

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, October 23, 2017, 7:00pm

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

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Scheduled Appearances

1. Housing Study [City Manager, Pg. 3]
 - a. Housing Needs Assessment [Pg. 4]
2. Curry Community Health [City Recorder, Pg. 64]
 - a. Presentation Packet [Pg. 65]
3. Historic Buildings Survey [Planning, Pg. 82]
 - a. Survey [Pg. 83]

E. Oral Requests and Communications from the audience

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

F. Staff Reports

1. Beach Camping [City Manager, Pg. 89]
 - a. Sills and Podesta Correspondence [Pg. 91]
 - b. May 5, 2005 Memo [Pg. 106]
 - c. OAR 736-030-0020 [Pg. 107]
2. Contour Letter of Support [City Manager, Pg. 110]
 - a. Sample Letter [Pg. 111]
 - b. Essential Air Service Option Analysis [Pg. 112]
3. Water and Wastewater Treatment Contract Services [PWDS, Pg. 133]
4. Response to Request for Information re Infrastructure Projects [City Manager, Pg. 135]
 - a. Draft RFI Responses [Pg. 137]
5. As Needed Engineering Contract Extension [PWDS, Pg. 145]
 - a. One Year Extension [Pg. 146]
 - b. Original Contract [Pg. 147]

G. Resolutions

1. Public Procurement and Contracting Policy [F&HR, Pg. 170]
 - a. Resolution 17-R-1123 [Pg. 172]
 - b. Public Procurement and Contracting Policy [Pg. 173]

H. Consent Calendar

1. Approve Council minutes for October 9, 2017 [Pg. 183]
2. Receive Monthly Financial Report for September 2017 [Pg. 186]

I. Remarks from Mayor and Councilors

1. Council Liaison Reports

J. Adjournment

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

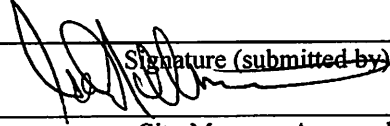
All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Housing Study Presentation

Recommended Motion:

Motion to accept Housing Needs Assessment prepared by South Coast Development Council and to distribute the report to as wide an audience as possible to promote housing development within the City.

Financial Impact:

None.

Reviewed by Finance & Human Resources Director: _____

Background/Discussion:

The City contracted with the South Coast Development Council (SCDC) to prepare a housing needs assessment for the Brookings Harbor area. SCDC staff has completed the study and Executive Director Samuel Baugh will attend the City Council meeting to make a presentation. Key findings of the study are:

- The Brookings Harbor area can absorb up to 80 new owner-occupied home sales annually, including up to 64 homes in the \$140-300,000 price range.
- There is strong potential for the area to absorb significant new housing in the \$200-400,000 range. Realtors interviewed for the report consistently and unanimously indicated a high level of demand for new homes in the \$225-325,000 range.
- The area can support an additional 113 market-rate rental units targeted to moderate and high-income households.
- Future demand for age-restricted market-rate rentals targeted to older adults is 112 additional units.
- There is a need for 452 additional subsidized rental units.

Staff will now distribute the study to the board of realtors, state housing agency officials, North Bend/Coos Curry Housing Authority (the public housing agency for this region), U.S. Borax, HUD subsidized housing developers and home builders associations. These entities will use the information in making allocations of housing assistance funds and securing financing for new home-owner and rental residential projects.

Attachment(s):

- a. Housing needs assessment.



A Study of the
Current Housing
Needs for the
Brookings-Harbor
Community

BROOKINGS HOUSING NEEDS ASSESSMENT

South Coast Development Council, Inc.
October 2017



Executive Summary

- The South Coast Development Council, Inc. (SCDC) is a non-profit economic development organization who works for the economic growth, development, and prosperity of Oregon's South Coast region.
- This housing analysis was commissioned by the City of Brookings in order to assess the overall current housing needs of the city, especially as they relate to developing new residential housing units in the area.
- This report contains the projected housing needs for Brookings-Harbor over the next 8 years in the various housing ranges, with a focus on workforce housing.
- The information contained in this report is intended to be used by the City of Brookings for the purpose of facilitating future housing development and economic growth.
- Key Findings:
 - i. The study area can absorb up to 80 new owner-occupied home sales annually, including up to 64 homes in the \$140,000 – \$300,000 sales price range.
 - ii. There is strong potential for the study area to absorb significant new housing in the \$200,000 – \$400,000 range. Realtors interviewed for this report consistently and unanimously indicated a high level of demand for new homes in the \$225,000 – \$325,000 range.
 - iii. The study area can support an additional 113 market-rate rental units targeted to moderate- and high-income households.
 - iv. Future demand for age-restricted market-rate rentals targeted to older adults is 112 additional units.
 - v. There is a need for 452 additional subsidized rental units within the study area.

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Section I

A. Introduction

This housing analysis was commissioned by the City of Brookings in order to assess the overall current housing needs of the city, especially as they relate to developing new residential housing units in the future.

Accordingly, this analysis measures current shortages, future employment growth, and population trends, in order to anticipate the amount, type, and features of that housing most in need, both now in 2017 and in the future to the year 2025. The focus of this report is the 97415-zip code, which is divided between the Brookings city limits, and the unincorporated portions of Curry County, including the community of Harbor (Please see Map 1-B on page 7).

This analysis does not address the causes of current housing deficiencies/shortages or what strategies and/or policies the City of Brookings or Curry County might employ to create a healthier, more socially responsive housing market. So, homelessness, housing quality, housing mobility (or lack thereof), land supplies, and sub-standard housing are not addressed in this report, except in passing.

Instead, here the focus is on providing a data base to estimate the current and future demand for new housing development in the 97415-zip code area. Potential developers need to know the estimated demand for various types of housing they might construct. The market area of this study is small, so preferred locations for new development are not considered relevant. A notable exception to this is view housing, especially ocean view, for which there is considerable demand and substantial cost premiums. However, the type or nature of development demand is crucial.

This study attempts to anticipate the current and future demand for various types of Single Family Dwellings (SFD's), Multi-Family Dwellings (more than 3 DU's), and government-subsidized housing, as well as more general market forces tending towards duplexes and condos. This study also considers the historic levels of housing demand and how those affect today's market.

For this review, SCDC is providing:

- Identification of the study area where we have analyzed the support potential for new residential for-rent and for-sale development(s).
- A demographic analysis of current and projected population and household trends, as well as household income data.
- An in-person and windshield survey and analysis of the overall rental market conditions within the study area.
- Analysis of planned and proposed rental and for-sale projects within the study area.
- Review of owner-occupied multi-family housing in the area.
- Analysis of rental and owner-occupied dwelling units within the market to evaluate occupancy rates, property values, and rental rates, as well as current and projected demand for dwelling unit sizes, bedrooms and bathrooms.
- The results of interviews with three experienced realtors and two property management companies, all of whom primarily serve the 97415-zip code.
- Determination of achievable market rents.
- Projected absorption rates for various development scenarios in the subject area.

In evaluating demand, conceptual unit designs have been considered for development analysis purposes. These units will be utilized to assess meeting new housing construction needs. The rental units being considered for potential development within the Brookings market include multi-unit apartment buildings, either one- or two-story, low income/subsidized rental housing, and duplexes.

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The new development conceptual units proposed for-sale will include only single-family homes and condominiums. Conceptual “New Construction” Housing Models were established for the following types of housing products:

- Multi-Family Rental Units
- Two-Family Rental Units (Duplexes)
- Fee Simple Condominiums For-Sale Units
- Single Family Home For-Sale Units

These examples were created in order to provide specific information relative to the projected market prices associated with new construction housing, in the proposed project area. The information derived from this effort allows us to realistically project the price points of new housing for both rental and for-sale housing in the project area, and the likely absorption rates during the period of 2018-2025.

Our analysis does not attempt to identify the likely final construction costs for the project area, as these costs may vary widely due to the unknown inherent land values of the project area, as well as the uncertain costs associated with extending road, water, sewer, and other infrastructure to and through the undeveloped (or underdeveloped) areas of the 97415-zip code.

Following is the specific information applicable to the conceptual new construction housing examples used in connection with this study.

Assumed new construction of rental units would include: a one-bedroom with approx. 750 square feet, a two-bedroom unit with approx. 900 square feet, and a three-bedroom unit with approx. 1,100 square feet. A two-bedroom/2.5-bathroom condominium unit will include 1,000 square feet. The three-bedroom/two-bathroom single-family home will feature 1,600 square feet of living space with an attached two-car garage. The two-family rental duplexes will include one unit of one-bedroom/1.5-bathroom of approx. 750 square feet, and a two-bedroom/two-bathroom unit of approx. 1,000 square feet with a two-car garage in between. A three-family rental triplex will include a one-bedroom/1.5-bathroom unit with 750 square feet, a two-bedroom/two-bathroom 1,000 square foot unit, and a three-bedroom/two-bathroom 1,100 square foot unit, with a double car garage on one side and a one-car garage on the other side.

Table A-1. Following is a summary of the proposed new construction development “conceptual home” options considered later in this report:

Unit Size	Unit Style	Square Feet	Housing Type	Building Style
1-bed, 1-bath	Rental Apartment	750	Rental	4 – 20 Units
2-bed, 1-bath	Rental Apartment	900	Rental	4 – 20 Units
3-bed, 2-bath	Rental Apartment	1,100	Rental	4 – 20 Units
2-bed, 2.5-bath	Condominium (Sale)	1,000	For-Sale	4-Unit Two-Story
3-bed, 2-bath	House (Sale)	1,600	Fee-Simple/For-Sale	Single-Family
1-bed, 1.5-bath	Rental Duplex	750	Rental	Duplex
2-bed, 2-bath	Rental Duplex	1,000	Rental	Duplex
1-bed, 1.5-bath	Rental Triplex	750	Rental	Triplex
2-bed, 2-bath	Rental Triplex	1,000	Rental	Triplex
3-bed, 2-bath	Rental Triplex	1,100	Rental	Triplex
Various	Subsidized Rental	500 – 1,100	Rental	20 – 100 Units

Source: SCD C

We will conclude our analysis by providing present-day demand estimates for potential development alternatives in the study area.

B. Establishment of the Primary Market Area

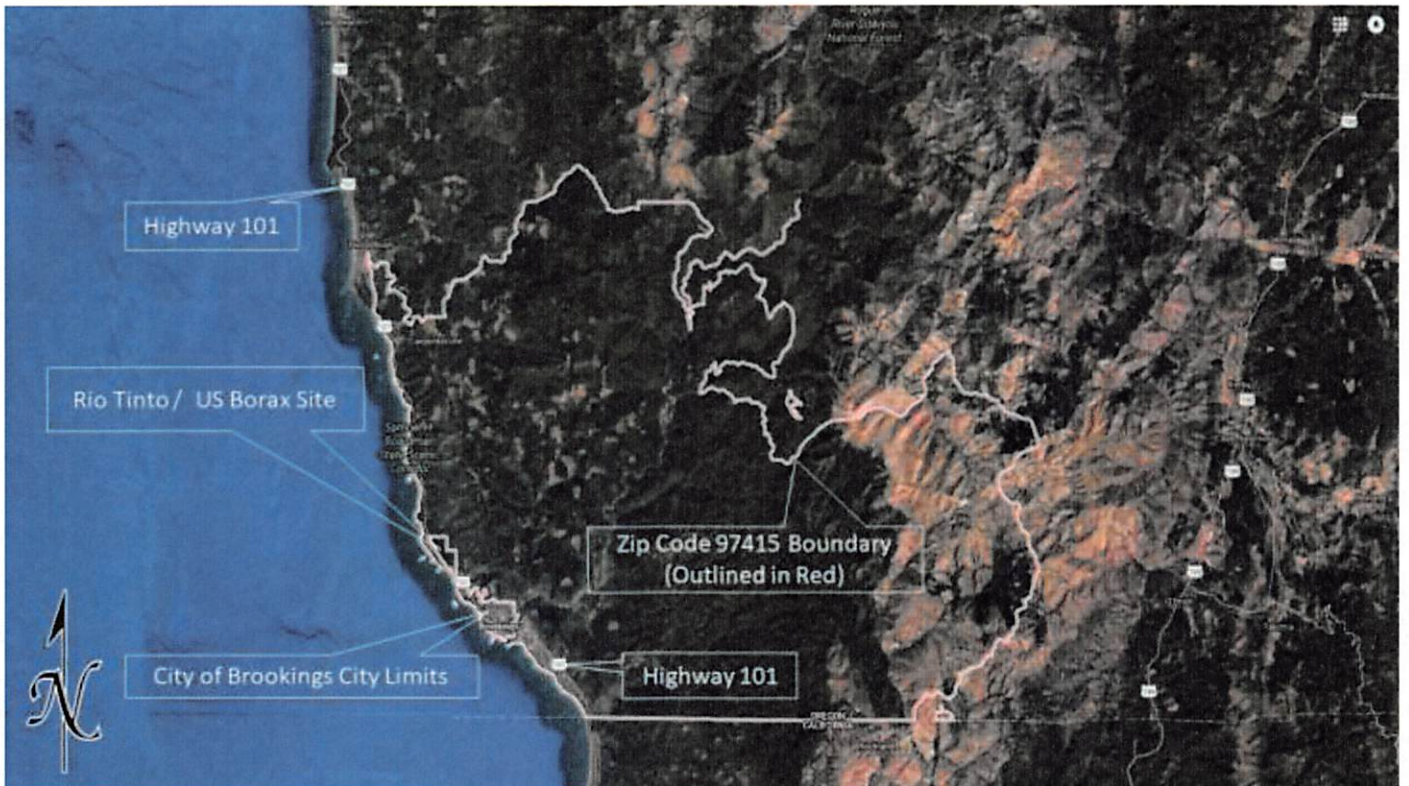
The Primary Market Area is defined as the smallest geographic area expected to generate most of the support for a possible future housing development. The determined market area for this study includes the City of Brookings, as well as the urban growth boundary, the unincorporated community of Harbor, and the surrounding areas within a reasonable commuting distance. For the purpose of this study, the extended primary market area incorporates the broad range of the 97415-zip code, which covers roughly 400 square miles. It should be noted however, as reported by area realtors and property managers, that many buyers and renters coming into the area actually work in California, (Please see Map 3-E on page 22).

Within the 97415-zip code, there are two distinct geographic areas divided by the Chetco River. To the south of the Brookings city limits is the unincorporated area known as Harbor, or Brookings-Harbor. To the north and east of the city limits lies the majority of the 97415-zip code area. While the majority of the population of Curry County resides within the Brookings-Harbor area and within the urban growth boundary, the land area of the 97415-zip code is quite large.

We have evaluated the study area consisting of the 97415-zip code from which support for the new residential development in this area is expected to originate. However, housing demand in this zip code is impacted to a growing degree, by employment opportunities and growth in the 95567-zip code of Northern California, including Pelican Bay, Smith River, and even to some degree, Crescent City.

Maps of the study area and project area, are as follows.

Map 1-B. 97415-Zip Code Outline and City of Brookings City Limits:



Source: Google Maps, SCD

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Map 2-B. City of Brookings Urban Growth Boundary:



Source: Curry County GIS, SCDC

Map 3-B. Rio Tinto/US Borax Site:



Source: Curry County GIS, SCDC

C. Research Methodology

Interviews were conducted with local area city and county officials, realtors, property managers, property owners, and community stakeholders who are familiar with the area's market and growth patterns. Interviews were conducted over the telephone, through email, and in person. Data was collected through Internet research from reliable sites and agencies including the U.S. Census Bureau, Curry County, State of Oregon, Claritas, Datafinder, and Ribbon Demographics.

D. Analysis of Prior Housing Studies

SCDC contacted counties, cities, and municipalities within southern Oregon and northern California to establish the existence of any other similar study or assessment, dated after the year 2000. These studies were analyzed, as part of this assessment. A copy of any such study obtained may be provided to the City of Brookings upon request.

Section II

E. Analysis of Demographic Data

i. Population Characteristics

Table E-1. Population and household trends for the 97415-zip code area and Curry County, are as follows:

	Curry Co. Population	Curry Co. Households	97415 Population	97415 Households
1990 Census	19,327	--	11,686	--
2000 Census	21,137	9,543	13,290	5,945
% Change 1990-2000	9.4%	--	13.7%	--
2010 Census	22,364	10,417	14,051	6,310
% Change 2000-2010	5.8%	9.2%	5.7%	6.1%
2017 Estimated	22,321	10,528	14,285	6,868
2025 Projected	23,854	11,359	15,982	7,796
% Change 2017-2025	6.9%	7.9%	11.9%	13.5%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

As illustrated in the preceding table, Curry County has experienced slow increases in population between 1990-2010. However, Curry County has seen a noticeable shift in population growth as the 97415-zip code has been much more robust than the county as a whole. In 1960, the Brookings area only accounted for about 40% of the total county population, compared to about 63% in the 2010 Census. It is estimated this trend will continue to rise to approximately 67% by 2025. Concurrent with this trend is a slow, but long-term decline in the number of persons per household in the zip code. Population and housing projections assume this trend will be slow, but nevertheless continue.

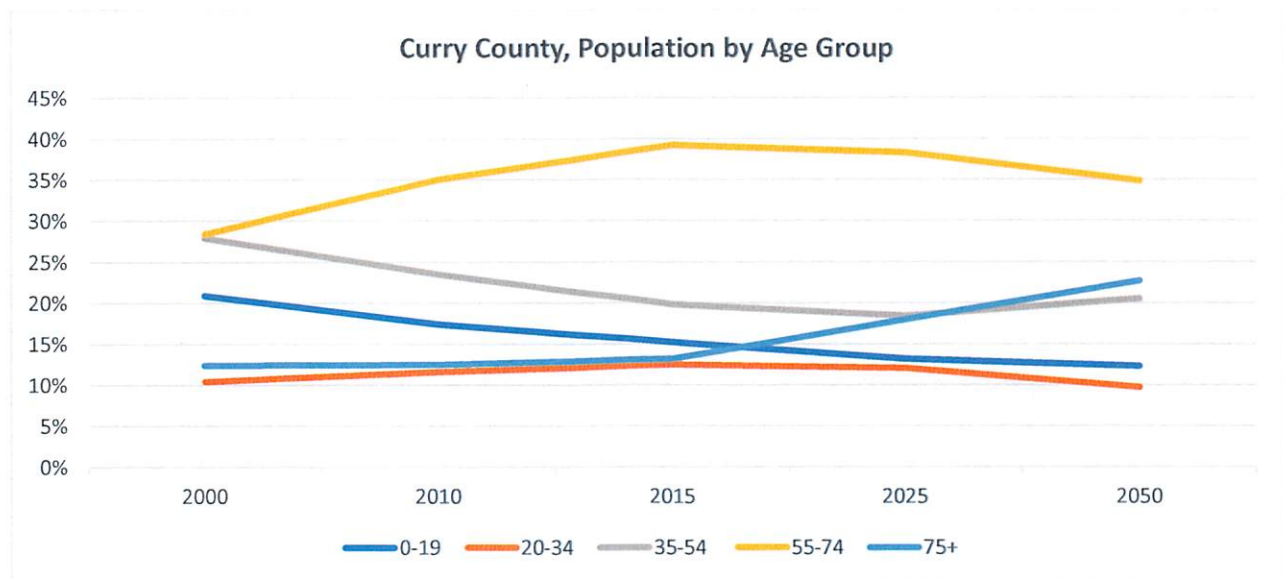
Between 2010 and 2017, the study area population increased by an estimated 234, or 5.7%. During the same period, the number of households increased by an estimated 558, or 8.8%. Projections through 2025 indicate that there will be approximately 15,982 people living in 7,796 households within the study area. This represents a population increase of 1,697 or 11.9%, and a household increase of 928 or 13.5%, from 2017 to 2025. The positive population and household growth trends indicate the need for additional housing in the study area. It should be noted that the number of persons per household will shrink from an estimated 2.08 in 2017, to 2.05 in 2025. Both of these are well below Oregon (2.51) and national (2.63) persons per household.

Table E-2. Curry County, Population by Age Group (also further illustrated in the following graph):

	2000	%	2010	%	2015	%	2025	%	2050	%
0-19	4,418	20.9%	3,890	17.4%	3,383	15.2%	3,158	13.2%	3,101	12.3%
20-34	2,193	10.4%	2,590	11.6%	2,795	12.5%	2,871	12.0%	2,440	9.7%
35-54	5,892	27.9%	5,259	23.5%	4,437	19.9%	4,381	18.4%	5,170	20.5%
55-74	6,011	28.4%	7,830	35.0%	8,758	39.2%	9,145	38.3%	8,754	34.8%
75+	2,623	12.4%	2,786	12.5%	2,948	13.2%	4,299	18.0%	5,723	22.7%
Total	21,137	100.0%	22,355	100.0%	22,321	100.0%	23,854	99.9%	25,187	100.0%

Source: Office of Economic Analysis, State of Oregon

Graph E-3. Curry County, Population by Age Group, 2000-2050:



Source: Office of Economic Analysis, State of Oregon

Table E-4. 97415-Zip Code, Population by Age Group:

	2000	%	2010	%	2015	%	2025	%	2050	%
0-19	2,767	20.8%	2,653	18.9%	2,145	15.6%	2,206	13.8%	2,310	13.1%
20-34	1,459	11.0%	1,668	11.9%	1,798	13.1%	2,253	14.1%	2,398	13.6%
35-54	3,501	26.3%	3,277	23.3%	2,948	21.4%	3,308	20.7%	3,614	20.5%
55-74	3,753	28.2%	4,643	33.0%	5,070	36.8%	5,993	37.5%	6,806	38.6%
75+	1,810	13.6%	1,810	12.9%	1,812	13.2%	2,222	13.9%	2,503	14.2%
Total	13,290	99.9%	14,051	100.0%	13,773	100.1%	15,982	100.0%	17,631	100.0%

Source: Office of Economic Analysis, State of Oregon

Area households in the older age groups are projected to increase over the next few years. Notably, the household segment aged 0-19 is projected to decline. This can be attributed in part to the low birth rate in Curry County. From 2010-2015, the annual rate was 7 births per 1,000, compared to the Oregon rate for the same period, 12 per 1,000. Between 2015 and 2025, the greatest percentage growth among population age groups is projected to be among those aged 20-34 (25.3%), a prime group for younger professionals in the area, followed by the 22.6% increase in those aged 75 and older. The largest numerical increase is projected for ages 55-74, with an increase of 923 (or 18.2%).

Growth is occurring at a high percentage among populations and households age 55 and older, indicating an increased need for housing to accommodate older adults. We would anticipate a significant share of potential residents within any proposed multi-family development project will be older adults and empty nesters seeking a maintenance-free housing option in retirement, or near-retirement, within the study area. The following table (E-5) represents the population trends of those aged 55 or older.

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Table E-5. Curry County Population Growth, Age 55 and Older:

Age	2000	2010	Growth	2015	Growth	2025	Growth	2050	Growth
55-59	1,508	2,062	36.7%	2,028	-1.7%	1,455	-28.3%	2,110	45.1%
60-64	1,498	2,206	47.3%	2,348	6.5%	2,086	-11.2%	2,115	1.4%
65-69	3,005	1,946	18.6%	2,434	25.1%	2,792	14.7%	2,515	-9.9%
70-74		1,617		1,948	20.5%	2,812	44.3%	2,014	-28.4%
75-79	2,067	1,117	-4.6%	1,291	15.5%	2,079	61.1%	1,842	-11.4%
80-84		855		809	-5.4%	1,211	49.8%	1,501	23.9%
85+	556	814	46.4%	848	4.1%	1,009	19.1%	2,380	135.8%
Total	8,634	10,617	18.7%	11,706	10.3%	13,444	14.9%	14,477	7.7%

Source: Office of Economic Analysis, State of Oregon

From 2000 to 2015, the senior population (age 55 and older), has increased by 3,072 (or 35.6%). The older adult population and households are increasing at faster rates than the overall market. This shift to older and smaller households has powerful implications for future housing demand. Smaller rentals, single-family dwellings, and of course, condominiums are likely to have increasing appeal/demand in this area.

While these projections are for Curry County as a whole, it seems likely based on prior US Census data, the 97415-zip code will follow similar, perhaps even slightly exaggerated trends.

ii. Household Demographics and Housing Units

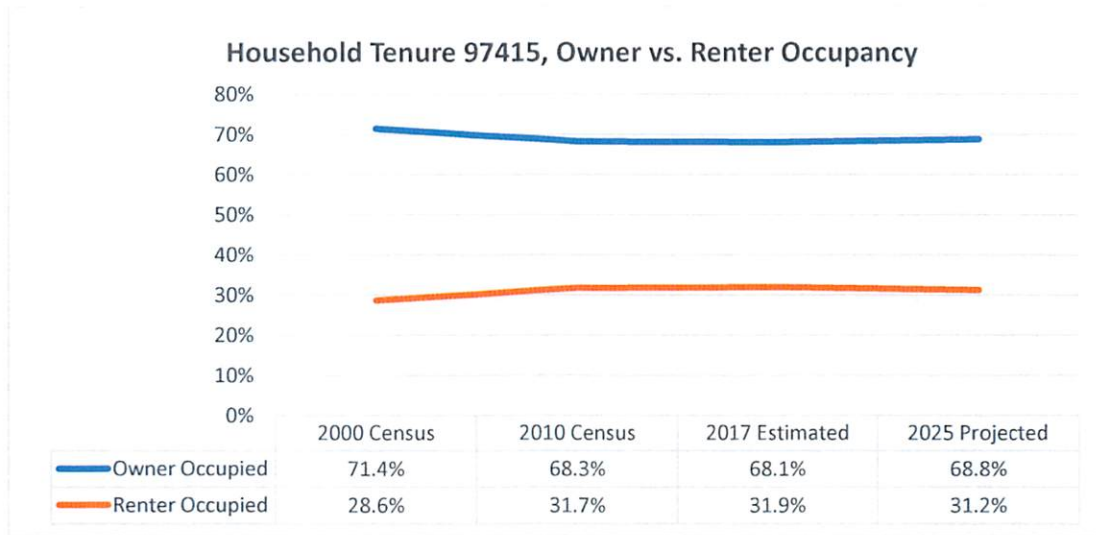
Table E-6. The following table summarizes the distribution of housing units within the 97415-zip code area:

Tenure	2000 Census		2010 Census		2017 Estimated		2025 Projected	
	#	%	#	%	#	%	#	%
Total Housing Units	7,034	100.0%	7,434	100.0%	7,598	100.0%	7,910	100.0%
Total Occupied Housing Units	5,945	84.5%	6,310	84.9%	6,407	84.3%	6,700	84.7%
Owner-Occupied	4,246	71.4%	4,307	68.3%	4,362	68.1%	4,610	68.8%
Renter Occupied	1,699	28.6%	2,003	31.7%	2,045	31.9%	2,090	31.2%
Total Vacant Housing Units	1,089	15.5%	1,124	15.1%	1,191	15.7%	1,210	15.3%

Source: US Census Bureau; Ribbon Demographics

Of the total number of vacant housing units, just over half are being offered for sale or for rent, or are in a transitional status. According the 2010 Census, nearly 49.8% of vacant units are for seasonal or recreational use, or as a second home. The market share occupied by vacation and short-term rentals is discussed further in Section III.F.v on page 34.

Graph E-7. The following graph details the Household Tenure for 97415, Owner vs. Renter Occupancy:



Source: US Census Bureau; Ribbon Demographics

In 2017, renter households represented 31.9% of all occupied housing units, while the remaining 68.1% were occupied by homeowner households. The share of renter households is moderate, though it has increased from 2000, where 28.6% of all occupied housing units were renter occupied. The number of both homeowner and renter households is projected to increase by 2025, reflecting a growing housing market, though tenure percentages will remain stable.

The household sizes by tenure within the 97415-zip code area, based on census data from 2000 and 2010, and estimates for 2017 and 2025, as distributed in the following tables.

Table E-8. 97415 Tenure by Household Size, Owner-Occupied for all Age Groups:

Owner Occupied Tenure	2000 Census		2010 Census		2017 Estimate		2025 Projected	
Total Housing Units	4,246		4,307		4,362		4,610	
Average Household Size	2.16		2.11		2.07		1.99	
1-person household	1,113	26.2%	1,224	28.4%	1,256	28.8%	1,392	30.2%
2-person household	2,202	51.9%	2,186	50.8%	2,338	53.6%	2,448	53.1%
3-person household	385	9.1%	411	9.5%	458	10.5%	521	11.3%
4-or-more-person household	546	12.8%	486	11.3%	310	7.1%	249	5.4%

Source: US Census Bureau; Ribbon Demographics

Table E-9. 97415 Tenure by Household Size, Renter-Occupied for all Age Groups:

Renter Occupied Tenure	2000 Census		2010 Census		2017 Estimate		2025 Projected	
Total Housing Units	1,699		2,003		2,045		2,090	
Average Household Size	2.31		2.36		2.01		2.03	
1-person household	600	35.3%	712	35.5%	863	42.2%	922	44.1%
2-person household	513	30.2%	599	29.9%	687	33.6%	757	36.2%
3-person household	258	15.2%	272	13.6%	333	16.3%	274	13.1%
4-or-more-person household	328	19.3%	420	20.8%	162	7.9%	138	6.6%

Source: US Census Bureau; Ribbon Demographics

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The change in household sizes is similar to national trends for small, rural markets but compounded somewhat by the long-term Curry County and Brookings trend (greater than most other rural counties in Oregon), to older smaller households and occupied tenures, whether owned or rented.

Some unit types will attract older adult householders (seniors) seeking smaller, more efficient living accommodations since they will likely be downsizing from a single-family home.

iii. Socioeconomic Considerations

Household median income levels in the 97415-zip code area were notoriously negatively impacted by the housing market collapse and economic recession of 2008-2013. However, since then unemployment has fallen dramatically and household incomes have risen sharply. Please see Graph E-16 on page 20 for detailed unemployment rates.

Table E-10. The distribution of households by income within the 97415-zip code study area is summarized in the following table:

Total Household Income + Benefits	2000 Census		2010 Census		2017 Estimated		2025 Projected	
\$0 - 24,999	2,434	40.8%	1,937	29.5%	2,111	31.9%	1,996	25.6%
\$25,000 - 34,999	1,016	17.0%	747	11.4%	802	12.1%	1,185	15.2%
\$35,000 - 49,999	1,001	16.8%	1,194	18.1%	1,242	18.7%	1,442	18.5%
\$50,000 - 74,999	972	16.3%	978	14.9%	1,154	17.4%	1,458	18.7%
\$75,000 - 99,999	223	3.7%	997	15.1%	529	8.0%	686	8.8%
\$100,000 - 149,999	193	3.2%	532	8.1%	626	9.4%	795	10.2%
\$150,000 +	131	2.2%	196	3.0%	163	2.5%	234	3.0%
Total Households	5,970		6,581		6,627		7,796	
Median Household Income	\$30,199		\$41,868		\$40,199		\$42,550	
Mean Household Income	\$37,106		\$53,612		\$49,058		\$55,741	

Source: US Census Bureau; Ribbon Demographics

Table E-11. The median income levels within the 97415-zip code study area:

Median Income Levels 97415	2000 Census	2010 Census	2017 Estimated	2025 Projected
Per Capita Income	\$18,037	\$24,980	\$24,437	\$27,190
Homeowner Income	N/A	\$43,175	\$42,250	\$49,988
Renter Income	N/A	\$27,991	\$27,750	\$35,164

Source: US Census Bureau; Ribbon Demographics

In 2010, the median household income in the 97415-zip code area was \$41,868. This was estimated to have decreased slightly in 2015, to \$40,199 (-4.2%). This reflects a larger increase among households with lower incomes compared to the numbers of households added with income above \$50,000. Projections indicate that the median household income (non-inflation adjusted) will be \$42,550 in 2025, an increase of 5.9% compared to 2015.

Between 2015 and 2025, the number of area households are projected to increase, except for those making less than \$25,000/year, (non-inflation adjusted). Most of the household growth, however, will be among households with incomes from \$35,000 – \$75,000. Area households with incomes less than \$35,000 are projected to increase by 9.2%

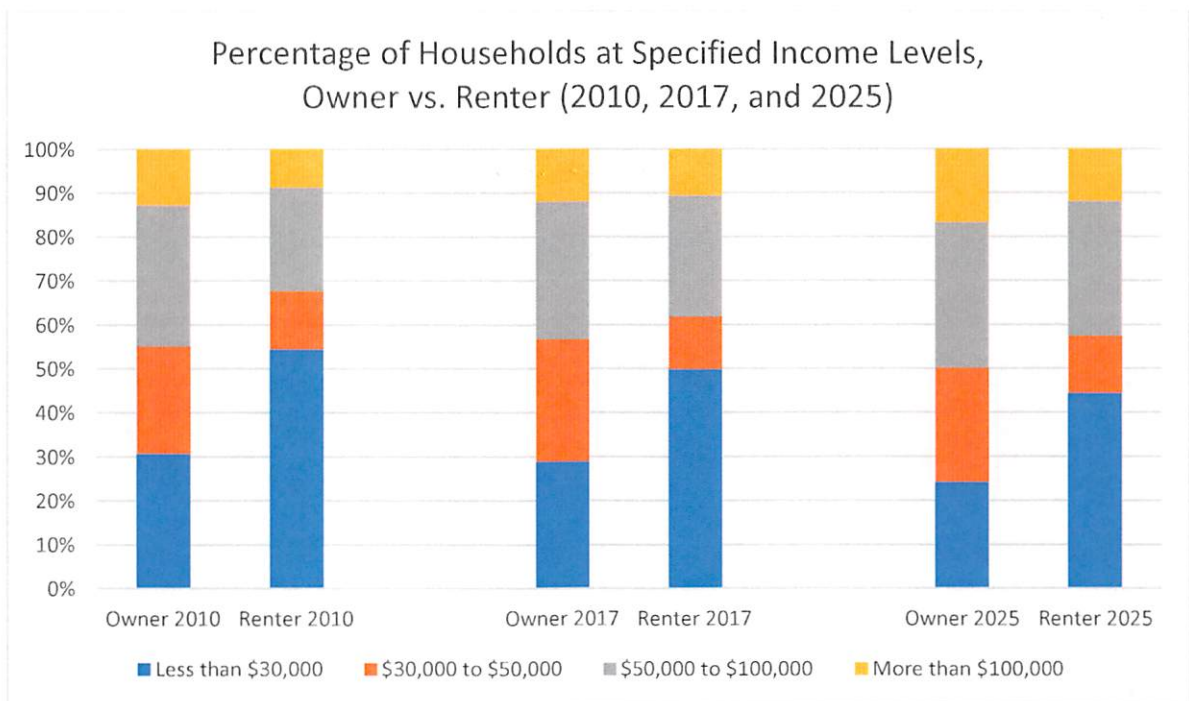
between 2015 and 2025, and area households with incomes of \$35,000 or higher are projected to increase by 24.2% over the next eight years.

The median homeowner household income is estimated to be more than 34.3% higher than that of the median renter household income in 2017. Both decreased slightly from 2010 to 2017, due to the recession which hit rural communities especially hard. These trends are not expected to continue through 2025, as increases of about 18% for median homeowner and about 27% for median renter incomes are forecast.

The study area has increasing levels of blue collar and medical services employment, which historically pay more than the retail and service jobs that form the backbone of the area's employment base. Major area employers, of both professional and skilled blue-collar occupations, report losing prospective and existing employees due to the high costs and difficulty of finding suitable/desired housing.

Please see Appendix A for more detailed tables of household income by household size, for both owner and renter households. Following is a summary of the percentage of households by income levels, for 2010, 2017 estimated, and 2025 projected.

Graph E-12. Percentage of Households at Specified Income Levels, Owner and Renter Occupied, within the 97415-zip code area:



Source: Ribbon Demographics

The current rental market in the study area is exceptionally tight. All property management companies and apartment landlords/managers interviewed report that vacancies (which are usually only a very few per month) are normally filled within days. Everyone reports an extensive waiting list. Waiting lists for low income/subsidized rental housing are long indeed, with most applicants waiting 1.5 – 2 years or more for a suitable unit.

Several factors have combined in recent years to tighten the 97415-zip code rental market.

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First, as the single-family housing market has rebounded, many rental houses are being sold as owners have gained substantial equity compared to typical sale prices of 2008-2013.

Second, landlords and property managers have raised the bar regarding renters they are willing to accept (credit rating, rental history, income levels, and criminal history all play a role), but also are requiring larger security deposits and move-in fees. Renters with household pets find it exceptionally difficult to obtain a rental.

Finally, while difficult to objectively quantify, most rental agencies report an increasing amount of “conversions” of rental properties, especially condominiums and single-family dwellings, to short-term seasonal and vacation rentals. Vacation rentals can net their owners more than \$25,000 per year, while still allowing their own personal use much of the year. (Please see anticipated annual revenue in Table F-17 on page 34.)

Travel Oregon and the Oregon Coast Visitors’ Association both report increasing levels of tourism on Oregon’s South Coast, as their organizations now have both the financing and the detailed plans to enhance area tourism. The trend of “conversions” from long-term rentals to vacation rentals will almost certainly continue, and perhaps even accelerate.

In addition, an increasing number of California based workers have sought Brookings area rentals, as their market has tightened with increased employment on the part of the prison hiring, and a large resort/casino recently finished at Smith River. Furthermore, over 150 mobile homes and 75 long-term RV spots have been lost at Smith River. Future plans for development of this area are unknown.

iv. Economic Conditions

Demographic trends are leading to rapid aging in rural communities. Natural population growth tends to be lower, in-migration is slow, and young people tend to leave rural communities to seek education and job opportunities in more urban centers. For more specific information regarding Curry County birth, death, and in-migration rates, please see Table E-21 on page 23.

Although Oregon’s rural county populations will continue to grow, it is the nature of that growth that is concerning for the long-term economic outlook. Statewide in rural counties, the retirement age population grew by about 24% from 2010 to 2015, while the working age populations (-3%) and the youth populations (-2%) both declined. According to a QualityInfo.org report on *The Aging of Rural Oregon’s Population and Workforce*, Curry County faces the most dire of these circumstances, with only 14% of the population below the age of 18, and 32% of the population over the age of 65. With the decline of the working age population group, this means that as workers age out of the labor force there will be fewer individuals to replace them. This leads to employers with increasing difficulties in attracting and retaining the workers they need to fill job vacancies. A tight housing market only compounds this issue.

Between 2014 and 2024, employment projections anticipate statewide job growth to be about 14%, with more rural areas seeing muted growth compared to the metro areas. The South Coast region, made up of Coos and Curry Counties, is projected to be about 7% growth by 2024. The majority of job openings (80% or 7,200) will be due to replacement openings, while the other 20% (or 1,600) account for growth openings. The number of replacement openings is projected to be the greatest in education and health services, followed closely by the retail trade and leisure and hospitality industries – each of which is expected to have more than 1,100 replacement openings.

Occupations with the most total openings that are considered to be high-wage and high-demand, (that is, those that pay more than the median wage for the area under consideration and those that have more than the median total number of openings) for the South Coast region include production jobs tied to wood products and logging, health care, transportation, and education.

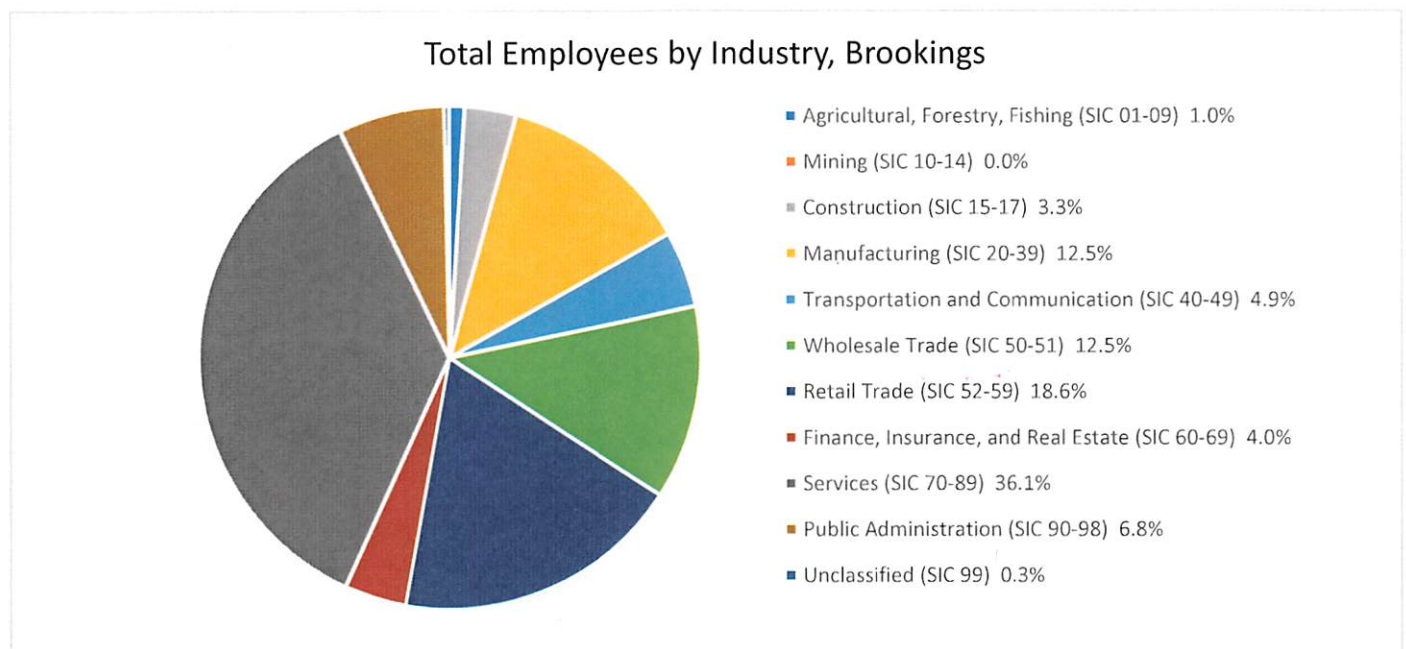
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In today's economy, an increasing number of workers are drawn to lifestyle communities, areas that are known for their quality of life, recreation, and health. In an article entitled *Is Today's Labor Force Drawn to Lifestyle Communities?* Damon Runberg of the Oregon Employment Department notes that, "Lifestyle communities tend to be tourism destinations and they have a larger share of their workforce concentrated in tourism-related industries. However, these lifestyle communities are also experiencing significantly faster job growth than the average metro area."

The tendency is to see a dependence on tourism as a negative, since these jobs tend to be part-time, seasonal, and pay relatively lower wages. This perception is changing, as more workers, particularly millennials, are prioritizing their work/life balance over career opportunities. Tourism introduces visitors to a community, some of which will stay and become residents, some even moving their businesses with them. Capitalizing on lifestyle amenities within a rural community is one way to dissuade young people from leaving, while also attracting young families to the community.

