Agency, Oregon, hereinafter referred to as "Agency."

Section 2. Office: The office of the Agency shall be located in the City Hall, City of Phoenix, Oregon, or at such other location as the Agency may from time to time designate by resolution.

Section 3. Powers and Duties: The powers and duties of the Agency shall be as provided by Chapter 457 of the Oregon Revised Statutes and as authorized by the Phoenix City Council in accordance with Ordinance No. 922, adopted by the Phoenix City Council on March 8, 2010.

ARTICLE III -- BOARD OF DIRECTORS

Section 1. Number of Seats: The Agency shall consist of a Board of Directors of seven (7) voting members. Three (3) seats shall be held by concurrent members of the City Council of Phoenix and four (4) shall be held by citizen/business representatives. Citizen/business representatives must live or own a business located within the city limits. In addition, the Board may include the City Manager of the City of Phoenix as an ex officio non-voting member.

Section 2. Appointment and Terms of Office: The Board of Directors shall be appointed by the Phoenix City Council. Citizen/business representatives shall serve staggered four year terms, ending June 30. City Council representatives shall serve terms that correspond with the term of their city council seat, ending December 31. All members of the Board of Directors may be re-appointed to consecutive terms.

Section 3. Local Contract Review Board: The Agency's Board of Directors shall act as the Local Contract Review Board when approving public contracts in accordance with the Agency's Public Contracting Rules.

Section 4. Contracts, Deeds, Instruments: The Agency's Board of Directors shall, by resolution or by motion, approve the execution of all contracts over \$25,000 as well as deeds and instruments of the Agency, and shall authorize the appropriate officer or individual to sign each contract on behalf of the Agency.

ARTICLE III - OFFICERS, PERSONNEL, COMMITTEES

Section 1. Officers: The officers of the Agency shall be a chair, a vice-chair/secretary, an executive director, and any other officers whom the Agency deems necessary. No officer shall be a concurrent member of the Phoenix City Council.

Section 2. Chair: The Chair shall be elected by the Agency members during the first meeting of each calendar year and shall preside at all meetings of the Agency. The Chair shall have a vote on all questions before the Agency. At each Agency meeting, the Chair shall submit information and recommendations as the Chair may consider proper concerning the business, affairs and policies of the Agency. The Chair shall be a co-signer on checks.

Section 3. Vice-Chair/Secretary: The Vice-Chair/Secretary shall be elected by the Agency members during the first meeting of each calendar year and shall perform the duties of the Chair in the absence of the Chair. Whenever the Chair is unable to perform the functions of the office, the Vice-Chair/Secretary shall act as Chair. If both the Chair and the Vice-Chair/Secretary are absent from an Agency meeting, the members present shall select one of their number to perform the Chair's functions at the meeting. In the absence of the Executive Director, the Vice-Chair/Secretary shall keep the official records of the Agency, attest signatures of the Agency, certify copies of Agency documents, and perform other record-keeping duties of the Executive Director. The Vice-Chair/Secretary shall be a co-signer on checks.

Section 4. Executive Director: The Executive Director shall be the chief executive officer and administrative head of the Agency and shall be responsible to the Agency for the proper administration of the affairs placed in the Executive Director's hands. The Executive Director shall administer the affairs of the Agency in accordance with Federal, State and local laws. The Executive Director shall see that all contracts of the Agency are carried out in the best interest of the Agency under appropriate law.

(a) The Executive Director shall cause to have prepared plans, reports, and other necessary matters concerning any given Urban Renewal area; and shall report from time to time to the Agency on the status of the Urban Renewal programs.

(b) The Executive Director shall appoint and remove committee members and employees except as the Bylaws otherwise provide and shall have general supervision and control over them and their work.

(c) The Executive Director shall serve as the budget officer of the Agency.

(d) The City Manager of the City of Phoenix may act as the Executive Director of the Agency, or the Board of Directors may select another individual to serve as Executive Director of the Agency.

(e) The Executive Director shall be responsible for the fiscal administration of all funds of the Agency and shall act as co-signer of the checks drawn upon the checking accounts of the Agency.

Section 5. Additional Duties: The officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency.

Section 6. Additional Personnel, Committees: The Agency may, from time to time, employ such personnel and create committees, subcommittees or advisory groups as it deems necessary to exercise its powers, duties and functions as prescribed by the laws of the State of Oregon applicable thereto. The Agency's Budget Committee shall meet separately from the Budget Committee of the City.

(a) Without limiting the generality of this Section 6, the Agency may, through its Board of Directors, appoint one or more non-voting student liaisons. The criteria for selection of said student liaisons, their term or terms, and the scope of their participation shall be set by motion or by resolution of the Board of Directors, subject to modification at any time in the discretion of the Board.

Section 7. Vacancies: Should the offices of the Chair or Vice-Chair/Secretary become vacant, the Agency shall elect a successor from its Agency members at the next regular meeting and such election shall be for the unexpired term of such office.

Section 8. Removal: The Chair or Vice-Chair/Secretary may be removed from office at any time by a vote of a majority of the entire Agency. Agency members, including the positions of Chair and Vice Chair/Secretary, may also be removed from office after three consecutive, unexcused absences.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings: The Urban Renewal Agency shall hold a regular meeting at least quarterly, at a time and at a place which it designates. A regular meeting may be continued, postponed, cancelled or adjourned to a later date by a majority of the Agency members present and voting, and notice of such adjourned meeting shall be given to all Agency members.

Section 2. Special Meetings: The Chair may, when the Chair deems it expedient, or upon the written request of two members of the Agency, shall call a special meeting of the Agency to be held at the regular meeting place, unless otherwise specified in the call, for the purpose of transacting any business designated. Notice of the special meeting shall be given to all members of the Agency at the time of the call and shall be given to the public in accordance with Oregon Public Meetings Law.

Section 3. Open Meetings: The deliberations and proceedings of the Agency shall be public except as state law allows otherwise.

Section 4. Quorum: A majority of the incumbent voting members of the Agency shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Except as these bylaws provide otherwise, and as allowed by law, the express concurrence of a majority of the members of the Agency shall be necessary to decide any question before the Agency.

Section 5. Manner of Voting: Voting shall be by record vote.

Section 6. Order of Business: At the regular meetings of the Agency, the following shall be substantially the order of business:

- (a) Roll call.
- (b) Approval of minutes of previous meeting.
- (c) Citizen input.
- (d) Items from Chair or Agency Members.
- (e) Items from Executive Director.
- (f) Committee reports.
- (g) New and miscellaneous business.
- (i) Adjournment.

Section 7. Robert's Rules: All rules of order not herein provided for shall be determined in accordance with *Robert's Rules of Order Newly Revised*.

ARTICLE V - FINANCIAL

Section 1. Agency Funds; Investment and Disbursement: Agency funds shall be kept separate from the funds of the City and shall be invested and disbursed in accordance with Oregon law

Section 2. Budget: Budget procedures shall follow budget law of the State of Oregon for urban renewal agencies.

Section 3. Audit: An annual audit of the fund or funds of the Agency shall be performed.

ARTICLE VI – PROFESSIONAL SERVICES

Section 1. Professional Services: The Agency shall use the same consulting engineer as the City of Phoenix, unless not in the best interests of the Agency to do so. The Agency may hire other professional services, including but not limited to auditor, legal counsel, bond counsel, urban renewal consultant, and financial analyst as may be required to fulfill the goals and objectives of the Agency.

ARTICLE VII - AMENDMENTS

Section 1. Amendment of Bylaws: These bylaws may be amended by resolution at any regular or special meeting of the Agency by a 2/3 vote of the voting quorum present.

BE IT FURTHER RESOLVED that Resolution No. 14-1 adopted the 12th day of May 2014, is hereby rescinded.

Adopted this 10th day of February, 2015 by the following vote:

AYES - 6 NAYS - 0 ABSTAIN - 0 ABSENT - 0

Signed by me in authentication of its adoption and passage by the Phoenix Urban Renewal Agency this _____ day of _____, 2015.

Chair

ATTEST:

Jim Sharp
Executive Director



URA Bylaws Tillamook

Tillamook Urban Renewal Agency Bylaws

Revisions to the Bylaws by Resolution as Follows:

- Resolution 2006-01 Adopting Bylaws - 10-30-2006
- Resolution 2009-03 Establish Regular Meeting Time – 7-21-2009
- Resolution 2009-04 Board Member Continuity – 7-21-2009
- Resolution 2009-07 Establishing Standing Committees – 9-10-2009
- Resolution 2011-01 Concerning Regular Meeting Times – 1-27-2011
- Resolution 2011-02 Concerning Agency Board Membership – 5-3-2011
- Resolution 2011-06 Concerning Regular Meeting Times – 6-7-2011
- Resolution 2012-01 Concerning Regular Meeting Times – 1-11-2012
- Resolution 2012-06 Concerning Agency Board Membership – 9-12-2012
- Resolution 2012-07 Multiple Amendments to the Bylaws – 12-12-2012

Section 1. ARTICLE I - AUTHORITY

- 1a. **Name:** The name of the Agency shall be the Tillamook Urban Renewal Agency, hereinafter referred to as "Agency or TURA."
- 1b. **Office:** The office of the Agency shall be the City Hall of the City of Tillamook, Oregon, or as mutually agreed to by the Tillamook City Council and the Agency.
- 1c. **Powers and Duties of the Agency:** The powers and duties of the Agency shall be as provided by Chapter 457 of the Oregon Revised Statutes and Tillamook City Charter and as authorized by the Tillamook City Council in accordance with Ordinance No. 1211, adopted by the Tillamook City Council July 17, 2006.

