



MINUTES
REGULAR MEETING
Monday, September 13, 2010: 6:30 P.M.
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444

Call to order: Time: 6:30 pm

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

	Present	Absent
Mayor James Wernicke	X	
Council Position #1 Jeff Crook	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Brice Gregory	X	
Council Position #4 Doug Brand	X	
Council Position #5 Tamie Kaufman	X	
City Administrator Ellen Barnes	X	
Student Liaison VACANT		

3. **Special Orders of Business:**
 - a. Introduction and swearing in of new Police Officer Quint Oller.
 - b. Proclamation declaring September National Preparedness Month.

Mayor Wernicke swore new Officer Quint Oller in and welcomed him aboard.

The Mayor stated it was appropriate for Gold Beach to be prepared for disasters and read the proclamation aloud.

4. **Consent Calendar**
 There are no consent items.

There were no consent calendar items read.

5. **Citizens Comments**
 No comments.

There were no citizen comments as presented to the Mayor.

6. **Public Hearing**
 Dangerous Building Abatement Hearing for property located at 94177 Tenth Street.

City Planner, Jodi Fritts stated that council decided last month that a public hearing would be held, proper channels were taken to notify all involved participants. Nothing has been heard back from property owners. Property is in a trust and mail goes to an attorney's office. Both certified mail cards have been sent to city, indicating notices have been picked up. Neighbors were notified regarding meeting and are in audience.

Fritts advised that the Council needs to decide what "abatement" means, does building need torn down, etc. Questions re: what needs to be done to determine if structure is fixable, how much it would cost to remove the building, etc? Fritts spoke to the building department and they said probably at least \$20,000 to remove. If the city spends the money to remove the house a lien would be placed on the property so the money would be recouped eventually if the house sold.

The current issue is black mold. The health department does not deal with building issues, just sanitation issues. The council will need to determine if the property is indeed dangerous. Public Works Superintendent, Will Newdall has not yet been to the property to inspect.

The last property to be determined dangerous was done by the Chief of Police. The council would like the Chief of Police, Fire Chief and a Building Inspector to check the building out and determine if dangerous. One council member stated he believed part of the building was built without a permit.

Neighbor, Kathy Hunnicutt spoke; she is a neighbor to the building/property. She is concerned because the residence fills up with water, smells awful, the mold, dry grass being a fire hazard, the health hazard it causes. The house can no longer be locked. They are concerned regarding transients staying there, possibly being hurt or start a fire. It has been a few years since someone lived there. She was asked if she's noticed mosquito activity, she says no. She was also asked if it floods every year, she said yes, when the creek raises, the water pours through there. She appreciates the council taking the time to look into the situation.

The council thanked her for her contribution. Chief PJ Janik, and Gail Whitmore from the police department will go look at the property right now, so the hearing will be tabled until later.

7. Citizen Requested Agenda Items

Reimbursement request from Brent Thompson. The Oregon Planning Institute (OPI) is held in September, has workshops on fast-tracking, what other communities are doing, transportation-wise, etc. It is an opportunity to learn more about planning, meet people who do grants, etc. He has put in a reimbursement request of \$145 but would be willing to forgo the reimbursement if the council would do some beautification with plants, etc. at city hall. He has contacted a nursery regarding good trees and plants for our area. Mayor states there was no training budget for the planning commission. Thompson said he was misinformed. No protocols in place for members of non-council members to go to training. They may want to look into budgeting for that.

8. Public Contracts and Purchasing

Amendment to engineering contract with the Dyer Partnership.

Steve Majors from Dyer was available to walk council through requested change. A copy of revised changes, along with history of contract, has been given to council,

showing costs. The amendment is due to changes to the initial design. Majors states he and city staff spent the day going over the final plan for the wastewater plant. Typically they don't come in front of council to ask for the increase of cost, however, due to a change of requirements in engineering, there were additional costs for Dyer. The spreadsheet explains the costs very well. Dyer requests \$1,370,700. With the changes they looked at what it would take to do the work, they didn't go with a flat percentage. There are 17 items requiring changes. Mayor says he notices a lot of the costs are a DEQ requirement. Majors said he believes the project will be better with the changes, especially from a building standpoint. City Administrator Ellen Barnes was asked if any parameters in the loan package would be changed. She said if bid amounts come in less, the impact will be less, if it's more, then there will be issues in terms of the financing. No impact to rate study. Majors said Rural Development still must approve the changes. Councilor Tamie Kaufman asked what happens if it's not approved. Dyer has continued to work with the city knowing there were changes coming up, if it's not approved, they won't give the project the coverage it needs. Councilor Jeff Crook asked that the value engineering was supposed to save a substantial amount of money, curious was to the major jump now. Majors said when it was presented; the engineer said the initial plan was kind of far-fetched. Being able to get the flow done correctly was critical, no way of getting around it. A number of items were looked at, and changes were decided based on what made the project better, but changed the scope. Councilor Kaufman asked CA Barnes has a recommendation or input. Her recommendation, after reviewing the information, is that she is comfortable with the changes and the costs are really actually low.

MOTION: Councilor Tamie Kaufman made a motion that the change order be approved contingent upon Rural Development approval. Councilor Jeff Crook seconded the motion.

Mayor Wernicke called for discussion or debate. Someone asked why the engineering costs are so low, Steve Major says that it was based on the scope initially, and it's Dyer's responsibility to absorb those costs. Mayor asked for further discussion or debate, hearing none called for the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Reconvening on public hearing on property at 94177 Tenth Street.

Chief Janik and Gail Whitmore stated the property is in bad condition, he recommended the building be leveled. The Mayor asked if further recommendations are necessary. If city pays for that, a lien will be placed on the

property. Councilor Larry Brennan asked if they should get the fire chiefs opinion. CA Barnes will work on that, states there may also be environmental hazards that may increase costs. Mayor recommends that as many different entities be involved as possible to make sure that the city is fully covered before moving forward on demolition. Councilor Brennan would like the information gathering to be done as quickly as possible. The information from Will Newdall, Bruce Floyd and the county building inspector will be presented at the next meeting.

Someone asks if the building should be boarded up in the meantime, so that kids can't in it and get hurt, or cause a fire. Public Works will go put plywood up on the building. Also that they may not be able to rebuild due to close proximity to the creek.

MOTION: Councilor Tamie Kaufman made a motion that the City send a letter to owner's representative saying that the City intends to discuss tearing down the building on the 27th. Also, that the City moves forward with consulting Planning and Building Departments, and Fire Chief and the downstairs windows and all doors be boarded up. If Public Works are unable do it than find a contractor. Councilor Brice Gregory seconded the motion.

After discussion on the motion, Councilor Tammie Kaufman rescinded the motion. Councilor Brice Gregory rescinded the second.

MOTION: Councilor Tammie Kaufman made a motion that the Public Works Department or a contractor board up the doors and all entrances including the lower windows so people can't get in. Councilor Brice Gregory seconded the motion.

Mayor Wernicke called for discussion or debate, and hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Motion: Councilor Tamie Kaufman made a motion to direct staff to gather information by the next meeting to report to City Council. Information should include legal, building, fire chief, Public Works and Planning Department, and send letter to owner's representative that the City intends to discuss demolition of the building at the next meeting on September 27th. Councilor Jeff Crook seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

9. Ordinances & Resolutions

- a. Resolution R 1011-03, a resolution authorizing the opening of a money market account with Umpqua Bank.

Formalizing movement of part of cities money market from Sterling to Umpqua, both to diversify moneys and to get a higher interest rate.

MOTION: Councilor Tamie Kaufman made a motion to approve Resolution R1011-03 a resolution authorizing the opening of a money market account with Umpqua Bank. Councilor Tamie Kaufman read the complete resolution into the record. Councilor Jeff Crook seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

10. Miscellaneous Items (including policy discussions and determinations)

- a. Policy discussion on police jurisdiction and call-outs outside of city limits
- b. Discussion about the possibility of an AmeriCorps volunteer to assist with data gathering and reporting on a Parks & Recreation District
- c. Flooring replacement for front office, discussion of options
- d. Discussion of replacement for Student Liaison
- e. Mission Statement discussion
- f. Discussion of local agency comments on City Business Plan

Policy discussion on police jurisdiction and call-outs outside of city limits: CA Barnes says was an item that Council member Kaufman asked to be brought before council.

Chief Janik is here to answer questions. Councilor Kaufman had some questions. Would the chief like the policy to be revised? He said yes. However the key issue to be discussed is call-outs outside of city limits. Chief Janik explained when a Gold Beach unit is dispatched, to the chief that is a request for mutual aid. Often times, units will go outside of city on follow-up, which is okay by the Chief or Officer Giovanetti. The officers cannot just go on their own accord. The Mayor asked if a city officer is accidentally sent to something that is actually county jurisdiction, what happens. The chief said that does happen due to confusion with county lines, etc.

After November 1st, the information will be more complete. The County currently has a law enforcement tax levy before the voters. Councilor Kaufman said she doesn't feel it is really the cities problem if the levy does not pass. CA Barnes said it could provide a huge problem. Also, dispatch is not regulated by the charter, so that could cause a problem.

The policy issues Councilor Kaufman is concerned about, and that she felt should be formally addressed are the requirement to have the PD window open through the lunch hour and manned by an officer, and the requirement to park all PD vehicles in the front of city hall. She felt this was a burden on the PD. General discussion about the genesis of the policies and their usefulness.

MOTION: Councilor Tamie Kaufman made a motion to temporarily suspend the office window opening and parking of police cars until it can be addressed later. Councilor Brice Gregory seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Discussion about the possibility of an AmeriCorps volunteer to assist with data gathering and reporting on a Parks & Recreation District. This is a follow-up discussion. The Council had previously discussed this matter. Conversation was re: a water park or other "recreational facility". Councilor Brennan asked if the \$7000 is available, CA Barnes said the money would have to be reallocated, but it is available. Councilor Brennan asked where the money would come from. CA Barnes said from savings from changing medical insurances, etc. there would be money potentially available, or looking at individual line items and moving funding.

Councilor Jeff Crook said he's not sure of the whole thing, his gut reaction is not a lot of support for it, since the plan is not in place. The Mayor said we have to ask what the citizens would like to see, and the vote needs to be for what they want, such as a

central recreational facility. The Mayor says it's a big concept and we need to know what the community wants. Councilor Crook said that if it is a survey that the AmeriCorps volunteer would provide, it could go all over the place. He is concerned with the quality of the report. The Mayor states that the person has a place to be located and supervised, and he thinks it could be a good opportunity. Councilor Doug Brand asked if money could be funded by a grant, CA Barnes said if council wants her to look into it, she will. Councilor Kaufman asked if it would make extra work for supplemental budget item, Barnes said yes. Councilor Larry Brennan asked if the city is willing to spend extra money to provide the future improvements. Example, a consultant to look at options once they are there, that could cost \$14,000 or more. Is the city willing to open that box. The Mayor asked when supplemental budget is scheduled; CA Barnes said that there is no need for one at this point. Councilor Kaufman said to put it to staff makes it more work. The Mayor asked for debate, Councilor Jeff Crook asked re: Park and Recreation, Mayor says Ad Hoc committee will be involved, plan might be for school year re: time frame. Fritts Said she has worked with the AmeriCorps volunteers before, the \$7000 is a local match, she can find out if there are volunteers available, there may be no one available for a while. She feels it is a good program. Mayor says maybe Ad-Hoc committee can be brought back and give more information. Staff says if it is tabled until budget time, it would help.

MOTION: Councilor Tamie Kaufman made a motion to table the topic until budget year-next year, approximately January or February. Councilor Jeff Crook seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Flooring replacement for front office, discussion of options: Have talked about recarpeting, have some new options to bring to council: industrial tile—like they have in schools. It is highly durable, \$5 a square foot installed. Matting will have to be used to address slipping issues. Staff would like to ask council to allow this project to be installed in the office area, with staff determining color. This product is less than half of what the carpet is.

