



# City of Bay City

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## **CITY COUNCIL WORKSHOP**

The Bay City Council will hold a Workshop on Monday, October 10, 2016, at 5:30 p.m. to discuss the agenda items for the Tuesday, October 11, 2016, City Council meeting. The Workshop will be held in the Council Chambers located at 5525 B Street, Bay City, Oregon.

The public is welcome to attend.

Linda Downey  
City Recorder

## **CITY COUNCIL WORKSHOP**

Council members will meet and hold a Workshop on Tuesday, October 11, 2016, at 9:00 a.m. to review the bills against the City. The Workshop will be held in the Council Chambers located at 5525 B Street, Bay City, Oregon.

The public is welcome to attend.

Linda Downey  
City Recorder

**AGENDA  
BAY CITY COUNCIL MEETING  
OCTOBER 11, 2016**

1. CALL TO ORDER / FLAG SALUTE / ROLL CALL / WELCOME – 6.00 P.M.
2. PUBLIC HEARING
  - A. Ordinance No. 671 Salmonberry Trail Comprehensive & Transportation Plan Amendments (continued)
  - B. Ordinance No. 672 Nuisances
3. VISITOR'S PROPOSITIONS
4. COMMITTEE REPORTS
  - A. Administrative
  - B. Community Development  
TLT Report
  - C. Public Works
5. MINUTES OF THE 09-12-2016 COUNCIL WORKSHOP and 09-13-2016 REGULAR COUNCIL MEETING
6. TREASURER'S REPORT
7. BILLS AGAINST THE CITY
8. UNFINISHED BUSINESS
  - A. Consideration of Fire District
9. NEW BUSINESS
  - A. Port of Tillamook Bay / Parking & Access
  - B. Food Cart Lot
  - C. Gravel Street Policy
  - D. Park Safety / Kimball Letter
10. MAYOR'S PRESENTATION
  - A. National Marine Fisheries Service / Biological Opinion
  - B. People's Coast Summit
11. CITY COUNCIL PRESENTATION
12. CITY ATTORNEY PRESENTATION
13. AJOURNMENT

In accordance with Federal Law and US Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.

**CITY OF BAY CITY  
ORDINANCE NO. 671**

**AN ORDINANCE AMENDING THE BAY CITY COMPREHENSIVE PLAN  
AND TRANSPORTATION SYSTEM PLAN TO ACCOMMODATE THE  
SALMONBERRY TRAIL AND DECLARING AN EMERGENCY**

The City of Bay City ordains that the Bay City Comprehensive Plan, as amended through June 2016, shall be modified, as set forth herein.

SECTION 1. **COMPREHENSIVE PLAN**. The City of Bay City Comprehensive Plan is amended, as follows:

- A. Re-title and Amend “General Goals and Polices: Additional Policies: Bicycles” to read as follows:

“Bicycle and Pedestrian”

1. “Policy 3. The planned regional multiuse bicycle and pedestrian Salmonberry Trail will generally, but not exclusively, follow the 83-mile long Port of Tillamook Bay rail right-of-way between Banks, Oregon in Washington County to the Tillamook Airport south of the City of Tillamook in Tillamook County. Rail service connectivity along this right-of-way through the Oregon Coast Range and the Salmonberry Canyon was lost at multiple sites as a result of severe storms and flooding in 2007. The Port does not presently plan to restore the sections of damaged or destroyed rail infrastructure through the Oregon Coast Range and the Salmonberry Canyon. Rail infrastructure west of the former community of Enright and along the Oregon Coast is relatively intact.

Policy 4. The Port of Tillamook Bay is currently partnering with State agencies and local government jurisdictions and interest groups to plan and build the Salmonberry Trail within sections of the rail right-of-way. A Salmonberry Trail Concept Plan was completed in 2015. The Concept Plan illustrates or cites the possibility of rail-with-trail and rail-to-trail designs. The rail-with-trail design accommodates the continuation of current passenger rail service between Enright and the City of Garibaldi, with possible extension to the City of Tillamook. The current passenger rail service is provided by the Oregon Coast Scenic Railroad. The rail-with-trail design would also accommodate local freight rail services. A rail-to-trail design would use the rail bed exclusively for bicycle and pedestrian traffic.

Policy 5. The City supports the development of the planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by

utilizing the Port of Tillamook Bay rail right-of-way and/or by sharing portions of local vehicular streets or Highway 1010.

Policy 6. A safe multi-modal pedestrian, bicycle, connection between West and East Bay City is imperative, including and not limited to a critical component in the development of the Salmonberry Trail.”

SECTION 2. All remaining provisions of the Bay City Comprehensive Plan which have not been amended or replaced by the foregoing shall remain unchanged and in full force and effect.

Section 3. **BAY CITY TRANSPORTATION PLAN.** The Bay City Transportation Plan (TSP) (2010) should be amended as follows:

A. Replace the final paragraph in The Bay City Transportation Process, Background” as follows:

“A residential neighborhood in the southwest portion of Bay City that is west of Highway 101 is accessed via Warren Street. Warren Street provides the only access for this residential coastal shoreland neighborhood. A slight misalignment of the narrow Warren Street right-of-way at the Highway 101 intersection makes crossing Highway 101 difficult at this intersection. In addition, operation of the Port of Tillamook Bay railroad that parallels Highway 101 to the west through Bay City poses the potential to block access to Warren Street and the neighborhood west of Highway 101, although, with the cessation in 2007 of any regular freight rail services on the railroad, this potential is now limited and will be further reduced with the establishment of the regional multiuse bicycle and pedestrian Salmonberry Trail within the rail right-of-way.”

B. Section 2-2: Amend the Executive Summary to ADD:

“Regional Trails

In addition to the Oregon Coast Bicycle Route that is designated along US 101 through Bay City and many other coastal cities and communities, the planned regional multiuse bicycle and pedestrian Salmonberry Trail will generally, but not exclusively, follow the 83-mile-long Port of Tillamook Bay rail right-of-way between Banks, Oregon, in Washington County to the Tillamook Airport south of the City of Tillamook in Tillamook County. Rail service connectivity along this right-of-way through the Oregon Coast Range and the Salmonberry Canyon was lost at multiple sites as a result of severe storms and flooding in 2007. The Port does not presently plan to restore the sections of damaged or destroyed rail infrastructure through the Oregon Coast Range and the Salmonberry Canyon. Rail infrastructure west of the former community of Enright and along the Oregon Coast is relatively intact.

The Port of Tillamook Bay is currently partnering with state agencies and local government jurisdictions and interest groups to plan and build the Salmonberry Trail within sections of the rail right-of-way. A Salmonberry Trail Concept Plan was completed in 2015. The Concept Plan illustrates or cites the possibility of rail-with-trail and rail-to-trail designs. The rail-with-trail design accommodates the continuation of current passenger rail service between Enright and the City of Garibaldi, with possible extension to the City of Tillamook. The current passenger rail service is provided by the Oregon Coast Scenic Railroad. The rail-with-trail design would also accommodate local freight rail services. A rail-to-trail design would use the rail bed exclusively for bicycle and pedestrian traffic.

The City supports the development of the planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way and/or by sharing portions of local vehicular streets or US 101.”

C. Amend the Transportation System Plan Executive Summary, Table 1, as follows:

“Table 1. Improvement Projects through 2030.

**Table 1. Improvement Projects (through 2030)**

<b>Project</b>	<b>Timing</b>	<b>Draft Cost Estimate</b>
Warren Street and US 101	Medium	\$200,000
Hayes Oyster Drive and US 101	Short	\$2,000,000
Downtown Streetscape	Short	\$2,500,000
McCoy Avenue and US 101	Medium	\$200,000
Traffic Calming on Williams and 16th	Short	\$9,000
Traffic Calming on 4th	Medium	\$8,000
Traffic Calming at 5th and Hayes Oyster	Medium	\$3,000
Salmonberry Trail	Long	\$2,000,000

5th Street Intersection with US Highway 101	Short	N/A
Pedestrian bridge at Hayes Oyster and US 101	Long	\$3,500,000
Pedestrian bridge at Warren and US 101	Long	\$3,000,000
<b>Total Costs</b>		<b>\$13,420,000”</b>

D. AMEND Technical Memorandum #1: Conditions, Deficiencies and Needs: Chapter 3: “Inventory of Existing Conditions; Pedestrian Facilities” to add the following at the end of that section:

“Pedestrians currently walk on the roadways or along gravel paths adjacent to the paved roads. There are no marked crosswalks or formal off-street paths in or adjacent to downtown Bay City. There is a need to encourage the development of a more walkable community with pedestrian facilities along the railroad right of way, two pedestrian crossings of US 101, and a more complete system throughout the city. The planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way, and/or by sharing portions of local vehicular streets or US 101, will contribute to the development of a more walkable community.”

E. AMEND Technical Memorandum #1: “Inventory of Existing Conditions, Bicycle Facilities” to read:

“US 101 has been designated as the Oregon Coast Bicycle Route and each year thousands of cyclists travel on the shoulders of this highway. Most cyclists travel southbound in the direction of prevailing winds. There are no on-street bicycle lanes, designated bike routes, shared use paths or secure bike parking facilities in Bay City. Pedestrian and bicycle trip generators in Bay City include the post office, city park, library, the Bay City Arts Center, the Methodist church, and businesses, such as Art Space, Pacific Oyster, Downie’s Cafe, Center Market and The Landing. The planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way, and/or by sharing portions of local vehicular streets or US 101, will contribute to the development of a more walkable community and will provide an alternative to using US 101 for the Oregon Coast Bicycle Route.”

- F. Delete the third paragraph of the Technical Memorandum #1: “Inventory of Existing Conditions: Transit and Intermodal Travel” and replace as follows:

“The Port of Tillamook Bay (POTB) railroad track runs north-south along the west side of U.S. 101. Before 2007, the POTB railroad track carried freight rail traffic from coastal Tillamook County to the Portland metropolitan area. In 2007, rail infrastructure east of the former community of Enright and through the Oregon Coast Range and the Salmonberry Canyon was severely damaged or destroyed by storms and flooding. The Port has no current plans to restore the rail infrastructure east of Enright and through the Oregon Coast Range and the Salmonberry Canyon. Both passenger and freight rail services are therefore currently limited to the Oregon Coast and the lower reaches of the Nehalem River west of Enright.

The Port currently leases use of its rail right-of-way to the nonprofit Oregon Coast Scenic Railroad, which operates a seasonal passenger rail service between Enright and the City of Garibaldi. The Oregon Coast Scenic Railroad is also considering expansion of passenger rail services to serve the City of Bay City and the City of Tillamook, as well as developing other visitor services and amenities that would use the rail line.

A Salmonberry Trail Concept Plan was completed in 2015. The Concept Plan illustrates or cites the possibility of rail-with-trail and rail-to-trail designs. The rail-with-trail design accommodates the continuation of current passenger rail service between Enright and the City of Garibaldi, with possible extension to the City of Tillamook. The rail-with-trail design would also accommodate local freight rail services. A rail-to-trail design would use the rail bed exclusively for bicycle and pedestrian traffic.”

- G. AMEND Technical Memorandum #1: Chapter 6: “Summary of Deficiencies and Needs: Bicycle and Pedestrian Improvements”, Part 3c, to read:

“The Port of Tillamook Bay (POTB) Railroad right-of-way through Bay City is 60' in width. The planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way, and/or by sharing portions of local vehicular streets or US 101, will provide for through bicycle and pedestrian traffic and contribute to the development of a more walkable community and to opportunities to connect Hayes Oyster Drive with West Warren Street and the Larson Cove, Goosepoint, and Kilchis Point Reserve areas.”

- H. AMEND Technical Memorandum #2: Transportation Alternatives: Chapter 1 Introduction: Section 1.1.5c: “Summary of Deficiencies and Needs, Bicycle and Pedestrian System Improvement Projects” to read:

“The planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way will provide opportunities to connect Hayes Oyster Drive with West Warren Street and the Larson Cove, Goosepoint, and Kilchis Point Reserve areas.”

- I. Re-Title and AMEND Technical Memorandum #2: Chapter 3: “Financing of Public Projects”: Section 3.5: “Grant Opportunities for Off-Road Trails and Rails to Trails Project” to read:

**“GRANT OPPORTUNITIES FOR TRAILS**

The Bay City TSP PAC has identified a need for the completion of three major trail projects. The first project (the Salmonberry Trail) is the only one of the three to be included in the transportation plan. The completion of the Jacoby Creek and Patterson Creek trails have been determined to be primarily recreation and parks projects and will not be considered in the financial evaluation of the transportation system. However, the project team has assembled information on potential funding sources for these projects as well as other trail projects.”

- J. ADD a new subsection to Technical Memorandum #2: Chapter 5: Pedestrian and Bicycle System Improvements” as follows:

**“5.4 Salmonberry Regional Trail**

The City supports the development of the planned regional multiuse bicycle and pedestrian Salmonberry Trail that will pass through the City by utilizing the Port of Tillamook Bay rail right-of-way, and/or by sharing portions of local vehicular streets or US 101.”

- K. AMEND Technical Memorandum #2: Chapter 6: “Future Transportation System” by modifying “Table 6-1: Improvement Projects in the 20-year Plan” to read:

**“Table 6-1. Improvement Projects in 20-year Plan**

<b>Project</b>	<b>Timing</b>	<b>Draft Cost Estimate</b>
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Warren Street and US 101	Medium	\$200,000
Hayes Oyster Drive and US 101	Short	\$2,000,000
Downtown Streetscape	Short	\$2,500,000
McCoy Avenue and US 101	Medium	200,000
Traffic Calming on Williams and 16th	Short	\$9,000
Traffic Calming on 4th	Medium	\$8,000
Traffic Calming at 5th and Hayes Oyster	Medium	\$3,000
Salmonberry Trail	Long	\$2,000,000
5th Street Intersection with US Highway 101	Short	N/A
Pedestrian bridge at Hayes Oyster and US 101	Long	\$3,500,000
Pedestrian bridge at Warren and US 101	Long	\$3,000,000
<b>Total Costs</b>		\$13,420,000”

L. Re-Title and AMEND Technical Memorandum #3: “Final Recommended Code and Policy Amendments”: Chapter 5: “Other Strategies”, as follows:

“Section 5.4 GRANT OPPORTUNITIES FOR TRAILS

The Bay City Refinement Plan PAC has identified a need for the completion of three major trail projects. The first project (the Salmonberry Trail) is the only one of the three to be included in the transportation plan. The completion of the Jacoby Creek and Patterson Creek trails have been determined to be primarily recreation and parks projects and will not be considered in the financial evaluation of the transportation system. However, the project team has assembled information on potential funding sources for these projects as well as other trail projects. City Staff should consider the following resources for trail projects:

- a) National Scenic Byways Grant Program
- b) Recreational Trail Grants
- c) Land and Water Conservation Fund (LWCF)

- d) Oregon Bicycle and Pedestrian Program
- e) Oregon State Lottery

SECTION 4. All remaining provisions of the Bay City Transportation System Plan (2010) which have not been amended or replaced by the foregoing shall remain unchanged and in full force and effect.

SECTION 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, which shall continue in full force and effect.

SECTION 6. Emergency. The City Council declares an emergency to exist to protect the health, safety and welfare of its residents and to provide continuity of its Comprehensive Plan. This ordinance shall become effective immediately after its adoption by the City Council and approval by the Mayor.

PASSED and ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2016 and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Shaena E. Peterson, Mayor

ATTEST:

\_\_\_\_\_  
Linda Downey, City Recorder

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Adoption: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstentions: \_\_\_\_\_

BAY CITY ORDINANCES  
ORDINANCE NO. \_\_\_\_

AN ORDINANCE DEFINING NUISANCES; PROVIDING  
FOR THEIR ABATEMENT; PROVIDING PENALTIES;  
AND REPEALING PRIOR ORDINANCE #666.

The City Council of the City of Bay City ordains as follows:

Section 1. Definitions.

1.1. Council. The City Council of the City of Bay City.

1.2. Chronic Nuisance. Any condition(s) on any real property which has resulted in three violation letters issued by the City within any 12 month period.

1.3. Dangerous Animal. An animal normally considered as wild or exotic which has the ability to harm or to frighten people. Dangerous animals included, but are not necessarily limited to, the following:

- 1.3.1. Venomous snakes, capable of inflicting serious physical harm or death to human beings;
- 1.3.2. Non-human primates and prosimians;
- 1.3.3. Non-domesticated species of canines and their hybrids, including wolf and coyote hybrids;
- 1.3.4. Crocodiles, alligators, caiman and gavials;
- 1.3.5. Non-domesticated species including; but not limited to: lions, tigers, lynx, leopards, cougars and bobcats;
- 1.3.6. Raccoons, wolverines and weasels;
- 1.3.7. Any other animal generally considered dangerous or as a pest or which has threatened or attacked persons or domesticated pets within the City of Bay City.

1.4. Nuisance. A thing, condition, substance or activity which is injuring or endangering the public peace, health, safety or welfare; including, but not limited to, the enumerated things, conditions, substances and activities specified in this ordinance.

1.5. Person in charge or control of property. Any person who has titled ownership, an occupant or renter residing on the property, a developer, contractor or business operator who is developing, building or operating a business on the property and allows the violation of this ordinance to continue or any agent, occupant, lessee, contract purchaser, or other person having possession or control of property.

1.6. Person responsible. The person responsible for abating a nuisance shall include:

1.6.1. The owner of the property.

1.6.2. The person in charge or control of the property.

1.6.3. The person who caused to come into or continue in existence a nuisance as defined in this ordinance or any other ordinance of this City.

1.7. Public place. A building, right of way, park, property, place or accommodation, whether publicly or privately owned, whether improved or unimproved, available to the general public.

### Animals

Section 2. Animals. Dangerous animals, as defined above, are prohibited within the City limits of the City of Bay City.

2.1. No owner or person in charge or control of a dangerous animal, as defined herein, shall allow the animal to enter or remain on any public place.

2.2. No owner or person in charge of domesticated livestock or fowl shall allow it to be at large in the City.

2.3 No owner or person in charge of property shall feed or keep food available out of doors, where it can be reached by raccoons, rats or other nuisance type animals.

2.4. A dangerous animal exposed in public, or an animal listed in subsection 2.2 which is at large in the City, shall be taken into custody by the code enforcement officer or other enforcement agency.

2.5. A dangerous animal exposed in public or an animal listed in subsection 2.2 shall be held as the code enforcement officer or other officer shall direct. The animal shall not be returned to its owner/person in charge or control until the reasonable costs of holding the animal have been paid to the City and the City Recorder has determined that proper precautions have been taken to ensure the public health and safety. If, after 10 days, the owner does not claim the animal or pay the costs incurred in holding it, it shall become the property of the City, and shall be sold, humanely destroyed or otherwise disposed of as the code enforcement officer shall direct.

2.6. A dangerous animal running at large, which because of fierceness of disposition or diseased condition, is too hazardous to apprehend, may be destroyed by a peace officer or by the code enforcement officer.

Section 3. Removal of Carcasses.