Section 2. ARTICLE II - BOARD MEMBERS

- 2a. **Agency Membership:** The Board of the Agency shall be comprised of seven (7) members, including two (2) members of the Tillamook City Council as it lawfully exists from time to time; and five (5) at-large positions.
- 2b. **The Terms of Agency Board Members:** The terms of Agency board members shall be: the two (2) members of the City Council shall serve for a term consistent with their elected term of office not to exceed four (4) years; the five (5) at- large positions shall serve as follows:
 - Beginning in 2006, the initial term of office was staggered for at-large appointments per the following:

Two persons at-large for a two (2) year term; three persons at-large for a four (4) year term; subsequent appoints shall be made every other year for the full four (4) year term to allow continuity of committee make-up (For example: two (2) at-large member position terms ended in 2008 and will now end in 2012; the other three (3) at-large member positions will end in 2010 and will end again in 2014, and so it goes thereafter three in 2016 the other two ending in 2018, three in 2020 and the other two in 2022).

Tillamook Urban Renewal Agency Bylaws

Any Agency members may be removed by a majority vote of all members of the Agency.

- Board Member and City Council positions shall be numbered as follows:

At Large Position #1 – 4 year term

At Large Position #2 – 4 year term

At Large Position #3 – 4 year term

At Large Position #4 – 4 year term

At Large Position #5 – 4 year term

City Council Member #1

City Council Member #2

- 2c. Vacancies of Positions within the Agency:** Board terms expire on December 31 of the year associated with that position number. After advertising for each position, nominations and appointments will be done at the December meeting. If for some reason the position cannot be filled prior to December 31st, the remaining Agency board members will meet as soon as possible to nominate and fill the expired position.

Should the position of any member of the Agency become vacant at any time, the Agency shall seek, at its earliest convenience, to fill said vacancy for the remainder of the term. Vacant positions of members shall be filled as follows: Vacant councilor member positions shall be referred to the Tillamook City Council for action; at-large member positions shall be filled by the Agency.

- 2d. Procedure of Voting on Vacant At-Large Positions:**

- 1d. Nominations for vacant positions will open with no second required. When nominations are exhausted, discussion will follow.
- 2d. Voting by existing Board members will be done all at once by written ballot.
- 3d. Votes equaling the number of vacancies will be placed on a ballot and signed by each remaining agency member.
- 4d. Votes will be read aloud as to voting members name and their selection(s) and tallied.
- 5d. Nominee(s) with the greater number of votes will fill the vacant position(s).

- 2e. Initial Appointment of Positions:** The initial appointment of the seven (7) positions of the Agency shall be determined as follows: the two (2) councilor positions shall be determined by a vote of the Tillamook City Council; the five (5) at-large positions shall be determined by lottery draw at the first meeting of the Agency.

Section 3. ARTICLE III - OFFICERS AND PERSONNEL

- 3a. Officers:** The officers of the Agency shall be Chair and Vice Chair.

- 3b. Chair:** The Chair shall be elected by the board members of the Agency and shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of board members, the Chair shall sign all contracts, deeds, and other instruments made by the Agency. At each

Tillamook Urban Renewal Agency Bylaws

meeting, the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business, affairs, and policies of the Agency.

- 3c. **Vice Chair:** The vice Chair shall be elected by the board members of the Agency and shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of resignation or death of the Chair, the vice Chair shall perform such duties as are imposed on the Chair until such time as the Board shall elect a new Chair.
- 3d. **Additional Duties:** The officers of the Agency shall perform such other duties and functions as may, from time to time, be required by the Agency or by the bylaws or rules and regulations of the Agency.
- 3e. **Election or Appointment:** The Chair and Vice Chair shall be elected annually by the board members at the first regular meeting of the Board in January of each year, and shall hold office for one year or until their successors are elected and qualified.
- 3f. **Vacancies of the Chair or Vice-Chair:** Should the offices of the Chair or vice Chair become vacant, the Board shall elect a successor from its members at the next regular meeting and such election shall be for the unexpired term of such office.
- 3g. **Personnel:** The Board shall appoint an administrator and legal counsel. The administrator shall be appointed for an indefinite term by vote of a majority of the board members. The administrator shall keep the records of the Agency, record all votes, keep a record of the proceedings of the Agency, and perform all duties incident to the office and other duties and functions as may from time to time be required by the bylaws or rules and regulations of the Agency.
- The legal counsel shall be appointed for an indefinite term by vote of a majority of the board members. No board member shall be eligible to become legal counsel to the Agency until at least one year after leaving office as a board member.
- The Board may create additional positions and appoint such personnel as it may, from time to time, find necessary or convenient to perform its duties and obligations at such compensation as may be established by the Agency, which appointments shall continue at the pleasure of the Agency or until resignation.
- 3h. **Removal:** The Chair, Vice Chair, administrator, and legal counsel may be removed at any time by a vote of a majority of the entire Board.

Section 4. ARTICLE IV - MEETINGS

- 4a. **Regular Meetings:** Regular meetings shall be in accordance with ORS Chapter 192. All meetings shall be held in the council chambers in the City of Tillamook, Oregon, or at such other place as the Chair shall determine. A regular meeting may be adjourned to a time and date certain decided by a vote of the majority of the Agency board members present and voting, and no notice of such adjourned meeting need be given. Provided the agenda is not altered,

Tillamook Urban Renewal Agency Bylaws

beginning on February 1, 2012, the Tillamook Urban Renewal Agency shall meet on the second Wednesday of each month at 5:30 p.m. or due to conflict or special circumstances may meet on other days, by the consensus of a majority of the board. Additional or special meetings may be held.

- 4b. **Special Meetings:** The Chair may, when the Chair deems it expedient, and shall upon the written request of two board members of the Agency, call a special meeting of the Agency to be held at the regular meeting place, unless otherwise specified in the call, for the purpose of transacting any business designated. Notice of such meeting shall be in accordance with ORS Chapter 192. Presence of any board member at any meeting shall be deemed to be a waiver of notice of such meeting. Special meetings may also be held at any time by the unanimous consent of all board members of the Agency.
- 4c. **Quorum:** Four (4) board members of the Agency shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. A majority of the board members of the Agency present and voting shall be necessary to determine any question before the Agency, unless otherwise specified in these bylaws, in a resolution of the Agency or in Roberts Rules of Order, Newly Revised.
- 4d. **Manner of Voting:** The voting on formal resolutions, matters to any federal, state, county or city agency, and on such other matters as may be requested by a majority of the Agency board members shall be by roll call, and the ayes and nays and board members present and not voting shall be entered upon the minutes of such meeting, except on the election of officers, which may be by ballot.
- 4e. **Order of Business:** At the regular meetings of the Agency, the following shall be substantially the order of business:
- 1e. Additions to the Agenda
 - 2e. Approval of Minutes from previous meetings
 - 3e. Discussion and/or Action items
 - 4e. Public Comment
 - 5e. Agenda Additions
 - 6e. Adjourn
- 4f. **Resolutions:** All resolutions shall be in writing.
- 4g. **Roberts Rules:** All rules of order not herein provided for or provided for by resolution shall be determined in accordance with Roberts Rules of Order, Newly Revised.
- 4h. **Open Meetings:** All meetings shall be open to the public, except that any portion of a meeting may be held in Executive Session if such session is in conformity with ORS Chapter 192.

Tillamook Urban Renewal Agency Bylaws

Section 5. ARTICLE V - PROCEDURES

5a. **Standing or Special Committees:** The Chair is authorized to refer items to standing or special committees for recommendation and report. All committees shall be appointed by the Chair unless otherwise ordered by the Agency. The committee member first named shall act as Chair thereof. Appointments to such committees need not be restricted to board members of the Agency.

- All committees should consist of at least three (3) members.
- Any committee should not be made up solely of TURA members, if possible.
- All committee appointments by the TURA Chair or the Committee Chair shall be reconsidered at the same time each year as the TURA officers are chosen, but a vacancy should be filled as soon as possible.

Standing Committees shall be as follows:

A. The Proposal Committee:

1. The Committee shall first ascertain that the applicant request for either financial, and or technical assistance has filed all of the necessary forms, and that they are completed as required by the TURA Application Guideline and Overview procedures and any other obligation assigned by a majority of the Board.
2. The Committee has the authority to require that additional forms be completed that it deems necessary before allowing the request to come before the full Board for consideration.
3. The Committee shall make a recommendation for consideration of assistance before the full Board.
4. The Committee will from time to time report to the full board as requested by the TURA Chair.

B. The Contract Committee:

1. The Committee will monitor the TURA contracts for compliance with the TURA Application Guideline and Overview procedures and requirements, make recommendations concerning payments to the applicant if applicable, and generally oversee the completion of the contract requirements, and any other obligation assigned to it by a majority of the Board.
2. The Committee will from time to time report to the full TURA Board as requested by the TURA Chair.

5b. **Authorization of Expenditures:** Authorization and approval of expenditures of money may be made only at a regular meeting or at a special meeting called for that purpose. No authorization or approval of expenditures of money may be made at a special meeting unless all board members of the Agency have been advised in advance of said meeting that such authorizing action is intended to be taken or considered.