MOTION: Councilor Tamie Kaufman made a motion that the City approves this and let staff pick out the color. Councilor Brice Gregory seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

Brief break taken

- a. Discussion of replacement for Student Liaison: Will ask high school to advertise for student liaison.
- b. Mission Statement discussion: Tabled until next meeting.
- c. Discussion of local agency comments on City Business Plan: Tabled until next meeting.

11. City Administrator's Report: A lot going on, Emergency Management Services: Three city administrators, sheriff's department meeting to discuss plans, next meeting is **Sept 21, 2010** at 10 am. Dave Lacey has been interviewed for the Tsunami Outreach Coordinator and they are waiting to see if he is willing to accept the position. There is some urgency in this, so they are trying to get the person hired as soon as possible. This position is being funded by Department of Geology and Mineral Institutes, with a small budget. Thanks to Jodi Fritts and Chief Janik, the City of Gold Beach is a member of the National Preparedness Association. No replacement yet for Don Kendall.

Administration finances, a contract is now done with Bolt, Carlisle and Smith, they have begun providing audit services and an onsite audit will be done in late October or early November.

Barnes and Fritts are in the process of looking at quotes for city finance software, hoping to implement in late October/November. This will involve a lot of support, so she would like to begin advertising for Tech Services; lot of stuff will be required for the new system. Hoping to advertise next week, this is already in the budget.

Fire Safety upgrades are nearly complete, as required by the State Fire Marshall. Lighting, push bars on doors, etc. When it is done, the city will be in compliance. The Fire Marshall will come back and do a walk-through.

Attorney transition: Barnes is seeking a motion from the Council that the City transition from current law firm to the Local Government Law Group—a division of Speer Hoyt. Our current attorney, Lauren Sommers has changed firms to Speer Hoyt. Letter from current representation indicates they are not interested in continuing with City of Gold Beach when Sommers leaves. Fees will not change.

MOTION: Councilor Doug Brand made a motion that we go with Speer Hoyt for our legal representation. Councilor Tamie Kaufman seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

City Hall Week is next week, September 16, at Bandon City Hall. The Mayor will be attending.

Governors Economic Revitalization Team is meeting next Monday at 10 am in Port Orford. Barnes, Councilor, Jeff Crook, and Promo Director, Jeff Ferguson will be attending.

Barnes and Fritts will be at an HR conference in Silverton through Thursday. The next week everyone is gone to the LOC Conference. Chief Janik will be in charge.

Fire Services: Siren at City Hall has been repaired and is working. Reports of siren failure at south end of city and Hunter Creek, but they are all supposed to be working now. Volunteers have been responding to various calls.

Police Services: Gypsy Joker Outlaw Motorcycle club was in town. There were no reported problems, though police staff did spend time monitoring. Application for Rookie of the Year award for National Night Out, has been submitted. Chief Janik has located a Conex container that is weather proof and city records can be archived safely. Recently, early morning car burglaries resulted in the arrest of a transient and recovery of stolen items. August 14th and 15th, Chief Janik attended the Executive Officers Symposium for missing and exploited children, all expenses paid in Georgia. Officer Giovanetti conducted the Fireworks Training, providing it locally. Officer Wood is delayed in leaving the city, keeping the force fully staffed. Police stats are showing a large number of citations issued.

Public Works: finalizing documentation for USDA loan, completing checklist. Interim financing proposals are included for council. Everyone is providing a different package. Bond counsel has been hired, and is being prepared. Updated project schedule, things are delayed due to USDA funding. Not going out for bid until November/December. Meeting with ODOT on Sept. 22nd at 1 pm, to discuss traffic signal improvements, with construction to begin in 2012. ODOT is ready with beach access signs, once it's been determined where they are needed, please submit

list of suggestions. Crosswalk on Ellensburg at Rush Building, results of study will be received to determine if a crosswalk will be installed there.

Visitor's Bureau: 10 K winner was Bruce Moore who was here on honeymoon. Does council want to be involved? Friday is open, otherwise looking at the end of September. Mayor suggests early Friday. Barnes will talk to Mr. Moore and Jeff Ferguson. Staff are completing customer service certification. Visitors Center is seeking additional volunteers.

12. Mayor and Council Member Comments

- a. Mayor James Wernicke: Beer Fest looked and was fun, was a success. Happy re: \$10,000 in Gold winners.
- b. Councilors
 - 1) Jeff Crook: Thanks to staff for hard work.
 - 2) Larry Brennan: Seconds Jeff
 - 3) Brice Gregory: Seconds Larry
 - 4) Doug Brand: Thanks to Promo Committee
 - 5) Tamie Kaufman: No comment
- c. Student Liaison: Na

13. Citizens Comments:

There were no citizens comments.

14. Executive Session

None Scheduled

No executive session was held.

The next meeting of the Gold Beach City Council is scheduled for Monday, September 27, 2010, at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon

MOTION: Councilor Larry Brennan made a motion to adjourn the meeting. Councilor Brice Gregory seconded the motion.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	X		
MOTION CARRIES UNANIMOUSLY			

15. Adjourn Time: 8:55 pm

Approved by the Council, November 14, 2011

Candy Cronberger

Candy Cronberger, City Recorder

September 13, 2010 CC MTG



Plan Now. Work Together. Be Ready.

PROCLAMATION

National Preparedness Month, September 2010

WHEREAS, “National Preparedness Month” creates an important opportunity for every resident of the City of Gold Beach to prepare their homes, businesses, and communities for any type of emergency from natural disasters to potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency’s *Ready* Campaign, Citizen Corps and other federal, state, local, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of the City of Gold Beach and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens of the City of Gold Beach are encouraged to participate in citizen preparedness activities and asked to review the *Ready* campaign’s Web sites at ready.gov and become more prepared.

THEREFORE, BE IT RESOLVED that the City Council of the City of Gold Beach, hereby proclaims September 2010 as National Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared Gold Beach.

DATED this 13th day of September, 2010

James H. Wernicke, Mayor

5.320 Separate Violations.

- (1) Each day's violation of a provision of this Code, or each act separate unto itself, constitutes a separate offense.
- (2) The abatement of a nuisance is not a penalty for violating this Code; but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance; however, abatement of a nuisance within ten (10) days of the date of notice to abate, or if a written protest has been filed, then abatement within ten (10) days of Municipal Court determination that a nuisance exists, will relieve the person responsible for the imposition of any fine under Section 5.315 of this Code except a fine from violation of Section 5.275.

DANGEROUS BUILDINGS

5.350 Definitions.

For the purpose of this Code:

- (1) The term "dangerous buildings" shall include:
 - (a) A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connections, defective heating apparatus, or for any other cause or reason, is especially liable to fire and which is so situated or occupied as to endanger any other building or property or human life.
 - (b) A structure containing combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind especially liable to cause fire or danger to the safety of such building, premises or to human life.
 - (c) A structure which shall be kept or maintained or shall be in a filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious diseases.
 - (d) A structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property by reason of probability of partial or entire collapse.
- (2) The term "person" shall include every natural person, firm, partnership, association or corporation.
- (3) "City official" means any Councilor, mayor, city employee, or any agency or employee of any agency under contract to the City for services.

5.355 General Regulations.

- (1) Administration. The City building official is the primary city official authorized to enforce the provisions of this Code, but any other city official may act under the authority of this Code.
- (2) Inspections. The City building official or another city official is hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Code.
- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code and whenever the City building official or another city official has probable and reasonable cause to believe that there exists in any building any condition that would make such building a dangerous building as defined herein, then said city official, including the building official, may enter into such building at reasonable times to inspect said premises for any violations of this Code.

5.360 Nuisance.

Every building or part thereof which is found by the Council to be a dangerous building is hereby declared to be a public nuisance; and the same may be abated by the procedures herein specified, or a suit for abatement thereof may be brought by the City.

5.365 Initial Action.

Whenever a city official shall find or be of the opinion that there is a dangerous building in the City, it shall be his duty to report the same to the City Council. Thereupon, the Council shall, within a reasonable time, fix a time and place for a public hearing thereon.

5.370 Hearing; Mailed Notice.

By certified or registered mail, return receipt requested, the City Administrator shall notify the owner of record of the premises whereon the building in question is located, that a hearing will be held concerning the nuisance character of the property and the time and place of the hearing. A copy of this notice shall also be posted on the property in addition to notices prohibiting entry into building. At the hearing the Council shall determine by resolution whether or not the building is dangerous. The Council may, as a part of the hearing, inspect the building; and the facts observed by the Council at such inspection may be considered by it in determining whether or not the building is dangerous. At the hearing the owner or other person interested in the property or building shall have the right to be heard. At such hearing the Council shall have the power to order any building declared to be dangerous removed and abated, if in its judgment such removal or abatement is necessary in order to remove the dangerous condition; or the Council shall have the power to order the building made safe and to prescribe what acts or things must be done to render the same safe.

5.375 Published and Posted Notices.

Ten (10) days' notice of any hearing shall be published in a newspaper of general circulation in the City or by posting notices thereof in three (3) public places in the City. If the last-mentioned notice be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings.

5.380 Council Orders: Notice.

Five (5) days' notice of findings made by the Council at a hearing and any orders made by the Council shall be given to the owner of the building, the owner's agent or other person controlling the same, and if the orders be not obeyed and the building rendered safe within the time specified by the order (being not less than five (5) days), then the Council shall have the power and duty to order the building removed or made safe at the expense of the property on which the same is situated.

5.385 Abatement by City.

In the event that the Council orders are not complied with, the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the City Administrator, and shall advertise for bids for the doing of the working the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let.

5.390 Assessment.

The Council shall ascertain and determine the probable cost of the work and assess the same against the property upon which the building is situated. The assessment shall be entered in the docket of city liens and shall thereupon be and become a lien against the property. The creation of the lien and the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.

5.395 Summary Abatement.

The procedures of this Code pertaining to Council declaration of a dangerous building need not be followed where a building is unmistakably dangerous and imminently endangers human life or property. In such an instance, the chief of the fire department, the fire marshal or the Chief of Police may proceed summarily to abate the building.

5.398 Penalty.

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of any dangerous building within the City and who shall knowingly suffer or permit the building to be or remain dangerous beyond the time specified in the order of the Council

pursuant to Section 5.380, shall be guilty of a violation of this Code and shall, upon conviction thereof, be fined an amount not to exceed \$500.00 for the first and all subsequent offenses, or such other maximum fine as the City Council may set from time to time by ordinance. Each day's violation of a provision of this Code constitutes a separate offense. The court may also impose a unitary assessment as provided by ORS 137.290.

OFFENSE CODE

5.400 Definitions.

The definitions contained in Oregon Revised Statutes chapters 161, 162, 163, 164, 165, 166, 167, 471, 475, and 480.110 to 480.160, as constituted when this Code is adopted, are adopted by reference and made a part of this Code.

5.405 Prosecution Procedures – State Statutes Adopted.

The procedures applicable to the prosecution of violations contained in the Oregon Revised Statutes as constituted when this Code is adopted, are adopted by reference and made a part of this Code, and all references therein to district attorney shall include the city prosecutor or the city attorney. These shall include, but not be limited to, those provisions relating to defenses and burden of proof, general principles of criminal liability, parties and general principles of justification.

5.410 Violations — State Statutes Adopted.

Each violation made an offense against the state under the provisions of the Oregon Revised Statutes chapters 161, 162, 163, 164, 165, 166, 167, 471, 475, and 480.110 to 480.160, as constituted when this Code is adopted, are adopted by reference and made a part of this Code and designated an offense against the City. A person who violates any one of the provisions within the jurisdiction of the City is in violation of this Code, and shall be charged with the offense of violating section 5.410 of this Code, and reference shall be made in the charging instrument to that particular section of the Oregon Revised Statutes, as incorporated by reference, which has been violated. If any other section of this Code or any other code or ordinance creates a specific violation offense in conflict with a violation offense incorporated by reference in this Code, the provisions of the violation offense incorporated by reference shall govern.

