

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, February 23, 2015, 7:00pm

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. Reappointment of Ray "Skip" Hunter to the Planning Commission. [pg. 2]

E. Oral Requests and Communications from the audience - Public Comments on non-agenda items – 5 minute limit per person.*

F. Staff Reports

1. Information and discussion regarding flag, banner and sign regulations. [City Manager, pg. 5]
 - a. Brookings Municipal Code and Oregon Revised Statutes excerpts [pg. 7]
2. Approval to purchase a utility vehicle for park and trail maintenance. [Parks, pg. 37]
 - a. Vehicle specifications [pg. 38]
3. Authorization to execute a contract with Civil West Engineering Services, Inc., for a Redundant Water Supply Plan. [PWDS, pg. 43]
 - a. Scope of Services [pg.44]

G. Consent Calendar

1. Approve Council minutes for February 9, 2015. [pg. 48]
2. Accept Public Art Committee minutes for December 1 and December 15, 2014 and for January 5, 2015. [pg. 51]
3. Receive monthly financial report for January 2015. [pg. 54]

H. Remarks from Mayor and Councilors

I. Adjournment

*Obtain Public Comment Forms and view the agenda and packet information on-line at www.brookings.or.us, at City Hall and at the local library. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least ten days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

RECEIVED

FEB 04 2015



CITY OF BROOKINGS

City of Brookings

898 Elk Drive, Brookings, OR 97415

Phone: (541) 469-2163 Fax: (541) 469-3650

www.brookings.or.us

APPLICATION TO SERVE ON A CITY OF BROOKINGS
COMMISSION, COMMITTEE OR BOARD

PART I. Contact Information:

Name: RAY "Skip" Hunter Date: 2-4-15
Physical Address: 1310 English Ct. Brookings
Mailing Address: SAME
Email Address: skiphunter888@yahoo.com Phone: (541) 661-7068

PART II. Position Selection, Requirements and Restrictions: (Please answer all that apply)

1. Commission/Committee applying for:

	<u>Composition (i)</u>	<u>Term (ii)</u>
<input checked="" type="checkbox"/> Planning Commission/Commission for Citizen Involvement (iii)	5 Electors, 2 UGB	4 yrs
<input type="checkbox"/> Budget Committee	5 Electors	3 yrs
<input type="checkbox"/> Parks and Recreation Commission	4 Residents, 1 UGB	2 yrs
<input type="checkbox"/> Public Art Committee (iii)	3 Residents, 2 UGB	3 yrs
<input type="checkbox"/> Traffic Safety Committee	2 Residents	2 yrs
<input type="checkbox"/> Tourism Promotion Advisory Committee	TBD	TBD
<input type="checkbox"/> Other (please specify):		

2. City residents: How long have you lived in the City of Brookings? 17 yrs (yrs/mths)

Are you a City elector (registered voter)? ☒ Yes ☐ No

3. UGB residents: How long have you lived in the UGB?: _____ (yrs/mths)

4. What is your current occupation? TEACHER

NOTES:

(i) *Membership requirements:*

- Resident and UGB status are determined by physical address.
- Residents must reside within the City limits.
- Electors are registered voters of the City of Brookings (verified by County Elections Officer)
- UGB members must reside within the Brookings Urban Growth Boundary or Area. (Contact the Planning Department at 541-469-1137 to determine if you are in the UGB).

(ii) *Term:* Appointments to fill mid-term vacancies will be for the remainder of that term.

(iii) *Other restrictions:*

- No more than two (2) Planning Commissioners may be principally involved, as individuals, members or partners, in the buying, selling or development of real estate for profit. No two (2) members shall be involved in the same kind of business or profession.
- Three (3) Public Art Committee members must have an art background

PART III. Background Information : *Attach additional pages if needed:*

1. List your **related** experience and/or background to the position you are applying for:

I CURRENTLY SIT ON THE PLANNING COMM.

2. List your **work history and educational background**, as well as any volunteer experience that is **not** related to the position for which you are applying:

MENDOCINO COLLEGE: PROFESSOR & CHAIRMAN
OF THE SOCIAL SCIENCE DEPT
(THIRTY FOUR YEARS)

COLLEGE OF THE REDWOODS (DEL NORTE CAMPUS)
PROFESSOR: SOCIOLOGY, ANTHROPOLOGY
(7 YEARS) & NATIVE AMERICAN STUDIES

SOUTHWESTERN OREGON C.C. (CURRY CO. CAMPUS)
PROFESSOR: SOCIOLOGY, ANTHROPOLOGY &
(7 YEARS) NATIVE AMERICAN STUDIES

3. Briefly describe your **interest in this position** and what you **hope to accomplish**:

PARTICIPATING IN THE CONTROLLED GROWTH
& STANDARDS OF THE COMMUNITY.

PART IV. Volunteer Agreement : *Please read and check off the following before signing:*

- ☒ I acknowledge that I will not be under the direct supervision and control of the City in connection with the voluntary services for which I have applied.
- ☒ I acknowledge that I will receive no compensation or expense reimbursement from the City in connection with any volunteer services for which I have applied.
- ☒ I understand and agree that my volunteer service will be donated to the City at times other than my regular work hours.
- ☒ I understand that if the position I applied for requires me to be an elector of the City of Brookings, that the City has permission to verify my status as a registered voter.
- ☒ I agree to release the City from all matters relating to the voluntary service for which I have applied, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from the voluntary service described herein. (*Planning Commission applicants, see ** below*)
- ☒ I agree to release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of the voluntary service set forth herein.
- ☒ By signing this application voluntarily and in the presence of the witness listed below, I, the Applicant, do hereby acknowledge that I have read and agree to the terms stated above and that I understand and acknowledge that this document will become public information and may be distributed to the public and news media as part of a City Council Agenda Packet.

Ray "Skip" Hunter
Applicant (print name)

Ray Skip Hunter
Applicant's Signature

2-4-15
Date

Kim Kennedy
Witness (print name)

Kim Kennedy
Witness's Signature

02-04-15
Date

****Planning Commissioners** holding office on April 1st of each year are required to file an Annual Statement of Economic Interest with the Oregon Government Ethics Commission (OGE). You may view a sample form at http://www.oregon.gov/OGE/forms_publications.shtml. Official forms are provided by OGE.

Submit completed applications by mail or in person to the City Recorder, 898 Elk Drive, Brookings, OR 97415. Regular City business hours are 9:00am – 4:30pm, Monday–Friday.

Commission and Committee contact information:

Planning Commission: 541-469-1135
Parks and Recreation Commission: 541-469-1103
Traffic Safety Committee: 541-469-1103

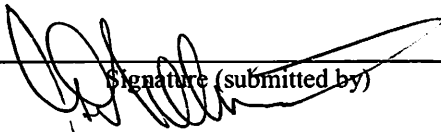
Public Art Committee: 541-469-1135
Budget Committee: 541-469-1123
Tourism Promotion Advisory Committee
541-469-1101

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 23, 2015

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Regulation of Flags, Banners and Signs

Recommended Motion:

Information only. Staff recommends that if the City Council wishes to consider changes in the current regulations that they provide direction to staff.

Financial Impact:

None.

Background/Discussion:

This is a report back to the City Council concerning the matter of regulating flags and banners that was raised at the February 9 City Council meeting.

As a follow-up to questions arising at the February 9 City Council meeting regarding signs and flags, please find attached the relevant sections of the Brookings Municipal Code. Also attached are relevant excerpts from ODOT regulations. Please note the following salient points:

1. Flags and banners that contain written text are considered signs.
2. Signs require permits.
3. The cumulative maximum size of flags and banners that may be displayed as a sign on any property is 100 square feet.
4. Local, state and national flags are exempt from sign regulations.
5. Sandwich board signs may be displayed in commercial zones on private property, or within City rights of way.
6. The sidewalk along Chetco Avenue is **not** a City right-of-way.
7. The City has approved banners and flags on private property with text through the issuance of a sign permit.
8. ODOT defines a sign as “any sign, display, message, emblem, device, figure, painting, drawing, placard, poster, billboard **or other thing that is designed, used or intended for advertising purposes or to inform or attract the attention of the public.**”

9. State Law prohibits signs within the State Highway right-of-way. This includes sandwich board signs and banners. The City has adopted what amounts to a “community standard” by allowing sandwich board signs on Chetco Avenue. The owners of these signs are still subject to ODOT enforcement action.
10. ODOT’s enforcement policy is to enforce their regulations in this matter “if it becomes a problem.”

ODOT has offered to transfer jurisdiction of the sidewalks along Chetco Avenue to the City. This means that the City would have authority to adopt its own regulations concerning signs on the right-of-way. It also means that the City would become responsible for maintenance of the sidewalks and handling trip/fall claims.

Staff reports receiving comments from several members of the public that the recent removal of the flags and banners from the sidewalks downtown has been a significant visual improvement and compliments the City’s efforts to install visual amenities such as flower baskets and street furniture.

Attachment(s):

- a. Relevant sections of the Brookings Municipal Code and Oregon Revised Statutes.

signs visible from Highway 101/Chetco Avenue are required to be reviewed and approved by Oregon Department of Transportation (ODOT). Staff will submit these applications to ODOT and advise the applicant of their decision.

B. The following shall be submitted with each completed application:

1. Filing fee;
2. Plot plan, drawn to scale, of the lot, with dimensions, on which the sign is to be placed showing the location of the sign, the structure, with dimensions, and dimensions and locations of other existing signs on the property. If the sign is to be freestanding the plot plan must also show the distance from property lines and easements; *101 commercial*
3. Engineering wind load data for freestanding, roof-mounted, and perpendicularly mounted signs exceeding five square feet in size;
4. A scale drawing of the sign and its support structure, indicating dimensions;
5. If the proposed sign is lighted or uses electricity for any purpose, evidence that the sign is listed as being approved by a licensed testing facility must be submitted with the application;
6. Proof of a current business license unless exempt;
7. The sign(s) authorized under a sign permit shall be installed within 90 days after the date of permit issuance. A 90-day extension can be requested by submitting a written statement explaining the need for additional time. [Ord. 11-O-683 § 2; Ord. 08-O-608 § 2; Ord. 96-O-446.BB § 5; Ord. 95-O-446.AA § 2; Ord. 89-O-446 § 1.]

more than one

17.88.040 Exempt signs. *Addressees*

The following signs and devices shall not be subject to the provisions of this chapter:

- A. Memorial tablets, cornerstones or similar plaques not exceeding six square feet;
- B. Temporary signs displaying noncommercial messages for events, including but not limited to elections, public meetings or events of a general city-wide civic or public benefit. These signs shall not be displayed for more than 60 days prior to the beginning of the event and must be removed within seven days following the conclusion of the event;
- C. Temporary, nonilluminated real estate or construction signs; provided, that said signs are removed within 15 days from sale, lease or rental of the property, or the completion of the construction project. The following standards shall apply to signs:

1. One unlighted temporary sign not exceeding 16 square feet in area shall be permitted for the

lease, rental, or sale of property, or for the construction of a structure thereon in residential districts;

2. One unlighted temporary sign not exceeding 32 square feet in area shall be permitted for the lease, rental, or sale of property, or for the construction of a structure thereon in commercial and industrial districts;

3. One unlighted temporary sign not exceeding 32 square feet in area shall be permitted advertising a new subdivision on the property;

4. One unlighted temporary sign not exceeding 16 square feet in area advertising the finance company for a structure;

5. One unlighted temporary sign not exceeding 16 square feet in area advertising the finance company for a subdivision;

6. Additional signage may be requested by submitting an application pursuant to BMC 17.88.030(B) accompanied by the sign permit fee and a statement explaining the need for the additional signage to the site plan committee. The site plan committee decision may be appealed pursuant to BMC 17.80.060;

D. Temporary signs for new businesses, for a period not to exceed 30 days;

E. *Deleted by Ord. 11-O-683;*

F. Small directional signs located on the property to guide traffic;

G. Signs placed by state or federal governments for the purpose of identifying public works projects or publicly funded and/or sponsored projects, designed to fulfill the requirements of state or federal funding agencies;

H. *Deleted by Ord. 11-O-683;*

I. Nameplates, provided they do not exceed 72 square inches;

J. Public signs;

K. Businesses which have more than one free-standing sign existing on the effective date of this code. Each sign must meet the size requirements as stated in the code. Signs which advertise a business no longer conducting or a product no longer sold on the premises where such sign is located shall not be exempted under this chapter;

L. Garage sale signs not to exceed four square feet in area and to be displayed only when the sale is open for a period not to exceed three consecutive days in duration with no more than three sales per calendar year;

M. Decorative banners and flags may be displayed and shall not exceed 100 square feet in area. Decorative banners and flags shall not include the use of text;

N. Local, state, or national flags;

O. Window signs;

P. Wall graphics, except that murals shall be reviewed by the public art committee and conform to general guidelines adopted by city council resolution. In the event the public art committee is unavailable to convene, the site plan committee will perform the needed review;

Q. Any change to the text of an existing sign structure (free standing or applied to the building) does not require a sign permit. This does not apply if the sign structure is altered or the location is changed.

R. Sandwich Board Signs. Sandwich board signs may be displayed in commercial zones on private property, and/or within city rights-of-way, and/or in rights-of-way under the city's jurisdiction provided the following conditions are met:

1. Only one such sign shall be permitted for each business and shall not exceed two feet in width and four feet in height.

2. Each sign must be sufficiently weighted at the bottom to prevent toppling by wind.

3. Placement of sign must leave at least 36 inches of continuous unobstructed sidewalk area to provide accessibility for pedestrians, not be placed in parking spaces or parking areas, and be located outside of vehicular travel lanes.

4. Signs shall be displayed only at such times as the business they are intended to identify is open for business.

5. Any sign placed within a corner vision area located at the intersection of streets shall not exceed three feet in height. The corner vision area shall consist of a triangular area measured from the corner of the intersection property lines for a distance of 15 feet. The third side of the triangle is a line across the corner joining the nonintersecting ends of the other two sides. [Ord. 14-O-721 § 2; Ord. 11-O-683 §§ 3, 4; Ord. 08-O-621 § 2; Ord. 08-O-608 § 2; Ord. 01-O-446.KK § 2; Ord. 00-O-446.HH, § 2; Ord. 95-O-446.AA § 2; Ord. 89-O-446 § 1.]

17.88.050 Signs expressly prohibited.

The following signs and devices are expressly prohibited:

A. Signs located on undeveloped property, except as provided in BMC 17.88.040.

B. Vehicle signs, except for standard advertising identification markings which are permanently or magnetically attached to or printed on a business or commercial vehicle.

C. In no case shall any sign:

1. Be erected in a public easement or right-of-way;

2. Be erected so as to prevent free ingress to or egress from any door or window, or any other exit way required by the currently adopted edition of the Oregon State Structural Specialty Code and Fire and Life Safety Regulations;

3. Be attached to any public utility pole, or structure, light pole, lamp, lamp post, tree, fire hydrant, bridge, curb, sidewalk, or other surface located on public property;

4. Be attached to a standpipe, gutter drain, or fire escape, nor shall any sign be erected so as to impair access to the roof;

5. Be erected in any location where, by reason of its location, it will obstruct the view of any authorized traffic sign, signal, or other traffic control device. Nor may any sign, by reason of its shape, position or color, interfere with or be confused with any authorized traffic signal, sign or device. Further, no sign shall be erected in a location where it will obstruct vision of the public right-of-way to the vehicle operator during ingress to, egress from, or while traveling on, said public right-of-way. [Ord. 08-O-608 § 2; Ord. 01-O-446.KK § 2; Ord. 95-O-446.AA § 2; Ord. 89-O-446 § 1.]