Graph E-13. The following graph shows the total numbers of employees by industry for the City of Brookings:



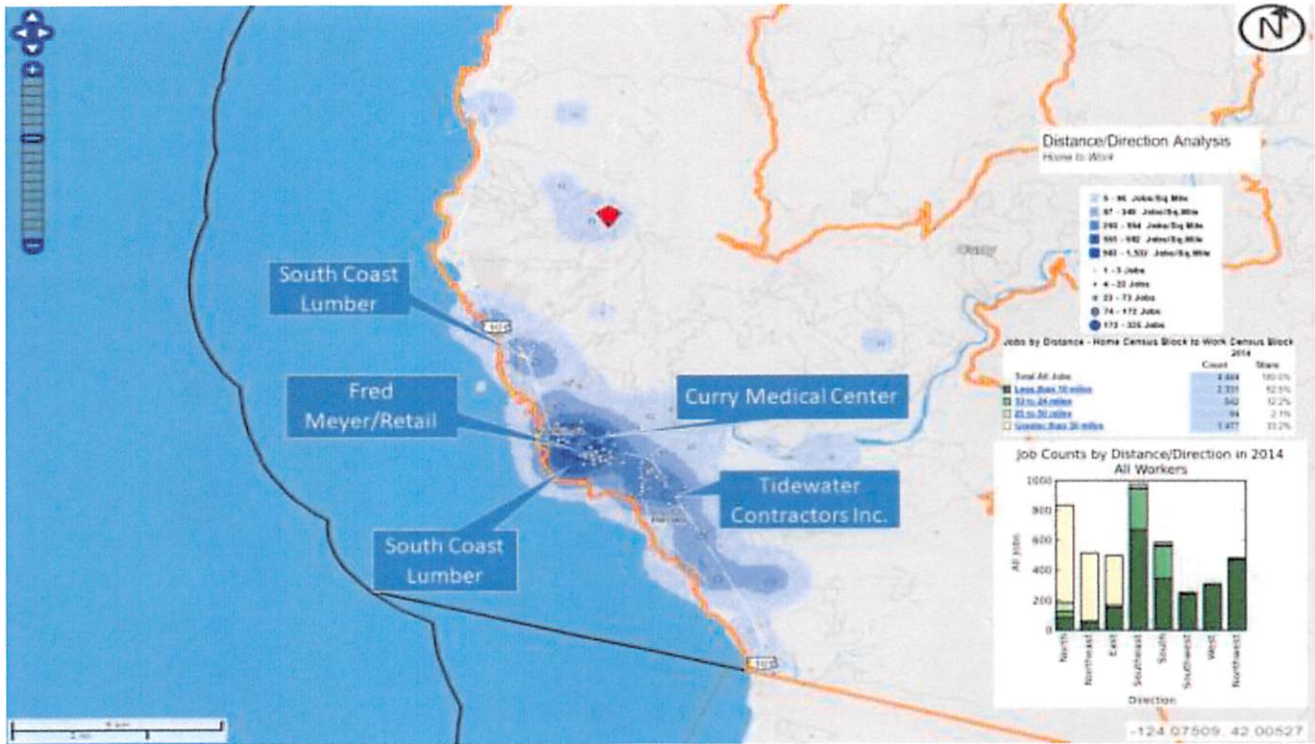
Source: Oregon.zoomprospector.com

- a) Primary employers for the Brookings area include (estimated employment numbers, if available, are noted in parentheses):
- | | |
|---|-------------------------------|
| a. South Coast Lumber (478) | f. Fred Meyer |
| b. Curry Health District/Network | g. BC Fisheries |
| c. Curry General Hospital | h. Pacific Seafood |
| d. Brookings-Harbor School District (225) | i. Freeman Marine/Advantec |
| e. City of Brookings | j. Tidewater Contractors Inc. |
- b) Resident employment – The majority of the 11.8% of Brookings residents who work outside of the state, are employed by one of the following, (See Table E-19 on page 21):
- Pelican Bay State Prison in Crescent City, CA – It is estimated that about one-third of the approx. 1,300 employees live in the Brookings area.
 - Lucky 7 Casino and Resort in Smith River, CA
 - Sutter Coast Hospital in Crescent City, CA – A 49-bed general medical and surgical hospital, with 43 doctors and 99 nurses on staff.

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Map 1-E. The following map shows primary employers within the Brookings area, along with distance/direction analysis:



Source: OnTheMap.ces.census.gov

Map 2-E. The following map shows primary employers outside of the Brookings area, along with distance/direction analysis:



Source: OnTheMap.ces.census.gov

*** Sponsor Investors ***

Bandon Dunes Golf Resort • Bay Area Hospital • City of Brookings • City of Coos Bay • City of North Bend • Coos County
Curry County • Jordan Cove Energy • Oregon International Port of Coos Bay • Southwest Oregon Regional Airport

Table E-14. The following table summarizes the total population available to the workforce, and the participation and unemployment rates for that population, within the 97415-zip code area:

	Total Population		Labor Force Participation Rate		Unemployment Rate	
	#	%	#	%	#	%
16 to 19 years	358	3.0%	39	10.9%	101	28.2%
20 to 24 years	667	5.6%	557	83.5%	133	19.9%
25 to 29 years	600	5.0%	554	92.3%	25	4.2%
30 to 34 years	531	4.4%	527	99.2%	11	2.1%
35 to 44 years	1,282	10.7%	1,111	86.7%	86	6.7%
45 to 54 years	1,666	13.9%	1,171	70.3%	170	10.2%
55 to 59 years	1,120	9.3%	724	64.6%	267	23.8%
60 to 64 years	1,290	10.8%	530	41.1%	104	8.1%
65 to 74 years	2,660	22.2%	245	9.2%	500	18.8%
75 years and over	1,812	15.1%	85	4.7%	214	11.8%
Total Population Age 16 and Over	11,986	100.0%	5,543	46.3%	1,611	11.2%
Average Labor Force Participation Rate						
Average Unemployment Rate						

Source: US Census Bureau; American FactFinder 2015 American Community Survey

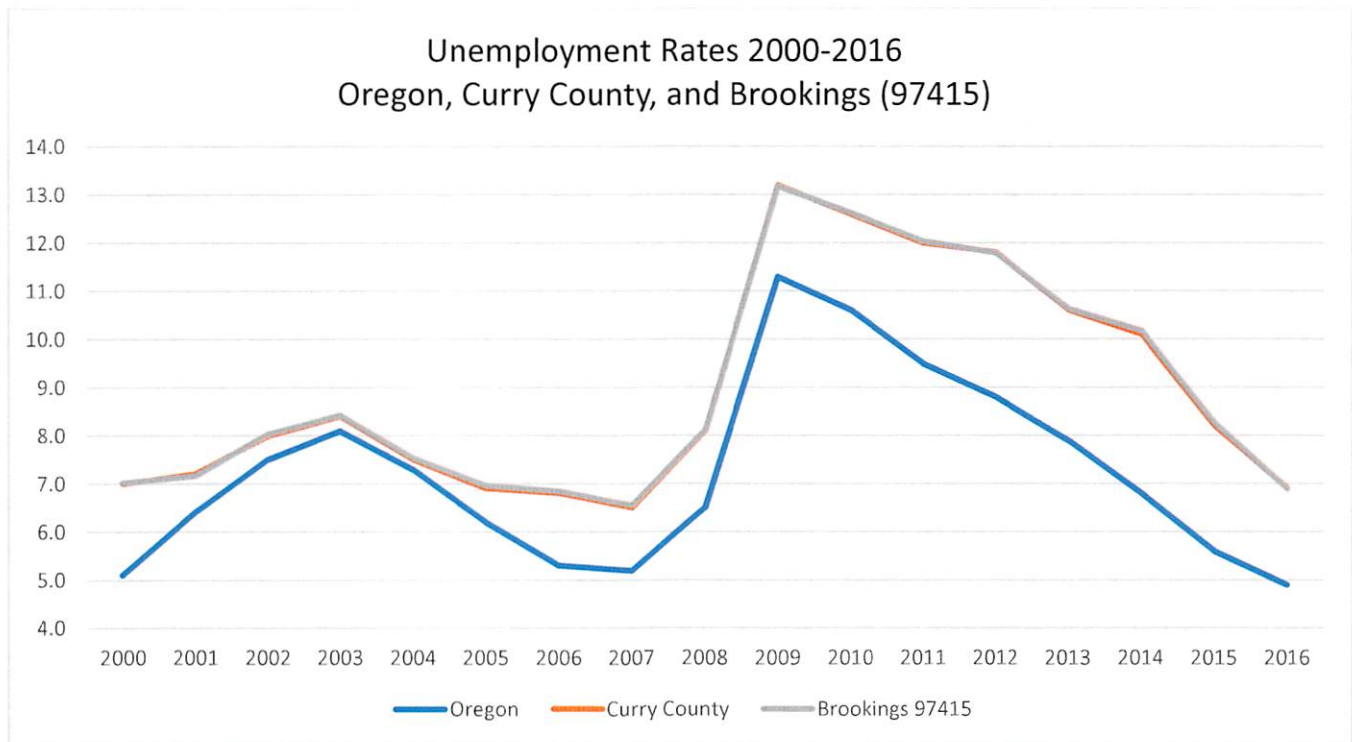
According to QualityInfo.org, Curry County's labor force participation rate in 2015 ranks #36 out of the 36 Oregon counties. Neighboring counties did not fare any better: Josephine County was #35 at 47.4%, Coos County was #34 at 49.2%, and Douglas County came in at #33 with a participation rate of 49.7%. Statewide average is 61.1%.

Table E-15. The following table summarizes the educational attainment of the workforce population, and the participation and unemployment rates, for that population within the 97415-zip code area:

	Total Population		Labor Force Participation Rate		Unemployment Rate	
	#	%	#	%	#	%
Less Than High School	562	8.7%	284	50.5%	188	33.5%
High School Graduate, or Equivalent	1,734	26.7%	1,235	71.2%	154	8.9%
Some College or Associate's Degree	2,703	41.7%	1,962	72.6%	316	11.7%
Bachelor's Degree or Higher	1,490	23.0%	1,137	76.3%	12	0.8%
Total Population 25 to 64 Years	6,489	100.1%				
Average Participation/Unemployment Rates			4,618	71.2%	670	9.6%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

Graph E-16. The following graph shows the unemployment rates for Brookings and Curry County, as compared to the State of Oregon for 2000-2016:



Source: State of Oregon Employment Department (qualityinfo.org); Homefacts.com

In the above graph, you can see that the unemployment rate for the Brookings 97415-zip code area is nearly identical to that of Curry County, which is typically higher than the statewide average.

Table E-17. The following table compares noteworthy statistics regarding the unemployment rates for Brookings, Curry County, and Oregon. Data considered for this table is dated Jan. 2000 – Jun. 2017:

	Highest Rate / Month(s) Recorded	Consecutive Months 10.0% or Higher		Total Months 10.0% or Higher	Last Recorded Month 10.0% or Higher	Current Rate Jun. 2017
		#	Duration			
Brookings	15.5% / Feb. 2009	57	Nov. 2008 – Jul. 2013	67	Jun. 2014	5.4%
Curry County	14.1% / Apr. 2009	71	Nov. 2008 – Sept. 2014	71	Sept. 2014	5.4%
Oregon	11.9% / Apr. & May 2009	24	Jan. 2009 – Dec. 2010	24	Dec. 2010	3.7%

Source: State of Oregon Employment Department (qualityinfo.org); Homefacts.com

The preceding table illustrates a much slower recovery of the more rural Brookings and Curry County area after the economic recession that began in 2008, than that of the State of Oregon.

The tables on the following page address the commuting patterns of workers within the 97415-zip code area. The majority of workers (76.4%) drive alone to work, with a mean travel time of 12.5 minutes. About 11.8% of workers who reside in the Brookings area work outside of the state. Primary employers, including those that are out of state, are addressed on page 17.

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Table E-18. The following table details the different means of transportation available to workers age 16 and older in the 97415-zip code area:

	Workers Age 16 and Older	
	#	%
Car, truck, or van	4,171	85.5%
Drove alone	3,727	76.4%
2-Person Carpool	332	6.8%
3-Person Carpool	112	2.3%
4-or-More Person Carpool	0	0.0%
Public transportation (excluding taxicab)	0	0.0%
Walked	400	8.2%
Bicycle	0	0.0%
Taxicab, motorcycle, or other means	98	2.0%
Worked at home	210	4.3%
Total Workers Age 16 and over	4,878	100.0%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

Table E-19. The following table details the place of work for workers age 16 and older in the 97415-zip code area:

	#	%
Worked in State of Residence	4,302	88.2%
Worked in County of Residence	4,254	87.2%
Worked Outside of County of Residence	49	1.0%
Worked Outside State of Residence	576	11.8%
Total Workers Age 16 and over	4,878	--

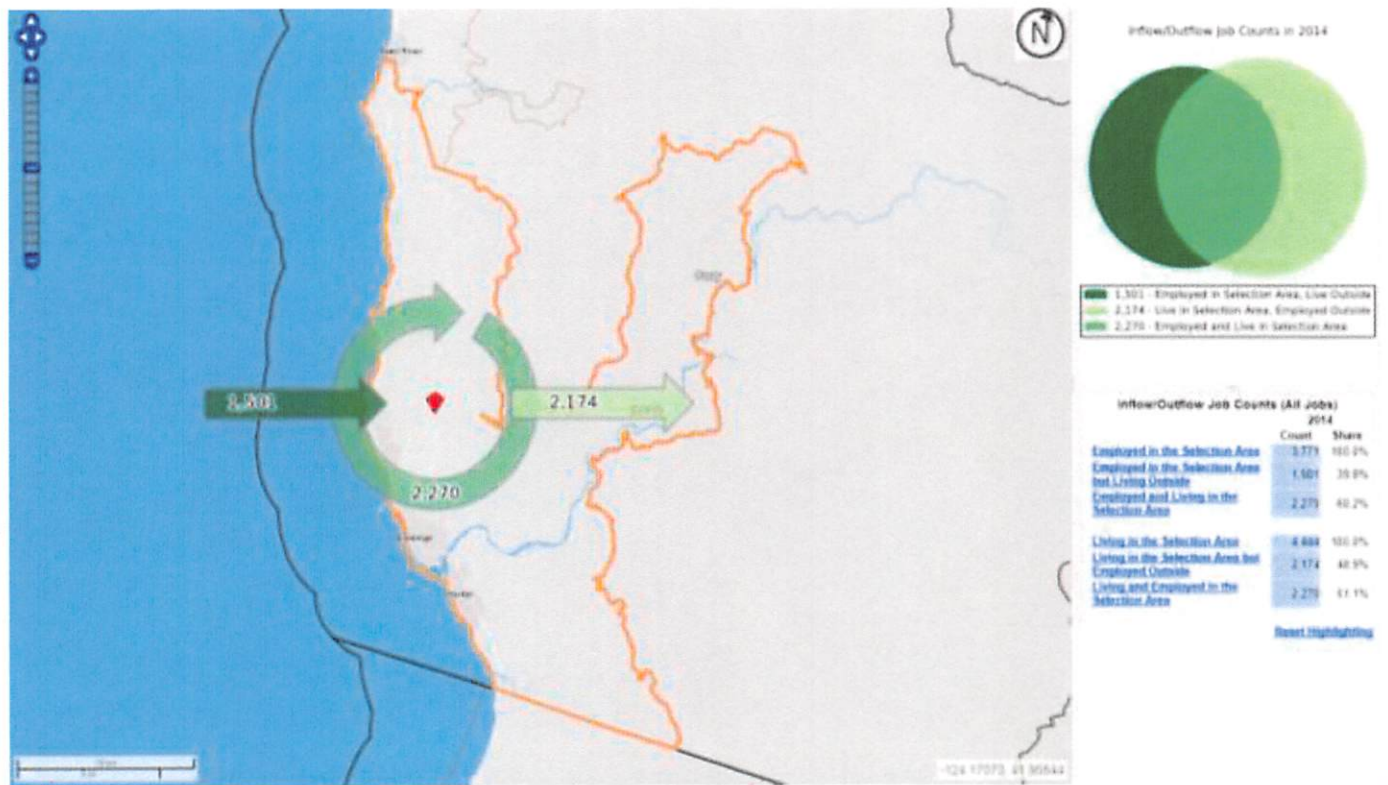
Source: US Census Bureau; American FactFinder 2015 American Community Survey

Table E-20. The following table details the travel time to work for workers age 16 and older, who did not work at home, in the 97415-zip code area:

	#	%
Less than 10 minutes	2,073	44.4%
10 to 14 minutes	892	19.1%
15 to 19 minutes	509	10.9%
20 to 24 minutes	467	10.0%
25 to 29 minutes	234	5.0%
30 to 34 minutes	369	7.9%
35 to 44 minutes	47	1.0%
45 to 59 minutes	75	1.6%
60 or more minutes	0	0.0%
Mean travel time to work (minutes)	12.5	
Workers 16 years and over, who did not work at home	4,670	99.9%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

Map 3-E. The following map shows the inflow and outflow of jobs in 2014, in the 97415-zip code area:



Source: OnTheMap.ces.census.gov

Through our research, we are not aware of any recent or planned significant economic changes within the 97415-zip code or greater Curry County area at this time. However, there has been a recent spike in employment opportunities due to the new medical facilities and the increased business growth of the area's largest private sector employer.

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v. Migration Evaluation

Table E-21. Curry County Vital Statistics – Birth, Death, and Net Migration Rates 1980-2050:

	Number of Births	Average Annual Birth Rates per 1,000 population	Number of Deaths	Average Annual Death Rates per 1,000 population	Net Migration	Average Annual Net migration rates per 1,000 population
1980-1985	1,127	13	914	11	-627	-7
1985-1990	1,056	12	1,010	11	2,739	30
1990-1995	1,005	10	1,276	13	1,831	18
1995-2000	811	8	1,538	15	918	9
2000-2005	786	7	1,578	15	1,468	14
2005-2010	832	8	1,740	16	1,419	13
2010-2015	773	7	1,801	16	994	9
2015-2020	799	7	1,876	17	1,843	16
2020-2025	817	7	2,043	17	1,994	17
2025-2030	814	7	2,249	19	2,021	17
2030-2035	799	7	2,506	20	2,018	16
2035-2040	770	6	2,624	21	2,015	16
2040-2045	748	6	2,654	21	2,013	16
2045-2050	731	6	2,574	21	2,011	16

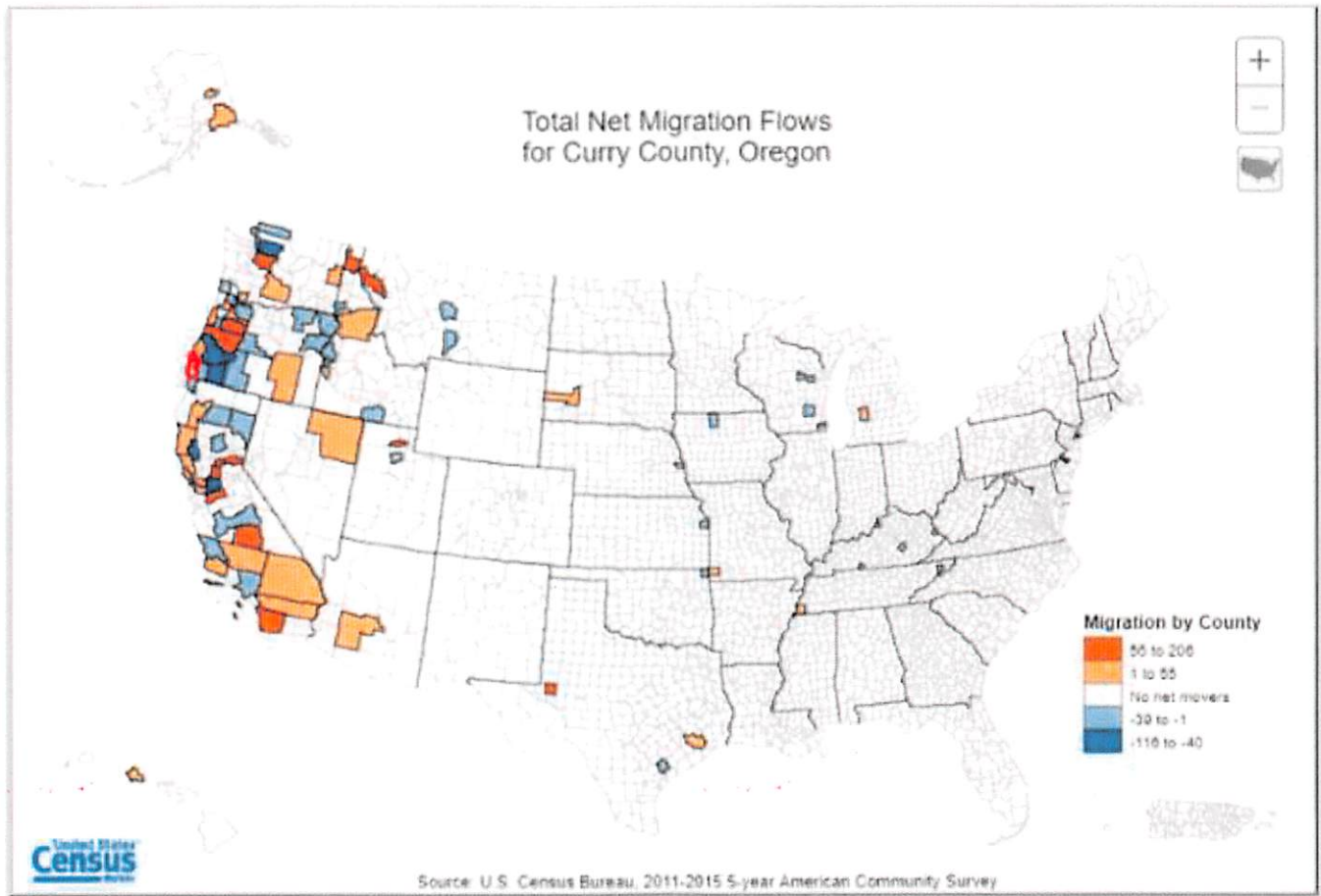
Source: Office of Economic Analysis, State of Oregon

As detailed in Table E-21 above, Curry County has experienced net in-migration since 1985. In person interviews with realtors and business owners indicate that much of this in-migration originates from California. Map 4-E on the following page details, nationwide by county, the net migration flows for Curry County.

The overall population increases forecasted in Tables E-1 through E-5 likely underestimate the long-term impacts of net in-migration, as well as the internal Curry County in-migration to the 97415-zip code from other areas of the county.

Please see Appendix B for a table detailing the Oregon State Vital Statistics, as shown above.

Map 4-E. The following map shows the total net migration flows for Curry County:



Source: US Census Bureau; American FactFinder 2015 American Community Survey

Section III

F. Evaluation of Existing Housing Market

i. Overview of the Study Area For-Sale and For-Rent Housing

Table F-1. The distribution of the 97415-zip code area housing stock is summarized in the following table:

Housing Unit Status	2000 Census		2010 Census		2017 Estimated		2025 Projections	
Total Occupied	5,945	84.5%	6,310	84.9%	6,407	84.3%	6,700	84.7%
Owner-Occupied	4,246	71.4%	4,307	68.3%	4,362	68.1%	4,610	68.8%
Renter-Occupied	1,699	28.6%	2,003	31.7%	2,045	31.9%	2,090	31.2%
Total Vacant	1,089	15.5%	1,124	15.1%	1,191	15.7%	1,210	15.3%
For Rent or For Sale	416	38.2%	366	32.6%	312	26.2%	275	22.7%
Rented or Sold, Not Occupied	41	3.8%	22	2.0%	36	3.0%	40	3.3%
Seasonal, Recreational Use	476	43.7%	560	49.8%	728	61.1%	850	70.2%
Other Vacancy	156	14.3%	176	15.7%	115	9.7%	45	3.7%
Total Housing Units	7,034		7,434		7,598		7,910	

Source: US Census Bureau; Ribbon Demographics

There are an estimated 7,598 total housing units within the study area in 2017. This includes an estimated 2,045 rental units, or 31.9% of the occupied housing stock. The balance of the housing stock in the study area is owner-occupied, which represents 68.1% of the occupied housing units in the study area. The share of renter households is moderate, and typical of rural area such as Curry County and the Brookings 97415-zip code area.

It is estimated that there are 1,191 vacant housing units within the study area in 2017, representing an apparent vacancy rate of 15.7%. This number includes vacant homes, mobile homes, and condominiums that are both for sale or rent, those rented or sold but not occupied, seasonal and vacation homes, and possibly functionally obsolete or non-viable units. The great bulk of these vacant housing units are not being actively marketed either for rent or for sale.

Table F-2. Based on the American Community Survey (2011-2015), the following is a distribution of all housing units in the 97415-zip code area and Curry County, by year of construction:

Year Structure Built	97415-Zip Code		Curry County	
Built 2014 or later	0	0.0%	0	0.0%
Built 2010 to 2013	76	1.0%	80	0.6%
Built 2000 to 2009	1,181	15.4%	1,771	14.0%
Built 1990 to 1999	1,458	19.0%	2,532	20.1%
Built 1980 to 1989	1,529	19.9%	2,081	16.5%
Built 1970 to 1979	1,730	22.5%	2,656	21.0%
Built 1960 to 1969	567	7.4%	1,133	9.0%
Built 1950 to 1959	598	7.8%	1,272	10.1%
Built 1940 to 1949	384	5.0%	665	5.3%
Built 1939 or earlier	168	2.2%	432	3.4%
Total Housing Units	7,691	100.2%	12,622	100.0%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

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The majority of the area's housing units were built before 2000. There has been a dramatic decrease in building activity since 2010, with only 1.0% of all housing units in the study area and 0.6% in Curry County built after 2010. A large part of this slowdown is due to the national recession, which slowed housing construction throughout many areas of the state and the nation. Within the study area survey of rental units, we have identified only one new apartment building built since 2010, a 14-unit low income apartment complex that is now 100% occupied.

The median and average age for 97415 housing stock is over 35 years. Therefore, over half of the housing stock is well into functional obsolescence, and/or noticeable deterioration. Windshield surveys conducted for this report, as well as actual physical inspection of several older homes for sale indicate significant issues regarding inefficient heating systems and insulation, mold and mildew, dilapidated siding, and deteriorating roofs.

Property managers and realtors reflect these concerns as they report that almost all potential buyers, and most renters, prefer housing constructed at least in 1995 or newer. Post-1995 housing stock represents only about 7.5% of all housing in the area. Almost 45% of the Brookings area housing stock was built prior to 1980. Table F-2 on the previous page refers to the year of construction for both Curry County and the 97415-zip code area.

Table F-3. The number of owner- and renter-occupied households by household size within the Brookings 97415-zip code area, based on the 2010 Census, are distributed as follows:

Household Size	Owner-Occupied		Renter-Occupied	
	Households	Percent	Households	Percent
1-person household	1,224	28.4%	712	35.5%
2-person household	2,186	50.8%	599	29.9%
3-person household	411	9.5%	272	13.6%
4-person household	287	6.7%	217	10.8%
5-person household	134	3.1%	131	6.5%
6-person household	36	0.8%	39	1.9%
7-or-more-person household	29	0.7%	33	1.6%
Total	4,307	100.0%	2,003	99.8%

Source: US Census Bureau

Within the study area, the rental housing market has a high share (20.8%) of large-family households (4-or-more persons), compared with the owner-occupied housing having just 11.3% with a large household size. Many of the area's large-family households are in homeownership or single-family rental alternatives. This is substantiated by interviews we conducted with local realtors and leasing agents.

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Table F-4. The following table summarizes the estimated rental housing units by gross rent levels for the Brookings 97415-zip code area, based on the 2015 American Community Survey:

Gross Rent Paid	Rental Units	Percent
Less Than \$500	237	9.9%
\$500 to \$999	1,469	61.1%
\$1,000 to \$1,499	609	25.3%
\$1,500 to \$1,999	32	1.3%
\$2,000 to \$2,499	59	2.5%
\$2,500 to \$2,999	0	0.0%
\$3,000 or more	0	0.0%
No Rent Paid	201	--
Occupied Units Paying Rent	2,406	100.1%

Source: US Census Bureau; American FactFinder 2015 American Community Survey

The median gross rent paid in the study area in 2015 was \$843. The weighted average gross rent in 2015 was \$903. Gross rent includes all utilities.

ii. Conventional Apartments

In the study area, we are not aware of any conventional market-rate or government subsidized rental housing units under construction or planned. Of the six rental properties surveyed for this report, none currently had any units available for rent. All reported waiting lists, and estimated the average wait time for a rental at 30-90 days. The current rental occupancy rate is effectively 100%.

Table F-5. The following table summarizes the breakdown of conventional housing units surveyed within the study area:

Project Type	Projects Surveyed	Total Units	Vacant Units	Percent Occupied	Under Construction
Market-Rate	3	46	0	100%	0
Tax-Credit/Government-Subsidized	3	76	0	100%	0
Total	6	122	0	100%	0

Source: SCDC

Please see Appendix C for detailed property information, including addresses and maps, of the surveyed housing units.

As the preceding table illustrates, all project types identified within the study area are reporting good to excellent occupancy rates ranging from 98% to 100%. This indicates a rental housing market where demand exceeds supply. A stable rental market should have at least a 5% vacancy rate to allow for normal tenant turnover.

The conventional market-rate rental market is performing very well with limited vacancies and high occupancy. The high occupancy rate for rental housing indicates ongoing pent-up demand for additional units. The non-subsidized tax credit rental base is essentially 100% occupied with no vacant units.

The subsidized tax credit and the government-subsidized units are fully occupied. Most of these projects maintain extensive waiting lists, some in excess of one year and often approaching two years. This indicates that need exists in the Brookings 97415-zip code area for additional housing units offering rental assistance.

Generally, these properties have few amenities, are older, and offer small unit sizes (square footage).

Based on our interviews, and discussions with the City of Brookings and Curry County, there are no additional rental housing projects planned for the 97415-zip code area at this time.

iii. Single-Family Homes and For-Sale Alternatives

Census data identified an estimated 10,415 occupied housing units in 2015 within Curry County, and 6,627 occupied housing units within the 97415-zip code area. Unoccupied residential structures, mostly second homes and vacation rentals, are noted elsewhere in this report.

Table F-6. The following table details the 2015 American Community Survey estimates for housing units by housing type within Curry County, then further distributed by tenure:

Units in Structure, Curry County	Total Occupied		Owner-Occupied		Renter-Occupied	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
1, detached	5,990	57.3%	4,796	70.1%	1,192	33.0%
1, attached	439	4.2%	123	1.8%	311	8.6%
2 apartments	418	4.0%	27	0.4%	397	11.0%
3 or 4 apartments	251	2.4%	7	0.1%	238	6.6%
5 to 9 apartments	272	2.6%	0	0.0%	278	7.7%
10 or more apartments	565	5.4%	0	0.0%	567	15.7%
Mobile home or other type of housing	2,519	24.1%	1,888	27.6%	632	17.5%
Occupied Housing Units	10,454	100.0%	6,841	100.0%	3,613	100.1%

Source US Census Bureau; American FactFinder 2015 American Community Survey

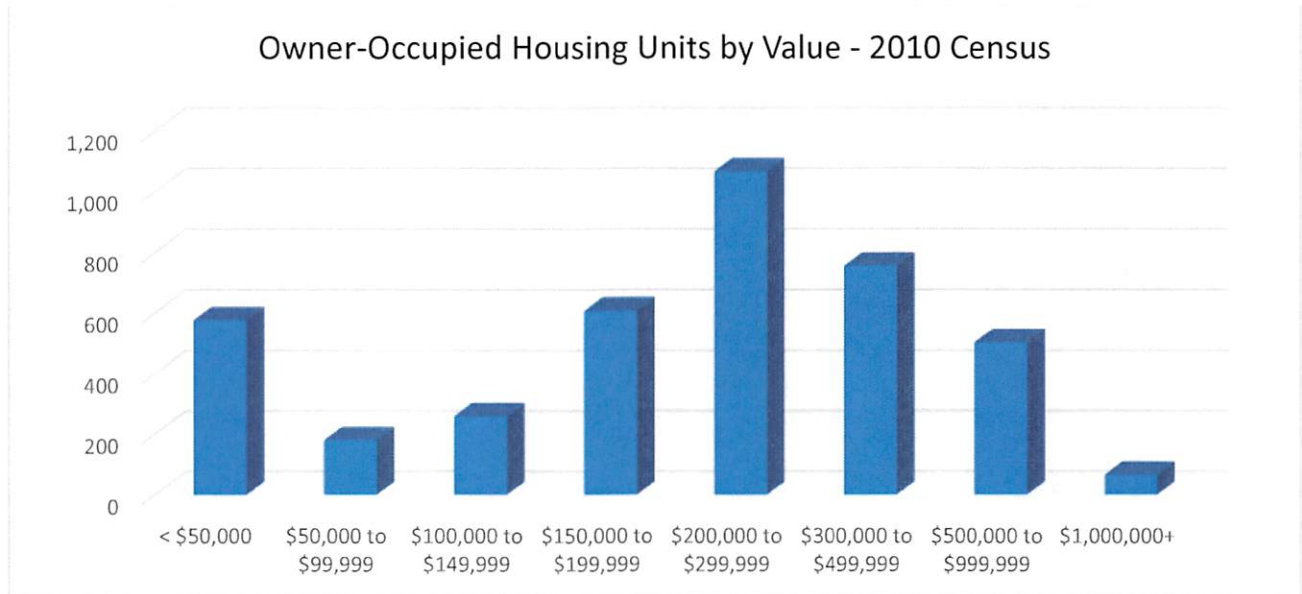
Table F-7. The following table details the 2015 American Community Survey estimates for housing units by housing type within the 97415-zip code area, then further distributed by tenure:

Units in Structure, 97415	Total Occupied		Owner-Occupied		Renter-Occupied	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
1, detached	3,446	52.0%	2,734	68.0%	712	27.3%
1, attached	418	6.3%	125	3.1%	297	11.4%
2 apartments	325	4.9%	8	0.2%	315	12.1%
3 or 4 apartments	152	2.3%	0	0.0%	154	5.9%
5 to 9 apartments	199	3.0%	0	0.0%	196	7.5%
10 or more apartments	484	7.3%	0	0.0%	485	18.6%
Mobile home or other type of housing	1,604	24.2%	1,154	28.7%	448	17.2%
Occupied Housing Units	6,627	100.0%	4,020	100.0%	2,607	100.0%

Source US Census Bureau; American FactFinder 2015 American Community Survey

Just under one-fourth of the total housing stock in both Curry County and in the Brookings 97415-zip code area is made up of mobile homes or other types of housing, including boat, RV, van, etc. Reliance on mobile homes and other types of housing in rural areas is due to a number of factors including affordability, restricted mortgage financing, limited infrastructure in many areas of the county, and the demand for short-term housing options associated with growing employment opportunities.

Graph F-8. The following graph illustrates the estimated owner-occupied housing unit by value within the 97415-zip code area based on the 2010 Census:



Source: 2010 US Census

Graph F-9. The following graph illustrates the estimated owner-occupied housing units by value within the 97415-zip code area for 2017:



Source: Claritas, Ribbon Demographics

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In 2017, just over 80% of owner-occupied housing structures were valued at more than \$100,000. This is up from about 74% of owner-occupied housing being valued at over \$100,000 in 2010, and reflects improvement to the area housing market following the recent national recession. The median owner-occupied home value in 2017 is \$233,903, which is up 16% from the median housing value in 2010, about \$200,000.

Based on RMLS data, sold home prices increased 8.2% / 9.4% (average / median) from mid-2016 to mid-2017. Barring another recession, it is reasonable to assume that home values will continue to rise, at least for the near term. Graphs F-8 and F-9 show that most (68.7%) owner-occupied housing units, condos included, range from \$100,000 – \$500,000 in estimated value. Within this cohort, over half are valued from \$150,000 – \$400,000.

This is consistent with recent RMLS reporting data that shows an average sales prices of \$247,100 and median sales price of \$237,500. In addition, realtors and employers interviewed for this study report a substantial, largely unmet demand for single-family dwellings with three or more bedrooms, two or more bathrooms in the \$200,000 – \$300,000 range.

Currently there are 227 residential listings on the Regional Multi Listing Service (RMLS) in the Brookings area.

Table F-10. Summary of RMLS current listings, within the Brookings city limits:

Housing Unit Type	Number	Asking Price		Bedrooms	Median Unit Square Footage	Median Price Per Square Foot
		Range	Median			
Single-Family Home	82	\$110,000 – \$2,300,000	\$419,000	1 – 5	1,850	\$226
Condominium	24	\$149,000 – \$487,000	\$380,000	2 – 3	1,810	\$210
Manufactured/ Non-Fee Simple	7	\$172,000 – \$415,000	\$245,000	2 – 6	1,650	\$148

Source: RMLS

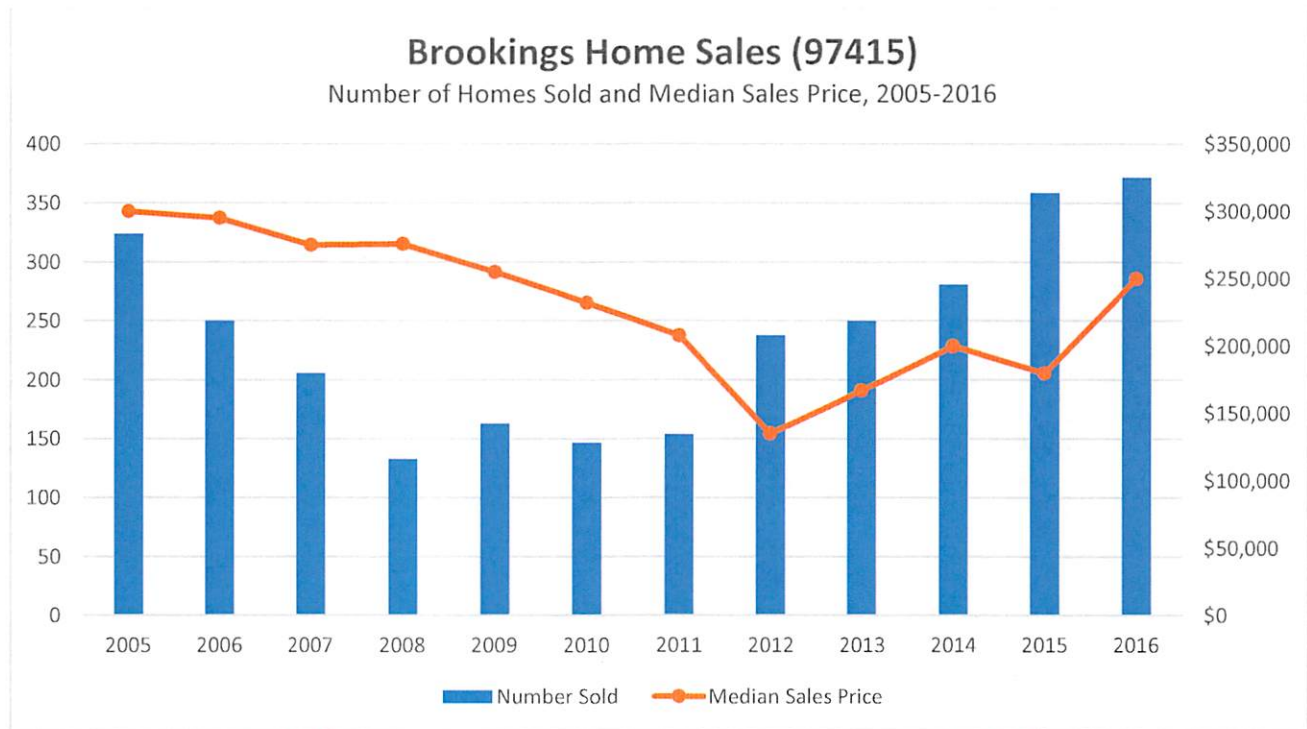
Table F-11. Summary of RMLS current listings, for the remainder of the 97415-zip code:

Housing Unit Type	Number	Asking Price		Bedrooms	Median Unit Square Footage	Median Price Per Square Foot
		Range	Median			
Single-Family Home	55	\$100,000 – \$699,000	\$570,000	1 – 5	2,275	\$250
Condominium	1	\$525,000	\$525,000	3	2,150	\$244
Manufactured/ Non-Fee Simple	58	\$35,000 – \$375,000	\$160,000	1 – 3	960	\$166

Source: RMLS

The average year built for the single-family homes listed on the RMLS for the Brookings area is 1985.

Graph F-12. The following graph illustrates the number of annual home sales and the median sales price within the Brookings 97415-zip code area, from 2006 – 2016:



Source: RMLS

Table F-13. The following table reflects the number of total and sold listings, with the mean and median sales price, and the average number of days on the market, for the 97415-zip code area:

Year	Total Listings	Sold Listings	Mean Sales Price	Median Sales Price	Average Days on Market
2011*	193	72	\$200,688	\$174,750	149
2012	357	211	\$188,420	\$158,150	172
2013	427	217	\$182,583	\$167,500	168
2014	412	241	\$220,167	\$188,750	175
2015	427	310	\$252,917	\$208,750	156
2016	463	326	\$267,576	\$242,450	106
2017**	224	130	\$288,396	\$242,750	122

Source: RMLS

*Data Prior to 7/2011 not available / **Data through 6/2017

In 2017, the RMLS reports 130 home sales for the first half of the year. Total home sales decreased by 5.8% from 2016, with 138 homes sold in the first half of that year. The median sales price for the area increased over 6.7% during that same period though, and is currently at \$242,750 for the year.

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The following tables provide a summary of the housing cost burden by household income range for renter-occupied and homeowner-occupied housing units, within the Brookings 97415-zip code area.

Table F-14. Housing Cost Burden for Renter-Occupied Housing by Household Income Range, (does not include government subsidized housing):

Household Income Range	Renter Occupied Units		Approx. Avg. Monthly Cost	Approx. Avg. Cost % Burden
	#	%		
Less than \$10,000	253	14.7%	\$487	69.0%
\$10,000 to \$19,999	346	16.5%	\$650	52.0%
\$20,000 to \$34,999	516	20.2%	\$750	33.0%
\$35,000 to \$74,999	562	38.5%	\$1,075	23.0%
\$75,000 to \$99,999	156	4.7%	\$1,250	19.0%
\$100,000 to \$149,000	172	4.0%	\$1,420	15.0%
\$150,000 +	45	1.5%	\$2,000	15.0%
Total	2,050	100.1%	--	--

Source: US Census Bureau; American FactFinder 2015 American Community Survey

Table F-15. Housing Cost Burden for Owner-Occupied Housing by Household Income Range:

Household Income Range	Homeowner Occupied Units		Approx. Avg. Monthly Cost	Approx. Avg. Cost % Burden
	#	%		
Less than \$10,000	347	6.8%	\$280	40.0%
\$10,000 to \$19,999	348	13.1%	\$375	30.0%
\$20,000 to \$34,999	833	19.3%	\$695	30.0%
\$35,000 to \$74,999	1,799	34.7%	\$775	19.0%
\$75,000 to \$99,999	406	10.1%	\$1,600	23.0%
\$100,000 to \$149,000	547	13.0%	\$2,250	22.0%
\$150,000 +	125	3.1%	\$2,600	20.0%
Total	4,405	100.1%	--	--

Source: US Census Bureau; American FactFinder 2015 American Community Survey

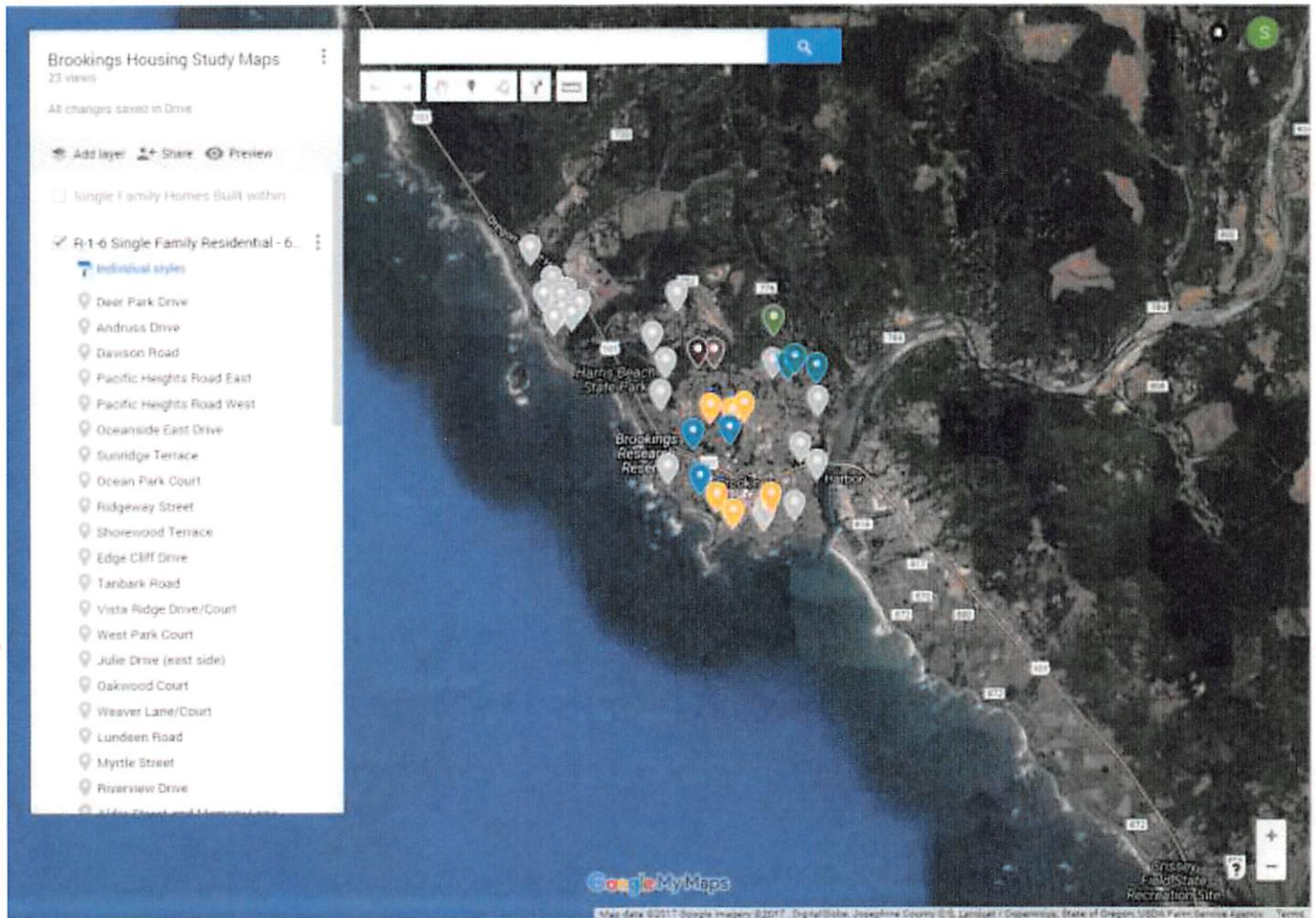
Based on the recent census data, an estimated 558 rental households within the Brookings 97415-zip code area are paying 30% or more of their incomes to rent, and there are an estimated 510 homeowners households paying 30% or more. This equates to approx. 14% of all households with a high housing cost burden. The majority of these households paying 30% or more for housing costs have an income between \$20,000 and \$35,000.