5.415 Soliciting or Confederating to Violate Code.

No person shall solicit, aid, abet, employ or engage another, or confederate with another, to violate a provision of this Code or any other code or ordinance of the City.

5.420 Offenses Outside City Limits.

Where permitted by Oregon law, an act made unlawful by this Code shall constitute an

HEARING NOTICE

Pursuant to City of Gold Beach Code Section 5.375, notice is hereby given of a **Dangerous Building Public Hearing.**

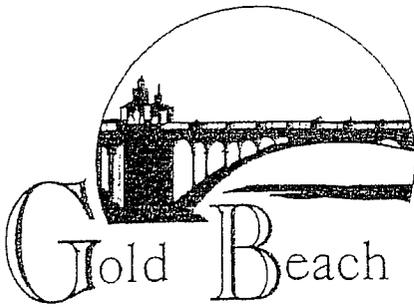
The public hearing will be held by the **City Council on Monday, September 13, 2010, at 6:30 PM in the City of Gold Beach Council Chambers.**

At the hearing, the owner or other person(s) interested in the property or the building shall have the right to be heard.

The building that is subject to this hearing is located at 94177 Tenth Street, in Gold Beach.

For information regarding this notice, the public hearing, or the nature of the nuisance, please contact Jodi Fritts: 541-247-7029 or email: jfritts@goldbeachoregon.gov

POSTED SEPTEMBER 3, 2010



City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444
541-247-7029

MAILED BY USPS CERTIFIED POST

September 3, 2010

Tamara Carlson
Arnold Trust
%Richard Francis
711 South A Street
Oxnard, CA 93030

**NOTICE OF DANGEROUS BUILDING HEARING
PURSUANT TO GOLD BEACH CITY CODE SECTION 5.370**

The records of the Curry County Tax Assessor indicate you are the recorded owner of the following real property located within the City of Gold Beach, are therefore responsible for its use:

**94177 Tenth Street
Assessor Map number: 3715-01AD tax lot 2902**

Pursuant to the city Nuisance and Offence Code, Dangerous Building section you are notified of a public hearing to be held Monday, September 13, 2010, at 6:30 PM in the City Council Chambers at City Hall. You have the right to be heard at the hearing and the Council shall determine by resolution whether or not the building is dangerous.

If you have any questions regarding this notice, or the hearing procedure please contact me.

Sincerely,

Jodi Fritts
Administrative Services Director
jfritts@goldbeachoregon.gov
Acting for Ellen Barnes, City Administrator

Identify Results

Coordinate Position

Geographic: 42° 24' 20.19" N, 124° 25' 11.54" W
StatePlane: 3862959, 294079

OrthoImage

Request X: 3862959.6094905837
Request Y: 294079.7189294761
Raster ID: 1
Band 0: 133
Band 1: 108
Band 2: 103

Urban Growth Boundary

NAME: Gold Beach

Parcels

MAPTAXLOT: 3715-01AD-02902
TAXLOT: 02902
MAPNUMBER: 37S15W01AD
OR MAPTAXLOT: 0837.00S15.00W01AD--000002902

Assessment

Property ID: R20048
Map Tax Lot: 3715-01AD-02902
State Property Class: 101
County Property Class: 111
LEVY: 1,417.03
Living Area: 2964
RMV Total: 185,590
RMV Improvements: 54,670
RMV LSU: 0
ASSESSED VALUE: 132,380
YEAR BUILT: 1976
RMV_LAND: 130,920
Acreage: 0.31

Situs

PROP_ID: R20048
MAP TAX LOT: 3715-01AD-02902
SITUS_ONE: 94177 TENTH ST
SITUS_TWO: GOLD BEACH, OR 97444

Owner

PROP_ID: R20048
OWNER: CARLSON, N TAMARA O TRSTEE
ADD_1: ARNOLD TRUST
ADD_2: C/O FRANCIS, RICHARD L ESQ
ADD_3: 711 SOUTH A STREET
CSZ: OXNARD, CA 93030
MAP TAX LOT: 3715-01AD-02902
ACREAGE: 0.31

CITY OF GOLD BEACH - NOTICE TO ABATE
29592 ELLENSBURG AVENUE
GOLD BEACH OR 97444
PH: 541-247-7029

TO: CARLSON N TAMARA O Trustee DATE OF NOTICE: 7/30/10
ARNOLD TRUST C/D FRANCIS RICHARD DATE TO PD: 7/30/10
711 South A St
OXNARD, CA. 93030

where is an alleged nuisance located at: 94177 Tenth St Gold Beach, OR 97444
covered under Ordinance # 560 of the City of Gold Beach.
632

NOTICE TO ABATE

The nuisance consists of the following:

- 1. Weeds & or grass more than 12" high.
- 2. Blackberry brushes, brush more than 24" high.
- 3. Blackberry/brush growing into public way, sidewalk, across property line.
- 4. Fire hazard.
- 5. Traffic hazard.
- 6. OTHER:
Black Mold Inside and Outside of house Needs to be dealt with.

You are being notified to abate this nuisance because our records indicate you are:

- 7. The owner of the property.
- 8. The person in charge of the property.
- 9. The person who caused to come into or continue in existence a nuisance as defined in O # ~~560~~ 632

You are hereby requested to abate the nuisance within TEN days from the date this was verified by the Gold Beach Police Department. Unless the nuisance is abated, the City may abate the nuisance and the cost of abatement will be charged to you. If the charge has not been paid, a lien will be filed on the property. The Public Notice "WEEDS AND NOXIOUS GROWTHS PROHIBITED" has been published in the paper. The Police Department will check this property in TEN days to determine if abatement has taken place. If the nuisance has not been abated, and a second notice is mailed, there will be a \$15.00 charge to cover the additional expenses. Following the second notice, the City will take steps to abate the nuisance and you will be responsible for all costs, plus an administrative cost. The lien will be filed if the City is not re-imbursed by you for the charges incurred in the abatement process.

Failure to abate the nuisance may also warrant imposition of a civil penalty. The civil penalty may result in an assessment by the City of Gold Beach and a lien against the property you own, on which the nuisance exists. You may protest this order to abate by giving written notice to the City Administrator or his/her designee within ten days from the date of this notice, at 29592 Ellensburg Avenue, Gold Beach OR 97444.

Checked out and Verified by A 356, Gold Beach Police on 7/30/10
Additional Notice Mailed on 7/30/10, \$15. Citation Notice Mailed: 7/30/10
D Comments/Date _____

NOTICE TO ABATE

City of Gold Beach

RE: 94417 Tenth Street Property
CCM# 37-15-01 T/L 2902

Dear Sir,

This letter is to address a concern about our property at 94179 Tenth Street, Gold Beach, Oregon. We have lived at this address for about 10 years and we have always have maintained the roadway which comes off of the city street.

There are three homes located off this shared roadway where our home is also located. One of the homes is in fact as duplex with renters. The situation we are concerned about is the fact that the upkeep of the duplex is harming our property values.

The places around it clear down to Ninth St. and Russell St. are also concerned about their property values as well. We wanted to notify the City of Gold Beach about our concerns in this matter. We feel that the city should get in contact with the property owner or their attorney to discuss the neighborhood concern of deterring property values due to the lack of the upkeep on their property located at 94177 Tenth Street.

Respectfully,

Neighboring Property Owners

Clinton Hennrich

Clara M. Cusick
Wanda D. Roca

Sandy J. Hedger

Elizabeth Kicks Myers

Stephen F. Morgan

Russell St

PRECISION 2
SALES & SERVICE

*DIANE
KINOSIAN*

247-2193

15056 SW Hazelcrest Way
Tigard, OR (503)968-0294

September 13, 2010 CC MTG

RECEIVED
SEP 07 2010
CITY OF GOLD BEACH

Brent Thompson
29509 Crook St.
Gold Beach
Oregon 97444

Mayor and Council
City of Gold Beach
Ellensburg Ave
Gold Beach
Oregon 97444

Re: Oregon Planning Institute

Dear Mayor and Council,

Attached is a copy of the receipt for payment of fees for attending the OPI conference in Eugene 16-18 September 2010. the cost is \$145 including the Wednesday evening get aquainted dinner.

I believe these conferences are valuable for learning about planning problems and solutions and possibly more importantly for meeting people who are state employees in Salem who make decisions affecting the entire state or who are instrumental for approving grant requests.

I ask for reimbursement for the conference cost expense. However, if you choose to approve the planting of additional street trees in front of City Hall and any other city owned land along Ellensburg, I'll donate the \$145 towards the landscaping expenses.

Thank you.

Best regards,


Brent Thompson
541 944-6954



Registration Confirmation

Thank you for your registration; you have completed the registration process!

Your confirmation number is #13020113

Contact Info

Brent Thompson
City of Gold Beach

c/o City Hall
Ellensburg St
Gold Beach OR 97444
US

Phone: 541 944-6954
E-mail: brenttho@mind.net

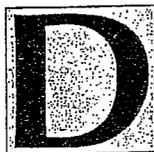
Details

Description	Quantity	Cost
Two-Day Institute Registration (CREG)	1	\$130.00
Opening Event Challenges of Downtown Revitalization (OE)	1	\$15.00
Planning for the Unthinkable - Disaster Preparedness and Recovery (TA11)	1	\$0.00
Thursday Opening and Keynote Speakers (TOS)	1	\$0.00
Lunch on my own (Thursday) (LM)	1	\$0.00
How to Make Biking Irresistible (TP22)	1	\$0.00
A Solar Energy Primer (TP33)	1	\$0.00
Thursday Evening Reception (TR)	1	\$0.00
The Twilight of Zoning - Land Use Regulation Alternatives (FA43)	1	\$0.00
Sensitive Infill Development (FA53)	1	\$0.00
Current Planning & Permitting Issues (FA61)	1	\$0.00
Legislative and Case Law Update (FP72)	1	\$0.00
I will not need a Parking Permit (NP)	1	\$0.00
Total charges:		\$145.00

Thank you for registering for the Oregon Planning Institute 2010 Conference September 15-17, 2010 at the Lillis Business Complex, University of Oregon, Eugene, OR. The University of Oregon's Lillis Business Complex is across the street from the U of O Bookstore at the corner of 13th and Kincaid.

Please Note: The University of Oregon rate for visitor parking on campus is \$8 per day. All vehicles in the UO parking lots must display a visitor parking permit unless you have government plates or a UO parking hangtag. Come early, as a visitor

September 13, 2010 CC MTG



THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.

September 8, 2010

Ms. Ellen Barnes
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, Oregon 97444

RE: Wastewater System Improvements, Phase 2
Engineering Agreement, Amendment No. 2 - Revised
Project No. 119.21

Dear Ellen:

Enclosed with this letter are four counterparts of revised Amendment No. 2 to the April 14, 2009 Engineering Agreement between the City of Gold Beach and The Dyer Partnership Engineers & Planners, Inc. for Wastewater System Improvements, Phase 2. This revision was based on our meeting to review overall costs and changes to the design documents.

The revised amendment modifies the original Agreement's scope of work due to recommendations that were developed during the value engineering (VE) session and changes or additions requested by the City based on their review of other similar facilities. The requirement to conduct a VE session came after the wastewater treatment facility's design was approximately ninety percent complete. All of the revisions have been reviewed and coordinated with the City.

The components that were changed, modified or added are summarized as follows:

1. Eliminate headworks pump station manual screen.
2. Modify headworks pump station due to relocation and pump configurations.
3. Modify drainfield pump station due to pump relocations and structural requirements.
4. Double size of the effluent disposal drainfield
5. Add covers for the equalization basin and ultraviolet disinfection system.
6. Eliminate rehabilitation of existing WWTP .
7. Eliminate rehabilitation of existing digester tanks.
8. Add two new 200,000 gallon steel digester tanks.
9. Add protective coatings to all concrete process structures.
10. Eliminate drain pump station.
11. Eliminate non-potable water system.
12. Add new standby power generator.
13. Modify blower control building due to relocation of biosolids screw press and SBR blowers.
14. Modify site paving plan and surface drainage facilities due to relocation or elimination of wastewater treatment components.
15. Modify storm drain system by replacing existing 30-inch diameter culvert.
16. Rehabilitate existing pole building.
17. Add designated spoils site.