17.88.060 Residential districts.

Signs shall be permitted as follows:

A. **Neighborhood Identification.** One free-standing sign shall be permitted at each entry point of the development. Each neighborhood identification sign shall not exceed 32 square feet in area and shall be mounted in a planter or landscaped area.

B. **Multiple-Family Residential and Conditional Uses.** A maximum of two identifying signs, each of which shall not exceed more than 32 square feet, either attached to the building or freestanding, shall be permitted for multiple-family dwellings and conditional uses. If freestanding, the sign(s) shall be mounted in a planter or landscaped area.

C. See BMC 17.88.100, General standards for signs in all zones. [Ord. 08-O-608 § 2; Ord. 95-O-446.AA § 2; Ord. 89-O-454 § 8; Ord. 89-O-446 § 1.]

17.88.070 Professional office (PO-1) district.

Signs shall be permitted as follows:

A. One identifying sign not exceeding 32 square feet for each street on which the building fronts, affixed to the building or freestanding. If

377.715 Application of ORS 377.700 to 377.840; prohibition against erection or maintenance of certain signs not in compliance with law. ORS 377.700 to 377.840, and the rules adopted pursuant thereto, apply to signs erected or maintained outside the right of way along state highways and visible to the traveling public from a state highway. A person may not erect or maintain a sign visible to the traveling public from a state highway, except where permitted outside the right of way of a state highway, unless the sign complies with the provisions of ORS 377.505 to 377.540 and 377.700 to 377.840, and the rules adopted pursuant thereto. A person may not erect or maintain a sign on the right of way of a state highway, other than a traffic control sign or device. [1971 c.770 §8; 1973 c.790 §2; 1974 c.33 §2; 1975 c.336 §2; 1983 c.111 §2; 1987 c.336 §3; 1999 c.877 §3; 2007 c.199 §7]

377.720 Prohibited signs; exceptions. A sign may not be erected or maintained if it:

(1) Interferes with, imitates or resembles any traffic control sign or device, or attempts or appears to attempt to direct the movement of traffic.

(2) Prevents the driver of a motor vehicle from having a clear and unobstructed view of traffic control signs or devices or approaching or merging traffic.

(3) Contains, includes or is illuminated by any flashing, intermittent, revolving, rotating or moving light or moves or has any animated or moving parts. This subsection does not apply to:

(a) A traffic control sign or device.

(b) Signs or portions thereof with lights that may be changed at intermittent intervals by electronic process or remote control that are not outdoor advertising signs.

(c) A tri-vision sign, except that a tri-vision sign may not be illuminated by any flashing, intermittent, revolving, rotating or moving lights.

(d) A digital billboard, only if the digital billboard:

(A) Is not illuminated by a flashing light or a light that varies in intensity;

(B) Has a display surface that does not create the appearance of movement;

(C) Does not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of:

(i) 150 feet, if the display surface is 12 feet by 25 feet;

(ii) 200 feet, if the display surface is 10.5 feet by 36 feet; or

(iii) 250 feet, if the display surface is 14 feet by 48 feet;

(D) Is equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light;

(E) Is designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction;

(F) If available where the digital billboard is located, uses renewable energy resources to power the digital billboard, including but not limited to the following:

(i) Wind energy;

(ii) Solar photovoltaic and solar thermal energy;

(iii) Wave, tidal and ocean thermal energy;

(iv) Geothermal energy; and

(v) The purchase of carbon credits; and

(G) If wind energy is used, as specified in subparagraph (F)(i) of this paragraph, uses moving parts for the purpose of generating the wind energy to power the billboard.

(4) Has any lighting, unless such lighting is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main traveled way of a state highway, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of a motor vehicle or otherwise to interfere with the operation thereof.

(5) Is located upon a tree, or painted or drawn upon a rock or other natural feature.

(6) Advertises activities that are illegal under any state or federal law applicable at the location of the sign or of the activities.

(7) Is not maintained in a neat, clean and attractive condition and in good repair.

(8) Is not able to withstand a wind pressure of 20 pounds per square foot of exposed surface.

(9) Is on a vehicle or trailer that is located on public or private property. This subsection does not apply to a vehicle or trailer used for transportation by the owner or person in control of the property. [1971 c.770 §15; 1973 c.790 §3; 1977 c.256 §2; 1981 c.392 §1; 1999 c.877 §4; 2007 c.199 §8; 2011 c.562 §2]

377.505 Definitions for ORS 377.505 to 377.540. As used in ORS 377.505 to 377.540:

(1) "State highway" has the meaning given that term in ORS 377.710.

(2) "Scenic area" means an area adjacent to or along a segment of a state highway that is within a federal or state park, is a site of historical significance or affords a view of unusual natural beauty, and has been established as a scenic area under the provisions of ORS 377.505 to 377.545 (1975 Replacement Part). [1961 c.614 §1; 1963 c.400 §15; 1965 c.219 §23; 1967 c.590 §13; 1977 c.578 §3; 1979 c.186 §15; 2007 c.199 §21]

377.510 Signs visible from state highways regulated; junkyards prohibited; exceptions.

(1) A sign that is visible from a state highway may not be erected or maintained in an area that has been established by final order as a scenic area except:

(a) Traffic control signs or devices.

(b) Signs other than outdoor advertising signs, as defined in ORS 377.710.

(c) Signs approved by the Director of Transportation, or the authorized representative of the director, erected and maintained by a public utility or telecommunications utility for the purpose of giving warning of the location of an underground cable or other installations.

(d) Signs identifying incorporated or unincorporated communities, erected in compliance with ORS 377.715 and 377.756 to 377.758, that are designed to complement the scenic quality of the area in which the signs are erected. Signs located in snow zones may be more than eight feet in height to compensate for snow if approved by the director.

(2) Unless adequately screened as provided in ORS 377.620 (3)(a) or unless located within a zoned industrial area, no junkyard shall be established which is visible from a state highway where the area immediately adjacent to the state highway has been established by final order as a scenic area. [1961 c.614 §7; 1965 c.219 §24; 1967 c.590 §14; 1987 c.447 §122; 1991 c.287 §1; 1993 c.741 §45; 2007 c.199 §22]

377.515 Removal of nonconforming signs deferred. Any sign lawfully maintained in a scenic area prior to the establishment of the area as a scenic area and not included within the exceptions of ORS 377.510, shall be removed by the owner thereof prior to seven years following the establishment of the area as a scenic area, unless the sign is required to be removed at an earlier date, pursuant to other state laws. [1961 c.614 §8; 1965 c.219 §25; 1967 c.590 §15]

377.520 [1961 c.614 §2; 1963 c.400 §16; 1965 c.219 §26; repealed by 1977 c.578 §5]

377.521 Status of previously designated scenic areas. All scenic areas designated prior to October 4, 1977, shall continue to retain their designation as scenic areas. [1977 c.578 §2]

Note: 377.521 was enacted into law by the Legislative Assembly but was not added to ORS 377.505 to 377.540 by legislative action. See Preface to Oregon Revised Statutes for further explanation.

377.525 [1961 c.614 §4; 1963 c.400 §17; 1969 c.314 §30; repealed by 1977 c.578 §5]

377.530 [1961 c.614 §5; 1963 c.400 §18; repealed by 1977 c.578 §5]

377.535 [1961 c.614 §6; 1963 c.400 §19; repealed by 1977 c.578 §5]

377.540 Director of Transportation to enforce orders and render administrative assistance. The Director of Transportation shall take appropriate action for the administration and enforcement of orders issued under the provisions of ORS 377.505 to 377.545 (1975 Replacement Part). [1961 c.614 §10; 1963 c.400 §20; 1977 c.578 §4; 1993 c.741 §46]

377.700 Short title. ORS 377.700 to 377.844 and 377.992 shall be known and may be cited as the Oregon Motorist Information Act of 1971. [1971 c.770 §1]

377.705 Policy. To promote the public safety; to preserve the recreational value of public travel on the state's highways; to preserve the natural beauty and aesthetic features of such highways and adjacent areas; to provide information about and direct travelers to public accommodations, services for the traveling public, campgrounds, parks, recreational areas and points of scenic, historic, cultural and educational interest, it is the policy of this state and the purpose of ORS 377.700 to 377.844 and 377.992:

(1) To establish official information centers and motorist informational signs, including sign plazas or travel plazas in appropriate locations.

(2) To provide for publication and distribution of official guidebooks and other publications.

(3) To prohibit the indiscriminate use of other outdoor advertising.

(4) To provide motorists, where feasible, with information and access to communications systems for emergency and travel-related purposes. [1971 c.770 §2; 1999 c.877 §1; 2012 c.63 §5]

377.707 Identifying location of signs on construction plans; repair or replacement of damaged signs. (1) The Department of Transportation shall ensure that all construction and engineering plans for state highways identify the locations of motorist informational signs, tourist oriented directional signs and logo signs. The department shall adopt written plans for protecting the signs from damage during construction.

(2) If any sign specified in subsection (1) of this section is damaged, destroyed or lost as a result of work on a highway done by the department, the department shall repair or replace the sign. [2001 c.402 §2]

Note: 377.707 was added to and made a part of 377.700 to 377.844 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.708 Effect on certain signs of transfer of jurisdiction over state highway. (1) As part of the negotiation process between the Department of Transportation and another road authority concerning transfer of jurisdiction over a state highway from the department to the other road authority, the department shall identify any tourist oriented directional signs and logo signs on the state highway that will be affected by the transfer. If there are such signs, the department shall notify the Travel Information Council of the proposed transfer of jurisdiction.

(2) When signs described in subsection (1) of this section are identified, the road authority that will receive jurisdiction over the state highway shall, as part of the negotiation process, agree in writing to protect the signs from destruction or removal. The transfer of jurisdiction may

not take place until the receiving road authority has entered into the written agreement described in this subsection.

(3) After the transfer of jurisdiction, the Travel Information Council shall retain authority over signs on the highway as though the highway were still a state highway.

(4) After a transfer of jurisdiction over a state highway from the department to another road authority, the council shall notify the receiving road authority of any request for a new sign and shall request approval of the sign's location from that road authority. [2003 c.388 §2]

Note: 377.708 was added to and made a part of 377.700 to 377.844 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.710 Definitions for ORS 377.700 to 377.844; rules. As used in ORS 377.700 to 377.844 unless the context otherwise requires:

(1) "Back-to-back sign" means a sign with multiple display surfaces mounted on a single structure with display surfaces visible to traffic from opposite directions of travel.

(2) "Commercial or industrial zone" means an area, adjacent to a state highway, that is zoned for commercial or industrial use by or under state statute or local ordinance.

(3) "Council" means the Travel Information Council created by ORS 377.835.

(4) "Cutout" means every type of display in the form of letters, figures, characters or other representations in cutout or irregular form attached to and superimposed upon a sign.

(5) "Department" means the Department of Transportation.

(6) "Digital billboard" means an outdoor advertising sign that is static and changes messages by any electronic process or remote control, provided that the change from one message to another message is no more frequent than once every eight seconds and the actual change process is accomplished in two seconds or less.

(7) "Director" means the Director of Transportation.

(8) "Display surface" means the area of a sign available for the purpose of displaying a message.

(9) "Double-faced sign" means a sign with multiple display surfaces with two or more separate and different messages visible to traffic from one direction of travel.

(10) "Erect" means to construct, build, assemble, place, affix, attach, create, paint, draw or in any way bring into being or establish.

(11) "Federal-aid primary system" or "primary highway" means the federal-aid primary system in existence on June 1, 1991, and any highway that is on the National Highway System.

(12) "Freeway" means a divided arterial highway with four or more lanes available for through traffic with full control of access and grade separation at intersections.

(13) "Governmental unit" means the federal government, the state, or a city, county or other political subdivision or an agency thereof.

(14) "Interstate highway" or "interstate system" means every state highway that is a part of the National System of Interstate and Defense Highways established pursuant to section 103(c), title 23, United States Code.

(15) "Logo" means a symbol or design used by a business as a means of identification of its products or services.

(16) "Logo sign" means a sign located on highway right of way on which logos for gas, food, lodging and camping are mounted.

(17) "Maintain" includes painting, changing messages on display surfaces, adding or removing a cutout or display surface of the same dimensions, replacing lights or the catwalk, making routine repairs necessary to keep the sign in a neat, clean, attractive and safe condition, and allowing the sign to exist.

(18) "Main traveled way" means the through traffic lanes, exclusive of frontage roads, auxiliary lanes and ramps.

(19) "Motorist informational sign" means a sign erected in a safety rest area, scenic overlook or sign plaza and maintained under the authority of ORS 377.700 to 377.844 to inform the traveling public about public accommodations, services for the traveling public and points of scenic, historic, cultural, scientific, outdoor recreational and educational interest.

(20) "Nonconforming sign" means a sign that complied with ORS 377.700 to 377.844 when erected, but no longer complies with ORS 377.700 to 377.844 because of a later change in the law or in the conditions outside of the owner's control. An unlawfully located or maintained sign is not a nonconforming sign.

(21) "Outdoor advertising sign" means:

(a) A sign that is not at the location of a business or an activity open to the public, as defined by the department by rule; or

(b) A sign for which compensation or anything of value as defined by the department by rule is given or received for the display of the sign or for the right to place the sign on another's property.

(22) "Protected area" means an area located within 660 feet of the edge of the right of way of any portion of an interstate highway constructed upon any part of right of way, the entire width of which was acquired by the State of Oregon subsequent to July 1, 1956, and which portion or segment does not traverse:

(a) A commercial or industrial zone within the boundaries of a city, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the interstate highway is subject to municipal regulation or control; or

(b) Other areas where land use, as of September 21, 1959, is established as industrial or commercial pursuant to state law.

(23) "Reconstruct" means replacing a sign totally or partially destroyed, changing its overall height or performing any work, except maintenance work, that alters or changes a sign that lawfully exists under ORS 377.700 to 377.844.

(24) "Relocate" includes, but is not limited to removing a sign from one site and erecting a new sign upon another site as a substitute therefor.

(25) "Relocation credit" means a credit for future relocation of a permitted outdoor advertising sign issued in lieu of a relocation permit under ORS 377.767.

(26) "Relocation permit" means a permit to relocate a sign under ORS 377.767, whether issued in a lieu of a current sign permit or a relocation credit.

(27) "Rest area" means an area established and maintained within or adjacent to a state highway right of way by or under public supervision or control for the convenience of the traveling public, and includes safety rest areas, scenic overlooks or similar roadside areas.

(28) "Scenic byway" means a state highway or portion of a state highway designated as part of the scenic byway system by the Oregon Transportation Commission or Federal Highway Administration of the United States Department of Transportation.

(29) "Secondary highway" means any state highway other than an interstate highway or primary highway.

(30)(a) "Sign" means any sign, display, message, emblem, device, figure, painting, drawing, placard, poster, billboard or other thing that is designed, used or intended for advertising purposes or to inform or attract the attention of the public.

(b) "Sign" includes the sign structure, display surface and all other component parts of a sign.

(c) When dimensions of a sign are specified, "sign" includes panels and frames and both sides of a sign of specified dimensions or area.

(31) "Sign area" means the overall dimensions of all panels capable of displaying messages on a sign structure.

(32) "Sign plaza" means a structure erected and maintained by or for the department or the Travel Information Council, adjacent to or in close proximity to a state highway, for the display of motorist information.

(33) "Sign rules for protected areas" means rules adopted by the department applicable to signs displayed within protected areas.

(34) "Sign structure" or "structure" means the supports, uprights, braces, poles, pylons, foundation elements, framework and display surfaces of a sign.