Tables F-14 and F-15 make a strong case for an existing high demand for more affordable housing options, especially rentals. This is even more dramatically so for government subsidized housing. A significant number of area households are spending more than 30% of their gross income on housing.

Keep in mind, these figures are calculated from the 2015 American Community Survey. Not only have two-plus years elapsed since then, but these are two years of a rapidly tightening housing market with rents for a standard 2-bedroom/1-bathroom apartment estimated to have increased by \$150 – \$250 per month. Without doubt, the current affordability situation is worse, perhaps much worse, than this data indicates.

iv. Vacant Land Available for Residential Development

Map 1-F. Below is a screenshot of an interactive Google map, showing all vacant land that is zoned for residential development:



Source: Google Maps; <https://www.google.com/maps/d/edit?mid=1rmUo1-tXcFx97e8zH6CyYRkEQfg&ll=42.055042659709784%2C-124.29904445993651&z=13>

As the above map indicates there is a reasonable supply of existing undeveloped lots, as well as at least one very large parcel of undeveloped land.

Some developers and realtors feel there are several factors limiting their development potential:

1. High SDC fees within the Brookings city limits.
2. The difficulty for many would-be individual developers of buying a lot and then coming up with more money during the construction phase.
3. The reluctance of some lenders to lend for the purchase of bare land, and/or construction loans.
4. The lack of full services at many potentially developable parcels.
5. A very limited number of local general contractors.

The highest current demand in the 97415-zip code area is for existing new (or newer) single-family dwellings, offering 1,500 – 1,700 square feet, with 3-bedrooms and 1- or 2-bedrooms.

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v. Vacation Rental Market Share

Table F-16. The following table summarizes the market share occupied by short-term seasonal/recreational or vacation rentals within the 97415-zip code area:

	2000 Census		2010 Census		2017 Estimated		2025 Projected	
	#	%	#	%	#	%	#	%
Total Vacant Housing Units	1,089	100.0%	1,124	100.0%	1,191	100.0%	1,210	100.0%
For Sale	170	15.6%	200	17.8%	184	15.4%	178	14.7%
For Rent	246	22.6%	166	14.8%	128	10.7%	97	8.0%
Rented or Sold, Not Occupied	41	3.8%	22	2.0%	36	3.0%	40	3.3%
Seasonal or Recreational Use	476	43.7%	560	49.8%	728	61.1%	850	70.2%
Other Vacancy	156	14.3%	176	15.7%	115	9.7%	45	3.7%

Source: US Census Bureau; Ribbon Demographics

The vast majority of the vacant housing units in the study area are identified as seasonal or for recreational use, a total of 728 units in 2017, or 61.1% of all vacant units. This number is projected to increase by 2025 to 850 dwelling units, or 70.2% of all vacant units. These units do not represent permanent housing and are not comparable to, or provide support for, conventional housing needs.

Table F-17. The following table details the high, low, mean, and median vacation rentals found on VRBO.com for the Brookings area, comparing their size and price per night, as well as anticipated annual revenue at specified occupancy levels:

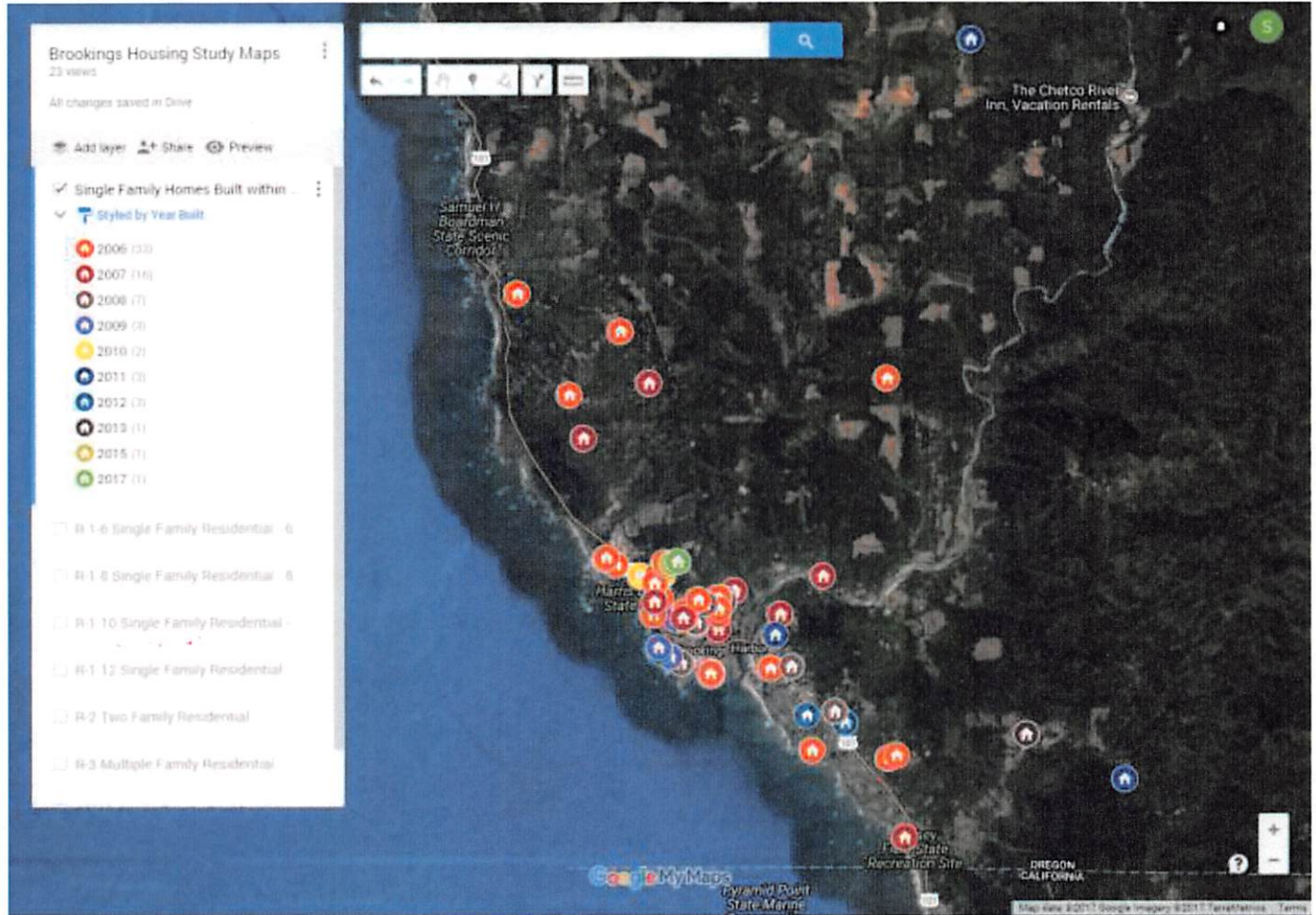
Property Details						Annual Revenue Generated at Occupancy			
VRBO House #	Bed	Bath	Avg. Price Per Night		Min. Night Stay	25%	50%	75%	100%
210432	4	3.5	High	\$473	2-4	\$43,161.25	\$86,322.50	\$129,483.75	\$172,645.00
4348814ha	3	2.5	Mean	\$195	2-3	\$17,793.75	\$35,587.50	\$53,381.25	\$71,175.00
127877	1	1	Median	\$175	2	\$15,968.75	\$31,937.50	\$47,906.25	\$63,875.00
970146	2	2	Low	\$86	2-4	\$7,847.50	\$15,695.00	\$23,542.50	\$31,390.00

Source: VRBO.com

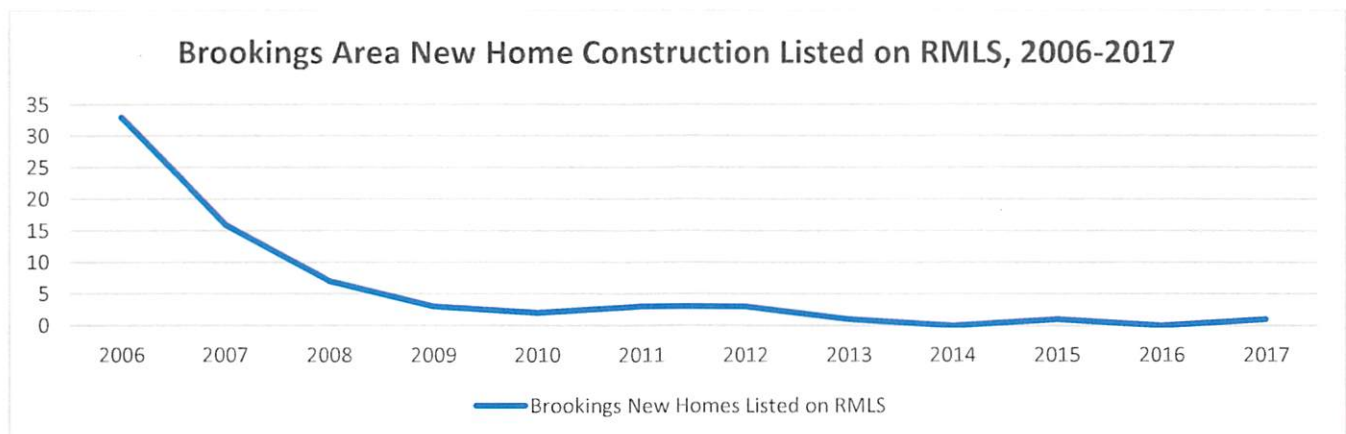
A VRBO.com (Vacation Rentals by Owner) search was conducted on 7/28/2017, which yielded 93 properties available for a short-term rental within the Brookings area. Of those 93 properties, 45 were houses, 19 were condos, and 13 were cabins. The average advertised price per night was \$195.60 with a 2.4 average minimum night stay.

vi. Residential Development Since 2006

Map 2-F. Below is a screenshot of an interactive Google map, showing all residential development within the 97415-zip code area, since 2006, according to RMLS listings:



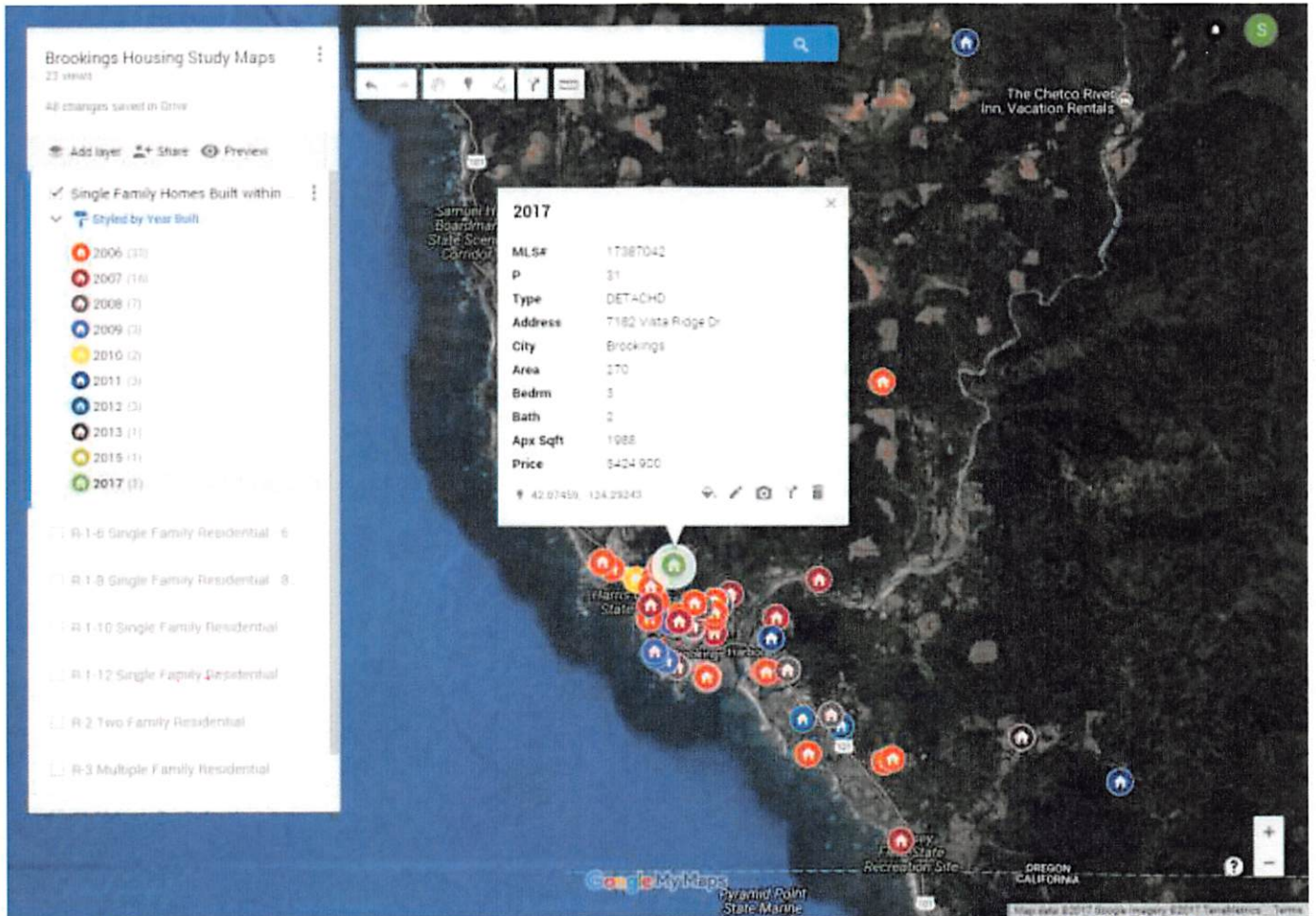
Graph F-18. Brookings Area New Home Construction listed on RMLS, 2006-2017:



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Map 3-F. Within the interactive map, you can click on the house icon and it will show specific information about that house including the MLS #, the property type, address, bedrooms and bathrooms, approximate square footage, and list price, as shown in the picture below for the one house built so far in 2017.



There appears to be only two newly developed residential subdivisions in the 97415-zip code area. One (14 lots) is in the City of Brookings, while the other (23 lots) is in Brookings-Harbor. See maps of these development locations on the following pages.

Interviews with the developer of these two subdivisions indicate that the 14-lot Brookings subdivision will be filled with modular homes, 3-bedroom/2-bathroom and approx. 1,100-1,900 square feet, with sales prices estimated to be about \$279,000 – \$350,000. The developer estimates all homes/lots will be sold by early 2018.

The 23-lot Brookings-Harbor subdivision will be sold as lots, many with views, at a price of \$150,000 – \$200,000 per lot. These lots will likely be available for sale in late 2017 or early 2018.

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Map 4-F. The following map shows both new residential developments, relative to the Rio Tinto / US Borax Site:



Source: Google Maps, SCDC

Map 5-F. The following map shows the 14-lot residential development at 4th Street and Alderwood:



Source: Curry County GIS, SCDC

Map 6-F. The following map shows the 23-lot residential development at Crown Terrace:



Source: Curry County GIS, SCDC

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Table F-19. Following is a summary of the residential building permits issued for the City of Brookings, for single-family and multi-family residential units:

Year	Single-Family Residential		Multi-Family Residential	
	Number	Valuation	Number	Valuation
2000	45	\$6,237,503.50	8	\$2,579,045.00
2001	49	\$8,967,300.00	7	\$8,951,434.00
2002	45	\$8,126,846.00	0	\$0.00
2003	68	\$13,409,511.00	3	\$2,118,347.00
2004	48	\$10,495,607.00	0	\$0.00
2005	44	\$9,510,475.00	0	\$0.00
2006	41	\$8,904,435.00	2	\$1,372,930.00
2007	9	\$2,643,000.00	1	\$534,000.00
2008	10	\$2,396,000.00	0	\$0.00
2009	7	\$1,878,000.00	0	\$0.00
2010	6	\$1,445,000.00	0	\$0.00
2011	2	\$932,000.00	0	\$0.00
2012	4	\$1,199,000.00	0	\$0.00
2013	2	\$407,000.00	1	\$4,202,317.00
2014	4	\$1,616,000.00	1	\$1,293,399.00
2015	5	\$864,000.00	0	\$0.00
2016	13	\$1,588,000.00	0	\$0.00
2017	5	\$1,343,000.00	0	\$0.00

Source: City of Brookings

Table F-19 above quantifies the dramatic decline in residential construction that began in 2007. Prior to then, Brookings had issued an average of 49 single-family dwelling permits per year. From 1990 to 1999, the average was 46.

In the almost 11 years since 2006, the City has issued a total of 67 single-family permits, an average of only 6 per year. If the City has similarly maintained their historical averages, there would be about 461 additional homes in the city. Curry County numbers only go back five years, but those who have worked for the building department both before and after 2006 report a similar effect.

In addition, it should be noted that the area population has continued to grow, (Please see Tables E-1 and E-2 on page 10). Compounding this is the age of the area housing stock, (Please see Table F-2 on page 25).

A similar dearth of new construction applies to multi-family housing developments. From 2000-2006, there were a total of 20 multi-family residential projects. Since then only three have been built, and there are none currently planned or under construction.

The multi-family dwelling projects developed in 2007 included 5 units; in 2013 the development included 40 units; and in 2014 it included 14 units. A total of only 59 additional multi-family dwelling units were developed in the years from 2007 to 2017.

Section IV

G. Site Specific Analysis

i. Site Description

The former U.S. Borax site located within the City of Brookings city limits is approx. 537 acres disbursed across three conjoined tax lots, 4014-00 -02404-00, 4014-00 -02401-00, 4014-00 -02400-00. The site is oriented Northeast to Southwest, and is crossed by both Ram Creek south of the Lone Ranch Picnic area and Duley Creek at the Northern end of the site. Currently there is limited road access off of Highway 101, however the site is accessible through Lone Ranch Parkway which dead ends and allows access by way of a dirt road. This dirt road runs relatively Northeast to Southwest along the eastern borders of tax lots 2400 and 2401 and the western border of tax lot 2404. There are also two small turnouts which lead into dirt access roads, one of which is south of Duley Creek and the other is just south of Ram Creek on Highway 101. These roads cross the property much like Duley and Ram Creeks. Currently the site is covered in timber and other dense foliage. Site terrain is sloped from west to east with level areas throughout the property. There is a double peak directly north of Lone Ranch Parkway, which is the highest spot on the site.

ii. Zoning Regulations and Permitted Land Uses

Currently this site is zoned as a Master Plan Development District. The master planned development (MPD) zone is a land use district. The MPD zone may be applied on sites that are 50 acres or greater in size. The MPD zone shall implement the MP comprehensive plan designation, which shall be placed on all land requiring a “master plan of development” in the Urban Growth Joint Management Agreement (JMA) adopted by the city and the county. Upon or subject to annexation into the city, the MPD comprehensive plan designation shall be applied to all land that is required to adopt a master plan of development (MPoD) in the urban growth boundary. In addition, the city may apply the MPD designation to other lands within the city.

The MPD zone is to be implemented through the approval of a MPoD that describes in detail, as outlined in this chapter, how the development of the property will occur and how the development will implement applicable goals and policies of the city’s comprehensive plan, and applicable provisions of the land development code. The MPoD will assess and minimize, to an acceptable level, the impacts of the development on the city’s services, infrastructure, transportation systems and neighboring properties. Best engineering practices for low impact development which preserve existing vegetation, topography, and natural drainage are encouraged. As the MPD zone is implemented through an approved MPoD, no development shall be allowed until applicable requirements of this chapter are met. Compliance with applicable plan goals and policies is deferred until the MPoD review.

Master planned development review procedures are established in this chapter for the following purposes:

- a. Promote flexibility in design and permit diversification in location of structures;
- b. Promote efficient use of land and energy and facilitate a more economical arrangement of buildings, circulation systems, land uses, and utilities;
- c. Preserve to the greatest extent possible existing landscape features and amenities, and utilize such features in a harmonious fashion. Retention of existing mature trees and other vegetation is encouraged;
- d. Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures;
- e. Combine and coordinate architectural styles, building forms and building relationships within the planned development;

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- f. Provide the applicant with reasonable assurance of ultimate approval before expenditure of complete design moneys, while providing the city with assurances that the project will retain the character envisioned at the time of approval;
- g. Promote and encourage energy conservation; and
- h. Provide greater compatibility with surrounding land uses than what may occur with a conventional project. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

The following uses are allowed outright when they are included in an approved MPoD:

- a. All uses allowed outright and conditionally in the R-1, R-2, and R-3 zones;
- b. All uses allowed outright and conditionally in the C-1, C-2, C-3 and C-4 zones.
- c. All uses allowed outright in the I-P and M-2 districts. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

iii. Site Constraints

Although this site would be advantageous to develop, some constraints exist such as: limited utility development, sloped terrain, limited roadside accessibility, the need for timber harvest and foliage removal, as well as significant cost to extend sewer service and other infrastructure to the site.

iv. Current Infrastructure and Improvements Needed

Currently, Coos Curry Electric Co-Op power lines run along the western border of the site along Highway 101. Water and sewer lines would need to be extended to the site. Natural Gas is not available in Curry County. Road infrastructure would also need to be developed for ingress and egress of site.

H. Competitive Market/Housing Demand Analysis – 2017

This section projects the current and future housing needs for Brookings area residents. It focuses on:

- Low-Income renters who will continue to rent
- Renters who want to buy
- Owners who want or need to change where they live, either now or in the future
- Young and middle-aged adults
- New households in the study area

The analysis in this section examines housing needs across all income levels, except low-income assisted housing, to identify mismatches in supply and demand for all households in the Brookings 97415-zip code study area. It reports on the results of a modeling effort, which compares the demand for and supply of housing by income level.

The analysis uses the following data sources:

- Households estimates and household income ranges from the 2015 American Community Survey (ACS)
- Rental data from the ACS, as well as in-person surveys of the rental management companies and realtors within the 97415-zip code area.
- For-Sale/Sold housing data

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The United States Department of Housing and Urban Development (HUD) has defined reasonable housing affordability as payment for monthly housing expenses that do not exceed 30% of a household's monthly gross income. The housing expense may be the monthly rent payment or the monthly mortgage payment including the principal, interest, and monthly cost for taxes and insurance (PITI).

It should be noted here that Curry County property taxes are exceptionally low and are not a significant factor affecting housing affordability. The current median home sales price, even if assessed at real market value (RMV), amounts to less than \$150 per month in property taxes.

According to HUD, households that are paying 31% to 49% of their monthly gross income towards housing expenses are considered high-cost burdened households (overburdened). Households that are paying more than 50% of their monthly gross income for housing are considered severely cost burdened households.

i. Determination of Income Eligibility

Using the area median family income (which is adjusted annually) as a basis point, HUD computes Section 8 housing income guidelines. These guidelines, adjusted for family size, are used to determine eligibility for all HUD housing programs.

The HUD eligibility income level for a four-person household in the 97415-zip code was approximately \$34,250 for 2016.

ii. Demand Evaluation

We have evaluated the housing market and have estimated the housing support levels based upon current housing conditions, historical market trends, and current household growth patterns. This section identifies the potential to support new housing development based upon the amount and condition of existing supply, price points, the income ranges of area households, and population and employment growth projections.

A series of assumptions have been established to guide this analysis.

Normally, the demand assumptions assume that households cannot pay more than 30% of their gross income for housing costs. However, the 97415-zip code area housing market is driven, to a large degree, by in-migration of older adults who often arrive with down payments well in excess of the traditional 20% – 25%. Realtors in the area interviewed for this study report that the majority of buyers put 30% – 50% as a down payment. This in turn results in a considerably reduced mortgage payment. For home purchase purposes, it will be assumed that the median home buyer will pay 25% of the home price as a down payment.

Monthly housing costs include utility payments for both renters and homeowners. A homeowner's housing burden must also include the principal and interest payments, as well as the taxes and all required insurance. The mortgage is assumed as a 30-year fixed product with 25% down and a 5% interest rate. It is important to note however, that many households voluntarily pay more than 30% of their incomes to housing costs. In general, this decision is influenced by quality of life issues.

For this evaluation, 2010 Census data, updated and estimated for 2016, household income and occupied residential units with specified monthly costs for the study area were used as the basis for comparison.

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Table H-1. The following table demonstrates the income required to afford purchased housing at different price points in the study area. It also evaluates the proportional amount of housing that these numbers represent:

Household Income Range	Current Households Able to Afford Monthly Housing Cost	Maximum Affordable Monthly Housing Costs	Maximum Price Affordability
Less than \$10,000	273	\$250	\$58,213
\$10,000 to \$19,999	527	\$500	\$121,083
\$20,000 to \$34,999	776	\$875	\$203,745
\$35,000 to \$49,999	671	\$1,250	\$291,065
\$50,000 to \$74,999	724	\$1,875	\$436,597
\$75,000 to \$99,999	403	\$2,450	\$570,487
\$100,000 to \$149,999	523	\$3,750	\$873,195
\$150,000 +	125	\$4,500	\$1,047,834

Source: SCDC

Using Census data, household income figures were grouped into 8 ranges of income, and affordable monthly housing costs were computed for each reporting category using HUD's 30% index. This provides the maximum affordable monthly housing costs for households within each income category.

Among area homeowners by household income category, there are an estimated 647 households within the study area in 2016 with earnings of \$100,000 or more.

The demand/supply matrix details the income limits for each of the income categories in column one. The second column includes the estimated 2016 households in each income category for the county. The third column has the maximum affordable monthly housing costs for each income range. Using HUD's affordability index, those households with an income of less than \$10,000 should be paying no more than \$250 per month for housing expenses. ($\$9,999 / 12 \times 30\% = \249.98)

The fourth column lists the estimated maximum housing price that existing homeowners could afford, based on the assumption above. Tables H-1 and E-10 make clear that a significant number and percentage of existing homeowners can afford to "move up" to more expensive homes. Almost 25% of existing homeowners can afford the current median home sales price of \$237,500.

Thus, a strong potential for this zip code to absorb significant new housing in the \$200,000 – \$400,000 range is evident. This is consistent with the report of realtors interviewed for this report. They unanimously indicate a high level of demand for newer (or new) homes in the \$225,000 – \$325,000 range.

To analyze the supply of housing and the demand for housing at affordable costs, a comparison has been made between what existing households could afford on a monthly basis using the 30% HUD Standard, and the number of occupied units at reported monthly costs. For this evaluation, 2010 Census data updated and estimated for 2016, household income and occupied residential units with specified monthly costs for Curry County were used to determine current housing needs.

iii. Workforce/Affordable Rental Housing

Non-subsidized workforce/affordable housing is targeted to households with low to moderate incomes. We were not able to locate any housing development targeted to this income group within the study area. Interviews with local area employers and realtors/property managers indicate an increasing need for workforce housing. Adequate and affordable housing that is available to the workforce, is necessary in order to support a healthy and diversified economy. Lack of affordable housing will slow future economic growth.

Please reference Workforce Housing Ordinance, Chapter 17.180 for additional information.

iv. Market-Rate Rental Housing

There are no maximum income restrictions for market-rate rental units. Typically, when households reach a certain income level, they are more likely to become homeowners, since their ability to qualify for a home mortgage increases. However, since we conducted this analysis using general and under age-55 renter household data only, and did not consider homeowners for some basic capture rate calculations, we have conducted this particular analysis of income-qualified households without a maximum income limit.

In order to evaluate demand potential for a new market-rate apartment property, we have assumed unit rents starting at the proposed collected rent of \$700 for a one-bedroom unit. This is higher than the collected one-bedroom rents of \$625 currently achieved in the market.

Assuming management will qualify households using a 27% rent-to-income ratio for the market-rate units, the general occupancy yields a minimum income requirement of approximately \$31,000 based on the estimated collected rent and a typical market-rate rent and rent-to-income ratio. We consider two of the seven surveyed market-rate projects within the study area as potentially comparable. The projects include one vacant unit.

Table H-2. Following is a summary of the estimated need for market-rate units, considering the existing base of comparable units and currently vacant units within the study area:

Market-Rate Housing (Income \$31,000 and Higher)	
Income-Eligible Renter Households – 2016	2,174
Estimated Existing Units	1,144
Underserved Income- and Age-Appropriate Renters	1,030
Market-Rate Housing Capture Rate	11.0%
Comparable Units Currently Vacant	0
Potential Market-Rate Units Needed:	113

Source: SCDC

Based on this demand evaluation, the study area can currently support 113 additional market-rate units targeted to moderate- and high-income renter households, earning \$31,000 or more per year. This market support level does not include or allow for population growth since 2015, or the notable rent increases since then.

With no market-rate units currently targeted to older adults and the area projecting 15% population growth through 2025 among older adult households, an age-restricted project represents an excellent opportunity for market-rate development. With a 7% age-restricted capture, we estimate future demand for an additional 112 new market-rate units targeted to older adults.

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It is important to note that there is an increasing share of renters by choice in today's market regardless of income, making a maximum income less restrictive. This market characteristic is reflected within the renter household projections. Among senior households, support from only renters is not typical and older individuals are often transitioning to a maintenance-free unit rather than pursuing homeownership. Based on our interviews with realtors in the market area, we anticipate 10% to 15% of the market-rate project's initial residents will be former homeowners, increasing area development potential by another 10-15 units.

We recommend that market-rate units targeted to older adults should include a single-story ranch design with an attached garage. This product type is well accepted among older adult renters. Another rental product often mentioned by property managers as in high demand are duplexes offering one 1-bedroom unit and one 2- or 3-bedroom unit, with two single car garages between them.

v. Subsidized Rental Housing Market Demand

Table H-3. Following is a summary of the estimated need for subsidized rental units, considering the existing base of comparable units and currently vacant units within the study area:

Subsidized Rental Market Demand	
Income-Eligible Renter Households – 2016	1,160
Estimated Existing Units	98
Underserved Income-Appropriate Renters	1,062
Subsidized Housing Capture Rate	0.260
Currently on Waiting Lists	176
Comparable Units Currently Vacant	0
Potential Subsidized Units Needed:	452

Source: SCDC

Currently, there is considerable need for additional subsidized rental units, an estimated 452, within the Brookings 97415-zip code area.

vi. For-Sale Housing

Support for detached single-family homes, which we consider to be approximately 1,400 to 1,650 square feet with 3-bedrooms/2-bathrooms and a 2-car garage on one-quarter acre or smaller lots, is based upon a market's ability to capture the component of buyers who are seeking this housing type.

We anticipate that most of the demand for market-rate units will originate from employment growth, existing households increasing their income, out-of-market workers relocating to the area or gaining new employment, and in-migration primarily consisting of seniors and prison employees from California.

The affordable and subsidized demand will primarily originate from among existing area households.

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Table H-4. Following is a summary of the 2015 demand evaluation for new for-sale housing in the study area:

Income Range	Home Sales Price	2016 Households	Capture Rate	Estimated Annual Demand	
				Units	% Distribution
\$25,000 – \$49,999	\$140,000 – \$199,999	1,218	0.015	19	54.3%
\$50,000 – \$74,999	\$200,000 – \$299,999	724	0.012	9	25.7%
\$75,000 – \$99,999	\$300,000 – \$399,999	403	0.007	3	8.6%
\$100,000 – \$149,999	\$400,000 – \$499,999	523	0.006	3	8.6%
\$150,000+	\$500,000 – \$1,000,000+	125	0.002	1	2.9%
Total				35	100.0%

Source: SCDC

Please note that, once again, population growth and housing market value increases since 2015 have not been considered. In addition, the calculated figure of 35 new housing units per year ignores the likely pent-up demand of the 400+ units not built since 2006 and the Brookings area (alone) historic average of over 45 new single-family dwelling (SFD) permits per year. Based on these factors, it seems likely that an annual market SFD absorption rate, at least for many years, will be closer to approximately 80 units per year.

By evaluating the current and anticipated for-sale housing market, a projection of the likelihood that a hypothetical site can capture a portion of the market support can be made. Numerous factors influence new home sales within an area. The desirability of the area as a residential location has a significant impact on a given site's ability to attract buyers.

Area perceptions, demographics, mobility patterns, and the active participation of local and/or regional homebuilders play a role in generating new home sales. In the case of the proposed project area, there are numerous factors favoring housing sales. These include, among others: view-scapes, the new Southwestern Oregon Community College campus, proximity to the Brookings Airport, the expanding medical center, robust employment growth, and the appeal of lower taxes and lower comparable housing costs to residents and future employees of Del Norte and Humboldt Counties in Northern California.

Overall, we estimate that the study area can absorb up to 80 new owner-occupied home sales annually, including up to 64 homes in the \$140,000 – \$300,000 sales price range.

It should be noted that annual support levels are generally not cumulative. In most markets, if there is support for new single-family homes at a particular price point or concept and they are not offered in a specific area, households may leave the area seeking this housing alternative, defer their purchase decision, or seek another housing alternative. We anticipate many potential buyers attracted to a for-sale product have either delayed their purchase (reflecting pent-up demand) or opted for an existing single-family home alternative offered in the market.

The development of new single-family homes should be a function of market factors and not speculative. We anticipate these homes will be available at prices ranging from \$225,000 – \$300,000 for the proposed basic concept homes, which range from 1,450 to 1,650 square feet and include three bedrooms and two bathrooms, and a 2-car garage. However, the basic concept home would offer no view-scape, reside on a small lot, and offer no "upscale" amenities.

These projections invoke some degree of caution with respect to providing adequate supply and meeting potential demand throughout the housing market in general. It is important to note that this demand can be met as homebuyers are in contract, and does not need to be speculative.

Another important consideration is that future financing resources supporting the new housing development in the area will require that projected new household growth be determined sustainable based on local employment growth and population growth trends.

One of the points of emphasis in our discussions with local area real estate professionals is that future development should not saturate a market and potentially create a situation of overbuilding. It is in the best interest of all parties involved in rural communities (local government officials, lending institutions, developers, and state agencies) that local housing needs be met without creating market issues by adding too many units to an area quicker than area households can purchase or rent the new homes and apartments as they are brought online.

Any new product will capture only a fraction of the overall potential “un-met” housing need. The ability of any specific project to draw support from within a community is determined by numerous factors, such as design type (garden vs. townhouse), unit mix and bedroom types, amenities, rents, targeted AMHI, targeted household type (senior vs. family), location (proximity to services), employment opportunities, visibility, access and surrounding land uses. Other factors that will also contribute to a project’s ability to draw support include characteristics of the existing supply and any planned rental projects, as well as the economic and demographic trends and characteristics of the market.

Our demand projections assume that any new project will be well designed, offer competitive rents and sales-prices, be within a good location and will have the ability to draw from the study area. The site-specific Primary Market Area will depend on the location, size, and features of the proposed project, and will rarely coincide with the boundaries of a community or county.

Section V

I. Conclusions and Recommendations

The 97415-zip code is not typical in many ways. An unusually high percentage of its housing stock is ‘reserved’ for use as second homes and vacation rentals. In addition, the Curry County population is mostly older than the Oregon average, but also far more likely to have relocated into the zip code from elsewhere.

Like many other areas, construction activity was substantially slowed by the recession of 2008-2013. But unlike most, the area has seen 2013-2017 residential building activity still well below that of 2000-2005, as well as earlier periods.

At the same time, unemployment has dropped sharply, jobs and pay have increased, and the population has grown at a rate exceeding the national average. The recommendations can only lead to development of significant new residential housing for the 97415-zip code area. The “sweet spot” for single-family dwellings is noted elsewhere in this report.

If homes of these sizes and features can be built (with total development costs included), for \$250,000 – \$275,000 they will likely find a significant number of buyers.

Related to this is another demand point for duplexes and perhaps triplexes of 1-3 bedrooms, 900-1,300 square feet, with a small yard and a 2-car garage. These would likely command a monthly rent of \$1,250 – \$1,600 per dwelling unit.

Finally, there is a strong demand for the development of new multi-family residential units, especially government-subsidized. The market could easily absorb 100 or more government supported dwelling units.

Non-subsidized multi-family units, especially studios, one- and two-bedrooms units, are likely to be quickly rented and maintained at or near 100% occupancy, if rents can come in at \$900, \$1,100 and \$1,300 respectively, per month.

These recommendations assume average build quality, and do not include any upgraded features.

The market demand for new residential development is right now, and only growing in the future.

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Appendices

Brookings Housing Needs Assessment

A Study of the Current Housing Needs for the Brookings-Harbor Community

A	<u>Detailed Tables of Household Income by Household Size, Owner vs. Renter Tenure</u>	i
B	<u>Oregon State Vital Statistics – Birth, Death, and Net Migration Rates 1980-2050</u>	iv
C	<u>Property Information for Surveyed Housing Units</u>	v

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Appendix A

Referenced on page 15 of this report, the following tables detail the number of households by income range, for both owner- and renter-occupied households, for the years 2010, 2017, and 2025.

Owner Households						
All Age Groups, Base Year: 2006 - 2010 Estimates						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	255	44	5	0	3	307
\$10,000-20,000	272	323	13	4	5	617
\$20,000-30,000	199	249	18	0	0	466
\$30,000-40,000	172	284	82	76	6	620
\$40,000-50,000	133	191	37	78	44	483
\$50,000-60,000	74	208	12	6	0	300
\$60,000-75,000	32	362	6	106	68	574
\$75,000-100,000	19	281	204	25	50	579
\$100,000-125,000	38	192	53	34	3	320
\$125,000-150,000	30	65	15	5	3	118
\$150,000-200,000	10	47	8	29	0	94
\$200,000+	3	18	20	1	3	45
Total	1,237	2,264	473	364	185	4,523

Source: Ribbon Demographics

Renter Households						
All Age Groups, Base Year: 2006 - 2010 Estimates						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	167	77	0	0	0	244
\$10,000-20,000	430	45	125	0	0	600
\$20,000-30,000	97	104	24	52	21	298
\$30,000-40,000	13	50	43	9	104	219
\$40,000-50,000	0	11	5	41	0	57
\$50,000-60,000	23	48	39	28	5	143
\$60,000-75,000	12	52	0	0	65	129
\$75,000-100,000	17	206	0	0	0	223
\$100,000-125,000	17	34	1	24	38	114
\$125,000-150,000	6	6	1	0	1	14
\$150,000-200,000	5	18	2	0	1	26
\$200,000+	7	4	2	16	1	30
Total	794	655	242	170	236	2,097

Source: Ribbon Demographics

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Owner Households						
All Age Groups, Year 2017 Estimates						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	289	52	5	0	1	347
\$10,000-20,000	183	158	6	0	1	348
\$20,000-30,000	224	338	7	0	0	569
\$30,000-40,000	128	156	102	67	1	454
\$40,000-50,000	170	322	113	105	49	759
\$50,000-60,000	75	236	0	5	0	316
\$60,000-75,000	45	309	12	64	67	497
\$75,000-100,000	21	288	169	31	46	555
\$100,000-125,000	46	188	30	32	1	297
\$125,000-150,000	33	74	13	4	0	124
\$150,000-200,000	8	36	5	29	0	78
\$200,000+	4	2	15	2	0	23
Total	1,226	2,159	477	339	166	4,367

Source: Ribbon Demographics

Renter Households						
All Age Groups, Year 2017 Estimates						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	198	55	0	0	0	253
\$10,000-20,000	269	17	60	0	0	346
\$20,000-30,000	184	127	20	60	25	416
\$30,000-40,000	17	52	36	3	82	190
\$40,000-50,000	1	18	9	28	0	56
\$50,000-60,000	30	69	91	50	19	259
\$60,000-75,000	41	62	0	0	44	147
\$75,000-100,000	21	135	0	0	0	156
\$100,000-125,000	24	39	4	24	46	137
\$125,000-150,000	17	6	4	2	6	35
\$150,000-200,000	4	22	0	0	2	28
\$200,000+	2	11	0	2	2	17
Total	808	613	224	169	226	2,040

Source: Ribbon Demographics

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Owner Households						
All Age Groups, Year 2025 Projections						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	282	21	7	0	0	310
\$10,000-20,000	162	128	5	0	0	295
\$20,000-30,000	236	308	11	0	0	555
\$30,000-40,000	150	169	101	43	3	466
\$40,000-50,000	177	382	89	96	28	772
\$50,000-60,000	110	266	12	18	8	414
\$60,000-75,000	82	347	10	62	67	568
\$75,000-100,000	51	322	166	24	43	606
\$100,000-125,000	56	188	68	32	11	355
\$125,000-150,000	63	107	30	10	5	215
\$150,000-200,000	46	50	16	35	3	150
\$200,000+	22	32	20	5	2	81
Total	1,437	2,320	535	325	170	4,787

Source: Ribbon Demographics, SCDC

Renter Households						
All Age Groups, Year 2025 Projections						
	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5+-Person Household	Total
\$0-10,000	180	41	0	0	0	221
\$10,000-20,000	260	15	33	0	0	308
\$20,000-30,000	203	119	26	57	20	425
\$30,000-40,000	33	61	38	12	62	206
\$40,000-50,000	9	22	18	18	10	77
\$50,000-60,000	56	77	100	61	21	315
\$60,000-75,000	51	62	12	11	26	162
\$75,000-100,000	25	138	10	8	2	183
\$100,000-125,000	34	44	8	33	10	129
\$125,000-150,000	26	18	7	3	4	58
\$150,000-200,000	10	21	6	2	3	42
\$200,000+	8	10	0	8	2	28
Total	895	628	258	213	160	2,154

Source: Ribbon Demographics, SCDC

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Appendix B

Referenced on page 23 of this report, this table details the Oregon State Vital Statistics of Birth, Death, and Net Migration Rates for the years 1980-2050:

	Number of Births	Average Annual Birth Rates per 1,000 population	Number of Deaths	Average Annual Death Rates per 1,000 population	Net Migration	Average Annual Net migration rates per 1,000 population
1980-1985	204,629	15	111,685	8	-62,424	-5
1985-1990	199,722	14	121,318	9	109,324	8
1990-1995	210,570	14	131,769	9	245,194	16
1995-2000	222,082	13	145,411	9	175,711	11
2000-2005	227,708	13	152,804	9	120,896	7
2005-2010	240,225	13	157,246	8	127,421	7
2010-2015	229,684	12	166,567	8	101,183	5
2015-2020	246,723	12	179,009	9	182,786	9
2020-2025	262,149	12	197,758	9	199,709	9
2025-2030	271,784	12	222,501	10	202,517	9
2030-2035	279,283	11	254,222	10	202,140	8
2035-2040	281,753	11	275,845	11	201,891	8
2040-2045	284,105	11	290,024	11	201,719	8
2045-2050	286,275	10	298,105	11	201,530	7

Source: Office of Economic Analysis, State of Oregon

Appendix C

Referenced on page 27 of this report, the following is detailed property information, including addresses and maps, of selected surveyed housing units.



Source: Google Maps, SCDC

- a. Smith River Rancheria, 1122 Fifield St., Brookings OR 97415; (707) 487-9255
- b. Subsidized, Multi-Family, Tribal Housing, Rental
- c. Property ribbon cutting in March of 2015.
- d. Utilities included in rent are water, sewer, and trash. Tenant is responsible for electric.
- e. 13 units total.
- f. Units are a mix of 2-BR/1-BA and 3-BR/2-BA.
- g. Current Vacancies: 0
- h. Extensive waiting list
- i. Rent is subsidized to 30% of household income, available to any tribal member who is income-qualified.
- j. Property features include a dishwasher and washer/dryer in each unit, carports, energy efficient heating and air conditioning units, and 9' tall ceilings. Pets are ok (small dogs allowed), and there is a fenced pet area. The six downstairs units are ADA compliant, for elderly tenants or those with mobility issues.

