

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, May 13, 2013, 7:00pm

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

The City Council will meet in **Executive Session at 6:30pm** in the City Manager's office under ORS 192.660 (2)(f), "to consider information or records that are exempt by law" and ORS 192.660 (2)(e) "to conduct deliberations with persons designated by the governing body to negotiate real property transactions."

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. May Yard of the Month Award Announcements
 - Best Residential – 1326 Crissey Circle, Shayne & Tiffany Inabnit, owners
 - Best Commercial – ARC Enterprises, 531 Spruce, Tamara Dionne, owner
2. Appointment of City representative to the Curry Charter Committee. [pg. 3]

E. Oral Requests and Communications from the audience

1. Public Comments on non-agenda items – 5 minute limit per person.*

F. Staff Reports

1. Park Use Fee waiver request from the Friends of the Brookings Harbor Aquatic Center (FBHAC) for its July 4th BBQ field day and fundraiser. [City Manager, pg.4]
 - a. Letter from FBHAC [pg. 5]
 - b. Park Use Application [pg.6]
2. Salmon Run Golf Course Lease Agreement Payment Extension. [City Manager, pg. 7]
 - a. April 19, 2013 letter from Ed Murdock [pg. 9]
 - b. May 2, 2013 letter from Ed Murdock [pg. 10]
3. Curry Transfer and Recycling (CTR) Rate increase of 1.55%, effective July 1, 2013, for refuse collection and recycling services. [City Manager, pg. 11]
 - a. May 7, 2013 CTR letter and associated exhibits [pg. 12]
4. Collection of Hassett Street pre/post construction Deferred Improvement Agreement (DIA) balances. [PWDS, pg. 18]
 - a. Comparison of pre/post construction DIA costs. [pg. 19]
5. Television Advertising Services proposals. [City Manager, pg. 20]
 - a. Request for Proposals [pg. 21]
 - b. Channel 5 proposal [pg. 23]
 - c. Channel 12 proposal [pg. 41]

6. House Bill 3453 update. [City Manager, pg. 46]
 - a. March 25, 2013 CAR and original bill [pg. 48]
 - b. Amendments to HB 3453 [pg. 50]
 - c. Email from League of Oregon Cities (LOC), Chris Fick [pg. 57]
 - d. Excerpt from May 2, LOC newsletter [pg.58]
7. Draft letter to Secretary of State Kate Brown regarding the complaint filed by County Commission Chair David Brock Smith. [Mayor, pg.59]
 - a. Draft letter to Secretary of State [pg. 60]
 - b. Letter from Commission Chair Smith [pg. 61]
 - c. Letter from Secretary of State [pg. 64]
 - d. Letter to Secretary of State from City Attorney Martha Rice [pg.65]

G. Consent Calendar

1. Approve Council meeting minutes for April 22, 2013. [pg.69]
2. Accept April 2012 Vouchers in the amount of \$215,593.39. [pg.75]

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.

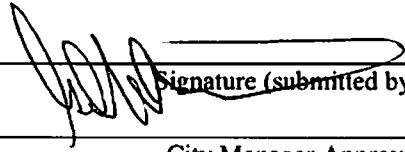
All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with ten days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: Mayor



Signature (submitted by)

City Manager Approval

Subject: Appointment to Curry Charter Committee

Recommended Motion:

Motion to confirm the Mayor's appointment of _____ to serve as the City's representative to the Curry Charter Committee.

Financial Impact: None

Background/Discussion:

A citizens committee, known as the Curry Charter Committee or "C-3" has been formed to develop a proposed home rule County Charter. This grass-roots committee has now met several times and the Committee Chair, Carl King, has requested that each City designate a representative to the Committee, preferably the Mayor or a Councilor.

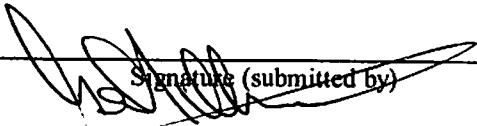
Mayor Hedenskog has been attending meetings of the Committee.

City Attorney Martha Rice has advised that City representation on such citizen committees is permissible, so long as a quorum of the City Council does not attend, and that City representation on the citizens committee would not make the Committee subject to public meeting regulations.

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Fee Waiver Request from Friends of the Brookings-Harbor Aquatic Center

Recommended Motion: If the City Council desires to grant the fee waiver: Motion to authorize the Friends of the Brookings Harbor Aquatic Center to use Azalea Park, snack shack, restrooms and picnic tables without fee for the 2013 Family Fourth of July BBQ Field Day Event and Fundraiser.

Financial Impact: Waiver of use fees totaling \$316.00

Background/Discussion:

The Friends of the Brookings Harbor Aquatic Center has requested a waiver of park and picnic table use fees associated with its proposed fundraising event at Azalea Park scheduled for July 4, 2013.

Attachment(s):

- a. Letter from Friends of the Brookings Harbor Aquatic Center with description of July 4th event.
- b. Park Use Application Form

Juliane Leighton



Friends of the Brookings-Harbor Aquatic Center

April 15, 2013

Gary Milliman
City Manager
City of Brookings
898 Elk Drive
Brookings, OR 97415

Mr. Milliman,

Enclosed you will find a copy of the Friends of the Brookings-Harbor Aquatic Center's (FBHAC) application for Azalea Park use for our Fourth of July BBQ & Field Day Event. All proceeds from this event support FBHAC and our mission to develop a sustainable indoor community aquatic recreation center in Brookings-Harbor.

This is our third year hosting this family friendly community event and fundraiser for FBHAC. As in the past, our event is free to attend however there are some fees associated with activities. We will start off the day with our Best Ever Pie Contest. This year there is no entry fee for the contest. We will still award ribbons for 1st, 2nd and 3rd place in each category as well as a Grand Prize for The Best Pie Ever. The twin pies from this contest will be auctioned off after lunch. Opening Ceremony will begin at noon followed by entertainment, an eating contest (to be decided) and fun activities for the kids during the lunch hour. Tickets for the BBQ lunch may be purchased in advance with some opportunity at the event. Following the pie auction we will begin our Field Day activities with the egg spoon race, three legged race, sack race, double sack race and adult child three legged race. Following these activities we will begin our Tug o' War competition.

We appreciate the opportunity to host this event in Azalea Park. It creates a wonderful backdrop for this event. As this is a community event and proceeds will help to support a community nonprofit and endeavor, we would ask that the Brookings City Council might again waive the park rental fees associated with having our event at Azalea Park. We very much appreciate the support we have received in the past.

Thank you in advance for your time and bringing this issue before the Brookings City Council. Should you have any questions or concern, please don't hesitate to contact me for more information.

Sincerely,

Juliane Leighton, MD



PARK USE APPLICATION PERMIT

The City of Brookings programs, services, and activities are open to all persons without regard to race, age, sex, disability, religion, or national origin.

CITYUSE ONLY: Rec'd Date: 4-23-13 By: hy

| Department | By | Date | Approved | Comment |
|--------------------|-----------|-----------------|--------------|--------------|
| Parks/Public Works | <u>AB</u> | <u>4-17</u> | <u>Y</u> / N | Y / <u>N</u> |
| Fire | <u>SM</u> | <u>4-15</u> | <u>Y</u> / N | Y / <u>N</u> |
| Police | <u>BD</u> | <u>4/18</u> | <u>Y</u> / N | Y / <u>N</u> |
| Admin Services | <u>DA</u> | <u>4-18-13</u> | <u>Y</u> / N | Y / <u>N</u> |
| City Manager | <u>DA</u> | <u>04/16/13</u> | <u>Y</u> / N | Y / <u>N</u> |

Please sign, date and deliver to the next Dept. Please note any comments on pg 4 under "Comments" and RETURN TO LAURI Distributed: _____

Event Date(s): 7/4/13 to 7/4/13 Time: From 9 a.m. to 6 am/pm Set up before + clean up Day(s)(circle) M/T/W/F/Sat/Sun
 No. of participants (each day): 200 Nature/Name of Event: FAMILY FOURTH OF JULY BBQ AFTER FIELD DAY
 Organization: FBHAC
 Contact Person: JULIANE LEIGHTON Day Phone: 541 251 0617 Cell Phone: SAME
 Mailing Address: PO BOX 6489
 email: JULIANE@FBHAC.ORG Return deposit to: _____

- PARK LOCATION:** (Check all that apply) **AZALEA PARK AREA:** (Check all that apply)
- Azalea
 - Bud Cross
 - Easy Manor
 - Gazebo
 - Bandshell/Stage
 - Concession Stand (CS)
 - Bankus
 - Skate Park
 - Chetco Point
 - Lawn area
 - Kidtown Picnic Area
 - Restrooms only (at CS)
 - Stout
 - Tennis Courts
 - Other (Please Specify): _____

Check Yes or No to each of the following:

Will you be renting picnic tables? Yes No Qty: All Is Site Map included? Yes No

Is this event free? Yes No If no, how will funds be secured/protected? _____

Will amplification equipment be used? Yes No If yes, noise level shall be contained within the immediate area. YES
 Describe purpose/type: MUSIC, MICROPHONE

Will there be dancing? Yes No

Will merchandise be sold? Yes No If yes, by whom? FBHAC
 Describe purpose/type: PATRIOTIC

Do you want to place temporary signs? Yes No (Requires prior City Manager approval - see page 1)
 Describe quantity, location, type: BANNERS, CAROLAN SIGN AROUND LAWN AREA

LIABILITY STATEMENT/AGREEMENT

I/We agree to abide by all applicable federal, state, and local laws, regulations, and ordinances which pertain to the use of said property and agree to pay for any damage to same, as a result of use. I/We agree to hold the City, its officials and employees, harmless from any liability resulting from use of said property and to obtain any and all required permits and/or business licenses required by the City.

THE CITY OF BROOKINGS ASSUMES NO RESPONSIBILITY OR LIABILITY FOR INCLEMENT WEATHER.

The undersigned agrees to pay for any and all damages occurring during the reserved period. User agrees that the deposit paid herewith will be applied toward damages to the facility or its contents during the reserved period. Any of the deposit not applied to damages will be applied first to unpaid rental fees with any excess refund to user. Normal wear and tear as determined by the City of Brookings shall not be considered damage. User also acknowledges that he/she has read and understands the Rules and Regulations for Brookings City Parks and has reviewed pages 4 and 5 of the application. APPLICANT: It is the applicant's responsibility to obtain required insurance, permits and or licenses prior to the event and provide proof to the City.

Print name of person completing this application: JULIANE LEIGHTON

Signature of person completing this application: [Signature] Date: 4/15/13

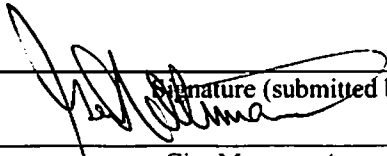
City Use Only: Paid: _____ Applicant Notified: _____ Copy to Parks Dept: _____

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Salmon Run Golf Course Lease Agreement Payment Extension

Recommended Motion:

Motion to take no action on the request by The Claveran Group for a lease payment extension.

Financial Impact:

None at this time.

Background/Discussion:

At its meeting of April 8, the City Council considered a request from The Claveran Group LLC for an extension of time for the annual lease payment. At that meeting staff and Salmon Run Golf Course General Manager Ed Murdock reported that discussions were in progress between Murdock and The Claveran Group principal concerning the possible formation of a new local investor group and transfer of the lease agreement to that group. This matter was continued to the meeting of May 13, 2013.

In the intervening weeks, the City has received two letters from Murdock; copies attached. The City Manager and two members of the City Council have also met with representatives of two golf course management companies to explore the possibility of the City assuming responsibility for operation of the golf course and retaining contract management.

The City Manager met with Murdock to discuss his letter of April 19, and that meeting included a telephone conference with the City's water rights legal counsel, Martha Pagel. The City is currently seeking State permits for an additional point of diversion for its municipal water rights that could facilitate development of a water source for the golf course. It is anticipated that it would take 18-24 months for this permit to be approved, if it is approved. The estimated cost of developing a source of supply at this new point is diversion is approximately \$250,000 and is included in the multi-year capital improvements plan developed by the Public Works Department for construction in fiscal 2015-16 and is subject to approval by the City Council. This estimate does not include the cost of a water treatment system to make the water available for potable use. The April 19 letter proposes a lease term of 65 years; Murdock clarified his intent that the term be the same as the current lease, which has about 50 years remaining.

In both letters, Murdock refers to an investment group being formed to assume operation of the golf course that is experienced in the golf industry and the lodging industry. As of this writing, no business plan has been provided, and no information has been provided on the capitalization of or the identity of the partners in the investment group.

It has become clear that The Claveran Group is interested in divesting itself of its interest in the Salmon Run Golf Course and that we are now in a transition period. Any further action to change the terms of the current lease agreement with The Claveran Group would appear to be in effect for only a short period. Additional time is needed for City management to explore all of the alternatives and develop recommendations.

Attachment(s):

- a. Letter dated April 19, 2013, from Ed Murdock
- b. Letter dated May 2, 2013, from Ed Murdock

SALMON RUN



Golf Course

April 19, 2013

Gary Milliman
City of Brookings
898 Elk Drive
Brookings, OR 97415

Mr. Milliman,

This letter is to communicate the requested changes to the lease agreement for the new investment group, referred to as LLC. We would like to get the council's view on these points so we can continue to formulate our plan:

1. The city of Brookings will provide water for the use of irrigating the golf course, and potable water for the uses allowed in the lease. These include, but are not limited to the proshop, restaurant, and RV spaces. Potable water will be billed at the current city rate, and irrigation water provided for the cost of pumping. The city will provide water to the property line of the golf course, and the LLC will be responsible to continue the line to the areas needed. Treatment of potable water will be the responsibility of the city.
2. The LLC will be responsible to pay county taxes, which were \$17,579.43 in 2012, water fees to the city, and bed tax to the city. We would propose a lease amount of \$1 for a period of 65 years, with a \$1 per round fee after 20,000 rounds.
3. The city will make equipment available at a reasonable cost for course improvements, brush removal in particular. Perhaps a golf course employee could be trained to operate it? The LLC will continue to make equipment available for city use.
4. The city will cooperate to make the land available to expand the driving range.
5. The city will include Salmon Run on their website and other marketing ventures.

Thank you for your consideration of these proposals. The investment group is working to finalize the business plan. It will be delivered to you as soon as possible.

Regards,

Ed Murdock

"Providing a unique golf experience"

99040 South Bank Chetco River Road • Brookings, OR 97415 • 541-469-4888 • 541-469-4889 – Fax
emurdock@salmonrun.net • www.salmonrun.net

May 2, 2013

To the Brookings city council:

May I make a few comments about the proposal you are considering, and the future of Salmon Run. The city has control over who operates the course, and what the associated costs are to the citizens of Brookings. The past 12 years have been frustrating for the city and the Claveran Group, as the water issues has plagued the forward progression of the business. Due to this, and the economic realities of the area, the ownership of the Claveran Group is looking to terminate their lease of the course. Efforts to sell the business to another operator have failed, so the group is left with a few options.

First, the assets could be sold piece by piece, leaving the course with no way to continue business without the purchase of new equipment.

Second, the city could purchase the assets from the Claveran group and hire a management company to run the course. This would require the use of taxpayer money upfront, and could cost the city around \$200,000 per year, according to the Golf Convergence Report, page 9. The same report also suggests on page 25 that solving course issues could cost up to 2.5 million, but that some small changes costing around \$150,000 would make a difference. Even this smaller number would cost taxpayers if the city retains a management company. The city would also need to provide water to the course.

The Third option comes in the form of a new investment group. This option does involve the city developing a permanent water source, as is the case with the prior option, but the city would collect water fees. Beyond the water, the city would not be asked to put any funds into the course. The new group would take on the responsibility to pay the county taxes, city water fees, and bed taxes. Any help from the city in the form of course improvements would be paid by the group. These costs could range from \$21,000 to \$44,000 per year. The group is willing to invest the \$150,000 into the course as discussed in the GC report, as well as develop a lodging component that will move the course to profitability. Choosing this option would permit control of and revenue from the golf course to remain local.

This new group has considerable experience both in the golf industry, and the lodging industry. We are confident that the plans we have to run the golf course profitably are sound. There are negotiations in progress to acquire a class A PGA professional for teaching and tournament enhancement, and there are a number of restaurants that have expressed interest in helping with the food & beverage side of the business.

Last year's success, coming very close to break-even, has shown that the course can be run effectively in a weak economy. With the changes the new group is willing to make, the course can become the positive, attractive part of the community it has the potential to be.

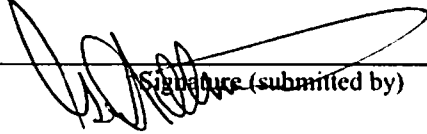
Sincerely,

Ed Murdock

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Curry Transfer and Recycling Rate Increase

Recommended Motions:

Approve a new rate schedule to be effective July 1, 2013 for refuse collection and recycling services provided by Curry Transfer and Recycling, such schedule reflecting a 1.55 percent increase in rates.

Financial Impact:

Nominal increase in franchise fee revenues.

Background/Discussion:

The ordinance establishing a franchise agreement with Curry Transfer and Recycling (CTR) provides that CTR may request a rate adjustment annually based upon cost of living and related factors. CTR has requested a rate increase of 1.55 percent to be effective July 1, 2013. This will result in a \$0.32 per month increase in the fee for a basic 32 gallon cart service. The last rate increase of 2.53 percent was effective July 1, 2012.

CTR has an exclusive franchise with the City to provide refuse collection, disposal and recycling collection. The term of the franchise is year-to-year; the ordinance provides a 10-year termination provision. CTR pays the City a franchise fee of one-half of one percent of the basic fee.

Policy Considerations:

None.

Attachment(s):

Letter dated May 7, 2013 and associated exhibits.

Curry Transfer & Recycling

PO Box 4008 Brookings, OR 97415

Phone: (541) 469-2425

Fax: (541) 469-1048

May 7, 2013

City of Brookings
Attn: Gary Milliman- City Manager
898 Elk Drive
Brookings, OR 97415

RE: **CPI Adjustment 2013**

Dear Mr. Milliman:

Please find enclosed proof of the CPI adjustment for year **2012**, based on the National U.S. City Average index, which is calculated at **2.07%**.

Although the CPI is **2.07 %** the rate schedule enclosed reflects **1.55%** (**75%** of the year **2012** CPI inflation). This will result in a \$0.32 per month adjustment for a basic 32 gallon cart service. Please use this notice and the other information enclosed to consider a rate adjustment effective **July 1, 2013**.