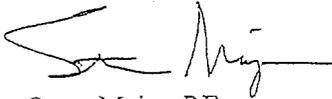
Ms. Ellen Barnes
September 8, 2010
Page 2

We seek approval of the City of Gold Beach and concurrence of USDA Rural Development to add the amount of \$169,100 to the "Final Design Phase", \$85,800 to the "Construction Phase" and \$65,400 to "Resident Project Representative Services" of the Agreement. The total amount of all additions is \$320,300. The new total contract amount for professional services would be approximately \$300,000 less than what the City shows on their most current project cost estimate breakdown.

Upon approval by the City, please sign each counterpart and send the copies to Nate England, P.E., Rural Development for their concurrence and signature. If you have any questions on this amendment, please give me a call.

Sincerely,

THE DYER PARTNERSHIP
ENGINEERS AND PLANNERS, INC.

A handwritten signature in black ink, appearing to read "Steve Major", written over a horizontal line.

Steve Major, P.E.
President

Enclosures

SUGGESTED FORMAT
(for use with E-510, 2002 Edition)

This is EXHIBIT J, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated April 14, 2009.

AMENDMENT No. 2 TO OWNER-ENGINEER AGREEMENT

1. Background Data

- a. Effective Date of Owner-Engineer Agreement: April 14, 2009
- b. Owner: City of Gold Beach, Oregon
- c. Engineer: The Dyer Partnership Engineers and Planners, Inc.
- d. Project: Wastewater System Improvements, Phase 2

2. Nature of Amendment [*Check those that are applicable and delete those that are inapplicable.*]

- ~~Additional Services to be performed by Engineer~~
- Modifications to Services of Engineer
- ~~Modifications to Responsibilities of Owner~~
- Modifications to Payment to Engineer
- ~~Modifications to Time(s) for rendering Services~~
- ~~Modifications to other terms and conditions of the Agreement~~

3. Description of Modifications

Attachment 1, "Modifications"

~~[List other Attachments, if any]~~

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is _____, 2010.

OWNER:

ENGINEER:

By: _____
Title: _____
Date Signed: _____

By: _____
Title: President
Date Signed: _____

AGENCY CONCURRENCE

Agency: USDA Rural Development
By (Signature): _____
Typed Name: Nate England
Title: State Engineer
Date: _____

This is Attachment 1, consisting of 2 pages, to Amendment No. 2, dated _____, 2010.

Modifications

[Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]

1. ~~Engineer shall perform the following Additional Services:~~
2. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:

In accordance with Exhibit A Section A.2.01.3, the Owner has requested changes and modifications to final design documents as a result of value engineering and other factors. These changes are summarized as follows:

1. Eliminate headworks pump station manual screen.
2. Modify headworks pump station due to relocation and pump configurations.
3. Modify drainfield pump station due to pump relocations and structural requirements.
4. Double size of the effluent disposal drainfield
5. Add covers for the equalization basin and ultraviolet disinfection system.
6. Eliminate rehabilitation of the existing treatment tank .
7. Eliminate rehabilitation of existing digester tanks.
8. Add two new 200,000 gallon steel digester tanks.
9. Add protective coatings to all concrete process structures.
10. Eliminate drain pump station.
11. Eliminate non-potable water system
12. Add new standby power generator.
13. Modify blower control building due to relocation of biosolids screw press and SBR blowers.
14. Modify site paving plan and surface drainage facilities due to relocation or elimination of wastewater treatment components..
15. Modify storm drain system by replacing existing 30-inch diameter culvert.
16. Rehabilitate existing pole building.
17. Add designated spoils site.

Refer to Summary of Costs for Amendment No. 2 attachment for additional comments on why changes are being completed.

~~3. The responsibilities of Owner are modified as follows:~~

4. For the additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:

1. Change Exhibit C, C.2.01.3 to read as follows (*changes shown in bold, add \$169,100 to 3c and \$85,800 to 3e for a total of \$259,000 for the work described in Item 2 above*):
 3. The total compensation for services under paragraph C.2.01 is estimated to be \$ 1,030,300.00 based on the following assumed distribution of compensation:

a. Study and Report Phase	\$ <u>0.00</u>
b. Preliminary Design Phase	\$ <u>0.00</u>
c. Final Design Phase	\$ <u>561,500.00</u>
d. Bidding or Negotiating Phase	\$ <u>20,000.00</u>
e. Construction Phase	\$ <u>406,800.00</u>
f. Post Construction	\$ <u>42,000.00</u>

2. Change Exhibit C, C.2.04.A.1 to read as follows (changes shown in bold, add \$65,400 for the work described in Item 2 above)

1. *Resident Project Representative Services.* For services of Engineer's Resident Project Representative, if any, under paragraph A.1.05A of Exhibit A, an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times Standard Hourly Rates for each applicable billing class for all Resident Project Representative services performed on the Project, plus related Reimbursable Expenses and Engineer's Consultant's charges, if any. The total compensation under this paragraph is estimated to be \$325,400.00 based upon Contract Times as set forth herein.

~~5. The schedule for rendering services is modified as follows:~~

~~6. Other portions of the Agreement (including previous amendments, if any) are modified as follows:~~

**CITY OF GOLD BEACH
WASTEWATER SYSTEM IMPROVEMENTS
SUMMARY OF COSTS FOR AMENDMENT NO. 2
Project No. 119.21**

Item	Description	Construction Cost		Engineering Cost			Comments
		Deletion	Addition	Design	CM	Inspection	
1	Eliminate Headworks PS Man Screen	-45,000			-2,521	-2,025	Eliminated after Design, VE Driven
2	Modify Headworks Pump Station		97,400	6,653	5,457	4,383	Relocate PS & Modify Pump Configuration, VE Driven
3	Modify Drainfield Pump Station		111,750	7,634	6,261	5,029	Relocate Pumps, Structural Changes, Site Changes, VE Driven
4	Double Size Drainfields & Force Main		554,200	32,300	37,200	25,200	DEQ Required, Added Pedestrian Bridge
5	Add Covers for EQ & UV		250,000	17,078	14,006	11,250	Added By City
6	Eliminate Rehab of Exist. WWTP	-958,100		-6,545	-53,678	-43,115	Eliminated After 90% Designed, VE Driven
7	Eliminate Rehab Existing Digesters	-60,000		-1,099	-3,362	-2,700	Eliminated After 90 % Designed, VE Driven
8	Add New Digester Tanks (2)		962,300	71,100	59,903	48,115	Total New Design, Sky Bridge, VE Driven
9	Add Concrete Coatings		105,330	7,195	5,901	4,740	Added By City
10	Eliminate Drain PS	-85,000			-4,762	-3,825	Eliminated after Designed, VE Driven
11	Eliminate Non Potable Water System	-45,000		1,000	-2,521	-2,025	Eliminated after Designed, Design New Water Connection, VE Driven
12	Add New Standby Generator		93,750	6,404	5,252	4,219	Provide New Generator Instead of Existing Equipment Locations Changed, Added
13	Modify Blower Control Building		60,000	6,000	3,362	2,700	Sludge Storage Facility Prior to VE
14	Modify Site Paving & Surface Drainage Facilities		61,330	4,189	3,436	2,760	Paving Increased By 51%, Additional Storm Drain System, VE Driven
15	Modify Storm Drain System (Add 30-inch Culvert)		43,340	2,961	2,428	1,950	Replace Existing System, VE Driven
16	Rehab Existing Pole Building		150,000	10,247	8,404	6,750	Replace Siding Added by City, Roof and Garage Doors Added After VE
17	Add Designated Disposal Site			4,000	1,000	2,000	Additional Surveying & Auto-CAD Work, Added By City

TOTAL -1,193,100 2,489,400 169,117 85,766 65,406
Contract Change Amount 169,100 85,800 65,400

DESIGN MEMORANDUM

Project: City of Gold Beach

Wastewater System Improvements

Subject: Item 13 Commentary for Engineering Amendment No. 2

Date: September 8, 2010

Prepared By: Aaron Speakman, P.E.



This memo is intended to provide additional commentary and description to Item 13 as described in the Amendment No. 2 for Engineering Services between the City of Gold Beach and the Dyer Partnership.

Commentary:

The blower building is essentially an old garage area that was to originally be converted to a blower room for the digester blowers and sludge dewatering skid. With the addition of a dewatered sludge storage pit (outside the original scope of services), it was concluded that the screw press should be located adjacent to the new storage pit. To provide adequate space for the new screw press, the SBR blowers were relocated to the same garage as the digester blowers, and the screw press was moved to the control building. Moving the blowers includes electrical upgrades to the facility because the original electrical installed in Phase I improvements was sized to accommodate 3 blowers, not 4 or 5 blowers:

The screw press was relocated to the new Control Building. Relocation of the screw press involves installation of a sludge feed pump that is independent of the screw press packaged skid. Controls, electrical, valving, and piping was designed to allow the sludge feed pump to be operated adjacent to the digesters. This location allows the pump to pump sludge to the new screw press location in the Control Building. Estimated engineering costs for the upgraded pump, pad, electrical, and piping is \$2,060. See Item 1 in the table attached.

Relocation of the SBR blowers to the existing garage required electrical upgrades, piping changes, and control modifications. Estimated engineering costs associated with these changes are \$3,500. See Item 2 in the table attached.

The sludge dewatering pit is a reinforced concrete structure to hold dewatered sludge for the City. The pit has a sloped floor, and drainage facilities. The sludge pit was added as requested by the City staff. It is estimated that the additional engineering costs associated with the sludge pit are \$4,000. See Item 3 in the table attached.

Additional engineering and redesign was performed on the new Control Building to address the new generator and screw press ventilation. Engineering changes to the Control Building include electrical changes, structural wall framing changes, ventilation changes, and changes to accommodate the generator which was added to the scope of services by Amendment No. 2. It is estimated that engineering changes to the Control Building to accommodate the changes mentioned above is \$2,500. See Item 4 in the table attached.

Additional cost breakdown for item 13 of Amendment No. 2			Comments
Item	Description	Add. Engineering Fees	
1	Screw press relocation	\$2,060	Separate sludge feed pump, structural building changes, building layout revisions
2	Blower relocation	\$3,500	Electrical Upgrades/piping redesign
3	Sludge Storage Pit	\$4,000	Reinforced concrete structure w/drains/vented sidewalls
4	Generator changes to Control Building	\$2,500	Power louvers, building layout revisions
	Total	\$12,060	

RESOLUTION R1011-03

**A RESOLUTION AUTHORIZING THE OPENING OF A MONEY
MARKET ACCOUNT AT UMPQUA BANK**

- WHEREAS:** The City currently has all savings and checking funds on deposit at one financial institution; and
- WHEREAS:** The City of Gold Beach wishes to diversify its investments; and
- WHEREAS:** In the past year, investment interest returns on funds on deposit have been historically low; and
- WHEREAS:** Umpqua Bank is offering an interest rate of 0.08% which is a substantially higher rate of return than the City is currently on its investments;

NOW, THEREFORE, BE IT RESOLVED that in order to diversify City investments and receive the best rate of return on City funds, the Gold Beach City Council hereby authorizes the City Administrator to open a money market account with Umpqua Bank with an initial deposit of \$1.5 million dollars.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 13th DAY OF SEPTEMBER 2010.

APPROVED BY:

James H. Wernicke, Mayor

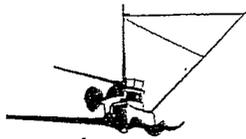
ATTEST:

Jodi Fritts, City Recorder

September 13, 2010 CC MTG

Revised submission from Mayor:

Make Gold Beach Oregon a safe and rewarding place to reside, to work, and to visit, while maintaining fiscal responsibility and encouraging citizen interaction and involvement.