No person shall permit an animal carcass owned or controlled by the person to remain upon public property, or to be exposed on private property, for more than 24 hours from the time of death.

Nuisances Affecting Public Health

Section 4. Nuisances Affecting Public Health.

No owner or person in charge or control of property shall cause or permit on such property any nuisance adversely affecting public health or safety, nor shall any person cause on any property, public or private, any nuisance adversely affecting public health or safety. The following are nuisances adversely affecting public health or safety and may be abated as provided in this ordinance:

4.1. **Offensive Substances.** No substance, human or animal excrement, sewage, industrial waste or any putrid, nauseous, decaying, deleterious, offensive, hazardous or dangerous substance shall be allowed in a stream, well, spring, brook, ditch, pond, river or other inland or tidal waters within the City, nor shall it be allowed where the placing of such substances in such position that high water or natural seepage will carry the same into such waters; nor shall it be allowed to pool or remain on the surface of any land, whether it be in public or private ownership. Commercial practices utilized in conjunction with farm use within the City are exempt from this provision so long as generally accepted farming practices are observed.

4.2. **Human Remains.** No burial of human remains, whether cremated or non-cremated, is allowed within the City, other than in designated and approved cemeteries.

4.3. **Privies.** An open vault or privy.

4.4. **Surface drainage.** Drainage of liquid wastes, commonly known as "gray water" from any premises.

4.5. **Cesspools.** Cesspools or septic tanks.

4.6. **Odors.** Premises which are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition.

4.7. **Slaughterhouses, etc.** A slaughterhouse or tannery.

4.8. **Animal Cages.** A barn, stable or corral, pen, chicken coop, rabbit hutch, pigsty or other place where animals are caged or housed, which is in an unsanitary condition or creates an offensive odor.

4.9. **Obstruction of drains.** The obstruction or interference with the flow of water in any ditch, drain or catch basin located in a public right of way or on public property.

4.10 Insectaries. Insectaries of any kind for commercial purposes are not allowed within the City. An insectary does not include bee hives or bee keeping within the City.

### Nuisances Affecting Public Safety

#### Section 5. Abandoned Refrigerators.

No person shall leave in a place accessible to children an abandoned or discarded icebox, freezer, refrigerator or similar container or appliance without first removing the door.

#### Section 6. Attractive Nuisances.

6.1. No person in charge or control of property shall permit thereon:

6.1.1. Unguarded machinery, equipment or other devices which are attractive, dangerous and accessible to children.

6.1.2. Lumber, logs or pilings placed or stored in a manner so as to be attractive, dangerous and accessible to children.

6.1.3. An open pit, quarry, cistern or other excavation without safeguards or barriers to prevent such places from being used by children.

6.2. This section shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death to playing children.

#### Section 7. Dangerous Excavations.

7.1. No owner or person in charge or control of property shall allow an excavation to remain unguarded by suitable barriers.

7.2. Any obstruction on a street, sidewalk, public way or pathway commonly used by the public shall be marked by red or yellow warning lights during the hours of darkness. It shall be the responsibility of the person creating, maintaining or in charge of such obstruction to ensure the installation and operation of the warning lights.

7.3. No excavations shall be done in a public right of way or street unless permitted or authorized by the Bay City Public Works Superintendent.

#### Section 8. Snow and Ice Removal.

8.1. No owner or person in charge or control of abutting property shall allow snow or ice to remain on the sidewalk abutting his property for a period longer than the first two hours of daylight after the snow has fallen.

8.2. No owner or person in charge or control of abutting property shall allow ice to remain on the sidewalk for more than two hours of daylight after the ice has formed unless covered with ash, sand, salt or other suitable materials.

Section 9. Public Rights of Way.

9.1 No person shall place bushes, trees, structures including park benches, play structures, storage sheds and animal shelters or coops, unless a license is first obtained upon approval of the City Council.

9.2 No person shall obstruct, partially or fully, passage of any person or vehicle on a public right of way, whether improved or unimproved. Obstruction includes, but is not limited to: planting of hedges, ropes, barriers, fences, cement blocks, storing of disabled equipment or vehicles or any other activity which inhibits the free movement of a person walking or, if improved, riding in a vehicle over the right of way.

**9.3 On any dirt or gravel right of way, no person shall operate any motorized bicycle, dirt bike or other motorized vehicle so that it causes road gravel to scatter or take any action which degrades or causes potholes or other dangerous conditions in the right of way**

Section 10. Trees.

10.1. No owner or person in charge of abutting property shall allow any brush, bushes, trees, limbs, shrubbery, flowers or other growth, whether grown for food, fuel, shade or ornamentation, to project over a sidewalk at an elevation of less than eight feet above the level of the sidewalk, or over a street at an elevation of less than 18 feet above the level of the public way.

10.2. No owner or person in charge or control of property shall allow a dead or decaying tree to stand that is a hazard to the public or to persons or other property on or near the property.

10.3. A tree is considered a hazard if its condition would allow the tree to fall during winds normally experienced in the area and it is foreseeable that damage would result to a person or other property from the fall of the tree.

10.4 No person shall plant trees or bushes over water lines or sewer lines servicing their property, or in close proximity to any fire hydrants where the plant growth would inhibit use of the hydrant.

10.4. Nothing in this ordinance shall be deemed to impose any liability upon the City, its officers or employees. Nothing in this ordinance shall be deemed to relieve the owner or occupant of any private property from the duty to keep trees and shrubs and other vegetation upon private property or under the owner or occupier's care and control in a safe condition.

Section 11. Grass, Shrubbery, Weeds and Noxious Growth.

No owner or person in charge or control of property shall permit weeds or other noxious vegetation to grow upon his property. It shall be the duty of an owner or person in charge or control of property to cut down or to destroy grass, shrubbery, brush, bushes, weeds or other noxious vegetation as often as needed to prevent them from becoming unsightly, from becoming a fire hazard, or in the case of weeds or other noxious vegetation, from maturing or from going to seed.

Section 12. Junk and Debris.

12.1. No landowner or person leasing, occupying or having charge or possession of any property in the City shall keep or cause to be deposited on their property, which is visible from the street, any of the following, for a period of more than 10 consecutive days, without screening:

12.1.1. Rubbish or junk, including but not limited to, refuse, garbage, glass, scrap metal, paper products, scrap lumber, concrete or asphalt chunks, cans and discarded tires.

12.1.2. Abandoned, discarded or unused furniture, machinery, toys, stoves, sinks, toilets, cabinets or other fixtures, appliances or equipment or any parts thereof.

12.1.3. Combustible material likely to become easily ignited or debris resulting from any fire or any material which constitutes a fire hazard, as defined in the Uniform Fire Code.

12.1.4. Inoperative, abandoned, or dismantled motor vehicles, trailers, campers and boats or any parts thereof.

12.1.5 Any rebuilding of vehicles or engines of any kind.

12.2. Any landowner or person leasing, occupying or having charge or control of any property in the City may have the items listed in Section 12.1 on their property, so long as said junk and debris is enclosed so as to be wholly blocked from public view by approved screening, referenced in the City's Development Ordinance.

12.3. The landowner or person leasing, occupying or having charge or possession of any property in the City shall be responsible for removing refuse, junk, debris, trash and all items described in Section 12 herein from the premises before it becomes a hazard, nuisance or causes unsanitary or offensive conditions.

12.4. This Section 12 shall not apply to:

12.4.1. Junk and debris kept in a duly licensed junkyard, automobile wrecking house, automobile sales lot or automobile repair shop.

12.4.2. Firewood neatly stacked.

12.4.3. Construction debris occurring pursuant to a valid building permit.

Section 13. Scattering Rubbish.

No person shall deposit upon public or upon private property any kind of rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property, or would be likely to injure a person, animal or vehicle traveling upon a public way.

Section 14. Fences.

14.1. No person in charge or control of property shall construct or maintain a barbed-wire or razor-wire fence thereon, or permit barbed or razor-wire fences to remain as part of a fence along a sidewalk or public way.

14.2. No person in charge of property shall construct, maintain or operate an electric fence along a sidewalk or public way or along the adjoining property line of another person.

14.3. No person in charge of property shall construct, maintain or operate an electric fence within 10 feet of a property line unless a solid barrier fence is located on the outer perimeter of the electric fence.

Section 15. Surface Waters, Drainage and Culverts.

15.1. No person or owner in charge or control of a building or structure shall direct or redirect rainwater, wetlands, streams or intermittent water sources onto another person's property, or onto a public street or public sidewalk or to flow across the public sidewalk, other than incidental runoff.

15.2. The owner or person in charge or control of property shall install and maintain, in proper state of repair, adequate drainpipes or drainage system so that any overflow water accumulating on the roof or about the building is not carried across or upon the public sidewalk or diverted onto neighboring property.

15.3. The owner or person in charge or control of property shall not remove snow or ice from their property and cast it or deposit it onto City property or onto the property of another.

15.4. The owner or person in charge or control of property shall not fill or divert any natural drainage ways existing on their property, unless authorized by the City through a permitting process.

15.5. The owner or person in charge or control of property shall not install a culvert on their property which drains water or diverts water onto the City right of way, other than in designated drainage ditches within the City right of way, without authorization by the City through a permitting process for proper placement and for proper sizing.

15.6 The owner or person in charge or control of property shall not cover any manholes with dirt or plantings of any kind and shall leave the manhole cover clearly visible from the public right of way.

### Nuisances Affecting the Public Peace

#### Section 16. Notices and Advertisements.

16.1. This provision only covers signage not covered under the City's sign ordinance, if any. No person shall affix or cause to be affixed a placard, bill, notice, advertisement poster or sign of any kind upon real or personal property, public or private, without first securing permission from the owner or person in control of the property. All such temporary placards, bills, notices, advertisement posters or signs of any kind shall be removed within 2 hours after the close of the event being advertised. This section shall not be construed as an amendment to or a repeal of any regulation now or hereafter adopted by the City regulating the use of and the location of signs and advertising.

16.2. No person shall scatter, distribute or cause to be scattered or distributed on public or private property any placards, advertisements or other similar material.

16.3. This section does not prohibit the distribution of advertising material during a parade or approved public gathering.

**Section 17. Noise not associated with normal yard maintenance. No person shall cause frequent or incessant noise at any time, which can be heard by neighbors, including loud music, revving of motorized engines; operating dirt bikes, ATVs, etc. when the noise is not the result of normal yard maintenance. Normal yard maintenance includes the operation of lawnmowers, weed eaters, chainsaws and ATVs for hauling wood or debris.**

### Abatement Procedure

#### Section 18. Declaration of Nuisance; General Nuisance.

18.1. The acts or conditions specifically enumerated and defined in Sections 2 through 16 are declared public nuisances; and such acts or conditions may be abated by any of the procedures set forth in Section 18 through 25 of this Ordinance.

18.2. In addition to the nuisances specifically enumerated within this ordinance, every other thing, substance, or act which is determined by the City Council to be injurious or detrimental to the public health, safety or welfare of the City, or any of its citizens, is declared a nuisance and may be abated as provided in this ordinance.

#### Section 19. Abatement Notice.

19.1. Upon receiving a written complaint or, upon the Council's own motion, the Council may determine that a nuisance as defined in this or any other ordinance of the City exists. The Council shall forthwith cause a notice to be posted on the

premises where the nuisance exists, directing the owner/person in charge of the property to abate the nuisance. The Council may assess a fine in the event that the nuisance is not abated within the time allowed by the Council.

19.2. At the time of posting, the City Recorder shall cause a copy of such notice to be forwarded by registered or certified mail, postage prepaid, to the owner or person in charge of the property at his/her last known address.

19.3. The notice to abate shall contain:

19.3.1. A description of the real property, by street address or otherwise, on which the nuisance exists.

19.3.2. A description of the nuisance.

19.3.3. A direction to abate the nuisance within a reasonable time from the date of the notice, but not more than 30 days.

19.3.4. A statement as to whether or not a fine will be imposed if the nuisance is not timely abated, how much the fine will be, whether it is a daily or a one-time fine and a statement that the fine may be avoided by timely compliance with the abatement notice.

19.3.5. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement, together with any fines imposed by the Council, shall become a lien against the property.

19.3.6. A statement that the owner or other person in charge or control of the property may protest the abatement by giving written notice to the City Recorder within ten days from the date of the abatement notice posting.

19.4. Upon completion of the posting and mailing, the person posting and mailing the notice shall execute and file a certificate stating the date and place of the mailing and posting.

19.5. An error in the name or address of the owner or person in charge or control of the property or the use of name other than that of an owner or other person shall not make the notice void, and in such case, the posted notice shall be sufficient.

## Section 20. Abatement by the Person Responsible.

20.1. Within the time allowed after posting and mailing of such notice, as provided in Section 18, the person responsible shall abate the nuisance or show cause that no nuisance exists.

20.2. Within 10 days of the posting of the notice under Section 18.1, a person in charge or control of the property may protest that no nuisance exists, by filing with the City Recorder a written statement which shall specify the basis for so protesting,

state the name of the person protesting and provide contact information for said person.

20.3. The statement shall be referred to the Council as a part of the Council's regular agenda at its next succeeding meeting. At the hearing of the abatement, the owner or other person may appear and be heard by the Council, and the Council shall thereupon determine whether or not a nuisance in fact exists, and the determination shall be entered in the official minutes of the Council. If the Council determines that a nuisance exists, the Council shall make a determination as to when the person responsible shall abate the nuisance. Notice of the Council's determination shall be mailed to the person responsible for the abatement or the person apparently in charge of the property.

20.4. If the Council determines that a nuisance does in fact exist, the person responsible, or who is apparently in charge of the property, shall, within the time specified after the Council determination, abate the nuisance.

Section 21. Joint Responsibility.

If more than one person is a person responsible, they shall each be jointly and severally liable for abating the nuisance, or for the costs incurred by the City in abating the nuisance.

Section 22. Abatement by the City.

22.1. If, within the time allowed, the nuisance has not been abated by the person responsible, the Council may cause the nuisance to be abated.

22.2. The officer charged with abatement of the nuisance shall have the right at reasonable times to enter into or upon property to investigate or cause the removal of a nuisance, all without any trespass occurring. In the event that additional persons are necessary to go onto the property to abate the nuisance, all persons authorized by the officer charged with abatement shall have the right to enter into or upon the property to investigate or cause the removal of a nuisance, all without any trespass occurring.

22.3. The City shall keep an accurate record of the expenses incurred in abating the nuisance, including the City's attorney's fees, staff time and out-of-pocket expenses, and in addition, there shall be a surcharge of 20 percent of the total costs to the City, for administrative overhead.

Section 23. Assessment of Costs.

23.1. The City, by registered or certified mail, postage prepaid, shall forward to the owner and/or person in charge of the property a notice stating:

23.1.1. The total cost of abatement, including the administrative overhead, and attorney's fees.

23.1.2. The cost, as indicated, will be assessed to and become a lien against the property unless paid within thirty days from the date of notice.

23.1.3. If the owner or person in charge or control of the property objects to the cost of the abatement as indicated, that person may file a notice of objection with the City Recorder not more than ten days from the date of the notice.

23.2. Upon the expiration of ten days after the date of the notice, the Council, in the regular course of business, shall hear and determine the objections to the costs to be assessed.

23.3. If the costs of the abatement are not paid within thirty days from the date of the notice, an assessment of the costs as stated or as determined by the Council shall be made by resolution and shall thereupon be entered in the lien docket of the City; and upon such entry being made, shall constitute a lien upon the property from which the nuisance was removed or abated by the City.

23.4. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the existing legal rate of interest. The interest shall commence from date of the entry of the lien in the lien docket.

23.5. An error in the name of the person responsible shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void; but it shall remain a valid lien against the property.

#### Section 24. Summary Abatement/Abatement of Chronic Nuisances.

24.1 The procedure provided by this ordinance is not exclusive, but is in addition to the procedure provided by other ordinances; and the health officer, the chief of the fire department or the code enforcement officer or other person designated by the Council, may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life, health or property. Further, these procedures shall also apply if the property which is a chronic nuisance, as defined in Section 1.2 herein.

24.2 Summary abatement may be done immediately by the City, without notice by the City to the property owner or person in charge, in the event of imminent danger.

24.3 In the event of a non-emergency chronic nuisance, the City shall post the property with the notice as referenced in Section 18.3 herein, however, the notice shall provide for 10 calendar days for the owner or person in charge to abate the nuisance.

24.4 Thereafter, the City may proceed with abatement in accordance with Section 21, except that the City staff may proceed with the abatement without further Council action.

Section 25. Penalties.

A violation of this Ordinance constitutes a Class A Violation, as determined by the Tillamook County Justice Court. This penalty shall be in addition to and unaffected by any other remedy taken by the City.

Section 26. Separate Violations.

26.1. Each day's violation of a provision of this ordinance constitutes a separate violation.

26.2. As an additional remedy, the City may impose an additional fine of the greater of \$250.00 per day per violation or the cost of any expense, loss, cost of repair, or damage occasioned by the City, whichever is greater, including the cost of the City's staff time and the City's attorney's fees.

26.3. The abatement of a nuisance is not a penalty for violating this ordinance but is an additional remedy. The imposition of a fine or treatment of the nuisance as a Class A violation does not relieve a person of the duty to abate the nuisance.

26.4. The City shall have all other remedies available to it allowed by law. The remedies provided in this Ordinance are nonexclusive and the City may seek and impose more than one remedy for any nuisance, in the cumulative.

Section 27. Severability.

The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections of subsections.

Section 28. Repeal.

Ordinance No. 666 is hereby repealed in its entirety.

PASSED and ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_ 2016 and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Shaena E. Peterson, Mayor

ATTEST: \_\_\_\_\_  
Linda Downey, City Recorder

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Adoption: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstentions: \_\_\_\_\_



## Fire Department Report, October 2016

In September, We responded to 22 calls for service; 10 Medical, 1 Fire, 2 Motor vehicle accidents, 2 Assist Law Enforcement, 2 unauthorized burning, 2 Citizen assists, 1 hazardous materials, 1 animal rescue, and 1 false alarm. The Department completed 259 training and response hours in September. Additionally, I completed 129 admin hours bringing the departments total hours for August in at 388. We are continuing along a trend to once again set a response record in 2016, we are currently 1 month ahead of our busiest year to date, at this pace we will easily hit 200 calls this year.

### **Fire Chief Hours:**

In June, I was able to take a few days off and leave town for a week. I still completed 154 hours. I have been placing required task on a to do list in an attempt to reduce my hours, however I am now having to stop working on required tasks just to stay below 40 hours a week.

### **Garibaldi Steering Committee:**

The Committee had its final meeting Tue 10/04. During this meeting we discussed Chief Marugg's Steering Committee Final report and my Addendum to that report. The recommendation of the committee is to provide these reports to both City Councils and to suggest that the cities convene a committee to move forward with the formation of a fire district.