Sincerely,

Pete Smart

Enclosure: **2013** rate schedule
2012 rate schedule (for comparison)
2012 CPI Adjustment- Department of Labor

**EXHIBIT A
EFFECTIVE JULY 1, 2013
RATE SCHEDULE- CITY OF BROOKINGS**

CANS/CARTS: SET OUT (CURBSIDE SERVICE)

| | | |
|-----------------------|-----------|--|
| \$21.39 | per month | One thirty-two (32) gallon can each week |
| 26.74 | per month | One forty (40) gallon can each week |
| 32.09 | per month | One forty-eight (48) gallon can each week |
| 42.78 | per month | One sixty-four (64) gallon can each week |
| 64.17 | per month | One ninety-six (96) gallon can each week |
| 66.84 | per month | One one-hundred (100) gallon can each week |
| 106.95 | per month | One one-hundred sixty (160) gallon can each week |
| 130.35 | per month | One one-hundred ninety-five- (195)gallon can each week |
| 16.14 | per month | Recycle only- where available |
| Residential Compactor | | In excess of two (2) bags- 1.5 times can rate |

CANS/CARTS: OTHER THAN SET OUT SERVICE

\$1.25 per trip each way for each drivable driveway, 1.25 each additional twenty-five feet.
\$1.25 each: Gate, door, fence, hallway, stairs, unsecuring, securing, etc. - each time, each way

COMMERCIAL/RENTAL SERVICE (CONTAINER/CART/CAN)

| | |
|--|-------|
| 32 gallon cart | 24.37 |
| Container service- per loose yard-per pick-up | 26.29 |
| Container service- per loose yard- Brush (roll-off) | 12.91 |
| Container service- per loose yard- Metal (roll-off) | 12.91 |
| Container service- Gate Fee- (each time)- Extra | 6.85 |
| Customer requested- Auto lock- Dumpster service- per month | 3.97 |
| Container rental- one- eight yard- per month | 15.28 |
| Customer requested- Other than weekly- each trip minimum | 19.35 |
| Customer requested- Time of pick-up- each trip | 19.35 |
| Customer service- Trip charge for special events, construction, clean up, etc. | 19.35 |
| Container service- Roll-out service- Extra | 10% |
| Container ramp roll-out, as deemed safe by collector- Extra | 20% |
| Customer requested- After hour, Saturday or Sunday- Extra | 50% |
| Mechanically compacted waste- 2.75 times yard or can rate. | |

RECYCLING CREDITS (COMMERCIAL WHEN SERVICE IS AVAILABLE)

| | | |
|---|--------------------|-----|
| Container service- Newsprint properly prepared- | of commercial rate | 50% |
| Container service- Waste paper, office paper, cans, bottles, plastics (all properly prepared) | of commercial rate | 25% |

OTHER RESIDENTIAL & COMMERCIAL CHARGES

| | |
|---|---------|
| (1) Occasional extra in route pick-up- Each | \$ 5.69 |
| (2) Customer requested special pick-up- Minimum | 8.48 |
| (3) Initial set-up, close-out, monitored inactive service- each transaction | 6.85 |
| (4) Customer Requested- Off route trip charge | 12.66 |
| (5) Rental property- Owners responsibility for sanitation charges. | |
| (6) Medical Waste Disposal- (\$24.46 individual 1 gal container & disposal) 21 to 48 gal tubs – container & disposal Per gallon rate | 2.61 |
| (7) Extra heavy roofing/demolition- 2.75 times yard rate | |
| (8) Waste in excess of 280 lbs per yard. Subject to the approved tonnage rate. | |
| (9) Car tires 5.55 (mounted \$4.25 extra) Truck tires \$9.90 (mounted \$28.90 extra) | |
| (10) Household hazardous waste. As approved. | |

2013 CPI INFLATION RATE ADJUSTMENT- BROOKINGS- JULY 1, 2013

CPI INFLATION IN 2012 (US CITY AVERAGE) **2.07 %**

CTR RATE ADJUSTMENT **1.6 % (75 % of the above CPI rate)**

| | |
|--------------------------------------|----------------------|
| CURRENT RATE 32 GALLON RESIDENTIAL | \$21.07 |
| LESS PORT ORFORD CLOSURE | < .13 > |
| LESS HHW (Household Hazardous Waste) | <u>< .28 ></u> |
| | \$20.66 |
| CPI (1.6%) | <u>.32</u> |
| ADJUSTED RATE | \$ 20.99 |
| PORT ORFORD CLOSURE | .13 |
| HHW | <u>.28</u> |
| TOTAL ADJUSTED RATE | \$21.39 |

| | |
|----------------------------|----------------------|
| 1 YARD | \$25.90 |
| LESS PORT ORFORD CLOSURE | < .15 > |
| LESS HHW | <u>< .39 ></u> |
| | \$25.36 |
| CPI (1.6%) | <u>.39</u> |
| ADJUSTED RATE | \$ 25.76 |
| PORT ORFORD CLOSURE | .15 |
| HHW | <u>.39</u> |
| TOTAL ADJUSTED RATE | \$ 26.29 |

| | |
|-----------------------------------|----------------------|
| CURRENT RATE 32 GALLON COMMERCIAL | \$24.00 |
| LESS PORT ORFORD CLOSURE | < .13 > |
| LESS HHW | <u>< .28 ></u> |
| | 23.59 |
| CPI (1.6%) | <u>.37</u> |
| ADJUSTED RATE | \$ 23.96 |
| PORT ORFORD CLOSURE | .13 |
| HHW | <u>.28</u> |
| TOTAL ADJUSTED RATE | \$ 24.37 |

**EXHIBIT A
EFFECTIVE JULY 1, 2012
RATE SCHEDULE- CITY OF BROOKINGS**

CANS/CARTS: SET OUT (CURBSIDE SERVICE)

| | | |
|-----------------------|-----------|--|
| \$21.07 | per month | One thirty-two (32) gallon can each week |
| 26.35 | per month | One forty (40) gallon can each week |
| 31.62 | per month | One forty-eight (48) gallon can each week |
| 42.16 | per month | One sixty-four (64) gallon can each week |
| 63.23 | per month | One ninety-six (96) gallon can each week |
| 65.87 | per month | One one-hundred (100) gallon can each week |
| 105.39 | per month | One one-hundred sixty (160) gallon can each week |
| 15.89 | per month | Recycle only- where available |
| Residential Compactor | | In excess of two (2) bags- 1.5 times can rate |

CANS/CARTS: OTHER THAN SET OUT SERVICE

\$1.23 per trip each way for each drivable driveway, 1.23 each additional twenty-five feet.
\$1.23 each: Gate, door, fence, hallway, stairs, unsecuring, securing, etc. - each time, each way

COMMERCIAL/RENTAL SERVICE (CONTAINER/CART/CAN)

| | |
|--|-------|
| 32 gallon cart | 24.00 |
| Container service- per loose yard-per pick-up | 25.90 |
| Container service- per loose yard- Brush (roll-off) | 12.71 |
| Container service- per loose yard- Metal (roll-off) | 12.71 |
| Container service- Gate Fee- (each time)- Extra | 6.73 |
| Customer requested- Auto lock- Dumpster service- per month | 3.90 |
| Container rental- one- eight yard- per month | 15.05 |
| Customer requested- Other than weekly- each trip minimum | 19.05 |
| Customer requested- Time of pick-up- each trip | 19.05 |
| Customer service- Trip charge for special events, construction, clean up, etc. | 19.05 |
| Container service- Roll-out service- Extra | 10% |
| Container ramp roll-out, as deemed safe by collector- Extra | 20% |
| Customer requested- After hour, Saturday or Sunday- Extra | 50% |
| Mechanically compacted waste- 2.75 times yard or can rate. | |

RECYCLING CREDITS (COMMERCIAL WHEN SERVICE IS AVAILABLE)

| | | |
|---|--------------------|-----|
| Container service- Newspaper properly prepared- | of commercial rate | 50% |
| Container service- Waste paper, office paper, cans, bottles, plastics (all properly prepared) | of commercial rate | 25% |

OTHER RESIDENTIAL & COMMERCIAL CHARGES

| | |
|---|---------|
| (1) Occasional extra in route pick-up- Each | \$ 5.60 |
| (2) Customer requested special pick-up- Minimum | 8.34 |
| (3) Initial set-up, close-out, monitored inactive service- each transaction | 6.73 |
| (4) Customer Requested- Off route trip charge | 12.45 |
| (5) Rental property- Owners responsibility for sanitation charges. | |
| (6) Medical Waste Disposal- (\$23.85 individual 1 gal container & disposal) 21 to 48 gal tubs – container & disposal Per gallon rate | 2.57 |
| (7) Extra heavy roofing/demolition- 2.75 times yard rate | |
| (8) Waste in excess of 280 lbs per yard. Subject to the approved tonnage rate. | |
| (9) Car tires 5.09 (mounted \$2.95 extra) Truck tires (mounted \$25 extra) | |
| (10) Household hazardous waste. As approved. | |

| | | | |
|------|---------------|----------|---------|
| HOME | RELATED SITES | ABOUT US | SITEMAP |
|------|---------------|----------|---------|

InflationData.com

Your Place in Cyber Space for Inflation Data

| | | | | | | |
|----------|---------------------------|-----------------------|----------------|---------------------------|-----------|-----------------|
| ARTICLES | INFLATION CHARTS AND DATA | INFLATION CALCULATORS | COST OF LIVING | INFLATION ADJUSTED PRICES | RESOURCES | FREE NEWSLETTER |
|----------|---------------------------|-----------------------|----------------|---------------------------|-----------|-----------------|

4 Ways to Avoid Running Out of Money During Retirement
 If you have a \$500,000 portfolio, download the guide by *Forbes* columnist Ken Fisher's firm. Even if you have something else in place, this must-read guide includes research and analysis you can use right now. Don't miss it!
[Click Here to Download Your Guide!](#)

| |
|---|
| Current Consumer Price Index (CPI-U) 232.773 |
| Current Inflation Rate 1.47% |
| Released April 16, 2013 for March 2013 |
| Provided by InflationData.com |
| Web Masters: Get This Widget |

FISHER INVESTMENTS

- AdChoices
- Inflation Rate
- Inflation Chart
- Current Economy
- US Inflation

You are here: Home > Current Inflation Rate

Current Inflation Rate

by TIM MCMAHON on APRIL 3, 2013

Recommend this on Google Tweet

Google Custom Search

Inflation Rate in Percent for Jan 2000-Present

Today's Top 50 Trending Stocks

Our **Inflation rates** (see table below) are calculated to two decimal places while the government only calculates inflation rates to one decimal place. Therefore, while being based on the government's index our data provides a "finer" view. January and February 2005 is a perfect example, according to the government statistics both months had an inflation rate of 3%. In January however, our data shows it as 2.97% and February shows as 3.01%. Therefore instead of the inflation rate being "flat" it is actually rising slightly. In another example we see August 2003 and September with the Government saying the rates were 2.2% and 2.3% respectively. This would lead us to believe that inflation rose .1% during that period. In actuality however, it rose from 2.16% to 2.32% or a .16% increase, substantially more than .1%!

The Inflation rate table below is updated monthly and provides the current US Inflation Rate plus Monthly Inflation Rate data back to January 2000. The Inflation rate is calculated using the Current Consumer Price Index (CPI-U) published monthly by the Bureau of Labor Statistics. [CPI Index Release Dates](#)

Apply For a TX FHA Loan
 The #1 Online Lender in Texas. Our Process is Quick and Easy!
 TexasLending.com/FHA



AdChoices

| InflationData.com | | Current Annual Inflation Rate | | | | | | | | | | | |
|-------------------|-------|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|-------|-------|--------|
| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Ave |
| 2013 | 1.59% | 1.98% | 1.47% | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| 2012 | 2.93% | 2.87% | 2.65% | 2.30% | 1.70% | 1.66% | 1.41% | 1.69% | 1.99% | 2.16% | 1.76% | 1.74% | 2.07% |
| 2011 | 1.63% | 2.11% | 2.68% | 3.16% | 3.57% | 3.56% | 3.63% | 3.77% | 3.87% | 3.53% | 3.39% | 2.96% | 3.16% |
| 2010 | 2.63% | 2.14% | 2.31% | 2.24% | 2.02% | 1.05% | 1.24% | 1.15% | 1.14% | 1.17% | 1.14% | 1.50% | 1.64% |
| 2009 | 0.03% | 0.24% | -0.38% | -0.74% | -1.28% | -1.43% | -2.10% | -1.48% | -1.29% | -0.18% | 1.84% | 2.72% | -0.34% |
| 2008 | 4.28% | 4.03% | 3.98% | 3.94% | 4.18% | 5.02% | 5.60% | 5.37% | 4.94% | 3.66% | 1.07% | 0.09% | 3.85% |
| 2007 | 2.08% | 2.42% | 2.78% | 2.57% | 2.69% | 2.69% | 2.36% | 1.97% | 2.76% | 3.54% | 4.31% | 4.08% | 2.85% |
| 2006 | 3.99% | 3.60% | 3.36% | 3.55% | 4.17% | 4.32% | 4.15% | 3.82% | 2.06% | 1.31% | 1.97% | 2.54% | 3.24% |
| 2005 | 2.97% | 3.01% | 3.15% | 3.51% | 2.80% | 2.53% | 3.17% | 3.64% | 4.69% | 4.35% | 3.46% | 3.42% | 3.39% |
| 2004 | 1.93% | 1.69% | 1.74% | 2.29% | 3.05% | 3.27% | 2.99% | 2.65% | 2.54% | 3.19% | 3.52% | 3.26% | 2.68% |
| 2003 | 2.60% | 2.98% | 3.02% | 2.22% | 2.06% | 2.11% | 2.11% | 2.16% | 2.32% | 2.04% | 1.77% | 1.88% | 2.27% |

4 Ways to Avoid Running Out of Money During Retirement

If you have a \$500,000 portfolio, download the guide by *Forbes* columnist Ken Fisher's firm. Even if you have something else in place, this must-read guide includes research and analysis you can use right now. Don't miss it!

[Click Here to Download Your Guide!](#)

FISHER INVESTMENTS™

InflationData on



Latest Posts

Is Ben Bernanke "Shooting Blanks"?
 Summary: Lacy Hunt and Van Hoisington launch into their first-quarter "Review and Outlook," this week with a statement that some may find eye-opening:...

Long Term U.S. Inflation
 We have updated the charts on long Term Inflation, including Average Annual Inflation by decade, Cumulative Inflation by Decade and Cumulative Inflation...

[Inflation Trends since 1914- The 15 year Cycle](#)

Download:  .xls

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Annual | HALF1 | HALF2 |
|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|-------|-------|
| 2003 | 1.9 | 1.7 | 1.7 | 1.5 | 1.6 | 1.5 | 1.5 | 1.3 | 1.2 | 1.3 | 1.1 | 1.1 | 1.4 | 1.7 | 1.3 |
| 2004 | 1.1 | 1.2 | 1.6 | 1.8 | 1.7 | 1.9 | 1.8 | 1.7 | 2.0 | 2.0 | 2.2 | 2.2 | 1.8 | 1.6 | 2.0 |
| 2005 | 2.3 | 2.4 | 2.3 | 2.2 | 2.2 | 2.0 | 2.1 | 2.1 | 2.0 | 2.1 | 2.1 | 2.2 | 2.2 | 2.2 | 2.1 |
| 2006 | 2.1 | 2.1 | 2.1 | 2.3 | 2.4 | 2.6 | 2.7 | 2.8 | 2.9 | 2.7 | 2.6 | 2.6 | 2.5 | 2.2 | 2.7 |
| 2007 | 2.7 | 2.7 | 2.5 | 2.3 | 2.2 | 2.2 | 2.2 | 2.1 | 2.1 | 2.2 | 2.3 | 2.4 | 2.3 | 2.4 | 2.3 |
| 2008 | 2.5 | 2.3 | 2.4 | 2.3 | 2.3 | 2.4 | 2.5 | 2.5 | 2.5 | 2.2 | 2.0 | 1.8 | 2.3 | 2.3 | 2.3 |
| 2009 | 1.7 | 1.8 | 1.8 | 1.9 | 1.8 | 1.7 | 1.5 | 1.4 | 1.5 | 1.7 | 1.7 | 1.8 | 1.7 | 1.8 | 1.6 |
| 2010 | 1.6 | 1.3 | 1.1 | 0.9 | 0.9 | 0.9 | 0.9 | 0.9 | 0.8 | 0.6 | 0.8 | 0.8 | 1.0 | 1.1 | 0.8 |
| 2011 | 1.0 | 1.1 | 1.2 | 1.3 | 1.5 | 1.6 | 1.8 | 2.0 | 2.0 | 2.1 | 2.2 | 2.2 | 1.7 | 1.3 | 2.0 |
| 2012 | 2.3 | 2.2 | 2.3 | 2.3 | 2.3 | 2.2 | 2.1 | 1.9 | 2.0 | 2.0 | 1.9 | 1.9 | 2.1 | 2.2 | 2.0 |
| 2013 | 1.9 | 2.0 | 1.9 | | | | | | | | | | | | |

The Consumer Price Index (CPI) is a measure of the average change in price over time in a fixed market basket of goods and services bought by consumers for day-to-day living. The All Items CPI for the U.S. is the broadest, most comprehensive index, and is often quoted as the source for the "rate of inflation". The CPI for All Items less Food and Energy (also sometimes referred to as the "core" or "underlying" CPI) excludes volatile food and energy prices. Some analysts use this index to track long-term trends in prices. This chart shows 12-month percent changes in both the CPI for All Items and the CPI for All Items Less Food and Energy for each month from 1991 to the most recently published month. These changes are calculated from indexes before seasonal adjustment. Unadjusted indexes are more commonly used for annual percent change calculations.

TOOLS

- Areas at a Glance
- Industries at a Glance
- Economic Releases
- Databases & Tables
- Maps

CALCULATORS

- Inflation
- Location Quotient
- Injury And Illness

HELP

- Help & Tutorials
- FAQs
- Glossary
- About BLS
- Contact Us

INFO

- What's New
- Careers @ BLS
- Find It! DOL
- Join our Mailing Lists
- Linking & Copyright Info

RESOURCES

- Inspector General (OIG)
- Budget and Performance
- No Fear Act
- USA.gov
- Benefits.gov
- Disability.gov


[Freedom of Information Act](#) | [Privacy & Security Statement](#) | [Disclaimers](#) | [Customer Survey](#) | [Important Web Site Notices](#)

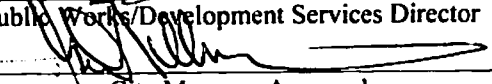
U.S. Bureau of Labor Statistics | Division of Consumer Prices and Price Indexes, PSB Suite 3130, 2 Massachusetts Avenue, NE Washington, DC 20212-0001
www.bls.gov/CPI | Telephone: 1-202-691-7000 | [Contact CPI](#)

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: PW/DS



Public Works/Development Services Director


City Manager Approval

Subject: Final Balance of Deferred Improvement Agreements (DIA) on Hassett Street

Recommended Motion: Authorize the City Manager to administer collection of the pre or post construction DIA balances.

Financial Impact: The final DIA post construction balances are up to approximately 5% higher than presented to Council July 9, 2012.

Background/Discussion: Since 1988, the City of Brookings land development code has required administering DIAs for those lots and developments that are not able to build the required frontage improvements at the time of the application. Several owners on Hassett Street had DIAs recorded on their properties requiring them to participate in the finances of any drainage, roadway or frontage improvements, and without a sunset date. Several City Council workshops and meetings were held over the past year considering the concerns of the owners with DIAs. It was decided at the July 9, 2012 Council Meeting to “call in” the DIAs on Hassett Street. The DIAs explicitly state the Owner is responsible for the actual costs of construction. At the July 9, 2012 council meeting, the DIA amounts were only an estimate. The construction was completed in April, 2013 and the City Engineer re-tallied all quantities. The final DIA amounts are as shown in Attachment A and range from a 2.9% increase to 4.9% increase.

The decision to be made by Council is whether to collect the pre construction DIA estimate or the post construction actual DIA amount.