(35) "State highway," "highway" or "state highway system" means the entire width between the boundary lines of the right of way of every state highway, as defined by ORS 366.005, and the interstate system and the federal-aid primary system.

(36) "Tourist oriented directional sign" means a sign erected on state highway right of way to provide business identification and directional information for services and activities of interest to tourists.

(37) "Traffic control sign or device" means an official route marker, guide sign, warning sign, or sign directing or regulating traffic, which has been erected by or under the order of the department.

(38) "Travel plaza" means any staffed facility erected under the authority of the Travel Information Council to serve motorists by providing brochures, displays, signs and other visitor information and located in close proximity to a highway.

(39) "Tri-vision sign" means a sign that contains display surfaces composed of a series of three-sided rotating slats arranged side by side, either horizontally or vertically, that are rotated by an electromechanical process and capable of displaying a total of three separate and distinct messages, one message at a time, provided that the rotation from one message to another message is no more frequent than every eight seconds and the actual rotation process is accomplished in four seconds or less.

(40) "V-type sign" means two signs erected independently of each other with multiple display surfaces having single or multiple messages visible to traffic from opposite directions, with an interior angle between the two signs of not more than 120 degrees and the signs separated by not more than 10 feet at the nearest point.

(41) "Visible" means capable of being seen without visual aid by a person of normal visual acuity, whether or not legible from the main traveled way of any state highway. [1971 c.770 §3; 1973 c.790 §1; 1974 c.33 §1; 1975 c.336 §1; 1977 c.265 §1; 1983 c.111 §1; 1987 c.336 §2; 1993 c.741 §54; 1999 c.877 §2; 2007 c.199 §5; 2009 c.463 §5; 2011 c.562 §1]

377.712 Issuance of permits for certain preexisting signs. (1) Notwithstanding the provisions of ORS 377.700 to 377.780, the owner of any outdoor advertising sign in existence on May 30, 2007, located in a commercial or industrial zone in existence on May 30, 2007, that meets all requirements for obtaining an outdoor advertising sign permit as set out in ORS

377.700 to 377.780 and for which the owner had not secured an outdoor advertising permit as required by ORS 377.725 prior to May 30, 2007, either because of ignorance of the requirements of ORS 377.725 or because the area, road or street adjacent to which the sign was situated was not, at that time, designated as a state highway, shall be entitled to the issuance of an outdoor advertising sign permit by the Department of Transportation upon application by the owner of the sign and the payment of the fee established by the department under ORS 377.729.

(2) Notwithstanding the provisions of ORS 377.700 to 377.780, the owner of any outdoor advertising sign visible from a road or street that is designated as a state highway after May 30, 2007, is entitled to the issuance of an outdoor advertising sign permit for the sign upon application by the owner of the sign, payment of the fee established by the department under ORS 377.729 and receipt of the affidavit required under ORS 377.723, if the sign was lawfully located within a commercial or industrial zone at the time of designation as a state highway. [1977 c.265 §7; 1993 c.376 §1; 2001 c.104 §127; 2001 c.750 §4; 2007 c.199 §6]

Note: 377.712 was enacted into law by the Legislative Assembly but was not added to or made a part of any series in ORS chapter 377 by legislative action. See Preface to Oregon Revised Statutes for further explanation.

(Signs, Generally)

377.715 Application of ORS 377.700 to 377.844; prohibition against erection or maintenance of certain signs not in compliance with law. ORS 377.700 to 377.844, and the rules adopted pursuant thereto, apply to signs erected or maintained outside the right of way along state highways and visible to the traveling public from a state highway. A person may not erect or maintain a sign visible to the traveling public from a state highway, except where permitted outside the right of way of a state highway, unless the sign complies with the provisions of ORS 377.505 to 377.540 and 377.700 to 377.844, and the rules adopted pursuant thereto. A person may not erect or maintain a sign on the right of way of a state highway, other than a traffic control sign or device. [1971 c.770 §8; 1973 c.790 §2; 1974 c.33 §2; 1975 c.336 §2; 1983 c.111 §2; 1987 c.336 §3; 1999 c.877 §3; 2007 c.199 §7]

377.720 Prohibited signs; exceptions. A sign may not be erected or maintained if it:

(1) Interferes with, imitates or resembles any traffic control sign or device, or attempts or appears to attempt to direct the movement of traffic.

(2) Prevents the driver of a motor vehicle from having a clear and unobstructed view of traffic control signs or devices or approaching or merging traffic.

(3) Contains, includes or is illuminated by any flashing, intermittent, revolving, rotating or moving light or moves or has any animated or moving parts. This subsection does not apply to:

(a) A traffic control sign or device.

(b) Signs or portions thereof with lights that may be changed at intermittent intervals by electronic process or remote control that are not outdoor advertising signs.

(c) A tri-vision sign, except that a tri-vision sign may not be illuminated by any flashing, intermittent, revolving, rotating or moving lights.

(d) A digital billboard, only if the digital billboard:

(A) Is not illuminated by a flashing light or a light that varies in intensity;

(B) Has a display surface that does not create the appearance of movement;

(C) Does not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of:

- (i) 150 feet, if the display surface is 12 feet by 25 feet;
- (ii) 200 feet, if the display surface is 10.5 feet by 36 feet; or
- (iii) 250 feet, if the display surface is 14 feet by 48 feet;

(D) Is equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light;

(E) Is designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction;

(F) If available where the digital billboard is located, uses renewable energy resources to power the digital billboard, including but not limited to the following:

- (i) Wind energy;
- (ii) Solar photovoltaic and solar thermal energy;
- (iii) Wave, tidal and ocean thermal energy;
- (iv) Geothermal energy; and
- (v) The purchase of carbon credits; and

(G) If wind energy is used, as specified in subparagraph (F)(i) of this paragraph, uses moving parts for the purpose of generating the wind energy to power the billboard.

(4) Has any lighting, unless such lighting is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main traveled way of a state highway, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of a motor vehicle or otherwise to interfere with the operation thereof.

(5) Is located upon a tree, or painted or drawn upon a rock or other natural feature.

(6) Advertises activities that are illegal under any state or federal law applicable at the location of the sign or of the activities.

(7) Is not maintained in a neat, clean and attractive condition and in good repair.

(8) Is not able to withstand a wind pressure of 20 pounds per square foot of exposed surface.

(9) Is on a vehicle or trailer that is located on public or private property. This subsection does not apply to a vehicle or trailer used for transportation by the owner or person in control of the property. [1971 c.770 §15; 1973 c.790 §3; 1977 c.256 §2; 1981 c.392 §1; 1999 c.877 §4; 2007 c.199 §8; 2011 c.562 §2]

377.723 Affidavit of city or county necessary for issuance of sign permit; requirements of affidavit. Notwithstanding any other provision of ORS 377.700 to 377.844, the Department of Transportation shall not issue a permit under ORS 377.725 or 377.767 unless the applicant for the permit submits affidavits that meet the following requirements:

(1) The applicant must submit an affidavit from each city or county that would have jurisdiction over the proposed sign.

(2) Each affidavit must contain a certification by the respective city or county that the proposed sign would comply with all applicable ordinances, plans, rules and other requirements of the city or county.

(3) Each affidavit must be on a form prepared by the department. [1981 c.329 §2; 1987 c.336 §4; 1993 c.741 §55]

377.725 Permit; application; fee; cancellation; rules. (1) A person may not erect, control, relocate or reconstruct an outdoor advertising sign unless the Department of Transportation has issued a permit for the erection, control, relocation or reconstruction of the sign.

(2) A person who applies for a permit to the Director of Transportation shall complete forms furnished by the director. The permit application shall include a precise description of the outdoor advertising sign and such other information as the director considers necessary or desirable to determine compliance with ORS 377.700 to 377.844. The director shall issue a permit for an outdoor advertising sign that complies with ORS 377.700 to 377.844. A valid permit may be transferred to another person upon written notice to the director.

(3) A permit may not be issued for an outdoor advertising sign located adjacent to an interstate highway or freeway unless the director determines that access to the sign from the interstate highway or freeway can be obtained without violating the access control line of the interstate highway or freeway.

(4) A permit shall be renewed annually on the first day of January. Application for renewal of a permit shall be filed prior to expiration of the term of the permit. If application for renewal of a permit is filed within 30 days after the expiration of the term, the permit shall be granted if any additional fee specified by the department in rules adopted under ORS 377.729 is paid at the time the application is filed. Any permit not renewed in accordance with this section shall be canceled.

(5) Permit fees for purposes of this section are as established by the department by rule under ORS 377.729.

(6) A permit shall be issued for one year. The applicable fee shall accompany the permit application. A fee may not be prorated for a fraction of a year or be refunded if the outdoor advertising sign is removed.

(7) The display surface of an outdoor advertising sign may be changed or cutouts may be attached or removed within the sign area without obtaining a permit. However, a permit shall be obtained if the outdoor advertising sign is reconstructed.

(8) A reconstruction permit may be issued for the addition of another display surface on the opposite side of an existing, conforming sign under permit, that is no larger than the existing display surface.

(9) The director shall require removal of a sign or shall cancel a permit and require removal of an outdoor advertising sign as provided by ORS 377.775 if the director finds a sign has been erected, maintained or serviced from the highway right of way at any portion of the right of way where the department has acquired rights of access to the highway or rights of access have not accrued to the abutting property. If there is no permit for the outdoor advertising sign, then the director shall require removal of the outdoor advertising sign. In addition, the department may recover from the owner of the sign or outdoor advertising sign or from the person erecting, maintaining or servicing the sign or outdoor advertising sign, the amount of damage to landscaping, sod, fencing, ditches or other highway appurtenances resulting from such acts. If a permit is canceled under this subsection, an outdoor advertising sign may not be relocated under ORS 377.767.

(10)(a) The director may cancel a permit, unless a corrected application is filed or the outdoor advertising sign is brought into compliance within 30 days after written notice thereof is mailed to the permittee, if the director finds:

(A) The applicant has knowingly supplied materially false or misleading information in the application for a permit or renewal thereof; or

(B) The sign covered by the permit violates ORS 377.700 to 377.844.

(b) If a permit is canceled under this subsection, an outdoor advertising sign may not be relocated under ORS 377.767, and the holder of the permit is not entitled to a relocation credit.

(11) The director shall cancel a permit immediately upon failure of a permittee to erect or maintain the outdoor advertising sign as described by the permit application and to attach a permit plate to the sign 180 days after the date of issuance of the permit.

(12) The director shall assign a permit plate with an identification number to the permit issued for an outdoor advertising sign. The permittee shall attach the permit plate to the outdoor advertising sign so the plate is visible from the adjacent state highway. The absence of a permit plate or failure to renew the permit annually is prima facie evidence that the outdoor advertising sign does not comply with ORS 377.700 to 377.844.

(13) Except as otherwise provided in ORS 377.712, 377.753 and 377.765, no permits shall be issued for the erection of any new outdoor advertising sign after May 30, 2007.

(14) The director may establish more than one class or type of outdoor advertising sign permit as necessary or desirable to carry out ORS 377.700 to 377.844.

(15) Any hearing under this section shall be conducted as a contested case hearing under ORS chapter 183. [1971 c.770 §23; 1973 c.790 §4; 1974 c.33 §3; 1975 c.336 §4; 1977 c.265 §2; 1985 c.553 §1; 1993 c.376 §2; 1993 c.741 §56; 1999 c.877 §5; 2001 c.750 §5; 2003 c.126 §1; 2007 c.199 §9; 2009 c.463 §6]

377.726 [1977 c.265 §8; 1979 c.146 §3; 1981 c.308 §2; 1999 c.877 §6; 2001 c.750 §6; repealed by 2007 c.199 §28]

377.727 [1974 c.33 §8; 1999 c.663 §1; 2007 c.71 §100; repealed by 2007 c.199 §28]

377.729 Fees for sign permits and business licenses; rules. The Department of Transportation may adopt rules establishing permit fees for purposes of ORS 377.725 and fees for an outdoor advertising business license issued under ORS 377.730. Fees established by the department shall be designed to recover the cost to the department of regulating signs that are outside the right of way of a highway but are visible from the highway. [1985 c.553 §4; 1987 c.336 §1; 2001 c.750 §2]

377.730 License for business of maintaining or erecting signs; fee; application; revocation; suspension. (1) A person shall not engage in the business of erecting or maintaining outdoor advertising signs for other persons without first obtaining an annual license therefor from the Director of Transportation and paying the annual license fee established by the Department of Transportation by rule as provided in ORS 377.729.

(2) An application for a license or renewal thereof shall be made on a form furnished by the director, shall contain such pertinent information as the director may require and shall be accompanied by the applicable annual fee. A license granted under this section expires on June 30 of each year. The fee shall not be prorated. The director shall by certified mail send to each licensee a notice of expiration of license and a renewal application form not less than 30 days before the date of expiration.

(3) If the director finds that an applicant has knowingly provided materially false or misleading information in the application or that a licensee has violated any of the provisions of ORS 377.700 to 377.844, the director may revoke, suspend for a period of up to one year or

refuse to renew the license unless a corrected application is filed or the violation ceases, within 30 days after written notice to do so is mailed to the applicant or licensee. During the suspension of a license, the licensee may continue in business, but shall not erect or reconstruct any sign requiring a permit under ORS 377.700 to 377.844. [1971 c.770 §22; 1973 c.790 §5; 1993 c.741 §57; 2001 c.750 §3]

377.735 Exemptions from sign permit requirements; historic signs; rules. (1) The permit requirements of ORS 377.700 to 377.844 do not apply to:

(a) Signs of a governmental unit, including but not limited to traffic control signs or devices, legal notices or warnings.

(b) A temporary sign on private property if:

(A) The sign does not exceed 12 square feet;

(B) The sign is not on a permanent base;

(C) The sign does not remain in place for a period of more than 60 days in a calendar year, except that a sign erected by a resident on the resident's residential property may remain in place for longer than 60 days in a calendar year;

(D) No person receives compensation or anything of value as defined by the Department of Transportation by rule for displaying the sign; and

(E) The sign complies with ORS 377.720.

(2) The Department of Transportation may adopt rules that, for good cause shown, allow a person displaying a temporary sign to obtain a variance from the restrictions in subsection (1)(b) of this section. The department shall not consider the content of the sign in deciding whether to allow a variance.

(3) The department shall adopt rules for the approval and preservation of historic signs. Rules adopted under this subsection may not be based on or allow consideration of the content of the signs.

(4) The department shall adopt rules for the erection and maintenance of permanent signs that do not exceed six square feet and that provide messages for the safety or convenience of the public.

(5) ORS 377.700 to 377.844 do not apply to a sign erected or maintained within a city more than 660 feet from the nearest edge of the right of way of a state highway, unless the sign is designed to be viewed primarily from the state highway. [1971 c.770 §14; 1973 c.790 §6; 1975 c.336 §5; 1977 c.265 §3; 1987 c.336 §5; 1993 c.741 §58; 1999 c.877 §7; 2007 c.199 §10]

377.737 Giving or receiving compensation or value for signs; rules. (1) To determine whether a person is giving or receiving, or has given or received, compensation or anything of value as defined by the Department of Transportation by rule for displaying a sign, the department may issue an investigative demand upon any person it reasonably believes may have relevant documents or information.