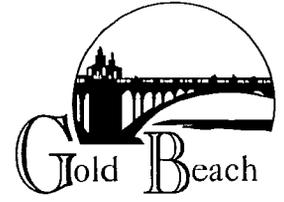
Tillamook Urban Renewal Agency Bylaws

Section 6. ARTICLE VI - FINANCIAL

- 6a. **Separate Fund:** A separate fund or funds of the City of Tillamook shall be established for the Agency. All disbursements from these funds shall follow the regular disbursement procedures of the City of Tillamook.
- 6b. **Budget:** Budget procedures shall be in compliance with state budget laws. The committee which reviews the budget of the Agency shall consist of the board members of the Agency plus the appointed at-large members of the City of Tillamook budget committee.
- 6c. **Audit:** An annual audit of the fund or funds of the Agency shall be performed by the auditor of the City of Tillamook using the same procedures as are used for all other funds of the City and in accordance with state audit laws.

Section 7. ARTICLE VII - AMENDMENTS

Amendments to Bylaws: The bylaws of the Agency shall be amended only with the approval of a majority of all members of the Agency at a regular or special meeting, but no such amendment shall be adopted unless at least ten (10) days' written notice thereof has been previously given to all of the board members.



URA Bylaws Veneta

City of Veneta
Chapter 2.30 URBAN RENEWAL AGENCY

Sections:

I. The Agency

- 2.30.010 Policy and purposes of the Veneta downtown renewal agency.
- 2.30.020 Definitions.
- 2.30.030 Veneta downtown renewal agency.
- 2.30.040 Membership of the urban renewal agency.
- 2.30.050 Terms of office.
- 2.30.060 Vacancies.
- 2.30.070 Officers.
- 2.30.080 By-laws.
- 2.30.090 Quorum and voting.
- 2.30.100 Disclosure.
- 2.30.110 Meetings – Notice.

II. Powers and Duties

- 2.30.120 Powers and duties of the urban renewal agency.

III. Urban Renewal Plan Adoption

- 2.30.130 Urban renewal plan adoption.

IV. Subcommittees and Citizen Advisory Committees

- 2.30.140 Subcommittees and citizen advisory committees.

V. Agency Staff

- 2.30.150 Agency staff.

I. The Agency

2.30.010 Policy and purposes of the Veneta downtown renewal agency.
The city of Veneta city council finds and declares as follows:

- (1) That blighted areas exist within the incorporated areas of the city;
- (2) That there is a need for an urban renewal agency, a public body corporate and politic, to function in the city; and the agency shall focus on the following activities, among others, in carrying out urban renewal projects, pursuant to state law, the City Charter and this chapter:

- (a) Maintenance and improvement of viable commercial and industrial business areas including support for small local businesses;
 - (b) Promotion of stability in residential areas, and provision, conservation or rehabilitation of adequate housing to meet the needs of city residents;
 - (c) Provision of public facilities, utilities and necessary physical improvements as provided in an approved urban renewal plan;
 - (d) Promotion of new employment opportunities;
 - (e) Involvement of citizens in all phases of preparing and implementing an urban renewal plan;
- (3) That the Veneta city council elects to have all of those powers granted to and vested in an urban renewal agency by the laws of the state of Oregon, exercised by and vested in the urban renewal agency of the city of Veneta. (Ord. 266 § 1.010, 1984)

2.30.020 Definitions.

For the purposes of this chapter, the following words shall mean:

- (1) "Agency" means the urban renewal agency of the city of Veneta, hereinafter to be known as the "Veneta downtown renewal agency."
- (2) "Council" means the city council of the city of Veneta, Oregon.
- (3) "City" means the city of Veneta, Oregon.
- (4) "Urban renewal area" means a blighted area included in an urban renewal plan.
- (5) "Urban renewal project" or "project" means any work or undertaking carried out in an urban renewal area.
- (6) "Urban renewal plan" or "plan" means a plan as it is adopted pursuant to ORS 457.085 through 457.160 or is changed from time to time in accordance with ORS 457.220 by the council for one or more urban renewal areas. (Ord. 266 § 1.020, 1984)

2.30.030 Veneta downtown renewal agency.

The Veneta downtown renewal agency is hereby established. The agency shall have the powers and duties described in VMC 2.30.120. (Ord. 266 § 1.030, 1984)

2.30.040 Membership of the urban renewal agency.

The agency shall consist of five members who shall be the mayor and four council persons who together constitute the city council of Veneta as provided by the City Charter. (Ord. 266 § 1.040, 1984)

2.30.050 Terms of office.

The terms of office of agency members shall coincide with their terms of office on the city council. (Ord. 266 § 1.050, 1984)

2.30.060 Vacancies.

Vacancies shall be filled as provided for council members by the City Charter. (Ord. 266 § 1.060, 1984)

2.30.070 Officers.

At its first meeting after appointment, the agency shall select a chairman, vice-chairman and such other officers deemed necessary. Thereafter, such officers shall be elected by the agency's membership at or before the agency's first meeting in January of each succeeding year. (Ord. 266 § 1.070, 1984)

2.30.080 By-laws.

The agency shall adopt by-laws and rules of procedure to regulate the conduct of meetings; until such rules are adopted, proceedings of the agency shall be conducted in accordance with Robert's Rules of Order. (Ord. 266 § 1.080, 1984)

2.30.090 Quorum and voting.

(1) Three members of the agency shall constitute a quorum for the conduct of business.

(2) The agency shall act by a majority vote of the members present at a meeting, excluding members present but abstaining; provided, that no action shall be taken without the affirmative concurrence of three members.

(3) Actions, reports and recommendations adopted by the agency shall be adopted by resolution, signed by the chairman or vice-chairman, or their designated member substitute, and filed with the city recorder. (Ord. 266 § 1.090, 1984)

2.30.100 Disclosure.

Prior to voting on any issue under this chapter, members of the Veneta downtown renewal agency shall publicly disclose the nature and extent of any previous conversation relating to that issue with any person having a pecuniary interest in the matter. (Ord. 266 § 1.100, 1984)

2.30.110 Meetings – Notice.

(1) The agency shall hold at least one meeting per month and may hold such other meetings as are necessary to perform its functions.

(2) Before any meeting of the agency, notice shall be given as required by law.

(3) The agency may continue any proceeding, and a proceeding continued to a time, date and place certain requires no additional notice unless such notice is required by law or is ordered by the agency. (Ord. 266 § 1.110, 1984)

II. Powers and Duties

2.30.120 Powers and duties of the urban renewal agency.

The agency shall:

(1) Have such powers and duties as are authorized by law and set forth in Chapter 457 ORS, including, without limitation, the power to:

(a) Carry out any work or undertaking and exercise any powers which a housing authority is authorized by law to perform;

(b) Carry out any rehabilitation or conservation work in an urban renewal area;

(c) Acquire real property, by condemnation if necessary, when needed to carry out the plan; provided, however, that no such real property shall be so acquired by the agency unless the urban renewal plan, as approved by the council, specifically provides for such property acquisition or the council amends the approved urban renewal plan specifically to provide for such property acquisition;

(2) Exercise of this authority shall be in accord with the following criteria among others:

(a) The need to construct public services including, but not limited to, new streets, sewer lines, water lines, or storm drainage facilities;

(b) The need to provide public facilities including, but not limited to, public structures, parks, open space, parking or pedestrian walkways;

(c) The need to realize more efficient uses of lands;

(d) The need to clear any areas acquired, including the demolition, removal, rehabilitation or conservation of buildings and improvements;

(e) The need to install, construct or reconstruct streets, utilities and site improvements in accordance with the urban renewal plan;

(f) The need to carry out plans for a program of the voluntary repair and rehabilitation of buildings or other improvements in an urban renewal area in accordance with the urban renewal plan;

- (g) The need to assist in relocating persons living in, and property situated in, the urban renewal area in accordance with the approved urban renewal plan, and to make relocation payments;
 - (h) The need to dispose of, including by sale or lease, any property or part thereof acquired in the urban renewal area in accordance with the approved urban renewal plan;
 - (i) The need to plan, undertake and carry out neighborhood development programs consisting of urban renewal project undertakings in one or more urban renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this chapter for planning and carrying out urban renewal plans;
 - (j) The need to accomplish a combination of the things listed in this chapter to carry out an urban renewal plan;
- (3) Provide for public involvement in all stages of the preparation and development of an urban renewal plan;
- (4) Forward an urban renewal plan and accompanying report to the city planning commission for recommendations prior to presenting the plan to the council for approval;
- (5) Prepare a statement by August 1st of each year containing:
- (a) The amount of money actually received during the preceding year as "tax increment financing" revenue under subsection (4) of ORS 457.440, and the amount of indebtedness incurred during the preceding year from obtaining loans and advances under subsection (6) of ORS 457.440;
 - (b) The purpose and amounts for which any monies received under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440 were expended during the preceding fiscal year;
 - (c) An estimate of monies to be received during the current fiscal year under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440;
 - (d) A budget setting forth the purpose and estimated amounts for monies which have been or will be received under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440, are to be expended during the current fiscal year;
 - (e) An analysis of the impact of carrying out the urban renewal plan on the tax rate for the preceding year for all taxing bodies that levy a tax on property inside urban renewal areas;
- (6) The statement required under subsection (5) of this section shall be filed with the council, and notice shall be published that the statement has been prepared and is on file with the city

recorder and the agency, and that the information contained in the statement is available to all interested persons. The notice shall be published once a week for not less than two successive weeks before September 1st of the year for which the statement is required in the newspaper having the greatest circulation in the city, and which is published in the city. The notice shall summarize the information required under subsections (5)(a), (b), (c) and (d) of this section, and shall set forth in full the information required under subsection (5)(e) of this section;