Attachment(s): a. Exhibit A – Comparison of pre and post construction DIA costs

| DIA No. | Street Address | Owner | Approved City Council DIA amounts | | | | Final Construction costs | | | | Percent increase |
|--------------|----------------|-----------------------------------|-----------------------------------|-------------|-------------|--------------------|--------------------------|-------------|-------------|--------------------|------------------|
| | | | Drainage | Street | Sidewalk | Subtotal | Drainage | Street | Sidewalk | Subtotal | |
| DIA-32 | 622 Hassett | Dianne Moffitt Brian & Tiffany | \$2,328.60 | \$5,283.11 | | \$5,283.11 | | \$5,829.91 | | \$5,829.91 | 4.9% |
| DIA-164 | 600 Hassett | Hodges | \$2,728.13 | \$6,189.54 | | \$6,189.54 | | \$6,830.15 | | \$6,830.15 | 4.9% |
| DIA-164 | 608 Hassett | Raymond Davis | \$735.51 | \$1,668.71 | | \$2,404.21 | \$706.72 | \$1,841.42 | | \$2,548.14 | 2.9% |
| +DIA-44 | 530 Hassett | Glenn Julyan | \$1,729.82 | \$3,924.59 | | \$5,654.41 | \$1,662.11 | \$4,330.79 | | \$5,992.90 | 2.9% |
| DIA-33 | 520 Hassett | Tamra Konkle | \$2,716.15 | \$6,162.37 | | \$8,878.52 | \$2,609.83 | \$6,800.17 | | \$9,410.00 | 2.9% |
| DIA-151 | 523 Hassett | James Davis | \$5,112.28 | \$20,542.59 | \$10,885.21 | \$36,540.08 | \$4,912.17 | \$23,414.14 | \$10,686.19 | \$39,012.50 | *Note 2 |
| Total | | | | | | \$64,949.87 | Total 2 | | | \$69,623.60 | |

*Note 1: Please note 622 and 600 Hassett St had installed City approved drainage facilities and City Council approved removing the improved drainage requirement

*Note 2: Per City Council, 523 Hassett Street shall not exceed \$36,540.08

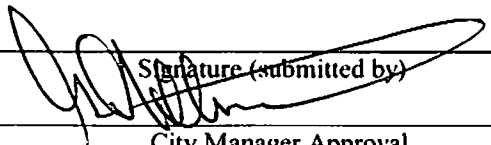
Exhibit A

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Television Advertising

Recommended Motion:

The Tourism Promotion Advisory Committee voted 4-2 to recommend that the City contract with Channel 12 for the development and implementation of a television tourism marketing campaign consistent with the request for proposals and the proposal submitted by Channel 12. However, one member of the Committee has changed his opinion in this matter, which would result in a split vote and no recommendation if that change is considered.

Financial Impact: The City Council allocated \$17,500 in Transient Occupancy Tax funds for this project.

Background/Discussion:

The City issued a request for proposals (RFP) for television advertising. The RFP sought proposals for both production of television advertising spots and placement in the Rogue Valley market. Four proposals were received and reviewed by the Tourism Promotion Advisory Committee (TPAC). Two of the proposals were for production only and were considered unresponsive to the request. All of the proposals included a proposed budget within the \$17,500 allocated for this project.

TPAC interviewed representatives of both Channel 5 and Channel 12 to discuss their proposals at its meeting of May 2. Six TPAC members were present and voted 4-2 to recommend the Channel 12 proposal to the City Council for approval. However, on May 3 TPAC member Tim Patterson contacted the City Manager to advise that he had reconsidered his vote, which if cast at the TPAC meeting, would have resulted in a 3-3 tie vote.

Staff also participated in the meetings where the proposals were reviewed and is prepared to make a recommendation should the City Council so request.

Attachment(s):

- a. Request for Proposals.
- b. Channel 5 proposal.
- c. Channel 12 proposal.



REQUEST FOR PROPOSALS

CITY OF BROOKINGS TELEVISION ADVERTISING SERVICES

Background

The City of Brookings (City) levies a Transient Room Tax on guests of City lodging establishments for the purpose of providing funding for tourism marketing and promotion. The City, through its Tourism Promotion Advisory Committee (TPAC), desires to solicit professional television advertising services to better serve the City's tourism community.

Submission Deadline

To be considered, the respondent must submit three (3) copies of the proposal containing the requested information in an envelope clearly marked: "**TV Advertising**":

In person or by regular mail to: Gary Milliman, City Manager
City of Brookings Tourism
898 Elk Drive
Brookings, OR 97415

Email: gmilliman@brookings.or.us

Submittals must be received at City Hall, 898 Elk Drive, Brookings, OR 97415, no later than **4:00 PM, Thursday, April 11, 2013**. Incomplete submittals, or submittals received after the specified deadline, will not be considered.

Project Description

The City seeks through this Request for Proposals (RFP) to enter into a contract with an individual, company, or organization to provide Television Advertising. The project will be to develop and undertake a 12 month long series of "donut" style television spots to be televised in the Rogue River Valley. At minimum, the donut would change monthly and donut content will be events, or things to do in Brookings.

Scope of Work / Deliverables

1. Produce a 12-month long series of donut style television spots to be shown televised in the Rogue River Valley (i.e. Medford market) area.
2. Pay all related advertising fees.
3. Propose a methodology for evaluating the effectiveness of the above referenced program.

Note: The individual, company, or organization may not necessarily have to prepare the graphics, design, photography, etc. needed for the deliverables themselves. They may, as part of their proposal, include the cost of coordinating with outside vendors to prepare the final products.

Budget

The budget for this service is \$17,500.

Process

The City will consider proposals from all interested parties presenting the requested information and otherwise demonstrating the qualifications necessary to manage and execute the desired services. All proposals will be reviewed by TPAC.

Proposals will be evaluated based upon qualifications.¹ The respondent deemed to be the best qualified will be invited to submit a fee proposal.

Final editorial decisions will be made by TPAC.

Proposal Requirements

The proposal will be concise, well organized and demonstrate the qualifications and experience necessary to complete this project. The proposal must include the following:

1. Examples of the desired professional marketing and/or promotional services as outlined under "Scope of Work." Each example should provide some insight into how the campaign/collateral/message was developed and implemented.
2. A minimum of three professional references for similar work provided by the respondent within the past five years is desired. Please include current contact name, company or organization, and contact info (current phone, email and address).
3. A complete resume of each person named in the proposal.
4. A cost proposal.

Right to Reject All Proposals

The City reserves the right to accept, reject, withdraw, or amend any and/or all proposals, or any component part thereof, deemed to be in the best interest of the City or in the best interest of the desired outcome. All costs incurred in the preparation and presentation of a response to this RFP, in the submission of additional information, and/or in any other aspect of a proposal prior to the award of a written contract shall be the sole responsibility of the respondent/proposer. The City also reserves the right to request additional information or clarification from all respondents/proposers until a contract for the desired services is offered to one or more respondents.

Once submitted, the proposal and supporting materials become public documents, and property, of the City of Brookings.

Insurance Requirements

Respondent will be required to enter into a professional services agreement with the City and provide insurance as specified therein.

Questions

Questions related to this request for proposals should be directed to City Manager Gary Milliman, (541) 469-1101; gmilliman@brookings.or.us

¹ Public Procurement and Contracting Policy (Resolution 12-R-991).



Presentation for:



City of Brookings
Presented to:

Gary Milliman
City Manager
898 Elk Drive
Brookings, OR 97415



Presented by:
Connie Eaton
April 11, 2013
541.779.5555
ceaton@kobi5.com



Agenda

Coverage Map

KOBI Initiatives *(Highlights the Scope of our Work)*

Action Plan

Weekly Schedule, Monthly Cost and Annual Cost
of commercial advertisements

:04 id's or :10's *(example)*

Morning News Ticker *(example)*

NBC 5 Weather Now *(example)*

KOBI5.com *(example)*

Pilot Rock Productions

Overview, cost of creative & production of commercials

Resumes

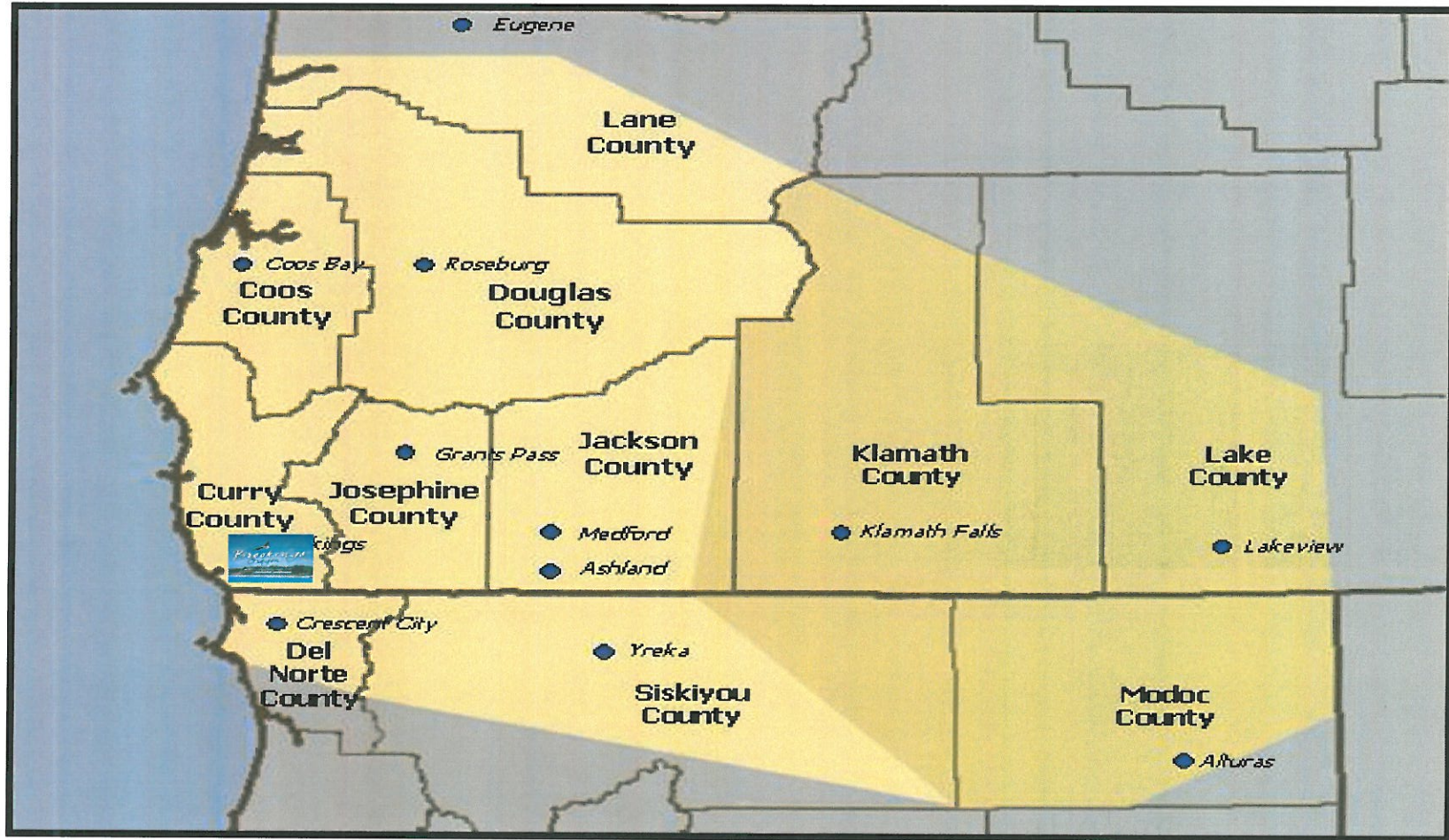
Methodology

Professional References



Coverage Map

NBC5 / NBC2 Combo Covers Over 55,000 sq miles



12 Counties - 42 Cable Systems - 242,000 Households - 583,000 People



KOBI Initiatives

Scope of Work - Deliverables



Created by NBC 5 and NBC 2, our main goal is to considerably decrease the prevalence of first time Meth users in Southern Oregon, with the primary focus being children.



NBC Academic Challenge: 20 High Schools from all over Southern Oregon competing for scholarship money on a weekly broadcast. Over \$40,000 donated in scholarship funds.



YES (Youth Education Success) is a campaign that generates funds through participating businesses who donate a portion of their earnings one day a month to fund extracurricular activities and programs for schools in our region. YES has already funded three grants for math curriculum, new technology and swim lessons in area schools.



One in four of Jackson County's children is a victim of abuse or neglect. *Don't Turn Away* works to combat this terrifying crisis by tackling the sensitive and awkward subject head on. NBC5's public service anti-child abuse campaign and aggressive media plan earned Don't Turn Away the 2011 Community Service Northwest Regional Emmy®.



NBC5 offers something truly unique in our state: A minimum five minute long-form interview nightly on NBC5 News at 5. "5 on 5" attracts everyone from a new non profit organization to U.S. Senators.



KOBI TV NBC Plan

Kick off campaign with a 5 on 5 interview with City Manager Gary Milliman – 5 on 5 interview will air in the 5pm news sometime Monday-Friday one week. Followed by the interview being placed on our website KOB15.com (DVD of the 5 on 5 interview will be provided post airing)

Utilize the power and reach of KOBI TV NBC 5 to air 30 second commercials focused on news to invite viewers to experience Brookings, OR.

In addition to 30 second commercials we will create :04 id's to highlight attractions and events in Brookings, OR. (See slide 7 for an example)

During our morning news we have the Morning News Ticker where the City of Brookings LOGO will be seen by all morning news viewers. (See slide 8 for an example)

Utilize the power of NBC 5 Weather Now to air 30 second commercials inviting viewers to experience Brookings, OR. (See slide 9 for an example)

Create Banner for the City of Brookings to be placed on the KOB15.com web site and direct on average 50- 60k visitors per month the opportunity to click on the banner and learn more about the City of Brookings. (see page 10 for an example) (banner rotates with up to 2 other businesses)

Weekly schedule in on the following page (page 6) this includes the weekly cost, the monthly cost and annual cost. Production not included with this cost.



Weekly Schedule

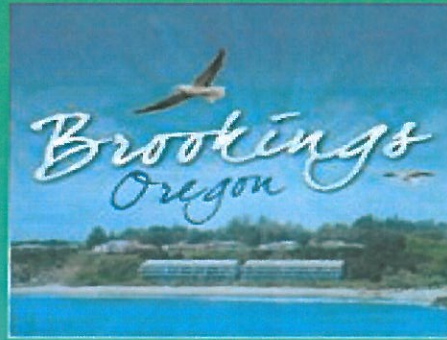
| Program | Times/Days | Rate per spot | | Weekly Total |
|---|--------------------|---------------|---------|-------------------|
| News at Sunrise | 5:30am – 6am - M-F | 5x | | Added Value |
| News at Sunrise | 6am – 7am M-F | 2x | \$20.00 | \$40.00 |
| Breakfast Bar DynaCrawl | 5:30am – 7am M-F | 5x | | Added Value |
| NBC 5 News at 6pm | 6pm – 7pm M-F | 3x | \$55.00 | \$165.00 |
| NBC 5 News at 11pm | 11pm – 11:35pm M-F | 2x | \$35.00 | \$70.00 |
| Rotators | 6am – 1am M-SU | 10x | | Added Value |
| :04 id's (Branding) | 6am – 1am M-SU | 10x | | Added Value |
| NBC 5 Weather Now | 5am- 5am M-SU | 28x | | Added Value |
| NBC 5 Weather Now | Static Ad | 24/7 | | Added Value |
| KOBIS.com | Rotating Banner | 24/7 | | Added Value |
| Total Weekly Commercials | | 65 | | |
| Total Weekly | | | | \$275.00 |
| Total for 3 weeks each month (monthly total) | | | | \$825.00 |
| Annual Total | | | | \$9,900.00 |



:04 Attraction or Event Highlights

A series of :04 second spots that would run multiple times daily, highlighting events and destinations in Brookings, Oregon
“Below is an example of a :04 id”

Voice Over
Would say something like
“Visit Azalea Park in
Brookings, Oregon”



Azalea Park



Find out more at: **WWW.**
<http://www.brookings.or.us>



Morning News Ticker

Mon-Fri
5:30-7am

Client LOGO
(5 to 7 seconds)

Shared with
Other Advertisers





NBC 5 Weather Now

Opportunity for:

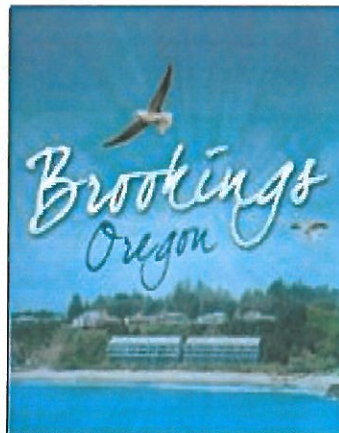
:30 commercial's

:15 commercial's

Static Branding Ad

(example shown)

NBC 5 Weather Now is also seen on KOB15 synchak app 24/7. (will not be seen during KOB1 news)



Watch video on line at KOB15.com.....Stay tuned

5 Day Forecast





www.kobi5.com

A New KOBIS.com

Opportunity for:

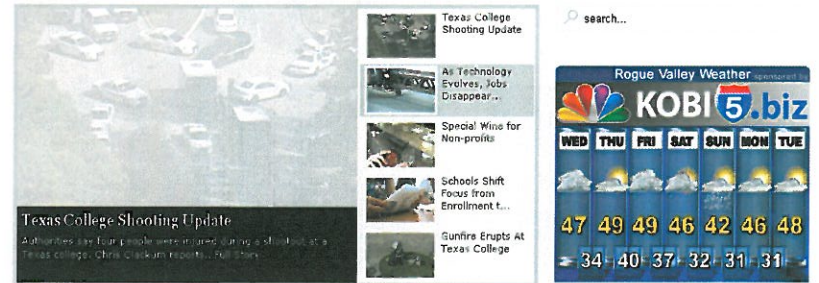
Leader Board 728 x 90

Medium Rectangle 300 x 250

Weather Sponsor

Pre-Roll

Each banner has a maximum of three businesses.





The TV ads that we envision for you should be very cinematic in nature to properly showcase the beauty and unique events that make Brookings special. Collaboration is the key for a successful message. We would work with you to create commercials that would showcase the best of Brookings.

“The Coast” - to most residents of Southern Oregon - is Brookings. Connecting that mental image with the many events hosted in Brookings can be best presented with high quality video production. Shooting would be done on high quality HD cameras and edited on movie industry standard editing equipment for the highest quality end product.

The “Donut” would need to instantly identify Brookings, yet be created in a manner to compliment the “fill” content. The individual messages for the fill would require your local input to insure you get your desired message across.

Create and Produce

6-12 Donut Style 30 second commercials

You Tube Channel – Pilot Rock will create You Tube Channel for all City of Brookings Commercials

\$7,000.00

Pilot Rock Productions is the premiere high quality production company in Southern Oregon. Pilot Rock’s credits include programs that have aired on national networks, high end commercials, corporate videos and national training videos. A service appreciated by many clients is creating a YouTube channel for the videos that is linked to the client’s website. This adds value in many ways including: eliminating the need to host the videos on the web site and making the videos readily available to a much broader audience.