(2) If any person after being served an investigative demand under subsection (1) of this section fails or refuses to obey the demand, the Department of Transportation may request that the Department of Justice apply to an appropriate circuit court and, after a hearing, request an order requiring compliance with the demand. [2007 c.199 §2]

Note: 377.737 was added to and made a part of 377.700 to 377.844 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.740 ORS 377.700 to 377.844 not intended to authorize signs prohibited by other governmental units. Nothing in ORS 377.700 to 377.844 and 377.992 is intended to permit a person to erect or maintain any sign that is prohibited by any governmental unit. [1971 c.770 §25]

377.745 Limitation on form and size of signs. (1) Except as provided in subsection (3) of this section, an outdoor advertising sign may not exceed:

- (a) A length of 48 feet;
- (b) A height, excluding foundation and supports, of 14 feet; or
- (c) A sign area of 825 square feet.

(2) In determining the dimensions of an outdoor advertising sign or sign area under this section:

(a) Cutouts that project beyond the borders of an outdoor advertising sign shall be included in measuring the area of a sign, but not the height or length of a sign. The sign area of cutouts shall be no more than 20 percent of the area of the sign to which attached.

(b) The limitations apply separately to each side of a back-to-back sign.

(c) The size limitations apply separately to each sign forming a V-type sign.

(d) The size limitations apply separately to each of the display surfaces on a tri-vision sign.

(3) A nonconforming outdoor advertising sign in existence on May 30, 2007, may continue to exceed the size limitations established in this section until the sign is reconstructed or relocated, at which time the sign must comply with subsection (1) of this section. [1971 c.770 §20; 1973 c.790 §7; 1999 c.877 §8; 2007 c.199 §11]

377.750 Spacing between signs. (1) For the purpose of applying the spacing provided by subsection (2) of this section:

(a) Distances shall be measured lineally along the highway and parallel to the center line of the highway.

(b) A back-to-back sign, digital billboard, double-faced sign, V-type sign or tri-vision sign shall be considered one sign.

(c) Distance from an interchange shall be measured from a point departing from or entering onto the main traveled way.

(2) Except as provided in subsection (3) of this section, minimum spacing between outdoor advertising signs shall be:

Type of highway where erected	Minimum space between signs on same side of highway (in feet)	Minimum space from interchange (in feet)
Interstate Highway		

Inside cities	500	None
Outside cities	2,000	500
Freeway		
Inside cities	500	None
Outside cities	1,000	500
Other state highway		
Inside cities	100	None
Outside cities	500	None

(3) A nonconforming outdoor advertising sign in existence on May 30, 2007, may continue to deviate from the spacing limitations established in this section until the sign is reconstructed or relocated, at which time the sign shall comply with the spacing limitations established in this section. [1971 c.770 §21; 1973 c.790 §8; 1997 c.249 §120; 1999 c.877 §9; 2007 c.199 §12; 2011 c.562 §3]

377.753 Permits for outdoor advertising signs; rules. (1) Notwithstanding the provisions of ORS 377.715, 377.725 and 377.770, the Department of Transportation may issue permits for outdoor advertising signs placed on benches or shelters erected or maintained for use by customers of a mass transit district, a transportation district or other public transportation agency.

(2) The department shall determine by rule the fees and criteria for the number, size, and location of such signs but the department may not issue a permit for a sign that is visible from an interstate highway. [2007 c.199 §3]

Note: 377.753 was added to and made a part of 377.700 to 377.844 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.755 [1971 c.770 §13; 1973 c.790 §9; 1974 s.s. c.33 §4; 1977 c.256 §1; repealed by 1987 c.336 §7]

377.756 Permits for signs erected by city or unincorporated community. (1) The Department of Transportation shall issue permits for the erection of signs authorized by ORS 377.756 to 377.758. Subject to subsections (2) and (3) of this section, permits shall be issued at no cost to any city or county that applies or to any nonprofit or civic applicant approved by a city or county. Each permit entitles the holder of the permit to erect one sign in accordance with this section.

(2) Each city may be given permits under this section entitling the city to erect not more than two signs that are visible from state highways and that are within the city limits or, pursuant to a memorandum of understanding with appropriate federal authorities, are no more than one mile outside of the city limits. The permits may be given directly to the city or may be given to a nonprofit or civic organization designated by the city governing body.

(3) Each county may be given permits under this section entitling each unincorporated community identified in the county comprehensive plan, as defined in ORS 197.015, to erect not more than two signs that are visible from state highways and that are within one mile of the community growth boundary as designated by the county. The permits may be given directly to

the county or, if the county governing body so authorizes, to an unincorporated community or a nonprofit or civic organization designated by the county governing body.

(4) The department may not issue more than 200 permits under this section. [1987 c.631 §2]

377.757 Requirements for signs authorized by ORS 377.756; payment of cost of sign. (1)

A sign authorized by ORS 377.756 shall not exceed 48 square feet in size and may not have a vertical or horizontal dimension of more than eight feet. Nothing in this subsection affects size requirements for signs of a governmental unit that are authorized under ORS 377.735.

(2) Signs erected pursuant to ORS 377.756 to 377.758 shall be kept in good repair and shall be clean and attractive.

(3) A county may require an unincorporated community authorized to erect a sign under ORS 377.756 to 377.758 to pay for the cost of erecting and maintaining the sign.

(4) If a city or county obtains a permit under ORS 377.756 for a nonprofit or civic organization, the city or county may require the organization to pay the cost of erecting and maintaining the sign.

(5) Signs erected pursuant to ORS 377.756 to 377.758 shall conform to the provisions of ORS 377.720. [1987 c.631 §§3,4]

377.758 Notification by federal authorities of illegal sign; consequences. If appropriate federal authorities notify the Department of Transportation that the erection of a sign pursuant to any of the provisions of ORS 377.756 to 377.758 is contrary to any federal law, the department shall cease issuing permits and shall cause any signs erected pursuant to ORS 377.756 to 377.758 to be removed. [1987 c.631 §5; 2001 c.104 §128]

377.759 Issuance of relocation credits for removal of outdoor advertising signs from scenic byway; rules. (1) The Department of Transportation shall administer an incentive program to encourage voluntary removal of outdoor advertising signs from particularly scenic areas of scenic byways.

(2) An owner of an outdoor advertising sign that is visible from a scenic byway may apply to the department for participation in the incentive program. The sign and permit must meet the requirements of ORS 377.700 to 377.844 to qualify for relocation. A sign that is a nonconforming sign for a defect that cannot be remedied upon reconstruction at the same location does not qualify for the incentive program.

(3) If the department determines that the sign is in a particularly scenic area of a scenic byway, the department shall notify the owner that the sign qualifies for the incentive program. If the owner chooses to remove the sign, the owner shall notify the department of the date by which the owner will remove the sign. The removal date must be not later than 90 days after the department's notification.

(4) The department shall issue two relocation credits to the owner in exchange for the removal of a qualified sign. If the owner also submits an application for relocation of the sign and permit under ORS 377.767, the department may issue the relocation permit and one relocation credit. Any relocation credit or relocation permit issued under the incentive program is subject to all the requirements of ORS 377.700 to 377.844.

(5) The department shall adopt rules to establish standards to determine whether a sign is in a location that is particularly scenic such that it qualifies for the incentive program. [2009 c.463 §2]

Note: 377.759, 377.762 and 377.763 were added to and made a part of 377.700 to 377.844 by legislative action but were not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.760 [1971 c.770 §26; 1973 c.790 §10; repealed by 1987 c.336 §7]

377.762 Issuance of relocation credits for removal of sign. The Department of Transportation shall issue a relocation credit upon the owner's request if a sign is removed, the owner has lost the lease for that sign site and the sign and permit meet the requirements of ORS 377.700 to 377.844. [2009 c.463 §3]

Note: See note under 377.759.

377.763 Consolidation of relocation credits. The owner of a relocation credit may combine relocation credits for outdoor advertising signs that have 249 square feet or less of display surface on one side to form a single relocation credit. After the relocation credits are combined, the Department of Transportation shall cancel the smaller relocation credits used to create the combined relocation credit. The first time an owner uses a combined relocation credit, the combined relocation credit is not restricted by the provisions of ORS 377.767 (4). [2009 c.463 §4]

Note: See note under 377.759.

377.765 Status of previously existing signs; removal upon payment of compensation. (1) Outdoor advertising signs in existence on May 30, 2007, and lawfully located within commercial or industrial zones in existence on May 30, 2007, and outdoor advertising signs visible from a road or street that is designated as a state highway after May 30, 2007, and lawfully located within a commercial or industrial zone at the time the road or street is designated as a state highway, may remain. Subject to the provisions of ORS 377.700 to 377.844, such signs may be maintained, reconstructed and relocated. However, such signs may not be relocated unless a relocation permit has been issued pursuant to ORS 377.767. A permit may not be issued to relocate an outdoor advertising sign that was not lawfully in existence on May 30, 2007, except that outdoor advertising signs that are visible from a road or street that is designated as a state highway after May 30, 2007, and that are lawfully located within a commercial or industrial zone at the time the road or street is designated as a state highway, may be relocated within the same section of highway.

(2) All outdoor advertising signs that are lawfully located outside of a commercial or industrial zone and visible from an interstate highway or a primary highway shall be removed upon payment of just compensation as provided by ORS 377.780.

(3) Upon payment of just compensation, the Department of Transportation may remove any lawful outdoor advertising sign located in a scenic area designated pursuant to ORS 377.505 to 377.540.

(4) Outdoor advertising signs in existence on May 30, 2007, that are lawfully located outside of a commercial or industrial zone in existence on July 1, 1971, and visible from a secondary highway and not within a scenic area existing on July 1, 1971, or thereafter designated a scenic

area may be removed only upon payment of just compensation as provided in ORS 377.780. Upon payment of just compensation, the department may remove the outdoor advertising sign. It may not be reconstructed or replaced if destroyed by natural causes and may not be relocated.

(5) If a secondary highway existing on July 2, 1971, is subsequently designated as an interstate or primary highway, upon payment of just compensation, the department may remove outdoor advertising signs not conforming to the provisions of ORS 377.700 to 377.844.

(6) If any other highway is designated as an interstate or primary highway, upon payment of just compensation, the department may remove a nonconforming outdoor advertising sign lawful before such designation but nonconforming thereafter.

(7) Upon the construction or designation of a secondary highway, after July 2, 1971, an outdoor advertising sign lawfully in existence and not regulated under ORS 377.700 to 377.844 prior to such construction or designation is subject to subsection (4) of this section. [1971 c.770 §18; 1973 c.28 §1; 1973 c.790 §11; 1975 c.336 §7; 1993 c.376 §3; 2007 c.199 §13; 2009 c.463 §7]

377.766 [2007 c.199 §4; repealed by 2009 c.463 §13]

377.767 Relocation of existing outdoor advertising sign; conditions. A permit or a relocation credit shall be issued for the relocation of a permitted outdoor advertising sign lawfully located within a commercial or industrial zone in existence on May 30, 2007, if the site lease for the sign is terminated for any reason. The existing outdoor advertising sign may be relocated within any commercial or industrial zone if the new sign and the new site comply with ORS 377.700 to 377.844, and upon the following conditions:

(1) The outdoor advertising sign that is relocated may not have a sign size larger than that specified in the permit for the sign located on the site on which the lease was terminated. However, an outdoor advertising sign with 250 square feet or more of display surface on one side may be increased to the maximum size allowed by ORS 377.700 to 377.844 if the relocated sign is not visible from Interstate Highway 5, Interstate Highway 205, or Interstate Highway 84. A single-faced sign may be relocated as a back-to-back sign.

(2) The site for the relocated sign is not within the distances set forth below, on the same side of the highway, from a site from which an outdoor advertising sign was purchased pursuant to the provisions of ORS 377.700 to 377.844.

<u>Types of Highway</u>	<u>Distance in Either Direction from Site</u>
Interstate	2,000 feet
Freeway	1,000 feet
Other State Highway	500 feet

(3) If an outdoor advertising sign is relocated within a commercial or industrial zone that first came into existence after January 1, 1973, the site shall be within 750 feet of a developed commercial or industrial area, as measured parallel to the centerline of the highway. For purposes of this subsection, "developed commercial or industrial area" includes only the land

occupied by a building, parking lot, storage area or processing area of a commercial or industrial use and on the same side of the highway.

(4) A permit may not be issued to relocate an outdoor advertising sign more than 100 miles from the existing site of the sign as of May 30, 2007, as measured along public streets, roads or highways between that site and the proposed new site. For relocation credits that exist as of May 30, 2007, a permit may not be issued to relocate an outdoor advertising sign more than 100 miles from the existing site of the sign as of September 1, 1977, as measured along public streets, roads or highways between that site and the proposed new site.

(5) Outdoor advertising signs may not be relocated to a scenic byway. If a portion of a highway is no longer designated as a scenic byway, as provided by state and federal law, an outdoor advertising sign may be relocated to that portion subject to ORS 377.700 to 377.844 and 377.992 and any other limitations provided by law. [1975 c.336 §9; 1977 c.265 §4; 1983 c.226 §1; 1993 c.268 §1; 1997 c.249 §121; 1999 c.877 §10; 2007 c.199 §14; 2009 c.463 §8; 2011 c.562 §4]

377.768 Effect of relocation permit on existing sign permit; duty of director.

Notwithstanding ORS 377.700 to 377.844:

(1) Issuance of a permit under ORS 377.767 to relocate an outdoor advertising sign for which a permit has been issued under ORS 377.725 does not cancel the original permit issued under ORS 377.725 except as provided in this section. The applicant for the permit to relocate shall surrender the original permit to the Director of Transportation upon issuance of the permit to relocate. Upon completion of the relocation of the outdoor advertising sign, including the removal of the sign structure from the original site, the person holding the permit for relocation of the sign shall immediately notify the director in writing.

(2) The director shall retain any permit surrendered under subsection (1) of this section. If the director:

(a) Is notified that the relocation of the outdoor advertising sign is completed within 180 days after the issuance of the permit for relocation, the director shall cancel the original permit.

(b) Cancels the permit for relocation because the relocation of the outdoor advertising sign is not completed within 180 days as required under ORS 377.725, the director shall reinstate the original permit for the sign to the person whose permit for relocation of the sign is canceled.

(3) A permit that is reinstated under subsection (2) of this section remains valid and retains all rights under ORS 377.725 of a permit that has not been surrendered under this section. [1979 c.146 §2; 1993 c.741 §59; 2007 c.199 §15; 2009 c.463 §9]

377.770 Signs in protected, commercial or industrial areas. (1) Signs and outdoor advertising signs erected or maintained within protected areas shall comply with the sign rules for protected areas. If any provision of ORS 377.700 to 377.844 or rules adopted pursuant thereto are more restrictive than the sign rules for protected areas, the more restrictive provision or rule applies.

(2) In addition to the requirements provided by subsection (1) of this section, and subject to ORS 377.505 to 377.540, 377.720, 377.725, 377.745, 377.750 and 377.767:

(a) Outdoor advertising signs lawfully in existence on May 30, 2007, may be maintained, reconstructed or relocated within commercial or industrial zones. Within cities, an outdoor advertising sign may not be erected more than 660 feet from the nearest edge of the right of way if the sign is designed to be viewed primarily from a state highway.