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50 Central Ave., Suite A | Coos Bay, OR 97420 | 541-266-9753 | www.scdcinc.org



Source: Google Maps, SCDC

- a. Heron Ridge Apartments, 521 Fir St., Brookings, OR 97415; (541) 412-8200
- b. Subsidized, Multi-Family, Rental
- c. Formerly the Darwin Apartments, in 2007 the property was completely renovated ("down to the ground") and rebuilt. There have been no major renovations since then.
- d. Utilities included in the rent are water, sewer, and trash. Tenant pays for electric and communications.
- e. 36 total units (1 reserved for manager/maintenance on-site)
- f. Units are a mix of 8 – 1-BR, 13 – 2-BR (including 1 manager unit), and 15 – 3-BR.
- g. Any vacancies are short, and filled by the waitlist.
- h. Average waitlist for the 1-BR units is 3 years, and waitlist for the 2- and 3-BR units averages 1.5 – 2 years.
- i. Rent is subsidized to 30% of household income. To qualify, the household income must be 60% or less of the Area Median Income (AMI), and some units are set aside for those who make 40% or less of AMI.
- j. Property amenities include on-site laundry and a community center. Pets are not allowed. A limited number of units are ADA compatible.

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Source: Google Maps, SCDC

- a. 553 Fern Ave., Brookings, OR 97415; (541) 469-9616
- b. Market-Rate, Multi-Family, Rental
- c. Property was built in 2003.
- d. No utilities included in the rent.
- e. Eight units in one building.
- f. All units are 2-BR/1.5-BA and approx. 950-1000 square feet.
- g. Current Vacancies: 0 (Tenant occupancy ranges from 1.5 – 6 years.)
- h. Waitlist: No
- i. Rent for each unit is \$750, except for one unit that has a private deck and fenced yard that rents for \$775.
- j. Each unit has a carport.

The South Coast Development Council, Inc.

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Source: Google Maps, SCDI

- a. Azalea Reach Apartments, 650 Old County Road, Brookings, OR 97415; (541) 412-1448
- b. Tax Credit, Rental, Multi-Family
- c. Property was constructed in 1998, and operational in 1999. There have been no major renovations since then.
- d. Utilities included in the rent are water, sewer, and trash. Tenant pays electric and communications.
- e. Total number of units: 40 (1 reserved for manager/maintenance on-site)
- f. Unit mix consists of 8 – 1-BR, 12 – 2-BR, 12 – 3-BR (including 1 manager unit), and 8 – 4-BR.
- g. Any vacancies are short, and filled by the waitlist.
- h. Average length of waitlist for 1-BR units is 3 years, for the 2- and 3-BR units it is 6 months to 1 year, and for the 4-BR units it is approximately 2 years.
- i. Property is tax-credit; some units are market-rate and some are subsidized to 30% of household income.
- j. Property amenities include on-site laundry and a community center. Pets are not allowed. Two units are ADA accessible.

*** Sponsor Investors ***

Bandon Dunes Golf Resort • Bay Area Hospital • City of Brookings • City of Coos Bay • City of North Bend • Coos County
Curry County • Jordan Cove Energy • Oregon International Port of Coos Bay • Southwest Oregon Regional Airport

The South Coast Development Council, Inc.

50 Central Ave., Suite A | Coos Bay, OR 97420 | 541-266-9753 | www.scdcinc.org



Source: Google Maps, SCDC

- a. Pacific View Gardens, 1235 Moore St., Brookings, OR 97415; (541) 469-3370
- b. Subsidized, Multi-Family, Rental, Occupancy is limited to elderly (age 62+), disabled, or head of household.
- c. Property was constructed in the 1980's, and has been steadily maintained since then. There have been no major renovations. All units are maintained with fresh painting and new appliances as needed.
- d. Utilities included in the rent are water, sewer, and trash. Tenant pays electric and communications.
- e. Total number of units: 35
- f. Unit mix consists of 31 – 1-BR units and 4 – 2-BR units.
- g. Current Vacancies: 0, Any vacancies are filled from the waitlist on a need basis.
- h. Average length of waiting list is 6 months to 1 year.
- i. Rent is subsidized to 30% of household income; rents range from less than \$100 to at most \$580.
- j. Property amenities include on-site laundry and a community room. Pets are not allowed.
- k. On-site manager is supervised by Grand Management of Coos Bay.

*** Sponsor Investors ***

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Curry County • Jordan Cove Energy • Oregon International Port of Coos Bay • Southwest Oregon Regional Airport

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Source: Google Maps, SCDC



- a. Pelican's Perch Apartments, 1216 Moore St., Brookings, OR 97415; (541) 412-8478
- b. Low-Income Senior Tax-Credit, Age 62+ Income Qualify, Rental
- c. Property was built in 2001, and there have been no major renovations since then.
- d. Utilities included in the rent are water, sewer, and trash. Cable television is available to tenants at a reduced rate. Tenant is responsible for electric.
- e. Total number of units: 24
- f. Unit mix consists of 22 – 1-BR units at 742 square feet, and 2 – 2-BR units at 1104 square feet.
- g. Current Vacancies: 0
- h. Length of waiting list is dependent upon income qualifications; separate waiting lists for 30%, 40%, and 60% AMI. Most tenants wait at least 6 months or longer.
- i. Rents range from \$290 to \$620.
- j. Property amenities include a community room available for regularly planned activities and social gatherings. Property has on-site laundry, elevators, and two ADA accessible units. In addition to the community room, there is a community service group, the Agency on Aging, who provide on-site services to residents.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Recorder


Signature (submitted by)

City Manager Approval

Subject: Curry Community Health Presentation

Recommended Motion:
Information Only

Financial Impact:
None.

Background/Discussion:
Staff was contacted on October 10 by a representative from Curry Community Health (CCH) requesting to be included on the October 23, 2017 City Council meeting agenda to make a presentation regarding the services CCH provides.

CCH also provided a packet of information that will be addressed in the presentation. It is attached here.

Attachment(s):
a. CCH Presentation Packet



Curry Community Health

February 1, 2013 – June 30, 2017

Background Information

- Curry County developed a transfer agreement in conjunction with Oregon Health Authority and Addictions Mental Health Division to transition Curry County Public Health, Addictions, and Mental Health to an independent non-profit organization.
- Curry Community Health (CCH) is a nonprofit 501(c)3 private corporation with oversight from a volunteer Board of Directors that was created to support this transition.
- Curry County transferred the mandated duties and responsibilities of the Community Mental Health Program and Local Public Health Authority to CCH on February 1, 2013.
- Curry County appointed a Public Health Administrator (.25 FTE Curry County) that serves as the Public Health Director for CCH (.75 FTE CCH). Curry County retains the Public Health Authority and exercises that control by and through the Public Health Administrator.
- At the request of CCH, Curry County has designated a Community Mental Health Director that serves as the Behavioral Health Director for CCH.
- CCH has service locations in Brookings, Gold Beach, and Port Orford.

Where are we today?

Brookings:

- ✓ 517 Railroad – Support Services
- ✓ 615 5th Street – 7/10/17 – Integrated Services
- ✓ 625 Pioneer – School Based Health Clinic (SBHC)

Gold Beach:

- ✓ 29692 Ellensburg – Goldrush Center –
Integrated Services by 10/1/17
- ✓ 29821 Colvin Street – Behavioral Health
- ✓ 29845 Airport Way – MINDS Clubhouse
- ✓ 29833 Airport Way – Hammond House

Port Orford:

- ✓ 1403 Oregon Street – Integrated Services



Public Health & Medical Services

Encounter Type	2013-14	2014-15	2015-16	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Annual	201	153	159	10	14	9	9	8	4	15	20	5	13	9	11	127
Babies 1st	89	123	203	13	15	9	8	11	2	1	1	2	1			63
BCCP	28	13	10	1	1					2			2	1	1	8
Birth Control/Supply	71	13	21	3	1	2			1	1	1			0		9
BP Check		3	7	1		3	2	4								10
Cacoon	26	18	58	2		5	4				1	1	2			15
Child	364	420	390	5	76	25	53	15	6	10	21	15	10	21	9	266
Family Planning	316	382	380	21	36	23	24	33	25	38	27	34	32	44	26	363
Immunizations	1522	1281	1069	40	60	127	135	120	58	86	108	42	33	54	47	910
Injections	135	105	102	8	13	16	9	7	8	12	13	14	7	12	11	130
IUD	34	21	10	2	1	1	2	1				2				9
MCM	47	37	42	1	1								1			3
Nexplanon/Check	17	6	8	2	3	1	1		2			1	4	1		15
OMC/Preg Intake	28	10	2													0
Pregnancy Test	27	11	25	1	2	2	2		6	3	2	1	1	1		21
Adult Illness	0	303	1317	143	158	159	131	130	167	172	157	159	150	142	145	1813
New Patient	0	117	365	26	37	27	30	19	20	30	15	28	40	30	25	327
Other Service	28	10	22	4	6	1	1	3	1	6	1	2	1	3	4	33
Total	2933	3026	4190	283	424	410	411	351	300	376	367	306	297	318	279	4122

Public Health Programs

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- Environmental Health
- School-Based Health Center
- TB Case Management
- Public Health Emergency Preparedness
- Tobacco Prevention & Education
- Women, Infants and Children (WIC)
- Reproductive Health Program
- Child & Adolescent Health
- Immunizations
- Safe Drinking Water Program
- Community Health Worker
- Living Well With Chronic Conditions
- Prescription Drug Overdose Program
- Drug & Alcohol Prevention
- Special Projects – Drug & Alcohol Prevention

Addictions Program

Encounter Type	2013-14	2014-15	2015-16	2016-17 Encounters	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
U/A	850	1144	960	U/A	75	104	66	80	66	64	73	60	85	75	88	72	876
Assessment	250	259	271	Assessment	16	29	18	27	17	14	18	16	21	21	22	2	233
Assess Update	49	77	91	Assess Update	11	8	4	4	8	4	7	3	7	7	10	26	74
Case Management	13	50	112	Case Management	29	19	9	6	4	0	6	3	7	4	15	9	109
DC Plan	115	130	95	DC Plan	11	10	9	5	13	9	11	12	10	16	6	13	121
A&D Group	2514	2433	2524	A&D Group	188	230	175	227	182	183	224	172	209	148	175	142	2197
A&D Ind. Therapy	521	953	843	A&D Ind. Therapy	58	76	50	47	42	59	64	57	68	73	92	91	730
ISSP	18	33	264	ISSP	15	25	19	25	16	16	21	18	13	18	18	16	213
Anger Mgt. Ind.	38	33	12	Anger Mgt. Ind.	0	0	0	0	0	2	0	0	0	0	0	0	2
Anger Mgt. Group	19	0	0	Anger Mgt. Group	0	0	0	0	0	0	3	3	2	1	1	0	10
DVIP	120	149	153	DVIP	14	26	23	11	14	14	23	14	14	12	16	21	187
Gamble Assmt.	3	2	4	Gamble Assmt.	0	1	0	1	0	0	0	0	0	0	0	0	2
Gamble Group	15	53	5	Gamble Group	0	0	0	0	0	0	0	0	0	0	0	0	0
Gamble Individ.	15	23	31	Gamble Individ.	3	5	1	1	0	0	0	0	1	0	0	0	11
Other Service	248	5	2	Other Service	0	0	0	0	4	15	4	0	0	1	0	2	24
Total	4788	5344	5367	Total	420	533	374	434	366	380	454	358	437	376	443	394	4969

Addictions Programs

- Individual Therapy
- Group Therapy
- Drug Screening
- DUII Education
- Case Management
- Discharge Planning
- Relapse Prevention
- Screening and Referral Services
- Anger Management (Individual & Group)
- Domestic Violence Intervention Program
- Parenting Classes
- Problem Gambling Services (Individual & Group)
- Gambling Prevention

Mental Health Program

Encounter Type	2013-14	2014-15	2015-16	2016-17 Encounters	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Med Mgt.	236	227	980	Med Mgt.	171	208	202	190	204	206	158	136	122	143	161	150	2051
Med Records	71	88	127	Med Records	7	21	9	12	6	11	17	12	32	27	7	19	180
Therapy Med Mgt.	207	894	831	Therapy Med Mgt.	165	207	190	188	193	202	154	128	114	136	155	147	1979
Assessment Adult	322	408	609	Assessment Adult	52	72	58	47	60	55	55	51	74	65	74	57	720
Assessment Child	75	87	108	Assessment Child	7	10	19	15	11	12	9	16	14	19	12	11	155
Case Management	356	469	410	Case Management	35	25	35	15	41	72	72	74	77	61	86	95	688
Crisis	585	617	926	Crisis	64	80	70	82	95	76	58	78	78	90	64	59	894
Family Therapy	179	113	102	Family Therapy	0	0	1	3	0	0	4	0	1	3	1	2	15
Family + Client	52	180	110	Family + Client	8	6	7	5	6	9	2	7	13	8	20	7	98
Individual Therapy	1661	2400	3949	Individual Therapy	320	383	367	383	432	383	439	353	437	360	464	470	4791
ISSP	951	575	718	ISSP	47	75	64	86	60	62	73	81	107	103	111	60	929
Screen	436	784	187	Screen	1	2	2	2	1	3	4	0	0	0	0	0	15
Supported Employ	167	220	407	Supported Employ	38	42	33	23	36	38	42	42	47	33	49	48	471
Skills Training	107	224	933	Skills Training	76	77	77	76	80	77	111	91	108	101	152	94	1120
Psych Assess	57	117	203	Psych Assess	20	23	23	27	25	21	36	23	19	35	33	25	310
Community Support	2	34	25	Community Support	0	2	0	0	0	0	0	0	0	0	0	0	2
Environ Intervent.	7	561	839	Environ Intervent.	89	87	86	69	57	48	69	86	80	53	93	64	881
Other Service	589	586	1142	Other Service	126	200	232	187	251	296	277	252	248	328	384	325	3106
Total	6060	8566	12606	Total	1226	1520	1475	1410	1558	1571	1580	1430	1571	1565	1866	1633	18405

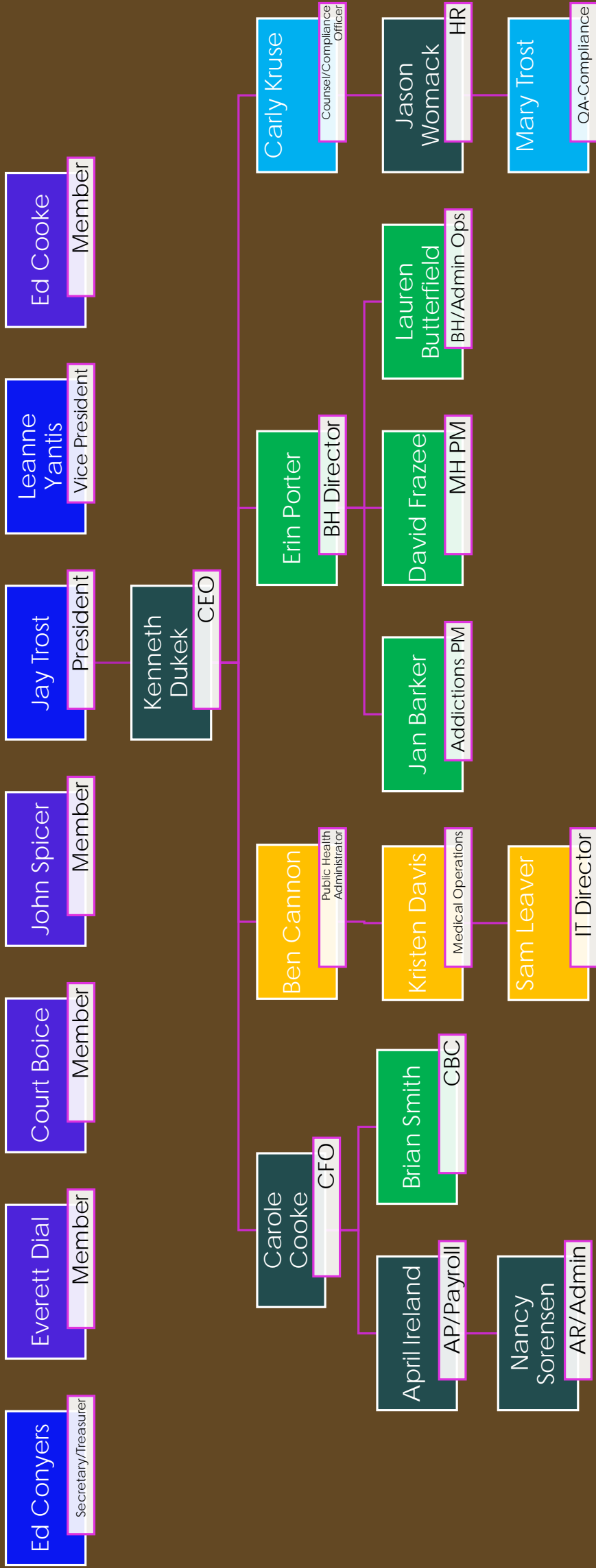
Mental Health Programs

73

- Individual, Family, Couples, Group Therapy
- Psychiatric Services
- Case Management
- ABA
- Skills Training/Groups
- Supported Employment
- *ACT – Assertive Community Treatment
- Wrap Around – Children
- EASA – Early Assessment Support Alliance
- School-Based Health Center
- *Mobile Crisis
- Peer Support
- Drop-in Center – GB; Brookings by 1/1/18
- Jail Diversion Program

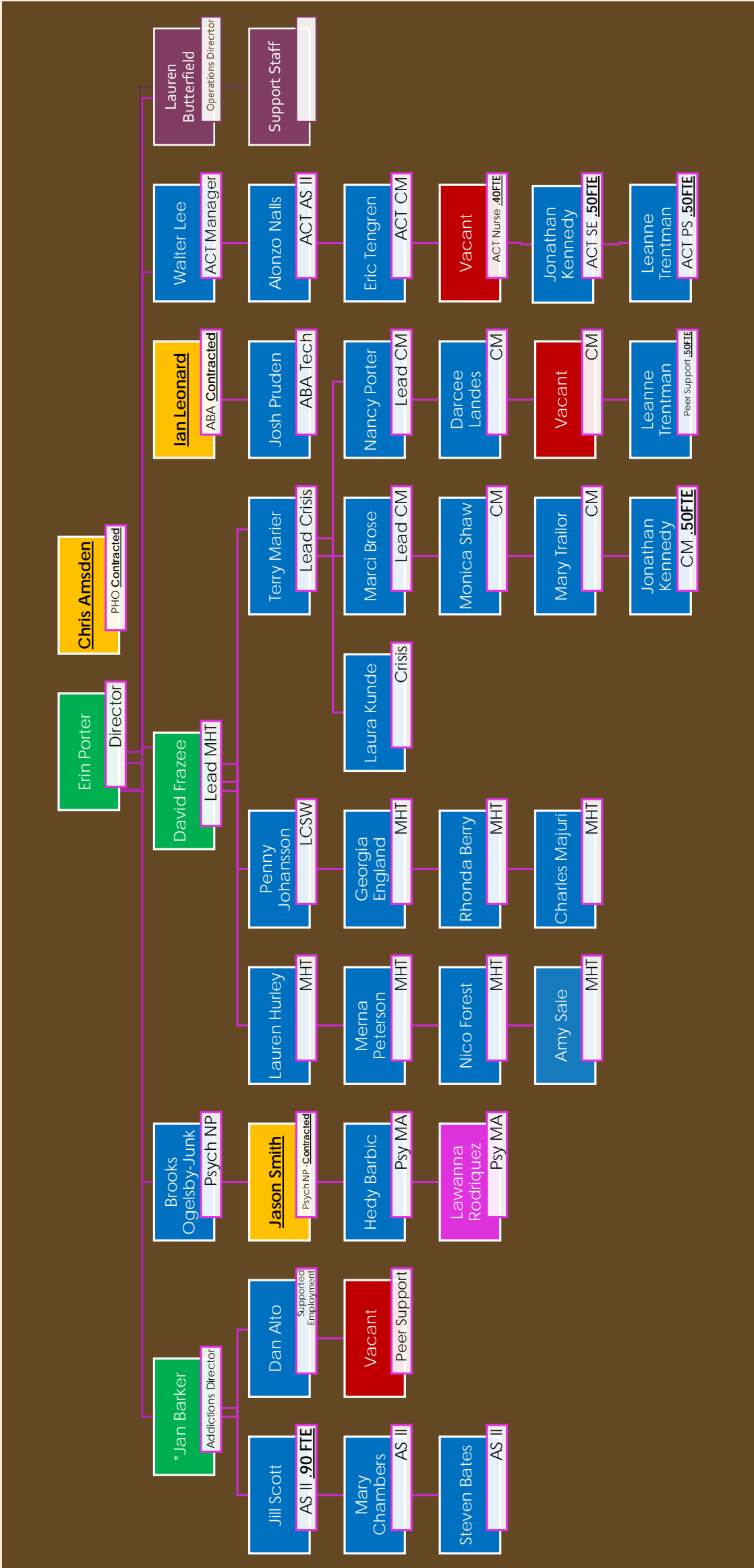
Curry Community Health

Board of Directors & Administration



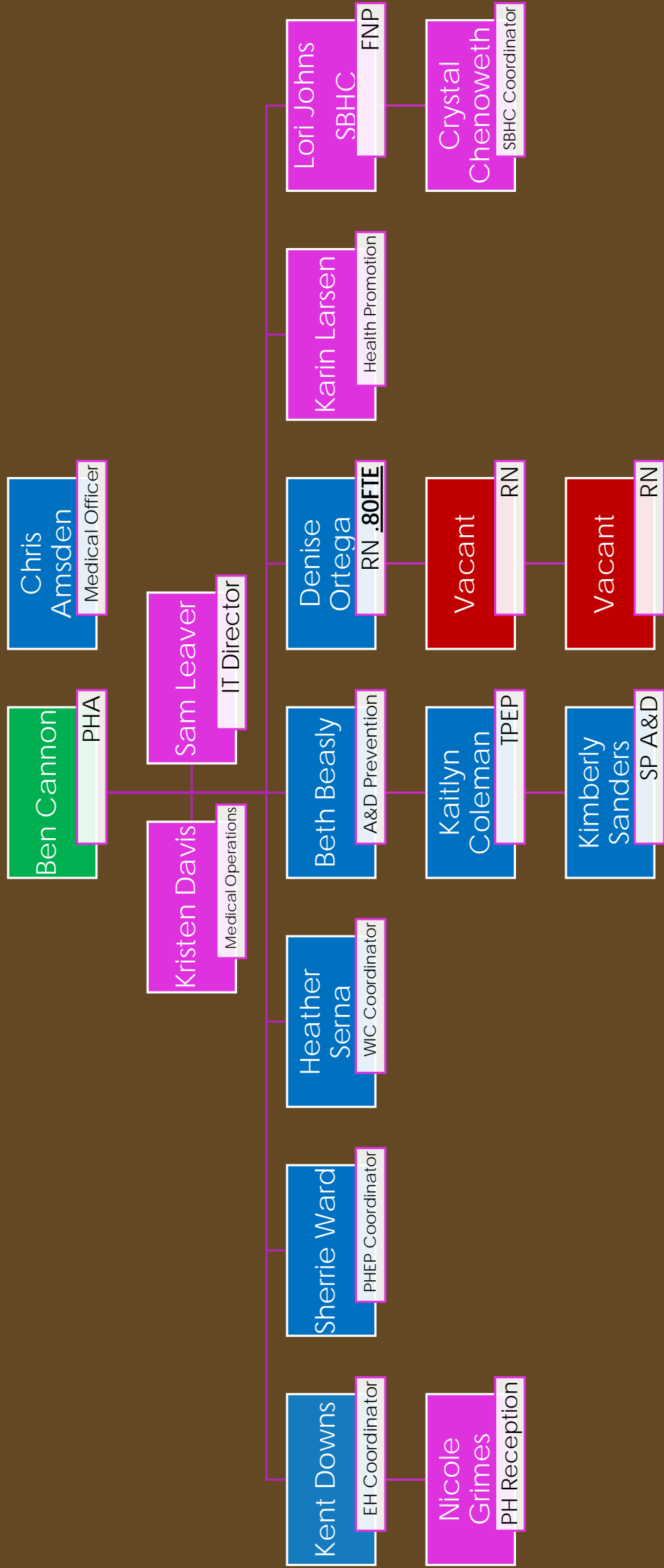
Curry Community Health

Behavioral Health



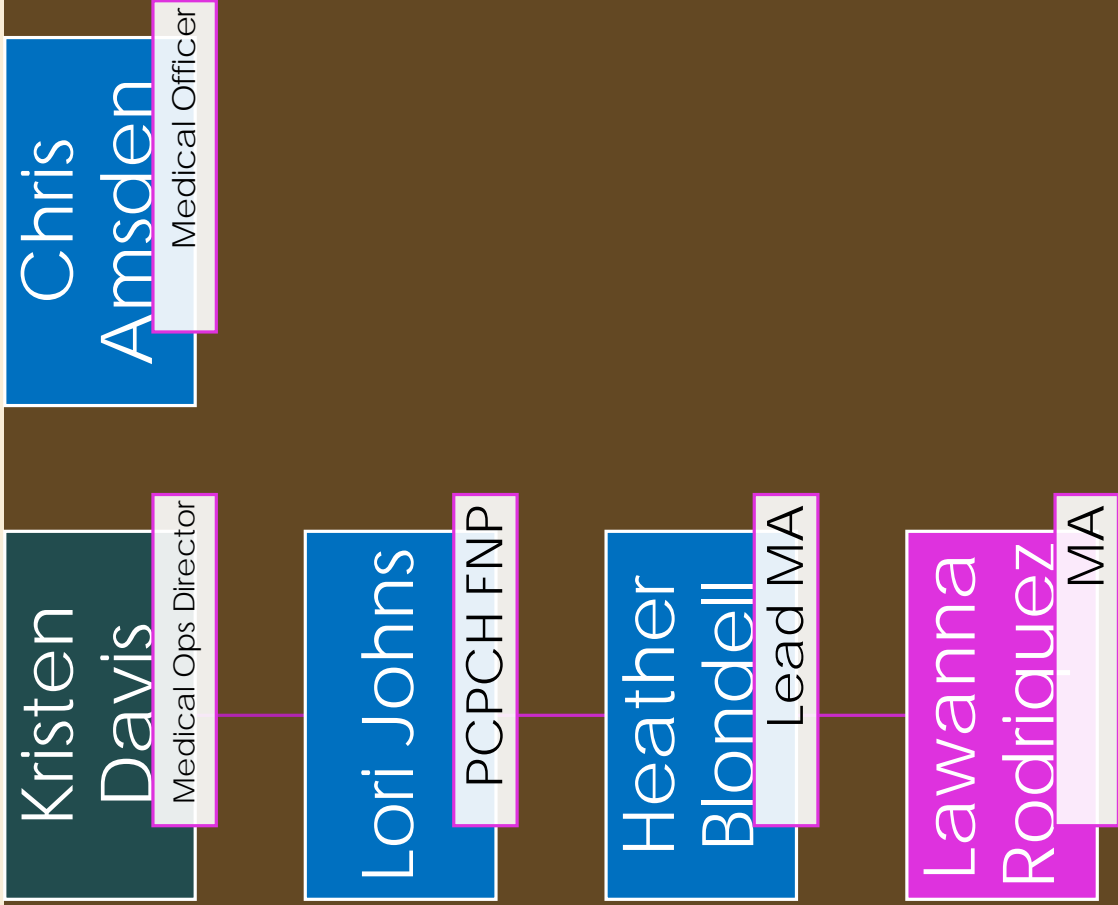
Curry Community Health

Public Health



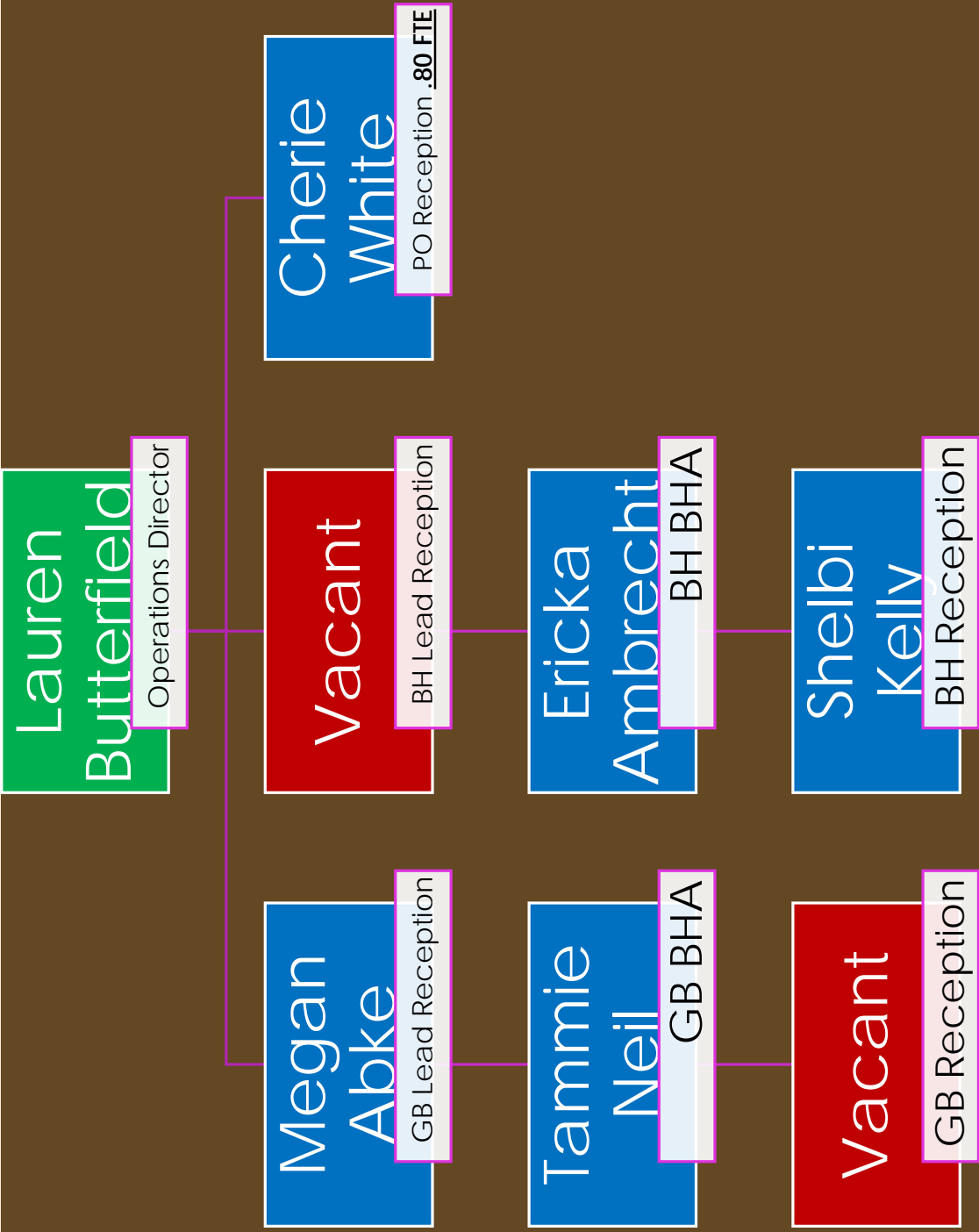
Curry Community Health

Primary Care



Curry Community Health

Support Staff



Consumer Complaints

Program	2015-16	2016-17
Mental Health	23	33
Addictions	4	1
Public Health	3	3
Agency	3	3
Primary Care	0	8
Total	33	48

Budget Outline 2017-18

Revenue		Admin	BH	PH/PC	Total
State Contracts		-	982,172	560,823	1,542,995
Third Party		-	769,000	522,667	1,291,667
CCO		-	3,490,000	30,000	3,520,000
Total Revenue		-	5,241,172	1,113,490	6,354,662
Expenses		Admin	BH	PH/PC	Total
Personnel - Salary		488,664	2,142,539	832,398	3,463,601
Personnel - Benefits		128,416	540,360	222,960	891,736
Materials/Services Costs		92,437	1,178,629	275,811	1,546,877
Total		709,517	3,861,528	1,331,169	5,902,214

Curry County and CCH Projects for FY 2017-18

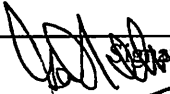
1. Work with Curry County to add Public Health Services to the Curry County Website. This will include contact information so that the public has access to departmental phone numbers and email.
2. Work with Curry County to add an office for Ben Cannon, PHA at the Curry County Annex to increase communication, awareness, and accessibility.
3. Work with Curry County to develop the sub-contract necessary to provide Public Health Services because OHA will not permit three-party contracts/IGA's after 12/31/17.
4. Work with Curry County to develop the enforcement codes necessary to support Environmental Health.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: Planning



Signature (submitted by)

City Manager Approval

Subject: Survey of Historic Buildings in Brookings

Recommended Motion: Information only

Financial Impact: None

Reviewed by Finance & Human Resources Director: _____

Background/Discussion:

Oregon State Historic Preservation Office (SHPO) conducted a reconnaissance level survey of downtown in order to inventory historic buildings within the core area. The City of Brookings requested the survey be conducted as part of "exploring" the Oregon Main Street Program. The survey was aimed to assess the potential for re-designating the "downtown core area" as it is defined in our land development code, to a "historic district" per recommendations made in the downtown master plan update that occurred early this year.

Main Street Program consultants encourage identifying a special district as a focal point. This will encourage interest in the unique heritage of Brookings and promote how to capture what it was moving forward.

Representatives from the Oregon Main Street Program are available to give a brief presentation on the findings in the survey and to answer questions.

Attachments:

- a. SHPO Survey

Brookings Main Street
Reconnaissance Level Survey
Brookings, Curry County, OR
August 2017

Survey and Report prepared by:

Max Yeley and Samantha Gordon, Summer Staff, Oregon SHPO

Statement of Project Objectives

The city of Brookings, Oregon, is a participating member of the Oregon Main Street Program. At this time, the city has elected to conduct a reconnaissance level survey of the downtown core of Brookings, to be facilitated by the Oregon SHPO. This survey assessed the potential for designating a historic district in the downtown area, and sought to identify buildings that may be independently eligible for designation to the National Register of Historic Places. It increased the body of knowledge regarding all types of potential historic resources in Brookings and provided data for future preservation planning within the project boundaries. Additionally, buildings that may be eligible for SHPO-sponsored grant programs, as well as design assistance, were noted.

Methodology

The survey of downtown Brookings was a standard Reconnaissance Level Survey. Following the guidelines laid out by the Oregon SHPO, surveyors considered the age, architecture, physical characteristics, and integrity of each building within the boundary in order to determine the viability of nominating a historic district. As noted in the objectives above, care was taken to note those buildings that may be independently eligible for designation or grant funding.

Because the major arterial streets of Brookings run along an east-west axis, this survey was conducted along the same lines. This pattern was especially efficient, as the respective street addresses are facing north and south in relation to these axial streets. The survey progressed in this east-west fashion, taking care to document one side of the street at a time, and finishing all east-west streets before beginning those that run north-south. Findings were recorded on survey forms from the Oregon SHPO, and photos were taken of each property from appropriate and available angles. Finally, the surveyors reexamined previously designated properties; updated pictures were taken of the nationally designated Central Building at 703 Chetco, and the historic Chetco Inn, concurring with previous evaluations, was found to be ineligible.

Boundary Explanation and Justification

This survey addressed the downtown core of Brookings, and was roughly centered on the major thoroughfare of Chetco Avenue (US Highway 101). The boundaries were marked by Alder Street on the east, and continued westward to include the tax lots immediately west of Pacific Avenue. Railroad Street

served as the southern boundary of the survey area, and the northern boundary consisted of the properties immediately north of Chetco Avenue. An exception to this northern boundary occurs just east of Fern Avenue, where the survey boundary jogged north to terminate at Redwood Street. The block located directly to the north of Chetco Avenue and east of Oak Street was not included in this survey. These general boundaries were established based on input from the city government of Brookings, and they largely share the borders of the downtown core which the city has identified for its revitalization efforts. However, it should be noted that the surveyors slightly modified the proposed boundary areas in order to include several properties to the west of Center Street, where the original western boundary terminated. Both 703 and 648 Chetco Avenue are addresses within these boundaries that have been previously entered into the Oregon Historic Sites Database.

These stated boundaries encompass approximately 105 properties, including both commercial and residential buildings. However, mainly commercial and industrial properties were surveyed in order to focus on objectives relevant to the Oregon Main Street program. While the resources included are diverse, the survey area is cohesive in that it represents the historic core of Brookings. A 1930 plat map (see Appendix C) shows the center of the city to be clustered between Chetco Avenue (Highway 101), which brought overland supplies to the town, and Railroad Street, which was strongly associated with the logging industry that was the lifeblood of the city during its founding years. Additional historic properties lay just north the stated boundaries at 417 Fern Avenue and 518 Pine Street.

Setting

Most of the buildings in the survey were concentrated along the commercial corridor of Chetco Avenue. This area lies fairly close to the coastline, northeast of Chetco Point. The Chetco River, separating Brookings from the unincorporated town of Harbor, runs southwest toward the harbor a few blocks east of Brookings' downtown. The survey area was focused on the commercial downtown of Brookings, and did not include the potentially significant residential blocks to the north. Within downtown Brookings, the streets are paved and coupled with full sidewalks, and numerous traffic lights and crossing signals facilitate pedestrian traffic across Chetco Avenue.

Historical Overview

Brookings, Oregon was established as a company town of the Brookings Lumber and Box Company in 1913 by John E. Brookings. His brother, Robert S. Brookings, oversaw the design of the town, and hired the prominent architect Bernard Maybeck to create a plan for the proposed town site. Although it is clear that Maybeck produced a comprehensive plan for Brookings, it was not rigidly followed, and only a few extant buildings claim to be of his design. Dependent upon the lumber industry for much of the 20th century, Brookings experienced a turbulent economy as lumber interests waxed and waned. Though many houses, mill structures, and urban buildings were erected immediately after its founding, Brookings entered a period of decline when lumber operations ceased in 1925. With great tenacity, the people of Brookings managed to sustain their community through the floral industry until the 1940s, when the export of Easter Lilly bulbs, the reopening of the lumber industry and an increase in tourism breathed new life into the town. The survey team found relatively few commercial buildings dating from

the founding period (1913-1925). Instead, most of the identified resources date from the late 1940s and early 1950s when the town experienced its second construction boom.

Data Summary

The Brookings Main Street/downtown area contains 90 resources, consisting entirely of buildings. Of these resources, 23 (25%) were found to be eligible and contributing, 1 (<1%) was found to be eligible and significant, 43 (47%) were found to be non-eligible and noncontributing, and 24 (26%) were found to be noncontributing due to being out-of-period. The eligible and significant building identified was the Central Building, which is already listed on the National Register. Of the buildings that were deemed eligible and contributing, most have been altered in some appreciable way, although the historic materials, character-defining features, setting, and association of these properties have been adequately maintained. Properties deemed ineligible had undergone too much change to adequately convey their original appearance and purpose, although several of these exhibited the potential for restoration; through façade improvements and adjustments, some ineligible properties could regain their eligibility, or otherwise better convey of their historic character.

The buildings surveyed in Brookings can generally be divided into the categories of commercial, domestic, and government. 56 buildings (65%) were originally businesses, service stations, motels, or some similar purpose. 17 buildings (19%) were originally single-family residences, several of which had been altered to a current commercial use. 1 building (<1%) was education-related, 4 (4%) were governmental, 3 (3%) were health care-related, 2 (2%) were industrial, 2 (2%) were recreational, 2 (2%) were social, and 1 (<1%) was relegated to the catch-all “other” category.

The Main Street area of the survey along Chetco Avenue was partially demarcated by a style of lamppost that was slightly different than those used along the rest of this main highway, as well as by hanging flowers that mark part of the Main Street beautification effort.

Recommendations

Though downtown Brookings does not currently possess the 50% of eligible buildings necessary to nominate a National Historic District, efforts may be made to utilize its historic buildings for both economic and educational improvements within the community. As an Oregon Main Street community, Brookings has access to benefits such as design assistance, grant funding, workshops, and other training programs through Oregon Heritage which can help revitalize the community through its existing historic resources. The following recommendations may help in this process:

- Further research of potentially significant buildings
 - 702 Chetco Avenue may merit further investigation through an Intensive Level Survey (ILS). This building dates from the founding of the town and generally maintains its historic configuration. Research gathered through an ILS will shed light on the building’s significance and indicate whether it may be eligible for listing on the National Register. Using historic photographs, it may be possible to restore this building to its original appearance.

- The buildings located at 600 Chetco Ave, 628 Fleet Street, and 630 Fleet Street were allegedly built as civic buildings (reportedly the jail, courthouse, and administrative building). Further research through an ILS could determine whether this is true, and ascertain whether the alterations to these buildings are permanent or reversible.
- Design assistance from Oregon Heritage may be appropriate for the following buildings:
 - 654 Chetco Ave features unique storefront windows in a “saw-tooth” arrangement
 - The buildings at 656-668 Chetco Ave date from the late 1940s and early 50s, and could be restored to their original appearance with the removal of their awnings
 - 553 Chetco features unique cladding materials, and may become a contributing resource after a façade restoration
- While Brookings’s founding story is significant, efforts should be made to encourage residents to explore additional aspects of their history. The level of public awareness for the multiple phases of Brookings’s history could be improved by:
 - Emphasizing both the founding period and second commercial boom period (Post-WWII)
 - Encouraging people to feel invested in a broader range of the town’s history by posting historic photos which they can use to orient themselves while downtown
 - Highlight the midcentury history of Brookings in order to take advantage of enthusiasm for “retro” or “vintage” aesthetics, such as the town already does with Azalea Festival Car Show, the Curry County Cruisers car club, and multiple antique stores
- Take advantage of opportunities for Main Street grants
 - Provide property owners within the Main Street area with the Main Street Incentive Brochure offered by Oregon Heritage, and update it with information for local grants and incentives
 - Grants available include the Main Street Revitalization Grant, which can be used for exterior or interior projects, and the Diamonds in the Rough Grant, which can be used to restore historic façades.
- Encourage business and property owners within the Main Street area to consider façade restoration projects such as stucco removal and transom restoration when they are looking to remodel their storefronts
 - Utilize Heritage Bulletins and Preservation Briefs from Oregon Heritage and the National Park Service, respectively
- Consider becoming a Certified Local Government (CLG). Becoming a CLG allows a community to partner with the state of Oregon to identify and protect its historic resources. With this status, Brookings could be eligible for non-competitive grant funding for historic preservation projects and surveys, as well as training programs and other technical assistance from the Oregon SHPO.
 - For information about becoming a CLG, contact:
 - Kuri Gill, CLG Coordinator, (503)986-0685, kuri.gill@oregon.gov

Bibliography

Adams, Michael W. *Chetco: The Story of a River and Its People*. Louisville, KY: Four Color Print Group, 2012.

Olsen, Edward G. *Then Till Now in Brookings-Harbor: A Social History of the Chetco Community Area*. Brookings: Rotary Club of Brookings, 1979.