PORT OF GOLD BEACH

PO Box 1126 * 29891 Harbor Way * Gold Beach, OR 97444 * (541) 247-6269 * Fax (541) 247-6268
E-Mail: portoffice@portofgoldbeach.com * portmanager@portofgoldbeach.com

August 23, 2010

Ellen Barnes
City Administrator
City of Gold Beach
29592 Ellensburg Ave.
Gold Beach, OR 97444

RECEIVED
AUG 25 2010
CITY OF GOLD BEACH

September 13, 2010 CC MTG
10. Misc Items
f. Agency comments
Business Plan

Dear Ellen,

The Port's Board of Commissioners received and reviewed the goals and objectives draft of the City's business plan and made comment on the following:

1. Goal 4, #3 – The Port would like to coordinate with the City for the use of an emergency generator if acquired. We would have an adapter installed so that a generator could be delivered on site at the airport and connected to the runway lights, thereby providing lighting during an emergency and/or blackout.
2. Goal 5, #1 – The completion of the sewer plant is very much at the forefront of a joint venture. The Port's involvement seems to be complete at to this project. However, we are always open for any suggestion or assistance that the Port may render.
3. Goal 7, #3 – This goal is always at the top of our list. I believe that we have a very good relationship. Anything that the Port can do to improve this endeavor is welcome.
4. Goal 8, #1 – The Port is actively pursuing its own ordinance as regard to signage. We will hold in abeyance this update until the City had published its current sign ordinance. At that time, we will coordinate our policy to comply with the City's ordinance.

Thank you for allowing the Port to respond to these issues.

Cordially,


Errol Roberts
Port Manager



CURRY HEALTH NETWORK

94220 Fourth Street, Gold Beach OR 97444

541.247.3000

August 31, 2010

Ellen Barnes,
City Administrator
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444

Dear Ms. Barnes,

Curry Health District extends its thanks to the City Council for the opportunity to review and comment on the City's draft business plan.

We particularly support the City's interest in affordable housing, enhancement in quality of life, public safety and disaster preparedness. These issues are close to us both personally and professionally.

While it may seem to be redundant given the efforts of the Health District and Public Health Department we invite the Council to consider a community health improvement goal. This could be a tobacco cessation effort, Body Mass Index improvement or a general fitness goal and could be done in partnership with the Health District and/or Public Health.

Sincerely

CURRY HEALTH DISTRICT

/s/

Bill McMillan
CEO

Ellen:

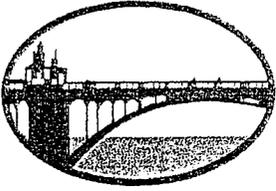
Commissioner Waddle forwarded a copy of your letter dated August 2, 2010, requesting comments and suggestions on the draft business plan for the City of Gold Beach. I have reviewed **Goal 8: Update City Planning** and offer the following comments/suggestions from Curry County Planning:

1. To have housing for a variety of income levels throughout the urban area, the Planning Division would like to participate as a partner in developing standards for affordable/work force housing.
2. To insure water quality in the Rogue River, the City should continue to participate in the implementation of the *Rogue Basin Water Quality Implementation Plan* dated June 2010.

If you have any question or need information, please feel free to contact me.

Dave

David J. Pratt, AICP
Public Services/Planning Director
Curry County Public Services
PO Box 746
94235 Moore St
Gold Beach, OR 97444
P-541-247-3228
F-541-247-4579
prattd@co.curry.or.us



CITY ADMINISTRATOR'S REPORT

SEPTEMBER 13, 2010 MEETING OF THE GOLD BEACH CITY COUNCIL

Ellen Barnes, M.P.A.

City Administrator
International City Management
Association Member

Emergency Management Services

- Curry County Emergency Operation Plans
 - City managers/administrators from Brookings, Gold Beach, and Port Orford continue to work with Curry County Sheriff to update the plan to meet county and cities needs. Next meeting Sept 21.
- Hired Dave Lacey as Tsunami Outreach Community Organizer
 - New part-time position to be shared with Port Orford. The position is funded by the National Tsunami Hazard Mitigation Program and administered by the Oregon Department of Geology and Mineral Industries.
 - Responsible for community outreach and tsunami preparedness education.
 - Funding provides for 1040 hours for ten months beginning September 2010
 - City Administrators will develop the budget for the position.
 - Joint Port Orford/Gold Beach Tsunami Preparedness Steering Committee will be established to oversee and direct the new position.
- Thanks to Chief Janik, the City of Gold Beach is a member of the National Preparedness Coalition...the only agency in Curry County to become a member.

Administration, Finance and Planning

- Finalized the contract with Boldt, Carlisle & Smith for auditing services for FY 2009/10; FY 2010/11; and FY2011/12
 - Onsite audit visit to be scheduled late October/early November.
- Reviewing quotes for new Fund Accounting System
 - Select software provider by October
 - Schedule implementation of new system November/December
- Advertise for tech services for City Hall
 - Advertise for quotes week of Sept 13
 - Select/contract last week September
- Fire safety upgrades at City Hall nearly complete
- Attorney transition from Watkinson Laird Rubenstein Baldwin & Burgess to Local Government Law Group @ Speer Hoyt
 - Fees remain the same, larger pool of municipal law specialists to draw from
 - Interim agreement only...will have to seek quotes from other firms at a later time
- City Hall Week (Sept 16 @ 2:00 pm in the Bandon City Hall)
- Governor's Economic Revitalization Team meeting @ 10 am at Port Orford City Hall
- Upcoming Training
 - LGPI Conference (Sept 14-16 in Silverton)
 - LOC Conference (Sept 22 - 25)
- Fire safety improvements at City Hall nearly complete. These improvements are needed to bring city hall into compliance with fire codes.

Fire Services

- Siren at City Hall has been repaired.
- The City has received reports of siren failures on the south end of town and at Hunter Creek. City staff are following up on these reports.

Police Services

- Visit from the Gypsy Jokers Outlaw motorcycle gang on Monday, Aug 2nd occurred without incident. Gang members hung out in the area of Moore Street and Ellensburg and frequented the Crows Nest bar. A third officer, Chief Janik, was held over to monitor the group.
- Chief Janik has submitted our application for Rookie of the Year award for National Night Out.
- Latest major acquisition from participation in the US Department of Defence DRMO program is a 4-ton Conex container. The container is located behind City Hall (adorned by our folk artist in resident, Lester. The container is weather proof and will be used for records storage
- A series of early morning car burglaries at several Ellensburg Avenue motels resulted in the arrest of a transient. Approximately \$2,000 worth of stolen items including custom fishing rods/reels and a digital camera were recovered. The transient plead guilty
- On August 14th and 15th Chief Janik attended an Executive Officers Symposium at the National Center for Missing and Exploited Children in Alexandria, VA. The Dept of Justice and National Center for Missing and Exploited Children paid for all expenses.
- On August 20th Sgt. Giovannetti conducted the annual firearms qualifications course for handgun, AR-15, shotgun and Tazer for all GBPD personnel. Personnel received 6 hours of use of force/fire arms training as a result.
- Good news....Officer Wood has delayed his leaving the City. GBPD is fully staffed. Nevertheless, Chief Janik, in preparation for Officer Wood's eventual departure, is recruiting for a lateral officer at the International Association of Chiefs of Police Discover Policing Job Website (of which he has already received one application) and continues to advertise at the League of Oregon Cities and Oregon Department of Public Safety Standards and Training websites.
- As a result of being fully staff, August police stats show an all time record in the number of citations issued

GBPD Police Activity Monthly Comparison

	<u>Dispatch Calls for Service</u>	<u>Lobby Traffic/ Calls</u>	<u>Citations</u>	<u>Arrests</u>	<u>Building Sec./ Foot Patrol</u>	<u>Case Reports Generated</u>	<u>After Hour Calls</u>
Aug	162	549	80	6	214	34	7
July	231	593	78	8	245	34	7
June	148	534	56	4	148	24	6

Public Works

- Completing documentation needed to finalize the USDA loan and grant package.
- Reviewing proposals for interim financing (for \$3,944,000)
 - Sterling is offering a line of credit at prime + .75 variable plus .05 loan fee. Estimates are interest to be between 4 and 5% (closer to 5%).

- LOCAP offering loan @ 2% non-compounding. Loan fees (underwriters discount, costs of issuance) @ \$71,000. Costs of issuance can be decreased if our loan is packaged with another city's.
- City staff will work with bond counsel to identify additional offers from (DEQ, US Bank, Bank of America, Umpqua)
- Contracting with K & L Gates (Portland) for bond counsel
- Updated Project Schedule
 - DEQ review complete mid September
 - Bond Council Complete end of September
 - Advertise for bids October 2010
 - Bid open November 2010
 - Contract Award late November 2010
 - Construction Contract Signed mid December 2010
 - Notice to Proceed December 2010
- Wetland delineation study in process (OBEC). Once complete, Lower Rogue Watershed Council will submit an application for a \$150,000 grant from the Department of State Lands for wetlands restoration
- Sewer Rate Study in process (Rural Community Assistance Corporation).
- OPS and Labs Building not complete.
 - City is withholding further payment on contract pending resolution of change order items and pending liquidated damages.
 - The City is seeking to terminate its contract with Woodburn Construction
 - With the transition in legal firms, city is seeking a construction contract litigation specialist to represent the city on these matters.
- BPA is reviewing design drawings to see if the City is eligible for energy saving incentives on the new WWTP.
- Meeting with ODOT on Wed Sept 22 @ 1:00 pm to discuss traffic signal improvements at Moore and 6th Streets.
- Beach access signs – where do you want them
- Crosswalk on Ellensburg at the Rush Center update
 - ODOT completed the traffic and pedestrian counts and are waiting for results from their traffic unit. Results expected sometime over next couple of weeks.

Visitor Bureau

- All GB Visitor Center staff will complete customer service certification offered through Travel Oregon's Q Care Program.
 - Q Care is a statewide customer service training certification program created to support the development of the tourism and hospitality industry through enhanced guest experiences. Through the program, staff learns traits of high quality customer services.
 - 2-hr, web-based training offered at no cost to the City of Gold Beach
- GB Visitor Center is seeking volunteers.
- Next Promotion meeting is September 16 @ 3:30 pm @ City Hall.



COMMUNITY ORGANIZER EMPLOYEE INFORMATION

Please email this completed form to James Roddey and Deb Sterling no later than September 13, 2010.

James Roddey, Program Manager/Administrator
james.roddey@dogami.state.or.us (971) 673-1543

Deb Sterling, Outreach Field Coordinator
deb@oepo.biz 503-739-2030

Community/Cluster: County: Date: 9-7-10

Community Contact(s):

Phase II – Term of Employment: September 21, 2010 through June 30, 2011.

Community Organizer Candidate Info:

Name: Phone: Cell Phone:

Address: Email:

Qualifications & Availability:

Recommended Salary: The CO will work half-time during the "term of employment" period listed above. Total hours worked will not exceed 1020. The Community Contacts recommend that the CO receive \$ _____ per hour. This hourly rate is based upon the CO's qualifications, experience and education.

Work Station/Required Tools: The CO must, at a minimum, have access to a workstation, cell-phone, internet, email, Microsoft WORD and Excel. Will this be provided by the CO, or the community/cluster?