(b) The Legislative Assembly declares it is the paramount policy of this state to prohibit outdoor advertising signs visible to the traveling public from a state highway except those lawfully in existence on May 30, 2007, in commercial or industrial zones established on May 30, 2007, except as provided by ORS 377.753, 377.765 and 377.767. [1971 c.770 §19; 1973 c.790 §12; 1974 c.33 §5; 1975 c.336 §10; 2007 c.199 §16]

377.773 When sign abandoned; removal. Any sign that does not have a message on the display surface for a period of six months is deemed to have been abandoned by the owner and is a noncomplying sign subject to removal by the Director of Transportation under the procedure set forth in ORS 377.775. [1974 c.33 §7; 1975 c.336 §11; 1993 c.741 §60; 2007 c.199 §17]

377.775 Removal procedure for noncomplying signs; ownership issues at hearing; disposition of removed signs; costs of removal. (1) Any sign that fails to comply with ORS 377.700 to 377.844 is a public and private nuisance. In addition to the penalties provided by ORS 377.992, such a sign may be removed by the Director of Transportation or the duly authorized representative of the director as provided by this section. The director may enter upon private property and remove the sign without incurring any liability therefor.

(2) If a noncomplying sign does not bear the name and address of its owner or if the owner is not readily identified and located, the director may remove it immediately.

(3)(a) If a noncomplying sign bears the name and address of its owner or if the owner of the sign is readily identified and located, the director shall notify the owner that the sign is in violation of ORS 377.700 to 377.844 and that the owner has 30 days from the date of the notice within which to make the sign comply, to remove the sign or to request a hearing before the director within the time specified in the notice.

(b) If the sign is not made to comply or is not removed and if the owner does not request a hearing within the time required, or if the owner after a hearing fails to comply with the final order in the proceedings, the director or the duly authorized representatives of the director may remove and destroy or otherwise dispose of the sign.

(4)(a) If the person who receives notice under subsection (3) of this section intends to raise issues regarding ownership interests in the sign or its appurtenances in a hearing requested under subsection (3) of this section, the request for hearing must include notice that the person intends to raise those issues and must contain the names and addresses of all persons who have ownership interests in the sign or its appurtenances.

(b) If the person requesting the hearing under subsection (3) of this section fails to include notice of intent to raise issues regarding ownership interests, the person may not raise the issues in the hearing. In addition, the person who requested the hearing may not raise issues regarding ownership interests of any person whose name and address the person who requested the hearing has failed to provide as required by paragraph (a) of this subsection.

(c) For purposes of this subsection, an ownership interest includes, but is not limited to:

(A) An interest in the land on which the sign is located, in the sign structure and in the display surface; and

(B) A right to operate the sign, whether the right is created by lease, operating agreement or otherwise.

(5)(a) The director shall, after removing a sign in accordance with subsection (2) of this section, place the sign in storage for 30 days while the director makes a further effort to find its owner.

(b) If the owner cannot be found within 30 days, the director may, without incurring any liability therefor, destroy or otherwise dispose of the sign.

(c) If the owner is found within 30 days, the owner may be required to remove the sign from storage.

(d) If the owner is found at any time, the director may recover from the owner the cost of storage. The cost of storage is in addition to the cost of removal payable under subsection (6) of this section.

(6) The owner is liable for, and the director shall collect, the costs of removing a sign. Costs shall be determined by the director on the basis of actual costs of removal or on a square-foot flat fee basis.

(7) A hearing under this section shall be conducted as a contested case hearing under ORS chapter 183. [1971 c.770 §17; 1973 c.790 §13; 1977 c.265 §5; 1993 c.741 §61; 2001 c.508 §2; 2007 c.199 §18]

377.777 Action to enjoin person from violation of ORS 377.700 to 377.844. If the Department of Transportation has issued three or more final orders in a 12-month period finding that a person has violated one or more provisions of ORS 377.700 to 377.844, the Director of Transportation may file an action for injunctive relief to enjoin the person, or any other entity substantially controlled or directed by the person, from further violating ORS 377.700 to 377.844. The action may be filed in the Circuit Court for Marion County or in the circuit court of the county that is the principal place of business or residence of the person the director seeks to enjoin. [2001 c.508 §5]

Note: 377.777 was added to and made a part of 377.700 to 377.844 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

377.780 Removal of outdoor advertising signs; payment of compensation; value determinations. (1) Where the Department of Transportation elects to remove and pay for a sign visible from secondary highways pursuant to ORS 377.765 (4), upon removal, the department shall pay just compensation.

(2) For the purposes of ORS 377.700 to 377.844, the department may acquire by purchase, agreement, donation or exercise of the power of eminent domain land or an interest in land or a sign. The department shall pay just compensation for:

(a) The taking from the owner of such lawfully located sign all right, title, leasehold and interest in such sign; and

(b) The taking from the owner of the real property on which the sign is located the right to place such sign thereon.

(3) When the department is required under ORS 377.700 to 377.844 to make payment therefor to remove a sign, the payment shall be for the value of the items specified by subsection (2) of this section, as determined by the department. In determining value, the department shall use the accepted appraisal method customarily used in such cases or the method prescribed by federal regulations, if any, applicable to such appraisals or payments, whichever results in the lowest valuation. However, in any case, the department shall so appraise such signs or rights taken by whatever method may be required to avoid imposition of a reduction in the amount of

federal highway funds the state otherwise would be eligible to receive. [1971 c.770 §16; 1973 c.790 §14; 1975 c.336 §12; 2007 c.199 §19; 2009 c.463 §10]

377.785 [1971 c.770 §5; 1973 c.790 §15; 1983 c.324 §36; 1985 c.104 §4; renumbered 285.163 in 1991]

377.787 Contracts to study traveler information needs; council to establish sign programs; rules. (1) The Travel Information Council may enter into contractual or other agreements with other governmental agencies of this state or an independent contractor to study various ways of providing information deemed necessary to the traveling public by signs, information centers or other means. The council may also enter into contractual or other agreements with other governmental agencies of this state or an independent contractor for the construction of experimental signs or displays to provide information deemed necessary to the traveling public.

(2) Notwithstanding any other provisions of ORS 377.700 to 377.844, the Travel Information Council shall institute logo sign and motorist informational sign programs on the state highway system and adopt any rules necessary to carry out such programs. [1979 c.478 §§5,7; 2007 c.199 §20]

377.790 Construction, maintenance and operation of tourist and motorist informational signs. Pursuant to the terms of a written agreement between the Department of Transportation and the Travel Information Council:

(1) The department shall furnish, erect and maintain motorist informational signs, logo signs, tourist oriented directional signs and sign plazas as requested by the council. Such signs shall be erected and maintained at locations the council considers appropriate. The department may contract for the furnishing, erection and replacement of all such sign plazas, logo signs, tourist oriented directional signs and motorist informational signs to be erected upon a state highway, in tourist information centers, rest areas or other places.

(2) In carrying out its responsibilities under ORS 377.700 to 377.844 the council may enter into contractual or other agreements with a city, county or other governmental agency of this state or with an independent contractor providing for the erection, maintenance, administration and operation of sign plazas, logo signs, tourist oriented directional signs and motorist informational signs and collection of the permit fees charged therefor, or for other matter authorized under ORS 377.700 to 377.844 requiring council consideration. When soliciting contracts for goods or professional services, the council shall:

(a) Require that an independent contractor, city, county or other governmental agency of the state submit a competitive bid;

(b) Review bids submitted;

(c) Select the contractor; and

(d) Enter into a written contract with the selected contractor, subject to contract specifications established by the department. [1971 c.770 §6; 1973 c.790 §16; 1983 c.111 §3; 1993 c.745 §7; 2003 c.14 §164]

377.795 Allocation of costs of telephone informational system; webpage fee; disposition of receipts. (1) Whenever the Travel Information Council establishes a telephone reservation system for lodging accommodations or other travel services at a sign plaza, the costs thereof

shall be apportioned among the subscribing motels, hotels, trailer parks, campgrounds or providers of other travel services on a per room or other equitable basis.

(2)(a) Whenever the council establishes a tourist and motorist information Internet webpage, or cooperates with the Department of Transportation or another public or private entity to provide information about travel services through an Internet webpage, the council may charge a fee for advertisement by, or information provided on the Internet webpage on behalf of, the providers of travel services.

(b) The council may not place an advertisement for a provider of travel services on an Internet webpage identified as a department webpage. The department may place a link to the council's Internet webpage on an Internet webpage identified as a department webpage.

(3) If the council and the Department of Transportation decide to use the telephone system or the tourist and motorist information Internet webpage for emergency or other services, an appropriate portion of the overall telephone and Internet costs shall be borne by the department.

(4) Receipts shall be deposited monthly, before the 10th day of the month, to the Travel Information Council account required by ORS 377.840.

(5) The council may enter into one or more contracts providing for the promotion and sale of logos, motorist informational signs, sign plazas, subscriptions to the telephone reservation service and subscriptions to the tourist and motorist information Internet webpage. [1971 c.770 §7; 1973 c.790 §17; 1993 c.745 §8; 2001 c.296 §1; 2003 c.14 §165]

377.800 Tourist and motorist informational signs; logo signs; sign and travel plazas. (1) For the convenience and information of the traveling public, a person may upon obtaining a permit therefor display messages as may be allowed by rule adopted by the Travel Information Council for the particular type of sign on a motorist informational sign, tourist oriented directional sign or logo sign or at a sign plaza or travel plaza.

(2) The Travel Information Council may not erect a travel plaza on public lands without first obtaining consent from the agency that owns the land. [1971 c.770 §9; 1973 c.790 §18; 1975 c.336 §13; 1983 c.111 §4; 2007 c.199 §25]

377.805 Form of tourist and motorist informational signs; use of logo signs. (1) The Travel Information Council shall by regulation prescribe the size, shape, color, lighting, and lettering of and manner of displaying messages on tourist oriented directional signs, logo signs and motorist informational signs.

(2) When appropriate, logo signs, tourist oriented directional signs and motorist informational signs shall be displayed in tiers or on panels. With the approval of the Director of Transportation, the council shall specify the types of locations where such a sign or panel may be erected or maintained, and the size, shape, lighting and other characteristics of the panels, including the location of signs thereon. Tiers or panels may be established at reasonably spaced intervals or at sign plazas.

(3) Distinctive signs shall be allowed to the extent considered practicable by the council. Logo signs shall be the primary means used to indicate the availability of one or more brands of motor fuel. Logos shall be of the shape, color and wording customarily used by the company. Logo signs and tourist oriented directional signs shall be placed adjacent to the traveled portion of the highway so as to be easily read by motorists without slowing or stopping. [1971 c.770 §10; 1973 c.790 §19; 1983 c.111 §5; 1993 c.741 §62]

377.810 [1971 c.770 §12; repealed by 1973 c.790 §27]

377.820 Application for tourist or motorist informational sign permit; investigation; disposition. (1) An application for a tourist oriented directional sign, logo sign or a motorist informational sign permit shall be submitted to the Travel Information Council on a form prescribed by the council. The application shall set forth the name and address of the applicant; the name, nature and location of the business or activity; the location where a tourist oriented directional sign, logo sign or a motorist informational sign is desired; and such other information as the council may require. The applicant shall tender with the application the permit fee required under ORS 377.825 for each sign requested.

(2) Upon receipt of an application for a tourist oriented directional sign, logo sign or a motorist informational sign, the council shall refer the application to the Department of Transportation. Upon receipt of the application the department shall do all the following:

(a) Notify any city in which a sign is proposed to be located of the proposed location and composition of the sign and seek comments from the city.

(b) Investigate the facts and make a report to the council with its recommendations thereon.

(c) Not recommend approval of an application unless the requested location conforms to the requirements prescribed by the council under ORS 377.805 and, if applicable, unless the applicant is complying with all statutes and rules of the State Health Officer regarding restaurants and places of public accommodation.

(d) Notify the council promptly in writing of the results of its investigation and its recommendations and the reasons for any recommended disapproval.

(3) If the council approves the application it shall issue the permit and forward the original to the applicant and a copy thereof to the director. If it is not approved, the council shall return the application and fee, stating the reasons for disapproval and giving the applicant opportunity to correct any defects or to be heard within 30 days by the council and to present evidence, with or without counsel at the applicant's discretion. Upon written request, the council shall hear the matter and notify the applicant of its findings and decision. The applicant may then appeal in the manner provided by ORS chapter 183. [1971 c.770 §24; 1973 c.790 §20; 1983 c.111 §6; 1983 c.523 §1a; 1993 c.741 §63]

377.825 Fees for sign applications, maintenance costs and reinstallation. (1) An applicant for a logo sign, tourist oriented directional sign or a motorist informational sign shall pay to the Travel Information Council an initial permit fee and an annual renewal fee which shall be determined for each year by the council in advance of such year.

(2) The council may establish a fee schedule for maintenance costs.

(3) The council may establish a fee for reinstallation of a sign that has been removed. [1971 c.770 §27; 1973 c.790 §21; 1983 c.111 §7; 1991 c.525 §1; 1999 c.38 §1]

377.830 Limitation on motorist informational sign permits; use of logo signs. Notwithstanding any other provisions of ORS 377.700 to 377.844, the Travel Information Council shall not issue, for any one place or business eligible therefor, more than two permits for motorist informational or logo signs for one direction of travel on a state highway leading to the place or business. Where a logo is available it shall be used and shall be one of the two allowable signs. [1971 c.770 §11; 1973 c.790 §22; 1983 c.111 §8]
(Digital Billboards)

377.831 Application for digital billboard permit. (1) As used in this section:

(a) "Bulletin" means an outdoor advertising sign with a display surface that is 14 feet by 48 feet.

(b) "Poster" means an outdoor advertising sign with a display surface that is 12 feet by 25 feet.

(2) If an outdoor advertising sign being relocated is relocated as a digital billboard or if an outdoor advertising sign being reconstructed is reconstructed as a digital billboard, an applicant for a permit under ORS 377.725 must exchange the following in order to receive one permit for a digital billboard:

(a) An applicant with 10 percent or less of the total number of relocation credits in existence on the date the Department of Transportation receives the application for a digital billboard permit shall either remove one existing outdoor advertising sign and retire the permit for that sign or retire one relocation credit. The permit or relocation credit retired must be for signs with a display surface of at least 250 square feet.

(b) An applicant with more than 10 percent of the total number of relocation credits in existence on the date the department receives an application for a digital billboard permit shall:

(A) For a digital billboard that is a bulletin:

(i) Remove two existing bulletins, retire the permits for those bulletins and retire three relocation credits;

(ii) Remove one existing bulletin and two existing posters, retire the permits for the bulletin and posters and retire three relocation credits; or

(iii) Remove four existing posters, retire the permits for those posters and retire three relocation credits.

(B) For a digital billboard that is a poster:

(i) Remove two existing posters, retire the permits for those posters and retire three relocation credits; or

(ii) Remove one existing bulletin, retire the permit for the bulletin and retire three relocation credits.

(3) The relocation credits retired under subsection (2)(b) of this section must be for signs with a display surface of at least 250 square feet.

(4) Notwithstanding ORS 377.759 and 377.762, an owner that removes an outdoor advertising sign under this section is not entitled to a relocation credit.

(5) When calculating the number of relocation credits an owner possesses, the department shall consider the total number of relocation credits owned by any corporate entity held in common ownership with the owner in order to determine how many outdoor advertising signs the owner must remove and how many relocation credits the owner must retire to receive a permit to erect a digital billboard.

(6) The department shall cancel the relocation credits and permits submitted under this section upon issuance of a permit to erect a digital billboard.

(7) Two permits for a digital billboard are required to erect a back-to-back or V-type digital billboard.

(8) The first time an owner uses a permit to erect a digital billboard, the permit is not restricted by the provisions of ORS 377.767 (4).

(9) The department shall issue one digital billboard relocation credit for each digital billboard that is removed. A digital billboard relocation credit may be used only to erect a digital billboard and may not be used to erect any other type of outdoor advertising sign.