Appendix D – Historic Photos and Maps

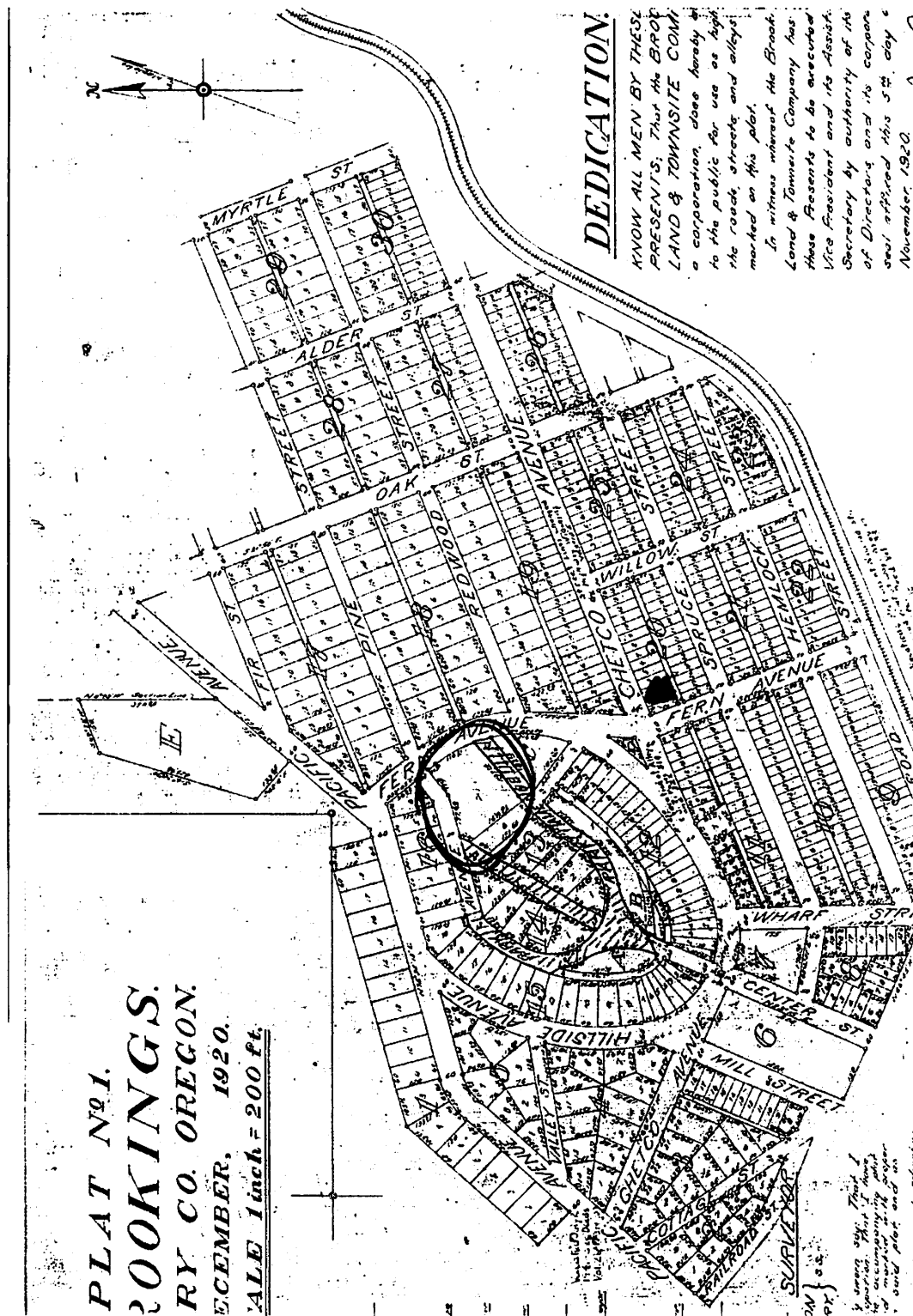


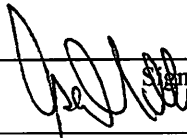
Figure 1 - 1920 Plat Map

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Beach Camping

Recommended Motion: Motion to direct the City Manager to contact the Oregon Department of Parks and Recreation to craft appropriate language for an Oregon Administrative Regulation (OAR) to prohibit campfires after midnight on the shoreline adjacent to the City of Brookings between Harris Beach State Park and the Chetco River.

Background/Discussion:

The City has received correspondence from Corrine Gist Sills and June Podesta, residents of the MacLynn Cove development, concerning transient camping on Mill Beach. They made a presentation at the City Council meeting of August 14 at which time the matter was referred to a workshop. The City Council conducted a workshop concerning this matter on October 2 at which time they directed staff to return to the City Council with a recommendation.

Participating in the workshop were representatives of the Brookings Public Safety Department (police and fire), Oregon State Police, Coos Forest Protective Association, Oregon State Parks, and the City Parks and Recreation Department.

This matter has been discussed numerous times over the past several years. This matter was the subject of a review by the City Council and the Parks and Recreation Commission in 2009. Under Oregon Law, it is legal to camp overnight along the ocean shore to accommodate recreational hikers on the Oregon Coast Trail. The exception to this is beach areas fronting those cities that have requested no camping adjacent to the boundaries of their city. City governments can request, under Oregon Administrative Regulation (OAR) 736-030-0020 to be included on a list of cities where overnight camping is prohibited. The Cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita currently prohibit overnight camping on the beach under this provision.

In order to enact this prohibition, the City must adopt an ordinance prohibiting overnight camping on the beach, and must request that the Oregon Department of Parks and Recreation amend the OAR to include Brookings on the list of cities as indicated above. In 2009 the City Council declined to request a camping restriction on beaches adjacent to Brookings.

The City Manager contacted the City Managers of the cities listed above and posed the following questions:

1. Has this been effective in controlling transients camping on the beach? (This is the reason it is being considered here)
2. What is your enforcement policy? By complaint?

3. Who enforces the restriction? Police?
4. Have you encountered any problems with enforcement?
5. Has this required increased staffing?
6. If you know, what prompted the City to enact this regulation?

Three cities responded to the inquiry. The reasons cited for enacting the restriction varied, but did not include controlling transients. Gold Beach enacted the regulation specifically due to fire concern as the beach vegetation and driftwood is in close proximity to many buildings. Generally, enforcement is by the local Police Department and is handled by complaint...usually a fire complaint. None of the cities reported an impact on staffing. Enforcement action is typically a warning. As to encounters with transients (and not tourists) City Managers report that the parties simply move when contacted and establish a camp somewhere else in the community.

At the meeting of August 14 it was mentioned that the beach camping problem seemed to have abated with the enactment of seasonal fire restrictions. Apparently, the beach is not a desirable place to camp with no campfire. Thus, one approach might be to prohibit fires on the beach year-round after a certain time of day, perhaps midnight when the Mill Beach access is officially closed. Signs would be posted. The Brookings Police Department would be the enforcement agency.

With respect to beach restrictions, the OAR process is handled by the Oregon Department of Parks and Recreation.

The City would be the responsible party for enforcement, even though the beach is not within the City Limits. The Oregon Department of Parks and Recreation has entered into cooperative agreements with local governments to authorize them to enforce local regulations on State lands. This would also be the case in this instance. Additionally, OAR 736-030-0000 states as follows and purports to grant enforcement jurisdiction to cities:

"Regulations in this division apply to ocean shores adjacent to the coastal cities specified in each rule. The named cities may adopt parallel ordinances to regulate activities on the ocean shores and may enforce such ordinances to the extent they are consistent with the rules in this division. Cities will notify the department of all actions taken under these regulations."

The regulations within Division 30 include prohibition of horses, dogs off leash, camping, alcoholic beverages, windsailing, fireworks, playing golf, rock climbing, etc.

City Attorney Martha Rice advises that federal and state courts have generally held that government cannot "criminalize" being homeless under both state and federal constitutions. She advises that what this means is that if there is no place for transients to go such as adequate shelter spaces, then the transients cannot be arrested or cited for sleeping on public property. The City Attorney should be consulted as a part of the discussion at the Council meeting.

Attachment(s):

- a. Correspondence from Corrine Gist Sills and June Podesta
- b. Memo dated May 5, 2005 from City Manager Leroy Blodgett
- c. OAR 736-030-0020

August 6, 2017

Mayor Pieper, Gary Milliman and City Council Members
VIA EMAIL

To The Honorable Jake Pieper, Mayor of the City of Brookings, Gary Milliman, City Manager and City Council Members:

Please find the topics we will be addressing at the City Council meeting on August 14, 2017 at 7:00 p.m.
Thank you for allowing us the opportunity to speak.

- 1) Increasing Transient Problems on Mill Beach
- 2) Picture Presentation/Discussion
- 3) Brookings Police Log / Fire Department
- 4) South Coast Lumber Involvement
- 5) Harris Beach State Park Ranger's and Ocean Beach Specialist's Input
- 6) Families on the Beach
- 7) Police Department Support
- 8) Purposing Solutions

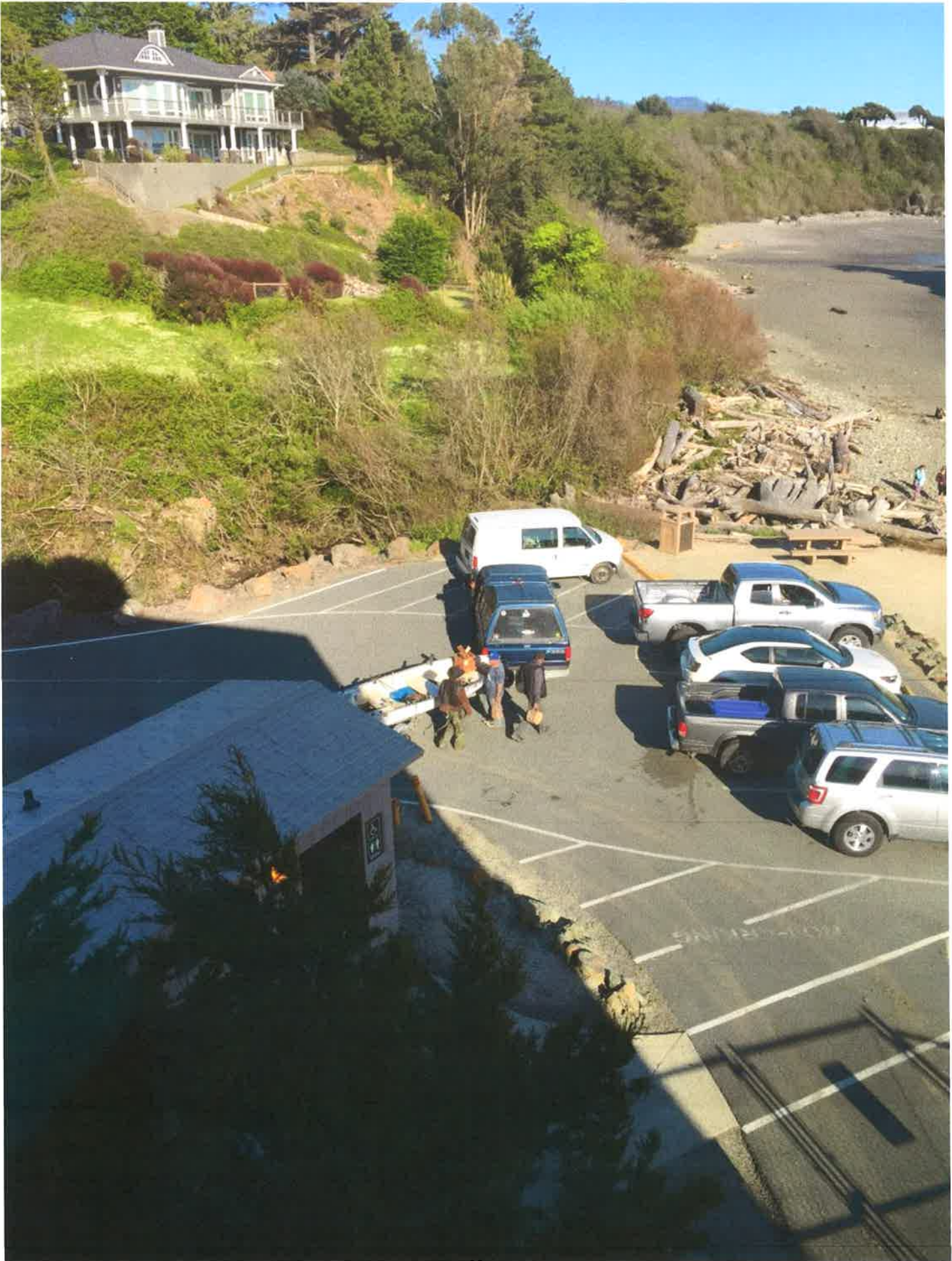
Respectfully submitted,

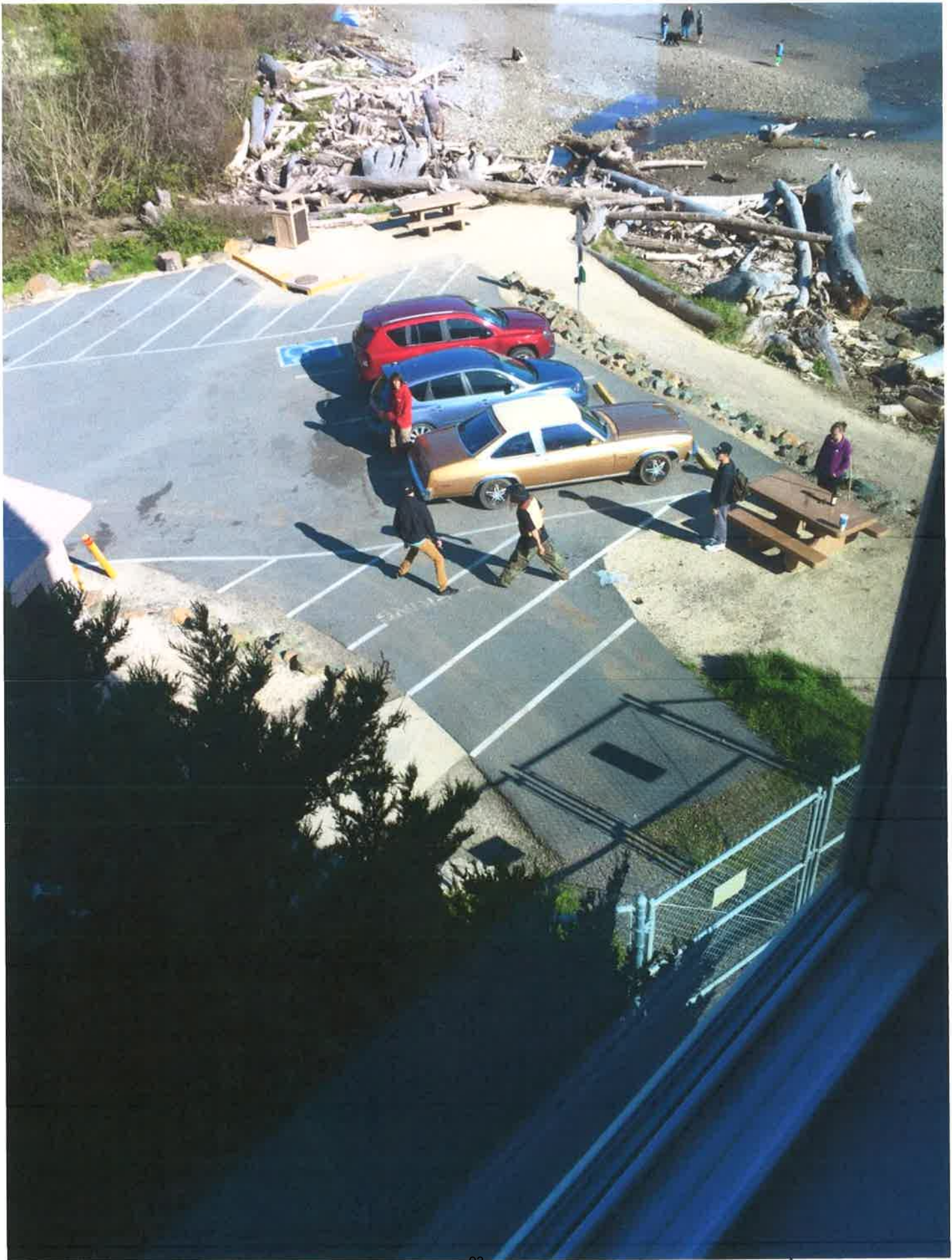
June Podesta ^{cgs}

June Podesta

Corrine Gist Sills

Corrine Gist Sills

















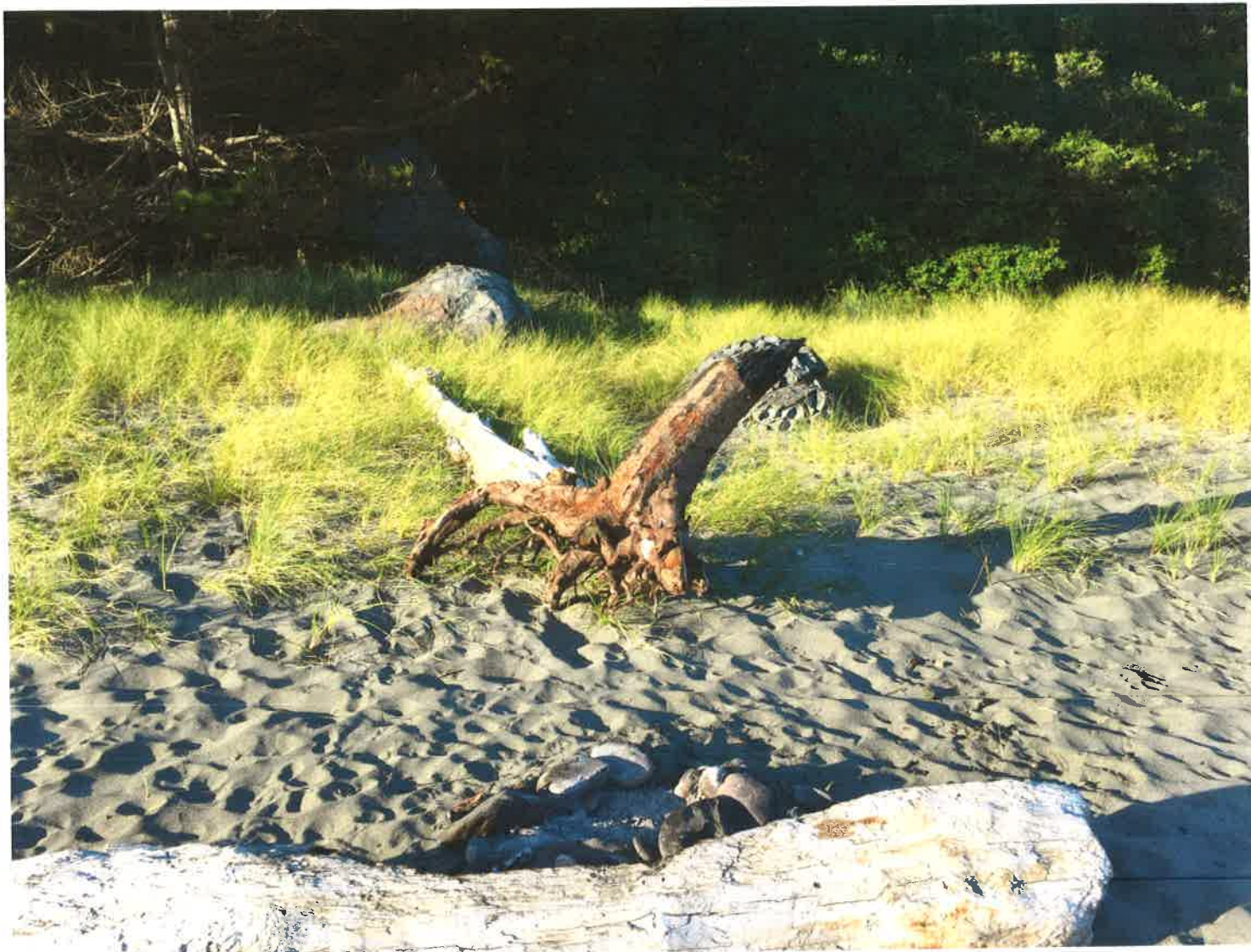












tree root stump removed from fire
(active fire)

No persons present



STAFF REPORT

Date: May 5, 2005

To: Mayor Sherman & City Councilors

From: Leroy Blodgett, City Manager

Subject: Mill Beach camping

REPORT

At the last City Council meeting there was a request to have the issue of camping on and/or near Mill Beach. Camping on the beach is allowed by State Park rules. However, there is a process which the City could adopt rules by ordinance to prohibit camping and/or other activities on the beach. For example the cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon and Gold Beach prohibit overnight camping, including overnight sleeping in tents, driftwood shelters, sleeping bags, recreational vehicles, trailers, or automobiles on the ocean shore within the city limits. The city of Cannon Beach also prohibits dogs except on a maximum 6 foot leash and the city of Seaside prohibits fireworks, playing golf and consumption of alcoholic beverages exceeding 14% alcohol on the ocean shore.

Most of the camping and offensive activity is actually within the vegetation area, which is private property. Even though the property owner posts "no trespassing" signs they still need to file a complaint with the City or grant the City authority to enforce the "no trespassing" at the discretion of the police department.

The other issue is access to the beach. Staff is currently researching ownership of the access road to the beach which may require a survey.

STAFF RECOMMENDATION

At this time this is only a discussion item.

► The Oregon Administrative Rules contain OARs filed through June 15, 2017 ◄

QUESTIONS ABOUT THE CONTENT OR MEANING OF THIS AGENCY'S RULES?
CLICK HERE TO ACCESS RULES COORDINATOR CONTACT INFORMATION

PARKS AND RECREATION DEPARTMENT

DIVISION 30

SPECIAL REGULATIONS AFFECTING OCEAN SHORES ADJACENT TO COASTAL CITIES

736-030-0000

Purpose of Rules in Division 30

Regulations in this division apply to ocean shores adjacent to the coastal cities specified in each rule. The named cities may adopt parallel ordinances to regulate activities on the ocean shores and may enforce such ordinances to the extent they are consistent with the rules in this division. Cities will notify the department of all actions taken under these regulations.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 153.110, ORS 390.050, ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0005

Prohibition of Horses and Other Livestock

Horses and other livestock are prohibited on the ocean shore between the south city limits of Rockaway and northward to the mouth of the Nehalem River in Tillamook County.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: 1 OTC 9, f. 11-21-73, ef. 12-12-73; PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0010

Prohibition of Dogs Off Leash

Dogs are prohibited except on a leash or under voice or signal command on the ocean shore within the city limits of Cannon Beach, Seaside and Rockaway Beach. The owner is responsible for the animal's behavior and physical control while on the beach.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94; PR 3-1997, f. 11-5-97, cert. ef. 11-10-97; PRD 7-2003, f. & cert. ef. 10-3-03

736-030-0020

Prohibition of Camping

Overnight camping, including overnight sleeping in tents, driftwood shelters, sleeping bags, recreational vehicles, trailers or automobiles, on the ocean shore within the city limits of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita is prohibited.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94; PR 3-1997, f. 11-5-97, cert. ef. 11-10-97

736-030-0030

Prohibition of Windsailing

No person shall windsail on any beach within the city limits of Cannon Beach and Seaside except by permit from the city. A windsail is a sail propelled 3 or 4 wheeled cart.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0040

Prohibition of Alcoholic Beverages

Consumption of alcoholic beverages exceeding 14% alcoholic content is prohibited on the ocean shore within the city limits of Seaside except when under OLCC license and State Parks and Recreation Department permit. The consumption of all alcoholic beverages is prohibited on the ocean shore within the city limits of Seaside during Oregon schools spring break.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0050

Prohibition of Fireworks

There shall be no fireworks permitted on the ocean shore within the city limits of Seaside, except by joint permit from the respective city and the Area One Park Manager. The definition of fireworks is found in OAR 837-012-0072(19).

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0060

Prohibition of Playing Golf

Playing golf on the ocean shore within the city limits of Seaside is prohibited except by permit from the city.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0070

Prohibition of Launching Boats, Watercraft

The launching of any rigid watercraft such as metal or fiberglass canoes and boats and jet skis on the ocean shore within the city limits of Seaside and Cannon Beach is prohibited except by permit from the city. This does not apply to inflatable rafts and boats, inner tubes or swimmer safety devices. The launching of surfboards from Avenue "U" north in Seaside is also prohibited.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0080

Prohibition of Rock Climbing

Climbing on Haystack Rock in Cannon Beach is prohibited except by written permission from the U.S. Fish and Wildlife Service.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 3-1997, f. 11-5-97, cert. ef. 11-10-97

736-030-0090

Beach Lifeguard Authority

Within the city limits of Cannon Beach, city lifeguards shall have the authority to restrict the launching of inflatable devices by individuals, on a case-by-case basis, when necessary for public safety or the safety of an individual. No person shall disregard a city lifeguard's instructions relating to the launching of inflatable devices within the city limits of Cannon Beach.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PRD 11-1998, f. 7-30-98, cert. ef. 7-31-98

736-030-0095

Prohibition of Camping on Beaches in Clatsop County

Camping on the ocean shore between the Necanicum River and the South Jetty of the Columbia River is prohibited. For the purposes of this rule, camping includes, but is not limited to, erecting a tent or temporary shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle in such a manner as will permit remaining overnight, or for other extended periods.

Stat. Auth.: ORS 390.635 & ORS 390.660
Stats. Implemented: ORS
Hist.: PRD 3-1999, f. & cert. ef. 5-11-99

736-030-0100**Prohibition of Camping on Beaches in Tillamook County**

Camping on the ocean shore between the north boundary of the City of Manzanita and the Neahkahnie Mountain headland is prohibited until such time as the adoption of a comprehensive ocean shore management plan may allow camping in the above area. For purposes of this rule, camping includes, but is not limited to, erecting a tent or temporary shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle in such a manner as will permit remaining overnight, or for other extended periods.

Stat. Auth.: ORS 390.124
Stats. Implemented: ORS 390.365 & ORS 390.660
Hist.: PRD 11-2000, f. & cert. ef. 9-27-00

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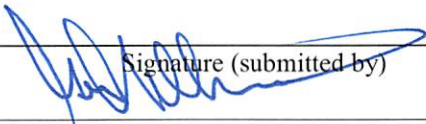
State Archives • 800 Summer St. NE • Salem, OR 97310

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Letter of Support for Contour Airlines

Recommended Motion:

Motion to authorize the Mayor to sign a letter of support to the Federal Aviation Administration for the selection of Contour Airlines as the commercial air service provided at the Del Norte County Regional Airport.

Financial Impact:

None.

Reviewed by Finance & Human Resources Director: _____

Background/Discussion:

The City is a member of the Border Coast regional Airport Authority (BCRAA) which operates the Del Norte County Regional Airport (DNCRA). PenAir recently announced it will be terminating service to DNCRA and has declared bankruptcy. PenAir was providing service between DNCRA and Portland (PDX).

The BCRAA has evaluated proposals from three airlines seeking to assume the Essential Air Service (EAS) contract for DNCRA. Under the EAS program, the air service provider receives an operating subsidy from the U.S. Department of Transportation (DOT). BCRAA is recommending the selection of Contour Airlines for this contract.

Contour proposes to provide 12 nonstop flights weekly between DNCRA and Oakland utilizing a 30-passenger aircraft. Attached is an analysis of the service proposals. BCRAA has requested that the City provide a letter of support for the selection of Contour to the DOT.

Attachment(s):

- a. Sample letter
- b. Crescent City Essential Air Service Option Analysis



City of Brookings

898 Elk Drive, Brookings, OR 97415
(541) 469-1104 Fax (541) 469-3650 TTY (800) 735-1232
[jpierper@brookings.or.us](mailto:jpieper@brookings.or.us); www.brookings.or.us

Mayor Jake Pieper

October 24, 2017

Mr. Michael Martin
Essential Air Service
U.S. Department of Transportation
1200 New Jersey Ave., SE
W86-473
Washington, D.C. 20590

Dear Mr. Martin:

May this letter serve as a measure of support for the Alternate Essential Air Service (AEAS) proposal of Contour Airlines and AEAS grant application from the Border Coast Regional Airport Authority, which would offer 12 weekly round-trip flights, connecting Crescent City and environs with Oakland International Airport utilizing an Embraer ERJ-135 regional jet. I feel this option will be of considerable benefit to our community and region. Contour proposes low fares, an aircraft commensurate with the needs of the traveling public, especially passengers of limited mobility, connectivity to the San Francisco Bay Area and other California markets beyond Oakland through Southwest Airlines, and evidence of reliable performance elsewhere. Having the ability to connect with a low-cost carrier such as Southwest is very desirable since travelers are used to purchasing two tickets with our current service, using Portland International as the connecting hub. Unfortunately, the present service does not connect with a low-cost carrier and many travelers have found this only choice undesirable, or financially prohibitive.

As you know, our region is geographically remote and economically disadvantaged, we need a reliable low-cost air carrier to connect our businesses, agencies and citizenry with the services, namely medical, and opportunities available in California and throughout the nation.

On behalf of the City of Brookings City Council, I wish to extend our gratitude for all the Essential Air Service office has done on behalf of the Border Coast Regional Airport Authority. Please feel free to contact me should you like further information.

Sincerely,

Jake Pieper
Mayor

Crescent City Essential Air Service Option Analysis
October 12, 2017

This letter provides companion commentary to the Volaire Aviation Consulting analysis presentation on Essential Air Service (EAS) and Alternative Essential Air Service (AEAS) options for Crescent City. Volaire is not specifically recommending any option, but the analysis should lead the Airport Board's discussion. Comments are provided for each page of the presentation.

Page 2

Crescent City has four options for Essential Air Service, ranging from eight seats to 30 seats per flight. Boutique offered two options, both with a dual hub of Portland and Oakland. Great Lakes offered one option, with service to Sacramento. Contour's option would be under Alternative Essential Air Service with jet flights to Oakland.

Page 3

All carriers will rely on passengers buying two connecting tickets, with limited interlines. Only Great Lakes has a codeshare, with United, but its service to Sacramento would offer little United connectivity and relatively high average fares. Passengers have become accustomed to purchasing two tickets with PenAir service to Portland, where 65% of all passengers were on itineraries involving the purchase of two separate tickets.

Page 4

Portland is the best potential hub from the perspective of the sheer number of connecting cities, but Portland has higher fares than Oakland.

Page 5

As mentioned, most of the tickets being purchased on PenAir were just to Portland, with passengers than buying a second ticket to their final destination. When SkyWest served the market, about 20% of traffic was "local" – to the Bay Area and not connecting beyond. PenAir saw the number of "local" passengers to Portland grow to 88% - the vast majority of whom were then buying second tickets to get where they were going.

Crescent City passengers know how to work the system now, and how to purchase two separate tickets on two different airlines to get the best overall fare. This gives us confidence that the lack of an interline or codeshare won't be a major impediment to the success of a new carrier.

Page 6

Oakland actually has excellent connectivity and the lowest fares of any potential hub for service, meaning fares from Crescent City – even on two separate tickets – will be lower than fares from other airports in the region.

Page 7

When SkyWest operated non-stops to the Bay Area, Crescent City averaged as many as 11 passengers per day each way (PDEW) – the number on the top of each bar in white. This traffic is likely to return with service to Oakland – and be stimulated above historical performance with low fares.

Page 8

Sacramento is a very poor connecting hub. It has fewer than half the connecting destinations of Portland and just 60% of the connectivity of Oakland. It also has exceptionally high connecting fares, meaning CEC will be priced higher than airports like ACV and MFR.

Page 9

There is a perception that there used to be a lot of passengers on SkyWest flights between CEC and Sacramento. This is simply not true. At the peak, Sacramento only generated less than six passengers per day each way to and from CEC – less than half the number who traveled to the Bay Area. Sacramento flights, contrary to popular belief, operated EMPTY. Those flights averaged load factors below 35%. Sacramento is not a large market from Crescent City.

Page 10

Sacramento is a difficult airport in which to make connections, because it has two terminals. Great Lakes would operate into Terminal A. 70% of departures leave from Terminal B. To get from Terminal A to Terminal B you either have to take a taxi, or walk through multiple parking garages with little signage.

Page 11

The best hub is the one with many connecting destinations and the lowest average fare. Oakland has the lowest fare. Portland has the most connecting cities. Sacramento has the fewest connecting cities and the highest fare.

Page 12

Both Boutique and Contour have exceptionally good performance. They do not cancel flights. Great Lakes has had many major operational difficulties and cancels more than four times as many flights as either of the other carriers.

Page 13

The most important points:

- Boutique's second bid and Contour's bid are the only two that give the airport a reasonable chance to hit 10,000 enplanements. Contour's bid has a higher upside because of potential jet stimulation and the ability to accommodate those with disabilities.
- Contour's fare is the lowest, providing the best chance to stimulate new trips and to take passengers from other areas, such as Arcata-Eureka.
- Contour and Great Lakes provide the most available seats.

- Great Lakes has the lowest subsidy, and Contour is second lowest
- Boutique would have the most frequencies, but with 8-seat aircraft
- Contour is the only jet bid.

Page 14

Boutique and Contour have excellent operations and are praised by their cities. Great Lakes has historically has poor operations and most of its cities have sought other carriers.

Page 15

Notes on how Alternative Essential Air Service (for Contour) would work – bullet points are clear.

Page 16

Notes on how a single engine aircraft waiver (for Boutique) would work – bullet points are clear.

Summary

The data does not support service to Sacramento. The local market is too small to support flights, connectivity to other cities is poor, and fares will be high. Sacramento service is unlikely to generate 10,000 enplanements – it would probably generate closer to 7,500 enplanements in a perfect scenario.

Both Boutique and Contour have strong proposals. Contour is less expansive and provides jet service. Boutique provides two hubs, but single engine service. If Crescent City wants to have dual-engine service in the future, it cannot sign a waiver to allow single engine operations.



CRESCENT CITY ESSENTIAL AIR SERVICE OPTION ANALYSIS, AS OF OCTOBER 12, 2017





CRESCENT CITY HAS FOUR OPTIONS FOR ESSENTIAL AIR SERVICE, RANGING FROM EIGHT SEATS TO 30 SEATS PER FLIGHT

BIDS FOR ESSENTIAL AIR SERVICE						
CRESCENT CITY BID COMPARISON SHEET						
Carrier	Equip	Seats	Freq	Type	Hub	Subsidy
Boutique Option One	PC-12	8	30	Nonstop	PDX/OAK	\$3,976,438
Boutique Option Two	PC-12	8	36	Nonstop	PDX/OAK	\$4,379,680
Contour	ERJ135	30	12	Nonstop	OAK	\$3,953,027
Great Lakes	EMB120	30	12	Nonstop	SMF	\$2,987,892

116



SOURCE: VOLAIRE AVIATION CONSULTING ANALYSIS

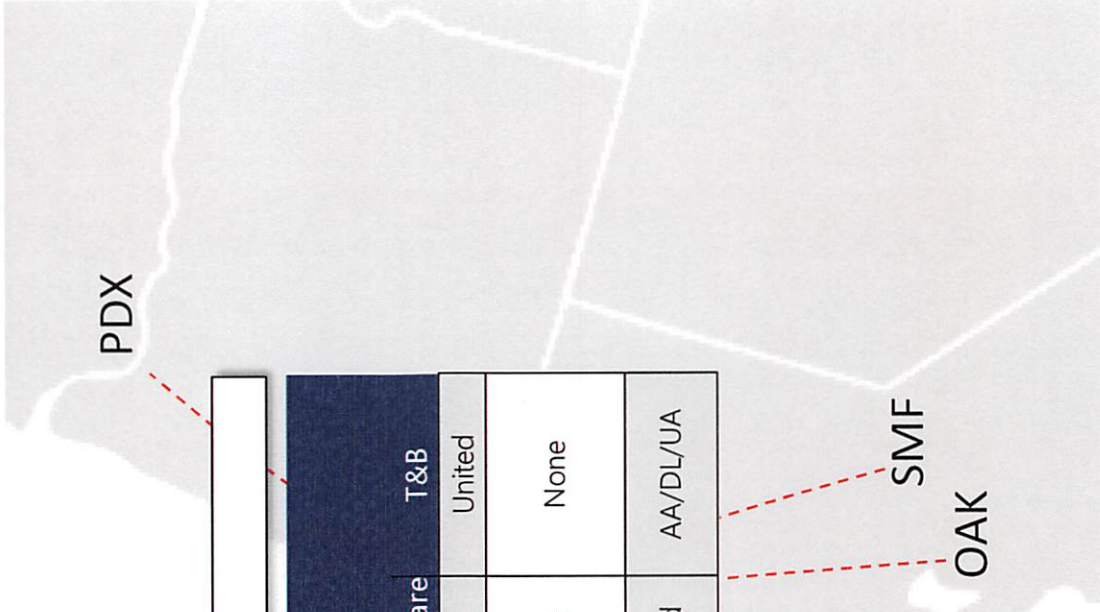


ALL CARRIERS WILL RELY ON PASSENGERS BUYING TWO
CONNECTING TICKETS, WITH LIMITED INTERLINES

BIDS FOR ESSENTIAL AIR SERVICE

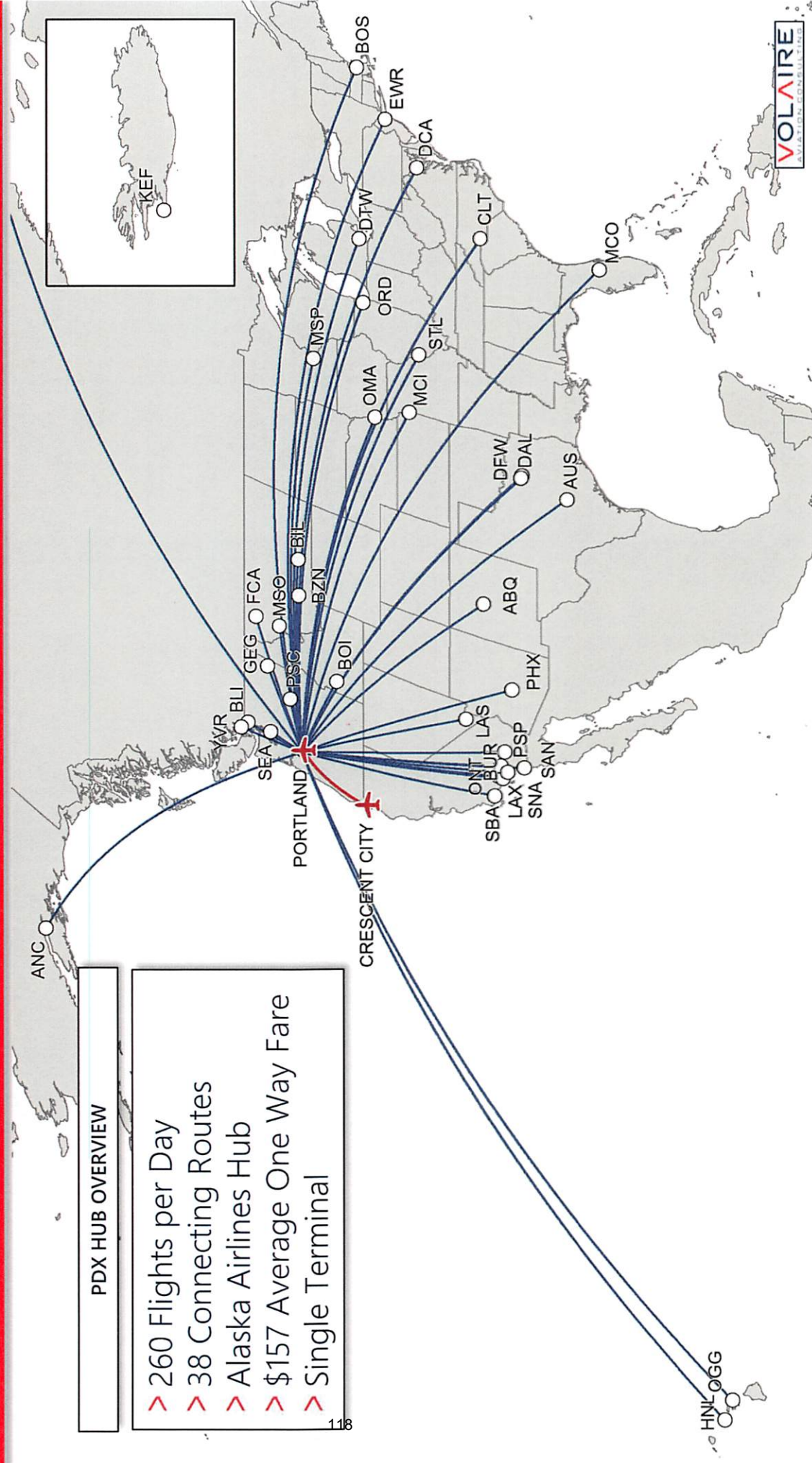
CARRIER SUMMARY

Company	Founded	Base	Equip	Fleet	DOT		FAA		T&B
					Status	Status	Status	EAS Cities	
Boutique	2007	San Francisco	PC-12	12	Commuter	P135	17	None	United
Contour	1982	Nashville	Jetstream	30+	Commuter	P135	3	None	None
			Corp Jets						
Great Lakes	1985	Cheyenne, WY	ERJ135s	6	Air Carrier	P121	6	United	AA/DL/JA
			EMB120						
			B1900D	28					





SERVICE TO PDX WOULD CONNECT TO 38 CITIES, PRIMARILY
ON ALASKA AIRLINES, WITH 260 FLIGHTS AVAILABLE PER DAY

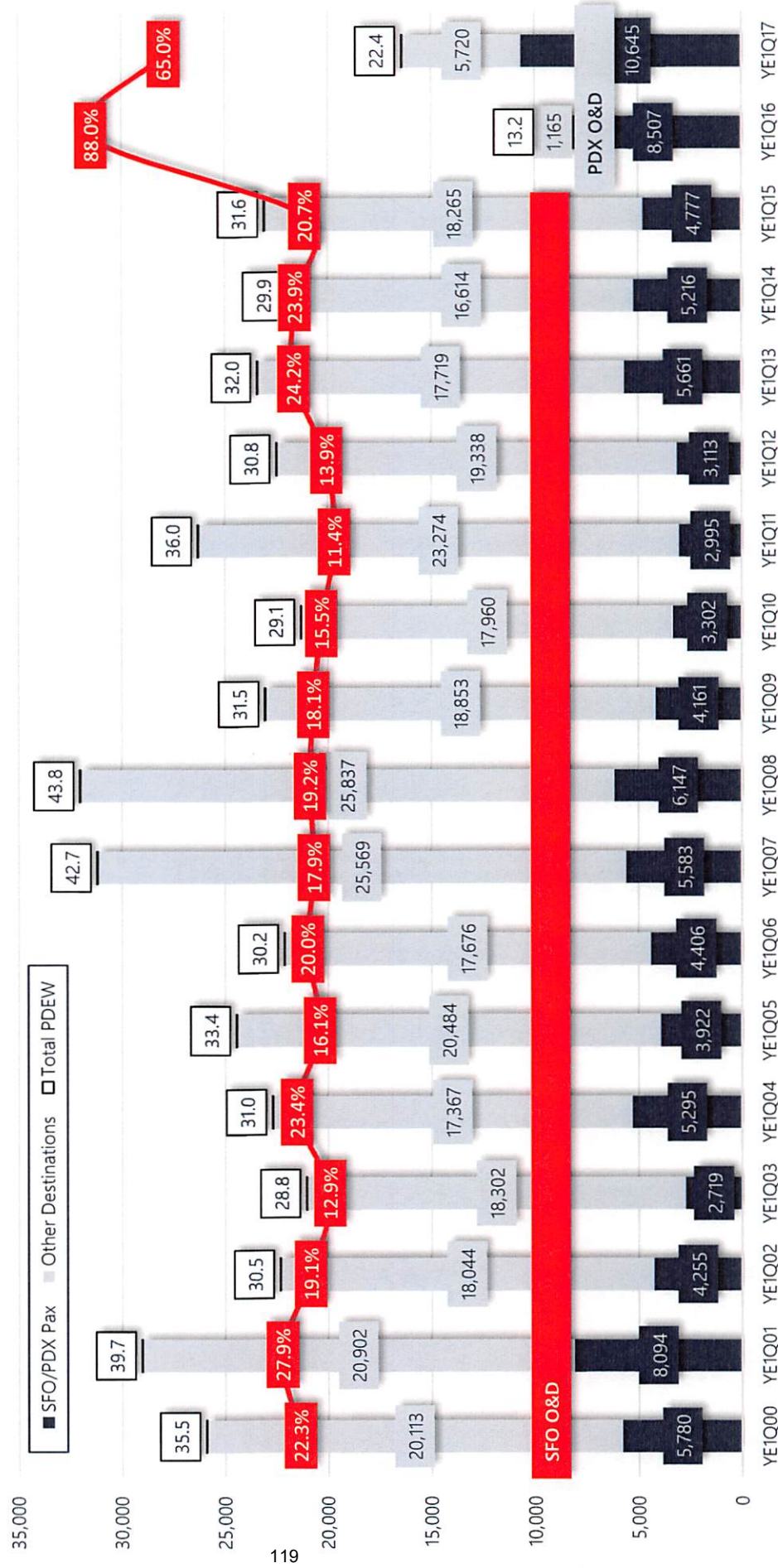


SOURCE: VOLAIRE AVIATION ANALYSIS



LOCAL ROUTE O&D (TO PDX) HAS JUMPED TO 65% OF ALL PASSENGERS, IMPLYING PEOPLE BUY TWO TICKETS

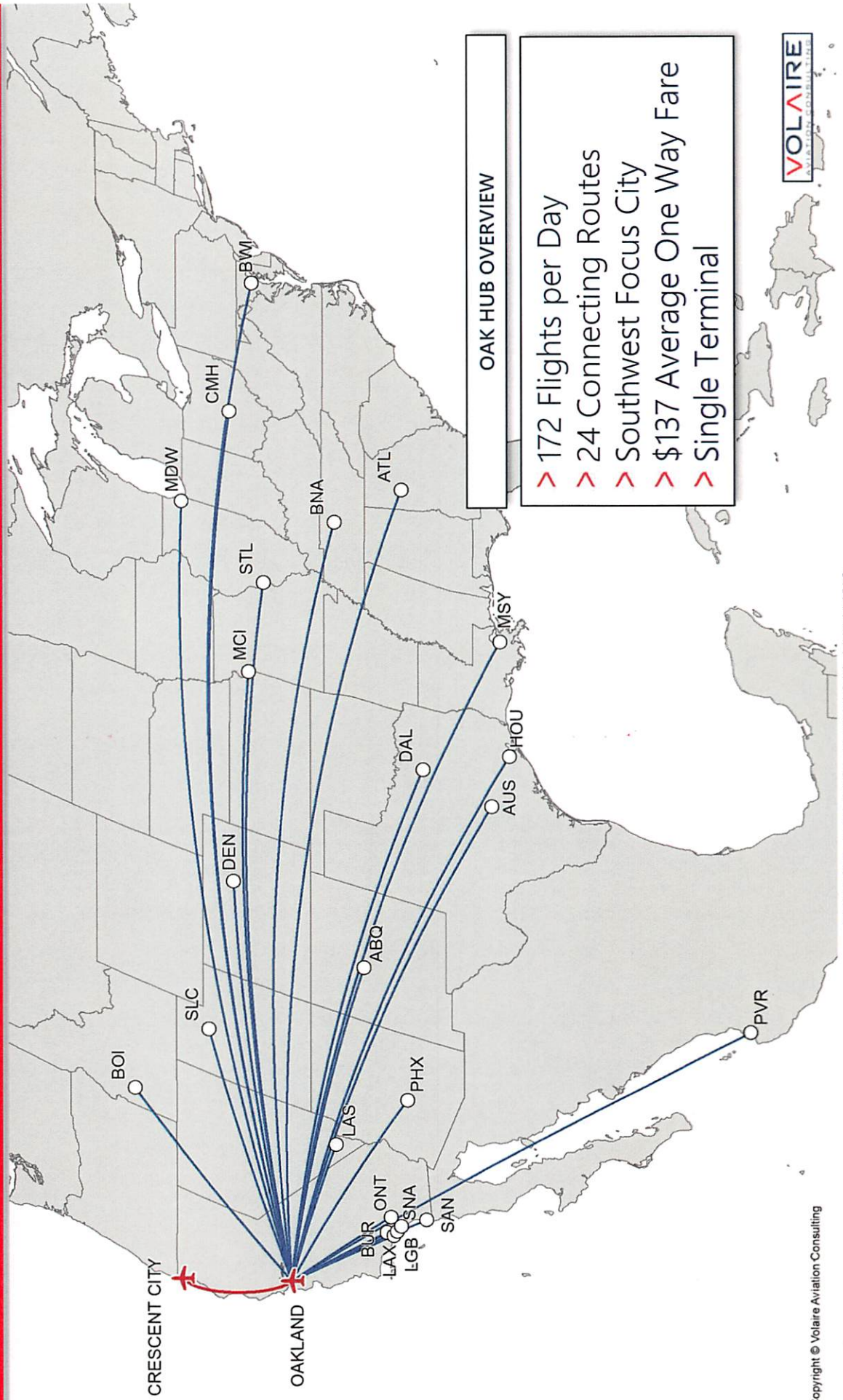
O&D PASSENGERS AND SHARE TO SFO/PDX VS. OTHER DESTINATIONS AT CRESCENT CITY YEAR ENDED FIRST QUARTER 2000 – YEAR ENDED FIRST QUARTER 2017