(7) Exercise such other powers and perform such other duties as may be given to the agency by law, provided such other powers and duties are not in conflict with the provisions of ORS Chapter 457, the State Urban Renewal Law, the Charter of the city of Veneta, or other provisions of this chapter;

(8) The agency may:

(a) Incur indebtedness, including obtaining loans and advances in carrying out an urban renewal plan;

(b) Irrevocably pledge any or all of that portion of the taxes received as tax increment financing revenue under ORS 457.420 through 457.450 for payment of principal of and interest on indebtedness incurred. (Ord. 266 § 2.010, 1984)

III. Urban Renewal Plan Adoption

2.30.130 Urban renewal plan adoption.

Upon receipt of a proposed urban renewal plan and report from the agency, and after public notice and hearing and consideration of public testimony and recommendations by the planning commission, the council may approve the urban renewal plan. The approval shall be by nonemergency ordinance which shall incorporate the plan by reference. The ordinance shall include determinations and findings for each urban renewal area that:

(1) The area is blighted;

(2) The rehabilitation and redevelopment is necessary to protect the public health, safety or welfare of the municipality;

(3) The urban renewal plan conforms to the comprehensive plan of the municipality as a whole, and provides an outline for accomplishing the urban renewal projects the urban renewal plan proposes;

(4) Provision has been made to house displaced persons within their financial means in accordance with ORS 281.045 through 281.105 and, except in the relocation of elderly or handicapped individuals, without displacing on priority lists persons already waiting for existing federally subsidized housing;

(5) If acquisition of real property is provided for, that it is necessary;

(6) Adoption and implementation of the urban renewal plan is economically sound and feasible; and

(7) The municipality shall assume and complete any activities prescribed it by the urban renewal plan. (Ord. 266 § 3.010, 1984)

IV. Subcommittees and Citizen Advisory Committees

2.30.140 Subcommittees and citizen advisory committees.

The chairman of the agency may establish and appoint from the membership of the agency such advisory subcommittees as are deemed appropriate or as directed by the agency.

The chairman of the agency may appoint one or more citizen advisory committees consisting of persons who are owners or tenants of property located in the urban renewal area to act as advisors to the agency on matters related to the urban renewal plan and projects of the agency in each urban renewal area. (Ord. 266 § 4.010, 1984)

V. Agency Staff

2.30.150 Agency staff.

The city administrator and persons designated by the city administrator shall serve as staff for the agency and its subcommittees and shall provide such administrative and technical assistance as may be required. The agency may also contract for such services as it requires. (Ord. 266 § 5.010, 1984)



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 10 b.

Council Meeting Date: September 12, 2016

TITLE: November Election Update

SUMMARY AND BACKGROUND:

Just a quick update on the November election. I have attached the candidate info for the Mayor and Council Positions 2 and 4. Councilors Brennan and Brand will be hard pressed to not retain their seats since they were the only filers for their respective positions. Mayor Popoff will have a contested race for his seat. There was an 11th hour filing on the last day by a gentleman named John Ferguson.

The November ballot will also have the city marijuana tax issue to be put before the citizens as required by the state. There has been some recent chatter on facebook that perhaps the city's ordinance was not legal because it differed slightly from Curry County and Brookings proposals, but I can assure the council we adopted exactly what our legal counsel, Lauren Sommers, prepared for us (and the other cities they provide legal services to). Local Government Law Group specializes in small cities and districts and given Ms. Sommer's conservative track record, I am not at all concerned about our ordinance.

Attached are copies of relevant info.



MAYOR & COUNCIL POSITIONS



City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • www.goldbeachoregon.gov

Visitor Center: 541-247-7526 • www.goldbeach.org

September 2, 2016

Curry County Elections Office
County Clerk's Office
ATTN: Shelley Denney
94235 Moore St, Suite 212
Gold Beach OR 97444

RE: Council & Mayor Candidates November General Election

Dear Shelley:

As the City's Election Officer, I hereby certify that the following individuals have met the City of Gold Beach requirements for filing of candidacy. The City respectfully requests these candidates be included on the November 8, 2016 ballot:

Mayor: Term: December 15, 2016 to December 14, 2020

Karl S Popoff

Ballot Name: Karl Popoff

Filed by petition and verified by your office on August 16, 2014

John B Ferguson

Ballot Name: John Ferguson

Filed by declaration and paid the required candidacy fee on August 30, 2016

Council Position #2 Term: December 15, 2016 to December 14, 2020

Lawrence F Brennan

Ballot Name: Larry Brennan

Filed by petition and verified by your office on July 24, 2016

Council Position #4 Term: December 15, 2016 to December 14, 2020

Doug R Brand

Ballot Name: Doug Brand

Filed by declaration and paid the required candidacy fee on July 11, 2016

The City of Gold Beach is dedicated to enhancing quality of life, while promoting the health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community.

These are the only candidates that have met the candidacy filing requirements. If you have any questions please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi Fritts".

Jodi Fritts

City Administrator

jfritts@goldbeachoregon.gov



MARIJUANA TAX ELECTION

Notice of Measure Election

SEL 802

rev 01/16 ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

City

Notice

Date of Notice

July 12, 2016

Name of City or Cities

City of Gold Beach

Date of Election

November 8, 2016

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

City tax on recreational marijuana retailers' sale of marijuana items

Question 20 words which plainly phrases the chief purpose of the measure.

Shall Gold Beach impose a tax on sales of marijuana items by recreational marijuana retailers in the city?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

If adopted by the voters, this measure would impose a city tax on sales of marijuana items (including marijuana, marijuana products and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission and located within the City of Gold Beach. The City Council would have the authority to set the amount of the tax, but under no circumstances would the tax exceed three percent of the retail sales price of a marijuana item. The tax would be collected from consumers by recreational marijuana retailers at the point of sale. Recreational marijuana retailers would remit the tax to the City. The city tax would be imposed in addition to any state taxes on the sale of marijuana items. The city tax would not be imposed on medical marijuana sales.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

- any measure referred by the city governing body; or
- any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? Yes No

Authorized City Official Not required to be notarized.

Name

Jodi Fritts

Title

City Administrator/Elections Official

Mailing Address

29592 Ellensburg Ave, Gold Beach 97444

Contact Phone

541.247.7029

By signing this document:

- I hereby state that I am authorized by the city to submit this Notice of Measure Election; and
- I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature



Date Signed

Aug 8, 2016

Affidavit of Publication

STATE OF OREGON, COUNTY OF CURRY

I, **Jessica Manion**, a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of

Curry Coastal Pilot

a daily newspaper of general circulation, published in the aforesaid county and state as defined by ORS 193.010 and ORS 193.020, that NO.71135183

Acct Name: CITY OF GOLD BEACH

Legal Description: Notice of Receipt of Ballot Title

Notice is hereby given that a ballot title for a City Council refe

ereto affixed was published in each regular and entire issue of the said supplement thereof on the following dates, to wit:

07/23/2016

penalty of perjury that the foregoing is true and correct.

h, this 1 day of August, 2016.

J Manion
Signature

Notice of Receipt of Ballot Title
Notice is hereby given that a ballot title for a City Council referred measure was filed with the Elections Officer of the City of Gold Beach on July 12, 2016.
Electors may submit a petition for review of this ballot title in the Curry County Circuit Court no later than 5:00 p.m. on August 5, 2016.
The text of the ballot title is as follows:

CAPTION: City tax on recreational marijuana retailers' sale of marijuana items

QUESTION: Shall Gold Beach impose a tax on sales of marijuana items by recreational marijuana retailers in the city?

SUMMARY: If adopted by the voters, this measure would impose a city tax on sales of marijuana items (including marijuana, marijuana products and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission and located within the City of Gold Beach. The City Council would have the authority to set the amount of the tax, but under no circumstances would the tax exceed three percent of the retail sales price of a marijuana item. The tax would be collected from consumers by recreational marijuana retailers at the point of sale. Recreational marijuana retailers would remit the tax to the City. The city tax would be imposed in addition to any state taxes on the sale of marijuana items. The city tax would not be imposed on medical marijuana sales.

Notice is also hereby given that a regular city election will be held in the City of Gold Beach on November 8, 2016.

Published pursuant to ORS 250.275

Jodi Fritts, City Administrator/Elections Official
July 23, 2016

Jodi Fritts-Matthey
City Administrator
City of Gold Beach
Publish July 23, 2016
No. 71135183

Title
title for a City
filed with the
Gold Beach on

review of this
Circuit Court no
2016.
ORS:
recreational marijuana
impose a tax on
recreational mari-
retailers, this mea-
sales of mari-
ana, marijuana
cts) by recre-
ed by the Or-
n and located
he City Council
the amount of
nces would the
retail sales price
would be col-
recreational mari-
ale. Recreational
k the tax to the
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le of marijuana
be imposed on
at a regular city
y of Gold Beach
275
lections Official

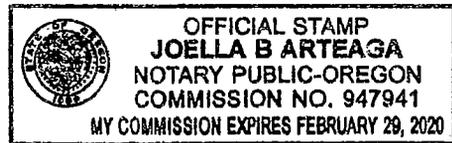
Subscribed and sworn to before me this

day of

Alle

20 *16*

Jessica Manion
Notary Public - Oregon
My commission expires: *Feb 29 2020*



AFFIDAVIT OF PUBLICATION

Filed _____

By _____

From the Office of _____

Attorney for _____

No. _____

In the _____ Court of the

STATE OF OREGON
for the
COUNTY OF CURRY

RESOLUTION R1617-02

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8, 2016, TO REFER TO THE VOTERS OF THE CITY OF GOLD BEACH, OREGON, A TAX ON RETAIL SALES OF RECREATIONAL MARIJUANA IN THE CITY OF GOLD BEACH AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT

WHEREAS, Section 4 of the Gold Beach Charter of 1986 provides:

The City has all powers that the constitutions, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Gold Beach to impose a city tax of up to 3% on retail sales of recreational marijuana items within the City if the city tax is approved by the voters of the City at general election; and

WHEREAS, the Gold Beach City Council desires to impose a tax on the sale of recreational marijuana items by marijuana retailers in the City;

NOW, THEREFORE, THE CITY OF GOLD BEACH RESOLVES AS FOLLOWS:

Section 1. A city election is called for the purpose of submitting to the qualified electors of the City of Gold Beach an ordinance imposing up to a three percent (3%) tax on sales of marijuana items by licensed recreational marijuana retailers within the City of Gold Beach, a copy of which is attached to this Resolution as Exhibit A and incorporated into this Resolution by reference.