(10) Except as provided in subsection (8) of this section, an outdoor advertising sign that is being relocated as a digital billboard must meet all requirements of ORS 377.767. [2011 c.562 §6]

377.833 Public notifications. (1) The Department of Transportation shall work together with the Travel Information Council, the Office of Emergency Management, the Department of State Police, the Secretary of State and owners of digital billboards to develop a public notification plan for the purpose of using digital billboards to display notifications to the traveling public related to civic activities and public safety. Public notifications include but are not limited to information about the Government Waste Hotline established under ORS 177.170, elections, voter registration, Amber Alerts and natural disasters and other emergencies.

(2) The Department of Transportation, in coordination with the Office of Emergency Management, the Department of State Police, the Secretary of State and owners of digital billboards, shall prepare a written public notification plan. In preparing the plan, the Department of Transportation shall address:

(a) The criteria to be applied in determining when it is appropriate to request that an owner of a digital billboard display a public notification.

(b) The procedures used to determine the expiration of a notification and to recall the request once the information is no longer needed. [2011 c.562 §7]

(Travel Information Council)

377.835 Creation of Travel Information Council as semi-independent state agency; members; qualifications; appointment; terms; chairperson; quorum; rules. (1) The Travel Information Council is created as a semi-independent state agency.

(2) The Travel Information Council shall consist of 11 members. One shall be the chairperson of the Oregon Transportation Commission or a person designated by the chairperson. The Governor shall appoint the other 10 members from the public at large. The Governor shall appoint at least one member from each congressional district. The Governor shall select members for their knowledge of, experience with or interest in economic development, travel within Oregon, recreational opportunities in Oregon, Oregon history or Oregon natural history.

(3) Each appointed member shall serve for a term of four years, but an appointed member may be removed at the pleasure of the Governor. Before the expiration of the term of an appointed member, the Governor shall appoint a successor whose term begins on July 1 next following. An appointed member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become effective immediately for the unexpired term.

(4) The council shall select one of its members as chairperson, another as vice chairperson and a third as secretary. A majority of the members serving on the council shall constitute a quorum for the transaction of business. The council shall meet quarterly at a time and place to be determined by the chairperson. The chairperson or any three members of the council may call a

special meeting upon not less than one week's written notice to the other members. All members are entitled to expenses as provided by ORS 292.495.

(5) The council may, in accordance with ORS chapter 183 and consistent with ORS 377.700 to 377.844, adopt, amend and repeal rules relating to tourist oriented directional signs, logo signs and motorist informational signs and all other matters necessary and appropriate to carry out its responsibilities under ORS 377.700 to 377.844. The sign rules for protected areas in effect on July 2, 1971, shall be continued in effect unless modified by the commission. All rules adopted under this subsection shall be consistent with federal laws and regulations relating to highways. The Director of Transportation shall take appropriate action for the administration and enforcement of orders issued and rules adopted under ORS 377.700 to 377.844, except rules adopted by the council under ORS 377.842.

(6) The commission may continue or amend any existing agreements and may enter into new agreements with the United States or any agency thereof authorized to make agreements under section 131, title 23, United States Code relating to the regulation, control and removal of signs within or adjacent to the Interstate and Federal Aid Systems.

(7) The council shall be under the administrative control of a director who is appointed by and who holds office at the pleasure of the council. The director of the council may appoint all subordinate officers and employees of the council and may prescribe their duties and fix their compensation. The director of the council may delegate to any subordinate officer or employee any administrative duty, function or power imposed upon the council by or pursuant to law. [1971 c.770 §4; 1973 c.790 §23; 1981 c.545 §5; 1983 c.111 §9; 1993 c.741 §§64,64a; 1997 c.632 §6; 2012 c.63 §1; 2013 c.523 §5]

377.836 Application of certain statutes to Travel Information Council. (1) Except as otherwise provided by law, and except as provided in subsection (2) of this section, the provisions of ORS 279.835 to 279.855 and 283.085 to 283.092 and ORS chapters 240, 276, 279A, 279B, 279C, 282, 283, 291, 292 and 293 do not apply to the Travel Information Council. The council is subject to all other statutes governing a state agency that do not conflict with ORS 377.700 to 377.844, including the tort liability provisions of ORS 30.260 to 30.300 and the provisions of ORS chapter 183. Subject to the requirements of ORS chapters 238 and 238A, the council's employees are members of the Public Employees Retirement System.

(2) The following shall apply to the council:

(a) ORS 279A.250 to 279A.290;

(b) ORS 282.210 to 282.230; and

(c) ORS 293.235, 293.240, 293.245, 293.611, 293.625 and 293.630. [1993 c.745 §4; 1997 c.249 §122; 2003 c.733 §77; 2003 c.794 §268; 2012 c.107 §63]

377.837 [1973 c.790 §26; repealed by 1983 c.111 §10]

377.838 Authority of director of Travel Information Council. (1) Except as provided in subsection (2) of this section, in carrying out the duties, functions and powers of the Travel Information Council, the director of the Travel Information Council may contract with any state agency for the performance of such duties, functions and powers as the council considers appropriate.

(2) The director of the Travel Information Council may not, without the prior approval of the council:

- (a) Award any contract for goods or professional services in excess of \$25,000; or
- (b) Authorize any expenditure of moneys in excess of \$25,000.
- (3) The council shall file with the Governor, the Legislative Assembly and the Legislative Fiscal Officer an annual report of the activities and operations of the council. [1993 c.745 §5; 1993 c.741 §64b; 2011 c.630 §3]

377.839 Authority of Travel Information Council. The Travel Information Council created under ORS 377.835 may:

- (1) Erect, improve, repair, maintain, equip and furnish buildings, structures and lands as the council determines is necessary to carry out its responsibilities under ORS 377.700 to 377.844; and
- (2) Acquire, receive, hold, control, convey, sell, lease, lend, manage, operate, improve and develop any and all property, real or personal, as the council determines is necessary to carry out its responsibilities under ORS 377.700 to 377.844. [2012 c.63 §4]

377.840 Travel Information Council account; budget process; disposition of moneys received. (1) All moneys collected, borrowed or received by the Travel Information Council shall be deposited into a Travel Information Council account established in a depository insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. In a manner consistent with the requirements of ORS 295.001 to 295.108, the council shall insure that sufficient collateral secures any amount of funds on deposit that exceeds the limits of the coverage of the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. The council may invest moneys collected, borrowed or received by the council. Investments made by the council are limited to the types of investments listed in ORS 294.035. Interest earned from any amounts invested shall be made available to the council in a manner consistent with the council's approved biennial budget.

(2) Subject to the approval of the Travel Information Council or the director of the Travel Information Council, all necessary council expenses shall be paid from the moneys collected, borrowed or earned by the council.

(3) Upon approval of a majority of the Travel Information Council, the director may borrow money. The council may not borrow an amount that exceeds the estimated revenues from amounts collected, received or earned by the council for the year.

(4) The Travel Information Council may not borrow money under subsection (3) of this section unless the indebtedness or other obligations of the council attributable to the borrowing are payable solely out of the council's own resources. Such indebtedness or other obligations of the council do not constitute a pledge of the full faith and credit of the State of Oregon or any of the revenues of this state.

(5)(a) The Travel Information Council shall adopt a budget on a biennial basis using the classifications of expenditures and revenues required by ORS 291.206 (1). However, the budget shall not be subject to review and approval by the Legislative Assembly or to future modification by the Emergency Board or Legislative Assembly.

(b) The Travel Information Council shall adopt a budget only after a public hearing thereon. At least 15 days prior to any public hearing on the budget, the council shall give notice of the hearing to all persons known to be interested in the proceedings of the council and to any person who requests notice.

(6) All expenditures from the Travel Information Council account are exempt from any state expenditure limitation. The Travel Information Council shall follow generally accepted accounting principles and keep such other financial and statistical information as may be necessary to completely and accurately disclose the financial condition and financial operations of the council as may be required by the Secretary of State.

(7) The Secretary of State shall conduct an annual financial review of the moneys collected, borrowed or received by the Travel Information Council and the expenditure of those moneys. The Secretary of State may:

(a) Contract for the financial review with an independent certified public accountant; or

(b) Accept a financial review conducted by an independent certified public accountant.


(8) As used in this section, "depository" has the meaning given in ORS 295.001. [1971 c.770 §29; 1973 c.790 §24; 1987 c.57 §1; 1987 c.336 §6; 1993 c.741 §64c; 1993 c.745 §6; 1995 c.245 §12; 2003 c.405 §7; 2007 c.871 §28; 2010 c.30 §16; 2013 c.523 §1]

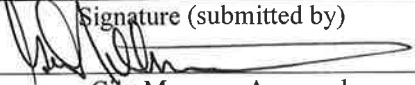
CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 23, 2015

Originating Dept: Parks



Signature (submitted by)


City Manager Approval

Subject: Parks Utility Vehicle

Motion: Approve expenditure of \$15,575.03 from the Capital Reserve Fund for the purchase of a utility vehicle for park and trail maintenance.

Background/Discussion: Anticipating the completion of the Harris Beach Multi-Use Path, the Parks Department budgeted \$10,000 to be allocated from the Capital Reserve Fund to purchase a utility vehicle for maintenance of the path. The vehicle was initially specified to be a small enclosed cab vehicle that would have the ability to drive on paved and gravel surfaces. Initial research indicated that a 2wd vehicle of this type could be purchased used with low miles for \$10,000 or less and that its purpose would only be for transport of a person as well as hauling limited power tools in a small bed.

Upon further discussion regarding the use of this vehicle, staff has identified other needs and potential in parks and trails. A new utility vehicle has been specified with 4wd and with the potential to add attachments in the future, which includes a fertilizer/sand spreader for ball fields, street sweeper for the Harris Beach Multiuse Path, and it will have 4wd to allow staff to access areas of Azalea Park for maintenance that are currently un-accessible by vehicle.

Financial Impact: Net increase of \$5,575.03. The original budget included \$10,000 for the Parks Utility Vehicle from the Capital Reserve Fund. The additional \$5,575.03 would also come from the Capital Reserve Fund, from unspent funds.

Attachments:

- a. Utility Vehicle Specifications

Original vehicle spec.

TruckALL® & VanGO® are registered trademarks of Vantage Vehicle International, Inc. All Rights reserved. ©2008 Copyrighted.

DRIVEN TO PERFORM. 



Vantage Vehicle International, Inc.

Head Office

1740 N. Delilah Street Corona, CA 92879
Tel : 1-951-735-1200 Fax : 1-951-735-3732

E-mail : info@vantagevehicle.com

Website : www.vantagevehicle.com

Local Sales & Service

DELUXE MODELS

Vantage Vehicle International, Inc.

Vantage Vehicle International, Inc. is the exclusive importer of these vehicles and parts for the U.S. and all U.S. territories.

Disclaimer : Prices and specification subject to change without notice. Vantage Vehicle International, Inc. is under no obligation to make changes to vehicles already sold should changes occur on newer models. Meets all US DOT, NHTSA, CARB and EPA regulations for import and sale in the United States. Meets OSHA requirements section 1910. 178 & ANSI B-56.6 requirements for personnel & burden carriers. Vantage TruckALL® & VanGO® series of vehicles are not intended for use on public roads, streets or highways. It is for off-road use only.

KUBOTA 4WD DIESEL UTILITY VEHICLE

For Earth, For Life
Kubota

RTVX-Series





OREGON.gov

RTV-X900WL-H WEB QUOTE #348696

Date: 2/3/2015 10:30:36 AM

– Customer Information –
Unknown, Unknown
City of Brookings
george@centralequip.net
Unknown

To order equipment – purchase orders must be
made out and returned to:

Kubota Tractor Corporation
3401 Del Amo Blvd.
Torrance, CA 90503
or email
NationalAccount_RFQ@Kubota.com
or call 310-303-7834 or fax 310-370-3846

– Standard Features –

– Custom Options –



V Series

RTV-X900WL-H

*** EQUIPMENT IN STANDARD MACHINE ***

DIESEL ENGINE

Model Kubota D902
3 Cyl. 54.8 cu in
+21.6 Gross Eng HP
60 Amp Alternator

TRANSMISSION

VHT-X
Variable Hydro Transmission
Forward Speeds:
Low 0 - 15 mph
High 0 - 25 mph
Reverse 0 - 17 mph
Limited-slip Front Differential
Rear differential lock

HYDRAULICS

Hydrostatic Power Steering
Hydraulic Oil Cooler

FLUID CAPACITY

Fuel Tank 7.9 gal
Cooling 6.4 qts
Engine Oil 3.3 qts
Transmission Oil 1.8 gal
Brake Fluid 0.4 qts

CARGO BOX

Width 57.7in
Length 40.5 in
Depth 11.2 in
Load Capacity 1102 lbs
Vol. Capacity 15.2 cu ft

+ Manufacturer Estimate

KEY FEATURES

Digital Multi-meter
Front Independent Adjustable
Suspension
Rear Independent Adjustable
Suspension
Brakes - Front/Rear Wet Disc
Rear Brake Lights / Front
Headlights
2" Hitch Receiver, Front and Rear
Deluxe 60/40 split bench seats
with driver's side seat adjustment
Underseat Storage Compartments
Lockable Glove Box
Front Guard (radiator guard and
bumper)

SAFETY EQUIPMENT

SAE J2194 & OSHA 1928 ROPS
Dash-mounted Parking Brake
Horn
Spark Arrestor Muffler
Retractable 2-point Seat Belts
Rear Protective Screen

DIMENSIONS

Width 63.2 in
Height 79.5 in
Length 120.3 in
Wheelbase 80.5 in
Tow Capacity 1300 lbs
Ground Clearance 10.4 in
Suspension Travel 8 in
Turning Radius 13.1 ft

Factory Spray-on Bedliner
"L" Models Only

**Bright Alloy Wheels (Silver-
painted)**
"S" Models Only

TIRES AND WHEELS

Heavy Duty Worksite 25 x 10 - 12, 6 ply

RTV-X900WL-H Base Price: \$15,070.00

(1) METAL CANOPY (ORANGE) VC5001-METAL CANOPY (ORANGE)	\$408.00
(1) LAMINATED GLASS WINDSHIELD VC5020-LAMINATED GLASS WINDSHIELD	\$1,210.00
(1) WIRE HARNESS KIT FOR MULTIPLE ACCESSORY SELECTION VC5080-WIRE HARNESS KIT FOR MULTIPLE ACCESSORY SELECTION	\$126.00
(1) WINDSHIELD WIPER KIT VC5030-WINDSHIELD WIPER KIT	\$208.00
(1) FRONT LED WORKLIGHTS (SET OF 2) VC5050-FRONT LED WORKLIGHTS (SET OF 2)	\$199.00
(1) REAR LED WORKLIGHTS (1 LIGHT) VC5051-REAR LED WORKLIGHTS (1 LIGHT)	\$141.00
(1) DOME LIGHT VC5053-DOME LIGHT	\$82.00
(1) LED STROBE LIGHT VC5056-LED STROBE LIGHT	\$160.00
(1) 4-WAY FLASHER LIGHTS VC5057-4-WAY FLASHER LIGHTS	\$562.00
(1) TURN SIG/HAZARD LGT KIT/X900,X1120D V5237-TURN SIG/HAZARD LGT KIT/X900,X1120D	\$277.00
(1) BACKUP ALARM V5236-BACKUP ALARM	\$137.00
Configured Price:	\$18,580.00
STATE OF OREGON Discount:	(\$3,964.97)
STATE OF OREGON Price:	\$14,615.03
Dealer Assembly:	\$475.00
Freight Cost:	\$235.00
PDI:	\$250.00

Final Sales Price: \$15,575.03

*All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

© 2014 Kubota Tractor Corporation. All rights reserved.