Provided by CO Provided by Community/Cluster Combination of CO and Community

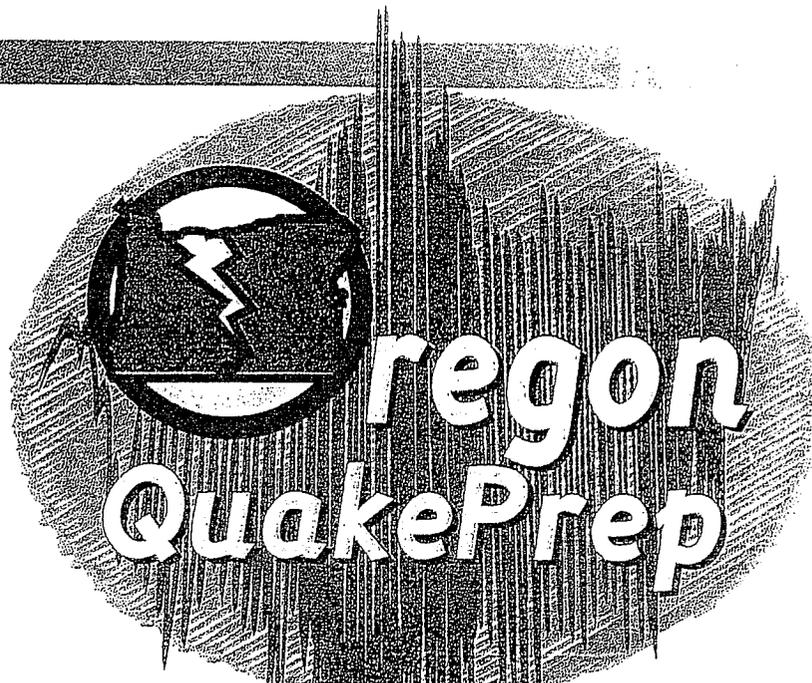
Orientation and Training: CO is required to attend an orientation and training session in Florence, OR on September 22 and 23. Attendance at a dinner meeting on the evening of September 21 is highly recommended. CO will be reimbursed by DOGAMI for these travel expenses at the "government rate" allowable; see attached Government Rate information. Please register CO (and any other attendees for the community) with Deb Sterling by September 13.

Benefits / Mileage / Phone Charges: No compensation will be paid to CO for benefits, routine travel, phone expenses, etc. Pre-approved out-of-town travel expenses must be budgeted and will be paid from funds provided to the community/cluster for material support. **Reporting Structure:** The CO will be employed by DOGAMI and James Roddey will be his/her direct supervisor. However, the Community Contacts listed above will provide day-to-day supervision to the CO and will have substantial input on the implementation of the program.



Oregon
QuakePrep

P.O. Box 14370
Salem, OR
97309-5062
503-378-2911 x 22237



Earthquake Outreach Workshop

There will be a **Oregon QuakePrep Train the Outreach Coordinator** workshop on Earthquake and Tsunami Public Education and Outreach on September 22, 2010 at the Siuslaw Fire Station in Florence, Oregon.

Anyone interested in learning more about effective earthquake and tsunami outreach programs, is encouraged to attend. There is no charge to attend, but seating is limited to the first 30 people to register.

By the end of the training the participant will ...

- **Be able to conduct earthquake and tsunami preparedness public education using a consistent message.**
- **Have the ability to complement "facts and data" with inspiration and motivation.**
- **Know where to go for additional information.**

To register, please email Althea Rizzo

at

althea.rizzo@state.or.us

When?

September 22, 2010

10:00 am to 4:00 pm

Where?

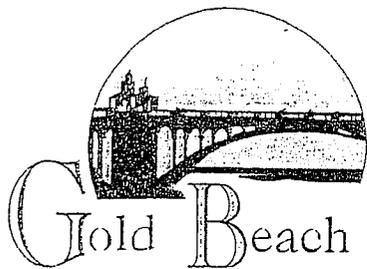
Siuslaw Valley Fire & Rescue

2625 Hwy 101

Florence, OR 97439

CO TRAINING - SLT 23 - AGENDA

SIUSLAW FIRE STATION, FLORENCE OREGON		
7:30am		Refreshments provided by DOGAMI
8:00am	DTS	Get the meeting started, review the agenda, etc.
8:10am	GP	Brief overview of intent, best practices and how we got to TRTP.
8:35am	RW	Why DOGAMI handles Tsunami Outreach...role of mapping.
8:50am	JR	Big Picture, Partners (OEM, NWS)Tsu Outreach history. Grant (ORG CHART would help)
9:10am	SM	Stew Martin shares template for Tsunami Websites.
9:35am	TW RS	Brief overview of TR - requirements, hand-outs (forms,criteria, etc.)
10:00am		Refreshments provided by DOGAMI
10:15am	DTS	Review Big 5. Distribute Plan Templates and explain work session.
10:35am	Linda	Best Practices from Nehalem Bay
10:45am	Jerry	Best Practices from Rockaway Beach
10:55am	Jim	Best Practices from WYSR (Walport, Yachats and Seal Rock)
11:05am	Charli	Best Practices from Bandon
11:15am	Deb	
11:45am		Lunch provided by DOGAMI
Deb will introduce work sessions, during which we will develop 1ST DRAFTS of 1) Current Structure and Assets. 2) Outreach Plan and Event Calendar. 3) Budget, materials, travel, etc. COs must review drafts with steering committee, James and Deb. Final plans will be approved by mid-October.		
12:15pm		Review of current community structure, assets, local goals and priorities, steering committee composition. Include TR requirements here. (What is already in place for TR?)
12:45pm		Outreach plan, calendar of events, BIG FIVE TIMELINE.
1:30pm		Budget, materials, travel, etc.
2:00pm		PLENARY SESSIONS: Each Phase II CO will share a brief overview of their outreach plan with the entire group. This will be an opportunity to clarify goals, ask questions, get feedback, etc.
2:15pm		
2:30pm		Refreshments provided by DOGAMI
2:45pm		Phase II CO's (and cluster guests) meet with James and Deb for final questions, instructions and next steps. ANYONE is welcome to sit in, but not required for those who need to depart.
3:00pm		
Final Briefing with James and Deb		
**WORK SESSIONS: Each Phase II CO (and any team-members accompanying them) will remain seated in their area during the sessions. Presenters will split into 3 groups, which will rotate between the 3 CO groups during each session. Groups: (James, Rob, Deb) (George, Ryan, Tyree) (Phase I COs)		



CITY OF GOLD BEACH
29592 Ellensburg Avenue, Gold Beach, Oregon 97444
Phone (541) 247-7029 - FAX (541) 247-2212

7 September

Douglas Parham, CPA
Boldt, Carlisle & Smith, LLC
480 Church Street SE
Salem, OR 97301-3769

RE: Audit Contract with the City of Gold Beach

Dear Mr. Parham,

Enclosed is a fully executed original of the audit contract between the City of Gold Beach and Boldt, Carlisle & Smith, LLC.

Ms. Jodi Fritts, Administrative Services Director for the City of Gold Beach will be the principal contact person with your firm. She is easily reached at 541-247-7029 or via email at jfritts@goldbeachoregon.gov. We stand ready to provide you with any information your staff needs to begin the audit process for the city.

Thank you. We look forward to working with your firm.

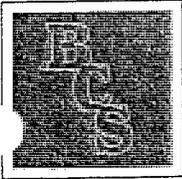
Regards

Ellen R. Barnes, MPA

enclosure

cc: Jodi Fritts, Administrative Services Director, City of Gold Beach

/erb



BOLDT, CARLISLE & SMITH LLC

CERTIFIED PUBLIC ACCOUNTANTS

PARTNERSHIP ■ ASSURANCE ■ INNOVATION

September 3, 2010

RECEIVED
SEP 07 2010
CITY OF GOLD BEACH

Ellen Barnes
City of Gold Beach
29592 Ellensburg Ave
Gold Beach, OR 97444

Dear Ms. Barnes,

In re: Audit contract

Enclosed are two copies of the audit contract for the City of Gold Beach for the following periods: 1) the period beginning July 1, 2009 and ending June 30, 2010; 2) the period beginning July 1, 2010 and ending June 30, 2011; and 3) the period beginning July 1, 2011 and ending June 30, 2012. Please sign both copies and return one copy to us in the enclosed envelope. The other copy is for your files.

We are looking forward to working with you.

Very truly yours,

BOLDT, CARLISLE & SMITH LLC

Douglas C. Parham, CPA

Enclosure

\\Municipal Engagemen\Contracts, Transmittal letters
Gold Beach Transmittal to Gold Beach for contract 9-3-10.docx

www.bcsllc.com

Established 1968

SALEM: 480 CHURCH STREET SE ■ SALEM, OR 97301 ■ PHONE: (503) 585-7751 ■ FAX: (503) 370-3781
STAYTON: 408 NORTH THIRD AVENUE ■ STAYTON, OR 97383 ■ PHONE: (503) 769-2186 ■ FAX: (503) 769-4312
ALBANY: 321 1st AVENUE E STE 2A ■ ALBANY, OR 97321 ■ PHONE: (541) 928-6500 ■ FAX: (541) 928-6501

THIS CONTRACT, made this 7 day of September, 2010, in accordance with the requirements of Oregon Revised Statutes 297.405 through 297.555 between Boldt, Carlisle & Smith, LLC, Certified Public Accountants of Salem, Oregon, and the City of Gold Beach, Oregon, provides as follows:

1. It is hereby agreed that Boldt, Carlisle & Smith, LLC, shall conduct audits of the accounts and fiscal affairs of the City of Gold Beach, Oregon, for the following periods: 1) the period beginning July 1, 2009, and ending June 30, 2010; 2) the period beginning July 1, 2010, and ending June 30, 2011; and 3) the period beginning July 1, 2011, and ending June 30, 2012. Boldt, Carlisle & Smith, LLC, shall conduct the audits in accordance with the Minimum Standards for Audits of Municipal Corporations as prescribed by law. The audits shall be undertaken in order to express an opinion upon the financial statements of the City of Gold Beach, Oregon, and to determine if the City of Gold Beach has complied substantially with appropriate legal provisions.
2. Boldt, Carlisle & Smith, LLC, agrees that the services it has contracted to perform under this contract shall be rendered by Boldt, Carlisle & Smith, LLC, and that the work will be faithfully performed with care and diligence.
3. It is understood and agreed that, should unusual conditions arise or be encountered during the course of the audit whereby the services of Boldt, Carlisle & Smith, LLC, are necessary beyond the extent of the work contemplated in this contract, written notification of such unusual conditions shall be delivered to the City of Gold Beach, Oregon, and the City shall instruct Boldt, Carlisle & Smith, LLC, in writing concerning such additional services. A signed copy of each such notification and instruction shall be delivered immediately to the Secretary of State by the party issuing the same.
4. The audit for the period beginning July 1, 2009 and ending June 30, 2010, shall be started as soon after this contract is executed as is agreeable to the parties hereto. Each audit contemplated by this contract shall be completed and a written report thereon delivered to the City of Gold Beach within a reasonable time, but not later than six months, after the close of the applicable audit period. Adequate copies of the audit reports shall be delivered to the City of Gold Beach, Oregon, and the form and content of the reports shall be in accordance with and not less than that required by the Minimum Standards for Audits of Oregon Municipal Corporations.
5. It is understood and agreed that the City of Gold Beach, Oregon, is responsible for such financial statements as may be necessary to fully disclose and fairly present the results of operations for the period under audit and the financial condition at the end of that period. Should such financial statements not be prepared and presented within a reasonable period of time, it is understood that Boldt, Carlisle & Smith, LLC, shall draft them for the City of Gold Beach, Oregon. The cost of preparing such financial statements shall be included in the fee for conducting the audit as set forth in Paragraph 7 below.
6. It is understood and agreed that either party may cancel this contract by giving notice in writing to the other party at least ninety days prior to July 1 of any year.
7. In consideration of the faithful performance of the conditions, covenants, and undertakings herein set forth, the City of Gold Beach, Oregon, hereby agrees to pay

Boldt, Carlisle & Smith, LLC: \$19,500 for the audit for the period beginning July 1, 2009, and ending June 30, 2010; \$20,100 for the audit for the period beginning July 1, 2010, and ending June 30, 2011; and \$20,700 for the audit for the period beginning July 1, 2011, and ending June 30, 2012; plus additional fees of between .15 to .25 percent of total expenditures of federal awards as to be determined by the parties should the Single Audit Act apply. The City of Gold Beach, Oregon, hereby affirms that proper provision for the payment of such fees has been or will be duly made and that funds for the payment thereof are or will be made legally available.