Section 2. The ballot title for this measure shall be as follows:

CAPTION: City tax on recreational marijuana retailers' sale of marijuana items

QUESTION: Shall Gold Beach impose a tax on sales of marijuana items by recreational marijuana retailers in the city?

SUMMARY: If adopted by the voters, this measure would impose a city tax on sales of marijuana items (including marijuana, marijuana products and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission and located within the City of Gold Beach. The City Council would have the authority to set the

amount of the tax, but under no circumstances would the tax exceed three percent of the retail sales price of a marijuana item. The tax would be collected from consumers by recreational marijuana retailers at the point of sale. Recreational marijuana retailers would remit the tax to the City. The city tax would be imposed in addition to any state taxes on the sale of marijuana items. The city tax would not be imposed on medical marijuana sales.

Section 3. The City Council orders this City election to be held in the City of Gold Beach, Oregon, concurrently with the general election, on the 8th day of November, 2016, in accordance with the provisions of Chapter 254 of the Oregon Revised Statutes. The ballots shall be counted and tabulated and the results certified as provided by law.

Section 4. The election shall be conducted by Curry County. The County Clerk for Curry County is hereby instructed to prepare ballots and to take other actions necessary to conduct the election.

Section 5. If a majority of the legal voters of the City voting on this measure approve this measure, the ordinance attached as Exhibit A to this Resolution shall take effect on January 1, 2017.

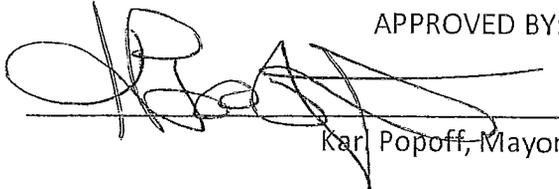
Section 6. The explanatory statement for this measure attached as Exhibit B to this Resolution is hereby approved by the Council.

Section 7. This Resolution, including the proposed ballot title and explanatory statement, shall be delivered to the City Recorder on the date of its adoption.

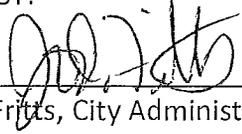
Section 8. The City Recorder shall give notice of this measure as required by law and take such other actions and otherwise proceed with the election as provided by law and so as to carry out the purposes of this Resolution.

Section 9. This Resolution shall become effective immediately upon its adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 11th DAY OF JULY, 2016.

APPROVED BY:

Karl Popoff, Mayor

ATTEST:



Jodi Fritts, City Administrator/City Recorder

ORDINANCE NO. 659

**IMPOSING A TAX ON RETAIL SALES OF RECREATIONAL MARIJUANA WITHIN
THE CITY OF GOLD BEACH**

WHEREAS, Section 4 of the Gold Beach Charter of 1986 provides:

The City has all powers that the constitutions, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Gold Beach to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at a general election; and

WHEREAS, the City of Gold Beach desires to impose a tax on the sale of recreational marijuana items by marijuana retailers in the City;

NOW THEREFORE, THE CITY OF GOLD BEACH ORDAINS AS FOLLOWS:

SECTION 1. DEFINITIONS.

The following words and phrases as used in this Ordinance shall have the following meanings:

- A. "City" means the City of Gold Beach.
- B. "Tax Administrator" means the City Administrator of the City of Gold Beach, the City Administrator's designee, and/or another individual or entity designated by the City to collect the tax on behalf of the City.
- C. "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.
- D. "Marijuana item" means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts as defined in ORS 475B.015.

- E. "Marijuana retailer" means a person licensed under ORS 475B.110 who sells marijuana items to a consumer in the State of Oregon.
- F. "Person" means individuals, corporations, associations, firms, partnerships, limited liability companies and joint stock companies.
- G. "Retail sale price" means the total consideration paid to a marijuana retailer for a marijuana item by or on behalf of a consumer, excluding any tax.

SECTION 2. TAX IMPOSED.

The City of Gold Beach hereby imposes a tax on each marijuana item sold to a consumer within the City of Gold Beach by a marijuana retailer. The Gold Beach City Council shall set the tax rate by resolution; however, the tax rate adopted by the City Council shall not exceed three percent (3%) of the retail sale price for each marijuana item sold. The tax constitutes a debt owed by the consumer to the City and shall be extinguished only by payment to the marijuana retailer or to the City.

SECTION 3. COLLECTION.

The consumer shall pay the tax to the marijuana retailer at the time of the purchase or sale of the marijuana item. Every marijuana retailer shall collect the tax from the consumer at the time of the sale of a marijuana item. The tax collected by the marijuana retailer shall be held in trust by the marijuana retailer for payment to the City. The marijuana retailer shall remit the tax to the Tax Administrator. The Tax Administrator is authorized to exercise all supervisory and administrative powers with regard to the administration, collection and enforcement of the tax authorized by this Ordinance.

SECTION 4. ACCOUNTING AND RECORDS.

- A. Every marijuana retailer must keep and preserve, in a generally accepted accounting format used for reporting revenue and taxes due on business activity, detailed records of all sales made and all taxes collected. Every marijuana retailer must keep and preserve such records for a period of six (6) years. The Tax Administrator shall have the right to inspect all such records at reasonable times.
- B. For purposes of determining the accuracy of any tax return or for the purpose of an estimate of taxes due, the Tax Administrator may examine any books, papers, records, or memoranda bearing upon the marijuana retailer's tax returns, including

copies of the marijuana retailer's state and federal income tax returns and copies of the marijuana retailer's state marijuana tax returns. All books, invoices and other records shall be made available within the City for examination by the Tax Administrator during regular business hours.

SECTION 5. PENALTIES AND INTEREST

A. Any marijuana retailer who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.

B. Any marijuana retailer who has not been granted an extension of time for remittance of tax due, and who fails to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first becomes delinquent shall pay a second delinquency penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the ten percent penalty first imposed.

C. If the Tax Administrator determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions of this Ordinance, a penalty of twenty-five percent of the amount of the tax shall be added the amount of the remittance due, in addition to the penalties stated in subsections A and B of this section.

D. In addition to the penalties imposed, any marijuana retailer who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one-half of one percent per month or fraction thereof, without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first becomes delinquent, until paid.

E. Every penalty imposed and any interest that accrues under the provisions of this Ordinance shall be merged with, and become a part of, the tax required to be paid.

SECTION 6. APPEAL

A. Any person aggrieved by any decision of the Tax Administrator may appeal to the City Administrator by filing a notice of appeal with the Tax Administrator within ten days of the date the notice of the decision is served or mailed. The Tax Administrator shall fix a time and place for hearing the appeal and shall give the appellant ten days' written notice of the time and place of the hearing.

- B. Any person aggrieved by any decision of the City Administrator under subsection A of this Section may appeal to the Council by filing a notice of appeal with the Tax Administrator within ten days of the date the City Administrator's decision is served or mailed. The Tax Administrator shall transmit the notice, together with the file of the appealed matter, to the Council, who shall fix a time and place for hearing the appeal. The Council shall give the appellant not less than ten days written notice of the time and place of hearing the appeal.

SECTION 7. REFUND

Whenever the amount of any tax imposed under this Ordinance has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator, it may be refunded, provided a verified claim in writing therefor, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on forms provided by the Tax Administrator. If the Tax Administrator approves the claim, the excess amount collected or paid may be refunded to, or may be credited on any amounts then due and payable from, the marijuana retailer from whom it was collected or by whom it was paid, and the balance may be refunded to the marijuana retailer or the marijuana retailer's administrators, executors or assignees.

SECTION 8. SEVERABILITY. Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 9. CODIFICATION. If this Ordinance becomes effective as provided by Section 10 below, the City Recorder is hereby authorized and directed to codify Sections 1 through 8 of this ordinance in an appropriate Title of the Gold Beach Municipal Code and to change the word "Ordinance" to "Chapter" as appropriate when codified.

SECTION 10. EFFECTIVE DATE. If approved by a majority of the voters of the City of Gold Beach at the statewide general election held on Tuesday, November 8, 2016, this ordinance shall take effect on January 1, 2017.

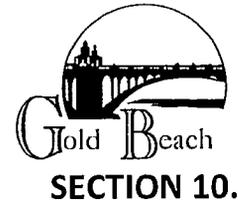
Explanatory Statement

If this measure is approved by the voters of the City of Gold Beach, the City will impose a tax on sales of marijuana items (including marijuana flowers, marijuana concentrates, marijuana edibles and marijuana extracts) by recreational marijuana retailers licensed by the Oregon Liquor Control Commission (OLCC) and located within the City of Gold Beach. The City Council would have the authority to set the amount of the city tax, but the city tax could not exceed three percent of the retail sales price of a marijuana item.