Front Attachments, Rear Sprayers And Spreaders

For Snow Removal, Property Maintenance, etc. Enhance the versatility of your Kubota with these outstanding attachments.

General Duty Front Straight Blade



72" STRAIGHT BLADE W/ ELECTRIC LIFT & MANUAL ANGLE

This 72" Straight Blade is ideal for cleaning driveways and parking lots.

V5008 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C

Requires: V5218 HD Front Springs or V5219 HD Front Dampeners (Struts)

OPTIONAL HYDRAULIC ANGLE KIT FOR V5008 BLADE

The Hydraulic Angle Kit allows you to remotely adjust the blade angle.

V5007 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C

Requires: V5271 / V5272 Aux Hyd Pump & V5273 / V5274 Hyd Valve

Commercial Use Heavy Duty Hydraulic Front Attachments



72" COMMERCIAL STRAIGHT BLADE

This blade is built with the features and options that contractors demand.

V5290 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C



72" COMMERCIAL V-BLADE

The 72" V-Blade is designed for daily use in heavy snow and slush.

V5291 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C

60" ROTARY BROOM

This reversible, variable-speed 60" Rotary Broom is perfect for campus and job site clean up.

V5260 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C



Front Attachments, Rear Sprayers and Spreaders (cont.)

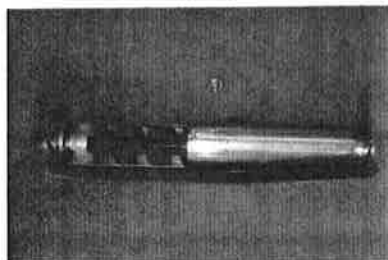
Spreaders



10 CU FT CARGO BOX SALT/SAND SPREADER

This precise, electronically-controlled Salt/Sand Spreader does the job quickly and efficiently (previous model V4405 shown).

V5005 | AVAILABLE FOR: RTV X900 / RTV X1100C



OPTIONAL FLOW CONTROL TUBE FOR V5005 SPREADER

This stainless, adjustable flow regulator expands V5005 capabilities to include fertilizer, seed, and other dry materials for true 4 seasons use.

V4407 | AVAILABLE FOR: RTV X900 / RTV X1100C

3 CU FT REAR MOUNT SALT/SAND SPREADER

Designed for precise, efficient spreading; allows tailgate to fold down while attached.

V5002 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C

3 CU FT REAR MOUNT 4 SEASONS SPREADER

Seed a field fast and easy with this Rear Mount 4 Seasons Spreader.

V5003 | AVAILABLE FOR: RTV X900 / RTV X1120D / RTV X1100C



CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 23, 2015

Originating Dept: PW/DS


Public Works/Development Services Director

City Manager Approval

Subject: Award of Engineering Services for the Alternative Water Study

Recommended Motion: Authorize the City Manager to execute a professional services contract with Civil West Engineering Services, Inc. to provide design and contraction management services in an amount not to exceed \$35,000.

Financial Impact: The alternative water study is an approved capital improvement project (CIP) for fiscal year 2014/15 funded by water system development funds and within the budgeted CIP amount.

Background/Discussion: Staff identified the need for an alternative water supply study in the fiscal year 2014/15 CIP budget to better understand available options and costs to develop a secondary water supply location. The existing water intake located roughly four miles upstream on the northerly bank of the Chetco River is the only water supply for the City of Brookings water customers. In the event of a road slide or other access issue to the water intake and treatment plant, staff's ability to operate the facilities would be impacted. The scope of this study is to understand the options and costs to provide the City's water customers redundant water supply. With this feasibility information, staff can further recommend future improvements to provide this redundancy. This information will also be valuable in the event the Brookings water intake experiences salt water intrusion similar to Harbor Water District last September.

Staff conducted an inquiry on the League of Oregon City's web site for recommendations to conduct this type of study and Civil West received the most recommendations. Civil West Engineering, based in Coos Bay, is a civil engineering consulting firm that was included as a local sub consultant in the Willdan Engineering pre-authorized engineering service contract. Willdan contracted Civil West to provide a construction inspector on short notice to assist with bid specification compliance for the Fifth Street paving project last year. Staff was impressed with the results of this paving project and recommends Civil West for this current CIP alternative water study.

The scope of work includes evaluating costs to reinstate the former water intake, utilize Ferry Creek Reservoir and an existing water right on Ransom Creek. Attachment a includes a contract and scope of work. Staff mistakenly processed this contract in error as it is above the purchasing authorization amount. The work has started but was timely since it has provided the State of Oregon's resiliency grant application valuable information for funding consideration.

Policy Considerations: None

Attachment(s): a) Contract and scope of work

City of Brookings
PROFESSIONAL SERVICES CONTRACT

CONTRACT NO. 14-032

This Contract is between the CITY OF BROOKINGS, a municipal corporation of the State of Oregon (City) and **Civil West Engineering Services, Inc.** (Contractor). The City's Project Manager for this Contract is **Loree Pryce**.

The parties mutually covenant and agree as follows:

1. Effective Date and Duration.

This contract is effective on **January 15, 2015** or on the date at which every party has signed this contract, whichever is later. The work under this contract shall be completed, unless otherwise terminated or extended, on or before **June 30, 2015**.

2. Statement of Work.

The work under this contract is for a **Redundant Water Supply Plan**. The statement of work, including the delivery schedule for the work, is contained in Exhibit A. Contractor shall, at its own risk and expense, perform the work described and furnish all labor, equipment, materials and permits required for the proper performance of the work. The risk of loss for such work shall not shift to the City until written acceptance of the work by the City.

3. Consideration.

- a. City agrees to pay Contractor for accomplishing all work required by this contract, including allowable expenses (*check and complete as applicable*):

_____ a lump sum not to exceed \$ _____.

 X time and materials not to exceed an estimated sum of **\$ 34730.00**

_____ time and materials with a maximum sum not to exceed \$ _____.

Time and material payments shall be made in accordance with the requirements of Exhibit A.

- b. Any interim payments to Contractor shall be made only in accordance with the schedule and requirements in Exhibit A.
- c. City certifies that sufficient funds have been appropriated to make payments required by this contract during the current fiscal year. Payment for work performed after June 30 of any given year is subject to funds being appropriated by the Brookings City Council. If funds are not appropriated, the City may terminate this contract by notice to the Contractor.

EXHIBIT A
STATEMENT OF WORK, COMPENSATION
and
PAYMENT SCHEDULE

Provide material and labor for a Redundant Water Supply Plan as per attached proposal from Civil West Engineering Services, Inc. dated December 11, 2014.

Payment shall be in the amount of \$ 34,730.00, to be paid upon certification by Project Manager that project is complete and within 14 business days of receipt of invoice.



486 'E' Street
Coos Bay, OR 97420
541-266-8601

609 SW Hubert Street
Newport, OR 97366
541-264-7040

ENGINEERING SCOPE OF SERVICES

Date: December 11, 2014

Work Order Number:

To: Ms. Loree Pryce, Public Works Director,

From: Garrett Pallo, PE, President, Civil West Engineering Services, Inc.

RE: **City of Brookings – Redundant Water Supply Plan**
Civil West Project Number: 1103-003

The purpose of this scope of services is to describe the proposed approach, costs, and schedule proposed by Civil West to complete an Redundant Water Supply Plan for the City of Brookings.

Background Summary

The City of Brookings, Oregon, owns and operates a public water system designed and built to provide potable water to the customers in the City as well as fire protection within the City. The City's system includes raw water intakes including a Ranney Collector, a water treatment plant, booster pump stations, storage tanks, a water distribution network, and a controls and telemetry system.

The City currently relies upon a single source of water in the Chetco River. While the River has been a reliable source of water, having only one source leaves the City in a position of vulnerability. This past summer, the Harbor Water District, who also relies upon the Chetco for their raw water supply, experienced saltwater intrusion during the low river flows and high tides of the summer. As the District also has only a single source of water, they faced significant difficulties until the saltwater issue had subsided. While the City's intake is farther upstream, the same issues could arise for Brookings.

The purpose of this study will be to evaluate a number of water supply alternatives for the City of Brookings. The study will consider a range of issues including implementation plans, water rights issues, development costs, water availability, and more. The resultant of this study will be a recommendation to pursue water supply options to provide redundant water supplies for the City.

Goal for the Project

Complete a plan including clear recommendations, concepts, plans, costs, and other information needed to make decisions on the implementation of redundant water supplies for the City of Brookings.

Exhibit A

City of Brookings
Redundant Water Supply Plan - Engineering Fee Worksheet
December 11, 2014

Engineering Fee Structure											
		Principal Engineer	Project Manager	Senior Project Engineer	Project Engineer	Engr Tech	Construction Inspection	Clerical	Subcontractor Support	Total Hours	Total Fee
		\$140.00	\$128.00	\$121.00	\$115.00	\$97.00	\$78.00	\$44.00	Lump Sum		
Tasks											
1	Project Management and Administration										
a	Admin, Coordination, Project Management	8	16							24	\$3,168.00
	Task Total	8	16	0	0	0	0	0	\$0.00	24	\$3,168.00
2	Kickoff Meeting and Data Collection										
a	Obtain data and information		4		4					8	\$972.00
b	Kickoff meeting and tour of existing facilities		8							8	\$1,024.00
	Task Total	0	12	0	4	0	0	0	\$0.00	16	\$1,996.00
3	Evaluation of Alternatives										
a	Develop concept and layout for each viable alternative		16		16					32	\$3,888.00
b	Develop cost estimates for each viable alternatives		24		8					32	\$3,992.00
c	Evaluate water rights and availability issues		8		4				\$2,000.00	12	\$3,484.00
d	Evaluate potential environmental and cultural issues		8							8	\$1,024.00
	Task Total	0	56	0	28	0	0	0	\$2,000.00	84	\$12,388.00
4	Preparation of Written Redundant Water Supply Plan										
a	Summarize evaluations into written report		40		16					56	\$6,960.00
b	50% plan review		16		8					24	\$2,968.00
c	95% plan review		16		4					20	\$2,508.00
d	Final Plan		8		8					16	\$1,944.00
	Task Total	0	80	0	36	0	0	0	\$0.00	116	\$14,380.00
5	Meetings and Presentations										
a	Allowance for meeting with staff and reporting during project		8							8	\$1,024.00
b	Allowance for presentation to City Council		8							8	\$1,024.00
	Task Total	0	16	0	0	0	0	0	\$0.00	16	\$2,048.00
8	Project Reimbursables										
a	Travel costs, mileage, meals, etc.									0	\$500.00
b	Clerical expense, copies, postage, etc.									0	\$250.00
	Task Total	0	0	0	0	0	0	0	\$0.00	0	\$750.00
Total		8	180	0	68	0	0	0	\$2,000.00	256	\$34,730.00

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

Monday, February 9, 2015

Call to Order

Mayor Hedenskog called the meeting to order at 7:01 PM.

Roll Call

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Kelly McClain, Brent Hodges and Bill Hamilton; a quorum present.

Staff present: City Manager Gary Milliman and City Recorder Joyce Heffington.

Others Present: No media and approximately 20 others.

Scheduled Public Appearances

The Central Building Centennial Committee, represented by Carolyn Milliman and Jennifer White, gave a report on the upcoming event.

Public Comments: *non-agenda items.*

Lauri Brand, Chetco Avenue business owner, commented on a recent complaint she'd received regarding signs displayed at her business location. She asked Council if disallowing signs might not be limiting the City's growth and hindering small business. Brand said her flags and a sandwich board sign had been in place for 14 months with no complaints. She said she was not opposed to limiting signs, but she thought Council might allow each business to have at least one and asked Council to reconsider its sign regulations.

Mayor Hedenskog said Council had reviewed its sign regulations at length and explained that signs along the highway were regulated by ODOT, to include signage off the highway in some cases.

Brand said ODOT had sent her the rules, and they all referred to signs being placed in the right of way. She said she did not believe that her building was in the right of way.

City Manager Milliman said the post holes being used by businesses had been provided by ODOT specifically for display of American flags as an "Avenue of Flags." He said that, while the City had chosen not to enforce sandwich board signs along the ODOT right of way, a flag containing text would fall under the sign regulation section of the Code. Milliman said he would be happy to provide Council the regulations so they could give direction about any changes they wished staff to pursue. He said there was concern that, in some instances, flags being placed in the holes along the highway were obstructing pedestrians and traffic. If Council wished to go consider making an arrangement with ODOT to allow flags, he said, some kind of regulation would still be needed. Milliman pointed out that ODOT occasionally picked up signs placed in their right of way. The City, he said, was trying to maintain a balance local desires to place advertising in the right of way and state right of way regulations, which in most instances along Chetco Avenue, included the sidewalk up to the building.

Brand said her building was probably 50 to 60 feet off the highway and her signs had been up against the building.

Councilor McClain said he was pro-business and would look into this to see what the City can do about it, as the regulations seemed "ridiculous."

Pete Roenfan, Brookings, commented that the speed limit, from Dairy Queen to O'Reilly's, should be reduced to 25 mph and the City should encourage advertising by business owners.

Connie Hunter, English Court, commented that design standards were needed and while she was not a shareholder in a business, she was a stakeholder in the community. She went on to list her accomplishments over the last six years in response to a comment made during a previous asking her where she'd been six years ago.

Jeannie Giumarra, Cape Ferrelo, commented that she and Connie Hunter had a vision for Brookings and were not afraid to act on it. She asked if Council wanted Brookings to be known for its thrift stores and said she was all for progress if it fits and brings people to the community. Giumarra said design standards and a vision for Brookings was needed.

Councilor McClain said it was not the City's job to tell people to whom they can sell their property. Brookings can have standards, he said, but zoning is another issue. If people want high end restaurants and hotels, or a bowling alley, McClain said, "You need to talk with your pocket book." Right now, he said, Brookings restaurants and hotels are struggling and people need to be realistic about what the can be done.

Councilor Pieper said the property on which Dollar General is located was zoned commercial. He asked Giumarra what she wanted, or believed, the City could do to keep a private property owner from selling their property to something like a Salvation Army. Giumarra said she wanted Council to do whatever it could do within the law. Pieper said he wasn't sure how the City could regulate the sell of a private property and Giumarra said the City could change the zoning.

Mayor Hedenskog said this discussion belonged at the committee level.

Hunter said the City or Chamber could enter into a "land trust" and then look for a specific type of business to locate on the property and added that she'd been told by TPAC members that they were interested in eco-tourism.

Councilor Hamilton said if he had a piece of property for sale and Wal-Mart wanted to buy it, he would probably sale it to them if they offered a good price. He said there was a lot of negative talk about corporations and wasn't sure that everyone realized that that McDonalds and Rays were also corporations. Hamilton said he would like to see a citizen designs standards committee.

Staff Reports

Authorization to install a live Blue Spruce tree at the pocket park at the intersection of Chetco Avenue and Hillside Drive.

City Manager Milliman provided the staff report.

Councilor Hodges moved, a second followed and Council voted unanimously to authorize the installation of a live Blue Spruce tree at the pocket park at

the intersection of Chetco Avenue and Hillside Drive, tree to be approximately 20 feet in height with a cost not to exceed \$700.

Consent Calendar

1. Approve Council minutes for January 26, 2015.
2. Accept Parks & Recreation minutes for October 16, 2014.
3. Accept Planning Commission minutes for December 2, 2014.
4. Accept January, 2015 Vouchers in the amount of \$351,212.05.

Councilor Pieper moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.

Remarks from Mayor and Councilors

Mayor Hedenskog said he was on the Sheriff's law enforcement levy committee which unanimously approved the split tax rate being proposed.