8. Boldt, Carlisle & Smith, LLC, agrees to defend, indemnify, and hold harmless the City of Gold Beach, its officers, agents, and employees against and from any and all claims or demands for damages of any kind arising out of or connected to in any way with the performance of Boldt, Carlisle & Smith, LLC, under this contract. Boldt, Carlisle & Smith, LLC, hereby waives any and all rights to indemnification and defense pursuant to ORS 30.285 and ORS 30.287.
9. During the term of this contract Boldt, Carlisle & Smith, LLC, shall obtain and maintain liability insurance in at least the amount of the City's liability limits under ORS 30.260 to ORS 30.300, and shall name the City of Gold Beach as an additional insured on the policy.
10. Neither the City of Gold Beach nor Boldt, Carlisle & Smith, LLC, shall assign or transfer any interest in this contract without the prior written consent of the other. Nothing in this contract shall be construed as creating any personal liability on the part of any officer or agent of any public body that is a party to this contract.
11. All notices required by this contract shall be in writing and addressed as follows:

Owner: City Administrator
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444

Consultant: Boldt, Carlisle & Smith, LLC,
480 Church St. SE
Salem, OR 97301

Notices shall be deemed to have been given for all purposes upon receipt when personally delivered and two days after deposit in United States mail, postage prepaid, registered or certified mail.

12. No modification of this contract shall be valid unless it is in writing and is signed by all of the parties.
13. This contract is the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained in this contract. This contract shall supersede all prior communications, representations, and agreements, oral or written, of the parties.

14. The invalidity of any term or provision of this contract shall not affect the validity of any other provision.
15. Waiver by any party of strict performance of any provision of this contract shall not be a waiver of or prejudice any party's right to require strict performance of the same provision in the future or of any other provision.
16. This contract shall be interpreted and enforced according to the laws of the state of Oregon.
17. This contract may be executed in multiple counterparts, each of which shall constitute one agreement, even though all parties do not sign the same counterpart.
18. Time is of the essence in the performance of each of the parties' obligations under this contract.

Boldt, Carlisle & Smith, LLC

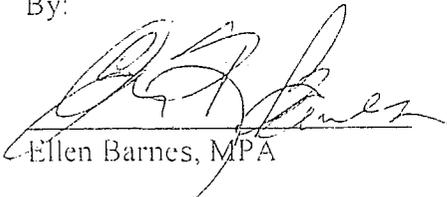
By:



Douglas C. Parham, Member

City of Gold Beach

By:



Ellen Barnes, MPA

WATKINSON LAIRD RUBENSTEIN
BALDWIN & BURGESS
A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

200 PARKVIEW PLACE
101 EAST BROADWAY
EUGENE, OREGON 97401-3114

TELEPHONE (541) 484-2277

FACSIMILE (541) 484-2282

WEBSITE: WWW.WLRLAW.COM

CORRESPONDENCE
POST OFFICE BOX 10567
EUGENE, OREGON 97440-2567

B. KEVIN BURGESS

DIRECT DIAL
OFFICE
(541) 984-0209
STREET

ROSEBURG

425 SE JACKSON

ROSEBURG, OREGON 97470

EMAIL
(541) 673-5528

September 2, 2010

Ellen Barnes, City Administrator
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444-6700

Re: Lauren Sommers

As I believe you are already aware, Lauren has decided to leave Watkinson Laird. Her last day with the firm will be September 15, 2010. We understand that Lauren has been your primary attorney contact at the firm and, as such, you have developed what I hope is a productive working relationship with her. Lauren's departure therefore should cause you and the City Council to consider whether the City should continue its relationship with Lauren, and terminate its formal relationship with Watkinson Laird. While Lauren will be sorely missed here, we encourage the City to give serious consideration to maintaining its relationship with her as, frankly, she is the attorney here best suited to handle the City's ongoing legal needs. Indeed, after she has moved on, Watkinson Laird likely is not the City's best choice of counsel.

After considering this letter, please contact Lauren or me and, if requested, we will take steps to transfer the City's files to its new attorneys.

It has been a pleasure representing the City of Gold Beach.

Sincerely,



B. Kevin Burgess

BKB:ks

Local Government Law Group PC

a member of SPEER HOYT LLC

J. Kenneth Jones*
Carolyn H. Connelly
Christy K. Monson
Ross M. Williamson*
Russell D. Poppe, *Of Counsel*
John A. Wolf, *Of Counsel*
Teresa J. Wilson, *Of Counsel*
*Admitted in Washington

OUR FIRM & ATTORNEYS

The Local Government Law Group is a member of Speer Hoyt LLC. We are government law attorneys and have over 100 years of combined experience in municipal law. We have represented the City of Westfir since its incorporation in 1978, the City of Veneta since 1982, Junction City since 1989, the City of Monroe since 1993, the City of Oakridge since 1998, the City of Creswell since 2003, and the City of Jefferson since 2007, the City of Florence since 2009, and the City of Mt. Angel since 2010. We have been special counsel for discreet projects for several cities and districts. We also represent approximately 100 fire and other special districts as well as government-related entities throughout the state, beginning with formation of the Mohawk Valley Fire Department in 1977.

J. Kenneth ("Ken") Jones

Ken Jones is the senior municipal attorney in the firm. He received his Juris Doctorate degree from the University of Oregon School of Law in 1972 and is admitted to the Bar in Oregon and Washington. He served as a Captain for four years in the Air Force Judge Advocate's office before joining the firm in 1976. He handles the entire scope of local government law and represents many municipalities and special districts throughout the state of Oregon.

Ken is the attorney for the Oregon Fire District Directors Association and the Oregon Fire Chief's Association. He was co-editor of the original Oregon Fire District Directors Handbook and authored chapters in subsequent editions. He has authored a chapter on special districts for the Oregon Law Institute and is a frequent lecturer at conventions, government law conferences, workshops, and seminars. Ken's speaking topics include Formation, Annexation and Dissolution of Districts, The Oregon Fair Labor Standards Act; Directors' Duties and Responsibilities; Policy Adoption and Implementation; Conflicts of Interest; Dismissal and Discipline of Public Employees; and Local Government Budget Law.

Ken is a member of the City Attorneys Association and is past Chair of the Government Law Section of the Oregon State Bar. He has also served as a director of the Bar's Construction Law Section.

Ken began representing special districts in 1977. He has drafted special district legislation, provided testimony in many legislative hearings, and acted as registered lobbyist for Oregon Fire District Directors Association in the 1980's.

Ken is experienced in labor law and negotiations. He has developed civil service systems for fire districts and personnel policies and procedures manuals for various entities and businesses.

Ken has been the recipient of the Oregon Fire Chiefs Meritorious Service Award and the Oregon Fire District Directors Association President's Award for Outstanding Contribution to the Fire Services.

Carolyn (Carrie) H. Connelly

Carrie graduated from Vermont Law School with both a Juris Doctorate and a Masters in Environmental Law in 1995 and was admitted to the Oregon and Washington Bars. Following law school, Ms. Connelly clerked for the Circuit and District Court judges in Hood River and Wasco counties. After this, she went into private practice specializing in municipal defense litigation. She joined The Local Government Law Group at Speer Hoyt PC in April 1997.

Carrie's municipal law practice includes numerous cities and special districts. She specializes in environmental, land use, public contracting infrastructure financing, and real estate law.

Carrie authored a chapter in the Oregon Fire District Directors' Handbook and a section for the Oregon Law Institute, regarding special district boundary changes. She is a frequent speaker for various municipal groups and private organizations regarding land use development issues, public contracting, public records and meeting laws, government ethics, employment matters, and environmental issues. Carrie is past president of Lane County Women Lawyers, and has served on local non-profit boards.

Christy K. Monson

Christy specializes in municipal law and state and local government relations. She received her Juris Doctorate degree from the University of Oregon School of Law in 2000 and was admitted to the Oregon Bar in 2000. From 2000-2006, Christy served as Legal Counsel and Lobbyist for the League of Oregon Cities, where she specialized in

advising, lobbying, and negotiating various municipal issues, including: public records, open meetings, government process and ethics, police and fire issues, and public contracting. Christy now represents both government and private associations both as legal counsel and as an advocate before the Oregon legislature and state agencies. Prior to practicing law, Christy was a public relations and marketing specialist for governmental bodies and political campaigns.

She is a frequent lecturer and trainer at state and national government conferences and specializes in interactive, audience-driven presentations. Her speaking topics have included updates on the Oregon legislature; overviews on open meetings, public records, and government ethics laws, and the development of national legislative trends in municipal law.

Christy is a member of the Executive Committee of the Government Law Section of the Oregon State Bar, as well as a member of the Oregon City Attorneys Association. She has also served as an advisory member of the Oregon Law Commission's Government Ethics Workgroup. She joined the firm in July 2006.

Ross M. Williamson

Ross Williamson joined the firm in August 2009, after eight years at another Eugene-area law firm. Ross concentrates his practice on providing advice to local government entities. His practice emphasizes the subject areas of land use and public contracting, but he also has experience in most aspects of local government law.

Ross received his law degree from the University of Oregon School of Law in 2001, where he was on the staff of the Oregon Law Review. He is admitted to the Oregon and Washington Bars and has been practicing with local government clients since starting his practice in 2001. Ross is also admitted to practice in the federal courts and has experience advising clients through all aspects of litigation at both the state and federal court levels. Currently, Ross is immediate past-chair of the Oregon New Lawyers Division—a state bar division made up of over 3,500 Oregon attorneys, is a member of the Oregon City Attorneys Association, and serves on his church's finance committee.

Ross is a native of the northwest, having grown up in the Seattle area. Prior to practicing law, Ross worked for the Washington State Supreme Court in court administration.

Russell D. Poppe (Of Counsel)

Russell graduated from the University of Oregon School of Law and was admitted to the Oregon Bar in 1980. Before entering private practice with this firm in 1982,

Russell served as a law clerk for the United States District Court for the District of Oregon. Since entering private practice, Russell has devoted a major portion of his practice to the representation of cities, fire districts, and other units of local government.

He has substantial experience in drafting and interpreting ordinances, and advising city councils on all phases of municipal law, including all phases of employment relations, including hiring processes, employment contracts, personnel policies, discrimination claims, grievances, disciplinary hearings, performance improvement plans, employee trainings, manager trainings, discipline and discharge. He is also experienced in land use, economic development, creation of Urban Renewal Districts, open meetings law, and government ethics law. He is active in representing the Oregon Fire District Directors Association and has spoken at its conferences and workshops on topics including Fire Fighter Pension Plans, Recent Legislative Changes, Open Meetings Law, Policy Adoption and Review, and Taxation and Fringe Benefits for Public Employees. He has also taught seminars in the public and private sector on hiring processes, wage and hour laws, conducting investigations of harassment and discrimination complaints, public contracting and many other topics. In addition, he has co-authored a policy manual for fire districts and served as special counsel to cities and fire districts on employment related matters.

Russell has successfully defended clients against harassment complaints, discrimination lawsuits, and claims filed with the Civil Rights Division and Wage and Hour Division of the Oregon Bureau of Labor and Industries. In addition, he has worked closely with insurance defense counsel when insurance coverage provided for the insurer to defend claims. Russell has also resolved employment and other types of claims against his clients by participating in alternative dispute resolution proceedings, including mediation and settlement conferences.

John A. Wolf (of counsel)

John received his Juris Doctorate degree from Lewis and Clark College of Law in 1980. He was in private practice in Reedsport until May 1987, when he joined this firm. While in Reedsport, he served as Assistant City Attorney and City Prosecutor for the City of Reedsport, and as Chairman of the Port of Umpqua Commission.

John has represented and advised individuals and businesses in a wide variety of areas of the law, including real estate, family law and divorce, contracts, local government law, and litigation of all types. His practice includes tax law and litigation, especially in matters concerning the IRS and the Oregon Department of Revenue. Specifically, John's areas of litigation include condemnation, civil prosecutions for ordinance violation, mediation, arbitration, and easements and boundary line disputes.