The city tax would be collected from consumers by the recreational marijuana retailer at the point of sale. The recreational marijuana retailer would then remit the tax to the City.

The City would be able to use the revenues generated by this tax for any city purpose.

If approved, this city tax would be imposed in addition to any state marijuana taxes. This city tax would not be imposed on medical marijuana sales.



MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 c.**
Council Meeting Date: September 12, 2016

TITLE: September is National Preparedness Month

SUMMARY AND BACKGROUND:

THIS IS FYI ONLY!

I received this email recently from Senator Brian Boquist. I knew nothing about him, but obviously I'm on some email list (probably due to my wonderful showing on the OPB Unprepared show last year!) After reading his Emergency Preparedness Legislative Update I pulled up his legislative profile. He's got chops: 34 years in the Special Forces. There is some good stuff here and it made me laugh in parts. This is FYI only and for your reading pleasure and preparedness awareness.

I love his closing line because my department heads and I often say the same thing:

"Nobody should expect someone to arrive on their door step after a catastrophic natural disaster or grid failure saying 'I am here to help you, I am from the government.'" You need to be prepared to take care of yourself, your family and hopefully your neighbors for the first few weeks or months."

Legislative Update – Emergency Preparedness

Folks,

Annual sessions has meant quarterly Legislative Days. The law says after tomorrow, State Legislators cannot update or contact citizens via email directly from their offices until after the General Election. It is called a blackout period.

Given my September legislative days are dedicated to hearings on the State's level of emergency preparedness, I am reaching out to all the citizens in our outreach data base to update you now given the variety or recent disasters, and our nation's lack of preparation.

Why you might ask? Simple. The State and Federal Government are not prepared for a major catastrophic emergency in the Northwest. We will likely never be prepared thus YOU and your



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

Community must prepare yourselves. Whether is a Cascadia earthquake, tsunami, volcano, pandemic, terrorist attack, or grid overload does not matter. In almost every single potential event, the power grid is down for weeks if not months. Besides power outage it means communications is out, your cell phone goes dead the first day, potable water stops flowing, sewage is no longer pumped, there is no power to pump fuel into any vehicles, there are no grocery stores, bridge failures in many events will 'island' several million Oregonians for multiple weeks if not months. Prepare for at least a month.

FYI, we have conducted drills again this past June along with increased planning. This update is a result of those drills as key 'state and federal' emergency management officials were clear that life and death for many Oregonians may well rest upon individual and local non-government community preparation. If you want a very good read on the possible scenarios look no further than Ted Koppel's recent book "Lights Out: A Cyberattack, A Nation Unprepared, Surviving the Aftermath." The book and free summaries are available online.

How do you prepare? Many people say they cannot afford to prepare for an emergency. Many people look at Red Cross and other lists then revert back to the thought 'it is too expensive for me to be prepared.' That is the purpose of this email newsletter. If you want a detailed perfect plan you can Google the "Red Cross" or "FEMA" or a dozen webpages offering expensive solutions. Below I will outline some economic imperfect solutions you should consider since the 'government' will not be coming to rescue you at the beginning of any major catastrophic event.

Most of you have a large quantity of items already. Think about it. The minimum is you will need to stay dry & warm, drink water, eat food, defecate, and stay sanitary to avoid disease. Yes, there are other items like a flashlight, radio, good book, etc. but chances are these already exist in your house, apartment or car.

Stay dry and warm. Even in an earthquake, portions of your residence many still be waterproof. You may already have a camping tent. If you have a tent then you likely have a sleeping bag. If not, you have bedding and blankets already. An extra blanket is \$12.29 from Walmart online today. Remember you have extra cloths and blankets that can be used both for warmth, and sanitation. If you decide to leave your damaged home make sure you take items to stay warm and dry. Also remember, the neighboring down may be worse off than yours.

Drink water. Medical professionals claim you need 9 to 15 cups of water per day. There are 16 cups in a gallon. Most people drink nowhere near even nine cups per day. On \$5 Friday at Safeway it is .89 cents per gallon of bottled water. In most of the above emergencies you may have running water for a few minutes or hours or better. THINK WATER immediately after the



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

first trauma. Fill the bathtub. Fill empty containers. Fill extra bottles, buckets or cooking pans immediately if you do not have a cache of water. It rains in Oregon. Put out a \$2.97 Homer bucket from Home Depot Homer in the rain worse comes to worse.

Eat food. The biggest excuse for not preparing I hear is 'I cannot afford any extra food.' Usually, the person telling me this excuse is standing next to their SUV with their \$199, \$299 or \$399 iPhone in their hand. Sometimes with manicured nails or wearing a \$300 hunting jacket. Many preppers buy expensive long term storage items. Oddly, some people will starve to death, in a couple weeks simply because they do not like the taste of the food. Yes, you should rotate food if at all possible. I think some of you may detest places like the Dollar Tree, Family Dollar, Dollar General, Waremart etc. while many of you are regular shoppers. My walk through Dollar Tree last week was enlightening. Even on SSI there are food items that can be bought, eaten and rotated very inexpensively. Likewise, I saw 25 lbs. of rice at places like Costco, Walmart, United Grocers, and Waremart for around \$15.00 in the past two weeks. Add 24 bouillon cubes I saw online for \$1.58 gives you a start since both items have long shelf lives. At this time a year, United Grocers (Cash & Carry) has 50 lbs. of potatoes for less than ten bucks. Likewise, 50 lbs. of onions is less than ten bucks too. I list onions as the British Navy, and modern Third World armies, have stayed in the field living on onions due to its characteristics. All for ten bucks. Chances are you already have salt and pepper in your cupboard. Worse case, a 24 pack of Cup'O'Noddles is \$8.29 at Costco, or \$9.95 online, plus Walmart etc. Western Family has case sales every fall. Many canned goods can be eaten straight from the can like pre-cooked corn, beans, ravioli, etc. Yes, buy healthy if you can according to doctors, but do not starve to death if you have to buy what you will eat and can afford to store.

Food & water heating. Yes, was not on the list above. Yes, you should boil unpure water if possible. Yes, at least some hot food is the best plan for a month menu. Again, cost is always raised. Amazon lists a one burner propane stove for \$17.88 from Coleman. Target is \$16.99. Webstaurant Store is \$10.99. Fuel canisters average \$3.47 for a canister or two for \$6.24. Your existing pots and pans will work just fine. Walmart, Target (whom I dislike) or any sporting goods store has these items. Your BBQ might be the answer too. Also, you already have at least a few pots and pans already along with silverware most likely. If 'expense' is the problem buy one item a month until prepared. Again, plan for a month.

Defecate and stay sanitary. Few talk about this issue oddly. In a Cascadia event this failure will likely lead to disease and death much larger than initial casualties. In non-modern Armies, this was the leading cause of death. Over 400,000 deaths in the Civil War were disease related. Tens of millions died in World War II of disease. Think about it, there will be no running water, no flush toilets, no bathing water, and how will you stay clean. You may have toilet paper but



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

where are you going to defecate. If the sewer is still connected it may be the bucket of rain water if you have enough. Or you may need to dig a hole in the ground away from your water source then designate it the place everyone in the family uses to defecate. Use a bucket worse case. If not, disease is likely to start, which, quickly leads to deaths later. Clorox Handi Whips are \$2.29 online at Jet.com. Staples has a four packs of wipes for \$6.00. Likewise, a bar of soap with a wet towel can be used. Bleach is a must have on my list. Buck a gallon at Dollar Tree. Bleach can be a miracle drug in stopping disease in a disaster. In the Army, we said "if you take care of your feet, your feet will take care of you." In a long term power outage, you will need to stay clean by washing even if by wet cloth. You will need to change clothes. In the old days, people used the same set of work clothes for many days then changed to cleaner non-work clothes at the end of the day. You at least will need to be prepared to wash under garments such as socks by hand. Let me remind you most the world population is still washing clothes by hand. Note I did not talk about brushing teeth and other routine items since you will have plenty of time to dig through the potential rubble to find the tube of Crest along with your tooth brush.

Get away bags. Emergency management professionals all recommend having a small bag in your car or office for an emergency. This bag is not a 'live all save all' bag in any manner. It is meant as a bag to get you 'home' or to safety. The place you go will depend upon where you are at the time of the event but you likely will be walking so you are not going very far fast. And most roads will be closed in any major catastrophic natural disaster. My wife has a ten dollar backpack in her car. It is simple. Walking shoes, jacket, sweat pants in case she was wearing a dress, large water bottle, flashlight, and a few walking items. She keeps a few snack bars and extra water in the car too. Her plan is simple. Call home before the cell tower batteries or generators die. Leave a message or tell whomever where she is at, and she is walking home. The reasoning is simple too. Likely she would be in Salem if a Cascadia earthquake happened. It is a 100 miles to anyplace in Eastern Oregon, which will be overwhelmed with starving refugees after the four day walk, but it is 22 miles home to a month supply of everything. If it is a power grid failure as outlined in Ted Koppels' book, it would be 500 to 800 miles to anything called civilization.

Safety and security. After nearly four decades as a Special Forces Officer, my experience tells me it is going to be very uncivilized in a long term catastrophic event to say the least. If this issue is concerning, my recommendation is to find a combat veteran you might know to discuss this topic with you at length. With no due disrespect, law enforcement is not the right place to seek answers as they will be overwhelmed. Therefore, suggest to reach out to one of Oregon's 325,000 veterans for suggestions on how to prepare for safety and security in a catastrophic event.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

My Legislative Update is not meant to alarm you, or provide anything but suggestions on how you prepare for an emergency. It is meant for you to act. In June 2016, a half dozen Legislators attended the most recent national drill for catastrophic events for which Oregon participated. Three of the most senior emergency response officials from Oregon and the United States Government agreed on one thing very loud and clear; individuals will be on their own for a very long time, and survival of many will depend purely on local communities working together.