### **City Ordinances:**

In last month's report, I asked about clarification of roles within the department. My main area of concern is volunteer activity and liability. I currently feel that I as Chief supervise and manage our volunteers. This would place them under the control of the city and covered by the City's insurance. There are however a few gaps in our ordinances and possibly even conflicting language. I request that staff be assigned to address these issues with a workshop or committee. This is of pressing concern, as the association is not planning any outside of normal meeting events until this is addressed.

### **Road side Conditions and Access:**

\*) Is there currently a plan for the mitigation of the slide on Portland Ave.? It appears to me to be moving with this recent rain. I have a concern that this slide could severely impact our response to a few residences in the area as it will exacerbate the closure of 9<sup>th</sup> St.

\*) Access to 14<sup>th</sup> St, North of Spruce St. I have in the past asked about maintenance of Williams between 16<sup>th</sup> and 14<sup>th</sup>. This road was closed and gated due to concerns of vehicle traffic and mud. We have placed a frangible gate along the road way to block vehicle access. This road has overgrown to a point that it is impassable for fire apparatus. Would it be possible to clear the road and place some of our ODOT gravel in the roadway? The gate would continue to stop un wanted vehicle traffic, and I would have a secondary access to several residences. This is a concern due to the fact that residences on 14<sup>th</sup> and 15<sup>th</sup> our only currently accessible by less than standard roads. 14<sup>th</sup> is narrow and the initial Apparatus may entirely block this road. We had a structure fire here and experienced this vary issue. Luckily, we were able to mitigate the fire in the vehicle before the exposure of the house was fully involved. Had the house required more water, we would have been hard pressed to supply the required water do to the Hydrant on 14<sup>th</sup> and no access to secondary hydrants on 16<sup>th</sup> street. Regarding 15<sup>th</sup> St, there are two residences that we will have to fight from quite a way away. 15<sup>th</sup> St is so narrow that it is nearly a tunnel of brush, and we will not be able to approach from within that roadway. Currently, we would have to hand carry hose from Spruce St, and 16<sup>th</sup> St. this will result in an extreme delay, and the distinct possibility that we will have to fight defensibly and simply protect exposures.

\*) Access to Main St. east of 9<sup>th</sup>, including the Dew point area. In the process of the Patterson creek project, and our near miss of last December, I would like to ask about the possibility of secondary access to this area. Should Main between 7<sup>th</sup> and 9<sup>th</sup> experience any issues with trees, and or the adjoining creek, we will have no access to the residences (Approx. 37) that are in this area.

### **Emergency Preparedness:**

As winter approaches, the Fire Department will conduct needs assessment and training to mitigate winter type events and hazards. In the process, I think it is time for the City to re convene it's Emergency Preparedness Committee. The Fire Department would like to be part of such a process, but we cannot be the sole participant.

### **Fire Conditions:**

As of Tue, Oct. 4 ODF has ended fire season. All permitted burning is currently allowed.

The Oregon Department of Forestry, announces that effective at **01:00 am, Tuesday, October 4, 2016**, Fire Season will be terminated in the **Northwest Oregon Forest Protection District**. This area includes all State, private and BLM forest lands included in the Astoria, Tillamook and Forest Grove Districts of the Oregon Department of Forestry. With the end of fire season, logging operations are no longer subject to fire protection laws, such as maintaining fire equipment at logging sites.

**Recruiting:**

Currently 1/3 of our department is new. This is good as we have new volunteers, and new energy. This also presents a huge burden for myself as I will focus more of my time toward training of these volunteers.

I am designing an online training program with action training. We are optimistic that this web based training will allow for all of our members to increase their knowledge via a self-paced program. Hopefully, this will allow us to focus our drill time on more psychomotor and skill training of critical Fire, EMS, and Rescue skills.

As always, if you know of anyone that would possibly be interested in a position within our volunteer staff, please let them know that we are in need of a couple more members.

Respectfully,

Darrell Griffith

Fire Chief

Bay City Fire Department

[firedept@ci.bay-city.or.us](mailto:firedept@ci.bay-city.or.us)

503 377-0233

**CITY COUNCIL WORKSHOP  
SEPTEMBER 12, 2016  
5:30 P.M.**

Members Present: Shaena Peterson, David Olson, Robert Pollock, Kari Fleisher, Crystal Killion and Dee Harguth.

Staff Present: Brian Bettis, Janelle Allen and Linda Downey.

Others present: Virgil and Faye Simmons, Kathie Lou Reams, Lisa Phipps and Pat Vining.

1. VISITORS PROPOSITIONS

Virgil (Bub) and Faye Simmons attended the Council Workshop to express their concerns about what they believe is a leak on the water line near their home. They are concerned the leak could create a sinkhole.

Brian said approximately a year ago the Public Works Department exposed the water line from the Simmons' Drive way down and they could not locate a leak. The City has completed the engineering on the water line and will be replacing the steel line next summer.

Bub Simmons also had concerns about the slide on 9th Street. He questioned the possibility of the sewer line being broken due to the drop in the street level.

Shaena recommended the Council ask the Staff to look into the issues.

Shaena moved item 9D forward on the agenda.

9D: Patterson Creek Culvert Project.

Lisa Phipps and Pat Vining attended the workshop to speak about the project.

Lisa reviewed the project. Securing funds on the entire project is easier than obtaining funds for replacing culverts one at a time.

A feasibility study has been completed on the project.

Discussion was held on the possible funding available.

Pat recommended the SCA grant as a possibility because the County uses 4th and 5th Street as an alternate route should Hwy 101 be closed.

Discussion was held on the timeline of the project. The funding for the project was a major concern. The culverts are in need of replacement not only for fish passage but also stability of the roads.

Shaena moved item 9B forward on the agenda.

#### 9B: Letter Kathie Lou Reams / Tree Removal

Kathie Lou Reams wrote a letter to the Council requesting a willow tree and root system be removed from Patterson Creek near her home. Brian has plans to cut the tree down but planned to leave the root system. The root system is attached to the bank. He has concerns about the removal of the root system could cause the creek bank to erode.

Lisa Phipps felt leaving the root system would be the best for bank stabilization.

Kathie Lou expressed her concern about allowing the water to flow better so that her property would not flood again.

It was acknowledged that the storm that produced 26 inches of rain caused flooding in several areas that had never flooded before.

Kathie Lou also gave the name to the code enforcement officer of an individual that was dumping grass clippings into the stream.

## 2. PUBLIC HEARINGS

### A. ORD No. 671 Salmonberry Trail Comprehensive and Transportation Plan Amendments

The City Attorney revised the ordinance to include the Transportation Plan.

## 3. COMMITTEE REPORTS

### A. Administrative

Darrell was unavailable for the workshop. He provided a report for the Council.

Linda noted that Shaena is running for re-election as Mayor. Crystal and Kari are also running for re-election as Councilors. Robert has chosen not to run for Council. This will allow a write-in option for voters.

Discussion was held on the Fire District formation.

Michael Saindon from the Port of Garibaldi and Garibaldi City Manager John O'Leary will attend the meeting tomorrow to ask the Council if they wish to pursue the formation of the District.

If the Council is in support of the decision to form a fire district the research and public meetings will be held.

A Fire District could be on the ballot as earlier as May 2017.

B. Community Development

Dee Harguth said a Planning Commission meeting was held. Shelter Nook had their annual review and a setback variance was heard and approved.

C. Public Works

Janelle informed the Council about an on going noise complaints she has been receiving. Residents have used off road motor cycles in their yard continuously and several complaints were received.

Janelle recommended the current nuisance ordinance be revised to restrict the recreational use of off road motorcycles and quads in residential area.

Brian Bettis reviewed his report with the Council.

Discussion was held on the Latimer Water District water main line break. Latimer is under the understanding that the City would be responsible for the cost of the water line repair. Brian will ask Lois who is responsible. He believed it was the Latimer's responsibility.

Discussion was held

4. MINUTES REVIEW

Minutes reviewed included the minutes for:  
08/08/2016 Council Workshop  
08/09/2016 Regular Council Meeting

5. TREASURER'S REPORT

No Comments were made.

6. BILLS AGAINST THE CITY

The bills will be reviewed tomorrow at 9:00 a.m.

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

A. Consideration of Fire District

This item was discussed under Committee Reports / Administrative.

B. Letter Kathie Lou Reames / Tree Removal

This item was discussed under Visitors' Proposition.

- C. Kilchis Wells  
The contractor chosen to replace the well pump has backed out of the project. He felt the well shaft was sloped and there is a possibility it could fail leaving us with one pump.

City Engineer SHN is recommending to place the new pump into well 2 this would increase the water pumped and then the City will push to get the 3rd well developed ASAP.

Discussion was held.

- D. Patterson Creek Culvert Project  
This item was discussed under Visitors' Proposition.

9. MAYOR AND COUNCIL PRESENTATIONS

- A. 2016 Pearl Festival Review.  
Shaena reported on the success of the Pearl Festival.

- B Water Kiosk - TLT County and City  
Shaena showed the Council pictures of a water kiosk she would like to see placed in Bay City.

Discussion was held on the use of the City's property at Hayes Oyster Drive and Hwy 101.

Food carts were briefly discussed.

- 11. CITY COUNCIL PRESENTATION  
None

- 12. ADJOURNMENT  
The workshop was adjourned at 7:38 p.m.

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Linda Downey, City Recorder

**CITY COUNCIL MEETING  
SEPTEMBER 13, 2016**

**CALL TO ORDER/ROLL CALL/WELCOME - 6:00 P.M.**

=====

Mayor Peterson called the Bay City Council meeting to order at 6:00 p.m. She asked that everyone stand and join her in the Flag Salute. The following Council members were present: Robert Pollock, Kathy Baker, David Olson, Kari Fleisher, Crystal Killion and Dee Harguth. Others in attendance were Attorney Lois Albright, City Code Enforcement Officer Janelle Allen and City Recorder Linda Downey. See an attached list of visitors.

**PUBLIC HEARINGS**

- =====
- A. ORD No. 671 Salmonberry Trail Comprehensive Plan and Transportation Plan Amendments

Mayor Peterson re-opened the public hearing on Ordinance No. 671. The Public Hearing began on 08/09/2016.

Attorney Albright amended the ordinance to include the Transportation System Plan amendments for the Salmonberry Trail project.

There were no public comments.

Mayor Peterson closed the Public Hearing and opened discussion for the Council.

Motion by Councilor Fleisher and second by Councilor Killion to have the first reading of Ordinance No. 671 by title only. Motion carried 6-0.

Attorney Albright read Ordinance No. 671 by title only.

AN ORDINANCE AMENDING THE BAY CITY COMPREHENSIVE PLAN AND TRANSPORTATION SYSTEM PLAN TO ACCOMMODATE THE SALMONBERRY TRAIL AND DECLARING AN EMERGENCY.

Because the Ordinance was unavailable 7 days prior to this meeting the meeting will be continued to the October 11, 2016 City Council meeting.

**VISITORS' PROPOSITIONS**

=====

Mayor Peterson move item 9A forward on the agenda.

**9A: Consideration of Fire District.**

Michael Saindon, Port of Garibaldi Manager and vice-chair of the Steering Committee researching the options of Garibaldi fire protection attended the meeting.

Mr. Saindon informed the Council of the process the Steering Committee has taken.

He asked the Council if the City Council was in favor of taking part in the formation of a fire district.

Discussion was held. Mr. Saindon requested the City have representatives on the board to move forward with the task force.

Motion by Councilor Olson and second by Councilor Pollock to move to the next step in creating a new fire district with the Garibaldi Fire District. Motion carried 6-0.

Mayor Peterson moved item 9D. forward on the agenda.

**9D: Patterson Creek Culvert Project.**

Lisa Phipps spoke to the Council about the Patterson Creek Culvert Project. Grant time frames were briefly discussed.

The City will continue to work with Tillamook Estuary Partnership on the project.

Michael Saindon left the meeting.

Mayor Peterson asked City Code Enforcement Officer Janelle Allen to report on the noise complaint she has been dealing with.

Residents of the City have been filing complaints about a person that has allowed their children to ride off road motorcycles on their property and onto the public right of way. This is a violation of the City noise ordinance and also against federal law for them to ride on the public right of way.

Neighbors in the area also attended the meeting and expressed their concerns.

Code Enforcement Office Janelle Allen requested the existing offense and nuisance ordinances be changed to prohibit recreational riding in the City.

Motion by Councilor Olson and second by Councilor Killion to amend the nuisance ordinance and offenses ordinance or to address the issue. Motion carried 6-0.

**North Coast Recreation Department**

Crystal Dietrich with the North Coast Recreation Department (NCRD) joined the meeting. She provided a schedule of the time that they intend to use the Watt Family Park Sports field.

Attorney Albright provided a contract to NCRD for the use of the field.

Motion by Councilor Olson and second by Councilor Baker to accept the contract with NCRD and authorize the Mayor to sign it. Motion carried 6-0.

## **COMMITTEE REPORTS**

=====

- A. Administrative:  
Councilor Fleisher acknowledged the brick fund raiser brochures are printed and the website is up.

Attorney Albright is working with the Fire Chief and CIS to make any necessary changes to the Fire Department Ordinances regarding the Volunteer Fire Fighters Association.

- B. Community Development:  
Transient Lodging Tax Advisory Committee will request the mid year reports from the two organizations that received TLT funds.

- C. Public Works:  
Mayor Peterson acknowledged the possibility of purchasing the City of Rockaway Beach's excess bricks that could be used in the Watt Family Park development.

## **MINUTES REVIEW**

=====

Minutes were reviewed for the 08/08/2016 Council Workshop and 08/09/2016 Regular Council Meeting.

Motion by Councilor Olson and second by Councilor Baker, to approve the minutes for the 08/08/2016 Council Workshop and 08/09/2016 Regular Council Meeting as presented. Motion carried 6-0.

## **TREASURER'S REPORT**

=====

With no questions or corrections Mayor Peterson asked the report be filled for audit.

## **BILLS AGAINST THE CITY**

=====

Councilor Pollock reviewed the bills with City Recorder Linda Downey.

Motion by Councilor Olson and second by Councilor Fleisher to approve payment of the bills against the City in the amount of \$33,150.65. Motion carried 6-0.

## **UNFINISHED BUSINESS**

=====

- A. None

## **NEW BUSINESS**

=====

- A. Consideration of Fire District  
This item was addressed earlier in the meeting.
- B. Letter Kathie Lou Reames / Tree Removal

This item was discussed in the workshop yesterday. No action was required by the Council.

- C. Kilchis Wells  
Councilor Fleisher, Councilor Killion and Mayor Peterson met with Public Works Director Brian Bettis and the City Engineer Steve Donovan to discuss well number 1.

The Contractor chosen to install a new pump in well 1 as declined to complete the job. There were concerns that well number 1 may fail due to the condition of the well casing.

Motion by Councilor Olson and second by Councilor Killion to approve the required change order to install the pump into well number 2. Motion carried 6-0.

- D. Patterson Creek Culverts  
This item was discussed earlier in the meeting.

### **MAYOR'S PRESENTATION**

=====

- A. 2016 Pearl Festival  
Mayor Peterson spoke about the success of the Pearl Festival. For the third year of the festival she thought it was very successful.
  
- B. Water Kiosk - TLT County and City  
Mayor Peterson brought up the idea to have the City install a Water Kiosk on the City's property at Hayes Oyster Drive and 3rd Street. She would also like the Council to consider a food court on the property. The City could lease or rent spaces for the carts.

Councilor Fleisher recommended the City make the property one tax lot.

Mayor Peterson will work on a plan for the lot.

Mark Killion joined the meeting.

- C. Mayor Peterson received an email concerning a vendor selling fresh vegetables on the public right of way.

Public Works Director Brian Bettis received a complaint from a resident after witnessing someone she thought was the Public Works Director harass the vendor that was selling the vegetables. The resident came to City Hall and met Director Bettis and acknowledged he was not the individual she witnessed harassing the vendor.

The person that harassed the vendor identified himself as having worked for the City Public Works Department. It was unclear if the individual stated that he

worked for the City or had worked for the City in the past.

Discussion was held on the concerns.

Attorney Albright was asked to write a letter to the individual that the Council believed was the person that harassed the vendor.

City Recorder Linda Downey contacted the vendor to inform him that a "Hawkers/Solicitors license and bond would be required before they were allowed to sell in the City in the public rights of way.

D. Latimer Water Line Break.

Mayor Peterson acknowledged the waterline break on the mainline in the Latimer Water District. Latimer Water District would like to the City to pay for the repairs.

Attorney Albright read Section 5.4 of the 1980 contract with Latimer Water District and noted that repairs past the meter were the responsibility of the water district.

Bay City Resident Mark Killion spoke about the formation of the Fire District. He has major concerns about the cost of the district. He is in full support of Fire Chief Darrell Griffith and commended his abilities. He felt there were others on the department that would be willing to step up as Fire Chief when Chief Griffith retires.

He felt the Bay City Fire District will continue to exist in the future.

Mr. Killion recommended the City consider working with the Tillamook Fire District if the Bay City Fire Department is dissolved.

Councilor Baker recommended that the City not rule out other options due to the expense of the district.

Discussion continued.

**CITY COUNCIL PRESENTATION**

=====

None

**ATTORNEY PRESENTATION**

=====

Attorney Albright acknowledged City Recorder Linda Downey's concerns with the contracted planner. She recommend the Administrative Committee meet with the Planner and office staff to discuss the concerns. Attorney Albright recommended changes to the billing format presented by the planner.

Attorney Albright was pleased to announce that Attorney Michael Kittell is now a shareholder in the law firm and that he plans to with Albright and Kittell for the extended future.

Kathie Lou Reames asked how the City's news is provided to the citizens.  
Mayor Peterson noted the City's website, facebook page, notices in the local paper and notices posted at City Hall, the Library and the Post Office.

Discussion was held on the ineffective and costly mailings that were used in the past.

**ADJOURNMENT**

=====

Motion by Councilor Baker and second by Councilor Olson to adjourn the meeting at 7:47 p.m. Motion carried 6-0.