You can view some of Pilot Rock’s work by going to our web site at <http://www.pilotrockproductions.com/> and clicking on the screening room tab.

For additional information or discussion please contact

Roger Harris

General Manager

Pilot Rock Productions

888.262.7937



Pilot Rock Resume's

Roger Harris, General Manager

Roger has been a Manager in Broadcast Television and Cable Television as well as at Pilot Rock Productions. His broad experience in the communications industry has allowed him to work with many public and private entities in developing marketing campaigns, public relations promotions and event promotion management. Roger has also worked extensively with city, county, state and federal government agencies on a number of regulatory and communications issues. Roger serves on the President's Advisory Board for the Oregon Institute of Technology. He is past president of the Oregon Cable Telecommunications Association and served as a Board member on the Chamber of Commerce Boards in Klamath Falls, Oregon, Prineville, Oregon and Redmond, Oregon.

Peter Bedell, Production Specialist/Senior Editor

Peter Bedell has been with Pilot Rock (formerly COBI Digital) since the company's inception in 1994. Pete's video production career started at KOTI TV in Klamath Falls in 1986. He has been a video producer and editor for more than two decades and over the last decade has become a specialist in web video. Bedell earned a Bachelor of Fine Arts degree from Alfred University in New York, followed by an Associate Degree of Science – with a focus on Computer Science – from the Oregon Institute of Technology in Klamath Falls, Oregon. His unique educational background, blended with his energy and creativity, has made it possible to assist Pilot Rock clients reach their constituents in the continually emerging digital communications universe. Bedell has few peers in knowing what formats and file types deliver the best quality video for the many different platforms.

Peter has worn many hats for national series and programs. He is accomplished as a producer and editor in 3D animation, motion graphics, logo design, web design and web video.

Brian Horton, Production Coordinator/Editor/Videographer

Brian has been a filmmaker for the past 10 years and has worked for Pilot Rock since 2002. Brian is highly regarded as a videographer for both high definition (HD) and standard definition (SD) productions. He has shot and edited HD programs for national television including shows for PBS, the Outdoor Channel and educational distributors. Brian has become a key person in project coordination for Pilot Rock clients - handling planning, contracting with outside talent and scheduling. Horton also has managed and assessed web sites for 5 years.



Patsy Smullin, President and Owner

- Patricia Smullin, President and Owner
- Patricia Smullin is the President and Owner of California Oregon Broadcasting, Inc. (COBi), which her father founded in 1933. It is the longest, continuously operated, independent broadcast organization in the West. Its holdings include: 5 Oregon television stations, 3 cable systems and a digital HD video production company.
- Her career in television has been both as an administrator and a practitioner of the art, with experience both behind and in front of the camera. Her recurring television program, *Up Close with Patsy Smullin*, has featured interviews with some of the most intriguing people in America, including TV stars, first ladies, network anchors, musicians, scientists and politicians. Some of the interviews can be seen at www.kobi5.com.
- Smullin is a trustee of Willamette University and the Oregon Children's Foundation Board (SMART). She also serves as board member of AAA Oregon and Idaho. Patricia is the past president of the Oregon Association of Broadcasters, the Oregon Cable Telecommunications Association, and the Pacific Northwest Cable TV Association. She is also a past member of the Board of Directors of the National Association of Broadcasters and the NBC TV Affiliate Board.



Bob Wise, General Manager VP

- Bob Wise, General Manger/VP – KOB-TV NBC 5
- Originally from Houston, TX
- Graduated from Texas Tech University in 1983.
- Has been in broadcasting for 29 years
- KTXS-TV Abilene, TX (1983-1986)
- WOAI-TV San Antonio, TX (1986-1994)
- WCTI-TV New Bern, NC (1994-1995)
- KRCR-TV Redding, CA (1995-2004)
- KOB-TV Medford, OR (2004- present)
- Came to KOB-TV / KOTI-TV in August 2004 as Vice President/General Manager. Wise believes that local broadcasters can and do make a difference in the communities they serve.
- He has created community projects such as:
 - The Southern Oregon Meth Project
 - Smart Choices / Health Lives
 - NBC Academic Challenge
 - YES, Youth Education Success
- Bob has been associated with United Way since 1995, and is a member of the Medford Rogue Rotary.
- His wife, Sally is an Event Planner and owns Event Wise..... and son Jason works for the Sacramento Kings Organization in their New Media Department.
- Bob's interests include racquetball (4-5 times a week)....San Antonio Spurs, and of course, watching television, specifically NBC 5.



Connie Eaton, Sales Manager

- Connie Eaton, Sales Manager – KOB-TV NBC 5
- Has been in marketing and advertising for 18 years. 14 of those years in television advertising for cable networks and the last two years in local broadcast.
- KOB-TV NBC 5 2011 – Present
- Charter Media 2002 – 2011
- Adelpia Media Services 2001 – 2002
- Comcast 1999 – 2001
- Altec 1997 – 1999
- Bulldog Caster Company 1994 - 1997



Methodology

Provide monthly website analytics from KOBIS.com website banner advertisements

Establish baseline with city and or tourism department and track month to month

Room Tax and any other area's that are tracked

Track views of City of Brookings You Tube channel content



Professional References

Dee Anne Everson
Executive Director
United Way of Jackson County
769 Spring St.
Medford, OR 97504
dceanne@unitedwayofjacksoncounty.org
541-773.5339

Steve Vincent
Regional Director
Avista Utilities
5892 Hillcrest
Medford, OR 97501
Steve.vincent@avistacorp.com
541.858.4773

Gloria Shell
Regional President of US Bank
US Bank
131 East Main St
Medford, OR 97501
Gloria.schell@usbank.com
541.776.2511



Thank you for the opportunity to create and provide this presentation.

Please don't hesitate to call with questions.

I would like the opportunity to present face to face.

KOBI TV NBC 5 and Pilot Rock Productions look forward to
working with the
City of Brookings

Thank you again

Connie Eaton

541.779.5555

Why is NewsWatch 12 the strongest marketing partner for the City of Brookings?

→ NewsWatch 12 is the dominant #1 Nielsen rated station covering 6 counties in Southern Oregon and Northern California.

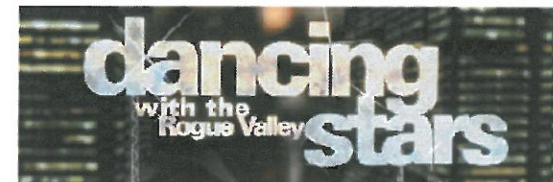
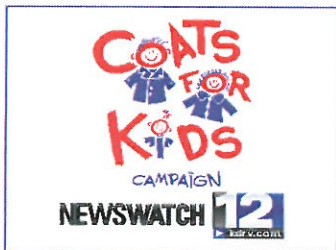
→ NewsWatch 12 has been the market leader in all News programs since 1991 with more viewers than all other stations combined.

→ NewsWatch 12 is an Oregon owned and operated company for 52 years with significant strategic and philanthropic investments in Oregon.

→ NewsWatch 12 is the only broadcast station that produces and airs your commercial in beautiful HD.

→ NewsWatch 12 airs the top syndicated programming including Jeopardy and Wheel of Fortune.

We pride ourselves on having long-term partnerships with our clients with a proven track record of success.



NEWSWATCH



Long Term Involvement...

City of Brookings

Television Campaign On KDRV NewsWatch 12

June 2013 – May 2014

Each month you will receive:

- 6 commercials per month in Morning News M-F 5-7AM
- 4 commercials per month in Good Morning America M-F 7-9AM
- 10 commercials per month rotating M-F 5AM-4PM in the following programs: (Morning News, Good Morning America, Live w/Kelly & Michael, The View, The Judges, The Chew, General Hospital, Katie Couric)
- 2 commercials per month in Evening News M-F 5-7PM
- 6 commercials per month on our 2nd channel KDRV 12+ Non-Stop News, M-Sun 8AM-11pm on Charter Channel 291 and Antenna 12.2

BONUS SCHEDULE

- 10 commercials per month on KDRV rotating M-SU 5AM-2AM
- 18 commercials per month on KDRV 12+ Non-Stop News M-Sun 8AM-11pm

Commercial Production Details

- The commercial production includes 6 hours of shooting and editing for the initial commercial as well as travel, food, and lodging expenses for the production crew
- We will also produce a minimum of 12 different "donut" style commercials, updating the original with monthly events
- PLUS... Your monthly events will also be included in the NewsWatch 12 Community Calendar on KDRV.com

Monthly Total: 56 commercials per month

Monthly Budget: \$1,458 per month

Annual Total: Minimum of 672 commercials

Annual Budget: \$17,496 (includes production)

**You will Reach an average of 130,600
Adults Age 25+ Each Month!**

Signature _____

Date _____

Client accepts this schedule and responsibility for full payment in advance monthly.
Cancellation requires two weeks notice

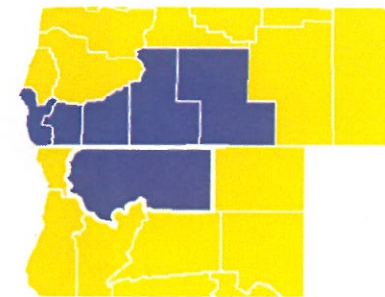
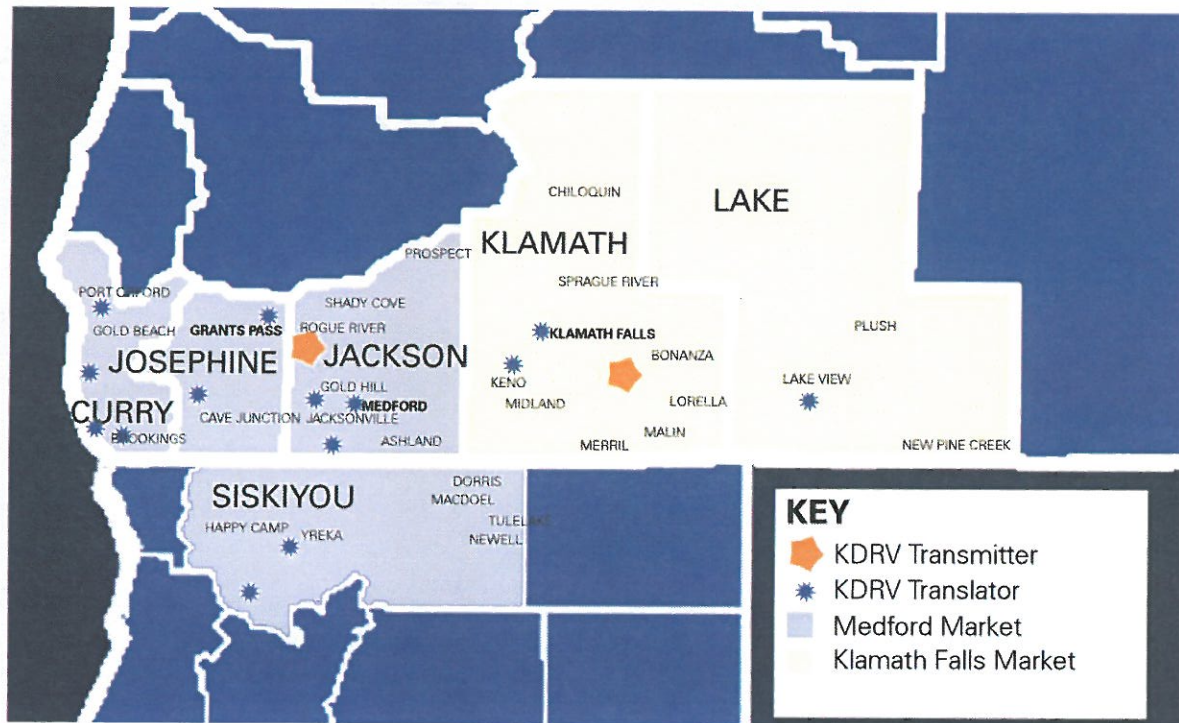


NEWSWATCH



kdrv.com

NewsWatch 12 Coverage Map



KDRV Designated Market Area

#1 Nielsen Rated Station since 1991
 National Market Rank = 140
 Households = 181,100

Penetration Estimates

Satellite 51%
 Cable 37%
 Over the Air 12%
 *Nielsen Ratings November 2012





NIELSEN RESEARCH RANKS KDRV #1

Medford TV Viewership
Nielsen Rating Period: Nov 2012

Top Ranked Shows in the Time Period

| | | Station | Program Titles | ADULTS 25-64 Thousands (000) |
|---------------------------------------|------------------------|---|----------------|---------------------------------|
| Monday -Friday 5:00a - 7:00a | | | | |
| | KDRV+ ABC Channel 12 | NewsWatch 12 Live | 5 | |
| | KOBI+ NBC Channel 5 | NBC 5 New at Sunrise | 1 | |
| | KTVL CBS Channel 10 | News 10 Good Morning | 1 | |
| | KMVU FOX Channel 13/26 | Various | 0 | |
| | NTVL CW Channel 10.2 | Infomercial/Daily Buzz | 0 | |
| Monday -Friday 7:00a - 9:00a | | | | |
| | KDRV+ ABC Channel 12 | Good Morning America | 6 | |
| | KOBI+ NBC Channel 5 | Today Show | 4 | |
| | KTVL CBS Channel 10 | CBS This Morning | 2 | |
| | KMVU FOX Channel 13/26 | FOX 26 News 1st/700 Club | 1 | |
| | NTVL CW Channel 10.2 | Daily Buzz/House of Payne | 0 | |
| Monday -Friday 9:00a - 10:00a | | | | |
| | KDRV+ ABC Channel 12 | Live w/ Kelly & Michael | 4 | |
| | KOBI+ NBC Channel 5 | Today Show 2 | 2 | |
| | KTVL CBS Channel 10 | Family Feud/Millionaire | 0 | |
| | KMVU FOX Channel 13/26 | Better Gardens | 0 | |
| | NTVL CW Channel 10.2 | Steve Wilkos | 1 | |
| Monday -Friday 10:00a - 11:00a | | | | |
| | KDRV+ ABC Channel 12 | The View | 2 | |
| | KOBI+ NBC Channel 5 | Today Show 3 | 1 | |
| | KTVL CBS Channel 10 | Price Is Right | 4 | |
| | KMVU FOX Channel 13/26 | Anderson Live | 0 | |
| | NTVL CW Channel 10.2 | Jeremy Kyle Show | 0 | |
| Monday -Friday 11:00a - 12:00p | | | | |
| | KDRV+ ABC Channel 12 | The Chew | 2 | |
| | KOBI+ NBC Channel 5 | Jeff Probst | 0 | |
| | KTVL CBS Channel 10 | Neww 10 at Noon/Bold & Beautiful | 2 | |
| | KMVU FOX Channel 13/26 | Maury Povich | 1 | |
| | NTVL CW Channel 10.2 | Infomercial | 0 | |
| Monday -Friday 3:00p - 4:00p | | | | |
| | KDRV+ ABC Channel 12 | Katie | 2 | |
| | KOBI+ NBC Channel 5 | Doctors | 0 | |
| | KTVL CBS Channel 10 | Rachel Ray | 2 | |
| | KMVU FOX Channel 13/26 | Divorce Court/Judge Alex | 1 | |
| | NTVL CW Channel 10.2 | Bill Cunningham | 0 | |
| Monday -Friday 4:00p - 5:00p | | | | |
| | KDRV+ ABC Channel 12 | Dr. Phil | 2 | |
| | KOBI+ NBC Channel 5 | Dr Oz | 2 | |
| | KTVL CBS Channel 10 | Ellen | 3 | |
| | KMVU FOX Channel 13/26 | Everybody loves Raymond/Friends | 0 | |
| | NTVL CW Channel 10.2 | Steve Wilkos | 1 | |
| Monday -Friday 5:00p - 7:00p | | | | |
| | KDRV+ ABC Channel 12 | NewsWatch 12 Live | 10 | |
| | KOBI+ NBC Channel 5 | NBC 5 News/NBC Nitely News | 6 | |
| | KTVL CBS Channel 10 | News 10/CBS Eve News | 5 | |
| | KMVU FOX Channel 13/26 | Friends/Two & Half Men/Simpsons/Big Bank Theory | 2 | |
| | NTVL CW Channel 10.2 | Are we there yet?/King of Queens | 1 | |
| Monday -Friday 7:00p - 7:30p | | | | |
| | KDRV+ ABC Channel 12 | Jeopardy | 12 | |
| | KOBI+ NBC Channel 5 | Entertainment Tonight | 3 | |
| | KTVL CBS Channel 10 | Inside Edition | 2 | |
| | KMVU FOX Channel 13/26 | Two & Half Men | 4 | |
| | NTVL CW Channel 10.2 | Rules of Engagement | 1 | |
| Monday -Friday 7:30p - 8:00p | | | | |
| | KDRV+ ABC Channel 12 | Wheel of Fortune | 9 | |
| | KOBI+ NBC Channel 5 | Insider | 3 | |
| | KTVL CBS Channel 10 | Extra | 2 | |
| | KMVU FOX Channel 13/26 | The Big Bang Theory | 4 | |
| | NTVL CW Channel 10.2 | Rules of Engagement | 1 | |
| Monday-Sunday 8:00p-11:00p | | | | |
| | KDRV+ ABC Channel 12 | ABC Prime | 9 | |
| | KOBI+ NBC Channel 5 | NBC Prime | 5 | |
| | KTVL CBS Channel 10 | CBS Prime | 10 | |
| | KMVU FOX Channel 13/26 | Fox Prime | 3 | |
| | NTVL CW Channel 10.2 | CW Prime | 1 | |
| Monday -Friday 11:00p - 11:35p | | | | |
| | KDRV+ ABC Channel 12 | NewsWatch 12 Live | 5 | |
| | KOBI+ NBC Channel 5 | CBS 10 News | 2 | |
| | KTVL CBS Channel 10 | News 10 @ 11pm | 3 | |
| | KMVU FOX Channel 13/26 | Fox 10-10:30P News | 4 | |