Nobody should expect someone to arrive on their door step after a catastrophic natural disaster or grid failure saying ‘I am here to help you, I am from the government.’ You need to be prepared to take care of yourself, your family and hopefully your neighbors for the first few weeks or months.

Sincerely,
Brian J. Boquist
State Senator
Chairman
Veterans & Emergency Preparedness
Oregon State Senate

Oregon State Legislature

Search the Legislative Website

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Senator **Brian Boquist**

Republican - District 12 - Dallas

Capitol Phone: 503-986-1712

Capitol Address: 900 Court St. NE, S-305, Salem, Oregon 97301

Email: Sen.BrianBoquist@state.or.us

Website: <http://www.oregonlegislature.gov/boquist>

Biography

Senator Brian Boquist was born and raised on a dairy farm in Tillamook and has been an Oregonian his entire life. He and his wife, Peggy, now live on a small farm in Dallas where their six children were raised. The family farm and forest operations spread multiple counties and several states.

At 17, Senator Boquist enlisted in the U.S. Army receiving education benefits that would later aid in his receipt of a college education. Brian retired after thirty-four years of military service as a Special Forces Officer in July 2011 from the U.S. Army Special Operations Command.

After receiving a B.S. in Social Science and Business Administration at Western Oregon University, he earned an MBA from Oregon State University in Corvallis. With the life experience gained in the military, and the education he received, today Brian serves as an executive of an international small business. Formerly, he worked with a group of companies and government entities preparing Marines, Army and Navy soldiers for service in Afghanistan, Iraq and elsewhere, in the defense of the nation by supplying hyper-realistic simulated training using role players, pyrotechnics and blank firing weapons to create the feeling of real-life situation soldiers might encounter in country.

Brian Boquist has served two terms as State Representative in House District 23 and is now in his second term as State Senator in District 12, which is comprised of House Districts 23 and 24.





Additional Items to Consider Adding to an Emergency Supply Kit:

- Prescription medications and glasses
- Infant formula and diapers
- Pet food and extra water for your pet
- Important family documents such as copies of insurance policies, identification and bank account records in a waterproof, portable container
- Cash or traveler's checks and change
- Emergency reference material such as a first aid book or information from www.ready.gov
- Sleeping bag or warm blanket for each person. Consider additional bedding if you live in a cold-weather climate.
- Complete change of clothing including a long sleeved shirt, long pants and sturdy shoes. Consider additional clothing if you live in a cold-weather climate.
- Household chlorine bleach and medicine dropper – When diluted nine parts water to one part bleach, bleach can be used as a disinfectant. Or in an emergency, you can use it to treat water by using 16 drops of regular household liquid bleach per gallon of water. Do not use scented, color safe or bleaches with added cleaners.
- Fire Extinguisher
- Matches in a waterproof container
- Feminine supplies and personal hygiene items
- Mess kits, paper cups, plates and plastic utensils, paper towels
- Paper and pencil
- Books, games, puzzles or other activities for children

Ready

Prepare. Plan. Stay Informed.



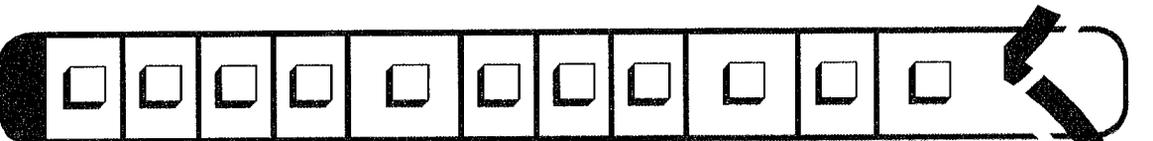
Emergency Supply List



FEMMA

www.ready.gov

Recommended Items to Include in a Basic Emergency Supply Kit:



- Water, one gallon of water per person per day for at least three days, for drinking and sanitation**
- Food, at least a three-day supply of non-perishable food**
- Battery-powered or hand crank radio and a NOAA Weather Radio with tone alert and extra batteries for both**
- Flashlight and extra batteries**
- First aid kit**
- Whistle to signal for help**
- Dust mask, to help filter contaminated air and plastic sheeting and duct tape to shelter-in-place**
- Moist towelettes, garbage bags and plastic ties for personal sanitation**
- Wrench or pliers to turn off utilities**
- Can opener for food (if kit contains canned food)**
- Local maps**

Through its *Ready Campaign*, the Federal Emergency Management Agency educates and empowers Americans to take some simple steps to prepare for and respond to potential emergencies, including natural disasters and terrorist attacks. *Ready* asks individuals to do three key things: get an emergency supply kit, make a family emergency plan, and be informed about the different types of emergencies that could occur and their appropriate responses.

All Americans should have some basic supplies on hand in order to survive for at least three days if an emergency occurs. Following is a listing of some basic items that every emergency supply kit should include. However, it is important that individuals review this list and consider where they live and the unique needs of their family in order to create an emergency supply kit that will meet these needs. Individuals should also consider having at least two emergency supply kits, one full kit at home and smaller portable kits in their workplace, vehicle or other places they spend time.



FEMA

Federal Emergency Management Agency
Washington, DC 20472

☐ **Water** one gallon per person per day, for drinking and sanitation

☐ **Food** at least a three-day supply of non-perishable food

☐ **Battery-powered radio** and **extra batteries**

☐ **Flashlight** and **extra batteries**

☐ **First Aid Kit**

☐ **Whistle** to signal for help

☐ **Filter mask** or cotton t-shirt, to help filter the air

☐ **Moist towelettes** for sanitation

☐ **Wrench or pliers** to turn off utilities

☐ **Manual can opener** for food (if kit contains canned food)

☐ **Plastic sheeting and duct tape** to shelter-in-place

☐ **Garbage bags and plastic ties** for personal sanitation

☐ **Unique family needs**, such as daily prescription medications, infant formula or diapers, and important family documents

This common sense framework is designed to launch a process of learning about citizen preparedness. For the most current information and recommendations, go online to <http://www.ready.gov>.

Disseminated in partnership with:



FEMA

Federal Emergency Management Agency
U.S. Department of Homeland Security
Washington, D.C. 20472

FEMA R-3 / Catalog No. 09077-1



**Prepare for
Emergencies
Now!
Information to
Get Ready!**



FEMA

<http://www.ready.gov>

Preparing Makes Sense.

The likelihood that you and your family will survive a house fire depends as much on having a working smoke detector and an exit strategy as on a well-trained fire department. The same is true for surviving a terrorist attack or other emergency. We must have the tools and plans in place to make it on our own, at least for a period of time, no matter where we are when disaster strikes. Just like having a working smoke detector, preparing for the unexpected makes sense.

Get ready now.

1 Get a Kit of Emergency Supplies.

Be prepared to improvise and use what you have on hand to make it on your own for **at least three days**, maybe longer. While there are many things that might make you more comfortable, think first about fresh water, food and clean air.

Consider two kits. In one, put everything you will need to stay where you are and make it on your own. The other should be a lightweight, smaller version you can take with you if you have to get away.

You'll need a gallon of **water** per person per day for drinking and sanitation. Include in the kits a three day supply of non-perishable **foods** that are easy to store and prepare such as protein bars, dried fruit or canned foods. If you live in a cold weather climate, include **warm clothes** and a sleeping bag for each member of the family.

Some potential terrorist attacks could send tiny microscopic "punk" into the air. Many of these materials can only hurt you if they get into your body, so think about creating a barrier between yourself and any contamination. It's smart to have something for each member of the family that covers **their mouth and nose**, such as two to three layers of a cotton t-shirt, handkerchief or towel or **filter masks**, readily available in hardware stores. It is very important that the mask or other material fit your face snugly so that most of the air you breathe comes through the mask, not around it. Do whatever you can to make the best fit possible for children.

Also, include **duct tape and heavyweight garbage bags or plastic sheeting** that can be used to seal windows and doors if you need to create a barrier between yourself and any potential contamination outside.

2 Make a Plan For What You Will Do in an Emergency.

Plan in advance what you will do in an emergency. Be prepared to assess the situation. Use common sense and whatever you have on hand to take care of yourself and your loved ones.

Develop a Family Communications Plan. Your family may not be together when disaster strikes, so plan how you will contact one another and review what you will do in different situations. **Consider a plan where each family member calls, or e-mails, the same friend or relative in the event of an emergency.** It may be easier to make a long-distance phone call than to call across town, so an **out-of-town contact** may be in a better position to communicate among separated family members. Be sure each person knows the phone number and has coins or a prepaid phone card to call the emergency contact. You may have trouble getting through, or the phone system may be down altogether, but be patient.

Depending on your circumstances and the nature of the attack, the first important decision is whether you stay put or get away. You should understand and plan for both possibilities. Use common sense and the information you are learning here to determine if there is immediate danger. **Watch television and listen to the radio for official instructions as they become available.**

Create a Plan to Shelter-in-Place. There are circumstances when staying put and creating a barrier between yourself and potentially contaminated air outside, a process known as sheltering-in-place and sealing the room can be a matter of survival. **If you see large amounts of debris in the air, or if local authorities say the air is badly contaminated, you may want to shelter-in-place and seal the room. Consider precutting plastic sheeting to seal windows, doors and air vents.** Each piece should be several inches larger than the space you want to cover so that you can duct tape it flat against the wall. Label each piece with the location of where it fits.