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Shaena E. Peterson, Mayor

---

Linda S. Downey, City Recorder

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For General Fund (100)*  
*For the Fiscal Period 2017-3 Ending September 30, 2016*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Non-Departmental Revenues</b>					
100-00-4005 Property Taxes - Current	\$ 0.00	\$ 0.00	\$ 163,084.00	\$ 0.00	100.00%
100-00-4010 Property Taxes - Prior Years	0.00	656.84	6,000.00	2,447.86	59.20%
100-00-4105 Liquor Tax	0.00	2,114.05	15,000.00	5,217.46	65.22%
100-00-4110 Cigarette Tax	0.00	144.06	1,200.00	725.33	39.56%
100-00-4205 Licenses	0.00	0.00	100.00	0.00	100.00%
100-00-4210 Dog Licenses/Fines	0.00	18.75	450.00	37.50	91.67%
100-00-4305 Franchise Fees	0.00	1,779.32	30,000.00	9,699.03	67.67%
100-00-4510 State Revenue Sharing	0.00	0.00	10,000.00	5,872.29	41.28%
100-00-4605 Hall Rental	0.00	200.00	800.00	300.00	62.50%
100-00-4650 Transient Lodging Tax	0.00	0.00	3,600.00	1,150.89	68.03%
100-00-4800 Miscellaneous	0.00	79.57	1,200.00	286.61	76.12%
100-00-4805 Earnings on Investments	0.00	171.78	800.00	511.06	36.12%
100-00-4850 Code Enforcement Fines	0.00	0.00	100.00	0.00	100.00%
100-00-4990 Beginning Fund Balance	0.00	0.00	185,000.00	243,745.27	(31.75%)
<b>Total Non-Departmental Revenues</b>	<b>0.00</b>	<b>5,164.37</b>	<b>417,334.00</b>	<b>269,993.30</b>	<b>35.31%</b>
<b>Fire Revenues</b>					
100-30-4005 Property Taxes - Current	0.00	0.00	49,854.00	0.00	100.00%
100-30-4010 Property Taxes - Prior Years	0.00	200.89	1,900.00	748.83	60.59%
100-30-4520 Intergovernmental Agreements	0.00	375.00	1,500.00	750.00	50.00%
100-30-4800 Miscellaneous	0.00	0.00	500.00	0.00	100.00%
100-30-4805 Earnings on Investments	0.00	41.69	0.00	123.22	0.00%
100-30-4930 Transfers In	0.00	348.12	89,934.00	1,297.40	98.56%
100-30-4990 Beginning Fund Balance	0.00	0.00	59,244.00	62,782.70	(5.97%)
<b>Total Fire Revenues</b>	<b>0.00</b>	<b>965.70</b>	<b>202,932.00</b>	<b>65,702.15</b>	<b>67.62%</b>
<b>Recreation Revenues</b>					
100-50-4430 Local Grants	0.00	0.00	4,795.00	0.00	100.00%
100-50-4630 Park Camping	0.00	694.00	4,000.00	3,681.00	7.98%
100-50-4990 Beginning Fund Balance	0.00	0.00	0.00	4,774.08	0.00%
<b>Total Recreation Revenues</b>	<b>0.00</b>	<b>694.00</b>	<b>8,795.00</b>	<b>8,455.08</b>	<b>3.86%</b>
<b>Transient Lodging Tax Revenues</b>					
100-60-4650 Transient Lodging Tax	0.00	0.00	9,000.00	2,685.48	70.16%
100-60-4990 Beginning Fund Balance	0.00	0.00	9,000.00	10,194.51	(13.27%)
<b>Total Transient Lodging Tax Revenues</b>	<b>0.00</b>	<b>0.00</b>	<b>18,000.00</b>	<b>12,879.99</b>	<b>28.44%</b>
<b>Planning Revenues</b>					
100-70-4310 Planning Fees	0.00	1,000.00	5,000.00	3,200.00	36.00%
100-70-4315 Land Use Fees	0.00	322.28	1,000.00	822.28	17.77%
<b>Total Planning Revenues</b>	<b>0.00</b>	<b>1,322.28</b>	<b>6,000.00</b>	<b>4,022.28</b>	<b>32.96%</b>
<b>Total General Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 8,146.35</b>	<b>\$ 653,061.00</b>	<b>\$ 361,052.80</b>	<b>44.71%</b>

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**Statement of Revenue and Expenditures**

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*Revised Budget*

*For General Fund (100)*

*For the Fiscal Period 2017-3 Ending September 30, 2016*

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Expenditures</b>						
<b>Administration Expenditures</b>						
100-10-5105	Full-Time Employees - Regular	\$ 0.00	\$ 3,480.48	\$ 42,980.00	\$ 10,860.03	74.73%
100-10-5115	Part-Time Employees	0.00	180.00	5,400.00	540.00	90.00%
100-10-5205	Employer FICA Taxes	0.00	280.01	3,800.00	872.06	77.05%
100-10-5210	Unemployment Insurance	0.00	3.62	765.00	19.09	97.50%
100-10-5215	Workers' Compensation Insurance	0.00	2.63	825.00	807.89	2.07%
100-10-5305	Employer PERS Contributions	0.00	315.52	4,500.00	989.28	78.02%
100-10-5405	Health Insurance	0.00	1,443.50	23,500.00	5,270.50	77.57%
100-10-5415	Life Insurance	0.00	13.13	250.00	39.48	84.21%
100-10-5420	Disability Insurance	0.00	0.00	100.00	0.00	100.00%
100-10-6105	Office Supplies & Equipment	0.00	0.00	6,000.00	420.38	92.99%
100-10-6305	Building Repairs & Maintenance	0.00	0.00	8,000.00	0.00	100.00%
100-10-6405	Dues & Subscriptions	0.00	0.00	3,500.00	1,044.12	70.17%
100-10-6410	Training	0.00	0.00	1,500.00	49.68	96.69%
100-10-6605	Electricity	0.00	0.00	7,000.00	424.36	93.94%
100-10-6620	Telecommunications	0.00	0.00	2,500.00	310.66	87.57%
100-10-6700	Insurance	0.00	0.00	4,500.00	4,002.00	11.07%
100-10-6825	Advertising/Publishing	0.00	0.00	1,500.00	0.00	100.00%
100-10-6830	Janitorial Services	0.00	0.00	6,000.00	420.00	93.00%
100-10-6850	Dog Licenses/Catching	0.00	0.00	600.00	0.00	100.00%
100-10-6860	Computers/Software/Services	0.00	0.00	5,000.00	472.05	90.56%
100-10-6870	Pre-Hazard Preparedness	0.00	0.00	2,000.00	0.00	100.00%
100-10-6880	Ordinance Enforcement	0.00	0.00	2,000.00	0.00	100.00%
100-10-6990	Other Miscellaneous Expenses	0.00	0.00	15,000.00	87.00	99.42%
100-10-8700	Community Hall/Office	0.00	0.00	15,000.00	0.00	100.00%
<b>Total Administration Expenditures</b>		<b>0.00</b>	<b>5,718.89</b>	<b>162,220.00</b>	<b>26,628.58</b>	<b>83.58%</b>
<b>Police Expenditures</b>						
100-20-6820	Police Patrol/Public Protection	0.00	0.00	100.00	0.00	100.00%
<b>Total Police Expenditures</b>		<b>0.00</b>	<b>0.00</b>	<b>100.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Fire Expenditures</b>						
100-30-5105	Full-Time Employees - Regular	0.00	1,474.66	18,103.00	4,474.93	75.28%
100-30-5115	Part-Time Employees	0.00	0.00	26,000.00	180.00	99.31%
100-30-5205	Employer FICA Taxes	0.00	112.80	4,000.00	342.30	91.44%
100-30-5210	Unemployment Insurance	0.00	1.48	800.00	7.54	99.06%
100-30-5215	Workers' Compensation Insurance	0.00	1.60	1,400.00	879.24	37.20%
100-30-5305	Employer PERS Contributions	0.00	161.22	2,500.00	488.90	80.44%
100-30-5405	Health Insurance	0.00	92.76	1,200.00	338.28	71.81%
100-30-5415	Life Insurance	0.00	1.12	25.00	3.36	86.56%
100-30-5420	Disability Insurance	0.00	0.00	8,000.00	8,909.68	(11.37%)
100-30-6105	Office Supplies & Equipment	0.00	0.00	2,500.00	12.59	99.50%
100-30-6115	First Aid Supplies	0.00	0.00	1,000.00	263.47	73.65%
100-30-6140	Fuel/Lubes/Etc.	0.00	0.00	3,000.00	73.28	97.56%
100-30-6205	Accounting & Auditing	0.00	0.00	1,200.00	833.33	30.56%
100-30-6220	Legal Fees	0.00	0.00	1,200.00	370.00	69.17%
100-30-6305	Building Repairs & Maintenance	0.00	0.00	4,400.00	707.98	83.91%

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Statement of Revenue and Expenditures

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Revised Budget

For General Fund (100)

For the Fiscal Period 2017-3 Ending September 30, 2016

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-30-6340 Radios & Radio Repair	0.00	0.00	3,000.00	368.92	87.70%
100-30-6345 Operational Equipment & Repairs	0.00	0.00	12,500.00	3,499.45	72.00%
100-30-6350 Personal Protective Equipment	0.00	0.00	15,000.00	821.85	94.52%
100-30-6405 Dues & Subscriptions	0.00	0.00	1,000.00	100.00	90.00%
100-30-6410 Training	0.00	0.00	5,000.00	1,125.00	77.50%
100-30-6605 Electricity	0.00	0.00	4,000.00	368.64	90.78%
100-30-6620 Telecommunications	0.00	0.00	1,500.00	192.71	87.15%
100-30-6700 Insurance	0.00	0.00	12,000.00	10,551.00	12.08%
100-30-6840 Printing & Copying	0.00	0.00	300.00	19.55	93.48%
100-30-6860 Computers/Software/Services	0.00	0.00	300.00	125.00	58.33%
100-30-6990 Other Miscellaneous Expenses	0.00	0.00	2,000.00	307.40	84.63%
100-30-9400 Transfer to Capital Projects Funds	0.00	0.00	35,000.00	0.00	100.00%
100-30-9800 Contingency	0.00	0.00	11,004.00	0.00	100.00%
100-30-9900 Unappropriated Ending Fund Balance	0.00	0.00	25,000.00	0.00	100.00%
<b>Total Fire Expenditures</b>	<b>0.00</b>	<b>1,845.64</b>	<b>202,932.00</b>	<b>35,364.40</b>	<b>82.57%</b>
<b>Recreation Expenditures</b>					
100-50-5105 Full-Time Employees - Regular	0.00	488.96	6,340.00	1,473.97	76.75%
100-50-5205 Employer FICA Taxes	0.00	37.42	500.00	112.81	77.44%
100-50-5210 Unemployment Insurance	0.00	0.48	150.00	2.42	98.39%
100-50-5215 Workers' Compensation Insurance	0.00	0.58	975.00	950.59	2.50%
100-50-5305 Employer PERS Contributions	0.00	34.08	500.00	102.74	79.45%
100-50-5405 Health Insurance	0.00	269.70	5,000.00	1,397.10	72.06%
100-50-5415 Life Insurance	0.00	0.48	20.00	1.44	92.80%
100-50-6145 Tourism	0.00	0.00	200.00	21.18	89.41%
100-50-6190 Other Supplies	0.00	0.00	2,000.00	491.78	75.41%
100-50-6310 Grounds Maintenance	0.00	0.00	5,000.00	1,124.48	77.51%
100-50-6311 Contracted Ground Maintenance	0.00	0.00	13,000.00	2,050.00	84.23%
100-50-6605 Electricity	0.00	0.00	1,400.00	194.02	86.14%
100-50-8300 Improvements Other Than Buildings	0.00	0.00	15,000.00	0.00	100.00%
<b>Total Recreation Expenditures</b>	<b>0.00</b>	<b>831.70</b>	<b>50,085.00</b>	<b>7,922.53</b>	<b>84.18%</b>
<b>Transient Lodging Tax Expenditures</b>					
100-60-6145 Tourism	0.00	0.00	18,000.00	0.00	100.00%
<b>Total Transient Lodging Tax Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>18,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Planning Expenditures</b>					
100-70-6220 Legal Fees	0.00	0.00	2,000.00	0.00	100.00%
100-70-6240 Comprehensive Planning	0.00	0.00	24,000.00	4,000.00	83.33%
100-70-6865 Building Inspector/Inspections	0.00	0.00	1,000.00	0.00	100.00%
<b>Total Planning Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>27,000.00</b>	<b>4,000.00</b>	<b>85.19%</b>
<b>General Service Expenditures</b>					
100-90-6205 Accounting & Auditing	0.00	0.00	4,000.00	833.35	79.17%
100-90-6220 Legal Fees	0.00	0.00	15,000.00	936.50	93.76%
100-90-6805 Mayor	0.00	0.00	5,000.00	318.35	93.63%
100-90-6910 Fee Refunds	0.00	0.00	300.00	0.00	100.00%
100-90-6990 Other Miscellaneous Expenses	0.00	0.00	500.00	0.00	100.00%
100-90-9000 Transfers Out	0.00	348.12	89,934.00	1,297.40	98.56%

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For General Fund (100)*  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-90-9800 Contingency	0.00	0.00	35,000.00	0.00	100.00%
100-90-9900 Unappropriated Ending Fund Balance	0.00	0.00	42,990.00	0.00	100.00%
<b>Total General Service Expenditures</b>	<b>0.00</b>	<b>348.12</b>	<b>192,724.00</b>	<b>3,385.60</b>	<b>98.24%</b>
<b>Total General Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 8,744.35</b>	<b>\$ 653,061.00</b>	<b>\$ 77,301.11</b>	<b>88.16%</b>
<b>General Fund Excess of Revenues Over Expenditures</b>	<b>\$ 0.00</b>	<b>\$ (598.00)</b>	<b>\$ 0.00</b>	<b>\$ 283,751.69</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**

**Statement of Revenue and Expenditures**

*Revised Budget*

*For Street and Road Fund (200)*

*For the Fiscal Period 2017-3 Ending September 30, 2016*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Non-Departmental Revenues</b>					
200-00-4115 State Highway Tax	\$ 0.00	\$ 6,378.94	\$ 67,000.00	\$ 19,337.80	71.14%
200-00-4420 State Grants	0.00	0.00	50,000.00	40,920.00	18.16%
200-00-4800 Miscellaneous	0.00	0.00	500.00	0.00	100.00%
200-00-4805 Earnings on Investments	0.00	13.44	120.00	40.08	66.60%
200-00-4990 Beginning Fund Balance	0.00	0.00	35,000.00	20,248.05	42.15%
<b>Total Non-Departmental Revenues</b>	<b>0.00</b>	<b>6,392.38</b>	<b>152,620.00</b>	<b>80,545.93</b>	<b>47.22%</b>
<b>Total Street and Road Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 6,392.38</b>	<b>\$ 152,620.00</b>	<b>\$ 80,545.93</b>	<b>47.22%</b>
<b>Expenditures</b>					
<b>Non-Departmental Expenditures</b>					
200-00-5105 Full-Time Employees - Regular	\$ 0.00	\$ 1,916.94	\$ 24,320.00	\$ 5,645.09	76.79%
200-00-5115 Part-Time Employees	0.00	180.00	5,400.00	540.00	90.00%
200-00-5205 Employer FICA Taxes	0.00	160.39	2,100.00	473.12	77.47%
200-00-5210 Unemployment Insurance	0.00	2.10	500.00	9.64	98.07%
200-00-5215 Workers' Compensation Insurance	0.00	1.76	2,500.00	2,409.82	3.61%
200-00-5305 Employer PERS Contributions	0.00	140.90	2,500.00	416.72	83.33%
200-00-5405 Health Insurance	0.00	876.14	14,700.00	2,715.66	81.53%
200-00-5415 Life Insurance	0.00	2.48	100.00	7.30	92.70%
200-00-6105 Office Supplies & Equipment	0.00	0.00	500.00	17.03	96.59%
200-00-6125 Shop Supplies & Small Tools	0.00	0.00	1,500.00	118.83	92.08%
200-00-6140 Fuel/Lubes/Etc.	0.00	0.00	3,000.00	567.20	81.09%
200-00-6205 Accounting & Auditing	0.00	0.00	1,000.00	833.33	16.67%
200-00-6215 Engineering Fees	0.00	0.00	5,000.00	120.00	97.60%
200-00-6220 Legal Fees	0.00	0.00	1,000.00	0.00	100.00%
200-00-6305 Building Repairs & Maintenance	0.00	0.00	3,000.00	0.00	100.00%
200-00-6315 Street Repairs & Maintenance	0.00	0.00	10,000.00	1,408.12	85.92%
200-00-6335 Vehicle Repairs & Maintenance	0.00	0.00	5,000.00	219.52	95.61%
200-00-6390 Other Repairs & Maintenance	0.00	0.00	3,000.00	0.00	100.00%
200-00-6410 Training	0.00	0.00	1,000.00	0.00	100.00%
200-00-6605 Electricity	0.00	0.00	10,000.00	1,387.01	86.13%
200-00-6700 Insurance	0.00	0.00	2,500.00	2,183.00	12.68%
200-00-8300 Improvements Other Than Buildings	0.00	0.00	50,000.00	0.00	100.00%
200-00-9400 Transfer to Capital Projects Funds	0.00	0.00	2,000.00	0.00	100.00%
200-00-9800 Contingency	0.00	0.00	2,000.00	0.00	100.00%
<b>Total Non-Departmental Expenditures</b>	<b>0.00</b>	<b>3,280.71</b>	<b>152,620.00</b>	<b>19,071.39</b>	<b>87.50%</b>
<b>Total Street and Road Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 3,280.71</b>	<b>\$ 152,620.00</b>	<b>\$ 19,071.39</b>	<b>87.50%</b>
<b>Street and Road Fund Excess of Revenues Over Expenditur</b>	<b>\$ 0.00</b>	<b>\$ 3,111.67</b>	<b>\$ 0.00</b>	<b>\$ 61,474.54</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Housing Rehabilitation Fund (201)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Housing Rehabilitation Revenues</b>					
201-18-4805 Earnings on Investments	\$ 0.00	\$ 35.06	\$ 150.00	\$ 104.52	30.32%
201-18-4825 Loan Payback	0.00	0.00	90,000.00	0.00	100.00%
201-18-4990 Beginning Fund Balance	0.00	0.00	52,000.00	52,800.95	(1.54%)
<b>Total Housing Rehabilitation Revenues</b>	<b>0.00</b>	<b>35.06</b>	<b>142,150.00</b>	<b>52,905.47</b>	<b>62.78%</b>
<b>Total Housing Rehabilitation Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 35.06</b>	<b>\$ 142,150.00</b>	<b>\$ 52,905.47</b>	<b>62.78%</b>
<b>Expenditures</b>					
<b>Housing Rehabilitation Expenditures</b>					
201-18-6890 Other Administration Expenses	\$ 0.00	\$ 0.00	\$ 4,000.00	\$ 0.00	100.00%
201-18-6920 Housing Rehab Loan Disbursements	0.00	0.00	138,150.00	0.00	100.00%
<b>Total Housing Rehabilitation Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>142,150.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Housing Rehabilitation Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 142,150.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Housing Rehabilitation Fund Excess of Revenues Over Exp</b>	<b>\$ 0.00</b>	<b>\$ 35.06</b>	<b>\$ 0.00</b>	<b>\$ 52,905.47</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
 Revised Budget  
 For Kilchis Water Bond Fund (300)  
 For the Fiscal Period 2017-3 Ending September 30, 2016