SOURCE: US DOT O&D SURVEY



SERVICE TO OAK WOULD CONNECT TO 24 CITIES, PRIMARILY
ON SOUTHWEST, WITH 172 FLIGHTS AVAILABLE PER DAY

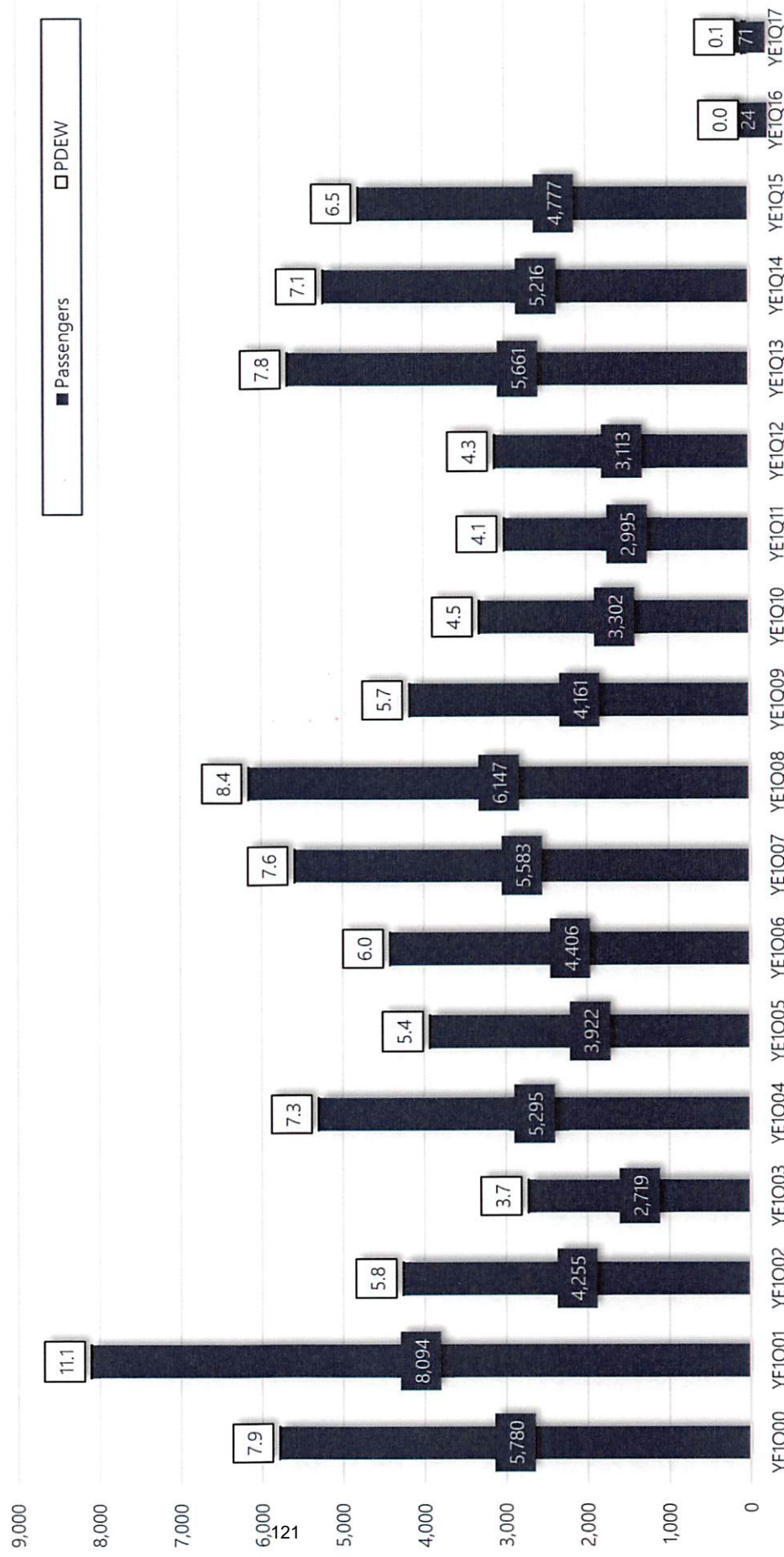




BEFORE PENAIR SERVICE, THE BAY AREA WAS CRESCENT CITY'S LARGEST MARKET, AVERAGING AS MANY AS 11 PAX PER DAY

O&D PASSENGERS BETWEEN CRESCENT CITY AND THE BAY AREA

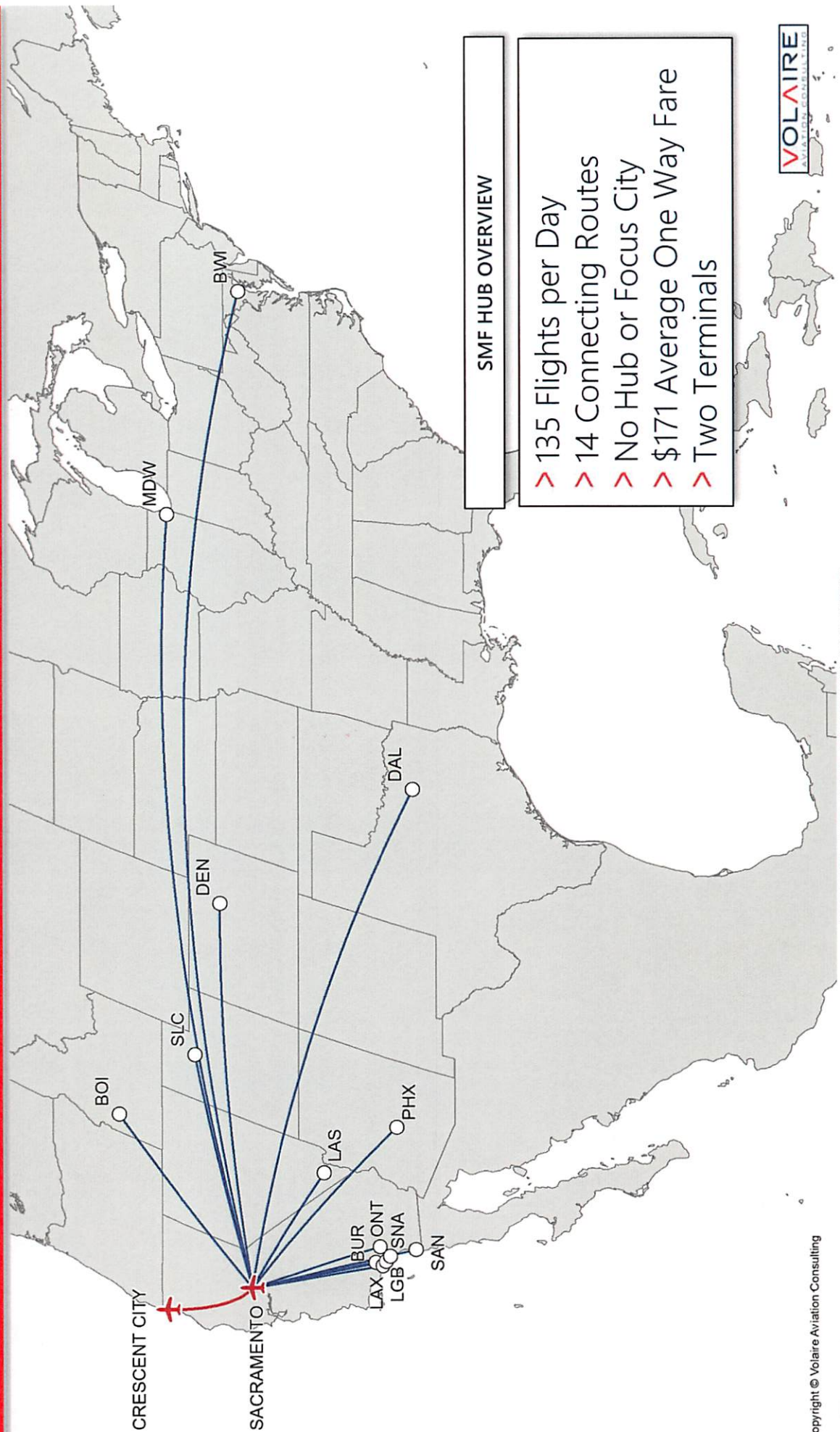
YEAR ENDED FIRST QUARTER 2000 – YEAR ENDED FIRST QUARTER 2017



SOURCE: US DOT O&D SURVEY



SERVICE TO SMF WOULD CONNECT TO 14 CITIES, PRIMARILY
ON SOUTHWEST, WITH 135 FLIGHTS AVAILABLE PER DAY

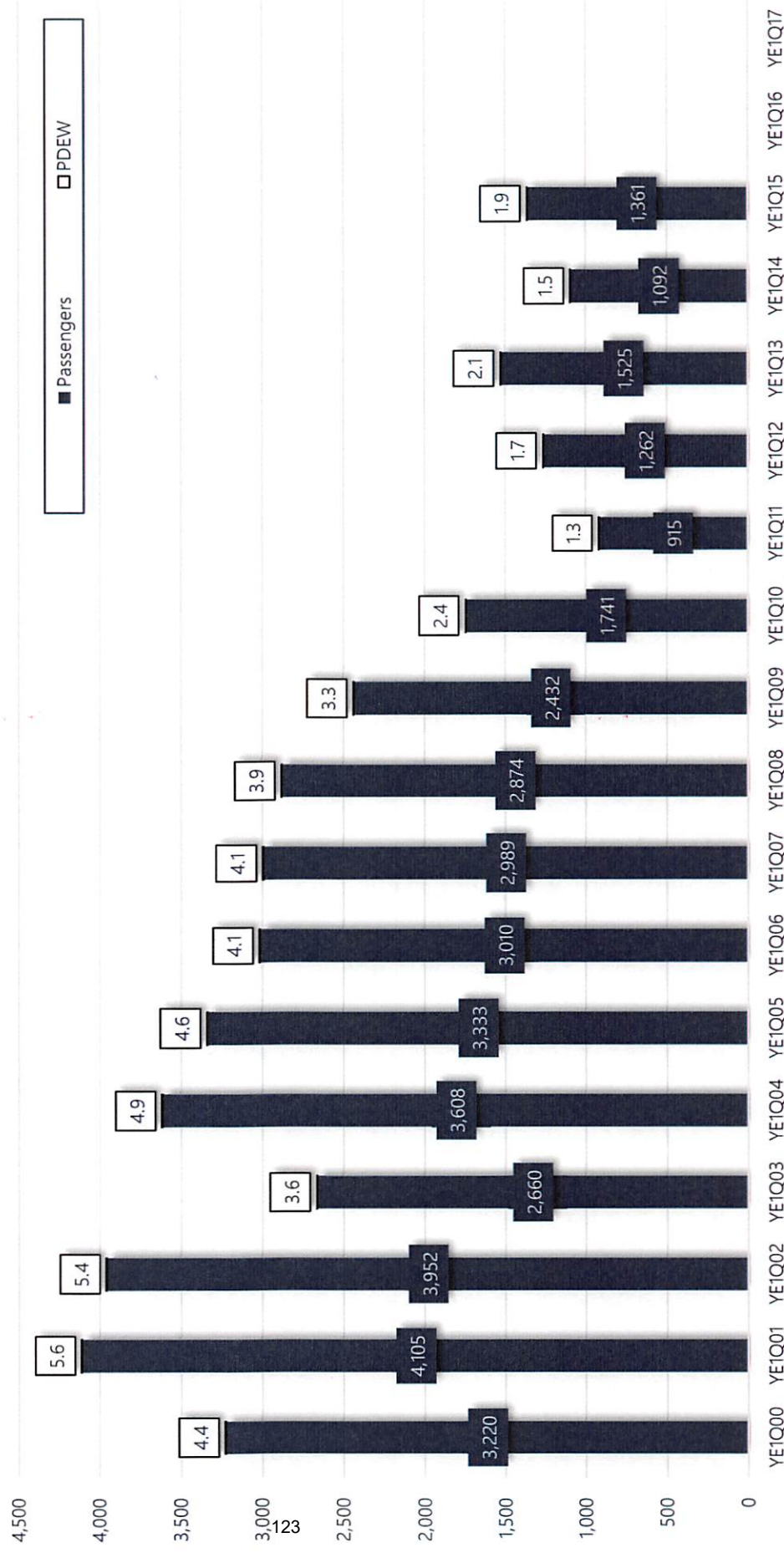




EVEN WITH NON-STOP SERVICE, SACRAMENTO AVERAGED
FEWER THAN HALF THE PASSENGERS AS THE BAY AREA

O&D PASSENGERS BETWEEN CRESCENT CITY AND SACRAMENTO

YEAR ENDED FIRST QUARTER 2000 – YEAR ENDED FIRST QUARTER 2017



SOURCE: US DOT O&D SURVEY



GREAT LAKES WOULD SERVE TERMINAL A AT SACRAMENTO,
BUT 70% OF ALL DEPARTURES LEAVE FROM TERMINAL B

TERMINAL B
> Aeromexico
> Alaska
> Hawaiian
> JetBlue
> Southwest
> Volaris

TERMINAL A
> Great Lakes
> American
> Delta
> United

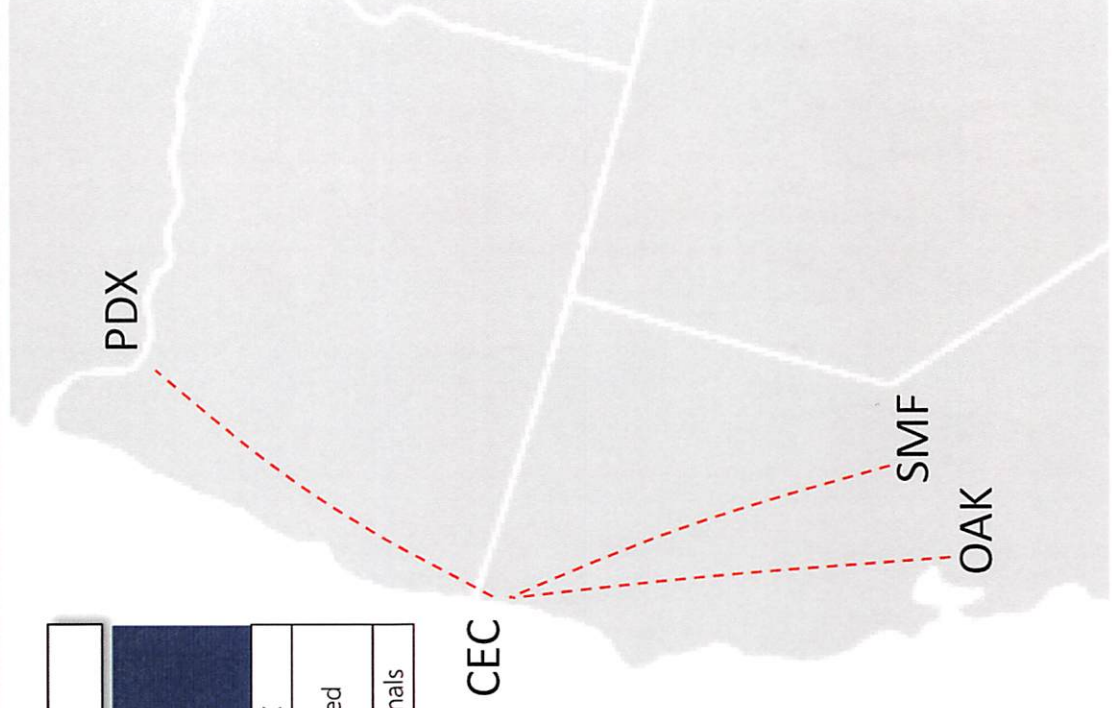




ALL CARRIERS WILL RELY ON PASSENGERS BUYING TWO
CONNECTING TICKETS, WITH LIMITED INTERLINES

BIDS FOR ESSENTIAL AIR SERVICE						
HUB OPTIONS FOR CRESCENT CITY						
Hub	Distance	Carrier	Hub		Primary	
			Flts/Day	Routes	Avg Fare	Remarks
PDX	275	Boutique	260	38	\$157	Boutique established at PDX
OAK	300	Boutique	172	24	\$137	Double ticket purchase required
		Contour				
SMF	254	Great Lakes	135	14	\$171	Service split between two terminals

125



SOURCE: VOLAIRE AVIATION CONSULTING ANALYSIS



WITH MANY PASSENGERS BUYING TWO CONNECTING TICKETS,
OPERATIONAL RELIABILITY WILL BE KEY TO SUCCESS

OPERATIONAL RELIABILITY		
> Boutique Completion Factor:	98.0%	
> Pledged Three Aircraft to CEC		
> Contour Completion Factor:	99.5%	
> Pledged Two Aircraft to CEC		
> Great Lakes Completion Factor:	96.3%	



SOURCE: VOLAIRE AVIATION CONSULTING ANALYSIS



BOUTIQUE 2 AND CONTOUR ARE THE ONLY TWO BIDS THAT TOP 10,000 ENPLANEMENTS; CONTOUR HAS THE LOWEST FARE

CRESCENT CITY RANKING OF BIDS ON KEY METRICS

Carrier	Freq	Carrier	Subsidy	Carrier	O&D	Carrier	Seg Fare
Boutique 2	36	Great Lakes	\$2,987,892	Boutique 2	21,000	Contour	\$75
Boutique 1	30	Contour	\$3,953,027	Contour	20,592	Great Lakes	\$77
Contour	12	Boutique 1	\$3,976,438	Boutique 1	17,500	Boutique 1	\$120
Great Lakes	12	Boutique 2	\$4,379,680	Great Lakes	15,000	Boutique 2	\$126
Carrier	Seats/Seg	Carrier	Annual Seats	Carrier	Hub Fare	Carrier	Connect Cities
Contour	30	Contour	36,690	Contour	\$137	Boutique 1	62
Great Lakes	30	Great Lakes	36,690	Boutique 1	\$157	Boutique 2	62
Boutique 1	8	Boutique 2	29,952	Boutique 2	\$157	Contour	24
Boutique 2	8	Boutique 1	24,960	Great Lakes	\$171	Great Lakes	14



ALL THREE CARRIERS HAVE EAS EXPERIENCE; BOUTIQUE IS ONLY AIRLINE ON WEST COAST TODAY; CONTOUR OFFERS JETS

SUMMARY OF CONSIDERATIONS

KEY CONSIDERATIONS: CRESCENT CITY									
EAS									
Carrier	Codeshare	T&B	Reliable	Pricing	Experience	Equip	Chance to Get Codeshare		
Boutique	None	UA	Excellent	Satisfactory	17 Cities	PC-12	Working w/UA		
Contour	None	None	Excellent	Good	3 Cities	ERJ135	Unlikely		
Great Lakes	UA	UA/DL/AA	Poor	Good	6 Cities	EMB120	N/A		

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SOURCE: VOLAIRE AVIATION CONSULTING ANALYSIS



CONTOUR WOULD OPERATE UNDER "ALTERNATIVE ESSENTIAL AIR SERVICE" – USING A GRANT INSTEAD OF FEDERAL SUBSIDY

ALTERNATIVE ESSENTIAL AIR SERVICE (AEAS)

- > Designed to allow communities to forego their EAS for a set period of time in exchange for receiving a grant to spend for the service of their choice.
- > There is no cost sharing or local contribution required.
- > Airport must apply for the grant, based on airline bid.
- > Once Grant is awarded, Airport must enter into contract for service with carrier.
- > DOT provides funding to the Airport, and the Airport pays the carrier its subsidy for service.

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BOUTIQUE OPERATES SINGLE ENGINE AIRCRAFT – THE COMMUNITY MUST WAIVE ITS RIGHT TO TWIN-ENGINE

SINGLE ENGINE AIRCRAFT UNDER ESSENTIAL AIR SERVICE (EAS)

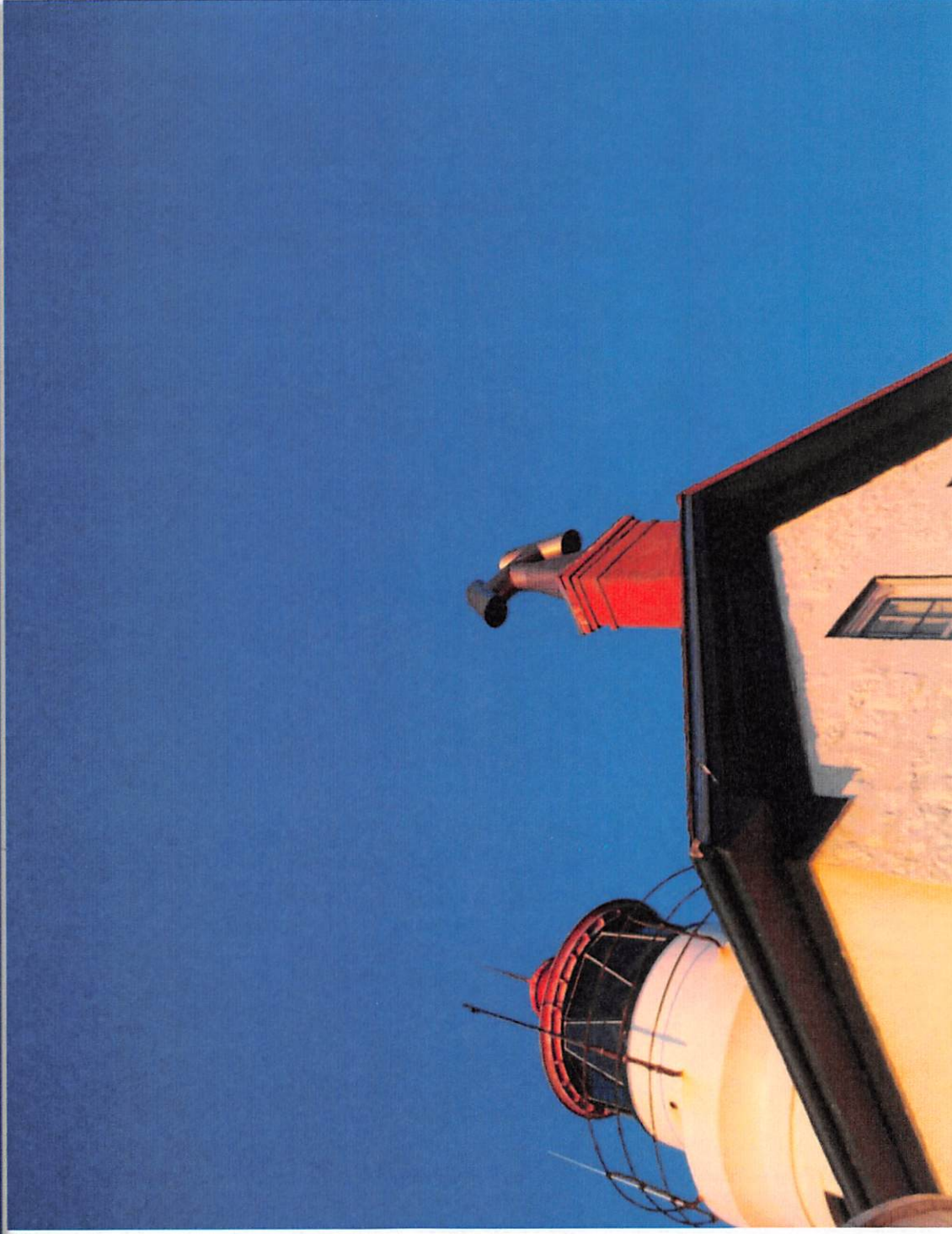
- > Under EAS, Crescent City is guaranteed service on twin-engine aircraft.
- > To accept the Boutique bid, the Airport must waive its right to twin-engine service.
- > Once that service has operated for 60-days, the community will no longer have a right to twin-engine service under EAS in the future.
- > Specifically, the statute reads:
 - > "...service provided in aircraft with at least 2 engines and using 2 pilots, unless scheduled air transportation has not been provided to the place in aircraft with at least 2 engines and using 2 pilots for at least 60 consecutive operating days at any time since October 31, 1978."



CONTACT INFORMATION

JACK PENNING
MANAGING PARTNER
VOLAIRE AVIATION, INC.
JACK.PENNING@
VOLAIREAVIATION.COM

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CRESCENT CITY HAS LOST 83% OF PASSENGERS IN SKYWEST'S TOP 20 MARKETS WITH KS; THE AVERAGE FARE FELL 24%

STATISTICAL ANALYSIS OF MARKET CHANGE, OO VS. KS, IN CRESCENT CITY'S TOP 20 O&D MARKETS YEAR ENDED FIRST QUARTER 2014 VERSUS YEAR ENDED FIRST QUARTER 2017

Market	Market Code	Year Ended First Quarter 2014				Year Ended First Quarter 2017				Change	
		Passengers	PDEW	O/W Fare	Coupons	Passengers	PDEW	O/W Fare	Coupons	Decline	% Lost
San Francisco	SFO	5,216	7.1	\$143	1.0	71	0.1	\$254	2.0	-5,145	-98.6%
Los Angeles	LAX	1,339	1.8	\$202	2.0	595	0.8	\$221	2.0	-744	-55.6%
San Diego	SAN	1,115	1.5	\$191	2.0	288	0.4	\$232	2.0	-827	-74.2%
Sacramento	SMF	1,092	1.5	\$206	1.2	0	0.0	\$0	0.0	-1,092	-100.0%
Santa Ana	SNA	1,007	1.4	\$181	2.0	254	0.3	\$233	2.0	-753	-74.8%
Ontario	ONT	940	1.3	\$203	2.0	173	0.2	\$266	2.0	-767	-81.6%
Las Vegas	LAS	673	0.9	\$214	2.0	259	0.4	\$239	2.0	-414	-61.5%
Phoenix	PHX	569	0.8	\$244	2.0	150	0.2	\$342	2.3	-419	-73.6%
Burbank	BUR	445	0.6	\$198	2.0	80	0.1	\$287	2.0	-365	-82.0%
Denver	DEN	438	0.6	\$239	2.0	243	0.3	\$357	2.0	-195	-44.5%
Washington Dulles	IAD	312	0.4	\$281	2.0	0	0.0	\$0	0.0	-312	-100.0%
Houston Intercontinental	IAH	302	0.4	\$276	2.1	18	0.0	\$486	2.0	-284	-94.0%
Chicago O'Hare	ORD	293	0.4	\$290	2.0	131	0.2	\$304	2.1	-162	-55.3%
Boston	BOS	275	0.4	\$308	2.0	32	0.0	\$323	3.0	-243	-88.4%
Palm Springs	PSP	268	0.4	\$225	2.0	108	0.1	\$250	2.1	-160	-59.7%
Arcata/Eureka	ACV	242	0.3	\$41	1.0	39	0.1	\$39	1.0	-203	-83.9%
Dallas/Fort Worth	DFW	230	0.3	\$279	2.2	102	0.1	\$273	2.0	-128	-55.7%
Newark	EWK	224	0.3	\$418	2.4	40	0.1	\$342	3.0	-184	-82.1%
Tampa	TPA	202	0.3	\$235	3.0	10	0.0	\$601	3.0	-192	-95.0%
San Luis Obispo	SBP	195	0.3	\$198	2.0	10	0.0	\$308	3.0	-185	-94.9%
Total		15,377	21.1	\$223		2,603	3.6	\$169		-12,774	-83.1%


SOURCE: US DOT O&D SURVEY

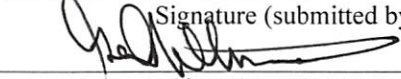
CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: PWDS



Signature (submitted by)



City Manager Approval

Subject: Water and Wastewater Treatment Contract Services

Recommended Motion:

- 1) Motion to continue water and wastewater treatment “in house” -OR-
- 2) Motion to authorize the City Manager to issue a Request for Proposal to CH2M and Veolia Water North America – West, LLC to provide contract services to maintain and operate the water treatment plant, wastewater treatment plant, water storage reservoirs, lift stations, and pump stations.

Financial Impact: No financial impact at this time.

Reviewed by Finance & Human Resources Director: 

Background/Discussion:

At the direction of the Brookings City Council, a Request for Qualifications (RFQ) to provide Full Contract Management, Operations, and Maintenance of the City’s water treatment plant, wastewater treatment plant, lift stations, pump stations, reservoirs, and Ranney® collector were advertised. The RFQ due date was June 6, 2017. Two responses were received, one from Veolia Water North America – West, LLC (Veolia) and one from CH2M.

CH2M presented a power point slide show to the City at a Council Workshop on March 10, 2017. The presentation introduced the City Council to CH2M and provided examples of treatment facilities where CH2M has successfully provided contract services to a City.

Veolia presented a power point slide show to the City Council at a City Council Workshop on October 5, 2017. Veolia staff introduced themselves and their company to the City Council. Veolia also provided examples of successfully operated treatment facilities.

CH2M extended an invitation to visit the Coos Bay waste water facility. The invitation was accepted and a site visit to observe the work in progress was executed on July 24, 2017. Veolia extended a similar invitation to visit the Veolia run water treatment facility in Wilsonville, OR. The invitation was also accepted and a site visit to observe the work in progress was executed on August 17, 2017. Both facilities were run professionally and in compliance with applicable laws, codes, and permits.

Online information is published by DEQ and OWRD that lists violations, legal actions, and other compliance infractions. The online check did not produce any items of concern and Veolia was listed as an “outstanding performer” in 2016 for water treatment. The City of Brookings received “outstanding performer” in 2009 and 2013. A similar label is not available for wastewater treatment plants.

In addition to the site visits, I was able to talk extensively with the Public Works Directors of Coos Bay and Wilsonville. Both Public Works Directors generally considered both companies competent and were satisfied with their overall performance.

Both companies appear equally capable of providing the anticipated services of maintaining and operating the treatment facilities, water storage reservoirs, lift stations, and pump stations. City Staff recommends issuing a Request for Proposal from Veolia and CH2M.

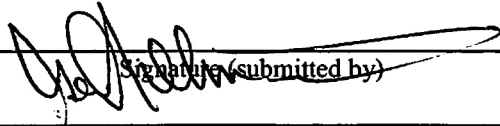
Attachment(s):

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval


Subject: Response to Request for Information Concerning Infrastructure Projects

Recommended Motion:

Motion to authorize City Manager to submit responses to the Request for Information issued by the Regional Solutions program concerning three potential economic development projects as described in this staff report, and authorizing the Mayor to sign a support letter for each project.

Financial Impact:

None at this time.

Reviewed by Finance & Human Resources Director: 

Background/Discussion:

The Regional Solutions Program – consisting of advisory committees, Governor’s coordinators, and interagency state teams – provides a one-stop shop for communities throughout the state. Eleven Regional Solutions teams support community and economic development to help attract and expand business and industry, create good jobs, and improve the economy. These state agency teams help integrate and align permitting requirements, remove barriers to business retention and expansion, and quickly respond to issues that address community and economic development priorities in the region.

One of the tools used by Regional Solutions to support economic and community development is the Regional Infrastructure Fund. The Regional Infrastructure Fund provides grants and loans to local governments for Regional Solutions projects. The Oregon Business Development Department administers the fund. During the 2017 Legislative Session, the Legislature authorized the issuance of lottery bonds to produce \$4.0 million for the Regional Infrastructure Fund. The Regional Solutions Program has issued a Request for Information (RFI) to better understand the capital project needs that support job retention and creation in each of the economic regions in Oregon.

Project information will be reviewed by Regional Solutions Advisory Committees and some potential projects may be previewed to the Legislature at an informational hearing in February 2018. Benefits of responding to the RFI include increased exposure to the project and potential feedback from the teams and Legislature. Responses to the RFI will also be used to inform the funding application process which will begin in spring 2018.

Staff has developed three project proposals:

1. Funding a feasibility and preliminary engineering study for the tunnel and runway extension project identified in the recently-adopted Transportation System Plan to improve and remove access barriers to the Brookings Airport.

2. Development of a site plan and infrastructure plan for the 18-acres adjacent to the Brookings Airport zoned for light industrial development.
3. Construction of a sewer main to serve the Lone Ranch development, Southwestern Oregon Community College and industrial properties in the vicinity of Capenterville Road.

Attachment(s):

- a. Draft RFI responses and related exhibits.

REQUEST FOR INFORMATION FORM

Return this form to: infrastructurefund.regional@oregon.gov

Or to: Business Oregon - Regional Infrastructure Fund
775 SUMMER ST NE STE 200 - SALEM OR 97301-1280



Deadline: Oct 31 2017 by 5 pm

Note: Completion of this form does not guarantee an application will be invited.

RST and/or Business Oregon may provide comments and suggestions for further project development.

SECTION 1 A: POTENTIAL APPLICANT	
Organization Name City of Brookings	Organization Choose an item: <i>(Identify the ORS under which entity is formed if potential applicant is an entity other than city or county, such as special district, authority, association, et cetera.)</i>
Street Address 898 Elk Drive, Brookings, OR 97415	Mailing Address same
Office Phone 541 469 1101	Web URL www.brookings.or.us

SECTION 1 B: PROJECT CONTACT	
Name Gary Milliman	Title City Manager
Phone 541 469 1101	Email gmilliman@brookings.or.us
Phone (cell)	

SECTION 1 C: PROJECT OVERVIEW	
Project Name	Brookings Airport Access and Runway Extension Plan
Project Region To see the website version of each region's priorities, see this link to "All Regions - Advisory Committees, Teams, Priorities" document: http://www.oregon.gov/gov/admin/regional-solutions/Pages/default.aspx Select one region, then select all applicable Regional Solutions Priority or Priorities addressed by project outcomes:	
<input type="radio"/> North Coast (Clatsop, Columbia, Tillamook, and western Washington Counties) <input type="radio"/> Mid-Valley (Marion, Polk, and Yamhill Counties) <input type="radio"/> South Valley/Mid Coast (Benton, Lane, Lincoln, and Linn Counties) <input checked="" type="radio"/> South Coast (Coos, Curry, and Douglas Counties) <input type="radio"/> Southern (Jackson and Josephine Counties) <input type="radio"/> Metro (Clackamas, Multnomah, and Washington Counties) <input type="radio"/> North Central (Hood River, Sherman, and Wasco Counties) <input type="radio"/> Central (Crook, Deschutes, and Jefferson Counties) <input type="radio"/> South Central (Klamath and Lake Counties) <input type="radio"/> Greater Eastern (Gilliam, Grant, Harney, Malheur, Morrow, Umatilla, and Wheeler Counties) <input type="radio"/> Northeast (Baker, Union, and Wallowa Counties)	

South Coast-Umpqua Regional Priorities

- ☒ Access to Natural Resources, Support of Natural Resource Economy, and Active Forestry Management on O&C Timber Lands
- ☒ Business Retention, Expansion, and Creation
- Workforce training
 - Regulatory streamlining, technical assistance o Population retention
 - Enhance Marine, Rail, and Telecommunication Infrastructure
 - Build on Recreation Economy
 - Alternative Energy Development
 - Community Resilience

Project Location (*physical address including city and county*)

Is there community support for this project? ☒ Yes ☐ No

Describe and attach letters of support. City of Brookings, South Coast Lumber Company, South Coast Development Council, Brookings Harbor Chamber of Commerce

Project Category

- ☒ Planning ☐ Design only ☐ Construction only ☐ Design & Construction
- ☐ Other

SECTION 1 D: ESTIMATED FUNDING REQUEST		
	Amount	
Funding Request from Regional Infrastructure Fund	40,000	
Funds from potential applicant		
Other Funds:		<input type="radio"/> Pending <input type="radio"/> Committed If committed, provide term:
Other Funds:		<input type="radio"/> Pending <input type="radio"/> Committed If committed, provide term:
Estimated Total Project Cost	\$ 40,000	

Cost Estimate Date:	10/05/17	Prepared by	Century West Engineering
Estimated Project Start Date:	12/01/17	Completion Date:	04/30/18

SECTION 1 E: PROJECT DESCRIPTION

Opportunity / Problem

The main access road for the Brookings Airport and an adjacent undeveloped 18-acre parcel zoned for light industrial development is located in part within the airport Runway Protection Zone (RPZ). This same road is utilized by South Coast Lumber Company for access to its forest lands adjacent to the airport (this access has been used without impairment for many decades). Additionally, the length of the runway is 2,900 feet; lengthening the runway to 3,000-3,500 feet is needed to accommodate larger multi-engine aircraft, which would provide an opportunity to attract aircraft maintenance and repair business to the airport. Lengthening the runway is also needed to accommodate larger aircraft that would provide supplies and equipment to the area in the event of an emergency, such as a Cascadia event. This study would evaluate lengthening both ends of the runway.

Proposal / Solution *Describe the proposed solution to the above problem / opportunity including identification of whether the proposed solution is a planning (feasibility, preliminary engineering, technical assistance et cetera) only project, a final design only project, a construction only project or a combined final design / construction project. Also indicate who will be final benefactor / recipient if not same as potential applicant.*

The Transportation System Plan approved by the Brookings City Council on September 25, 2017, calls for the construction of a "cut and cover" tunnel through the Runway Protection Zone to provide a physical barrier separating air and road traffic. This tunnel could also accommodate the construction of a runway extension. Thus, two major impediments to the further development of the airport and adjacent industrial lands would be resolved. Further, the tunnel construction would also resolve Federal Aviation Administration concerns related to the use of the road for access to forest lands owned by South Coast Lumber Company.

SECTION 1 F: BACKGROUND INFORMATION FOR DESIGN AND/OR CONSTRUCTION PROJECTS

Is the project based on a technical document that shows the project is feasible and cost effective (such as approved Master Plan, Facilities Plan or other technical report)?

☐ Yes ☐ No

If yes, date of plan or report:

REQUEST FOR INFORMATION FORM

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Or to: Business Oregon - Regional Infrastructure Fund
775 SUMMER ST NE STE 200 - SALEM OR 97301-1280



Deadline: Oct 31 2017 by 5 pm

Note: Completion of this form does not guarantee an application will be invited.

RST and/or Business Oregon may provide comments and suggestions for further project development.

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Organization Name City of Brookings	Organization Choose an item: <i>(Identify the ORS under which entity is formed if potential applicant is an entity other than city or county, such as special district, authority, association, et cetera.)</i>
Street Address 898 Elk Drive, Brookings, OR 97415	Mailing Address same
Office Phone 541 469 1101	Web URL www.brookings.or.us

SECTION 1 B: PROJECT CONTACT

Name Gary Milliman	Title City Manager
Phone 541 469 1101	Email gmilliman@brookings.or.us
Phone (cell)	

SECTION 1 C: PROJECT OVERVIEW

Project Name North Brookings Sewer Extension
Project Region <p>To see the website version of each region's priorities, see this link to "All Regions - Advisory Committees, Teams, Priorities" document: http://www.oregon.gov/gov/admin/regional-solutions/Pages/default.aspx</p> <p>Select one region, then select all applicable Regional Solutions Priority or Priorities addressed by project outcomes:</p> <ul style="list-style-type: none"><input type="radio"/> North Coast (Clatsop, Columbia, Tillamook, and western Washington Counties)<input type="radio"/> Mid-Valley (Marion, Polk, and Yamhill Counties)<input type="radio"/> South Valley/Mid Coast (Benton, Lane, Lincoln, and Linn Counties)<input checked="" type="radio"/> South Coast (Coos, Curry, and Douglas Counties)<input type="radio"/> Southern (Jackson and Josephine Counties)<input type="radio"/> Metro (Clackamas, Multnomah, and Washington Counties)<input type="radio"/> North Central (Hood River, Sherman, and Wasco Counties)<input type="radio"/> Central (Crook, Deschutes, and Jefferson Counties)<input type="radio"/> South Central (Klamath and Lake Counties)<input type="radio"/> Greater Eastern (Gilliam, Grant, Harney, Malheur, Morrow, Umatilla, and Wheeler Counties)<input type="radio"/> Northeast (Baker, Union, and Wallowa Counties)

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☒ Access to Natural Resources, Support of Natural Resource Economy, and Active Forestry Management on O&C Timber Lands

☒ Business Retention, Expansion, and Creation

- Workforce training
- Regulatory streamlining, technical assistance o Population retention
- Enhance Marine, Rail, and Telecommunication Infrastructure
- Build on Recreation Economy
- Alternative Energy Development
- Community Resilience

Project Location (*physical address including city and county*)

Various segments in the City of Brookings, Curry County

Is there community support for this project? ☒ Yes ☐ No

Describe and attach letters of support. City of Brookings, Southwestern Oregon Community College, South Coast Development Council, U.S. Borax.