Teresa J. Wilson (of counsel)

Teresa Wilson's practice is concentrated in local government law. She is a graduate of the University of Oregon School of Law (1975), and is admitted to the Oregon Bar and the Federal District Court Bar for Oregon. She began working with the law firm in 2009, after 30 years with Lane County, serving as County Counsel from 1994-2008, and Assistant County Counsel from 1977-2004. Teresa's expertise includes the areas of public records, open meetings, government ethics, elections issues, public contracting, public finance, local budget law, employment matters, and the general areas of public policy development, adoption and implementation.

Teresa is the past Chair of the Oregon County Counsels Association, and is a member of the Lane County Bar Association. She is also active in various community groups, including the Emerald Dog Obedience Club and the Emerald Empire Basset Hound Fanciers, as well as the women's philanthropic educational association of P.E.O.

Local Government Law Group PC

a member of SPEER HOYT LLC

J. Kenneth Jones*
Carolyn H. Connelly
Christy K. Monson
Ross M. Williamson*
Russell D. Poppe, *Of Counsel*
John A. Wolf, *Of Counsel*
Teresa J. Wilson, *Of Counsel*
*Admitted in Washington

ENGAGEMENT LETTER AND BILLING PROCEDURE MEMO

We appreciate the City's interest in the Local Government Law Group for the City's legal services, and hope that our relationship will be a mutually satisfactory one. We are excited to have Lauren Sommers join our firm in October and are pleased that she has the opportunity to continue providing services to the City here at the Local Government Law Group.

It is our firm's experience that the relationship between client and attorney works best when the client has a clear understanding of the firm's policies regarding billing and payment for fees and expenses. Therefore, this document is intended to explain our fees and billing policies.

After reviewing these policies, please sign a copy of this memo and return it to the firm. If the City has a question at any time regarding its billing statement, please contact us.

During the course of our representation, it is our goal to do whatever is necessary to maintain an open line of communication with the City. To this end, it is important that the City also communicate with us. This will allow us to better serve the City and keep the City fully informed of the status of the work we are doing.

In our firm, each legal matter is assigned a primary attorney. In order to take advantage of expertise within the office, some of the work involved in a particular matter may be assigned to one of the other attorneys in the office, or to law clerks or legal assistants. This allows us to provide services in the most efficient and economical manner possible.

We take into account many factors in billing for services rendered. The principal factor is usually our schedule of hourly rates. Most statements for services are simply the product of the hours worked multiplied by the hourly rates for the attorneys, law clerks and legal assistants who did the work. However, if we feel that too much time was expended for the nature of the matter, or the result obtained, we will reduce the fee accordingly. Also, at times we are able to split our services among multiple government clients to help our clients share attorney costs. We will advise you of these opportunities when they come up.

Our schedule for hourly rates for attorneys and other members of the professional staff is as follows:

- A. Partner Attorney time: \$170.00 per hour
Associate Attorney time: \$150.00 per hour

- B. Services requiring specialized legal skills such as: labor negotiations, bond work, arbitrations and legislative advocacy. Rates for specialty legal work will not be charged unless the City has been advised and agrees to the need for a specialist relating to the project. Work will be allocated among attorneys as necessary to provide the City with high quality, economical and efficient service.

This rate is: \$200.00 per hour

- C. Legal assistant, law clerk and paralegal time: \$75.00 per hour

- D. Litigation and Outside Counsel: To be negotiated

Necessary travel for City work will be billed at one-half of the applicable attorney fee rate plus the IRS mileage rate.

The City will be responsible for all costs incurred by the firm, including but not limited to document recording fees, filing fees, service fees, court reporter fees for depositions and hearings, court trial fees, and other necessary court and office costs. The firm does not charge its clients for basic computer research charges, phone charges, and photocopy charges.

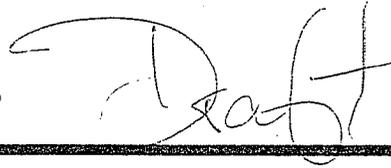
If we determine, in partnership with you, that a matter requires outside counsel, we will ask the outside counsel to prepare a bill for our firm to review. Once that bill has received our approval, we will forward it to you for payment. We will not work with outside counsel for specialty services without first consulting you.

The firm's rates will be reviewed from time to time. We will consult with you if we believe the rates should be adjusted for a subsequent billing period.

Our office bills for time expended on your behalf from initial consultation to closing of the matter. Activities requiring the expenditure of time may include office conferences, telephone discussions, preparation and review of correspondence, document preparation and review, and any other services associated with the work we have undertaken on your behalf.

Your monthly statement will indicate the amount of time spent and the charge for services based upon the current rates. You will receive an itemized billing statement each month, at which time the amount billed is due and payable. A late fee will be imposed on charges not paid within 60 days after they are billed at 9% per month. We try to ensure that our billings are accurate and understandable. If you wish to discuss your bill or the legal services rendered, please do not hesitate to direct your questions to our accounting department or an attorney. If we receive no questions or comments from you within 30 days of the billing statement's date, we shall assume that you agree to the charges billed.

During our representation of the City, please keep us advised of current addresses, telephone numbers and other relevant information to facilitate communications.



E-mail communication is standard practice today and is very convenient for client correspondence. However, there are some dangers with the use of e-mail. While we take precautions to protect our e-mail system and client confidences contained in our electronic files, some dangers defy even the best protections. By signing below, the City understands and confirms that privileged client communications may be transmitted by email to City e-mail addresses.

At the conclusion of each legal matter which we handle for you, we will close your file. It is our practice to destroy files which remain in our possession ten years after the closure date. By signing below, the City is giving us its consent to destroy files pursuant to this policy.

It is our goal to handle our representation of the City in a personal, efficient and professional manner. If the City has a concern regarding the progress of any matter, please contact us.

In the event our relationship breaks down, either of us has the right to terminate the relationship at any time. If there is any unresolved dispute over our representation or fees and it is necessary to initiate a claim, the prevailing party shall be entitled to reasonable attorney fees to be set by the court.

We appreciate your business and look forward to being of service to you.

READ AND APPROVED:

Authorized Signature

(date)



Local Oregon

Capital Assets Program

Pro Forma LOCAP Schedules

City of Gold Beach, Oregon

August 30, 2010

WEDBUSH

Katie Schwab, Vice President

503.471.6798 ♦ katie.schwab@wedbush.com

David Ulbricht, Managing Director

503.471.6790 ♦ david.ulbricht@wedbush.com

Wedbush Securities Inc. ♦ 1300 SW 5th ♦ Suite 2000 ♦ Portland, OR 97201

Introduction

LOCAP is a pooled funding program available only to members of the League of Oregon Cities and the Association of Oregon Counties. Through LOCAP, cities and counties participate in a certificate of participation (COP) that is secured by a pledge of each participant's full faith and credit. This means that each participant is obligated to pay principal and interest on its portion of the COPs out of lawfully available monies of the participating city or county.

Key characteristics of LOCAP are that all documents are standardized, all professionals have limited their fees and expenses, and each participant's obligations are its own.

Additional information and the application form for LOCAP are available on the League's web site: <http://www.orcities.org>.

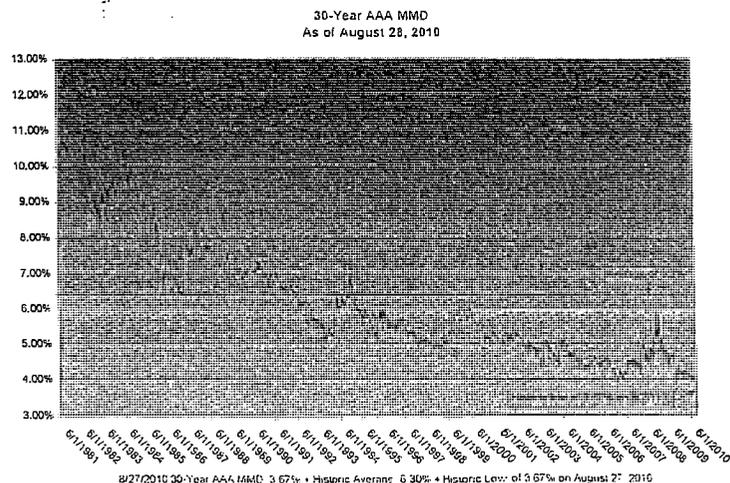
Schedules

LOCAP generally take about 2 months to complete.

Rates

Ben Bernanke recently announced concern about the economy and suggested that interest rates will remain low until there are positive signs of recovery. The long end of the yield curve is currently at historic lows.

The *pro forma* debt service schedules for LOCAP are provided on the following pages.



Summary

The City of Gold Beach has requested schedules for a net principal amount of \$3,944,000 to mature over 2 years with no principal or interest payments until maturity and an optional call after 9 months. The proceeds will be used for interim financing until the City receives permanent financing from the USDA for its utility improvement project. Costs of issuance have been added to the net principal amounts in the schedules on the following pages.

**Local Oregon Capital Assets Program
Certificates of Participation, Series 2010
(City of Gold Beach Wastewater Treatment Plant)
\$3,944,000 Net Principal Amount**

Assumptions:

1. Principal: net \$3,944,000 (amount available to the City for the project)
2. Interest: fixed rates
3. Early Redemption: on and after 9 months at the option of the City
4. Payments: at maturity
5. Security: full faith and credit pledge of the City payable from all lawfully available funds
6. USDA: commitment letter from USDA required prior to LOCAP financing
7. Rating: nonrated

\$4,015,000

Local Oregon Capital Assets Program
Certificates of Participation, Series 2010
(Gold Beach Wastewater Treatment Plant)

Sources & Uses

Dated 10/01/2010 | Delivered 10/01/2010

Sources Of Funds

Par Amount of Bonds	\$4,015,000.00
Total Sources	\$4,015,000.00

Uses Of Funds

Total Underwriter's Discount (0.750%)	30,112.50
Costs of Issuance	36,250.00
Deposit to Project Fund	3,944,000.00
Rounding Amount	4,637.50
Total Uses	\$4,015,000.00

PRELIMINARY - SUBJECT TO REVISION

File | Gold Beach.SF | Gold Beach Fin 24 mon Opt | 8/27/2010 | 9:20 PM



\$4,015,000

Local Oregon Capital Assets Program
Certificates of Participation, Series 2010
(Gold Beach Wastewater Treatment Plant)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
10/01/2010	-	-	-	-
10/01/2012	4,015,000.00	2.000%	160,600.00	4,175,600.00
Total	\$4,015,000.00	-	\$160,600.00	\$4,175,600.00

Yield Statistics

Bond Year Dollars	\$8,030.00
Average Life	2.000 Years
Average Coupon	2.0000000%
Net Interest Cost (NIC)	2.3750000%
True Interest Cost (TIC)	2.3511615%
Bond Yield for Arbitrage Purposes	1.9706813%
All Inclusive Cost (AIC)	2.8196056%
IRS Form 8038	
Net Interest Cost	2.0000000%
Weighted Average Maturity	2.000 Years

PRELIMINARY - SUBJECT TO REVISION
File: \\gold-beach\SF - Gold Beach\Fin 24\new\Op - 8038\010 - 9-20-08

18

WEDBUSH



Sign No. ORW141



Sign Background: *Brown, Reflective sheeting*

Sign Legend: *White, Reflective*

1. Access must be available to the general public.
2. A clear need for the sign must exist.
3. Entrance to the facility can be made in a safe manner.
4. The sign must not interfere with other regulatory or guide signs.
5. Adequate parking and a turnaround area for recreation vehicles must be provided.
6. If access is via local roads or streets, the local jurisdiction(s) must provide any additional signs required on their system and prior written approval of the sign installation.

Note: Off-system symbol signs are 457X457, riders are 457X152

MSNSTDPG.F13

OREGON DEPARTMENT OF TRANSPORTATION

Approved By: O.T.C.

Date: 1/90

Publication Date: 3/98