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Bond Payment Revenues</b>					
300-11-4005 Property Taxes - Current	\$ 0.00	\$ 0.00	\$ 31,140.00	\$ 0.00	100.00%
300-11-4010 Property Taxes - Prior Years	0.00	116.08	1,000.00	407.57	59.24%
300-11-4611 Water User Charges - Capital	0.00	1,599.17	20,940.00	5,089.31	75.70%
300-11-4805 Earnings on Investments	0.00	61.10	150.00	182.15	(21.43%)
300-11-4990 Beginning Fund Balance	0.00	0.00	84,520.00	92,024.27	(8.88%)
<b>Total Bond Payment Revenues</b>	<b>0.00</b>	<b>1,776.35</b>	<b>137,750.00</b>	<b>97,703.30</b>	<b>29.07%</b>
<b>Total Kilchis Water Bond Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 1,776.35</b>	<b>\$ 137,750.00</b>	<b>\$ 97,703.30</b>	<b>29.07%</b>
<b>Expenditures</b>					
<b>Bond Payment Expenditures</b>					
300-11-7010 Principal Payments - General Obligation B	\$ 0.00	\$ 0.00	\$ 45,000.00	\$ 0.00	100.00%
300-11-7015 Interest Payments - General Obligation Bo	0.00	0.00	13,100.00	0.00	100.00%
<b>Total Bond Payment Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>58,100.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Bond Reserve Expenditures</b>					
300-12-9900 Unappropriated Ending Fund Balance	0.00	0.00	79,650.00	0.00	100.00%
<b>Total Bond Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>79,650.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Kilchis Water Bond Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 137,750.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Kilchis Water Bond Fund Excess of Revenues Over Expend</b>	<b>\$ 0.00</b>	<b>\$ 1,776.35</b>	<b>\$ 0.00</b>	<b>\$ 97,703.30</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Sewer Bond Fund (301)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Bond Payment Revenues</b>					
301-11-4005 Property Taxes - Current	\$ 0.00	\$ 0.00	\$ 16,415.00	\$ 0.00	100.00%
301-11-4010 Property Taxes - Prior Years	0.00	91.17	1,000.00	348.76	65.12%
301-11-4805 Earnings on Investments	0.00	29.40	120.00	87.65	26.96%
301-11-4990 Beginning Fund Balance	0.00	0.00	43,153.00	44,283.32	(2.62%)
<b>Total Bond Payment Revenues</b>	<b>0.00</b>	<b>120.57</b>	<b>60,688.00</b>	<b>44,719.73</b>	<b>26.31%</b>
<b>Total Sewer Bond Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 120.57</b>	<b>\$ 60,688.00</b>	<b>\$ 44,719.73</b>	<b>26.31%</b>
<b>Expenditures</b>					
<b>Bond Payment Expenditures</b>					
301-11-7010 Principal Payments - General Obligation B	\$ 0.00	\$ 0.00	\$ 9,300.00	\$ 0.00	100.00%
301-11-7015 Interest Payments - General Obligation Bo	0.00	0.00	15,500.00	0.00	100.00%
301-11-9900 Unappropriated Ending Fund Balance	0.00	0.00	35,888.00	0.00	100.00%
<b>Total Bond Payment Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>60,688.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Sewer Bond Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 60,688.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Sewer Bond Fund Excess of Revenues Over Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 120.57</b>	<b>\$ 0.00</b>	<b>\$ 44,719.73</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For DEQ Loan Repayment Fund (302)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Loan Reserve Revenues</b>					
302-21-4620 Sewer User Charges	\$ 0.00	\$ 4,086.00	\$ 40,000.00	\$ 11,578.50	71.05%
302-21-4990 Beginning Fund Balance	0.00	0.00	40,000.00	41,004.00	(2.51%)
<b>Total Loan Reserve Revenues</b>	<b>0.00</b>	<b>4,086.00</b>	<b>80,000.00</b>	<b>52,582.50</b>	<b>34.27%</b>
<b>Total DEQ Loan Repayment Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 4,086.00</b>	<b>\$ 80,000.00</b>	<b>\$ 52,582.50</b>	<b>34.27%</b>
<b>Expenditures</b>					
<b>Loan Expenditures</b>					
302-22-7040 Principal Payments - Notes Payable	\$ 0.00	\$ 0.00	\$ 22,000.00	0.00	100.00%
302-22-7045 Interest Payments - Notes Payable	0.00	0.00	2,500.00	0.00	100.00%
302-22-9900 Unappropriated Ending Fund Balance	0.00	0.00	55,500.00	0.00	100.00%
<b>Total Loan Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>80,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total DEQ Loan Repayment Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 80,000.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>DEQ Loan Repayment Fund Excess of Revenues Over Expe</b>	<b>\$ 0.00</b>	<b>\$ 4,086.00</b>	<b>\$ 0.00</b>	<b>\$ 52,582.50</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**

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*Revised Budget*  
**For Street Reserve Fund (400)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
400-13-4305 Franchise Fees	\$ 0.00	\$ 0.00	\$ 3,000.00	\$ 1,069.02	64.37%
400-13-4320 Street Maintenance Fees	0.00	4,398.27	43,000.00	12,711.51	70.44%
400-13-4805 Earnings on Investments	0.00	184.96	600.00	551.41	8.10%
400-13-4930 Transfers In	0.00	0.00	89,079.00	0.00	100.00%
400-13-4990 Beginning Fund Balance	0.00	0.00	5,000.00	277,186.15	(5443.72%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>4,583.23</b>	<b>140,679.00</b>	<b>291,518.09</b>	<b>(107.22%)</b>
<b>Street Trust Revenues</b>					
400-17-4805 Earnings on Investments	0.00	205.23	0.00	611.83	0.00%
400-17-4990 Beginning Fund Balance	0.00	0.00	307,000.00	309,095.58	(0.68%)
<b>Total Street Trust Revenues</b>	<b>0.00</b>	<b>205.23</b>	<b>307,000.00</b>	<b>309,707.41</b>	<b>(0.88%)</b>
<b>Street Maintenance Fee Revenues</b>					
400-24-4990 Beginning Fund Balance	0.00	0.00	130,000.00	0.00	100.00%
<b>Total Street Maintenance Fee Revenues</b>	<b>0.00</b>	<b>0.00</b>	<b>130,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>FEMA Projects Revenues</b>					
400-25-4410 Federal Grants	0.00	0.00	250,000.00	0.00	100.00%
<b>Total FEMA Projects Revenues</b>	<b>0.00</b>	<b>0.00</b>	<b>250,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Street Reserve Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 4,788.46</b>	<b>\$ 827,679.00</b>	<b>\$ 601,225.50</b>	<b>27.36%</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
400-13-6315 Street Repairs & Maintenance	\$ 0.00	\$ 0.00	\$ 1,000.00	0.00	100.00%
400-13-6910 Fee Refunds	0.00	0.00	500.00	0.00	100.00%
400-13-9900 Unappropriated Ending Fund Balance	0.00	0.00	81,179.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>82,679.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Street Trust Expenditures</b>					
400-17-9000 Transfers Out	0.00	0.00	89,079.00	0.00	100.00%
400-17-9900 Unappropriated Ending Fund Balance	0.00	0.00	217,921.00	0.00	100.00%
<b>Total Street Trust Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>307,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Street Maintenance Fee Expenditures</b>					
400-24-6314 Street Overlay	0.00	0.00	188,000.00	0.00	100.00%
<b>Total Street Maintenance Fee Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>188,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>FEMA Projects Expenditures</b>					
400-25-6315 Street Repairs & Maintenance	0.00	0.00	250,000.00	0.00	100.00%
<b>Total FEMA Projects Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>250,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Street Reserve Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 827,679.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Street Reserve Fund Excess of Revenues Over Expenditure</b>	<b>\$ 0.00</b>	<b>\$ 4,788.46</b>	<b>\$ 0.00</b>	<b>\$ 601,225.50</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Bay City Equipment Reserve Fund (401)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
401-13-4805 Earnings on Investments	\$ 0.00	\$ 59.37	\$ 250.00	\$ 177.00	29.20%
401-13-4930 Transfers In	0.00	0.00	15,000.00	0.00	100.00%
401-13-4990 Beginning Fund Balance	0.00	0.00	88,900.00	89,420.14	(0.59%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>59.37</b>	<b>104,150.00</b>	<b>89,597.14</b>	<b>13.97%</b>
<b>Total Bay City Equipment Reserve Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 59.37</b>	<b>\$ 104,150.00</b>	<b>\$ 89,597.14</b>	<b>13.97%</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
401-13-8400 Machinery & Equipment	\$ 0.00	\$ 0.00	\$ 75,000.00	\$ 0.00	100.00%
401-13-9900 Unappropriated Ending Fund Balance	0.00	0.00	29,150.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>104,150.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Bay City Equipment Reserve Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 104,150.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Bay City Equipment Reserve Fund Excess of Revenues Ove</b>	<b>\$ 0.00</b>	<b>\$ 59.37</b>	<b>\$ 0.00</b>	<b>\$ 89,597.14</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Fire Apparatus Reserve & Building Reserve Fund (402)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
402-13-4805 Earnings on Investments	\$ 0.00	\$ 31.00	\$ 200.00	\$ 94.48	52.76%
402-13-4930 Transfers In	0.00	0.00	35,000.00	0.00	100.00%
402-13-4990 Beginning Fund Balance	0.00	0.00	48,000.00	48,261.89	(0.55%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>31.00</b>	<b>83,200.00</b>	<b>48,356.37</b>	<b>41.88%</b>
<b>Building Fund Revenues</b>					
402-19-4890 Fire Department Relocation	0.00	1,779.31	15,000.00	5,586.51	62.76%
402-19-4990 Beginning Fund Balance	0.00	0.00	4,300.00	8,432.57	(96.11%)
<b>Total Building Fund Revenues</b>	<b>0.00</b>	<b>1,779.31</b>	<b>19,300.00</b>	<b>14,019.08</b>	<b>27.36%</b>
<b>Total Fire Apparatus Reserve &amp; Building Reserve Fund Re</b>	<b>\$ 0.00</b>	<b>\$ 1,810.31</b>	<b>\$ 102,500.00</b>	<b>\$ 62,375.45</b>	<b>39.15%</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
402-13-7050 Capital Lease Payments	\$ 0.00	\$ 0.00	\$ 24,500.00	\$ 24,219.78	1.14%
402-13-9900 Unappropriated Ending Fund Balance	0.00	0.00	58,700.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>83,200.00</b>	<b>24,219.78</b>	<b>70.89%</b>
<b>Building Fund Expenditures</b>					
402-19-9900 Unappropriated Ending Fund Balance	0.00	0.00	19,300.00	0.00	100.00%
<b>Total Building Fund Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>19,300.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Fire Apparatus Reserve &amp; Building Reserve Fund Ex</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 102,500.00</b>	<b>\$ 24,219.78</b>	<b>76.37%</b>
<b>Fire Apparatus Reserve &amp; Building Reserve Fund Excess of</b>	<b>\$ 0.00</b>	<b>\$ 1,810.31</b>	<b>\$ 0.00</b>	<b>\$ 38,155.67</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Storm Drainage Reserve Fund (403)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
403-13-4805 Earnings on Investments	\$ 0.00	\$ 3.45	\$ 0.00	10.28	0.00%
403-13-4930 Transfers In	0.00	0.00	2,000.00	0.00	100.00%
403-13-4990 Beginning Fund Balance	0.00	0.00	3,000.00	5,197.98	(73.27%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>3.45</b>	<b>5,000.00</b>	<b>5,208.26</b>	<b>(4.17%)</b>
<b>Total Storm Drainage Reserve Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 3.45</b>	<b>\$ 5,000.00</b>	<b>\$ 5,208.26</b>	<b>(4.17%)</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
403-13-6390 Other Repairs & Maintenance	\$ 0.00	\$ 0.00	\$ 5,000.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Storm Drainage Reserve Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 5,000.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Storm Drainage Reserve Fund Excess of Revenues Over Ex</b>	<b>\$ 0.00</b>	<b>\$ 3.45</b>	<b>\$ 0.00</b>	<b>\$ 5,208.26</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Park & Recreation Reserve Fund (404)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
404-13-4420 State Grants	\$ 0.00	\$ 0.00	\$ 27,000.00	\$ 0.00	100.00%
404-13-4805 Earnings on Investments	0.00	3.39	0.00	10.10	0.00%
404-13-4820 Sale of Rock - Dill Bar	0.00	0.00	1,000.00	8,014.50	(701.45%)
404-13-4990 Beginning Fund Balance	0.00	0.00	1,000.00	5,103.33	(410.33%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>3.39</b>	<b>29,000.00</b>	<b>13,127.93</b>	<b>54.73%</b>
<b>Total Park &amp; Recreation Reserve Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 3.39</b>	<b>\$ 29,000.00</b>	<b>\$ 13,127.93</b>	<b>54.73%</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
404-13-8300 Improvements Other Than Buildings	\$ 0.00	\$ 0.00	\$ 8,000.00	\$ 0.00	100.00%
404-13-8310 Buildings / Structures	0.00	0.00	21,000.00	11,561.00	44.95%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>29,000.00</b>	<b>11,561.00</b>	<b>60.13%</b>
<b>Total Park &amp; Recreation Reserve Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 29,000.00</b>	<b>\$ 11,561.00</b>	<b>60.13%</b>
<b>Park &amp; Recreation Reserve Fund Excess of Revenues Over</b>	<b>\$ 0.00</b>	<b>\$ 3.39</b>	<b>\$ 0.00</b>	<b>\$ 1,566.93</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Footpaths and Bicycle Trails Reserve (405)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Reserve Revenues</b>					
405-13-4115 State Highway Tax	\$ 0.00	\$ 64.43	\$ 500.00	195.32	60.94%
405-13-4805 Earnings on Investments	0.00	2.63	10.00	7.84	21.60%
405-13-4990 Beginning Fund Balance	0.00	0.00	3,800.00	3,965.41	(4.35%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>67.06</b>	<b>4,310.00</b>	<b>4,168.57</b>	<b>3.28%</b>
<b>Total Footpaths and Bicycle Trails Reserve Revenues</b>	<b>\$ 0.00</b>	<b>\$ 67.06</b>	<b>\$ 4,310.00</b>	<b>\$ 4,168.57</b>	<b>3.28%</b>
<b>Expenditures</b>					
<b>Reserve Expenditures</b>					
405-13-9900 Unappropriated Ending Fund Balance	\$ 0.00	\$ 0.00	\$ 4,310.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>4,310.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Footpaths and Bicycle Trails Reserve Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 4,310.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Footpaths and Bicycle Trails Reserve Excess of Revenues</b>	<b>\$ 0.00</b>	<b>\$ 67.06</b>	<b>\$ 0.00</b>	<b>\$ 4,168.57</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**

**Statement of Revenue and Expenditures**

*Revised Budget*

*For Bay City Water Fund (600)*

*For the Fiscal Period 2017-3 Ending September 30, 2016*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Non-Departmental Revenues</b>					
600-00-4610 Water User Charges	\$ 0.00	\$ 31,462.09	\$ 280,000.00	\$ 90,043.05	67.84%
600-00-4615 Water Deposits	0.00	631.95	3,000.00	1,978.29	34.06%
600-00-4800 Miscellaneous	0.00	30.00	1,000.00	398.92	60.11%
600-00-4805 Earnings on Investments	0.00	143.39	400.00	427.47	(6.87%)
600-00-4815 Sale of Pipe/Supplies	0.00	0.00	500.00	810.58	(62.12%)
600-00-4930 Transfers In	0.00	0.00	40,000.00	0.00	100.00%
600-00-4990 Beginning Fund Balance	0.00	0.00	104,000.00	215,965.19	(107.66%)
<b>Total Non-Departmental Revenues</b>	<b>0.00</b>	<b>32,267.43</b>	<b>428,900.00</b>	<b>309,623.50</b>	<b>27.81%</b>
<b>Reserve Revenues</b>					
600-13-4710 SDC - Improvement Fees	0.00	0.00	9,244.00	4,622.00	50.00%
600-13-4720 SDC - Reimbursement Fees	0.00	0.00	4,954.00	2,477.00	50.00%
600-13-4805 Earnings on Investments	0.00	222.52	900.00	663.38	26.29%
600-13-4990 Beginning Fund Balance	0.00	0.00	309,000.00	335,136.85	(8.46%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>222.52</b>	<b>324,098.00</b>	<b>342,899.23</b>	<b>(5.80%)</b>
<b>Total Bay City Water Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 32,489.95</b>	<b>\$ 752,998.00</b>	<b>\$ 652,522.73</b>	<b>13.34%</b>

**Expenditures**

**Non-Departmental Expenditures**

600-00-5105 Full-Time Employees - Regular	\$ 0.00	\$ 7,888.12	\$ 99,583.00	\$ 24,053.26	75.85%
600-00-5115 Part-Time Employees	0.00	180.00	5,400.00	540.00	90.00%
600-00-5205 Employer FICA Taxes	0.00	617.27	8,100.00	1,881.50	76.77%
600-00-5210 Unemployment Insurance	0.00	8.10	1,800.00	40.64	97.74%
600-00-5215 Workers' Compensation Insurance	0.00	6.92	2,900.00	2,862.73	1.29%
600-00-5305 Employer PERS Contributions	0.00	582.64	8,000.00	1,781.05	77.74%
600-00-5405 Health Insurance	0.00	3,549.64	60,000.00	13,032.74	78.28%
600-00-5415 Life Insurance	0.00	16.81	350.00	51.07	85.41%
600-00-6105 Office Supplies & Equipment	0.00	0.00	3,000.00	161.29	94.62%
600-00-6125 Shop Supplies & Small Tools	0.00	0.00	2,000.00	140.59	92.97%
600-00-6130 Customer Meters & Supplies	0.00	0.00	16,000.00	0.00	100.00%
600-00-6140 Fuel/Lubes/Etc.	0.00	0.00	3,000.00	1,169.99	61.00%
600-00-6190 Other Supplies	0.00	0.00	500.00	0.00	100.00%
600-00-6205 Accounting & Auditing	0.00	0.00	3,000.00	833.33	72.22%
600-00-6220 Legal Fees	0.00	0.00	5,000.00	936.50	81.27%
600-00-6225 Laboratory Fees	0.00	0.00	1,500.00	46.00	96.93%
600-00-6305 Building Repairs & Maintenance	0.00	0.00	10,000.00	59.61	99.40%
600-00-6325 Utility System Repairs	0.00	0.00	15,000.00	10,795.15	28.03%
600-00-6335 Vehicle Repairs & Maintenance	0.00	0.00	5,000.00	223.98	95.52%
600-00-6345 Operational Equipment & Repairs	0.00	0.00	5,000.00	1,473.24	70.54%
600-00-6410 Training	0.00	0.00	2,000.00	203.59	89.82%
600-00-6605 Electricity	0.00	0.00	800.00	51.63	93.55%
600-00-6620 Telecommunications	0.00	0.00	3,000.00	321.47	89.28%
600-00-6700 Insurance	0.00	0.00	7,500.00	6,548.62	12.69%
600-00-6830 Janitorial Services	0.00	0.00	1,000.00	0.00	100.00%
600-00-6860 Computers/Software/Services	0.00	0.00	11,500.00	486.04	95.77%