Project Category

☐ Planning ☐ Design only ☐ Construction only ☒ Design & Construction
☐ Other

SECTION 1 D: ESTIMATED FUNDING REQUEST		
	Amount	
Funding Request from Regional Infrastructure Fund	3,000,000	
Funds from potential applicant		
Other Funds: City of Brookings System Development Charges		<input checked="" type="radio"/> Pending <input type="radio"/> Committed If committed, Funding from Regional Infrastructure provide term: Fund could be reimbursed over time from SDC revenues.
Other Funds:		<input type="radio"/> Pending <input type="radio"/> Committed If committed, provide term:
Estimated Total Project Cost	\$ 3,000,000	

Cost Estimate Date:	August 2015	Prepared by	The Dyer Partnership
Estimated Project Start Date:	open	Completion Date:	open

SECTION 1 E: PROJECT DESCRIPTION

Opportunity / Problem

The City approved the Lone Ranch development plan in 2007 on some 500 acres of land owned by the U.S. Borax Corporation. The plan includes up to 1,000 new housing units, a community college and small retail. City water is available to the site. Sewer system improvements are needed within the City's existing collection system and a sewer main extension is needed for the development to move forward. In addition to the Lone Ranch project, there would be other beneficiaries of the project including the South Coast Lumber Company mill and several adjacent industrially-zone underutilized parcels (total industrial lands not served is 243 acres). Southwestern Oregon Community College developed a facility in the Lone Ranch project area in 2012 and has been utilizing a "temporary" system for sewage collection for the past five years; they are unable to expand. There is a shortage of housing in the area and this shortage is an impairment to economic growth. Funding is needed for the sewer main improvements.

Proposal / Solution *Describe the proposed solution to the above problem / opportunity including identification of whether the proposed solution is a planning (feasibility, preliminary engineering, technical assistance et cetera) only project, a final design only project, a construction only project or a combined final design / construction project. Also indicate who will be final benefactor / recipient if not same as potential applicant.*

Funding is needed for design and construction of the sewer main improvements. The City will be collecting System Development Charges from new sewer users as they connect to the sewer system, and these funds could be used to reimburse the Infrastructure Fund.

SECTION 1 F: BACKGROUND INFORMATION FOR DESIGN AND/OR CONSTRUCTION PROJECTS

Is the project based on a technical document that shows the project is feasible and cost effective (such as approved Master Plan, Facilities Plan or other technical report)?

☒ Yes ☐ No

If yes, date of plan or report: August 2015

CITY OF BROOKINGS

Council Agenda Report

Meeting Date: October 23, 2017

Originating Dept: PWDS



PWDS Director

City Manager Approval

Subject: As needed engineering services – one year contract extension

Recommendation: Motion to authorize the City Manager to extend the professional services contract for as needed engineering services with The Dyer Partnership Engineers and Planners, Inc. for a period of one year.

Financial Impact: Financial impacts are specific to the project task order for the as needed engineering work. Funds for their work will come from SRF, SDC, grants, and other sources as appropriate.

Reviewed by Finance and Human Resources Director: 

Background/Discussion:

In 2014 several as needed engineering contracts were initiated to address the City of Brookings' engineering needs. The Dyer Partnership Engineers and Planners, Inc. is one of the engineers supplying as needed engineering. Their contract expired in July 2017. A contract extension (Attachment A) for one year provides a mechanism for them to continue their work. The contract extension incorporates all requirements found in the original contract (Attachment B).

The Dyer Partnership Engineers and Planners, Inc. provides excellent engineering services and has successfully completed several of our larger projects.

Policy Considerations: The prequalified engineering approach is consistent with the Council and Staff goal of prudent and cost effective use of public funds.

Attachment(s):

- A. One year extension
- B. Original contract



City of Brookings

898 Elk Drive, Brookings, OR 97415
(541) 469-1131 Fax (541) 469-3650 TTY (800) 735-1232
www.brookings.or.us

PUBLIC WORKS AND DEVELOPMENT SERVICES DEPARTMENT

CONTRACT EXTENSION: AS-NEEDED TECHNICAL SERVICES AGREEMENT WITH THE DYER PARTNERSHIP, ENGINEERS & PLANNERS, INC.

THIS EXTENSION OF CONTRACT ("Extension") is made by and between the City of Brookings, an Oregon municipal corporation ("City"), and The Dyer Partnership, Engineers & Planners, Inc., an Oregon corporation ("Engineer"), for as-needed engineering and other technical services.

RECITALS

WHEREAS, in August 2014, Engineer was awarded a three (3) year contract with the City;

WHEREAS, the three (3) year contract expired June 30, 2017;

WHEREAS, the City has a need for continued engineering and other technical services; and

WHEREAS, the parties mutually desire to extend the original contract through June 30, 2018.

NOW, THEREFORE, the parties hereto mutually agree as follows:

- 1.0 ORIGINAL CONTRACT. The original contract that is the subject of this Extension is the agreement between the City and the Engineer dated July 1, 2014. A copy of the original contract is attached hereto.
- 2.0 EXTENSION. The original contract is hereby extended for an additional period, which will begin immediately upon the expiration of the original contract (July 1, 2017) and will expire on July 1, 2018.
- 3.0 TERMS AND CONDITIONS. All other terms and conditions of the original contract, including any amendments or modifications, will remain in full force and effect.
- 4.0 ENTIRE AGREEMENT. This Extension, the original contract attached hereto, and any subsequent, amendments or modifications, constitute the entire agreement between the parties.

Executed this _____ day of October, 2017 in Brookings, Oregon.

City of Brookings

The Dyer Partnership

Gary Milliman, City Manager

Steve Major, President

ATTEST: _____
Teri Davis, City Recorder

ATTACHMENT A

**City of Brookings
PROFESSIONAL SERVICES CONTRACT**

CONTRACT NO. 14-015

This Contract is between the CITY OF BROOKINGS, a municipal corporation of the State of Oregon (City) and The Dyer Partnership, Engineers and Planners, Inc. (Contractor). The City's Project Manager for this Contract is Loree Pryce.

The parties mutually covenant and agree as follows:

1. Effective Date and Duration.

This contract is effective on July 1, 2014 or on the date at which every party has signed this contract, whichever is later. The work under this contract shall be completed, unless otherwise terminated or extended, on or before July 1, 2017.

2. Statement of Work.

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

3. Consideration.

- a. City agrees to pay Contractor for accomplishing all work required by this contract, including allowable expenses as indicated in task orders.
- b. Time and material payments shall be made in accordance with the requirements of Exhibit A and Exhibit E.
- c. Any interim payments to Contractor shall be made only in accordance with the schedule and requirements in Exhibit A.
- d. City certifies that sufficient funds have been appropriated to make payments required by this contract during the current fiscal year. Payment for work performed after June 30 of any given year is subject to funds being appropriated by the Brookings City Council. If funds are not appropriated, the City may terminate this contract by notice to the Contractor.

ATTACHMENT B

7/1/14

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CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE

Business Name (please print): The Dyer Partnership, Engineers and Planners, Inc.

Contact Name/Title: Steve Major Phone: 541-269-0732

Fax: 541-269-2044 E-Mail: smajor@dyerpart.com

Address: 1330 Teakwood Avenue, Coos Bay, OR 97420

Federal Tax ID #: 93-1130649 -or- ☐ W-9 (attach) -or- SSN #: _____

State Tax ID #: 0803239-0 Brookings Bus Lic.# 2478 CCB#: _____

Citizenship: Nonresident alien ☐ Yes ☒ No

Business Designation (check one): ☐ Individual ☐ Sole Proprietorship ☐ Partnership
☒ Corporation ☐ Government ☐ Nonprofit

The above information must be provided prior to contract approval. Payment information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer I.D. number provided above. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject you to 31 percent backup withholding.

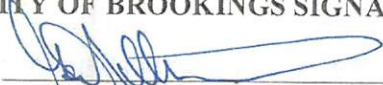
I, the undersigned, understand that the Standard Terms and Conditions for Personal Services Contracts and Exhibits A, B, C and D are an integral part of this contract and agree to perform the work described in Exhibit A in accordance with the terms and conditions of this contract; certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; and certify I am an independent contractor as defined in ORS 670.600.


I certify that I am authorized to sign this contract on behalf of Contractor and to bind Contractor hereto.

Signed by Contractor:  8-5-14
Signature/Title Date

NOTICE TO CONTRACTOR: This contract does not bind the City of Brookings unless and until the City Manager or Designee has executed it.

CITY OF BROOKINGS SIGNATURE

Approved:  08/12/14
City Manager or Designee Date

Approved:  8/11/14
Project Manager Date

Reviewed: _____
City Attorney or Designee Date

**CITY OF BROOKINGS
STANDARD TERMS AND CONDITIONS
FOR PROFESSIONAL SERVICES CONTRACTS**

1. Contractor is Independent Contractor

- a. Contractor shall perform the work required by this contract as an independent contractor. Although the City reserves the right (i) to specify the desired results; (ii) to determine (and modify) the delivery schedule for the work to be performed; and (iii) to evaluate the quality of the completed performance, the City cannot and will not control the means or manner of the Contractor's performance. The Contractor is responsible for determining the appropriate means and manner of performing the work.
- b. The Contractor represents and warrants that Contractor (i) is not currently an employee of the federal government or the State of Oregon, and (ii) meets the specific independent contractor standards of ORS 670.600, as certified on the Independent Contractor Certification Statement attached as Exhibit D. Contractor represents and warrants that all subcontractors shall also meet such independent contractor standards.
- c. Contractor will be responsible for any federal or state taxes applicable to any compensation or payment paid to Contractor under this contract.
- d. Contractor is not eligible for any federal Social Security, unemployment insurance, state Public Employees' Retirement System, or workers' compensation benefits from compensation or payments to Contractor under this contract.

2. Subcontracts and Assignment

Contractor shall not subcontract any of the work required by this contract, or assign or transfer any of its interest in this contract, without the prior written consent of the City. Contractor agrees that if subcontractors are employed in the performance of this contract, the Contractor and its subcontractors are subject to the requirements and sanction of ORS Chapter 656, Workers' Compensation.

3. No Third Party Beneficiaries

City and Contractor are the only parties to this contract and are the only parties entitled to enforce its terms. Nothing in this contract give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this contract.

4. Successors in Interest

The provisions of this contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and approved assigns, if any.

5. Early Termination

- a. The City and the Contractor, by mutual written agreement, may terminate this Contract at any time.
- b. The City may terminate this Contract for any reason deemed appropriate in its sole discretion by giving Contractor at least 7 calendar days' advanced written notice of termination.

- c. Either the City or the Contractor may terminate this Contract in the event of a breach of the Contract by the other. Prior to such termination, however, the party seeking the termination shall give to the other party written notice of the breach and of the party's intent to terminate. If the Party has not entirely cured the breach within 15 calendar days of the notice, then the party giving the notice may terminate the Contract at any time thereafter by giving a written notice of termination.

6. Payment on Early Termination

- a. If this contract is terminated under 5(a) or 5(b), the City shall pay the Contractor for work performed in accordance with the Contract prior to the termination date.
- b. If this contract is terminated under 5(c), by the Contractor due to a breach by the City, then the City shall pay the Contractor as provided in subsection (a) of this section.
- c. If this contract is terminated under 5(c), by the City due to a breach by the Contractor, then the City shall pay the Contractor as provided in subsection (a) of this section, subject to set off of excess costs, as provided for in section 7, Remedies.

7. Remedies

- a. In the event of termination under 5 (c), by the City due to a breach by the Contractor, then the City may complete the work either itself, by agreement with another contractor, or by a combination thereof. In the event the cost of completing the work exceeds the remaining unpaid balance of the total compensation provided under this contract, then the Contractor shall pay to the City the amount of the reasonable excess.
- b. The remedies provided to the City under section 5 and section 7 for a breach by the Contractor shall not be exclusive. The City also shall be entitled to any other equitable and legal remedies that are available.
- c. In the event of breach of this Contract by the City, then the Contractor's remedy shall be limited to termination of the Contract and receipt of payment as provided in section 5(c) and 6(b).

8. Notices

Any notice or communication under this Agreement sent by either Party to the other will be deemed given and delivered (a) seventy-two (72) hours after being deposited with the U.S. Postal Service, sent registered or certified, postage prepaid, or (b) when received if personally delivered, and if the notice is to Contractor it will be sent to the address listed on page 2 of this contract. If this notice is sent to the City, it will be addressed to the Project Manager, City of Brookings, 898 Elk Drive, Brookings, OR 97415. Either Contractor or City may, from time to time, designate in writing another address or manner in which it may be served.

9. Access to Records

Contractor shall maintain and the City (and its authorized representatives) shall have access to all books, documents, papers and records of Contractor which relate to this contract for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records shall be made available upon request. Payment for cost of copies is reimbursable by the City.

10. Ownership of Work

All work products of the Contractor that result from this contract, including but not limited to background data, documentation and staff work that is preliminary to final reports, are the property of City. Draft documents and preliminary work submitted to the City for review and

comment shall not be considered as owned, used or retained by the City until the final document is submitted.

The City shall own all proprietary rights, including but not limited to copyrights, trade secrets, patents and all other intellectual or other property rights in and to such work products. Pre-existing trade secrets of the Contractor shall be noted as such and shall not be considered as a work product of this contract. All such work products shall be considered "works made for hire" under the provisions of the United States Copyright Act and all other equivalent laws.

Any materials designated as "confidential" that may be provided to Contractor by City at any time relating to this contract shall be treated confidentially by the Contractor, and shall not be disclosed to any other person by the Contractor without the advance written permission of the project manager. Contractor shall return all confidential materials upon request.

Use of any work product of the Contractor by the City for any purpose other than the use intended by this contract is at the risk of the City. Use of any work product by Contractor is prohibited without the written consent of the City.

11. Compliance with Applicable Law

Contractor shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this contract, including without limitation, ORS 279A.120, ORS 279B.020, ORS 279B.220, ORS 279B.225, ORS 279B.230, and ORS 279B.235, as set forth on Exhibit B. Without limiting the foregoing, Contractor expressly agrees to comply with: (i) Titles VI and VII of the Civil Rights Act of 1964, as amended; (ii) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; (iii) the Americans with Disabilities Act of 1990, as amended; (iv) Executive Order 11246, as amended; (v) the Health Insurance Portability and Accountability Act of 1996; (vi) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended; (vii) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; (viii) ORS Chapter 659, as amended; (ix) all regulations and administrative rules established pursuant to the foregoing laws; and (x) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. A condition or clause required by law to be in this contract shall be considered included by these references.

12. Indemnity and Hold Harmless

- a. Except for the professional negligent acts covered by paragraph 11.b., Contractor shall defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions of whatsoever nature resulting from or arising out of the activities of Contractor or its officers, employees, subcontractors, or agents under this contract.
- b. Contractor shall save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions arising out of the professional negligent acts, errors, or omissions of Contractor or its officers, employees, subcontractors, or agents under this contract.
- c. Contractor waives any and all statutory or common law rights of defense and indemnification by the city.

13. Insurance

Contractor shall provide insurance in accordance with Exhibit C.

14. Waiver

The failure of the City to enforce any provision of this contract shall not constitute a waiver by the City of that or any other provision.

15. Liquidated Damages

Recognizing that time is of the essence, and the expenses, delays and difficulties involved in proving in a legal or arbitration proceeding that actual loss has been suffered by the City, Contractor hereby agrees to pay City liquidated damages in the amount of 10 percent (10%) of the contract price, or \$500, whichever is greater, for each day work is not completed following the scheduled completion date.

16. Professional Standards; Errors

Work under this Contract shall be performed in a good and workmanlike manner and in accordance with the highest professional standards of professionals doing similar work in the State of Oregon. At all times during the term of this Contract, Contractor shall be qualified, professionally competent, and duly licensed to perform the services. In addition to any other remedies, Contractor shall perform such additional work as may be necessary to correct errors in the work required under this contract without undue delays and without additional cost.

17. Governing Law

This contract shall be construed and interpreted in accordance with the laws of the State of Oregon. Any action or suits arising under this contract must be brought in the Circuit Court for the State of Oregon in Curry County, Oregon. If the claim must be brought in a federal forum, then it must be brought and conducted in the United States District Court for the District of Oregon, in Medford Oregon.

18. Severability

If any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held invalid.

19. Business License

The Contractor shall obtain a City of Brookings business license as required by BMC 5.05.060 prior to beginning work under this contract. The Contractor shall provide a business license number in the space provided on page two of this contract.

20. Merger Clause

THIS CONTRACT AND ATTACHED EXHIBITS CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. BY ITS SIGNATURE, CONTRACTOR ACKNOWLEDGES IT HAS READ AND UNDERSTANDS THIS CONTRACT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

EXHIBIT A

STATEMENT OF WORK, ADDITIONAL TERMS, COMPENSATION and PAYMENT SCHEDULE

I. SERVICES OF ENGINEER

- A. General scope or services to be provided. When authorized by the CITY, the services which the ENGINEER shall furnish, will generally consist or, but not be limited to, the following:
1. Consultation with the City Manager, City Council, and various department supervisors regarding engineering, planning and public works issues.
 2. Attend meetings, when requested or when necessitated by construction work underway.
 3. Prepare master plans, facility plans, and feasibility studies of facilities.
 4. Develop Public Works construction and maintenance standards as well as maintenance and capital improvement programs.
 5. Design of improvements to facilities including water, wastewater, stormdrain, street systems as well as other facilities owned by the CITY and prepare related documents sufficient to receive approval of governing authorities.
 6. Prepare opinions of probable construction cost and total project costs.
 7. Project reviews, construction observation, and field surveying services.
 8. Conduct miscellaneous technical services requested by the CITY.
 9. Preparation of federal and state funding requests.
 10. Conduct plan reviews including development plans to ensure conformance with CITY public works construction standards. Development is defined as infrastructure improvements planned, designed, and constructed or otherwise implemented by others for CITY ownership or use. Subdivision utilities are examples of development.
- B. Basic design services. When authorized by the CITY, ENGINEER will provide design services for any improvement project. These will generally consist of, but not be limited to, the following itemized services:
1. Prepare complete drawings and specifications, ready for invitation to bid and conduct such field work as is necessary therefore.
 2. Prepare opinions of probable construction costs.
 3. Tabulation of bids at bid opening, report tabulations to the CITY, and assist in awarding contracts for construction.
 4. Perform general observation of construction work at the job site on periodic basis.
 5. Prepare and submit proposed contract change orders.

6. Prepare monthly progress payments to the contractor.
 7. Perform final review of the project.
 8. Prepare final acceptance of the project, a one-year warranty inspection and recommendations accordingly to the CITY.
 9. Submit final quantities and costs to the CITY.
 10. Furnish a set of "record" reproducible drawings in CAD format, if requested, to the CITY for their files.
- C. Special Services. In addition to the basic services provided under Section B above, special services of varying types may be required and provided when authorized by the CITY. Included in these services, but not limited to, are as follows:
1. Special Services by ENGINEER.
 - a. Field engineering - Provide the service of a survey crew to stakeout construction work, or provide preliminary design surveys and design land surveys. The services of the survey crew shall be to furnish all necessary equipment, instruments, transportation, stakes, and subsistence required for field engineering of any program.
 - b. Resident observation - Provide the services of an observer, acceptable to the CITY, as requested when contracts have been let by the CITY for construction. The Observer shall keep a daily diary of work in progress. The Observer shall check and approve all construction work, prepare "record" drawings of the construction work, and prepare the monthly progress payments to the Contractor.
 - c. Redesigns ordered by the CITY after final plans have been completed.
 - d. Appearances before courts or boards on matters of litigation related to the project.
 - e. Preparation of operation and maintenance manuals.
 - f. Coordinating and obtaining permits and arranging governmental agency reviews. Coordinating with funding agencies during project.
 - g. Miscellaneous technical services not otherwise covered in Section I.A and I.B above.
 2. Related services provided by specialized consultants. ENGINEER may provide the services of specialized consultants through this AGREEMENT as required by projects undertaken by the ENGINEER or as required or requested by the CITY. Such related services may include:
 - a. Soils investigations - including test borings and related analysis.
 - b. Testing services including laboratory tests, well tests and compaction tests or concrete tests.
 - c. Specialized geological, hydraulic, or other studies.
 - d. Structural engineering.
 - e. Planning.

- f. Grant writing and project financing.
- g. Other consultant services requested by the CITY.

II. RESPONSIBILITY OF ENGINEER.

- A. ENGINEER is an independent contractor, and is responsible for the means and methods of carrying out the services and for the safety of its employees and agents.
- B. The ENGINEER is employed to render a professional service only, and any payments made to ENGINEER are compensation solely for such services as ENGINEER may render and recommendations ENGINEER may make in carrying out the work.
- C. The standard of care for all professional engineering and related services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.
- D. In performing construction administration services, ENGINEER shall act as agent for the CITY. The ENGINEER's review or observation of work prepared or performed by other individuals or firms employed by the CITY shall not relieve those individuals or firms of complete responsibility for the adequacy of their work.
- E. It is understood that any resident engineering or inspection provided by the ENGINEER is for the purpose of determining compliance with the technical provisions of the Project documents and does not constitute any form of guarantee or insurance with respect to the performance of a contractor. The ENGINEER does not have authority over, or responsibility for, the means, methods, techniques, sequences, procedures of construction or appliances selected by Contractor, for safety precautions and programs incident to the contractor's work in progress, nor for any failure of contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work.
- F. If the ENGINEER's performance of services hereunder requires the ENGINEER to rely on information provided by other parties (excepting the ENGINEER's subcontractors), the ENGINEER shall not independently verify the validity, completeness, or accuracy of such information unless otherwise expressly engaged to do so in writing by the CITY. However, if the ENGINEER should know or have reason to believe, based on its experience and generally held knowledge by consultants in its field, that certain representations of others are overstated or questionable, the ENGINEER shall so advise the CITY in writing and the CITY shall advise the ENGINEER, likewise in writing, whether the CITY wishes the ENGINEER to verify the validity, completeness, or accuracy of such information.
- G. The ENGINEER will communicate effectively with the CITY in all matters relating to services provided by the ENGINEER. At a minimum this will include, but not be limited to, the following:
 - 1. Be available in a timely manner, in person or by telephone, for consultation or advice to the CITY or the CITY's counsel upon reasonable notice from the CITY.

2. Follow established procedures regarding which CITY representative may request advice.
3. Draft or write engineering, design, and construction letters or other documents as the CITY requires.
4. Provide periodic status reports on major engineering issues.
5. Provide itemized monthly billings as described in Section IV.

III. RESPONSIBILITY OF CITY

- A. CITY shall provide all criteria and full information as to CITY's requirements of assigned improvement project; designate a person to act with authority on CITY's behalf in respect to all aspects of assigned improvement project; examine and respond promptly to ENGINEER's submissions; and give prompt written notice to ENGINEER whenever CITY observes or otherwise becomes aware of any defect in the work.
- B. CITY shall also do the following and pay all costs incident thereto:
 1. Make all provisions for ENGINEER to enter upon public and private property as necessary for ENGINEER to provide services under this agreement.
 2. Provide such legal, accounting, independent cost estimating and insurance counseling services as may be required for the assigned improvement project, any auditing service required in respect of contractors' applications for payment, and any inspection services to determine if contractors are performing the work legally, except as otherwise agreed to by ENGINEER in this AGREEMENT.
 3. Provide CITY's insurance requirements with respect to public procurement bidding documents prepared by the ENGINEER.
- C. CITY shall pay expenses incident to obtaining bids or proposals from contractors, if any.
- D. CITY shall pay necessary fees and expenses for permits or agency reviews.

IV. AUTHORIZATION OF SERVICES. The CITY shall authorize the ENGINEER in writing to provide services on a TASK ORDER basis.

- A. If the services to accomplish a task can be defined and limited, ENGINEER shall present a description of the task, a detailed scope of services and a related maximum fee for providing such services.
- B. If the services to accomplish a task cannot be defined, limited or quantified, ENGINEER shall work on a time and materials basis and provide a description of work performed by each staff member monthly with accompanying invoices. Invoices will be prepared and submitted monthly per Section IV.B., but total cost for the task shall not exceed the maximum.
- C. ENGINEER shall not provide any services without prior written authorization of CITY.

V. PAYMENTS TO ENGINEER

- A. Compensation.** For the services described and performed by ENGINEER, the CITY agrees to pay, and the ENGINEER agrees to accept, compensation in accordance with the Schedule of Rates and Charges, which are included in Exhibit E.
- B. Invoices.** Invoices for services of ENGINEER shall be billed to the CITY in summary form on or about the last day of each month for all services performed through the 26th day of each month. Reimbursable expenses shall be itemized and backup invoices provided if requested by CITY.
- C. Payment of Invoices.** Invoices are due and payable upon receipt. If CITY fails to make any payment due ENGINEER for services and expenses within 30 days after receipt of ENGINEER's invoice therefor, the amounts due ENGINEER will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from date of receipt; and, in addition, ENGINEER may, after giving seven day's written notice to CITY, suspend services under this Agreement until ENGINEER has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.
- D. Disputed Invoices.** CITY will review ENGINEER's invoice and within ten (10) days of receipt notify ENGINEER in writing if there is a disagreement or dispute with the invoice. If there are no such disputes with the invoice, CITY shall pay the invoice amount in full in accordance with paragraph IV.C. In the event of a disputed or contested invoice, only that portion so contested may be withheld from payment, and the undisputed portion will be paid.

VI. TERM OF AGREEMENT. This Agreement is for a term of three years from the date of this Agreement and may be extended, in writing, for an additional period of time upon mutual agreement of both parties. Such extension will consider ENGINEER's Schedule of Rates and Charges effective during the period of extension if different than the Rate Schedule, which are included in Exhibit A.

VII. GENERAL CONSIDERATIONS

- A. Ownership and Reuse of Documents.** All documents including Drawings and Specifications prepared or furnished by ENGINEER (and ENGINEER's independent professional associates and consultants) pursuant to this Agreement are instruments of service in respect of an assigned improvement project and ENGINEER shall retain ownership and property interest therein whether or not the assigned improvement project is completed. CITY may make and retain copies for information and reference in connection with the use and occupancy of the assigned improvement project by CITY and others; however, such documents are not intended or represented to be suitable for reuse by CITY or others on extensions of the assigned improvement project or on any other project

The CITY may reuse all documents prepared or furnished by ENGINEER, including but not limited to designs, drawings, specifications, or other work products on any other project without the permission of the ENGINEER. Any such reuse shall be at the CITY's sole risk and without liability or legal expense to the ENGINEER. The CITY agrees to defend, indemnify, and hold harmless the ENGINEER from all claims, damages, losses,

and expenses of any kind, including, but not limited to, attorney's fees and court costs arising out of such reuse. ENGINEER shall retain possession of all drawings or other documents bearing the original ENGINEER's stamp. Copies including reproducible copies will be furnished CITY as required by this Agreement.

- B. Opinions of Cost.** Since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, ENGINEER's opinions of probable Total Project Costs and Construction Cost provided for herein are to be made on the basis of ENGINEER's experience and qualifications and represent ENGINEER's best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but ENGINEER cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from opinions of probable cost prepared by ENGINEER.
- C. Suspension or Abandonment.** If any work covered by this Agreement designed or specified by the ENGINEER, shall be suspended or abandoned, the CITY shall pay the ENGINEER for the services rendered for such suspended or abandoned work, the payment to be based insofar as possible on the compensation provisions established in this Agreement.
- D. Insurance.** As indicates in Exhibit C herein.
- E. Successors and assigns.**

 - 1. CITY and ENGINEER each is hereby bound and the Partners, successors, executors, and administrators of CITY and ENGINEER (and to the extent permitted by paragraph VI.G.2. the assigns of CITY and ENGINEER) are hereby bound to the other party to this Agreement and to the Partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
 - 2. Neither CITY nor ENGINEER shall assign, sublet or transfer any rights under or interest in this Agreement without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law.

EXHIBIT B

OREGON STATUTORY PROVISIONS

A condition or clause required by law to be in this contract shall be considered included by these references.

REQUIRED STATUTORY PROVISIONS

ORS 279B.220 Conditions concerning payment, contributions, liens, withholding.

Every public contract shall contain a condition that the contractor shall:

- (1) Make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract.
- (2) Pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract.
- (3) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.
- (4) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167.

ORS 279B.225 Condition concerning salvaging, recycling, composting or mulching yard waste material.

Every public contract for lawn and landscape maintenance shall contain a condition requiring the contractor to salvage, recycle, compost or mulch yard waste material at an approved site, if feasible and cost-effective.

ORS 279B.230 Condition concerning payment for medical care and providing workers' compensation.

- (1) Every public contract shall contain a condition that the contractor shall promptly, as due, make payment to any person,

copartnership, association or corporation furnishing medical, surgical and hospital care services or other needed care and attention, incident to sickness or injury, to the employees of the contractor, of all sums that the contractor agrees to pay for the services and all moneys and sums that the contractor collected or deducted from the wages of employees under any law, contract or agreement for the purpose of providing or paying for the services.

- (2) Every public contract shall contain a clause or condition that all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126.

ORS 279B.235 Condition concerning hours of labor.

- (1) Except as provided in subsections [5 and 6] of this section, every public contract subject to this chapter must contain a condition that a person may not be employed for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires it, and in such cases, except in cases of contracts for personal services designated under ORS 279A.055, the employee shall be paid at least time and a half pay:

- (a) (A) For all overtime in excess of eight hours in any one day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; or
- (B) For all overtime in excess of 10 hours in any one day or 40 hours in any one week when the work week is four consecutive days, Monday through Friday; and

(b) For all work performed on Saturday and on any legal holiday specified in ORS 279B.020.

(2) An employer must give notice in writing to employees who work on a public contract, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

(3) In the case of contracts for personal services as described in ORS 279A.055, the contract shall contain a provision that the employee shall be paid at least time and a half for all overtime worked in excess of 40 hours in any one week, except for individuals under personal services contracts who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. 201 to 209 from receiving overtime.

(5)(a) ***** [C]ontracts for services must contain a provision that requires that persons employed under the contracts shall receive at least time and a half pay for work performed on the legal holidays specified in a collective bargaining agreement or in ORS 279B.020 (1)(b)(B) to (G) and for all time worked in excess of 10 hours in any one day or in excess of 40 hours in any one week, whichever is greater.

(b) An employer shall give notice in writing to employees who work on a contract for services, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

(6) This section does not apply to public contracts:

(c) For goods or personal property.

OTHER STATUTORY PROVISIONS

ORS 279A.120 Preference for Oregon goods and services; nonresident bidders.

(1) As used in this section:

(a) "Nonresident bidder" means a bidder who is not a resident bidder.

(b) "Resident bidder" means a bidder that has paid unemployment taxes or income taxes in this state during the 12 calendar months immediately preceding submission of the bid, has a business address in this state and has stated in the bid whether the bidder is a "resident bidder" under this paragraph.

(3) When a public contract is awarded to a nonresident bidder and the contract price exceeds \$10,000, the bidder shall promptly report to the Department of Revenue on forms to be provided by the department the total contract price, terms of payment, length of contract and such other information as the department may require before the bidder may receive final payment on the public contract. The contracting agency shall satisfy itself that the requirement of this subsection has been complied with before the contracting agency issues a final payment on a public contract.

STATUTORY REFERENCES OF INTEREST

ORS 279B.020 Maximum hours of labor on public contracts; exceptions; liability to workers; rules.

EXHIBIT C
PROFESSIONAL SERVICES CONTRACT INSURANCE REQUIREMENTS

To: Insurance Agent. Please provide Certificates of Insurance to the project manager. During the term of the contract, please provide Certificates of Insurance prior to each renewal.

During the term of this contract, Contractor shall maintain in force at its own expense all insurance noted below:

Workers Compensation insurance in compliance with ORS 656.017. All employers, including Contractor, that employ subject workers who work under this Contract in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Contractor shall ensure that each of its subcontractors complies with these requirements. Contact City of Brookings Risk Management at 503-618-2451 if exempt.

Professional Liability insurance with a combined single limit of not less than \$1,000,000 for each claim, incident, or occurrence. This is to cover damages caused by error, omission, or negligent acts related to the professional services to be provided under this contract. The coverage must remain in effect for two years after the contract is completed.

Commercial General Liability insurance, on an occurrence basis, with a combined single limit of not less than \$1,000,000 for each occurrence of bodily injury, personal injury and property damage. It shall include coverage for broad form contractual liability; broad form property damage; personal and advertising injury; owners and contractor protective; premises/operations; and products/completed operations. Coverage shall not exclude excavation, collapse, underground, or explosion hazards.

Commercial Automobile Liability insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for Bodily Injury and Property Damage, if no owned vehicles, provide hired and non-owned auto coverage.

Notice of Cancellation or Change. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without written notice from the Contractor or its insurer(s) to the City.

Additional Insured. For general liability insurance and automobile liability insurance the City, and its agents, officers, and employees will be Additional Insureds by endorsement, but only with respect to Contractor's services to be provided under this contract. This coverage shall be by endorsement physically attached to the certificate of insurance.

Certificates of Insurance. Contractor shall furnish insurance certificates acceptable to City prior to commencing work. The certificate will include the deductible or retention level and required endorsements. Insuring companies or entities are subject to City approval. If requested, copies of insurance policies shall be provided to the City. Contractor shall be responsible for all deductibles, self-insured retention's, and/or self-insurance.

EXHIBIT D
CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR

I. INDEPENDENT CONTRACTOR STANDARDS

As used in ORS chapters 316, 656, 657, 671 and 701, "independent contractor" means a person or business entity that provides services for remuneration and who, in the provision of the services, meets the following criteria of ORS 670.600.

II. BASIC REQUIREMENTS

1. The Contractor is free from direction and control over the means and manner of providing the services, subject only to the right of the City to specify the desired results;
 2. The Contractor is customarily engaged in an independently established business;
 3. The Contractor is licensed under ORS chapter 671 or 701 if the person provides services for which a license is required under ORS chapter 671 or 701; and
 4. The Contractor is responsible for obtaining other licenses or certificates necessary to provide the services.
-

III. ADDITIONAL REQUIREMENTS

For purposes of Section II above, a person is considered to be customarily engaged in an independently established business if any three of the following requirements are met:
(Check three or more of the following:)

- X The Contractor maintains a business location:
- (a) That is separate from the business or work location of the person for whom the services are provided; or
 - (b) That is in a portion of the person's residence and that portion is used primarily for the business.
- X The Contractor bears the risk of loss related to the business or the provision of services as shown by factors such as:
- (a) The person enters into fixed-price contracts;
 - (b) The person is required to correct defective work;
 - (c) The person warrants the services provided; or
 - (d) The person negotiates indemnification agreements or purchases liability insurance, performance bonds or errors and omissions insurance.
- X The Contractor provides contracted services for two or more different persons within a 12-month period, or the person routinely engages in business advertising, solicitation or other marketing efforts reasonably calculated to obtain new contracts to provide similar services.

**EXHIBIT E
FEE/RATE SCHEDULE**

SCHEDULE OF RATES AND CHARGES

**THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.**

Professional Services

Principal/Manager	\$135.00
Project Manager	\$125.00
Professional Land Surveyor	\$125.00
Project Engineer 2	\$115.00
Project Engineer 1	\$105.00
Engineer Tech 2	\$95.00
Engineer Tech 1	\$85.00
Survey Tech 2	\$85.00
Survey Tech 1	\$77.00
Inspector	\$85.00
Designer	\$85.00
Drafter/CAD Operator	\$80.00
Clerical 2	\$52.00
Clerical 1	\$45.00
2-Person Survey Crew	\$130.00
1-Person Survey Crew	\$100.00
GPS	\$100.00/day
Robotic Total Station	\$40.00/day

Reimbursable Expenses

- * Reimbursables @ actual cost
- * Mileage @ current federal rate (with automatic adjustments as federal rate changes)
- * Services of Outside Consultants @ actual cost plus 10% if billed through our firm



CERTIFICATE OF LIABILITY INSURANCE

DYERP-1

OP ID: WA

DATE (MM/DD/YYYY)

08/05/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
ABEL INSURANCE AGENCY
COOS BAY OFFICE
PO BOX 1780
COOS BAY, OR 97420
Wendy Abel-Hatzel

CONTACT NAME: Wendy Abel-Hatzel

PHONE (A/C, No, Ext): 541-267-4124

FAX (A/C, No): 541-267-2002

E-MAIL ADDRESS: Wendy@Abelinsuranceagency.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Zurich Group

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
THE DYER PARTNERSHIP
ENGINEERS & PLANNERS INC
1330 TEAKWOOD AVENUE
COOS BAY, OR 97420

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	PAS05335429	09/01/2013	09/01/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	X	PAS05335429	09/01/2013	09/01/2014	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTIONS 0	X	PAS05335429	09/01/2013	09/01/2014	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Attached form # 9S2321 Ed. 6-02

CERTIFICATE HOLDER

CITYBRO

CITY OF BROOKINGS
898 ELK DR
BROOKINGS, OR 97415

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Wendy Abel-Hatzel

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COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - OWNERS, LESSEES OR
CONTRACTORS (PRIMARY INSURANCE)
OREGON**

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) **(INCLUDES RESTRICTIONS OR ABRIDGMENTS)** is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of your ongoing operations performed for that insured.

The insurance provided by this endorsement is primary insurance and we will not seek contribution from any other insurance available to the person or organization shown in the Schedule unless the other insurance is provided by a person or organization other than you for the same operation and job location. Then we will share with that other insurance by the method described in paragraph 5.c. of COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV) **(INCLUDES RESTRICTIONS OR ABRIDGMENTS)**.

Paragraph 2.e. of WHO IS AN INSURED (Section II) **(INCLUDES RESTRICTIONS OR ABRIDGMENTS)** does not apply to the person or organization shown in the Schedule.

55	FORM	POLICY NUMBER	PRODUCER NUMBER	ACCOUNT NUMBER	DATE
D	PAS 05335429	02274413	MD20548234-001-00001	NONE	
BRANCH 22 SOUTHERN CALIFO			RENEWAL EFF 09/01/2013		



PRECISION PORTFOLIO POLICY
SUPPLEMENTAL DECLARATIONS
PRECISION AMERICA
(CONTINUED)

COVERAGE PARTS AND FORM OR ENDORSEMENT NUMBER	NAME OF ENDORSEMENT AND SUPPLEMENTAL INFORMATION
LIABILITY 9S2321 0602	ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS (PRIMARY INSURANCE) OREGON NAME OF ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS CITY OF BROOKINGS 898 ELK DR BROOKINGS OR 97415 LOCATION(S) OF COVERED OPERATIONS: BLANKET PER WRITTEN CONTRACT

COMMERCIAL GENERAL LIABILITY

955008 Ed. 2-00

INSURED'S COPY

07/29/2013

PAGE 7 OF 19



CERTIFICATE OF LIABILITY INSURANCE

DYERP-1 OP ID: WA

DATE (MM/DD/YYYY)
08/05/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ABEL INSURANCE AGENCY COOS BAY OFFICE PO BOX 1780 COOS BAY, OR 97420 Wendy Abel-Hatzel		CONTACT NAME: Wendy Abel-Hatzel PHONE (A/C No. Ext): 541-267-4124 FAX (A/C No.): 541-267-2002 E-MAIL ADDRESS: Wendy@Abelinsuranceagency.com	
INSURED THE DYER PARTNERSHIP ENGINEERS & PLANNERS INC 1330 TEAKWOOD AVENUE COOS BAY, OR 97420		INSURER(S) AFFORDING COVERAGE INSURER A: Travelers Insurance Companies INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 25658	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR LVDR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTIONS \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	PROFESSIONAL LIAB			105328270	08/14/2013	08/14/2014	AGGREGATE 2,000,000 EA CLAIM 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER CITY OF BROOKINGS 898 ELK DR BROOKINGS, OR 97415	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Wendy Abel-Hatzel
---	---

Oregon Workers' Compensation Certificate of Insurance



Certificate holder:

CITY OF BROOKINGS
898 ELK DRIVE
BROOKINGS, OR 97415

The policy of insurance listed below has been issued to the insured named below for the policy period indicated. The insurance afforded by this policy is subject to all the terms, exclusions and conditions of such policy; this policy is subject to change or cancellation at any time.

Insured		Producer/contact	
The Dyer Partnership Engineers & Planners Inc 1330 Teakwood Ave Coos Bay, Or 97420-2537		Abel Insurance Agency Abel Insurance Agency 541.267.4124	
Issued		Limits of liability	
08/05/2014		Bodily Injury by Accident	
Policy 498820		\$1,000,000 each accident	
Period 10/01/2013 to 10/01/2014		Bodily Injury by Disease	
		\$1,000,000 each employee	
		Body Injury by Disease	
		\$1,000,000 policy limit	

Description of operations/locations/special items
Professional Services Contract Renewal

Important

This certificate is issued as a matter of information only and confers no rights to the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies above. This certificate does not constitute a contract between the issuing insurer, authorized representative or producer and the certificate holder.

CANCELLATION:

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED TO THE POLICYHOLDER AND CERTIFICATE HOLDER IN ACCORDANCE WITH THE POLICY PROVISIONS AND OREGON LAW. SAIF WILL ENDEAVOR TO PROVIDE WRITTEN NOTICE WITHIN 30 DAYS WHENEVER POSSIBLE.

Authorized representative

A handwritten signature in black ink, appearing to read "John D. Gilkey".

John D. Gilkey
Interim President and CEO


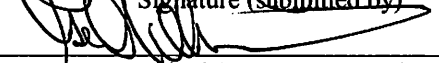
400 High Street SE
Salem, OR 97312
P: 800.285.8525
F: 503.584.9812

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: Finance & HR


Signature (submitted by)

City Manager Approval

Subject: Public Procurement and Contracting Policy

Recommended Motion:

Adopt Resolution 17-R-1123, adopting the Model Rules for Public Contracting, adopting Public Procurement and Contracting Policy, and designating the City Council as the Local Contract Review Board.

Financial Impact:

None

Background/Discussion:

The City of Brookings has a Public Procurement & Contracting Policy ("Policy") to establish local rules that utilize public contracting practices and methods that maximize the efficient use of public resources and the purchasing power of public funds.

The increase in thresholds is being recommended to improve efficiency in the procurement process. Thresholds were last increased in 2006. Currently the City Manager is required to sign every invoice over \$5,000, and many of these invoices are for the purchase of routine supplies such as chemicals, water and sewer parts and other materials. Currently, employees must obtain three quotes on all purchases over \$1,000; this process is time consuming and often delays the progress of work.

The process of issuing a purchase order for every transaction is antiquated and has not been used since 2009. Issuing and tracking purchase orders is an unnecessary use of staff time. Staff can use other means, such as email correspondence with vendors and vendor quotes, to verify that invoices are consistent with the purchase authorization.

The City has experimented with pre-qualification contract services over the last two years. This procedure has been utilized for two purposes:

1. To have stand-by contracts with contractors in the event of an emergency. With a stand-by contract the City is assured that all insurance and other standard contract conditions are in place in the event the contract services are needed in an emergency.

2. Pre-qualified contractors would also be used for ongoing small services, such as electrical repairs, plumbing, vehicle repair, building repair. The pre-qualification contracts establish rates and assure that insurance is in place when services are needed.

The pre-qualification provision establishes a procedure for contract selection and periodically issuing competitive requests for proposal.

This Policy was last updated due to changes in State Laws and regulations in 2012, but thresholds were not changed at that time. A summary of the changes made in the proposed policy include:

1. Increase authorization thresholds
 - a. Quote requirement increased from \$1,000 to \$2,500 (Section V(A)).
 - b. Authorized employees may sign invoices up to \$2,500; up from \$1,000 (Section V(A)).
 - c. Department Directors may sign invoices up to \$10,000 (Section V(B)).
 - d. The City Manager's purchasing authority remains at \$25,000, with all in excess requiring Council approval (Section V(C)).
2. Remove purchase order requirements. This is a housekeeping item as purchase orders have not been utilized since 2009.
3. Added Pre-qualified contract services (Section XI(C)).

Attachment(s):

- a. Resolution 17-R-1123
- b. Public Procurement and Contracting Policy

CITY OF BROOKINGS
State of Oregon

RESOLUTION 17-R-1123

A RESOLUTION OF THE CITY OF BROOKINGS ADOPTING THE MODEL RULES FOR PUBLIC CONTRACTING, ADOPTING A PUBLIC PROCUREMENT AND CONTRACTING POLICY, AND DESIGNATING THE CITY COUNCIL AS THE LOCAL CONTRACT REVIEW BOARD.

WHEREAS, the City of Brookings is a municipal corporation subject to Oregon's public contracting statutes and administrative rules;

WHEREAS, the City Council is by default the local contract review board;

WHEREAS, the Oregon legislature and the Oregon Attorney General periodically revise the statutes and rules regarding public contracting;

WHEREAS, recent revisions to the Oregon Revised Statutes and Oregon Administrative Regulations make it necessary to update the City's rules on public contracting; and

WHEREAS, ORS 279A.065 authorizes the City to adopt its own procedural rules that either (a) adopt the Model Rules in their entirety, or (b) prescribe different rules that may or may not include portions of the Model Rules.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brookings that:

1. The Brookings City Council is hereby designated the local contract review board for the City of Brookings.
2. Resolution 12-R-991 of the City of Brookings is hereby repealed in its entirety.
3. The Model Rules as set forth in Divisions 46 through 49 of Chapter 137, Oregon Administrative Rules are hereby adopted by the City of Brookings.
4. The Public Procurement & Contracting Policy attached hereto, and incorporated herein by this reference, is hereby adopted.
5. In the case of conflict or inconsistency between the Model Rules and the Public Procurement & Contracting Policy, the latter shall prevail.