Use all available information to assess the situation. If you see large amounts of debris in the air, or if local authorities say the air is badly contaminated, you may want to shelter-in-place. Quickly bring your family and pets inside, lock doors, and close windows, air vents and fireplace dampers. Immediately turn off air conditioning, forced air heating systems, exhaust fans and clothes dryers. Take your emergency supplies and go into the room you have designated. Seal all windows, doors and vents. Understand that sealing the room is a temporary measure to create a barrier between you and contaminated air. Watch TV, listen to the radio or check the Internet for instructions.

Create a Plan to Get Away. Plan in advance how you will assemble your family and anticipate where you will go. **Choose several destinations in different directions** so you have

options in an emergency. If you have a car, keep at least a half tank of gas in it at all times. **Become familiar with alternate routes as well as other means of transportation** out of your area. If you do not have a car, plan how you will leave if you have to. **Take your emergency supply kit, unless you have reason to believe it is contaminated and lock the door behind you.** Take pets with you if you are told to evacuate, however, if you are going to a public shelter, keep in mind they may not be allowed inside. If you believe the air may be contaminated, drive with your windows and vents closed and keep the air conditioning and heater turned off. Listen to the radio for instructions.

Know Emergency Plans at School and Work. Think about the places where your family spends time: school, work, and other places your family frequents. **Talk to your children's schools and your employer about emergency plans.** Find out how they will communicate with families during an emergency. If you are an employer, be sure you have an emergency preparedness plan. Review and practice it with your employees. A community working together during an emergency also makes sense. **Talk to your neighbors about how you can work together.**

3 Be Informed About What Might Happen.

Some of the things you can do to prepare for the unexpected, such as assembling a supply kit and developing a family communications plan, are the same for both a natural or man-made emergency. However, there are significant differences among potential terrorist threats, such as biological, chemical, explosive, nuclear and radiological, which will impact the decisions you make and the actions you take. By beginning a process of learning about these specific threats, you are **preparing yourself** to react in an emergency. Go to www.ready.gov to learn more about potential terrorist threats and other emergencies or call 1-800-BE-READY (1-800-237-3239) for a free brochure.

Be prepared to adapt this information to your personal circumstances and make every effort to follow instructions received from authorities on the scene. With these simple preparations, you can be ready for the unexpected. **Get ready now.**

4 Get Involved in Preparing Your Community.

After preparing yourself and your family for possible emergencies, take the next step and get involved in preparing your community. Join **Citizen Corps**, which actively involves citizens in making our communities and our nation safer, stronger and better prepared. We all have a role to play in keeping our hometowns secure from emergencies of all kinds. Citizen Corps works hard to help people prepare, train and volunteer in their communities. Go to www.citizencorps.gov for more information and to get involved.

Preparing for Your Pets Makes Sense. Get Ready Now.

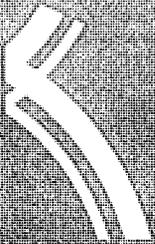


This information was developed by the Federal Emergency Management Agency in consultation with:
 American Kennel Club, The Humane Society for the Prevention of Cruelty to Animals, American Veterinary Medical Association, and The Humane Society of the U.S.



Prepare. Plan. Stay. Informed on

GetReadyNow.gov



Ready
 Prepare. Plan. Stay. Informed on

Prepare For Emergencies Now! Information For Pet Owners.



1 Prepare

Get a Pet Emergency Supply Kit

Just as you do with your family's emergency supply kit, think first about the basics for survival, particularly food and water. Consider two kits: In one, put everything you and your pets will need to stay where you are. The other should be a lightweight, smaller version you can take with you if you and your pets have to get away. Plus, be sure to review your kits regularly to ensure that their contents, especially foods and medicines, are fresh.

Food. Keep at least three days of food in an airtight, waterproof container.

Water. Store at least three days of water specifically for your pets in addition to water you need for yourself and your family.

Medicines and medical records. Keep an extra supply of medicines your pet takes on a regular basis in a waterproof container.

First aid kit. Talk to your veterinarian about what is most appropriate for your pet's emergency medical needs. Most kits should include cotton bandage rolls, bandage tape and scissors; antibiotic ointment; flea and tick prevention; latex gloves; isopropyl alcohol and saline solution. Include a pet first aid reference book.

Collar with ID tag, harness or leash. Your pet should wear a collar with its rabies tag and identification at all times. Include a backup leash, collar and ID tag in your pet's emergency supply kit. In addition, place copies of your pet's registration information, adoption papers, vaccination documents and medical records in a clean plastic bag or waterproof container and also add them to your kit. You should also consider talking with your veterinarian about permanent identification such as microchipping, and enrolling your pet in a recovery database.

Crate or other pet carrier. If you need to evacuate in an emergency situation take your pets and animals with you provided that it is practical to do so. In many cases, your ability to do so will be aided by having a sturdy, safe, comfortable crate or carrier ready for transporting your pet. The carrier should be large enough for your pet to stand, turn around and lie down.

Sanitation. Include pet litter and litter box if appropriate, newspapers, paper towels, plastic trash bags and household chlorine bleach to provide for your pet's sanitation needs. You can use bleach as a disinfectant (dilute nine parts water to one part bleach) or in an emergency you can also use it to purify water. Use 1/6 drops of regular household liquid bleach per gallon of water. Do not use scented or color safe bleaches, or those with added cleaners.



A picture of you and your pet together. If you become separated from your pet during an emergency, a picture of you and your pet together will help you document ownership and allow others to assist you in identifying your pet. Include detailed information about species, breed, age, sex, color and distinguishing characteristics.

Familiar items. Put favorite toys, leashes or bedding in your kit. Familiar items can help reduce stress for your pet.

2 Plan

What You Will Do in an Emergency.

Be prepared to assess the situation. Use whatever you have on hand to take care of yourself and ensure your pet's safety during an emergency. Depending on your circumstances and the nature of the emergency, the first important decision is whether you stay put or get away. You should understand and plan for both possibilities. Use common sense and the information you are learning here to determine if there is immediate danger.

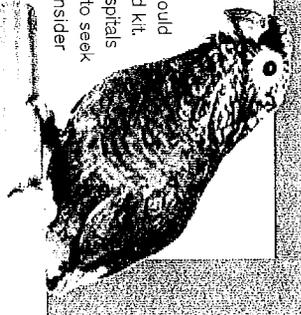
In any emergency, local authorities may or may not immediately be able to provide information on what is happening and what you should do. However, watch TV, listen to the radio or check the Internet for instructions. If you're specifically told to evacuate, shelter-in-place or seek medical treatment, do so immediately.

Create a plan to get away. Plan how you will assemble your pets and anticipate where you will go. If you must evacuate, take your pets with you if practical. If you go to a public shelter, keep in mind your animals may not be allowed inside. Secure appropriate lodging in advance depending on the number and type of animals in your care. Consider family or friends willing to take in you and your pets in an emergency. Other options may include: a hotel or motel that takes pets or a boarding facility, such as a kennel or veterinary hospital that is near an evacuation facility or your family's meeting place. Find out before an emergency happens if any of these facilities in your area might be viable options for you and your pets.

Develop a buddy system. Plan with neighbors, friends or relatives to make sure that someone is available to care for or evacuate your pets if you are unable to do so. Talk with your pet care buddy about your evacuation plans and show them where you keep your pet's emergency supply kit. Also designate specific locations, one in your immediate neighborhood and another farther away, where you will meet in an emergency.

Talk to your pet's veterinarian about emergency planning.

Discuss the types of things that you should include in your pet's emergency first aid kit. Get the names of vets or veterinary hospitals in other cities where you might need to seek temporary shelter. You should also consider talking with your veterinarian about permanent identification such as microchipping, and enrolling your pet in a recovery database. If your pet is microchipped, keeping your emergency contact information up to date and listed with a reliable recovery database is essential to your being reunited with your pet.



Gather contact information for emergency animal treatment. Make a list of contact information and addresses of area animal control agencies including the Humane Society or SPCA, and emergency veterinary hospitals. Keep one copy of these phone numbers with you and one in your pet's emergency supply kit. Obtain "Pets Inside" stickers and place them on your doors or windows, including information on the number and types of pets in your home to alert firefighters and rescue workers.

Consider putting a phone number on the sticker where you could be reached in an emergency. And, if time permits, remember to write the words "Evacuated with Pets" across the stickers, should you flee with your pets.

3 Stay Informed

Know About Types of Emergencies.

Some of the things you can do to prepare for the unexpected, such as assembling an emergency supply kit for yourself, your family and your pets, is the same regardless of the type of emergency. However, it's important to stay informed about what might happen and know what types of emergencies are likely to affect your region as well as emergency plans that have been established by your state and local government. For more information about how to prepare, visit www.ready.gov or call 1-800-BE-READY.

Be prepared to adapt this information to your personal circumstances and make every effort to follow instructions received from authorities on the scene. With these simple preparations, you can be ready for the unexpected. Those who take the time to prepare themselves and their pets will likely encounter less difficulty, stress and worry. Take the time now to get yourself and your pet ready.

Preparing for Your Pets Makes Sense. Get Ready Now.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 d.**

Council Meeting Date: September 12, 2016

TITLE: Update on water to ODOT island across bridge

SUMMARY AND BACKGROUND:

Brief update on the waterline situation across the river.