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Bay City Water Fund (600)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
600-00-6905 Deposit Refunds	0.00	0.00	1,000.00	274.24	72.58%
600-00-6910 Fee Refunds	0.00	0.00	300.00	0.00	100.00%
600-00-6990 Other Miscellaneous Expenses	0.00	0.00	2,000.00	84.99	95.75%
600-00-8200 Buildings & Structures	0.00	0.00	10,000.00	0.00	100.00%
600-00-9400 Transfer to Capital Projects Funds	0.00	0.00	5,000.00	0.00	100.00%
600-00-9500 Transfer to Enterprise Funds	0.00	0.00	109,367.00	0.00	100.00%
600-00-9800 Contingency	0.00	0.00	20,300.00	0.00	100.00%
<b>Total Non-Departmental Expenditures</b>	<b>0.00</b>	<b>12,849.50</b>	<b>428,900.00</b>	<b>68,053.25</b>	<b>84.13%</b>
<b>Reserve Expenditures</b>					
600-13-6910 Fee Refunds	0.00	0.00	7,099.00	0.00	100.00%
600-13-9500 Transfer to Enterprise Funds	0.00	0.00	40,000.00	0.00	100.00%
600-13-9900 Unappropriated Ending Fund Balance	0.00	0.00	276,999.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>324,098.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Bay City Water Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 12,849.50</b>	<b>\$ 752,998.00</b>	<b>\$ 68,053.25</b>	<b>90.96%</b>
<b>Bay City Water Fund Excess of Revenues Over Expenditure</b>	<b>\$ 0.00</b>	<b>\$ 19,640.45</b>	<b>\$ 0.00</b>	<b>\$ 584,469.48</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**

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*Revised Budget*  
**For Kilchis Water Fund (601)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Non-Departmental Revenues</b>					
601-00-4610 Water User Charges	\$ 0.00	\$ 15,560.05	\$ 198,579.00	\$ 47,714.18	75.97%
601-00-4800 Miscellaneous	0.00	0.00	1,000.00	0.00	100.00%
601-00-4805 Earnings on Investments	0.00	130.95	0.00	390.38	0.00%
601-00-4930 Transfers In	0.00	0.00	109,367.00	0.00	100.00%
601-00-4990 Beginning Fund Balance	0.00	0.00	68,000.00	197,219.75	(190.03%)
<b>Total Non-Departmental Revenues</b>	<b>0.00</b>	<b>15,691.00</b>	<b>376,946.00</b>	<b>245,324.31</b>	<b>34.92%</b>
<b>Reserve Revenues</b>					
601-13-4800 Miscellaneous	0.00	0.00	20,000.00	0.00	100.00%
601-13-4805 Earnings on Investments	0.00	104.20	0.00	310.63	0.00%
601-13-4930 Transfers In	0.00	0.00	50,000.00	0.00	100.00%
601-13-4990 Beginning Fund Balance	0.00	0.00	140,000.00	156,930.41	(12.09%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>104.20</b>	<b>210,000.00</b>	<b>157,241.04</b>	<b>25.12%</b>
<b>Total Kilchis Water Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 15,795.20</b>	<b>\$ 586,946.00</b>	<b>\$ 402,565.35</b>	<b>31.41%</b>

**Expenditures**

**Non-Departmental Expenditures**

601-00-5105 Full-Time Employees - Regular	\$ 0.00	\$ 5,900.82	\$ 74,685.00	\$ 18,018.78	75.87%
601-00-5205 Employer FICA Taxes	0.00	451.44	5,800.00	1,378.50	76.23%
601-00-5210 Unemployment Insurance	0.00	5.90	1,300.00	30.03	97.69%
601-00-5215 Workers' Compensation Insurance	0.00	4.72	2,900.00	2,856.10	1.51%
601-00-5305 Employer PERS Contributions	0.00	438.66	5,600.00	1,343.10	76.02%
601-00-5405 Health Insurance	0.00	2,664.18	39,500.00	9,791.09	75.21%
601-00-5415 Life Insurance	0.00	9.88	160.00	29.96	81.28%
601-00-6105 Office Supplies & Equipment	0.00	0.00	1,500.00	111.71	92.55%
601-00-6125 Shop Supplies & Small Tools	0.00	0.00	1,500.00	96.16	93.59%
601-00-6135 Chemical/Lab Supplies	0.00	0.00	20,000.00	1,645.36	91.77%
601-00-6140 Fuel/Lubes/Etc.	0.00	0.00	4,000.00	567.21	85.82%
601-00-6205 Accounting & Auditing	0.00	0.00	3,000.00	833.33	72.22%
601-00-6215 Engineering Fees	0.00	0.00	10,000.00	0.00	100.00%
601-00-6220 Legal Fees	0.00	0.00	4,000.00	666.50	83.34%
601-00-6225 Laboratory Fees	0.00	0.00	1,500.00	46.00	96.93%
601-00-6305 Building Repairs & Maintenance	0.00	0.00	3,000.00	59.61	98.01%
601-00-6325 Utility System Repairs	0.00	0.00	10,000.00	0.00	100.00%
601-00-6335 Vehicle Repairs & Maintenance	0.00	0.00	5,000.00	222.87	95.54%
601-00-6345 Operational Equipment & Repairs	0.00	0.00	15,000.00	1,676.54	88.82%
601-00-6410 Training	0.00	0.00	2,000.00	46.09	97.70%
601-00-6605 Electricity	0.00	0.00	25,000.00	3,822.28	84.71%
601-00-6620 Telecommunications	0.00	0.00	3,000.00	514.75	82.84%
601-00-6700 Insurance	0.00	0.00	7,500.00	6,548.62	12.69%
601-00-6860 Computers/Software/Services	0.00	0.00	5,000.00	0.00	100.00%
601-00-6990 Other Miscellaneous Expenses	0.00	0.00	2,000.00	85.00	95.75%
601-00-9000 Transfers Out	0.00	0.00	55,000.00	0.00	100.00%
601-00-9900 Unappropriated Ending Fund Balance	0.00	0.00	69,001.00	0.00	100.00%

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For Kilchis Water Fund (601)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Total Non-Departmental Expenditures</b>	<b>0.00</b>	<b>9,475.60</b>	<b>376,946.00</b>	<b>50,389.59</b>	<b>86.63%</b>
<b>Reserve Expenditures</b>					
601-13-8000 Capital Outlay	0.00	0.00	55,000.00	0.00	100.00%
601-13-8200 Equipment	0.00	0.00	10,000.00	0.00	100.00%
601-13-8400 Machinery & Equipment	0.00	0.00	50,000.00	5,126.97	89.75%
601-13-9900 Unappropriated Ending Fund Balance	0.00	0.00	95,000.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>210,000.00</b>	<b>5,126.97</b>	<b>97.56%</b>
<b>Total Kilchis Water Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 9,475.60</b>	<b>\$ 586,946.00</b>	<b>\$ 55,516.56</b>	<b>90.54%</b>
<b>Kilchis Water Fund Excess of Revenues Over Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 6,319.60</b>	<b>\$ 0.00</b>	<b>\$ 347,048.79</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**

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Revised Budget  
 For Bay City Sewer Fund (602)  
 For the Fiscal Period 2017-3 Ending September 30, 2016

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
<b>Non-Departmental Revenues</b>					
602-00-4420 State Grants	\$ 0.00	\$ 0.00	\$ 161,216.00	\$ 0.00	100.00%
602-00-4620 Sewer User Charges	0.00	30,540.12	290,000.00	88,330.04	69.54%
602-00-4625 Sewer Deposits	0.00	691.50	3,000.00	2,660.76	11.31%
602-00-4800 Miscellaneous	0.00	0.00	1,000.00	510.32	48.97%
602-00-4805 Earnings on Investments	0.00	97.03	300.00	289.26	3.58%
602-00-4990 Beginning Fund Balance	0.00	0.00	120,000.00	146,129.90	(21.77%)
<b>Total Non-Departmental Revenues</b>	<b>0.00</b>	<b>31,328.65</b>	<b>575,516.00</b>	<b>237,920.28</b>	<b>58.66%</b>
<b>Reserve Revenues</b>					
602-14-4710 SDC - Improvement Fees	0.00	0.00	12,338.00	0.00	100.00%
602-14-4720 SDC - Reimbursement Fees	0.00	0.00	1,250.00	0.00	100.00%
602-14-4805 Earnings on Investments	0.00	485.61	2,000.00	1,447.69	27.62%
602-14-4990 Beginning Fund Balance	0.00	0.00	720,485.00	731,376.27	(1.51%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>485.61</b>	<b>736,073.00</b>	<b>732,823.96</b>	<b>0.44%</b>
<b>Reserve Revenues</b>					
602-15-4805 Earnings on Investments	0.00	31.90	0.00	95.11	0.00%
602-15-4930 Transfers In	0.00	0.00	10,000.00	0.00	100.00%
602-15-4990 Beginning Fund Balance	0.00	0.00	27,772.00	48,051.83	(73.02%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>31.90</b>	<b>37,772.00</b>	<b>48,146.94</b>	<b>(27.47%)</b>
<b>Reserve Revenues</b>					
602-16-4805 Earnings on Investments	0.00	28.26	0.00	84.25	0.00%
602-16-4930 Transfers In	0.00	0.00	5,000.00	0.00	100.00%
602-16-4990 Beginning Fund Balance	0.00	0.00	41,113.00	42,355.51	(3.02%)
<b>Total Reserve Revenues</b>	<b>0.00</b>	<b>28.26</b>	<b>46,113.00</b>	<b>42,439.76</b>	<b>7.97%</b>
<b>Total Bay City Sewer Fund Revenues</b>	<b>\$ 0.00</b>	<b>\$ 31,874.42</b>	<b>\$ 1,395,474.00</b>	<b>\$ 1,061,330.94</b>	<b>23.94%</b>

**Expenditures**

**Non-Departmental Expenditures**

602-00-5105 Full-Time Employees - Regular	\$ 0.00	\$ 9,143.02	\$ 114,185.00	\$ 27,732.94	75.71%
602-00-5115 Part-Time Employees	0.00	180.00	5,400.00	540.00	90.00%
602-00-5205 Employer FICA Taxes	0.00	713.19	9,200.00	2,162.85	76.49%
602-00-5210 Unemployment Insurance	0.00	9.32	2,000.00	46.92	97.65%
602-00-5215 Workers' Compensation Insurance	0.00	7.08	4,000.00	3,737.64	6.56%
602-00-5305 Employer PERS Contributions	0.00	670.06	9,000.00	2,037.48	77.36%
602-00-5405 Health Insurance	0.00	3,814.02	60,000.00	13,984.45	76.69%
602-00-5415 Life Insurance	0.00	18.06	350.00	54.92	84.31%
602-00-6105 Office Supplies & Equipment	0.00	0.00	1,500.00	120.94	91.94%
602-00-6125 Shop Supplies & Small Tools	0.00	0.00	1,500.00	110.18	92.65%
602-00-6135 Chemical/Lab Supplies	0.00	0.00	10,000.00	2,349.71	76.50%
602-00-6140 Fuel/Lubes/Etc.	0.00	0.00	3,000.00	609.62	79.68%
602-00-6190 Other Supplies	0.00	0.00	500.00	0.00	100.00%
602-00-6205 Accounting & Auditing	0.00	0.00	2,500.00	833.33	66.67%
602-00-6220 Legal Fees	0.00	0.00	5,000.00	666.50	86.67%

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**

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*Revised Budget*  
**For Bay City Sewer Fund (602)**  
**For the Fiscal Period 2017-3 Ending September 30, 2016**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
602-00-6225 Laboratory Fees	0.00	0.00	1,000.00	0.00	100.00%
602-00-6305 Building Repairs & Maintenance	0.00	0.00	2,000.00	59.60	97.02%
602-00-6325 Utility System Repairs	0.00	0.00	15,000.00	0.00	100.00%
602-00-6335 Vehicle Repairs & Maintenance	0.00	0.00	5,000.00	348.52	93.03%
602-00-6345 Operational Equipment & Repairs	0.00	0.00	30,000.00	19,222.99	35.92%
602-00-6410 Training	0.00	0.00	1,500.00	787.50	47.50%
602-00-6605 Electricity	0.00	0.00	27,000.00	3,335.66	87.65%
602-00-6620 Telecommunications	0.00	0.00	3,000.00	591.47	80.28%
602-00-6700 Insurance	0.00	0.00	7,500.00	6,548.62	12.69%
602-00-6830 Janitorial Services	0.00	0.00	1,000.00	0.00	100.00%
602-00-6855 Permit Fees	0.00	0.00	2,000.00	0.00	100.00%
602-00-6860 Computers/Software/Services	0.00	0.00	4,500.00	486.04	89.20%
602-00-6905 Deposit Refunds	0.00	0.00	1,000.00	389.22	61.08%
602-00-6910 Fee Refunds	0.00	0.00	300.00	0.00	100.00%
602-00-6990 Other Miscellaneous Expenses	0.00	0.00	500.00	0.00	100.00%
602-00-6995 Feasibility Studies / Projects	0.00	0.00	161,216.00	24,541.75	84.78%
602-00-9000 Transfers Out	0.00	0.00	20,000.00	0.00	100.00%
602-00-9800 Contingency	0.00	0.00	64,865.00	0.00	100.00%
<b>Total Non-Departmental Expenditures</b>	<b>0.00</b>	<b>14,554.75</b>	<b>575,516.00</b>	<b>111,298.85</b>	<b>80.66%</b>
<b>Reserve Expenditures</b>					
602-14-9900 Unappropriated Ending Fund Balance	0.00	0.00	736,073.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>736,073.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Reserve Expenditures</b>					
602-15-6590 Other Equipment	0.00	0.00	20,000.00	0.00	100.00%
602-15-9900 Unappropriated Ending Fund Balance	0.00	0.00	17,772.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>37,772.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Reserve Expenditures</b>					
602-16-9900 Unappropriated Ending Fund Balance	0.00	0.00	46,113.00	0.00	100.00%
<b>Total Reserve Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>46,113.00</b>	<b>0.00</b>	<b>100.00%</b>
<b>Total Bay City Sewer Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 14,554.75</b>	<b>\$ 1,395,474.00</b>	<b>\$ 111,298.85</b>	<b>92.02%</b>
<b>Bay City Sewer Fund Excess of Revenues Over Expenditure</b>	<b>\$ 0.00</b>	<b>\$ 17,319.67</b>	<b>\$ 0.00</b>	<b>\$ 950,032.09</b>	<b>0.00%</b>

**City of Bay City 503-377-2288**  
**Statement of Revenue and Expenditures**  
*Revised Budget*

For the Fiscal Period 2017-3 Ending September 30, 2016

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Total Revenues	\$ 0.00	\$ 107,448.32	\$ 5,034,326.00	\$ 3,581,631.60	28.86%
Total Expenditures	\$ 0.00	\$ 48,904.91	\$ 5,034,326.00	\$ 367,021.94	92.71%
Total Excess of Revenues Over Expenditures	\$ 0.00	\$ 58,543.41	\$ 0.00	\$ 3,214,609.66	0.00%

# STEERING COMMITTEE REPORT

09/17/2016

The following is a report prepared for the Garibaldi City Council. In this report the steering committee will define the problems of the Garibaldi Fire Department, discuss four solutions and finally make the steering committees recommended direction.

This report is prepared by the following members of the steering committee;

Jay Marugg – Chair of the steering committee, Fire Chief Garibaldi Fire Department, Transportation/Maintenance Director Tillamook School District #9.

Mike Saindon – Vice Chair of the steering committee, Manager of the Port of Garibaldi and retired Master Chief US Coast Guard.

John O’Leary – Secretary of the steering committee, City Manager Garibaldi.

Gary Ulbright – PIO for the steering committee, Director Tillamook Pioneer Museum.

Jerry Rilette– Vice PIO of the steering committee, retired Operations chief Hillsboro Fire Department.

Darrell Griffith – Fire Chief Bay City Fire Department.

Terry Kandle – Garibaldi City Council, retired Portland Fire Department.

Terry Bowman – Retired TVFR, board president of Nedonna Rural Fire District.

Randy Schild – Superintendent Tillamook School District #9.

David Olson – Bay City council, Port of Garibaldi.

John Luquette – Tillamook PUD.

Martin McCormick – Assistant Fire Chief Garibaldi Fire Department, Garibaldi public works.

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The City of Garibaldi formed a steering committee to review and make recommendations to city council concerning the possible formation of a new fire district to better serve the public. The report is as follows;

### **PROBLEMS**

For the last twenty plus years there have been small efforts to regionalize the city fire departments of Bay City, Garibaldi and Rockaway. So this is the area of focus the steering committee took to start the process. The steering committee came up with a problem statement in regards to the appointment. Its problem statement is as follows;

- Problem statement – The Bay City Fire Department, Garibaldi Fire Department and Rockaway Beach Fire Department have been under funded and under staffed for years.
  - 1) Each fire department cannot meet Federal and State mandates regarding safety and training.
  - 2) Each fire department cannot recruit, train and maintain enough volunteers to adequately and safely fight a residential structure fire not to mention a commercial building fire.

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1) Each fire department is managed by a volunteer fire chief. All three fire chiefs are compensated with an annual stipend. The stipend range varies from department to department however; all three stipends combined do not equal the lowest paid full time - career Fire Chief in Tillamook County. With the amount of hours worked needed to manage the fire department, the stipend equals less than the state and federal minimum wage. In a court of law, a volunteer fire chief is held to the same accountability, liability and standards as a full time chief. The work load of a fire chief is too great to complete on a part time basis. **The current way the fire department is managed is not sustainable!**

2) The steering committee has determined that the fire service has evolved to the point that all three fire departments including the Garibaldi Fire Department cannot meet Federal and State mandates regarding safety and training. This means in a court of law, the Fire Chief, the City, Mayor, Council and City manager are accountable and liable. Period! What mandates are we talking about? OR OSHA has an entire list regarding safety in the fire service. There are too many to list in this report. They range from fire suppression efforts to how records are kept. Question; If the mandates cannot be met, what is the City supposed to do? From a liability standpoint, does the city shut its doors? If conducting fire rescue operations become too much of a liability, the city will have no choice to close the doors rather than face a wrongful death law suit. The occupation of firefighter is one of the most dangerous jobs. The Garibaldi Fire Chief has made its city manager and council aware for the last five years that the fire department cannot meet all standards and full time staff is needed to help meet the requirements. **In the fire departments current state of sustainability, the city has a huge liability looming.**

3) **TRAINING;** The Fire department is accredited for its training program from the Oregon Department of Public Standards Safety and Training, (DPSST). DPSST has evolved over the years to the point that the Garibaldi Fire Department barely meets the standards for basic fire suppression. There are more training requirements and hours to become basic certified for fire suppression efforts. The hours to maintain certifications have also increased. There is not enough time available by a volunteer fire chief to commit to a sustainable but most importantly, a safe training program.