KDRV 2nd Quarter 2013 Program Schedule

Effective 3.25.13 - 6.23.13

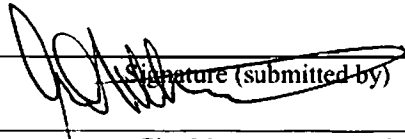
| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday | TIME | | | | | | | | | | | | | | | | | | | | |
|---------|---|--------------------------|-------------------------------------|---------------|--------|---|---|---------------------------------|---------------------------------|-----------------------------------|---|---|--------|--|--|---------------------------|-----------------------|--------|--|--|---------------------------|------------------|--------|--|--|---------------------------|-------------------|-------|
| 5:00a | NewsWatch 12 This Morning | | | | | Sports Stars Tomorrow | Steel Dreams | 5:00a | | | | | | | | | | | | | | | | | | | | |
| 5:30a | | | | | | NewsWatch 12 This Morning | | | | | Paid Programming | Cars.TV | 5:30a | | | | | | | | | | | | | | | |
| 6:00a | | | | | | | | | | | NewsWatch 12 This Morning | | | | | Jack Hanna | Paid Programming | 6:00a | | | | | | | | | | |
| 6:30a | | | | | | | | | | | | | | | | NewsWatch 12 This Morning | | | | | Jack Hanna | Paid Programming | 6:30a | | | | | |
| 7:00a | Good Morning America | | | | | | | | | | | | | | | | | | | | GMA Saturday | GMA Sunday | 7:00a | | | | | |
| 7:30a | | | | | | Good Morning America | | | | | | | | | | | | | | | Jack Hanna | This Week | 7:30a | | | | | |
| 8:00a | | | | | | | | | | | Good Morning America | | | | | | | | | | Ocean Mysteries | This Week | 8:00a | | | | | |
| 8:30a | | | | | | | | | | | | | | | | Good Morning America | | | | | Ocean Mysteries | This Week | 8:30a | | | | | |
| 9:00a | | | | | | | | | | | | | | | | | | | | | Live with Kelly & Michael | | | | | Born to Explore | Today's Homeowner | 9:00a |
| 9:30a | | | | | | | | | | | | | | | | | | | | | | | | | | Live with Kelly & Michael | | |
| 10:00a | The View | | | | | | | | | | | | | | | | | | | | Everyday Health | Paid Programming | 10:00a | | | | | |
| 10:30a | | | | | | The View | | | | | | | | | | | | | | | Food for Thought | Paid Programming | 10:30a | | | | | |
| 11:00a | | | | | | | | | | | The View | | | | | | | | | | Steel Dreams | Steel Dreams | 11:00a | | | | | |
| 11:30a | Judge Joe Brown | | | | | | | | | | | | | | | Cars.TV | Cars.TV | 11:30a | | | | | | | | | | |
| 12:00p | | | | | | The Chew | | | | | | | | | | Cars.TV | Sports Stars Tomorrow | 11:30a | | | | | | | | | | |
| 12:30p | | | | | | | | | | | The Chew | | | | | Paid Programming | Paid Programming | 12:00p | | | | | | | | | | |
| 1:00p | General Hospital | | | | | Paid Programming | Paid Programming | 12:30p | | | | | | | | | | | | | | | | | | | | |
| 1:30p | | | | | | General Hospital | | | | | TBA (ABC Programming) | TBA | 1:00p | | | | | | | | | | | | | | | |
| 2:00p | Judge Judy | | | | | | | | | | TBA (ABC Programming) | TBA | 1:30p | | | | | | | | | | | | | | | |
| 2:30p | | | | | | Judge Judy | | | | | ESPN Sports Saturday | TBA (ABC Programming) | 2:00p | | | | | | | | | | | | | | | |
| 3:00p | Katie | | | | | | | | | | ESPN Sports Saturday | TBA (ABC Programming) | 2:30p | | | | | | | | | | | | | | | |
| 3:30p | | | | | | Katie | | | | | ESPN Sports Saturday | TBA (ABC Programming) | 3:00p | | | | | | | | | | | | | | | |
| 4:00p | Dr. Phil | | | | | | | | | | ESPN Sports Saturday | TBA (ABC Programming) | 3:30p | | | | | | | | | | | | | | | |
| 4:30p | | | | | | Dr. Phil | | | | | Paid Programming | Paid Programming | 4:00p | | | | | | | | | | | | | | | |
| 5:00p | NewsWatch 12 at 5p | | | | | | | | | | Paid Programming | Paid Programming | 4:30p | | | | | | | | | | | | | | | |
| 5:30p | | | | | | ABC World News | | | | | Today's Homeowner | Judge Judy | 5:00p | | | | | | | | | | | | | | | |
| 6:00p | NewsWatch 12 at 6p | | | | | | | | | | Sports Stars Tomorrow | Judge Joe Brown | 5:30p | | | | | | | | | | | | | | | |
| 6:30p | | | | | | NewsWatch 12 at 630p | | | | | NewsWatch 12 at 6p | NewsWatch 12 at 6p | 6:00p | | | | | | | | | | | | | | | |
| 7:00p | Jeopardy | | | | | | | | | | ABC World News | ABC World News | 6:30p | | | | | | | | | | | | | | | |
| 7:30p | | | | | | Wheel Of Fortune | | | | | Jeopardy | America's Funniest Videos | 7:00p | | | | | | | | | | | | | | | |
| 8:00p | Wheel Of Fortune | | | | | | | | | | Wheel of Fortune | America's Funniest Videos | 7:30p | | | | | | | | | | | | | | | |
| 8:00p | | | | | | Dancing w/Stars / Bachelorette (P 5/20) | Splash | The Middle | Wife Swap / Wipeout (P5/16) | Happy Endings / Shark Tank (4/19) | ABC Saturday Movie of the Week | Once Upon A Time / Ext: Wt Loss (5/26) | 8:00p | | | | | | | | | | | | | | | |
| 8:30p | Neighbors/Suburg 4/3 | Grey's Anatomy | Shark Tank / Prime Nightline (4/19) | 8:30p | | | | | | | | | | | | | | | | | | | | | | | | |
| 9:00p | Dancing Results | | | Modern Family | 20/20 | | 9:00p | | | | | | | | | | | | | | | | | | | | | |
| 9:30p | | Suburg/Live w/Parent 4/3 | 9:30p | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10:00p | Castle/Mistresses (P5/27) | Body of Proof | Nashville | Scandal | 20/20 | ABC Saturday Movie of the Week | Red Widow / Castle (5/26) | 10:00p | | | | | | | | | | | | | | | | | | | | |
| 10:30p | | | 10:30p | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11:00p | NewsWatch 12 at 11p | | | | | NewsWatch 12 at 11p | | | 11:00p | | | | | | | | | | | | | | | | | | | |
| 11:30p | Jimmy Kimmel Live (new time period) | | | | | Paid Programming | Paid Programming | 11:30p | | | | | | | | | | | | | | | | | | | | |
| 12:00a | | | | | | | | ABC Nightline (new time period) | ABC Nightline (new time period) | Syndicated Programming | ABC World News Now / America This Morning | ABC World News Now / America This Morning | 12:00a | | | | | | | | | | | | | | | |
| 12:30a | 12:30a | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1-2:00a | ABC World News Now / America This Morning | | | | | Syndicated Programming | ABC World News Now / America This Morning | 1-2:00a | | | | | | | | | | | | | | | | | | | | |
| 3-4:30a | | | | | | | | 3-4:30a | | | | | | | | | | | | | | | | | | | | |

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Status of HB 3453

Recommended Motion: Information only.

Background/Discussion:

The City Council authorized the Mayor to execute a joint letter with the Mayors of Gold Beach and Port Orford opposing HB 3453, legislation which may have authorized the Governor to exercise extraordinary emergency powers in the event of a County fiscal emergency.

The League of Oregon Cities also opposed HB 3453, and a hearing on the Bill was held on May 1 at which the Bill was substantially amended.

The cities have been working with the League for several weeks seeking amendments to HB 3453 following the joint Mayors letter. Attached are the amendments that were the subject of the Committee hearing yesterday. Some key changes include:

1. The Governor would be required to confer with all local governments in the affected County prior to declaring a public safety fiscal emergency.
2. Authorizes the Governor to enter into intergovernmental agreements on behalf of counties, but not on behalf of cities or other units of local government. Cities could opt-in to intergovernmental agreements, but could not be forced to do so.
3. Requires the County to levy an income tax surcharge to pay for 50 per cent of the cost of public safety services; the State would pay the other 50 per cent recognizing that the issue of economically depressed timber counties is one of statewide concern..
4. Limits the scope of intergovernmental agreements to public safety related functions and activities.

There is nothing in the amended HB 3453 that could be interpreted as authorizing the Governor to consolidate units of local government, as some had interpreted the Bill earlier. Essentially, HB 3453, as amended, would provide that, if a local public safety emergency is declared, the Governor stands in the shoes of the County in the development of intergovernmental agreements with cities and other units of local government to provide essential public safety services and the State would pay half the cost. I plan to include this information in a report on the status of 3453 at the May 13 Brookings City Council meeting.

If these changes are inserted into the final Bill, it is my understanding that the League of Oregon Cities would change its position from "oppose" to "support."

The duration of intergovernmental agreements would be limited to 18 months and allows the State to help coordinate public safety services. According to the League of Oregon Cities, **HB 3453 no longer contains any provisions that could be interpreted as authorizing the Governor to “take over” local government, levy or increase taxes, consolidate cities and counties, or take money from one local government and transfer it to another...all of which were feared potential consequences in the original Bill.**

According to the League of Oregon Cities, **HB 3453 no longer contains any provisions that could be interpreted as authorizing the Governor to “take over” local government, levy or increase taxes, consolidate cities and counties, or take money from one local government and transfer it to another...all of which were feared potential consequences in the original Bill.**

The Bill has, essentially, been amended to address the concerns expressed by the three Curry County Mayors and no longer poses a threat to “local control.”

Attachment(s):

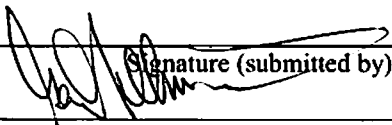
- a. Council Agenda Report of March 25, 2013 and Original HB 3453
- b. Amendments to HB 3453
- c. Email from Chris Fick, League of Oregon Cities
- d. Excerpt from May 2 League of Oregon Cities newsletter

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: March 25, 2013

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: House Bill 3453

Recommended Motion:

Motion to authorize the Mayor to send a letter to the Oregon House Committee on Rules and Governor John Kitzhaber requesting that cities in the Counties affected by HB 3453 be included in any future meetings which involve crafting the provisions of this Bill; that the City opposes any provision or interpretation of this Bill which would result in dissolution of the City or diverting its resources, without compensation, to providing services to other units of government; and that the City is willing to enter into discussions with the State and the County concerning possible intergovernmental agreements whereby the City would provide public safety services to areas of the unincorporated territory of Curry County.

Background/Discussion:

The Oregon House of Representatives Committee on Rules, at the request of Governor John Kitzhaber, has introduced House Bill (HB) 3453 which:

"Provides that Governor may proclaim, in affected counties, public safety fiscal emergency, with unanimous agreement of President and Minority Leader of Senate and Speaker and Minority Leader of House of Representatives. Allows for consolidation or merger of units of local government and for intergovernmental agreements for purpose of providing services. Allows for imposition of income tax assessments on residents of affected counties, with maximum rate to be specified in proclamation and with approval of county governing board."

The full text of the Bill (as of its date of introduction) is attached. HB 3453 would be effective upon passage.

Essentially, HB 3453 would authorize the Governor, with the consent of the legislative leadership, to exercise emergency powers to respond to a fiscal emergency affecting public safety in counties that no longer have the resources to provide public safety services.

While it remains unclear as to how the authorities granted under this legislation would be implemented, City staff has interpreted the Bill as presently drafted to allow actions such as:

1. Requiring the County to enter into an intergovernmental agreement with the City of Brookings to provide law enforcement services within a specified area of the unincorporated territory; and requiring the City to perform those services.
2. Creating a new law enforcement district and imposing an income tax assessment to pay for the cost of the district providing services.

3. Mandating the consolidation of all four local law enforcement agencies in the County into one.

When asked “Does HB 3453 authorize the Governor to consolidate City Police Departments and the County Sheriff’s Department even if the cities are unwilling to enter into an intergovernmental agreement?” the response from the League of Oregon Cities legislative analyst Chris Frick was “Yes, as the way the Bill is written now, I think it could dictate a merger.”

However, HB 3453 may authorize the State and the County to go even further. According to Curry County Commission Chair David Brock Smith, HB 3453:

“This adds the final piece necessary for county solvency by going beyond funding public safety, by consolidating other ‘units of government’ such as cities and other taxing districts into the County with their resources.” Curry Coastal Pilot March 16, 2013

Essentially, Commissioner Smith’s interpretation of HB 3453 is that it would enable the State to disincorporate the Cities of Brookings, Gold Beach and Port Orford...as well as any other unit of local government...into one local government entity: the County.

Attachment(s):

- a. HB 3453

House Bill 3453

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that Governor may proclaim, in affected counties, public safety fiscal emergency, with unanimous agreement of President and Minority Leader of Senate and Speaker and Minority Leader of House of Representatives. Allows for consolidation or merger of units of local government and for intergovernmental agreements for purpose of providing services. Allows for imposition of income tax assessment on residents of affected counties, with maximum rate to be specified in proclamation and with approval of county governing body.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to public safety fiscal emergencies; creating new provisions; amending ORS 203.055; and
3 declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. The purposes of sections 2 to 8 of this 2013 Act are to reduce the loss of life,**
6 **injury to persons or property and suffering that result from public safety fiscal emergencies**
7 **and to provide for recovery and relief assistance. These public safety objectives are to be**
8 **accomplished by creating cooperation among units of local government and granting the**
9 **Governor the power to act on behalf of units of local government. The provisions of this**
10 **section shall be liberally construed.**

11 **SECTION 2. (1) If the Governor, the President and Minority Leader of the Senate and the**
12 **Speaker and Minority Leader of the House of Representatives agree unanimously that a**
13 **public safety fiscal emergency has occurred or is imminent, the Governor may proclaim a**
14 **public safety fiscal emergency.**

15 **(2) The Governor shall specify in a proclamation made pursuant to this section each**
16 **county in which the public safety fiscal emergency has occurred or is imminent. The area**
17 **specified in the proclamation shall be as small as necessary to allow for an effective response**
18 **to the emergency.**

19 **(3) A proclamation made pursuant to this section shall state any units of local govern-**
20 **ment to be consolidated or merged for the purpose of providing services in the interest of**
21 **public safety and the maximum rate of an income tax assessment, if any, that may be im-**
22 **posed to fund public safety services.**

23 **(4) As used in sections 2 to 8 of this 2013 Act, "local government" has the meaning given**
24 **that term in ORS 174.116.**

25 **SECTION 3. (1) Whenever the Governor has proclaimed a public safety fiscal emergency**
26 **pursuant to section 2 of this 2013 Act, the Governor may, on behalf of a unit of local gov-**
27 **ernment within the area covered by the proclamation, enter into a written intergovern-**
28 **mental agreement with any other unit of local government, whether inside or outside the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 area covered by the proclamation, for the performance of any or all functions and activities
 2 that a unit of local government that is party to the agreement, its officers or agencies have
 3 authority to perform.

4 (2) ORS 190.010 applies to the performance of a function or activity pursuant to an
 5 intergovernmental agreement entered into under subsection (1) of this section.

6 **SECTION 4.** (1) An intergovernmental agreement entered into under section 3 of this 2013
 7 Act shall specify the functions or activities to be performed and by what means they shall
 8 be performed.

9 (2) Where applicable, the intergovernmental agreement shall provide for:

10 (a) Apportionment among the parties to the agreement of the responsibility for providing
 11 funds to pay for expenses incurred in the performance of the functions or activities.

12 (b) Apportionment of fees or other revenue derived from the functions or activities and
 13 the manner of accounting for the fees or other revenue.

14 (c) The transfer of personnel and the preservation of their employment benefits.

15 (d) The transfer of possession of or title to real or personal property.

16 **SECTION 5.** (1) A unit of local government that is designated, in an intergovernmental
 17 agreement entered into under section 3 of this 2013 Act, to perform functions or activities
 18 is vested with all powers, rights and duties relating to those functions and activities that are
 19 vested by law in each party to the agreement, its officers and agencies.

20 (2) An officer designated in an intergovernmental agreement entered into under section
 21 3 of this 2013 Act to perform duties, functions or activities of two or more public officers
 22 shall be considered to be holding one office.

23 **SECTION 6.** (1) An intergovernmental entity created by an intergovernmental agreement
 24 entered into under section 3 of this 2013 Act may, according to the terms of the agreement,
 25 adopt all rules necessary to carry out the intergovernmental entity's powers and duties un-
 26 der the intergovernmental agreement.

27 (2) As provided in section 7 of this 2013 Act, counties that comprise an intergovernmental
 28 entity created by an intergovernmental agreement may impose an income tax assessment
 29 within the area specified in the proclamation made pursuant to section 2 of this 2013 Act.
 30 The purpose of the assessment shall be to carry on the operations and pay the obligations
 31 of the intergovernmental entity.

32 (3) The debts, liabilities and obligations of an intergovernmental entity shall be, jointly
 33 and severally, the debts, liabilities and obligations of the parties to the intergovernmental
 34 agreement that created the intergovernmental entity, unless the agreement specifically
 35 provides otherwise.

36 (4) A party to an intergovernmental agreement creating an intergovernmental entity may
 37 assume responsibility for specific debts, liabilities or obligations of the intergovernmental
 38 entity.

39 (5)(a) Moneys collected by or credited to an intergovernmental entity may not inure to
 40 the benefit of any private person. Upon dissolution of the intergovernmental entity, title to
 41 all assets of the intergovernmental entity shall vest in the parties to the intergovernmental
 42 agreement that created the intergovernmental entity.

43 (b) The intergovernmental agreement creating the intergovernmental entity must pro-
 44 vide a procedure for:

45 (A) The disposition, division and distribution of any assets acquired by the intergovern-

1 mental entity during the term of the intergovernmental agreement that created the inter-
 2 governmental entity; and

3 (B) The assumption of any outstanding indebtedness or other liabilities of the intergove-
 4 rnmental entity by the parties to the intergovernmental agreement that created the inter-
 5 governmental entity.

6 (6) ORS 190.110 applies to all parties to, and all intergovernmental entities created by,
 7 an intergovernmental agreement entered into under section 3 of this 2013 Act.

8 **SECTION 7.** (1) To carry out the purposes of sections 2 to 8 of this 2013 Act, counties
 9 within the area covered by the proclamation made pursuant to section 2 of this 2013 Act may
 10 impose a tax:

11 (a) Upon the entire taxable income of every resident of the area who is subject to tax
 12 under ORS chapter 316 and upon the taxable income of every nonresident that is derived
 13 from sources within the area which income is subject to tax under ORS chapter 316; or

14 (b) On or measured by the net income of a mercantile, manufacturing, business, finan-
 15 cial, centrally assessed, investment, insurance or other corporation or entity taxable as a
 16 corporation doing business, located, or having a place of business or office within or having
 17 income derived from sources, within the area which income is subject to tax under ORS
 18 chapter 317 or 318.

19 (2) A tax imposed pursuant to this section shall require the approval of the governing
 20 bodies of each county within the area.

21 (3) The tax may be imposed and collected as a surtax upon the state income or excise tax.

22 (4) Any tax imposed pursuant to subsection (1) of this section shall require a nonresident,
 23 corporation or other entity taxable as a corporation having income from activity both within
 24 and without the area taxable under subsection (1) of this section to allocate and apportion
 25 such net income to the area in the manner required for allocation and apportionment of in-
 26 come under ORS 314.280 and 314.605 to 314.675.

27 (5) If a county adopts an ordinance under this section, the ordinance shall be consistent
 28 with any state law relating to the same subject, and with rules and regulations of the De-
 29 partment of Revenue prescribed under ORS 305.620.

30 (6) An ordinance adopted under this section may not declare an emergency.

31 **SECTION 8.** (1) A public safety fiscal emergency proclaimed pursuant to section 2 of this
 32 2013 Act terminates after 18 months unless the Governor, the President and Minority Leader
 33 of the Senate and the Speaker and Minority Leader of the House of Representatives unan-
 34 imously agree to extend the public safety fiscal emergency for a stated amount of time up
 35 to 18 additional months. The Governor shall proclaim the extension.

36 (2) The Governor shall terminate a public safety fiscal emergency by proclamation when
 37 the emergency no longer exists or the threat of an emergency has passed.

