

**CITY OF BROOKINGS
STATE OF OREGON**

RESOLUTION 13-R-998

A RESOLUTION OF THE CITY OF BROOKINGS REVISING THE APPEAL PROCESS FOR PUBLIC ART COMMITTEE DECISIONS AND REPEALING RESOLUTION 08-R-905.

WHEREAS, the City of Brookings adopted Ordinance 08-O-608, amending Chapter 17.88, Sign Regulations, of the Brookings Municipal Code, which became effective May 27, 2008; and

WHEREAS, Chapter 17.88 requires murals to conform to general guidelines; and

WHEREAS, Resolution 08-R-903 adopted the general guidelines and provides that any murals applications that are denied can be appealed by the applicant to the Planning Commission ; and

WHEREAS, Resolution 08-R-905 created a Public Art Committee which provides that any murals that are denied can be appealed by the applicant to City Council in conflict of Resolution 08-R-903; and

WHEREAS, Regulations in Title 17, BMC are considered land use decisions and Staff interpretations from these regulations are appealed to the Planning Commission;

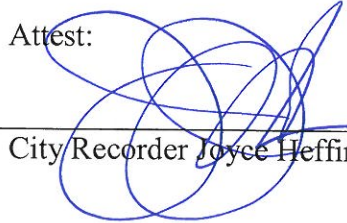
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brookings, Oregon, that the procedure of the Public Art Committee to review mural applications are described in Exhibit A with denials appealable to the Planning Commission.

Passed by the City Council January 28, 2013; effective the same date.



Mayor Ron Hedenskog

Attest:



City Recorder Joyce Heffington

Exhibit A

City of Brookings

Public Art Committee

A. General duties and responsibilities:

1. The Public Art Committee reviews applications to create a mural, defined as a painting, mosaic, fresco, or other permanent artwork attached or applied directly to the outside of a structure. The Committee shall use the Mural Guidelines, adopted by the City Council in Resolution 08-R-903, to review applications to create a mural.
2. Committee members shall serve at the pleasure of the City Council.
3. Committee membership is honorary and without compensation.
4. All Committee meetings shall be open to the public and held in a place that is handicapped accessible.
5. This committee may be assigned other duties related to review of other types of public art by the City Council.

B. Membership.

1. The committee shall consist of five voting members to be appointed by the City Council, and a non-voting Staff member to consist of the Planning Director or his/ her designee.
2. Three members must reside within the City of Brookings, while the remaining two may reside within the Brookings Urban Growth Area. These members shall not be officials or employees of the city.
3. Three members must have an art background (i.e. teacher, artist, collector, gallery owner).
4. The Chair of the Committee shall designate a Committee member whose responsibility it shall be to record the minutes of the meetings.

C. Terms of Appointment/Removal/Vacancies.

1. Terms shall be initially staggered so that three members serve a term of three years and two members serve a term of two years. Thereafter, all terms shall be for three years.

2. Vacancies created by a mid-term resignation or termination shall be filled by appointment of the City Council.

3. Members may be removed by a consensus of the City Council for any reason and at any time during the member's term of appointment. Failure of a member to attend less than 50% of the meetings shall result in automatic termination, unless the absences have been excused by the Committee's Chair.

D. Election of Officers.

1. At the first meeting of each calendar year, a Chair and Vice-Chair shall be elected from the voting members of the Committee for a one year term.

2. The newly elected officers shall take their seats at the first meeting of the next calendar year.

3. No member shall serve more than two consecutive years in any one office.

E. Quorum/Rules/Meetings.

1. Three voting members of the Committee shall constitute a quorum.

2. The Committee shall meet on an as-needed basis when an application has been submitted. All meetings shall be open to the public and noticed in accordance with State Public Meeting Law (Chapter 192 ORS).

3. Voting by the Committee on all matters shall be consistent with the process adopted by the City Council under Chapter 2.05.160 of the Brookings Municipal code, with the exception that the Committee member designated by the Chair to take the minutes shall call the names of each member and record the votes.

4. Applications which are denied may be appealed to the Brookings Planning Commission per Chapter 17.156, BMC.