It is a national trend of a decreasing volunteer firefighter force who will commit to the time and effort to be a volunteer firefighter. When a volunteer joins, they want to become trained in a safe and professional manner. They also want the ability to advance their training to a higher level than that of basic firefighter. If this is not provided, you will lose the volunteer. It is imperative to "Recruit, Train and Retain" your volunteers. The age of all three departments' volunteer force has increased. It is imperative a younger group be recruited, trained and retained for the future. **All three departments struggle to "Recruit, Train, and Retain" their volunteers.**

As a minimum it takes twelve to fifteen firefighters to effectively and safely fight a residential structure fire. It takes more to fight a commercial structure fire. If only two firefighters show up, well, you do the math. Or when six respond but only three are fully trained, this opens up a can of worms when someone is trapped or the citizen's property is in jeopardy and there are not enough resources or volunteers to safely and effectively make a rescue or even put the fire out. In all three departments, depending on the time of day, this is a very real scenario. **This current system is not safe or sustainable!**

4) **Dangers in today's fire service;** The committee has learned that today's fire service is much more dangerous and potentially deadly than ever before. To fight a fire in a modern residential building is so much more dangerous than it ever used to be. The building materials in today's buildings are weaker, burn faster and burn hotter than before. A building collapse is imminent within the first fifteen to twenty minutes of the fire due to the modern building materials being made of composite materials held together by glue and pressed wood.

Today's interior furnishings burn hotter and faster than ever before. Most all new interior furnishings are made of some sort of petroleum products that burn faster and hotter. In the old days, temperatures at the ceiling level could reach 1,000 degrees and take twenty to thirty minutes to reach that temperature. Today's temperatures are reaching 2,000 degrees in ten to twenty minutes depending on the fire load. This makes it very dangerous for offensive firefighter operations. To make an interior rescue of a homeowner or firefighter, the time to do so has now decreased. At a certain point when the temperature reaches a certain range, EVERYTHING in the room is on fire. This is called a "Flashover" In today's fire service, it not a matter of "IF, it is now "WHEN" flashover occurs. **Not having a fully trained firefighting force is not acceptable nor is our current system sustainable.**

Today's fire service has evolved beyond just firefighting. It has become an "all Hazards" fire service. When someone calls 911 and it is not obviously law enforcement related, dispatch sends the fire department. And on some occasions, we are also dispatched to incidents simply due to the fact that we are prepared to respond at all times. Regardless of what level your fire department

trains to, 911 is going to page the fire department for most emergency situations not related to a law enforcement issue or a simple medical issue. Who else are they going to call? **In their current state, all three fire departments cannot effectively have the enough time to train for such non fire emergencies.**

5) **ISO/Insurance;** All fire departments are given a rating by the ISO to determine its capabilities for fire suppression. This sets a rate the insurance companies can charge for residential and commercial fire coverage. Through the efforts of the current chiefs, the Bay City Fire Department and the Garibaldi Fire Department currently have a respectable ISO rate of 3. Rockaway Fire has a current rate of 5 which represents higher rates to the homeowners and business owners in Rockaway. **With the unsustainability of all three departments, these rates will continue to go up for all residential and commercial building owners.**

6) The cost of insurance, equipment and wages make our current system beyond sustainability! The current revenue each department receives for its current operations is not sustainable. It has not been for some years now. The tax rate set in the Garibaldi Rural Fire district was set in the sixties. That rate was not meant to sustain an effective fire service for more than ten to twenty years. Yet, after almost sixty years, here we are struggling with the same rate. In the cities of Bay City, Rockaway, and Garibaldi, we have not kept up with the evolution of the fire service. The Cities have only allocated enough as to maintain a force the former and current Fire Chiefs could receive in its operation budgets. The City fire departments have too many things to compete for funding with to effectively run and maintain a fire department that can effectively deliver fire rescue services to its citizens and tax payers.

The cost of emergency equipment and apparatus has increased beyond what is set aside each year for equipment replacement. The increased cost has overtaken the amount it takes to replace equipment and apparatus. **The way all three departments are funded, is not effective or sustainable.**

## **CONCLUSION**

This process has been eye opening for all committee members and general public. It has also taken more time than originally thought. With the definition of the problems, there was much discussion on the possible solutions to the problems. The following are four possible solutions and the repercussions of all four.

Before we get to that it must be noted that Fire Chief Darrell Griffith, Bay City Department and Fire Chief Jay Marugg, Garibaldi Fire Department have poured their heart and souls into making some plausible suggestions and shared their expertise in this resolution. At the start of this process, both Chiefs may have not seen eye to eye. But through this process, they have learned that although each department may not share the same views or experiences, they have come to the terms that we all have the same mission, face the same problems and must put any differences aside to advance the fire service in each community forward.

The steering committee has also experienced the presence of Fire Chief Barry Mammano of Rockaway Beach at a few of the steering committee meetings. Barry expressed very different views of the fire service and the current state of the Rockaway Beach Fire Department. His vision and unwillingness to change is not conducive of the direction of the current fire service or of the steering committee. Although the Rockaway tax payers and City Council of Rockaway may see different, Barry has made it clear he wants nothing to do with a regional approach to the fire service.

When trying to regionalize fire departments, you cannot force it on the fire department. The reluctance of Barry, is significant. A larger tax base would make it cheaper to the tax payers to increase the level of service they receive. Without Rockaway it makes it more expensive for our taxpayers and the Rockaway taxpayers. Does it make it impossible? No. Does it solve Rockaway's problems? No. Barry will have to deal with those on his own.

## **SOLUTIONS – PROS AND CONS**

### **OPTIONS**

#### **1) REGIONAL FIRE DISTRICT**

A combined regional fire district consisting of City of Bay City, City of Garibaldi and the Garibaldi Rural Fire District

##### **PROS;**

- Shared resources may reduce the number of emergency equipment and assets.
- A steady funding source will provide full time staff to manage, recruit, train and retain an effective volunteer force.
- A steady funding source will increase the level of service to tax payers.
- A steady funding source can keep up with the amortization of a department's emergency equipment.
- With the formation of a new fire district, the ISO rating may decrease resulting in lower insurance rates for homeowners and business owners.
- Full time staff can concentrate on keeping up with state and federal mandates.

##### **CONS;**

- A new fire district may increase the amount of property tax to homeowners and business owners. However, there are ways to reduce the impact to tax payers to make the change easier. This will be discussed later in this report.

#### **2) Contract with an existing fire district.**

##### **PROS;**

- The City tax payers will be provided fire protection by a neighboring agency.

##### **Cons;**

- The City and tax payers may be charged a higher rate than they are paying now for fire coverage.
- The rate charged for fire protection can be changed at any time. The City will have no control of the cost.

- City assets will be managed by an outside agency that may reduce the number of resources and assets assigned to the city for fire and rescue services.
- The burden of providing fire coverage to our city has been discussed in depth by neighboring fire districts. The neighboring fire districts said they would not offer services to Garibaldi due to the cost. The cost they would have to charge does not meet their current tax rates set by the state. It would not make financial sense for them to do so.

### 3) **Establish a fee based system**

A fee based system would bill homeowners directly an annual fee and an incident based fee for fire and rescue services.

#### **PROS;**

- ?

#### **Cons;**

- If a homeowner does not pay the annual fee and has an incident, the fire department may not respond to the emergency due to nonpayment. There have been instances of this happening in other fee based systems. A fire department will show up to your house fire and watch it burn because of non-paid annual fees.
- An additional response fee may be billed in addition to the annual fee. How does one recover the fee if the homeowner does not pay it.
- What if the response is for someone from Portland or elsewhere in the world? You can bill their insurance company. Historically, fire departments who bill for non-district tax payers, only recover 60% of what they bill. This is not a stable or sustainable funding source.

### 4) **NO FIRE PROTECTION**

#### **PROS;**

NONE

#### **CONS;**

- With no fire protection, homeowners and business owner's fire insurance would be too expensive if not available at all. In essence, you can pay property tax for fire protection with an effective fire department or you can pay your insurance company without a fire department.

- No fire protection also means no “All hazard” protection. With the City trying to attract tourism, it will only be a matter of time before the tourists stop coming.
- Law enforcement and EMS rely on the fire service for assistance. No fire protection will decrease their effectiveness.
- No fire code enforcement.
- No building development input regarding emergency access for fire, police or EMS.
- Tax payers who are currently charged approximately .58 cents per thousand of their property tax for fire protection will still be billed that amount used for other services. This may result in very angry citizens who revolt against current council.

**Steering committee recommendation;**

With much research by the steering committee, we strongly recommend a combined regional fire district consisting of Bay City, City of Garibaldi and the Garibaldi Rural Fire District.

The Garibaldi Rural Fire District Board has been informed and supports this regional approach as opposed to the other options.

The City of Bay City council is in the process of passing a resolution to proceed with this approach. Fire Chief Darrel Griffin also supports the combined regional fire district consisting of Bay City, City of Garibaldi and the Garibaldi Rural Fire District. Attached to this report is an addendum written by Fire Chief Darrell Griffith.

It is also the recommendation of this steering committee that both the City of Bay City and the City of Garibaldi now engage the Garibaldi Rural Fire District to move this process forward by appointing a new committee to develop a solid financial plan for the new combined fire district. The aid of Special Districts will be needed in this next process.

## **Addendum to Chief Marugg's Garibaldi City Steering Committee Report.**

I have been a member of the City of Garibaldi's Steering Committee for its duration, approximately one year. In that time, I have been privileged to work with a dedicated group of individuals on this task. Many of the group have Fire and or Public Safety backgrounds, and all brought with them a desire to find a solution to a problem that is immediate for the City of Garibaldi, and looming for the City of Bay City.

### **We differed slightly on the statement of the problem. My take on the problem is as follows;**

The volunteer, or part time Fire Chief as it might be called because of the pay involved is managing the largest department of each of our various cities. This department is not only the largest when it comes to personnel, it is also the most intensive. By intensive I refer to the schedule, we are open for business 24 x 7 x 52, or every day of the year including holidays. Additionally the fire service, including volunteer departments have developed into modern all hazard response agencies. The training, equipment, medical, personnel, and facilities requirements of a volunteer fire department are all but identical to that of a career department. There are actually only two distinct differences with regard to consensus standards. 1) ISO only counts volunteers as 1/3 of a career firefighter, this means that we have to document 3 times the responders and training hours to compare with a career department. 2) NFPA (National Fire Protection Association) has a different response standard for first responding apparatus to a structure fire for career and volunteer departments. In every other way we face the same responsibilities and liabilities of a career department. Now we add that all of the above is managed by a volunteer, or at most a part time employee. In the case of Garibaldi and Bay City we have tried our best to manage the requirements by simply working more than full time hours. Even with that commitment we are both falling short in various areas.

Volunteer recruitment, training, and retention. We have a slightly different volunteer model than Garibaldi. We currently have 18 adult volunteers and 1 cadet. Of these we have zero city employees, and only one volunteer that works within the city limits of Bay City. Garibaldi has several city employees and a large group of cadets. In either case volunteers have been hard to come by and then even harder to retain. This is not a local or even regional issue, but rather national. As the training and response requirements have increased we have seen a decline in the number of volunteers. Right now we have seven adult trainees. Brand new volunteers. If I can maintain the training and education program at a successful pace, we may keep most of them, but again that will be dependent upon the adding additional training responsibilities to my schedule.

## Responsibility

This process came about as a means to find a solution for a problem that is facing the City of Garibaldi right now, and that Bay City will be facing within the next couple of years. The problem for Garibaldi was the notice that their Chief decided to retire after 20 years as a volunteer and 13 years as Fire Chief. My initial intention was to attempt to reach the 10 year mark as Chief. I really don't see that as possible under this work load, and I will really try to make it for 2 more years until my youngest son, and our sole cadet graduates from high school. This brings me to the question. Who is responsible for Fire Protection within our city? I will eventually leave, and I have no prospect for an internal replacement.

When the time comes, who is responsible for the continuation of Fire Protection within our City? The Steering Committee decided that it is the responsibility of the City Manager and Council of the City of Garibaldi to address the concerns and options in Chief Marugg's Report with regard to Garibaldi, and I believe it is the City Council's responsibility to address the problems stated in the report and my addendum.

Here is the point where our responsibility as a department and that of the City's responsibility as citizen representatives of the City of Bay City needs to be clarified. I believe that the steering committee is handing the responsibility of the future of Fire Protection to the various City Councils.

## Options

The Committee did look at several options in the process of our meetings.

**Option #1 Regional district.** This would be my recommended option. I feel that this option gives the citizens of a Bay City a sustainable model for fire protection for at least 15 to 20 years.

This will result in a special district with a tax rate, and to fulfill the current level of service it will cost the rate payers a bit more money. In the case of Bay City we would go from our current \$1.28 per thousand (General Fund and Levy) to approximately \$1.78 per thousand. Can it be done? It will be hard, but Maybe we could get a commitment from the city to not asses the \$0.81 per thousand portion of the general fund for a few years to mitigate costs?

Option #2 **Contract with another agency.** For Bay City this may be possible. It will also have a cost that may exceed our current general fund budget allocation and the levy that is set to expire next year.

This option can also lead to reduction in services as the closest Fire agency does not respond to medical call as we do. We can also expect to lose the identity and eventually many of our volunteers as we become a substation of a larger organization. And the contracted agency will be free to move our equipment to areas that they feel meets their response requirements and that may be outside of the City of Bay City.

Option#3 **Establish a Fee based system.** In what I read about these entities they are problematic in the extreme. And I would have several questions. 1) How do we collect and manage enrollment. 2) Who funds the agency if not enough people enroll 3) Do we simply watch houses burn down, or refuse to respond to John Does house if he didn't pay his membership?

Option #4 **No Fire Protection** This would be a disaster for our community and citizens. All of our residents and businesses would eventually pay more for insurance than we would be asking for the most expensive plan option considered. This insurance coverage would also be far less comprehensive than everyone's current fire policy. We would basically be paying a high risk pool rate to cover our mortgage requirement with almost no protection for our personal property absent extremely costly policies with secondary carriers.

And, beyond the cost of insurance, what is our personal safety worth. No initial response for medical calls so we will be waiting for an ambulance from either Garibaldi or Tillamook? We currently have the quickest response times in the county. But that would all change. And there are many other things our department and volunteers offer to the community, Emergency response in disasters to citizen assists for anything you could imagine.

And one more point. **Tillamook County's Emergency Response Systems** would all take a hit if Garibaldi or Bay City discontinued fire protection. Here are several secondary concerns. The current Ambulance Service Agreement requires response from Fire Agencies to augment their ambulance pool. For example we have 4 scheduled ambulances at most times and it is not uncommon to have more than one and often several ambulance runs occurring simultaneously. Many calls would require more than one ambulance to complete once fire resources were not available for lift assistance or other help. Neighboring Fire agencies would take a hit in ISO ratings, and in their response capabilities as Automatic and Mutual Aid would no longer be available from the areas with no fire protection. Police matters would also increase. We can and do respond to calls that are more police related than fire related. This would also place an increased burden on Law Enforcement, especially at times when there are no deputies on duty.

## **Going Forward**

Our department will assist with public education, and I will personally assist with any advice that I can provide regarding current operations, equipment and budget levels, but beyond that the Council will have to take the lead on matter of the Future of Fire Protection and Rescue within the City of Bay City.

Respectfully,

Darrell Griffith  
Fire Chief Bay City Fire Department

# Bay City Wayside



B St

Parking 100' X 100'

Kiosk and Vendor Area  
100' X 100'



3rd St

Oregon Coast Hwy

Hayes Oyster Dr



# Bay City Wayside

Tunnel to south side of Hayes Oyster



# Bay City Wayside

Third & B Street  
Bay City, Oregon

B St

B St

100'



1" = 25'

Cart Spaces  
20'x25'



Parking  
30'x200'

200'

3rd St

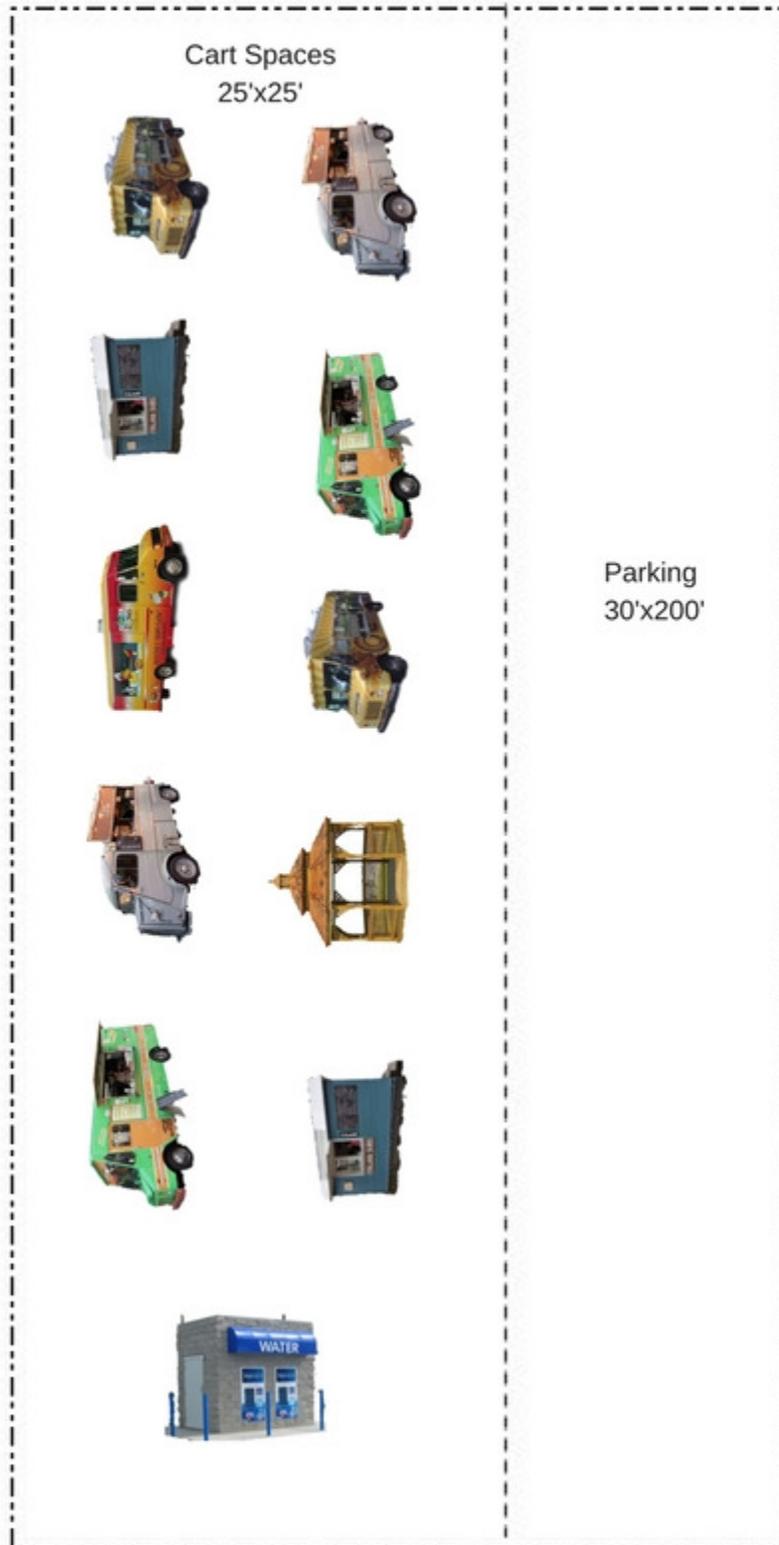
East Hwy  
Dr

Hayes Oyster Dr

# Bay City Wayside

Third & B Street  
Bay City, Oregon

B St.  
100'



Cart Spaces  
25'x25'

Parking  
30'x200'

200'

Third St.