38 (3) The public safety fiscal emergency proclaimed by the Governor may be terminated
 39 at any time by action of the Legislative Assembly.

40 (4) Prior to the termination of a public safety fiscal emergency, the local governments
 41 that are parties to an intergovernmental agreement entered into under section 3 of this 2013
 42 Act may adopt an ordinance ratifying the creation of the intergovernmental entity to con-
 43 tinue the entity beyond the termination of the emergency. The ratifying ordinance shall be
 44 consistent with ORS 190.085.

45 (5) Nothing in this section shall prohibit a unit of local government from entering into

1 **an intergovernmental agreement under ORS 190.003 to 190.130 during a public safety fiscal**
2 **emergency.**

3 **SECTION 9.** ORS 203.055 is amended to read:

4 203.055. (1) **Except as provided in subsection (2) of this section,** any ordinance, adopted by
5 a county governing body under ORS 203.035 and imposing, or providing an exemption from, taxation
6 shall receive the approval of the electors of the county before taking effect.

7 **(2) A tax may be imposed pursuant to section 7 of this 2013 Act upon receipt of the ap-**
8 **proval of the county governing body.**

9 **SECTION 10.** The Legislative Assembly finds and declares that providing a coordinated
10 and comprehensive response to a local or regional public safety fiscal emergency is a matter
11 of state concern. Notwithstanding any provision of a county charter, a tax imposed pursuant
12 to section 7 of this 2013 Act may be imposed upon receipt of the approval of the county
13 governing body.

14 **SECTION 11.** This 2013 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
16 on passage.

17 _____

**PROPOSED AMENDMENTS TO
HOUSE BILL 3453**

1 On page 1 of the printed bill, line 18, after the period insert “Before
2 making the proclamation, the Governor shall consult with all units of local
3 government that are contained within the area specified in the proclamation.
4 A unit of local government other than a county shall be party to an inter-
5 governmental agreement only with the consent of the unit of local govern-
6 ment.”.

7 In line 21, after “safety” insert a period and delete the rest of the line
8 and line 22.

9 On page 2, line 1, delete “any or all” and insert “public safety-related”.

10 After line 15, insert:

11 “(3)(a) The state shall bear 50 percent of the cost of public safety services
12 provided under the intergovernmental agreement.

13 “(b) The counties that make up the intergovernmental entity shall bear
14 the remaining 50 percent, which shall be funded through an income tax as-
15 sessment as provided in section 7 of this 2013 Act.”.

16 In line 30, after “be” delete the rest of the line and line 31 and insert
17 “the provision of public safety services.”.

18 In line 32, after “(3)” insert “Except as provided in section 4 (3) of this
19 2013 Act,”.

**PROPOSED AMENDMENTS TO
HOUSE BILL 3453**

1 On page 1 of the printed bill, line 2, delete “creating new provisions;
2 amending ORS 203.055;”.

3 In line 5, delete “8” and insert “7”.

4 In line 8, delete “units of local government” and insert “counties”.

5 In line 9, delete “units of local government” and insert “counties”.

6 In line 18, after the period, insert “Before making the proclamation, the
7 Governor shall consult with all local governments, as defined in ORS 174.116,
8 that are contained within the area specified in the proclamation.”.

9 In line 19, after “any” delete the rest of the line and insert “counties”.

10 In line 20, delete “ment”.

11 Delete lines 23 and 24.

12 In line 26, after “a” delete the rest of the line and insert “county”.

13 In line 27, delete “ernment”.

14 In line 28, delete “unit of local government” and insert “county”.

15 On page 2, line 1, delete “any or all” and insert “public safety-related”.

16 In line 2, delete “unit of local government” and insert “county”.

17 In line 16, delete “unit of local government” and insert “county”.

18 Delete lines 27 through 31.

19 In line 32, delete “(3)” and insert “(2)”.

20 In line 36, delete “(4)” and insert “(3)”.

21 In line 39, delete “(5)(a)” and insert “(4)(a)”.

22 On page 3, line 6, delete “(6)” and insert “(5)”.

- 1 Delete lines 8 through 30.
- 2 In line 31, delete "8" and insert "7".
- 3 In line 40, delete "local governments" and insert "counties".
- 4 In line 45, delete "unit of local government" and insert "county".
- 5 On page 4, delete lines 3 through 13.
- 6 In line 14, delete "11" and insert "8".

7

Gary Milliman

Subject: FW: bill re county insolvency - HBs 2206 and 3453
Attachments: HB3453_2_2013_Regular_Session.pdf

Gary Milliman
City Manager
Brookings

From: Chris Fick [mailto:cfick@orcities.org]
Sent: Tuesday, April 30, 2013 1:55 PM
To: Ryan Nolan; Gary Milliman; acubic@grantspassoregon.gov; mmurphy@portorford.org; jfritts@goldbeachoregon.gov
Subject: RE: bill re county insolvency - HBs 2206 and 3453

The -2 amendments to HB 3453 are attached, and they are amendments that we can support. They confine the bill to dealing only with counties – **cities are excluded completely from the governor's purview**, as you'll see.

I'll circulate any additional amendments as soon as I have them. Again, thanks for your help.

Chris

Hearing Held on County Fiscal Challenges, Public Safety Concerns

The House Task Force on O&C Counties, co-chaired by Representatives Val Hoyle (D-Eugene) and Bruce Hanna (R-Roseburg), held an informational hearing this week on two bills dealing with the provision of certain services if a county is unable to fund those duties.

HB 2206 deals with elections, building codes, veterans' affairs, and assessment and taxation services. As originally drafted, the bill would have allowed the Oregon Department of Revenue (DOR) to use the unsegregated property tax collections of other taxing districts, including cities and schools, to reimburse itself for expenses incurred in conducting a county's assessment and taxation activities. Proposed dash-2 amendments stipulate that certain county funds would be used first to reimburse DOR, and would require the department to seek reimbursement from the state's emergency board if those funds were insufficient.


HB 3453 would create a mechanism allowing the governor and legislative leadership to proclaim a public safety emergency in a county. As originally drafted, the bill would empower the governor to consolidate or merge local governments in the affected areas and enter into intergovernmental agreements on their behalf. In order to fund the necessary level of public safety services, the bill allows county commissions to impose an income tax on residents and businesses.

The League strenuously objected to HB 3453 as originally written but amendments have been drafted that exclude cities and special districts from the governor's authority. The amendments also decrease the amount of local income taxes necessary to support local public safety services to 50 percent of costs, with the remaining 50 percent borne by the state. Cities and other local governments would be able to enter into intergovernmental agreements with the county and/or the state to help provide services, but would be able to do so at their discretion.

Contact: Chris Fick, Intergovernmental Relations Associate – cfick@orcities.org

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: May 13, 2013



Signature (submitted by)

Originating Dept: Mayor

City Manager Approval

Subject: Secretary of State Complaint Filed by Commissioner David Brock Smith

Recommended Motion:

Motion for the Mayor and City Council to execute a letter to Secretary of State Kate Brown in the matter of the complaint filed by Curry County Commission Chair David Brock Smith.

Background/Discussion:

Curry County Commission Chair David Brock Smith submitted a complaint to the Oregon Secretary of State alleging violation of various State statutes by the City Council and the City Manager in the discourse concerning Measure 8-71 and the proposal for a Home Rule Charter.

The Secretary of State's Office has provided notice that they have opened an investigation into the matters contained in the Smith letter that are within their purview.

City Attorney Martha Rice has provided an initial response to the Secretary of State.

Mayor Hedenskog has requested that the City Council consider sending the attached letter to the Secretary of State.

Attachment(s):

- a. Draft letter to Secretary of State
- b. Letter from Commission Chair David Brock Smith
- c. Letter from Secretary of State
- d. Letter to Secretary of State from City Attorney Martha Rice

Kate Brown
Secretary of State
255 Capitol Street NE, Suite 501
Salem, OR 97310

RE: Complaint of David Brock Smith

Dear Secretary Brown,

In 2012, the Curry County Board of Commissioners formed a Curry County Citizens Committee (CCCC) to make recommendations to the Commission for dealing with the County fiscal crisis. Brookings City Manager Gary Milliman and 22 other Curry County citizens were appointed to the CCCC by the Board of Commissioners. The CCCC met several times in meetings facilitated by Oregon Consensus and developed 19 recommendations to the Board of Commissions.

It has come to our attention that Curry County Commissioner David Brock Smith has filed a complaint with the Office of the Secretary of State alleging that Gary Milliman, acting in his official capacity as Brookings City Manager “misinformed the public” by stating that the only CCCC recommendation that has been pursued by the Board of Commissioners is the placement of a property tax levy on the May Ballot.

Please note that it is a widely held belief among Curry County citizens that the Curry County Board of Commissioners failed to act on any of the 19 recommendations made by the CCCC other than the proposed property tax measure.

This failure to act by the Commissioners has resulted in the formation of two grass roots citizens committees...one known as the Fiscal Independence Committee which has taken on the task of reviewing each of the CCCC recommendations, and one known as the Curry Charter Committee... or “C-3”...which is drafting a County charter initiative proposal to change the County form of government as recommended by the CCCC..

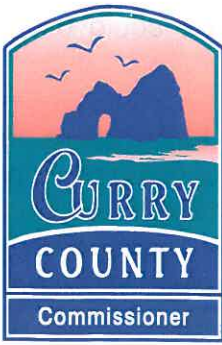
Another outcome of the County’s failure to act has been the development of an unprecedented spirit of cooperation between the three Curry County Cities. The Mayors and City Managers of the three cities are now meeting regularly to address matters of common interest, including alternative concepts for addressing the County’s fiscal crisis which affects city and unincorporated area residents alike.

Commissoner Smith’s allegation that Mr. Milliman has misinformed the public concerning this matter is without merit. Indeed, Mr. Milliman and his staff should be commended for their efforts in analyzing the hastily-crafted County tax levy Measure 8-71 which appears on the May

ballot. The analysis provided by Mr. Milliman and his staff clearly demonstrates that the underlying assumptions used in determining the proposed tax rate structure are flawed, and that the Commission majority has been less than transparent in providing information to the public.

The City of Brookings first received a copy of the County spreadsheet which formed the basis for the split rate property tax that is contained in Measure 8-71 on the same date that the Board of Commissioners voted to place the matter on the ballot. The City had no opportunity to analyze the proposed Measure...which proposes to levy a property tax rate of \$1.84 within the City of Brookings to fund County law enforcement services...prior to the Measure being placed on the ballot.

We have reviewed the comments attributed to Mr. Milliman that are 'called out' in Mr. Smith's complaint letter of April 18, 2013. We believe that those comments fairly represent the consensus opinion of the Brookings City Council and there was no violation of ORS 260.432 or 260.532.



**Curry County
Board of Commissioners**

David Brock Smith, *Chair*

94235 Moore Street, Suite 122
Gold Beach, OR 97444
541-247-3296, 541-247-2718 Fax
800-243-1996 www.co.curry.or.us

April 16, 2013

Honorable Secretary of State Kate Brown
136 State Capitol
Salem, OR 97310

Dear Secretary of State Brown:

It is with great regret that I contact you today regarding concerns over possible violations by public employees in regard to Oregon Revised Statutes 294.100, 260.432 and 260.532.

As you are aware, Curry County is on the brink of fiscal insolvency and to avert the impending Public Safety Fiscal Crisis, the Board of Curry County Commissioners has lawfully placed Measure 8-71, County Law Enforcement Split Rate Levy on the ballot for the registered voters decision on May 21st, 2013. I am dismayed by the actions of the City of Brookings Manager Mr. Milliman and at a loss to explain the authority given to him by his Council which has resulted in these possible violations occurring.

Eight Public Meetings were publicly noticed from January 7th through February 13th discussing the dire county fiscal situation, one of which was on January 28th, in the Brookings City Council Chambers for Council input and Commissioner discussion. These publicly posted meetings were designed to gather public input and discussion to reach a funding solution and avoid a public safety and fiscal catastrophe. The decision to place the Law Enforcement Levy was voted on February 13th, 2013 in a lawfully publicly noticed Board of Commissioners Meeting, signed by me, as Chair that afternoon and became a measure on February 26th, 2013.

It has come to my attention through recent statements made to the press, in Brookings City Council Meetings and email correspondence, that City Manager Milliman has possibly violated ORS 294.100 by directing City Attorney Rice to draft a County Home Rule Charter and subsequently spending City of Brookings Taxpayer dollars to create said document without the authority to do so and knowingly having no authority to place said document on a ballot for vote of the electorate. Furthermore, City Manager Milliman; through the supporting documentation supplied, directed City Attorney Rice to begin the draft, possibly violating ORS 294.100 before City Council approval on March 25th, 2013. As the motions for this action were drafted by City Manager Milliman and were subsequently voted on and approved by the Brookings City

Council, there is a concern that the Council itself; all who voted in favor, could be in violation of 294.100 as well.

It has also come to my attention through recent statements made to the press, in Brookings City Council Meetings and email correspondence, that Brookings City Manager Milliman has possibly violated ORS 260.432 and 260.532. Manager Milliman writes, "to prop up a bankrupt county government with a dysfunctional management structure". He states in another article, "If they'd conferred with us, we could have come up with a formula everyone agreed with, that didn't happen". Manager Milliman goes on to say, "Now we're in position where we need to respond and do our own analysis and propose something to voters based on that". He further misinforms the public by stating in his report, "Only one of the recommendations that has been pursued is the placement of a property tax levy on the May Ballot". (260.532) Manager Milliman also states at a Brookings City Council Meeting that, "the measure is flawed" (referring to the County's proposal).

As unfortunate as this is, the documentation supporting these concerns of multiple possible violations of ORS 294.100, 260.432, 260.532 are, in my opinion, valid. I would also suggest to you that more documentation exists in the audio and video of Brookings City Council Meetings beginning in February of 2013. I respectfully request a swift and thorough inquiry into these possible violations and should any violations be founded, appropriate penalties to all violating parties responsible be rendered for each occurrence. Thank you in advance for your diligence in this important matter.

Very Respectfully,

A handwritten signature in black ink, appearing to read "David Brock Smith", with a large, stylized flourish at the end.

David Brock Smith, Chair
Curry County Board of Commissioners

KATE BROWN
SECRETARY OF STATE



ELECTIONS DIVISION
STEPHEN N. TROUT
DIRECTOR
255 CAPITOL ST NE, SUITE 501
SALEM, OREGON 97310
ELECTIONS—(503) 986-1518

April 17, 2013

Gary Milliman
898 Elk Dr.
Brookings, OR 97415

Dear Mr. Milliman:

This is to notify you that a written complaint has been received by the Secretary of State, Elections Division, alleging possible violations of Oregon election law. The complaint relates to possible violations of ORS 260.432 stemming from alleged opposition of a county measure while on the job during work hours. The complaint also makes allegations related to ORS 260.532 and ORS 294.100. These statutes are not enforced by the Elections Division, and therefore our inquiry will be limited to whether any violation of ORS 260.432 took place.

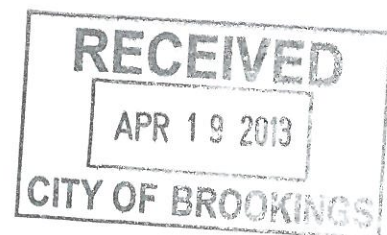
The Secretary of State, Elections Division, is required to notify the subject of a complaint. ORS 260.345. The complaint was received on April 17, 2013. A copy of the complaint has been included for your reference.

This office will be reviewing the complaint as soon as possible to determine the appropriate action. You will be notified of any need for information or determinations.

Sincerely,

Alana Cox
Compliance Specialist

Case no. 13-040



LAW OFFICES OF ROBERT N. BLACK

The McNulty House
710 H Street
Crescent City, CA 95531

Robert N. Black, Attorney
rblack@attyblack.com

Phone: 707-464-7637
Fax: 707-464-7647

Martha D. Rice, Attorney
mrice@attyblack.com

Nancy A. Mingelen, Paralegal
nmingelen@attyblack.com

Autumn E. Luna, Attorney
aluna@attyblack.com

Andre L. Carpenter, Office Manager
acarpenter@attyblack.com

April 24, 2013

Alana Cox, Compliance Specialist
Office of the Secretary of State
225 Capitol Street NE, Suite 501
Salem, OR 97310

Re: Complaint submitted April 16, 2013 by Curry County Commissioner David Brock Smith Alleging Elections Violations by Brookings Public Officials

Dear Ms. Cox:

I have read the complaint submitted to the Secretary of State's office on April 16, 2013, by Curry County Board of Commissioners Chair David Brock Smith alleging that Brookings City Manager Gary Milliman, and possibly the Brookings City Council, has violated three Oregon statutes relating to (1) expending money for a purpose other than provided for by law (ORS 294.100), (2) a public employee to promote or oppose the adoption of a measure during work hours (ORS 260.432), and (3) communicating a false statement of material fact relating to a measure (ORS 260.532). My legal analysis of the allegations follows.

A. Spending money for a purpose other than authorized by law (ORS 294.100).

(1) *Text:*

294.100 Public official expending money in excess of amount or for different purpose than provided by law unlawful; civil liability.

(1) It is unlawful for any public official to expend any moneys in excess of the amounts provided by law, or for any other or different purpose than provided by law.

(2) *Analysis:* Violation of this statute is based upon the City's direction to have the City Attorney draft a home rule charter for Curry County. The specific allegation being that because the City cannot place the charter on the ballot as a measure, it has spent money for

legal service without the lawful authority to do so. Either the local district attorney or any city taxpayer may file a civil suit to redress of violations of ORS 294.100 and seek return of the money alleged to have been improperly spent. While the Secretary of State does not appear to have jurisdiction to address violations of this statute, I will nonetheless provide my analysis of the alleged violation.

In reviewing the published cases that involve violations of this statute, most of the cases involve spending public funds expended to promote or defeat ballot measures – actual funded campaigns. In related cases involving Section 9 of Article XI of the Oregon Constitution (limiting powers of counties and cities to assist corporations), the courts discuss the criteria for evaluating whether an expenditure is made for a public purpose. The principal determination when dealing with general fund revenues for a general purpose government is whether “the expenditures are sufficiently beneficial to the community as a whole to justify governmental involvement. . . The judiciary should invalidate expenditures only where reasonable men **could not** differ as to their lack of social utility.” *Thunderbird Motel, Inc. v. Portland* (1979) 40 Ore. App. 697, 704-706 (emphasis added).

In this case, the City of Brookings authorized the drafting of a “draft” home rule charter for Curry County. The reason that the City took such action is due to the current fiscal crisis of the County. City residents are also residents of the County and depend on certain County functions and services. The City Council expressed the opinion that the County could benefit from a form of government that employed the services of a professional manager that could utilize his or her experience and expertise to improve the efficiency of the day to day operations of County government. The City Council intended this draft charter to be a tool for the use and benefit of its residents. The Charter is not a final draft and it will be up to private citizens to place the Charter (or some version of it) on the ballot. The drafting of a county home rule charter to be utilized by local residents in an effort to improve local government is beneficial to the whole community and justifies the relatively minor expense.