Councilor Hamilton remarked that the Boy Scouts were celebrating their 104 year anniversary this week. Hamilton said the Boy Scout program in this town is outstanding with great leadership and resources.

Adjournment

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:07 PM.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2015:

Ron Hedenskog, Mayor

Joyce Heffington, City Recorder

CITY OF BROOKINGS
Public Arts Committee – December 1, 2014

To inspire art through visual presence and community education.

Present: Chair Judy May-Lopez, Scott Clapson, Michelle Hanna, Destiny Schwartz
Also present: Loree Pryce, Kathleen Kressa, Erika, Scott & Becky Spetzler (Erika-Food Bank artist)

Meeting called to order at 5:38 p.m. Motion made by Scott and seconded by Chelle to approve the 11/17/14 minutes. Motion carried.

Old Business:

MURALS: Discussion on who owns the mural, artist or building owner? Loree will research and report at upcoming meeting.

Lovell Building – Chelle reported she will send out email to committee on upcoming mural parties. Chelle will get with Loree and get the mural sealer.

Food Bank – Scott introduced Erica Spetzler (BHHS Senior) who is interested in painting this mural. Erika showed an artist's sketch for the mural (cornucopia with garden coming out of it). She will be using this as part of her senior project. More high school students may help with this. Erica was given an application and will work with Chelle and Scott on getting completed.

Kid Zone and Fern & Chetco– Discussed possibilities (tree houses, sand castles). Kathleen Cressa presented an old fashioned logging train mural. Discussed 8'x4' mural panels (\$65) she uses from Montroy.


No action: Salon Dolce, Skate Park, Mill Beach -

PAC Social in December: Discussion. Will have a group singing, Supplies: 1) extra copies of mural applications on hand, 2) Loree - punch and cookies, pens and paper, 3) Judy -comment cards, 4) pens and paper, 5) Chelle Doodle expertise

New Business: None

Meeting adjourned at 6:39 p.m.

Respectfully submitted,



Judy May-Lopez, Committee Chair
(Approved at December 15, 2014 meeting)

ACTION ITEMS:

- ☐ Chelle, get mural sealer from Loree, work with Erika on paint costs, Lovell Bldg mural for social
- ☐ Destiny, Salon Dolce mural for social
- ☐ Scott, offered garage space if needed for upcoming projects, research Schwagg Rock, contact Tony re: pocket park possibilities
- ☐ Judy, contact Tony Parrish for possible scaffolding; research if we have food bank building specifications, comment cards for social, mural map for social
- ☐ – Erica – to complete mural application
- ☐ – will research sandcastle art – site visit possible
- ☐ Loree – report with information on mural ownership, supply punch and cookies for social, pens and paper for social

Upcoming:

How to promote taking bear photos and posting on city website?
Mural application steps, process/guidelines for submission

CITY OF BROOKINGS
Public Arts Committee – December 15, 2014

To inspire art through visual presence and community education.

Present: Chair Judy May-Lopez, Scott Clapson, Michelle Hanna, Destiny Schwartz
Also present: Tony Baron, Erika and Becky Spetzler (Food Bank artist)

Meeting called to order at 5:35 p.m. The new meeting time and place works well for everyone.
Motion made by Scott and seconded by Chelle to approve the 11/1/14 minutes. Motion carried.

Old Business:

MURALS

Lovell Building – Chelle will get with Loree to get the mural sealer.

Food Bank –Chelle will work with Erika to establish a budget (paint, boards, brushes) and an application for the food bank mural and will submit both to Loree in December. Erika showed a new sketch for the mural (cornucopia with garden coming out of it). Scott will contact Mary regarding possibility of dedicating the mural to Julie Davis.

No action: Salon Dolce, Skate Park, Mill Beach


PAC December Social: Discussion on locations, weather, etc.

Mural applications: Discussion on the application process, tying in with standards. Possibly have a FAQ on the website leading the public through the application process. The goals for PAC are to have 1-2 new murals/sculptures/art pieces each year. Tony reported that a database is available of old-time Brookings photos for mural help. Motion made by Scott and seconded by Chelle that all future murals that are discussed tie in with Brookings culture, history or landscape. Motion carried.

New Business: None.

Meeting adjourned at 6:25 p.m.

Respectfully submitted,



Judy May Lopez, Committee Chair
(Approved at January 5, 2015 meeting)

ACTION ITEMS:

- ☐ Chelle, get mural sealer from Loree, work with Erika on paint costs, Lovell Bldg mural for social
- ☐ Scott, research Schwagg Rock, contact Tony re: pocket park possibilities
- ☐ Judy, re-contact Tony Parrish for possible scaffolding
- ☐ Chell and Erica – to complete mural application

Upcoming:

Loree will research and report at upcoming meeting - who owns the mural, artist or building owner?
How to promote taking bear photos and posting on city website?

Mural application steps, process/guidelines for submission

Brainstorm ideas for future socials after the first of the year.

CITY OF BROOKINGS
Public Arts Committee – January 5, 2015

To inspire art through visual presence and community education.

Members Present: Chair Judy May-Lopez, Scott Clapson, Destiny Schwartz
Also present: Loree Pryce; Connie Hunter

Meeting called to order at 5:30 p.m. Motion by Scott and seconded by Destiny to approve the December minutes. Motion carried.

Motion by Scott and seconded by Destiny to meet once a month, on the first Monday of each month at 5:30 p.m. at Chetco Activity Center. Motion carried.

Old Business:


MURALS: Discussion on who owns the mural, artist or building owner? PAC members will research further; this will be on the February agenda. Loree reported Kathleen Kressa has offered two murals to the city (one redwood trees, one horses).

Discussion on downtown design standards; this will be on February agenda.

New Business: None.

Meeting adjourned at 6:25 p.m.

Respectfully submitted,



Judy May-Lopez, Committee Chair
(Approved at February 2, 2015 meeting.)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	2,503,742.00	172,631.87	2,335,602.05	168,139.95	93.3
LICENSES AND PERMITS	96,000.00	8,042.14	48,838.80	47,161.20	50.9
INTERGOVERNMENTAL	242,600.00	31,453.25	145,740.25	96,859.75	60.1
CHARGES FOR SERVICES	135,000.00	13,806.56	96,455.21	38,544.79	71.5
OTHER REVENUE	158,500.00	3,378.91	24,005.19	134,494.81	15.2
TRANSFERS IN	257,058.00	.00	.00	257,058.00	.0
	3,392,900.00	229,312.73	2,650,641.50	742,258.50	78.1
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	37,664.00	1,531.76	10,089.93	27,574.07	26.8
MATERIAL AND SERVICES	8,770.00	490.74	3,736.52	5,033.48	42.6
CAPITAL OUTLAY	500.00	.00	.00	500.00	.0
	46,934.00	2,022.50	13,826.45	33,107.55	29.5
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	157,114.00	14,150.79	95,988.09	61,125.91	61.1
MATERIAL AND SERVICES	87,000.00	1,943.76	75,592.74	11,407.26	86.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	244,114.00	16,094.55	171,580.83	72,533.17	70.3
POLICE:					
PERSONAL SERVICES	1,869,075.00	169,254.86	1,099,494.60	769,580.40	58.8
MATERIAL AND SERVICES	156,700.00	9,575.44	83,555.54	73,144.46	53.3
CAPITAL OUTLAY	55,150.00	65.06	14,827.32	40,322.68	26.9
TRANSFERS OUT	.00	.00	.00	.00	.0
	2,080,925.00	178,895.36	1,197,877.46	883,047.54	57.6
FIRE:					
PERSONAL SERVICES	156,751.00	15,243.62	92,628.37	64,122.63	59.1
MATERIAL AND SERVICES	102,500.00	5,833.84	44,733.74	57,766.26	43.6
CAPITAL OUTLAY	45,519.00	.00	30,579.01	14,939.99	67.2
TRANSFERS OUT	.00	.00	.00	.00	.0
	304,770.00	21,077.46	167,941.12	136,828.88	55.1
PLANNING AND BUILDING:					
PERSONAL SERVICES	184,477.00	16,019.77	104,975.32	79,501.68	56.9
MATERIAL AND SERVICES	46,400.00	2,015.29	29,973.09	16,426.91	64.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	230,877.00	18,035.06	134,948.41	95,928.59	58.5

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PARKS & RECREATION:					
PERSONAL SERVICES	139,799.00	11,259.76	77,235.03	62,563.97	55.3
MATERIAL AND SERVICES	47,900.00	6,339.76	34,588.19	13,311.81	72.2
CAPITAL OUTLAY	18,550.00	.00	10,901.22	7,648.78	58.8
TRANSFERS OUT	.00	.00	.00	.00	.0
	206,249.00	17,599.52	122,724.44	83,524.56	59.5
FINANCE AND HUMAN RESOURCES:					
PERSONAL SERVICES	163,459.00	13,115.14	87,766.98	75,692.02	53.7
MATERIAL AND SERVICES	30,800.00	712.91	13,249.67	17,550.33	43.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	194,259.00	13,828.05	101,016.65	93,242.35	52.0
SWIMMING POOL:					
PERSONAL SERVICES	57,107.00	.00	37,640.86	19,466.14	65.9
MATERIAL AND SERVICES	46,100.00	348.42	22,245.86	23,854.14	48.3
CAPITAL OUTLAY	10,000.00	.00	2,774.08	7,225.92	27.7
	113,207.00	348.42	62,660.80	50,546.20	55.4
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	141,000.00	8,794.95	58,864.67	82,135.33	41.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	242,000.00	.00	.00	242,000.00	.0
CONTINGENCIES AND RESERVES	618,565.00	.00	.00	618,565.00	.0
	1,001,565.00	8,794.95	58,864.67	942,700.33	5.9
	4,422,900.00	276,695.87	2,031,440.83	2,391,459.17	45.9
	(1,030,000.00)	(47,383.14)	619,200.67	(1,649,200.67)	60.1

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	846,000.00	29,260.15	301,169.39	544,830.61	35.6
OTHER REVENUE	13,800.00	293.50	20,753.00	(6,953.00)	150.4
TRANSFER IN	.00	.00	.00	.00	.0
	<u>859,800.00</u>	<u>29,553.65</u>	<u>321,922.39</u>	<u>537,877.61</u>	<u>37.4</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	173,796.00	15,294.79	104,572.94	69,223.06	60.2
MATERIAL AND SERVICES	181,800.00	29,140.69	104,723.97	77,076.03	57.6
CAPITAL OUTLAY	561,300.00	210.28	1,959.46	559,340.54	.4
TRANSFERS OUT	26,047.00	.00	.00	26,047.00	.0
CONTINGENCIES AND RESERVES	100,857.00	.00	.00	100,857.00	.0
	<u>1,043,800.00</u>	<u>44,645.76</u>	<u>211,256.37</u>	<u>832,543.63</u>	<u>20.2</u>
	<u>1,043,800.00</u>	<u>44,645.76</u>	<u>211,256.37</u>	<u>832,543.63</u>	<u>20.2</u>
	<u>(184,000.00)</u>	<u>(15,092.11)</u>	<u>110,666.02</u>	<u>(294,666.02)</u>	<u>60.1</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,459,500.00	107,802.73	905,781.99	553,718.01	62.1
OTHER INCOME	9,000.00	3,515.00	30,665.98	(21,665.98)	340.7
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,468,500.00</u>	<u>111,317.73</u>	<u>936,447.97</u>	<u>532,052.03</u>	<u>63.8</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	388,826.00	34,612.46	230,792.57	158,033.43	59.4
MATERIAL AND SERVICES	192,900.00	4,899.66	96,952.35	95,947.65	50.3
CAPITAL OUTLAY	79,900.00	232.61	22,162.41	57,737.59	27.7
	<u>661,626.00</u>	<u>39,744.73</u>	<u>349,907.33</u>	<u>311,718.67</u>	<u>52.9</u>
WATER TREATMENT:					
PERSONAL SERVICES	271,466.00	23,429.51	153,168.51	118,297.49	56.4
MATERIAL AND SERVICES	176,200.00	9,736.89	92,168.01	84,031.99	52.3
CAPITAL OUTLAY	24,900.00	232.61	4,012.76	20,887.24	16.1
TRANSFERS OUT	909,702.00	.00	.00	909,702.00	.0
CONTINGENCIES AND RESERVES	134,606.00	.00	.00	134,606.00	.0
	<u>1,516,874.00</u>	<u>33,399.01</u>	<u>249,349.28</u>	<u>1,267,524.72</u>	<u>16.4</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>2,178,500.00</u>	<u>73,143.74</u>	<u>599,256.61</u>	<u>1,579,243.39</u>	<u>27.5</u>
	<u>(710,000.00)</u>	<u>38,173.99</u>	<u>337,191.36</u>	<u>(1,047,191.36)</u>	<u>47.5</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	307,213.00	.00	290,021.50	17,191.50	94.4
CHARGES FOR SERVICES	2,952,000.00	245,916.94	1,722,278.25	1,229,721.75	58.3
OTHER REVENUE	1,000.00	.00	5,735.99	(4,735.99)	573.6
TRANSFER IN	.00	.00	.00	.00	.0
	<u>3,260,213.00</u>	<u>245,916.94</u>	<u>2,018,035.74</u>	<u>1,242,177.26</u>	<u>61.9</u>
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	486,747.00	42,751.70	274,092.30	212,654.70	56.3
MATERIAL AND SERVICES	239,600.00	7,554.27	103,457.78	136,142.22	43.2
CAPITAL OUTLAY	24,900.00	232.61	4,012.76	20,887.24	16.1
	<u>751,247.00</u>	<u>50,538.58</u>	<u>381,562.84</u>	<u>369,684.16</u>	<u>50.8</u>
WASTEWATER TREATMENT:					
PERSONAL SERVICES	466,212.00	40,063.34	261,928.95	204,283.05	56.2
MATERIAL AND SERVICES	510,600.00	75,538.62	320,399.67	190,200.33	62.8
CAPITAL OUTLAY	982,113.00	3,780.99	961,959.05	20,153.95	98.0
TRANSFERS OUT	1,172,453.00	.00	.00	1,172,453.00	.0
CONTINGENCIES AND RESERVES	227,588.00	.00	.00	227,588.00	.0
	<u>3,358,966.00</u>	<u>119,382.95</u>	<u>1,544,287.67</u>	<u>1,814,678.33</u>	<u>46.0</u>
	<u>4,110,213.00</u>	<u>169,921.53</u>	<u>1,925,850.51</u>	<u>2,184,362.49</u>	<u>46.9</u>
	<u>(850,000.00)</u>	<u>75,995.41</u>	<u>92,185.23</u>	<u>(942,185.23)</u>	<u>10.9</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2015

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	540,810.00	30,152.80	396,807.92	144,002.08	73.4
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	500.00	.00	.00	500.00	.0
	<u>541,310.00</u>	<u>30,152.80</u>	<u>396,807.92</u>	<u>144,502.08</u>	<u>73.3</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	70,000.00	.00	17,224.65	52,775.35	24.6
CAPITAL OUTLAY	378,771.00	.00	268.40	378,502.60	.1
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	432,539.00	.00	.00	432,539.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>881,310.00</u>	<u>.00</u>	<u>17,493.05</u>	<u>863,816.95</u>	<u>2.0</u>
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>881,310.00</u>	<u>.00</u>	<u>17,493.05</u>	<u>863,816.95</u>	<u>2.0</u>
	<u>(340,000.00)</u>	<u>30,152.80</u>	<u>379,314.87</u>	<u>(719,314.87)</u>	<u>111.6</u>