▲  
N  
1" = 25'

**CITY OF TILLAMOOK**  
**Open Space Temporary Unit Sites**  
**Fee Schedule**



	<u><b>Peak Season</b></u> May – September	<u><b>Off-Peak Season</b></u> October – April
<b>Daily Rate</b>	<b>\$40.00</b>	<b>\$40.00</b>
<b>Weekly Rate</b>	<b>\$200.00</b>	<b>\$150.00</b>
<b>Monthly Rate</b>	<b>\$800.00</b>	<b>\$500.00</b>
<b>Annual Rate</b>	<b>\$625.00 per month (\$7,500.00 annual lease)</b>	

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**Permits Required**

*Fees will be determined at the time of the application*

**City Business License: Temporary or Annual depending on length of occupancy**

**Zoning Permit: Depending on length of occupancy**

**Sign Permit for free standing sign, building or unit sign**

**City Water Hook-up if applicable**

**City Sewer Hook-up if applicable**

**County Permits: as required**



# **CITY OF TILLAMOOK**

## **Open Space Temporary Unit Siting Standards**

### 1. Open Space Temporary Unit Siting Standards on Highway 101

Open Space Temporary Unit Siting standards on City owned property on Hwy 101 shall be for the rental of spaces for the temporary sitting of "recreational vehicles" or mobile units or any other temporary unit containing less than 500 square feet of space. Open Space Temporary Unit siting standards have been developed with the following provisions and any additional conditions set forth in the City's approval prior to occupancy.

- A. The space provided for each unit shall be 1,600 square feet exclusive of any space used for common areas, such as driveways, walkways, parking spaces for vehicles other than recreational vehicles/mobile units, and landscaped areas.
- B. Driveways shall not be less than 24 feet in width if parking is permitted on the margin of the driveway, or less than 20 feet in width if parking is not permitted on the edge of the driveway. Driveway shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each unit space.
- C. A space provided for each unit shall be covered with crushed gravel or paved with existing asphalt, concrete or similar material and be designed to provide runoff of surface water. The part of the space which is not occupied by the unit, not intended as an access way to the unit or part of an outdoor patio, need not be paved or covered with gravel, provided the area is landscaped or otherwise treated to prevent dust and mud.
- D. Each unit may be required to be connected to the water and sewage service depending on the length of occupancy.
- E. Each unit space may be connected with electrical service depending on the length of occupancy.
- F. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests, and located in such number and be of such capacity that there is no uncovered accumulation of trash at any time.
- G. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.
- H. The leasee shall provide toilets, lavatories for each property.
- I. Each unit space shall be maintained in a neat appearance at all times. Except for vehicles, there shall be no outdoor storage of materials or equipment. Groundskeeping maintenance shall be the responsibility of the leasee.
- J. Each vendor shall provide the City with proof of liability insurance, insuring vendor and City from claims for personal injury, real and/or personal property damage from activities on the subject property.

- K. Each unit on the subject property shall be located no closer than 12 feet from another unit on the subject property. Each unit on the subject property shall be located no closer than 10 feet from the property boundary. In addition each unit on the subject property shall have a setback on at least one (1) side of 40 feet from a public street or property boundary, for adequate off-street parking and vehicle maneuvering.
- L. Each mobile unit permitted on the subject property shall meet the following standards as determined by an inspection by the building official.
  - 1) It shall have a State insignia indicating compliance with Oregon State Construction Standards in effect at the time of manufacture, and including compliance for reconstruction or equipment installation made after manufacture.
  - 2) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, the mobile unit shall meet the State standards for construction evidenced by the insignia.
- M. Each unit serving food shall:
  - 1) Install a backflow prevention device and provide the City with a copy of a signed/approved County sanitation inspection; and
  - 2) Provide a copy of the Health Department approval.
- N. Each unit on the subject property shall maintain emergency shut-off or disconnection points for all utilities and be able to be disconnected from these utilities (sewer, water and electrical services) and vacated safely and timely from the subject property in the event of flooding or other natural hazards or other emergency in order to protect life and property.



**DIAGRAM OF MOBILE UNIT SETUP**

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**EMERGENCY CONTACT INFORMATION**

Name	Phone Number
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Address
---------

Any Other Information:
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**DISCLAIMER AND SIGNATURE**

BY SIGNING THIS APPLICATION, THE APPLICANT IS ACKNOWLEDGING AND AGREEING TO THE FOLLOWING:

I certify that my answers are true and complete to the best of my knowledge.

My business does not present a danger to the public health, safety, morals or general welfare of the citizens of Tillamook.

My business is in compliance with all local, county, state and federal laws.

My business is in compliance with all relevant federal, state, county and city bonding and licensing requirements

My signage and display of merchandise will meet the City's requirements.

All outdoor storage, display and equipment will not interfere with property ingress and egress.

No part of my business, signage or equipment will be located on public property or in the public right-of-way.

My business operations shall conform to statements made in this application and with any special conditions of operation imposed.

I understand the permit and/or agreement is not transferable or assignable.

I understand that false or misleading information in my application may result in denial of this application.

I understand City shall have no liability for any injury, loss, or damage caused by tenant, third parties, or by any condition arising from flooding, earthquake, etc.

Signature:	Date	
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**FOR CITY HALL USE:**

Location Assigned :	Routed to Police :
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City Business License Number :	
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Date :	
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Authorized By :	
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Sept. 25, 2016

RECEIVED

SEP 26 2016

City of Bay City

CITY OF BAY CITY

P.O. Box 3309

Bay City, Oregon 97107

City Council:

This weekend my relatives planned to stay at Bay City Park. They arrived at @ 8:00pm Friday evening and after pulling into the park and observing a significant number of apparently homeless people roaming the park, they did not feel safe to stay there and they chose to leave.

It is disturbing to me as a Bay City resident that some people no longer feel safe in this park. We would like to know the City Council's plans and/or position on patrolling the park to ensure that paying guests and the community feel safe. This park is used by our children, often unsupervised, and the danger of local drug use and paraphernalia often associated or found in homeless camps is of serious concern and consideration.

Please put this matter under consideration for the next meeting, and I hope that you can find a feasible plan to address these concerns.

Sincerely,

Norma Kimball

5920 Main St.

Bay City, Oregon 97107

# Devastating Biological Opinion Looms

- By Ann Powers [editor@northcoastcitizen.com](mailto:editor@northcoastcitizen.com) – 9/16/2016



Headlight-Herald file photo

The beginning of the end is how many Tillamook County officials see the impact new environmental standards will have on area farmers, businesses, residents and public entities.

“I am so not a doomsday person,” Bryan Pohl, Tillamook County Community Development director, said of the National Marine Fisheries Service (NMFS) Biological Opinion (BiOp). “But, this is really the first time in my... 13-year career that I actually feel it could be doomsday.”

As it’s currently written, the BiOp directs the FEMA National Floodplain Insurance Program (NFIP) to impose severe restrictions and bans on future development and redevelopment (or repair) in floodplains statewide to protect fish habitat (salmon and steelhead). In Tillamook County, communities like Nehalem, Tillamook, Pacific City and more exist within these highly restricted areas and would be severely impacted.

## The Birth of BiOp

“This didn’t happen through Congress getting together and saying we want to protect endangered species, so we’re going to put this stuff in NFIP” Pohl explained. “This happened from a lawsuit and a judge handing down a ruling - basically.”

Pohl said litigation in both Washington (state) and Oregon dating back more than 10 years paved the way for the current BiOp released April 14, 2016.

The most recent litigation occurred when the Audubon Society of Portland, and other groups on behalf of NMFS, sued FEMA NFIP in Oregon for not providing adequate protection for fish habitat.

A settlement was negotiated directing NMFS to develop the biological opinion and consult with FEMA – that tasked NFIP with its implementation.

## **A Flood of Frustrations**

“I don’t feel confident that the people pulling the strings are going to have much recognition of rural counties and the burden this places on rural counties” Pohl said.

Officials fear the BiOp could quash a majority of development options, and destroy property value, for numerous public and private landowners and developers.

“This is amazingly bad,” County Commissioner Tim Josi said at an Aug. 31 BiOp workshop. “They’re going to shut us down.”

For example, the BiOp calls for a riparian buffer zone (RBZ) of 170 feet from each side of a watercourse measured from the high water mark of perennial or intermittent streams. A riparian area is the interface between land and a river or stream.

Development would be prohibited, along with restrictions on improvement of existing structures, within this zone.

For the remaining floodplain outside the RBZ, development and improvements would require mitigation for all adverse effects to floodplain functions. That means landowners would be required to build new fish habitat in the same water body in an amount greater than the development in various ratios.

Furthermore, using fill to elevate structures would be drastically restricted and entirely eliminated in some cases. Property owners may also be required to reduce the footprint of new structures to 10 percent of the total lot size for both residential and commercial development.

In a guest column published in the *Pacific City Sun*, David Yamamoto (county commission hopeful and area realtor) wrote:

“Our dairies are, more often than not, built on floodplains. Over the years, farm structures... have been raised with fill to keep them out of floodwaters. This will no longer be allowed. Our dairies today are fewer in number, but the size of the herds each possesses are increasing. This creates a situation where our farmers need to expand or add additional structures to accommodate larger herds. This BiOp will have a very detrimental effect on our dairy industry.”

## **Negotiating with NFIP**

NFIP specialist Scott Van Hoff said FEMA understands the concerns and there is room for compromise.

“I certainly see the potential for significant economic impact,” he said. “That leads me to believe that full implementation might look a lot different.”

NFIP has been tasked with putting some interim BiOp measures in place by March 15, 2018. Van Hoff said complete implementation could take six-to-eight years, leaving time to negotiate what the opinion calls “Reasonable and Prudent Alternatives.”

“It’s one thing to say stop harming fish and another thing to mapping out how to do that,” Van Hoff emphasized. “We’re given the roadmap and now we need to figure out the nuts and bolts on how to make it work. You do have some flexibility of being able to mitigate for the loss of habitat... can you leave your development site better than you found it?”

Yamamoto and others suggested developing a ‘mitigation bank’ where Tillamook County would earn credit for environmental and habitat-friendly initiatives already implemented by farmers, watershed councils and the Tillamook Soil and Water Conservation District.

“We are so far ahead of everyone else, but we’re lumped into this one-size-fits-all BiOp proposal,” Yamamoto told the *Headlight Herald*. “We’ve been working for decades to clean our water, restore fish habitat and we’re just not getting credit for this.”

Regardless if negotiations ever come to fruition, the county must adhere to the BiOp or get kicked out of NFIP, Pohl said.

“The problem with dropping out of the NFIP is that homeowners can’t get flood insurance policies,” he noted, adding that private flood insurance may be difficult to get and cost prohibitive. “And, (if) we have a major storm like we did in December, we don’t get assistance dollars.”

Moreover, Pohl said opting out of the NFIP would not release the county from similar standards under the Endangered Species Act.

County officials cautioned there’s no chance of stopping the measure; only slowing it down, working hard to negotiate some of its requirements and possibly filing lawsuits once negative impacts from the restrictions take their toll on individuals and communities.

The said “next steps” include forming work committees and educating the public about what’s coming down the pike in terms of the area’s future.

“Sooner or later it’s going to happen,” County Commissioner Mark Labhart said at the recent workshop. “And that’s what scares me.”

For more information on the BiOp, visit [http://www.oregon.gov/LCD/Pages/NFIP\\_BiOp.aspx](http://www.oregon.gov/LCD/Pages/NFIP_BiOp.aspx).

## Can This Slow Motion Train Wreck be Avoided?

What would you think if I mentioned National Marine Fisheries Service Biological Opinion (NMFS BiOp) and FEMA National Flood Insurance Program (NFIP)? What is at stake? If adopted as written, this BiOp would bring about severe restrictions and in some cases an outright ban on future development in floodplains while at the same time greatly expanding the mapped floodplains. How would you feel about the Fed's taking control of land use planning from state and local jurisdictions? Of all Oregon counties, Tillamook County would be the most severely affected. This is not just a nightmare from which we will awaken, this, and much more, is really in the works as you read this.

The Audubon Society of Portland and other environmental groups sued FEMA NFIP in Oregon for not providing adequate protection for fish habitat (salmon and steelhead). Rather than allow the lawsuit to move forward, the Fed's negotiated a settlement and directed NMFS to develop this BiOp, which was published in April, and to "consult" with FEMA.

There are thousands of acres of prized land situated along rivers and streams in Oregon. The magnitude of the Oregon BiOp is shocking. For both public and private land owners and developers, these changes could effectively prohibit the majority of development options, significantly reducing the value of these treasured properties.

When you think of Tillamook County, we have numerous wide, shallow floodplains which would be affected. Communities such as Nehalem, Tillamook, and Pacific City would be greatly impacted, although much of the county would feel the effects.

The BiOp as written requires a riparian buffer zone (rbz) of 170' from each side of a water course measured from the high water mark of perennial or intermittent streams. Development would be prohibited in this rbz along with restrictions on improvement of existing structures within this zone.

In the remainder of the floodplain outside of the rbz, development or improvements would require mitigation for all "adverse effects to floodplain functions so that no net loss, or beneficial gain, is achieved". Mitigation would require the land owner to develop new fish habitat in the same waterbody in an amount greater than taken by development. Mitigation standards would include levees, dikes, vegetation removal, bank armoring and impervious surfaces (roads, sidewalks, roofs, etc.).

Bringing in fill to elevate structures would be eliminated or greatly restricted. You might be required to limit the footprint of new structures to 10% or less of the total lot size for both residential and commercial development.

FEMA is also required to issue new flood maps for all Oregon communities that take into account future shifting rainfall and snowfall patterns due to climate change as well as future unknown land use changes based on projected increased population growth.

While many people are thinking in terms of affects on development in communities in Tillamook County, an area often overlooked is our farming community. Our dairies are, more often than not, built on floodplains. Our unique topography contributes to the award winning dairy products produced here.

Over the years, farm structures such as milking parlors and barns have been raised with fill to keep them out of flood waters. This will no longer be allowed. Our dairies today are fewer in number, but the size of the herds each possesses are increasing. This creates a situation where our farmers need to expand or add additional structures to accommodate larger herds. This BiOp will have a very detrimental effect on our dairy industry.

This BiOp was developed as a one size fits all approach to Oregon's endangered species compliance. Tillamook County, over the last few decades, has become the leader in clean water mitigation by our farming community, watershed councils, and Tillamook Soil and Water Conservation District. At the very least, we should be able to develop a mitigation bank, where Tillamook County could get credit for all that has already been done to save fish habitat.

Some are calling this BiOp a Federal overreach and FEMA has no regulatory authority over private development. The hammer being used is flood insurance. We are being told to play ball or lose access to FEMA flood insurance. This is all happening in Oregon where we already have the toughest land-use regulations in the nation. And Tillamook County is in the cross hairs!

The regulations in this BiOp are being doled out in small bite-sized chunks over the next 5 years...thus my reference to a slow motion train wreck. There is some wriggle room in this "consultation" between NMFS and FEMA, but the longer this goes on, the harder it will be to adjust the regulations to better fit Tillamook County's unique situation. We, as a community, must make sure that the powers that be understand that this one size fits all rule will be devastating to Tillamook County where we have already done so much to protect fish habitat.

David Yamamoto

Pacific City

I'll be attending the 2016 Inaugural People's Coast Summit next week in Garibaldi. Some of it should be of value to the City. Travel Oregon and tourism groups will be available and I'll want to share reasons to visit Bay City.

Thanks for adding this email and the attached to the back of the packet and I'll ask for the Council's input during Mayor's Concerns.

Shaena Peterson, Mayor

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"Honor the Past, Challenge the Present,  
Envision the Future"

[www.ci.bay-city.or.us](http://www.ci.bay-city.or.us)

## **2016 Inaugural People's Coast Summit**

by Marcus Hinz, Executive Director, Oregon Coast Visitors Association

\$88 – \$110

2016 Inaugural People's Coast Summit

Tue, Oct 18, 2016, 9:30 AM – Wed, Oct 19, 2016, 1:30 PM

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### **Event Information**

The Oregon Coast Visitors Association (OCVA) will be presenting the Inaugural People's Coast Summit, Tuesday, October 18th & Wednesday, October 19th, 2016, hosted by the Garibaldi Tourism Commission, DBA Visit Garibaldi.

This annual summit is a two-day professional development event with ample social/networking time built in and will offer an excursion on the Oregon Coast Scenic Railroad!

All meals and tickets on the excursion are included with the registration fee.

**Host Location:** The Old Mill Event Center

### **2016 PEOPLE'S COAST SUMMIT AGENDA**

#### **October 18th (Day 1)**

- 9:30am – 10:30am: Morning General Session - Welcomes & Introductions
- 10:30am – 12:00pm: Breakout Session 1 - How to Pitch a Story to the Media
- 10:30am – 12:00pm: Breakout Session 2 - Online Reputation Management
- 10:30am – 12:00pm: Breakout Session 3 - Travel Oregon 101
- 10:30am – 12:00pm: Breakout Session 4 - Maximizing Global Sales: Tour Operator & Industry Expert Panel
- 12:00pm – 12:30pm: Networking/Break
- 12:30pm – 1:30pm: Lunch General Session - "World Famous Fisher Poets Perform"
- 1:30pm – 2:00pm: Networking/Break
- 2:00pm – 3:30pm: Breakout Session 1 - How to Pitch a Story to the Media
- 2:00pm – 3:30pm: Breakout Session 2 - Is the Customer Always Right? - Customer Service Discussion
- 2:00pm – 3:30pm: Breakout Session 3 - Travel Oregon 101
- 2:00pm – 3:30pm: Breakout Session 4 - Maximizing Global Sales: Tour Operator & Industry Expert Panel
- 3:30pm – 4:00pm: Networking/Break

- 4:00pm – 5:30pm: Entertainment - Inside/Outside Old Mill - Special Performance Art: Chaz Lake, spray paint artist presenting coastal themes
- 5:30pm – 7:30pm: Dinner Reception - "Authentic Astoria" Keynote speaker Mac Burns
- 8:00pm – Onward: Entertainment

### **October 19th (Day 2)**

- 9:30am – 10:30am: Morning General Session - Host City and Sponsors
- 10:30am – 12:00pm: Breakout Session 1 - Successful Online Marketing for Tourism Promotion
- 10:30am – 12:00pm: Breakout Session 2 - Is the Customer Always Right? - Customer Service Discussion
- 10:30am – 12:00pm: Breakout Session 3 - Online Reputation Management
- 10:30am – 12:00pm: Breakout Session 4 - Growing Oregon's Agritourism
- 12:00pm – 12:30pm: Networking/Break
- 12:30pm – 1:30pm: Lunch General Session - TBA
- 2:00pm – 3:30pm: Oregon Coast Scenic Railroad Adventure!
- 3:30pm: Adjourn