B. Public employee opposing a measure during work hours (ORS 260.432).

(1) *Text:*

260.432 Solicitation of public employees; activities of public employees during working hours.

(1) **No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.**

(2) **No public employee shall** solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or **promote or oppose** the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, **the adoption of a measure** or the recall of a public office holder **while on the job during working hours.** However, this section does not restrict the right of a public employee to express personal political views.

(2) *Analysis*: The allegations pertaining to violating this ORS section include City Manager Milliman’s analysis of the tax measure and presentation to the City Council. The argument apparently being that the City Manager’s analysis of the tax measure constituted a public employee opposing the adoption of a measure while on the job during working hours. Again, the case law discussing this section generally involves actual campaigns designed to defeat a measure. Campaigns include activities directed at a particular outcome such as newspaper ads, fliers, radio ads, operating telephone hotlines, special public presentations, etc.

The only actions taken in this case were responses to press questions and public discussion of the measures at an open and public meeting. Mr. Milliman’s actions were not a campaign or concerted effort to oppose the measure. Instead his actions were as the City Manager providing information and analysis to the City Council on an important issue facing the County and affecting both city residents and potentially City government (proposed state bills). The fiscal crisis of Oregon’s rural counties is an unprecedented situation in Oregon. The City government would be doing its taxpayers a disservice by sitting idly by and failing to take an active role in preparing and analyzing how the current fiscal crisis of Curry County will affect the City of Brookings and its residents.

C. False publication relating to a measure (ORS 260.532).

(1) *Text*:

260.532 False publication relating to candidate or measure; civil action; damages; other remedies; limitation on action.

(1) No person shall cause to be written, printed, published, posted, communicated or circulated, any letter, circular, bill, placard, poster, photograph or other publication, or cause any advertisement to be placed in a publication, or singly or with others pay for any advertisement, **with knowledge or with reckless disregard that the letter, circular, bill, placard, poster, photograph, publication or advertisement contains a false statement of material fact relating to any candidate, political committee or measure.**

(2) *Analysis*: Chair Brock Smith alleges that Mr. Milliman has made various statements that amount to false statements of material fact relating to the tax measure, including:

“The only one of the recommendations that has been pursued is the placement of a property tax levy on the ballot.”

“[T]o prop up a bankrupt county government with a dysfunctional management structure.”

Redress of violations of ORS 260.532 is obtained through a court action filed by an aggrieved party (must be filed within 30 days of the election). This is an exclusive remedy. Nevertheless, I provide my legal analysis of the allegation.

Statements are not "false" within meaning of this section if any reasonable inference can be drawn from the evidence that statement is factually correct or that statement is merely an expression of opinion.” *Committee of 1000 v. Eivers* (1983) 296 Or. 195. Mr. Milliman continues to have the belief that the first statement is a fact. Comments like the

second quote above made in response to newspaper questions and/or to the City Council are clearly Mr. Milliman's opinion as to the wisdom/utility of the tax measure – sentiments echoed by the City Council.

Summary: Two of the statutes cited by Commissioner Smith (ORS 294.100 and ORS 260.532) are not within the jurisdiction of the Secretary of State to redress. Regardless, it is my opinion that the allegations are unsubstantiated. As to the alleged violations of ORS 260.432, Mr. Milliman was simply doing his job in analyzing a county proposed tax levy for which the county board of commissioners had indicated they would be seeking City Council support.

Thank you for taking the time to read and consider the points made in this letter.

Sincerely,



Martha D. Rice
CITY ATTORNEY
CITY OF BROOKINGS, OREGON

cc: Gary Milliman

City of Brookings

CITY COUNCIL MEETING Minutes

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, April 22, 2013, 7:00pm

The City Council met in Executive Session at 6:30pm in the City Manager's office under ORS 192.660 (2)(e) "to conduct deliberations with persons designated by the governing body to negotiate real property transactions."

Call to Order

Mayor Hedenskog called the meeting to order at 7:05 pm.

Roll Call

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

Staff Present: City Manager Gary Milliman, Finance & Human Resources Director Janell Howard, Public Works & Development Director Loree Pryce, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Pilot Reporter Jane Stebbins and approximately 12 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog proclaimed April 22, 2013 as Elmo Williams Day in honor of his 100th birthday.

Public Hearings/Ordinances/Final Orders

Ordinance 13-O-709 amending Section 13.05.190 and adding Section 13.05.195 to Title 13, Public Services, of the Brookings Municipal Code.

Director Loree Pryce gave the staff report, stating that Council had approved the revisions at the last meeting.

Councilor Pieper moved, a second followed and Council voted unanimously to do a first reading of Ordinance 13-O-709 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to do a second reading of Ordinance 13-O-709 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 13-O-709, [an ordinance amending section 13.05.190, Discontinuance of service, and adding Section 13.05.195, Water Quality - Cross Connection Control Program, to Title 13, Public Services, of the Brookings Municipal Code].

Public Comment on Non-Agenda Item

Ken Dukek, Curry County Juvenile Department, said he was providing information in response to questions from the City Manager regarding the data used in determining the percentage of City versus non-city Juvenile Department services. Dukek said reports were not specific to individuals as regardless of the number of youths involved, only one report would be

generated. In 2011, he said, 61 out of 68 cases involving 90 youths were generated by the Brookings Police Department. Dukek said a broader view needed to be taken when determining how Juvenile Services are applied; victim assistance, restitution and community service are provided based on where the cases are generated. If a case involved a juvenile who resided in Harbor but attended Brookings Harbor High School, then 50-75% of that student's supervision was provided in Brookings, he said and the reason he'd chosen to report the data by law enforcement agency was because that was how services were provided. In 2011, he said, 82.3% of cases were cited by the three municipalities; in 2012 it was 84.3%.

Mayor Hedenskog said he was not surprised by the figures since juveniles committing crimes in Harbor were less likely to get caught due to reduced law enforcement.

Dukek said he agreed that there were fewer deputies and fewer interactions with youths outside the City, however because urban areas had more stores and business, more burglaries and thefts there, whereas more MIP parties occurred in non-city areas.

Mayor Hedenskog said statistics based on where the crime was committed, regardless of where the juvenile lived, could result in the City shouldering the full cost.

The Juvenile Department was required by state law to take juveniles into custody and detain them, Dukek said, and the department did what was needed and required, by law and for the safety of the citizens. Only the County funds the Juvenile Department, he added.

Councilor Hamilton asked about the figures for 2012 and Dukek said there were 63 cases cited by Brookings involving 85 youth, and overall, 84.3% of the cases were generated by municipalities.

Staff Reports

Emergency replacement of Ultra Violet (UV) Disinfection System Control Center at the Wastewater Treatment Plant and authorization to solicit bids and execute an installation contract.

Director Pryce provided the staff report pointing out that the energy and mechanically intensive disinfection process is crucial to treat wastewater before being discharged into the ocean.

Councilor Hodges asked what was being used in the interim and Pryce said the discharge was still being treated but without the control panel there was no way to make the necessary adjustments or generate an alarm if a UV light burns out.

Councilor Hodges moved, a second followed and Council voted unanimously to approve the emergency replacement of an Ultra Violet Disinfection System Control Center in the amount of \$42,417.50 and further authorize staff to solicit bids and the City Manager to execute a contract for installation of the control center in an amount not to exceed \$25,000.

Execute engineering and construction management contract for the Airport Infrastructure Improvement Project with Dyer Partnership.

Director Pryce gave the staff report.

Councilor Hodges asked if there were any County-related issues that could delay the project and Milliman said he couldn't think of any. The County, he said, had approved the annexation which would now move through the Development Services Division. Milliman said he didn't think there was anything in the relationship between the City and County that could stop the

process. A Conditional Use Permit for the tank would be required at some point, he added, but engineering was needed before an appropriate location could be identified.

Councilor Hodges moved, a second followed and Council voted unanimously to authorize the City Manager to execute a professional services contract with the Dyer Partnership to provide engineering and construction management services for the Airport Infrastructure Improvement Project in an amount not to exceed \$400,000.

Adoption of the 2013 Economic Development Strategy.

City Manager Milliman provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt the 2013 Economic Development Strategy.

Draft joint management agreement (JMA) for the Brookings Airport and adjacent County/City owned lands.

City Manager Milliman provided the staff report.

Mayor Hedenskog said he'd met with Commissioner Itzen who, at that time, had indicated his interest in receiving a draft proposal from the City.

Councilor Hodges asked if the Mayor was the City's liaison to the County and Mayor Hedenskog said he thought it was Councilor Pieper but his meeting with Itzen had been impromptu and had covered a number of subjects.

Councilor Hodges said the airport had been stagnant for 20 years and he would like to see a JMA in place.

Councilor Hamilton said it seemed like a great opportunity and he hoped it could be worked out to the benefit of the community.

Councilor Pieper said he supported the idea of a draft JMA and provided the involvement would improve its service to the citizens, would support the City's involvement.

Mayor Hedenskog encouraged the City Attorney to put out a draft concept without all the "legalese," and City Manager Milliman suggested the outline from the packet could be used to see if a basis for agreement could be reached before proceeding with something more formal.

Councilor Pieper moved, a second followed and Council voted unanimously to have the Mayor and City Manager to meet with representation of the County Commission to go over the elements of a joint management agreement for the Brookings Airport as laid out in the staff report, page 45 [of the Council Agenda Packet].

Resolutions

Resolution 13-R-1003, supporting Measure 8-71, Curry County Five Year Split Rate Law Enforcement Operating Levy on the May 21, 2013 election ballot.

City Manager Milliman said the resolution, provided to the mayor by a County Commissioner, had been placed on the agenda at Mayor Hedenskog's request.

Public Comments:

Gordon Clay, Brookings, said he supported Measure 8-71 and commented on advertising being done by the County Public Action Committee. Clay said that both the County Democratic and Republican Central Committees were supporting the measure and he would like to see the Council and individual Council members support it as well.

Jim Kolen, County Assessor said he supported the measure and was available to answer questions regarding the figures in the measure.

Tomas Bozack, Brookings, encouraged the Council to vote in favor of supporting the measure. He said it may not be perfect but the alternatives were unacceptable.

Linda Bozack, Brookings, commented that the measure was not perfect, but the County needed to pay its own way and keep control local. She encouraged the Council to provide leadership and support the measure.

Bob Horel, Brookings, urged the Council to support the measure. If it failed, he said, the state would take over and he was concerned about what would happen to the City, the schools and other special districts should that happen.

Jan Kaplan, Curry County Health, said that at least one half of its services were provided in the City and that he gets an awful lot for the 30 cents a day he and his wife now pay to the County.

David Brock Smith, County Commissioner, said the County would run out of money after 2014. He said the County was losing deputies due to cutbacks and to better paying jobs in other areas. The levy, Smith said, was important to get the 12 officers needed to protect the County's citizens and to get the data needed to come up with a permanent solution. Smith apologized for not including in the levy the \$400,000 needed for tower replacement and the \$140,000 needed annually for tower construction and maintenance, but added that there might be grant funding for this purpose. Smith said 38% of the entire levy was being paid by the cities although the unincorporated area had higher assessed property values and so would be paying a higher percentage of the cost in addition to a higher levy rate. Smith concluded by urging the Council to support the measure.

Bob Pieper, Brookings, said he was against both measures. The County wasn't that broke, he said, and the tax would take \$2 million out of the economy. He said the County had millions in road funds, and hadn't done anything with the Citizens Committee's 19 solutions. Pieper added that he was aware the County had problems, but the system wasn't working.

Tim Patterson, Chetco Avenue, said County government was broken and had known about its financial problems for 9 years. He said he liked the City's proposal because it would provide adequate government and cost him less. He encouraged the Council not to pass the resolution and to pursue its proposal.

Commissioner Smith said 12 deputies and the full amount of the levy was needed to support law enforcement and that while the road department had funds, it would be broke in 7 to 8 years. If the County lost a bridge, or something major happened, he said, that money would be gone, so the road department needed to be funded as well. He said the County couldn't function with less than the \$4.5 million being asked for in the levy. This levy, he said, would give the County time to find a solution.

Mayor Hedenskog asked Commissioner Smith if County had to replace the road department funds it was using and Smith said the money they were drawing now did not have to be replaced, but the Budget Committee felt it needed to be paid back at \$150,000 a year. The County, he said, had created two budgets, the \$2.1 million budget and the levy budget, because the County could not spend unbudgeted funds.

Mayor Hedenskog asked if the \$2.1 million budget included funds for the jail, juvenile department, DA and four patrol deputies, and Smith said it did, and the County was using every bit of its discretionary and reserve funding to make it through the next year. Smith

said there would be roughly \$600,000 left after June 30, 2014 and no way to get to November, 2014. He added that he didn't know of any road deputy who would want a job if it was only for a year.

Councilor Pieper asked the group at large about Republican Party support for the measure.

Bob Pieper said he'd heard that the Party had supported it but had later realized they were wrong and Commissioner Smith said he believed the Republican Central Committee met on April 11th and voted to support the measure.

Councilor Hamilton asked about the 13 cent difference in the split levy rate and Smith said the split rate was based on the percentage of County services provided to the cities, figures that would change based on the data obtained after the levy was passed.

Councilor Hodges asked Smith what "new data" he was referring to and Smith said it would be data received from the two years following passage of the levy. Hodges asked if the County didn't have that data from past years, and Smith said best practice was to use data from the last two years to determine what was needed for a permanent levy, but, because law enforcement services had been dwindling for the last few years, two years of data, after the levy passed, was needed to determine a permanent solution.

Councilor Pieper said the level of service would be lower if the levy didn't pass, but the County wouldn't necessarily collapse. Essential services would and could continue, he said, it was just a matter of where the money would be spent. Pieper said he couldn't support the levy personally, and therefore could not support it as a City Councilor.

Mayor Hedenskog said, when asked by Commissioner Itzen, he'd told him it would take less than a five year levy to get his support. The levy's intent, Hedenskog said, was to provide a bridge to a permanent solution and five years was asking too much. He said from what he'd heard, 24 months, at most, were needed to form a district. The levy, Hedenskog said, did not address the disparity between the incorporated and unincorporated areas and that he'd personally taken the matter to the other cities with alternative solutions. The other two cities, he said, were unified in supporting the City's proposed alternative.

Councilor Hodges said it was not all about the money for him, but rather about the form of government, and until that changed, he could not support the levy. A long term solution, he said, would be to fix what's broken. Hodges said 12 deputies was a wish and the Sheriff would have to get by with less.

Councilor Hamilton said he didn't feel right about the levy and could not support it at this time. He added that there was "a better solution out there still."

Commissioner Smith said that the City had 14 officers to cover less than three square miles and he didn't think it was a big stretch to have 12 deputies handling 1636 square miles. By comparison, he said, the City spent \$2.5 million on officers and communications while the County would only spend \$1.7 for 12 deputies and communications. That, he said, was a disparity he could not wrap his head around.

Mayor Hedenskog said the number of City officers showed Brookings citizen's commitment towards law enforcement. The problem the City was having, he said, was that "unincorporated Curry County won't step up to the plate and give the answer about how much law enforcement they want." Hedenskog said jail, DA and juvenile services were essential, but the City didn't want to pay for additional non-City law enforcement.

Commissioner Smith said this was why cities would pay only 5% for law enforcement and other various percentages for other services based on use. We think this is fair, Smith said.

Mayor Hedenskog said Commissioner Itzen had asked him to give his support for the resolution and he'd put the item on the agenda so Council would have an opportunity to give its answer.

Councilor Pieper moved, Mayor Hedenskog seconded, and the motion failed, unanimously, to adopt Resolution 13-R-1003, supporting measure 8-71, Curry County's Law Enforcement Five Year Split Rate Operating Levy with Mayor Hedenskog and Councilors Hamilton, Pieper and Hodges voting "No."

Consent Calendar

1. Approve Council Meeting minutes for April 8, 2013.
2. Authorize City Manager to sign a permanent Retaining Wall Easement with Charles and Karen Henley, 626 Hassett Street, for construction, repair and maintenance.
3. Receive March 2013 Financial Report.

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

Adjournment

Mayor Hedenskog, a seconded followed and Council voted unanimously to adjourn by voice vote at 9:19pm.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2013:

Ron Hedenskog, Mayor

Joyce Heffington, City Recorder

Report Criteria:

Report type: Summary

| GL Period | Check Issue Date | Check Number | Vendor Number | Payee | Check GL Account | Amount |
|-----------|------------------|--------------|---------------|--|------------------|-----------|
| 04/13 | 04/04/2013 | 70398 | 4856 | 911 Supply | 10002005 | 94.49 |
| 04/13 | 04/04/2013 | 70399 | 993 | ATCO International | 10002005 | 148.00 |
| 04/13 | 04/04/2013 | 70400 | 5105 | Rick Beem | 10002005 | 202.00 |
| 04/13 | 04/04/2013 | 70401 | 5004 | Blumenthal Uniforms & Equipment | 10002005 | 13.00 |
| 04/13 | 04/04/2013 | 70402 | 313 | Brookings Vol Firefighters | 10002005 | 2,250.00 |
| 04/13 | 04/04/2013 | 70403 | 715 | Budge McHugh Supply | 10002005 | 1,486.00 |
| 04/13 | 04/04/2013 | 70404 | 528 | Caselle, Inc | 10002005 | 769.33 |
| 04/13 | 04/04/2013 | 70405 | 1840 | Chetco Federal Credit Union | 10002005 | 3,053.00 |
| 04/13 | 04/04/2013 | 70406 | 3834 | Clean Sweep Janitorial Service | 10002005 | 805.00 |
| 04/13 | 04/04/2013 | 70407 | 5107 | Coastal Concrete Cutting | 10002005 | 980.00 |
| 04/13 | 04/04/2013 | 70408 | 1745 | Coastal Paper & Supply, Inc | 10002005 | 72.00 |
| 04/13 | 04/04/2013 | 70409 | 1 | Neven Paulson | 10002005 | 42.17 |
| 04/13 | 04/04/2013 | 70410 | 1 | Shawn & Kelli Ryan | 10002005 | 16.06 |
| 04/13 | 04/04/2013 | 70411 | 1057 | Donny Dotson | 10002005 | 113.00 |
| 04/13 | 04/04/2013 | 70412 | 2640 | Dyer Partnership Inc., The | 10002005 | 770.00 |
| 04/13 | 04/04/2013 | 70413 | 773 | Environmental Resource Associates | 10002005 | 517.02 |
| 04/13 | 04/04/2013 | 70414 | 3342 | Fastenal | 10002005 | 972.08 |
| 04/13 | 04/04/2013 | 70415 | 2186 | Ferguson | 10002005 | 1,789.78 |
| 04/13 | 04/04/2013 | 70416 | 153 | Ferrellgas | 10002005 | 1,196.23 |
| 04/13 | 04/04/2013 | 70417 | 4646 | Frontier | 10002005 | 651.21 |
| 04/13 | 04/04/2013 | 70418 | 139 | Harbor Logging Supply | 10002005 | 307.82 |
| 04/13 | 04/04/2013 | 70419 | 199 | Harper, Richard | 10002005 | 300.00 |
| 04/13 | 04/04/2013 | 70420 | 162 | Kerr Hardware | 10002005 | 684.86 |
| 04/13 | 04/04/2013 | 70421 | 5106 | Klamath/Lake Fire Training Association | 10002005 | 200.00 |
| 04/13 | 04/04/2013 | 70422 | 4981 | McLennan Excavation, Inc | 10002005 | 11,361.26 |
| 04/13 | 04/04/2013 | 70423 | 4573 | Methodworks | 10002005 | 1,100.00 |
| 04/13 | 04/04/2013 | 70424 | 4269 | Milliman, Gary | 10002005 | 67.50 |
| 04/13 | 04/04/2013 | 70425 | 4901 | Mountain View Paving, Inc | 10002005 | 1,000.00 |
| 04/13 | 04/04/2013 | 70426 | 433 | NCL of Wisconsin | 10002005 | 802.99 |
| 04/13 | 04/04/2013 | 70427 | 4487 | Net Assets Corporation | 10002005 | 280.00 |
| 04/13 | 04/04/2013 | 70428 | 334 | North Coast Electric Company | 10002005 | 6.00 |
| 04/13 | 04/04/2013 | 70429 | 4748 | Northstar Chemical, Inc | 10002005 | 4,462.00 |
| 04/13 | 04/04/2013 | 70430 | 279 | One Call Concepts, Inc | 10002005 | 35.64 |
| 04/13 | 04/04/2013 | 70431 | 5008 | Online Information Services | 10002005 | 84.85 |
| 04/13 | 04/04/2013 | 70432 | 860 | Oregon Fire Chiefs Assn | 10002005 | 275.00 |
| 04/13 | 04/04/2013 | 70433 | 4815 | PLATT | 10002005 | 450.70 |
| 04/13 | 04/04/2013 | 70434 | 322 | Postmaster | 10002005 | 820.00 |
| 04/13 | 04/04/2013 | 70435 | 207 | Quill Corporation | 10002005 | 227.29 |
| 04/13 | 04/04/2013 | 70436 | 5084 | RH2 Engineering, Inc | 10002005 | 680.00 |
| 04/13 | 04/04/2013 | 70437 | 3954 | Riverside Manufacturing Co | 10002005 | 12.56 |
| 04/13 | 04/04/2013 | 70438 | 142 | Tidewater Contractors Inc | 10002005 | 956.25 |
| 04/13 | 04/26/2013 | 70439 | 797 | Town & Country Animal Clinic | 10002005 | .00 V |
| 04/13 | 04/04/2013 | 70440 | 990 | UPS | 10002005 | 41.55 |
| 04/13 | 04/04/2013 | 70441 | 2863 | Verizon Wireless | 10002005 | 318.43 |
| 04/13 | 04/04/2013 | 70442 | 861 | Village Express Mail Center | 10002005 | 8.61 |
| 04/13 | 04/04/2013 | 70443 | 2122 | Cardmember Service | 10002005 | 5,097.53 |
| 04/13 | 04/04/2013 | 70444 | 336 | Chris Wallace | 10002005 | 113.00 |
| 04/13 | 04/04/2013 | 70445 | 169 | Waste Connections Inc | 10002005 | 1,785.05 |
| 04/13 | 04/04/2013 | 70446 | 1253 | Western Burner Co Inc | 10002005 | 700.00 |
| 04/13 | 04/11/2013 | 70447 | 3531 | Appraver | 10002005 | 523.68 |
| 04/13 | 04/11/2013 | 70448 | 2505 | Aramark | 10002005 | 107.96 |
| 04/13 | 04/11/2013 | 70449 | 4797 | Tony Baron | 10002005 | 46.00 |
| 04/13 | 04/11/2013 | 70450 | 4939 | BI- Mart Corporation | 10002005 | 301.13 |

| GL Period | Check Issue Date | Check Number | Vendor Number | Payee | Check GL Account | Amount |
|-----------|------------------|--------------|---------------|--------------------------------|------------------|-----------|
| 04/13 | 04/11/2013 | 70451 | 5108 | Brad Kelly, PT | 10002005 | 595.00 |
| 04/13 | 04/11/2013 | 70452 | 5070 | Cannon Solutions America | 10002005 | 92.10 |
| 04/13 | 04/11/2013 | 70453 | 1373 | Cascade Fire Equipment | 10002005 | 709.30 |
| 04/13 | 04/11/2013 | 70454 | 1740 | Code Publishing Company Inc | 10002005 | 350.00 |
| 04/13 | 04/11/2013 | 70455 | 5109 | Compview INC | 10002005 | 16,381.82 |
| 04/13 | 04/11/2013 | 70456 | 166 | Dan's Auto & Marine Electric | 10002005 | 379.80 |
| 04/13 | 04/11/2013 | 70457 | 259 | Da-Tone Rock Products | 10002005 | 1,271.52 |
| 04/13 | 04/23/2013 | 70458 | 1 | Elfriede Boehm | 10002005 | .00 V |
| 04/13 | 04/11/2013 | 70459 | 1 | Darcy Costa | 10002005 | 31.29 |
| 04/13 | 04/11/2013 | 70460 | 1 | Mark Saunders | 10002005 | 18.87 |
| 04/13 | 04/11/2013 | 70461 | 1 | Kevin Short | 10002005 | 21.07 |
| 04/13 | 04/11/2013 | 70462 | 1 | Snyder, Tracy | 10002005 | 18.33 |
| 04/13 | 04/11/2013 | 70463 | 1 | Kelli Walsh | 10002005 | 194.83 |
| 04/13 | 04/11/2013 | 70464 | 4966 | DLT Solutions, LLC | 10002005 | 1,135.29 |
| 04/13 | 04/11/2013 | 70465 | 2640 | Dyer Partnership Inc., The | 10002005 | 16,271.57 |
| 04/13 | 04/11/2013 | 70466 | 4011 | ECO Lab | 10002005 | 228.96 |
| 04/13 | 04/11/2013 | 70467 | 2186 | Ferguson | 10002005 | 1,138.28 |
| 04/13 | 04/11/2013 | 70468 | 4646 | Frontier | 10002005 | 20.12 |
| 04/13 | 04/11/2013 | 70469 | 5090 | Galvanizers Company | 10002005 | 150.00 |
| 04/13 | 04/19/2013 | 70470 | 198 | Grants Pass Water Lab | 10002005 | .00 V |
| 04/13 | 04/11/2013 | 70471 | 2814 | Ron Hedenskog | 10002005 | 15.00 |
| 04/13 | 04/11/2013 | 70472 | 2940 | McLennan Builders Inc | 10002005 | 302.50 |
| 04/13 | 04/11/2013 | 70473 | 4573 | Methodworks | 10002005 | 1,100.00 |
| 04/13 | 04/11/2013 | 70474 | 685 | Neilson Research Corporation | 10002005 | 613.80 |
| 04/13 | 04/11/2013 | 70475 | 3159 | Northcoast Health Screening | 10002005 | 180.00 |
| 04/13 | 04/11/2013 | 70476 | 699 | ODOT | 10002005 | 10.00 |
| 04/13 | 04/11/2013 | 70477 | 1561 | Pacific Coast Hearing Center | 10002005 | 60.00 |
| 04/13 | 04/11/2013 | 70478 | 4428 | Raymond Page | 10002005 | 59.00 |
| 04/13 | 04/11/2013 | 70479 | 187 | Quality Fast Lube & Oil | 10002005 | 43.25 |
| 04/13 | 04/11/2013 | 70480 | 207 | Quill Corporation | 10002005 | 739.80 |
| 04/13 | 04/11/2013 | 70481 | 5110 | Frank Ribera | 10002005 | 300.00 |
| 04/13 | 04/11/2013 | 70482 | 4363 | Robert N. Black, Attorney | 10002005 | 3,250.25 |
| 04/13 | 04/11/2013 | 70483 | 2863 | Verizon Wireless | 10002005 | 80.02 |
| 04/13 | 04/11/2013 | 70484 | 5111 | Willdan Engineering | 10002005 | 7,038.81 |
| 04/13 | 04/11/2013 | 70485 | 5011 | Xylem Water Solutions USA, INC | 10002005 | 4,593.34 |
| 04/13 | 04/18/2013 | 70486 | 5062 | Baron Design | 10002005 | 686.00 |
| 04/13 | 04/18/2013 | 70487 | 3996 | Beery Elsner & Hammond LLP | 10002005 | 585.00 |
| 04/13 | 04/18/2013 | 70488 | 5112 | Best Western Olympic Inn | 10002005 | 357.52 |
| 04/13 | 04/18/2013 | 70489 | 4193 | C & K Markets, Inc | 10002005 | 185.11 |
| 04/13 | 04/18/2013 | 70490 | 5070 | Cannon Solutions America | 10002005 | 282.10 |
| 04/13 | 04/18/2013 | 70491 | 3015 | Charter Communications | 10002005 | 1,074.90 |
| 04/13 | 04/18/2013 | 70492 | 1740 | Code Publishing Company Inc | 10002005 | 68.85 |
| 04/13 | 04/18/2013 | 70493 | 183 | Colvin Oil Company | 10002005 | 3,914.02 |
| 04/13 | 04/18/2013 | 70494 | 151 | Curry Coastal Pilot | 10002005 | 1,128.35 |
| 04/13 | 04/18/2013 | 70495 | 284 | Day Management Corp | 10002005 | 2,875.00 |
| 04/13 | 04/18/2013 | 70496 | 1 | Eric Burr | 10002005 | 75.91 |
| 04/13 | 04/18/2013 | 70497 | 1 | Lisa Saporetta | 10002005 | 189.69 |
| 04/13 | 04/18/2013 | 70498 | 4876 | D'sineZ | 10002005 | 908.00 |
| 04/13 | 04/18/2013 | 70499 | 2186 | Ferguson | 10002005 | 15,840.00 |
| 04/13 | 04/18/2013 | 70500 | 4646 | Frontier | 10002005 | 1,053.21 |
| 04/13 | 04/18/2013 | 70501 | 1346 | Gail's Graphics | 10002005 | 1,028.00 |
| 04/13 | 04/18/2013 | 70502 | 198 | Grants Pass Water Lab | 10002005 | 256.00 |
| 04/13 | 04/18/2013 | 70503 | 4128 | GSI Water Solutions Inc | 10002005 | 284.50 |
| 04/13 | 04/18/2013 | 70504 | 1130 | H.D. Fowler | 10002005 | 450.00 |
| 04/13 | 04/18/2013 | 70505 | 5113 | Jeff Lee | 10002005 | 135.00 |
| 04/13 | 04/18/2013 | 70506 | 867 | Local Gov't Personnel Inst | 10002005 | 54.00 |

| GL Period | Check Issue Date | Check Number | Vendor Number | Payee | Check GL Account | Amount |
|---------------|------------------|--------------|---------------|---------------------------------------|------------------|------------|
| 04/13 | 04/18/2013 | 70507 | 4165 | Tyler McCourt | 10002005 | 185.00 |
| 04/13 | 04/18/2013 | 70508 | 4479 | OSCPA Professional Development Divisi | 10002005 | 634.00 |
| 04/13 | 04/18/2013 | 70509 | 4789 | Pirate Energy Inc | 10002005 | 173.45 |
| 04/13 | 04/18/2013 | 70510 | 1920 | Pitney Bowes, Inc | 10002005 | 83.00 |
| 04/13 | 04/18/2013 | 70511 | 207 | Quill Corporation | 10002005 | 3,762.95 |
| 04/13 | 04/18/2013 | 70512 | 3309 | Roberts & Associates | 10002005 | 390.00 |
| 04/13 | 04/18/2013 | 70513 | 5114 | Safety Kids International | 10002005 | 508.50 |
| 04/13 | 04/18/2013 | 70514 | 142 | Tidewater Contractors Inc | 10002005 | 25,847.62 |
| 04/13 | 04/18/2013 | 70515 | 4370 | Verizon Business | 10002005 | 211.96 |
| 04/13 | 04/18/2013 | 70516 | 861 | Village Express Mail Center | 10002005 | 14.80 |
| 04/13 | 04/18/2013 | 70517 | 169 | Waste Connections Inc | 10002005 | 3,534.96 |
| 04/13 | 04/18/2013 | 70518 | 5003 | Wild River Pizza | 10002005 | 51.20 |
| 04/13 | 04/25/2013 | 70519 | 335 | Branom Instrument Co | 10002005 | 67.85 |
| 04/13 | 04/25/2013 | 70520 | 416 | Brookings Lock & Safe Co | 10002005 | 93.00 |
| 04/13 | 04/25/2013 | 70521 | 5086 | CablesAndKits | 10002005 | 54.95 |
| 04/13 | 04/25/2013 | 70522 | 4882 | Coastal Heating & Air | 10002005 | 1,810.79 |
| 04/13 | 04/25/2013 | 70523 | 3844 | Donna Colby-Hanks | 10002005 | 46.98 |
| 04/13 | 04/25/2013 | 70524 | 1 | John Alanis | 10002005 | 140.52 |
| 04/13 | 04/25/2013 | 70525 | 1 | Rick Gonzales | 10002005 | 249.87 |
| 04/13 | 04/25/2013 | 70526 | 1 | Harold Arden,Trustee of Efriede Boehm | 10002005 | 46.60 |
| 04/13 | 04/25/2013 | 70527 | 371 | Dept. of Environmental Quality | 10002005 | 360.00 |
| 04/13 | 04/25/2013 | 70528 | 4772 | Eagle Crest Resort | 10002005 | 564.30 |
| 04/13 | 04/25/2013 | 70529 | 5020 | Elaine Howard Consulting, LLC | 10002005 | 1,102.50 |
| 04/13 | 04/25/2013 | 70530 | 3342 | Fastenal | 10002005 | 210.53 |
| 04/13 | 04/25/2013 | 70531 | 269 | Grainger | 10002005 | 180.14 |
| 04/13 | 04/25/2013 | 70532 | 167 | Hach Company | 10002005 | 297.95 |
| 04/13 | 04/25/2013 | 70533 | 199 | Richard Harper | 10002005 | 101.00 |
| 04/13 | 04/25/2013 | 70534 | 4671 | Holiday Inn Eugene | 10002005 | 194.00 |
| 04/13 | 04/25/2013 | 70535 | 4981 | McLennan Excavation, Inc | 10002005 | 8,829.23 |
| 04/13 | 04/25/2013 | 70536 | 513 | OPCA | 10002005 | 35.00 |
| 04/13 | 04/25/2013 | 70537 | 3751 | Proficient Automotive | 10002005 | 82.50 |
| 04/13 | 04/25/2013 | 70538 | 4868 | Pump Pipe & Tank Services | 10002005 | 906.10 |
| 04/13 | 04/25/2013 | 70539 | 3 | Dennis Brown | 10002005 | 36.97 |
| 04/13 | 04/25/2013 | 70540 | 3 | James Burden | 10002005 | 49.39 |
| 04/13 | 04/25/2013 | 70541 | 3 | Robert & Marla Ford | 10002005 | 13.15 |
| 04/13 | 04/25/2013 | 70542 | 3 | Elizabeth Mitchell | 10002005 | 102.28 |
| 04/13 | 04/25/2013 | 70543 | 246 | Snook, LauraLee | 10002005 | 80.00 |
| 04/13 | 04/25/2013 | 70544 | 380 | Stadelman Electric Inc | 10002005 | 192.00 |
| 04/13 | 04/25/2013 | 70545 | 797 | Town & Country Animal Clinic | 10002005 | 552.41 |
| 04/13 | 04/25/2013 | 70546 | 432 | USA Bluebook | 10002005 | 97.00 |
| 04/13 | 04/25/2013 | 70547 | 5115 | Village Smithy | 10002005 | 150.00 |
| 04/13 | 04/25/2013 | 70548 | 4475 | Dusty Watson | 10002005 | 115.00 |
| 04/13 | 04/25/2013 | 70549 | 4135 | Jim Watson | 10002005 | 130.00 |
| 04/13 | 04/25/2013 | 70550 | 551 | Western Pacific Tree Serv Inc | 10002005 | 471.00 |
| 04/13 | 04/25/2013 | 70551 | 917 | Wm. H. Reilly & Co | 10002005 | 24,450.70 |
| 04/13 | 04/25/2013 | 70552 | 5011 | Xylem Water Solutions USA, INC | 10002005 | 384.13 |
| 04/13 | 04/26/2013 | 70553 | 5116 | Nancy Myer | 10002005 | 75.00 |
| Grand Totals: | | | | | | 215,593.39 |

May 2013

May 2013

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

June 2013

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|--|---|---|--|
| Apr 29 | 30 | May 1 | 2 | 3 |
| | | 12:00pm 1:00pm CC - Stout Park 7:00pm 9:00pm FH-PoliceResrvs | 10:00am 4:00pm CC - Muni Court 4:00pm 6:00pm CC - TPAC | 4:00pm 5:00pm CC - Vet Memorial - Bid Opening |
| 6 | 7 | 8 | 9 | 10 |
| 4:00pm 6:00pm CC - Council\Wkshp 7:00pm 10:00pm FH-FireTrng | 9:00am 10:00am CC - Site Plan 7:00pm 10:00pm CC-Planning Comm | 10:00am 11:00am FH-BRFD | 3:00pm 4:00pm CC - Staff | 9:00am 10:30am CC-Crm Stoppers |
| 13 | 14 | 15 | 16 | 17 |
| 10:00am 11:00am FH - VIPS 7:00pm 10:00pm FH-FireTrng 7:00pm 9:30pm CC-Council | 9:00am 10:00am CC - Site Plan | | | |
| 20 | 21 | 22 | 23 | 24 |
| 10:00am 11:00am FH - VIPS 7:00pm 10:00pm FH-FireTrng | 9:00am 10:00am CC - Site Plan | | 11:00am 12:00pm CC- Public Art Comm 7:00pm 9:00pm CC-Parks & Rec | 11:00am 2:00pm CC - Staff 5:00pm 7:00pm CC - Veterans Roll Call |
| 27 | 28 | 29 | 30 | 31 |
| 8:00am 5:00pm City Hall Closed - Memorial Day 7:00pm 10:00pm FH-FireTrng | 9:00am 10:00am CC - Site Plan 7:00pm 9:00pm CC-Council | | | |

Apr 29 - May 3

May 6 - 10

May 13 - 17

May 20 - 24

May 27 - 31

June 2013

June 2013

July 2013

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday |
|--|--|---|--|---|
| Jun 3 4:00pm 6:00pm CC - Council Wkshp 7:00pm 10:00pm FH-FireTrng | 4 9:00am 10:00am CC - Site Plan 7:00pm 10:00pm CC-Planning Comm | 5 12:00pm 1:00pm CC - Stout Park 7:00pm 9:00pm FH-PoliceResrvs | 6 10:00am 4:00pm CC - Muni Court | 7 |
| 10 10:00am 11:00am FH - VIPS 7:00pm 10:00pm FH-FireTrng 7:00pm 9:30pm CC-Council | 11 9:00am 10:00am CC - Site Plan | 12 10:00am 11:00am FH-BREFD 5:30pm 7:30pm CC - Victims Impact | 13 3:00pm 4:00pm CC - Staff | 14 9:00am 10:30am CC-Crm Stoppers |
| 17 7:00pm 10:00pm FH-FireTrng | 18 9:00am 10:00am CC - Site Plan | 19 | 20 11:00am 12:00pm CC- Public Art Comm | 21 |
| 24 7:00pm 9:00pm CC-Council 7:00pm 10:00pm FH-FireTrng | 25 9:00am 10:00am CC - Site Plan | 26 | 27 | 28 |

Jun 3 - 7

Jun 10 - 14

Jun 17 - 21

Jun 24 - 28