Passed by the City Council _____, 2017 and made effective the same date.

Attest:

Mayor Jake Pieper

City Recorder Teri Davis



City of Brookings

Public Procurement & Contracting Policy

I. POLICY

- A. Purpose.** The City of Brookings adopts this Public Procurement & Contracting Policy ("Policy") to establish local rules that utilize public contracting practices and methods that maximize the efficient use of public resources and the purchasing power of public funds by:
- (1) Promoting impartial and open competition;
 - (2) Using solicitation documents that are complete and contain a clear statement of contract specifications and requirements; and
 - (3) Taking full advantage of evolving procurement methods that suit the contracting needs of the City of Brookings as they emerge within various industries.
- B. Interpretation.** In furtherance of the purpose of the objectives set forth in subsection A, it is the City's intent that the City of Brookings Public Procurement & Contracting Policy be interpreted to authorize the full use of all contracting powers and authorities described in ORS Chapters 279A, 279B and 279C.

II. APPLICATION

In accordance with ORS 279A.025, the City of Brookings Public Procurement & Contracting Policy does not apply to the classes of contracts to which the Oregon Public Contracting Code does not apply, including:

- A. Between Governments** including local, state, and federal governments; federally-recognized Indian Tribes; foreign nations; and intergovernmental entities and including those agreements authorized by ORS Chapter 190 or by a statute, charter provision, ordinance or other authority.
- B. Grants** (project may, however, be required to comply)
- C. Legal Witnesses and Consultants**
- D. Real Property**
- E. Oregon Corrections Enterprises**
- F. Finance** - Contracts, agreements or other documents entered into, issued or established in connection with:
 - (1) The issuance of obligations, as defined in ORS 286A.100 and 287A.310, of a public body;
 - (2) The making of program loans and similar extensions or advances of funds, aid or assistance by a public body to a public or private body for the purpose of carrying out, promoting or sustaining activities or programs authorized by law; or
 - (3) The investment of funds by a public body as authorized by law, and other financial transactions of a public body that by their character cannot practically be established under the competitive contractor selection procedures of ORS 279B.050 to 279B.085.
- G. Employee Benefits**
- H. State Law:** Contracts specifically exempt under State law.
- I. Federal Law:** Contracts that are governed by federal statutes and regulations.

III. REGULATION BY CITY OF BROOKINGS

Except as expressly delegated under this Policy, the City of Brookings reserves to itself the exercise of all of the duties and authority of a *local contract review board* and a *contracting agency* under State law, including, but not limited to, the power and authority to:

- A. Solicitation Methods.** Approve the use of contracting methods and exemptions for contracting methods for a specific contract or certain classes of contracts.
- B. Brand Name Specifications.** Exempt the use of brand name specifications for public improvement contracts.
- C. Waiver of Performance and Payment Bonds.** Approve the partial or complete waiver of the requirement for the delivery of a performance or payment bond for the construction of a public improvement, in addition to cases of emergency.
- D. Electronic Advertisement.** Authorize the use of electronic advertisements for public improvement contracts in lieu of publication in a newspaper of general circulation.
- E. Rulemaking.** Adopt contracting rules under ORS 279A.065 and ORS 279A.070 including, without limitation, rules for the procurement, management, disposal, and control of goods, services, personal services, and public improvements.
- F. Award.** Award all contracts that exceed the authority of the Purchasing Agent.

IV. PURCHASING AGENT

- A. General Authority.** The City Manager is the Purchasing Agent for the City of Brookings and is hereby authorized to make purchases for goods and services up to the sum of \$25,000 without obtaining Council approval with the exception of emergency purchases up to \$150,000 as provided under Section V.I, herein.
- B. Delegation of Authority.** The Purchasing Agent may delegate any of the responsibilities and authorities assigned under this Policy for purchases up to \$10,000.
- C. Review of Rules.** Whenever the Oregon State Legislative Assembly enacts laws that cause the Attorney General to modify its Model Rules, the City Manager shall review this Policy and the revised Model Rules and recommend modifications to the City Council.

V. PROCUREMENT OF GOODS AND SERVICES

- A. Purchases of \$2,500 or Less.** Purchases of up to \$2,500 may be made by any City employee so authorized, and may be done in any manner deemed practical or convenient by the person with purchasing authority, including direct selection or award. Each Department Head will decide, and notify the Finance & Human Resources (FHR) Director regarding who is authorized to make such purchases. Invoices must be stamped, coded, initialed, and signed as received by the authorized employee and employee's Department Head, before payment will be made. Purchases may not be artificially divided or fragmented to as to constitute a purchase of \$1,000 or less. Purchases of different items from one vendor that are part of one order and that total more than \$1,000 must comply with the applicable rules pertaining to the total amount of the order.
- B. Purchases of \$2,501 to \$10,000.**
 - (1) Competitive Quotes/Proposals.** Purchases from \$2,501 to \$10,000 may be made only with the approval of the Department Head or the City Manager. Except for Sole Source and Emergency Purchases, purchases from \$2,501 to \$10,000 may be made only after obtaining at least three (3) competitive price quotes or competitive proposals. The quotes/proposals may be written, verbal, by telephone, or by fax, but the quote/proposal must be documented in writing, either on or attached to the Record of Verbal/Telephone Quotes form. A copy of the documentation must be attached to the purchase order or invoice when submitted to the FHR Department. Invoices must be stamped, coded, initialed, and signed as received by the Department Head or City Manager before payment will be made. Purchases of different items from one vendor that are part of one order and that total more than \$5,000 must comply with the rules pertaining to the total amount of the order.
 - (2) Considerations Other Than Purchase Price.** Purchase price will be the initial basis for comparing competitive quotes/proposals and will be the determining factor when all other factors are equal. Other considerations may, however, affect the true cost and benefits of

making certain purchases and may, therefore, also be considered when selecting products or suppliers. Other factors may include, but are not limited to: quality of goods or services, warranties, availability of part, maintenance and repair services, compatibility with other supplies and materials being used by the City, etc. In cases where the lowest initial purchase price is not the final determining factor, the other overriding factors and considerations must be documented in writing, either on , or attached to, the Record of Verbal/Telephone Quotes form.

C. Purchases of \$10,001 to \$150,000.

(1) Competitive Quotes/Proposals. Purchases of \$10,001 up to \$150,000 may be made only after obtaining three (3) informally solicited competitive price quotes or competitive proposals. The quotes may be written, verbal, by telephone, or by fax, but the quote/proposal must be documented in writing, either on or attached to the Record of Verbal/Telephone Quotes form. If three (3) quotes/proposals are not reasonably available, fewer will suffice, but the effort made to obtain the quotes/proposals must be documented. A copy of the documentation must be attached to the purchase order or invoice when submitted to the FHR Department. The City Manager may approve any purchase in amounts up to \$25,000. Purchases in excess of \$25,000 must be approved by the City Council. Invoices must be stamped and coded, initialed and signed as received by the Department Head, and/or must be signed as approved by the City Manager, or Mayor, following City Council approval, as applicable, before payment can be made. If a contract is awarded, it must be awarded to the offeror whose quote or proposal will best serve the interest of the City, taking into account the price as well as other considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose, and contractor responsibility (See ORS 279B.110- Responsibility of bidders and proposers). Purchases may not be artificially divided or fragmented so as to constitute a purchase between \$10,001 and \$150,000. Purchases of different items from one vendor that are part of one order and that total more than \$150,000, must comply with the Competitive Purchasing Rules in ORS 279B.055 or ORS 279B.060 as applicable.

(2) Considerations Other Than Purchase Price. Purchase price will be the initial basis for comparing competitive quotes/proposals and will be the determining factor when all other factors are equal. Other considerations may, however, affect the true cost and benefits of making certain purchases and may, therefore, also be considered when selecting products or suppliers. Other factors may include, but are not limited to: quality of goods or services, warranties, availability of part, maintenance and repair services, compatibility with other supplies and materials being used by the City, etc. In cases where the lowest initial purchase price is not the final determining factor, the other overriding factors and considerations must be documented in writing, either on, or attached to, the Record of Verbal/Telephone Quotes form.

D. Purchase Over \$150,000. Purchases over \$150,000 may only be made with the approval of the City Council and must be made in compliance with ORS 279B.055 or ORS 279B.060.

E. Local Preference. The City will give preference to procuring goods that are fabricated or processed, or services that are performed, entirely within this State if the goods or services cost no more than 10% more than goods that are not fabricated or processed, or services that are not performed, entirely within this State. If one or more bidders or proposers qualify for this preference, the City will give a further preference to the qualifying bidder or proposer that resides in or is headquartered in this State. This preference does not apply to the following: emergency work, minor alterations, ordinary repairs or maintenance work for public improvements or to other construction contracts described in ORS 279C.320(1).

F. Written Agreements (Contracts). All construction services, consultant services, professional services, and services provided on an ongoing basis, such as janitorial services, must be procured

though the issuance of a written agreement. Standard form agreements will be used for small and large construction projects, service contracts, and professional/consultant services. Said agreements will contain appropriate provisions relating to workers compensation, liability insurance, dispute resolution, term, termination, ownership of product/records, deliverables, time of performance, change orders, rates for service and maximum authorized expenditure.

G. Sole Source Purchases.

(1) Procedure. When three (3) quotes or proposals cannot be obtained, such purchases may be made after securing one or two quotes/proposals. In such cases, an explanation regarding the necessity and benefits to the City for making a sole source purchase must be documented in writing, either on, or attached to, the Record of Verbal/Telephone Quotes form. A copy of the documentation must be attached to the purchase order or invoice when submitted to the FHR Department. Invoices must be stamped, coded, initialed, and signed as received by the Department Head before payment will be made. Purchases may not be artificially divided or fragmented so as to constitute a sole source purchase. Sole source purchases up to \$10,000 must be approved by the Department Head. Sole source purchases that exceed \$10,000 but do not exceed \$25,000 must be approved by the City Manager. Sole Source purchases that exceed \$25,000 must be approved by the City Council.

(2) Written Findings. The determination of a sole source must be based on a written finding that may include:

- a. That efficient utilization of existing goods requires the acquisition of compatible goods or services;
- b. That the goods or services required for the exchange of software or data with other public or private agencies are available from only one source;
- c. That the goods or services are for use in a pilot or an experimental project; or
- d. Other findings that support the conclusion that the goods or services are available from only one source.

H. Emergency Purchases. In the event of an emergency, purchases may be immediately made without securing any quotes or proposals. Following resolution of the emergency situation, however, an explanation of the emergency and the reasons for making the emergency purchase must be documented in writing, either on, or attached to, the Record of Verbal/Telephone Quotes form. Only the Department Head or City Manager may authorize emergency purchases up to \$25,000. Emergency purchases over \$25,000 and up to \$150,000 must be authorized by the City Manager or City Council. Any emergency purchase authorized by the City Manager over \$25,000 must be brought to the immediate attention of the City Council and must also appear on the next available City Council Agenda for Council discussion and deliberation. The City Council must authorize any emergency purchases over \$150,000. Invoices must be stamped and coded, initialed and signed as received by the City Manager or Mayor, following City Council approval, as applicable, before payment will be made.

I. Purchases of Goods or Services from City Employees. With prior written approval from the City Manager, purchases of goods and/or services from City employees may be permitted, if it is determined this will best serve the interest of the City, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality and suitability for a particular purpose.

VI. PERSONAL SERVICES CONTRACTS

A. Definition. A "personal services contract" is a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talent, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to

the service provider. Such services include, but are not limited to: attorneys, judges, auditors, artists, designers, computer programmers, performers, consultants and property managers. The City maintains discretion to determine whether additional types of services not specifically mention above fit within the definition of personal services.

- B. Method of Solicitation.** Personal services contracts for which the estimated contract price does not exceed \$150,000 may be awarded using an informal solicitation for proposals. Personal services contracts for which the estimated contract price exceeds \$150,000 may be awarded under a publicly advertised request for competitive sealed proposals.
- C. Continuation of Work.** Personal services contracts of not more than \$150,000 for the continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the City determines that the use of the original contractor will significantly reduce the costs of, or risks associated with, the work.
- D. Qualifications Based Selection (QBS).** The City shall use the Model Rules QBS procedures for selecting an architect, engineer, photogrammetrist, transportation planner, land surveyor or provider of related services. The City may use the rules contained in this Policy where applicable.

VII. PUBLIC IMPROVEMENT CONTRACTS

- A. Definition.** "Public improvement contract" means a contract for the construction, reconstruction or major renovation on real property by or for the City. "Public improvement contract" does not include a contract for emergency work, minor alteration, ordinary repair or maintenance necessary to preserve a public improvement.
- B. Public Improvement Project - \$25,000 or Less.** A public improvement project with a contract price of \$25,000 or less may be made in any manner deemed practical or convenient by the City Manager. The City Manager has authority to enter into a public improvement contract of \$25,000 or less without the approval of the City Council.
- C. Public Improvement Project - \$100,000 or Less.** A public improvement project with a contract price of less than \$100,000 may be awarded pursuant to the intermediate procedure (competitive quotes) as prescribed in the Model Rules. The City Manager has authority to enter into a public improvement contract of \$25,000 or less without the approval of the City Council. Public improvement contracts of more than \$25,000 must be approved by the City Council.
- D. Public Improvement Project –Over \$100,000.** A public improvement project with a contract price of more than \$100,000 may be only awarded pursuant to competitive sealed bidding as required by ORS 279C.335. Only the City Council may award a public improvement contract of more than \$100,000.
- E. City-Funded Privately-Constructed Public Improvements.** The City may contribute funding to a privately-constructed public improvement project without subjecting the project to competitive solicitation requirements if all of the following conditions are met with respect to the entire public improvement project:
 - (1)** The City makes a finding that it is in the best interest of the City to contribute to the project;
 - (2)** The City complies with all applicable laws concerning the reporting of the project to Bureau of Labor and Industries as a public works project;
 - (3)** The general contractor for the project agrees in writing to comply with all applicable laws concerning reporting and payment of prevailing wages for the project;
 - (4)** The funds contributed to the project do not provide a pecuniary benefit to the owner of the development for which the project is being constructed, other than benefits that are shared by all members of the community;
 - (5)** The performance of the general contractor and the payment of labor for the project must be secured by performance and payment bonds or other cash-equivalent security that is

acceptable to the City to protect the City against defective performance and claims for payment; and

- (6) The contract for the construction of the project must be amended, as necessary, to require the general contractor to maintain adequate workers compensation and liability insurance and to protect and provide indemnification to the City for all claims for payment, injury or property damage arising from, or related to, the construction of the project.

VIII. STANDARDS OF RESPONSIBILITY

An offeror must meet the following standards of responsibility to be eligible for the award of a public contract by the City:

- A. Offeror has available to it the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to indicate the capability of the offeror to meet all contractual responsibilities.
- B. Offeror has a satisfactory record of performance. The City shall document the record of performance of an offeror if the City finds the offeror to be not responsible under this paragraph.
- C. Offeror has a satisfactory record of integrity. The City shall document the record of integrity of an offeror if the City finds the offeror to be not responsible under this paragraph.
- D. Offeror is legally qualified to contract with the City.
- E. Offeror has supplied all necessary information in connection with the inquiry concerning responsibility. If an offeror fails to promptly supply information requested by the City concerning responsibility, the City may base the determination of responsibility upon any available information or may find the offeror non-responsible.
- F. Offeror must not have been debarred by the City, and in the case of public improvement contracts, has not been listed by the Construction Contractors Board as a contractor who is not qualified to hold a public improvement contract.

IX. INFORMAL SOLICITATION PROCEDURES

The City may use the following procedure for informal solicitations of quotes or proposals in lieu of the procedures set forth in the Model Rules.

- A. **Solicitation of Offers.** The City shall deliver or otherwise make available to potential offerors, a written scope of work a description of how quotes or proposals are to be submitted and a description the criteria for award.
- B. **Award.** The City shall attempt to obtain a minimum of three (3) written quotes or proposals before making an award. If the award is made solely on the basis of price, the City shall award the contract to the responsible offeror that submits the lowest responsive quote. If the award is based on criteria other than, or in addition to, price, the City shall award the contract to the responsible offeror that will best serve the interests of the City, based upon the criteria of the award and the proposal submitted.
- C. **Records.** A written record of all persons solicited and offers received will be maintained. If three (3) offers cannot be obtained, a lesser number will suffice; provided that a written record is made if the effort to obtain quotes or proposals.

X. CONTRACTS SUBJECT TO AWARD AT CITY'S DISCRETION.

The following classes of contracts may be awarded in any manner which the City deems appropriate to the City's needs, including by direct award or purchase.

- A. **Advertising** – Contracts for the placing of notice or advertisements in any medium.
- B. **Amendments** – Contract amendments are not separate contracts if made in accordance with this Policy.
- C. **Animals** – Contracts for the purchase of animals.

- D. Contracts up to \$5,000** – Contracts of any type for which the contract price does not exceed \$5,000.
- E. Copyrighted Materials/ Library Materials** – Contracts for the acquisition of materials entitled to copyright, including, but not limited to, works of art and design, literature, music, or materials even if not entitled to copyright that are purchased for use as library lending materials.
- F. Equipment Repair** – Contracts for equipment repair or overhauling, provided that the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.
- G. Government Regulated Items** – Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.
- H. Insurance** – Insurance and service contracts as provided for under ORS 414.115, 414.125, 414.135, and 414.145.
- I. Non-Owned Property** – Contracts or arrangements for the sale or other disposal of abandoned property or other personal property not owned by the City of Brookings.
- J. Sole-Source Contracts** – Contracts for goods or services that are available from only a single source may be awarded without competition.
- K. Specialty Goods for Resale** – Contracts for the purchase of specialty goods by the City for resale to consumers.
- L. Sponsor Agreements** – Sponsorship agreements under which the City receives a gift or donation in exchange for recognition of the donor.
- M. Structures** – Contracts for the disposal of structures located on City-owned property.
- N. Renewals** – Contracts that are being renewed in accordance with their terms are not considered to be newly issued contracts and are not subject to competitive procurement procedures.
- O. Temporary Extensions or Renewals** – Contracts for a single period of one (1) year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements.
- P. Temporary Use of City-Owned Property** – The City may negotiate and enter into a license, permit or other contract for the temporary use of City-owned property without using a competitive process if:
 - (1) The contract results from an unsolicited proposal to the City based on the unique attributes of the property or the unique needs of the proposer; and
 - (2) The proposed use of the property is consistent with the City's use of the property and the public interest; and
 - (3) The City reserves the right to terminate the contract without penalty, in the event that the City determines that the contract is no longer consistent with the City's present or planned use of the property or the public interest.
- Q. Used Property** – The City may contract for the purchase of used property by negotiation if such property is suitable for the City's needs and can be purchased for a lower cost than substantially similar new property. For this purpose the cost of used property will be based upon the life-cycle cost of the property over the period for which the property will be used by the City. The city shall record the findings that support the purchase.
- R. Utilities** – Contracts for the purchase of steam, power, heat, water, telecommunications services, and other utilities.

XI. OTHER CONTRACTS.

- A. Hybrid Contracts.** The following classes of contracts include elements for construction of public improvements as well as personal services and may be awarded under a request for proposals, unless exempt from competitive solicitation.

- (1) Design-Build and CM-GC Contracts.** Contracts for the construction of public improvements using a design-build or construction manager – general contractor construction method will be awarded under a request for proposals. The determination to construct a project using a design-build or construction manager – general contractor construction method must be approved by the City, based upon facts that support a finding that the construction of the improvement under the proposed method is likely to result in cost savings, higher quality, reduced errors, or other benefits to the City.
- (2) Energy Savings Performance Contracts.** Unless the contract qualifies for award under another classification, contractors for energy savings performance contracts will be selected under a request for proposals in accordance with this Policy.

B. Contracts Required by Emergency Circumstances.

- (1) In General.** When the City determines that immediate execution of a contract within the City's authority is necessary to prevent substantial damage or injury to persons or property, the City may execute the contract without competitive selection and award or City Council approval; provided that, when time permits, the City shall attempt to use competitive price and quality evaluation before selecting an emergency contractor.
- (2) Reporting.** The City shall, as soon as possible in light of the emergency circumstances: (1) document the nature of the emergency; (2) the method used for selection of the particular contractor; and (3) the reason why the selection method was deemed in the best interest of the City and the public.
- (3) Emergency Public Improvement Contracts.** A public improvement contract may only be awarded under emergency circumstances if the City has made a written declaration of emergency. Any public improvement contract award under emergency conditions must be awarded within 60 days following the declaration of an emergency unless the City grants an extension of the emergency period. Where the time delay needed to obtain a payment or performance bond for the contract could result in injury or substantial property damage, the City may waive the requirement for all or a portion of required performance and payment bonds.

C. Pre-Qualified Contract Services. The City will solicit Statements of Qualifications from qualified contractors to provide building maintenance and construction services. The City's goal is to create a short list of prequalified contractors who are under contract in order to expedite relatively small projects within the City. As a result of the RFQ the City will select several top qualifiers in different fields of experience with whom to commence contract negotiations for prequalified services. Examples of such services are General Construction, Building Maintenance, Plumbing, Mechanical, Excavation, Asphalt/Paving, and Concrete.

(1) Criteria for pre-qualified contract services.

- a. Emergency contracts.
- b. Small contracts under \$2,500.

(2) Procedures

- a. The City will solicit RFQ's approximately every two years.
- b. RFQ's will include at a minimum:
 - Background and history, including licenses and the number of years in business.
 - The type of work and workload capacity able to handle.
 - Name of person(s) authorized to represent contractor in negotiating and signing agreement.
 - General cost description and estimate for services.
 - Ability to provide required proof of insurance once negotiations commence.

- c. The City will review submitted qualifications to determine that Contractor is licensed to work in the State of Oregon and the City of Brookings and has required licenses; and that the Contractor is able to perform the work needed to City standards.
 - d. Prior work with the City may be considered. If the Contractor has received negative performance evaluations from prior work with the City, the City may elect not to pre-qualify the Contractor.
 - e. Selected contractors will be expected to sign a written contract that incorporates parts of the RFQ and the selected contractor's qualifications; and comply with applicable federal and state laws, rules and regulations.
- D. Federal Purchasing Programs.** Goods and services may be purchased without competitive procedures under a local government purchasing program administered by the United States General Services Administration (GSA) as provided herein.
- (1) The procurement must be made in accordance with procedures established by GSA for procurements by local governments and purchase order or contracts submitted to and approved by the City.
 - (2) The price of the goods or services must be established under price agreements between the federally approved vendor and GSA.
 - (3) The price of the goods or services must be less than the price at which such goods or services are available under state or local cooperative purchasing programs that are available to the City.
 - (4) If a single purchase of goods or services exceeds \$25,000, the City must obtain informal written quotes or proposals from at least two additional vendors (if reasonably available) and find, in writing that the goods or services offered by GSA represent the best value for the City.
- E. Cooperative Procurement Contracts.** Cooperative procurements may be made without competitive solicitation as provided in the Oregon Revised Statutes 279A.200 - 279A.220.
- F. Surplus Property.**
- (1) **General Methods.** Surplus property may be disposed of by any of the following methods upon a determination by the Purchasing Agent that the method of disposal is in the best interest of the City. Factors that may be considered by the Purchasing Agent include, but are not limited to, costs of sale, administrative costs, and public benefits to the City. The Purchasing Agent shall maintain a record of the reason for the disposal method selected and the manner of disposal, including the name of the person to whom the surplus property was transferred.
 - (2) **Disposal of Property with Minimal Value.** Surplus property which has a value of less than \$500, or for which the costs of sale are likely to exceed sale proceeds may be disposed of by any means determined to be cost-effective, including disposal as waste. The Purchasing Agent shall make a record of the value of the item and the manner of disposal.
 - (3) **Restriction on Sale to City Employees.** City employees are not barred from competing, as members of the public, for the purchase of publicly sold surplus property. City employees are, however, not permitted to offer to purchase property to be sold to the first qualifying bidder until at least three (3) days after the first date on which notice of the sale is first publicly advertised.
 - (4) **Conveyance to Purchaser.** Upon the consummation of a sale of surplus personal property, the City shall make, execute and deliver a bill of sale, signed on behalf of the City and conveying the property in question to the purchaser and delivering possession, or the right to take possession, of the property to the purchaser.

XII. CONFLICTS OF INTEREST.

No employee, officer or agent of the City may participate in the selection, or in the award or administration of a contract, if a conflict of interest, real or apparent, would be involved. Such conflict would arise when the employee, officer, agent, or any member of the immediate family, or any partner or organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award.

XIII. DEFINITIONS.

- A. Award** means the selection of a person to provide goods, services or public improvements under a public contract. The award of a contract is not binding on the City until the contract is executed and delivered by the City.
- B. Bid** means a binding, sealed, written offer to provide goods, services or public improvements for a specified price or prices.
- C. City** means the City of Brookings, Oregon.
- D. Contract Price** means the total amount paid or to be paid under a contract, including any approved alternatives, and any fully executed change orders or amendments.
- E. Cooperative procurement** means a procurement conducted by or on behalf of one or more public contracting agencies.
- F. Disposal** means any arrangement for the transfer of property by the City under which the City relinquishes ownership.
- G. Emergency** means circumstances that create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety.
- H. Energy savings performance contract** means a contract with a qualified energy service company for the identification, evaluation, recommendation, design and construction of energy conservation measures that guarantee energy savings or performance.
- I. Goods** means any item or combination of supplies, equipment, and materials or other personal property, including any tangible, intangible and intellectual property and rights and licenses in relation thereto.
- J. Person** means a natural person or any other public or private entity that has the legal capacity to enter into a binding contract.
- K. Proposal** means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on the evaluation of factors other than, or in addition to, price.
- L. Quote** means a price offer made in response to a solicitation to provides goods, services or public improvements.
- M. Request for proposals** means a publicly advertised request for sealed competitive proposals.
- N. Services** means and includes all types of services, including construction labor, other than personal services.
- O. Solicitation** means an invitation to one or more potential contractors to submit a bid, proposal, quote statement of qualifications or letter of interest to the City with respect to a proposed project, procurement or other contracting opportunity. The word "solicitation" also refers to the process by which the City requests, receives and evaluates potential contractors and award public contracts.
- P. Solicitation documents** means all informational materials issued by the city for a solicitation, including, but not limited to, advertisements, instructions, submission requirements and schedules, award criteria, contract terms and specifications, and all laws, regulations and documents incorporated by reference.
- Q. Surplus property** means personal property owned by the City that is no longer needed for use by the department to which such property has been assigned.

City of Brookings

CITY COUNCIL MEETING MINUTES

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

Monday, October 9, 2017

Call to Order

Mayor Pieper called the meeting to order at 7:00 PM.

Roll Call

Council present: Mayor Jake Pieper, Councilors Bill Hamilton, Brent Hodges, Roger Thompson and Dennis Triglia present; a quorum present.

Staff present: City Manager Gary Milliman, City Attorney Martha Rice, Public Works and Development Director Paul Stevens, Community Planner Mark Schexnayder, and City Recorder Teri Davis.

Media Present: Jane Stebbins from the Curry Pilot present

Others Present: Nine audience members.

Appointments

Appoint Holly Beyer to the Parks & Recreation Committee

Councilor Triglia moved, Councilor Hodges seconded and Council voted unanimously to appoint Holly Beyer to the Parks & Recreation Committee and to extend her term until February 1, 2020.

Oral Requests and Communications from the audience

- Candice Michel of 1253 Rowland Ln. read into a record a statement from Berma Matteson regarding the Welcoming & Inclusive City Resolution 17-R-1122.

Ordinances

Ordinance 17-O-770, adopting revisions to the City of Brookings Comprehensive Plan, Goal 12, Transportation, adopting a new Transportation System Plan, and adopting revisions to Chapter 17.170 Street Standards of the Brookings Municipal Code. This effectively repeals the previous Transportation System Plan created by Ordinance 02-O-548 and all subsequent revisions.

Community Planner Schexnayder presented the staff report.

Councilor Hodges moved, Councilor Hamilton seconded and Council voted unanimously to do a first reading of Ordinance 17-O-770 by title only.

Mayor Pieper read the title.

Councilor Triglia moved, Councilor Hamilton seconded and Council voted unanimously to do a second reading of Ordinance 17-O-770 by title only.

Mayor Pieper read the title.

Councilor Hodges moved, Councilor Triglia seconded and Council voted unanimously to adopt Ordinance 17-O-770 [adopting revisions to the City of Brookings Comprehensive Plan, Goal 12, Transportation, adopting a new Transportation

System Plan, and adopting revisions to Chapter 17.170 Street Standards of the Brookings Municipal Code. This effectively repeals the previous Transportation System Plan created by Ordinance 02-O-548 and all subsequent revisions.]

Staff Reports

2017/18 Street Paving Contract

Public Works and Development Director Stevens presented the staff report.

Councilor Hodges moved, Councilor Thompson seconded and Council voted unanimously to authorize the City Manager to accept the bid from Tidewater Contractors, Inc. and execute a contract with Tidewater Contractors, Inc. for \$238,206.50.

Fuel Tax Reauthorization

City Manager Milliman presented the staff report.

Council debated the tax rate, tax duration and the continuation of the tax cap.

Councilor Triglia moved, Councilor Thompson seconded and Council voted unanimously to direct the City Recorder and City Attorney to prepare a Resolution calling for a measure proposing a local tax on motor vehicle fuel sales to be placed before the qualified electors of the City of Brookings on the May 2018 Primary Election Ballot, with the tax rate to be \$.04 for a duration of five year and there to be no maximum revenue cap.

Strategic Plan

City Manager Milliman presented the staff report.

Councilor Triglia suggested several edits to the Strategic Plan.

Councilor Hodges moved, Councilor Hamilton seconded and Council voted unanimously to approve the Strategic Plan with the edits noted by Councilor Triglia.

Chetco Bar Fire Economic Impact Analysis

City Manager Milliman presented the staff report.

Councilor Triglia moved, Councilor Hodges seconded and Council voted unanimously to authorize the City Manager to submit grant funding requests to the U.S. Economic Development Administration and the Oregon Department of Land, Conservation and Development to fund an economic impact analysis of the Chetco Bar Fire.

Fire Department Needs

City Manager Milliman presented the staff report.

Councilor Triglia moved, Councilor Hamilton seconded and Council voted unanimously to request a joint meeting with the Boards of Directors of the Brookings Rural Fire District and the Upper Chetco Fire District to review the Chetco Bar Fire and recommendations for additional fire equipment and to authorize the

City Manager to pursue grant funding for items included in the Large Scale Fire Emergency Response Needs assessment.

Coastal Christmas Fee Waiver

City Recorder Davis presented the staff report.

Councilor Thompson moved, Councilor Hodges seconded and Council voted unanimously to waive fees totaling \$43 for the Santa Claus and Christmas Tree lighting event and parade to be conducted by Coastal Christmas Committee on December 9, 2017.

Consent Calendar

1. Approve Council minutes for September 25, 2017
2. Accept Parks & Rec Committee minutes for June 22, 2017
3. Accept Planning Commission minutes for September 5, 2017
4. Cancel November 27, 2017 Regular Council Meeting
5. Cancel December 25, 2017 Regular Council Meeting
6. Cancel January 1, 2018 Council Workshop Meeting
7. Approve City Manager Leave Conversion

Councilor Triglia moved, Councilor Hodges seconded and Council voted unanimously to approve the Consent Calendar.

Remarks from Mayor and Councilors

Councilor Hamilton extended condolences to all those affected by the violence in Las Vegas

Councilor Hamilton mentioned his concern for the forest fires in California and those affected.

Councilor Triglia asked Council to reconsider the Inclusive City Resolution based on the comments earlier.

Mayor Pieper noted that he was surprised by the public comments earlier which assume he and the other members of Council have not experienced prejudice.

Adjournment

Councilor Hodges moved, Councilor Thompson seconded, and Mayor Pieper adjourned the meeting at 8:07 p.m.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2017:

Jake Pieper, Mayor

Teri Davis, City Recorder

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	2,914,282.00	57,586.26	100,478.11	2,813,803.89	3.5
LICENSES AND PERMITS	110,900.00	8,715.72	31,847.57	79,052.43	28.7
INTERGOVERNMENTAL	227,300.00	9,988.91	8,788.91	218,511.09	3.9
CHARGES FOR SERVICES	165,000.00	5,427.69	35,532.48	129,467.52	21.5
OTHER REVENUE	171,000.00	17,791.89	39,296.87	131,703.13	23.0
TRANSFERS IN	488,587.00	.00	.00	488,587.00	.0
	<u>4,077,069.00</u>	<u>99,510.47</u>	<u>215,943.94</u>	<u>3,861,125.06</u>	<u>5.3</u>
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	24,561.00	2,103.22	5,857.51	18,703.49	23.9
MATERIAL AND SERVICES	11,850.00	1,100.02	2,197.04	9,652.96	18.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>36,411.00</u>	<u>3,203.24</u>	<u>8,054.55</u>	<u>28,356.45</u>	<u>22.1</u>
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	194,964.00	15,634.65	46,893.41	148,070.59	24.1
MATERIAL AND SERVICES	98,400.00	7,746.39	40,117.19	58,282.81	40.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>293,364.00</u>	<u>23,381.04</u>	<u>87,010.60</u>	<u>206,353.40</u>	<u>29.7</u>
POLICE:					
PERSONAL SERVICES	2,114,007.00	161,967.63	498,345.62	1,615,661.38	23.6
MATERIAL AND SERVICES	170,800.00	26,540.27	53,275.01	117,524.99	31.2
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	55,150.00	.00	.00	55,150.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>2,339,957.00</u>	<u>188,507.90</u>	<u>551,620.63</u>	<u>1,788,336.37</u>	<u>23.6</u>
FIRE:					
PERSONAL SERVICES	187,554.00	14,506.74	43,559.39	143,994.61	23.2
MATERIAL AND SERVICES	103,000.00	3,981.81	27,253.49	75,746.51	26.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	45,519.00	.00	.00	45,519.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>336,073.00</u>	<u>18,468.55</u>	<u>70,812.88</u>	<u>265,260.12</u>	<u>21.1</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PLANNING AND BUILDING:					
PERSONAL SERVICES	174,119.00	14,738.13	44,179.56	129,939.44	25.4
MATERIAL AND SERVICES	90,800.00	345.71	5,137.80	85,662.20	5.7
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>264,919.00</u>	<u>15,083.84</u>	<u>49,317.36</u>	<u>215,601.64</u>	<u>18.6</u>
PARKS & RECREATION:					
PERSONAL SERVICES	246,173.00	20,564.71	59,434.40	186,738.60	24.1
MATERIAL AND SERVICES	87,200.00	11,582.99	30,152.84	57,047.16	34.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	49,000.00	4,031.88	12,095.64	36,904.36	24.7
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>382,373.00</u>	<u>36,179.58</u>	<u>101,682.88</u>	<u>280,690.12</u>	<u>26.6</u>
FINANCE AND HUMAN RESOURCES:					
PERSONAL SERVICES	194,630.00	16,030.68	45,938.86	148,691.14	23.6
MATERIAL AND SERVICES	33,700.00	1,179.76	14,244.23	19,455.77	42.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>228,330.00</u>	<u>17,210.44</u>	<u>60,183.09</u>	<u>168,146.91</u>	<u>26.4</u>
SWIMMING POOL:					
PERSONAL SERVICES	61,112.00	5,827.96	51,286.17	9,825.83	83.9
MATERIAL AND SERVICES	43,000.00	2,253.26	11,943.90	31,056.10	27.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>104,112.00</u>	<u>8,081.22</u>	<u>63,230.07</u>	<u>40,881.93</u>	<u>60.7</u>
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	145,500.00	4,748.35	39,733.14	105,766.86	27.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	243,500.00	.00	.00	243,500.00	.0
CONTINGENCIES AND RESERVES	652,530.00	.00	.00	652,530.00	.0
	<u>1,041,530.00</u>	<u>4,748.35</u>	<u>39,733.14</u>	<u>1,001,796.86</u>	<u>3.8</u>
	<u>5,027,069.00</u>	<u>314,864.16</u>	<u>1,031,645.20</u>	<u>3,995,423.80</u>	<u>20.5</u>
	<u>(950,000.00)</u>	<u>(215,353.69)</u>	<u>(815,701.26)</u>	<u>(134,298.74)</u>	<u>(85.9)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	485,000.00	35,271.77	67,220.35	417,779.65	13.9
OTHER REVENUE	13,650.00	84.00	521.52	13,128.48	3.8
TRANSFER IN	.00	.00	.00	.00	.0
	<u>498,650.00</u>	<u>35,355.77</u>	<u>67,741.87</u>	<u>430,908.13</u>	<u>13.6</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	205,515.00	16,040.16	48,142.12	157,372.88	23.4
MATERIAL AND SERVICES	205,000.00	10,470.05	43,504.56	161,495.44	21.2
CAPITAL OUTLAY	107,000.00	.00	.00	107,000.00	.0
DEBT SERVICE	27,583.00	360.15	1,080.45	26,502.55	3.9
TRANSFERS OUT	31,582.00	.00	.00	31,582.00	.0
CONTINGENCIES AND RESERVES	121,970.00	.00	.00	121,970.00	.0
	<u>698,650.00</u>	<u>26,870.36</u>	<u>92,727.13</u>	<u>605,922.87</u>	<u>13.3</u>
	<u>698,650.00</u>	<u>26,870.36</u>	<u>92,727.13</u>	<u>605,922.87</u>	<u>13.3</u>
	<u>(200,000.00)</u>	<u>8,485.41</u>	<u>(24,985.26)</u>	<u>(175,014.74)</u>	<u>(12.5)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,637,000.00	147,145.14	498,297.06	1,138,702.94	30.4
OTHER INCOME	54,500.00	3,210.00	10,524.47	43,975.53	19.3
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,691,500.00</u>	<u>150,355.14</u>	<u>508,821.53</u>	<u>1,182,678.47</u>	<u>30.1</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	361,597.00	26,723.50	80,791.51	280,805.49	22.3
MATERIAL AND SERVICES	197,500.00	18,796.70	76,715.99	120,784.01	38.8
CAPITAL OUTLAY	50,000.00	.00	4,923.14	45,076.86	9.9
DEBT SERVICE	14,900.00	398.39	1,195.17	13,704.83	8.0
	<u>623,997.00</u>	<u>45,918.59</u>	<u>163,625.81</u>	<u>460,371.19</u>	<u>26.2</u>
WATER TREATMENT:					
PERSONAL SERVICES	311,891.00	26,076.98	74,084.05	237,806.95	23.8
MATERIAL AND SERVICES	242,000.00	13,948.40	56,808.95	185,191.05	23.5
CAPITAL OUTLAY	20,500.00	.00	.00	20,500.00	.0
DEBT SERVICE	14,900.00	398.39	1,195.17	13,704.83	8.0
TRANSFERS OUT	589,386.00	.00	.00	589,386.00	.0
CONTINGENCIES AND RESERVES	178,826.00	.00	.00	178,826.00	.0
	<u>1,357,503.00</u>	<u>40,423.77</u>	<u>132,088.17</u>	<u>1,225,414.83</u>	<u>9.7</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>1,981,500.00</u>	<u>86,342.36</u>	<u>295,713.98</u>	<u>1,685,786.02</u>	<u>14.9</u>
	<u>(290,000.00)</u>	<u>64,012.78</u>	<u>213,107.55</u>	<u>(503,107.55)</u>	<u>73.5</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	(4,500.00)	.00	.00	(4,500.00)	.0
CHARGES FOR SERVICES	3,129,300.00	312,191.81	814,488.32	2,314,811.68	26.0
OTHER REVENUE	10,000.00	.00	444.44	9,555.56	4.4
TRANSFER IN	.00	.00	.00	.00	.0
	<u>3,134,800.00</u>	<u>312,191.81</u>	<u>814,932.76</u>	<u>2,319,867.24</u>	<u>26.0</u>
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	528,144.00	41,942.53	125,801.22	402,342.78	23.8
MATERIAL AND SERVICES	243,700.00	5,378.74	42,247.86	201,452.14	17.3
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	14,900.00	398.39	1,195.17	13,704.83	8.0
TRANSFERS OUT	149,966.00	.00	.00	149,966.00	.0
	<u>951,710.00</u>	<u>47,719.66</u>	<u>169,244.25</u>	<u>782,465.75</u>	<u>17.8</u>
WASTEWATER TREATMENT:					
PERSONAL SERVICES	536,014.00	43,680.93	122,278.58	413,735.42	22.8
MATERIAL AND SERVICES	582,300.00	32,367.01	96,441.31	485,858.69	16.6
CAPITAL OUTLAY	10,000.00	.00	.00	10,000.00	.0
DEBT SERVICE	14,900.00	398.39	1,195.17	13,704.83	8.0
TRANSFERS OUT	1,230,044.00	.00	.00	1,230,044.00	.0
CONTINGENCIES AND RESERVES	314,332.00	.00	.00	314,332.00	.0
	<u>2,687,590.00</u>	<u>76,446.33</u>	<u>219,915.06</u>	<u>2,467,674.94</u>	<u>8.2</u>
	<u>3,639,300.00</u>	<u>124,165.99</u>	<u>389,159.31</u>	<u>3,250,140.69</u>	<u>10.7</u>
	<u>(504,500.00)</u>	<u>188,025.82</u>	<u>425,773.45</u>	<u>(930,273.45)</u>	<u>84.4</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2017

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	534,592.00	2,304.06	2,304.06	532,287.94	.4
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	3,000.00	.19	.06	2,999.94	.0
	<u>537,592.00</u>	<u>2,304.25</u>	<u>2,304.12</u>	<u>535,287.88</u>	<u>.4</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	35,000.00	.00	.00	35,000.00	.0
CAPITAL OUTLAY	391,853.00	.00	.00	391,853.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	450,739.00	.00	.00	450,739.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>877,592.00</u>	<u>.00</u>	<u>.00</u>	<u>877,592.00</u>	<u>.0</u>
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>877,592.00</u>	<u>.00</u>	<u>.00</u>	<u>877,592.00</u>	<u>.0</u>
	<u>(340,000.00)</u>	<u>2,304.25</u>	<u>2,304.12</u>	<u>(342,304.12)</u>	<u>.7</u>

From: [June Podesta](#)
To: tdavis@brookings.or.us
Subject: Mill Beach Camping
Date: Tuesday, October 17, 2017 9:51:00 AM

To The Honorable Jake Pieper, Mayor of the City of Brookings, Gary Milligan, City Manager and City Council Members:

Please find below the topics we will be addressing @ the City Council meeting on October 23, 2017 @ 7:00 pm.

- 1) Mill Beach Workshop
- 2) Residents/Neighborhood Watch/Signs
- 3) Effect on Community
- 4) Safety of Families/Children/Tourists/Individual Homeless
- 5) Adjacent to Harris Beach
- 6) State Park Rangers Expertise
- 7) State Park Signs
- 8) Law Enforcement

Respectfully submitted,

June Podesta & Corrine Gist Sills

Sent from my iPad

Courtesy Guide



To enhance the quality of everyone's visit, please observe this summary of rules for your safety and protection of the park.

 Day Use Only. Do not remain in park after posted hours.	 Camping prohibited.
 Keep all pets under physical control and on a leash not more than six feet at all times. The handler is responsible for animal's behavior, containment and removal of animal's wastes.	 Fireworks prohibited.
 Swim at your own risk. No lifeguard on duty.	 Feeding wildlife within a park area is prohibited.
 Automobiles, trailers or other vehicles shall be parked only in designated parking areas.	 A person may not pick, cut, mutilate, or remove plants or other natural resources.
 Persons using bikes, skateboards, scooters, rollerblades or other wheeled operator propelled devices must comply with motor vehicle and bicycle regulatory signs.	 A person may not operate a motor assisted scooter in a park area, including on a bicycle lane or bicycle path.
 A person may not dispose of garbage or waste generated by activities conducted outside the state park area.	 Discharging any firearm, slingshot, pellet gun, bow and arrow or other weapon is prohibited.

A complete copy of Oregon Parks & Recreation Administrative Rules is available at www.oregonstateparks.org.

A Day-use Parking fee is a charge for parking under ORS 105A.020(1) and not a charge for recreational purposes under ORS 105A.072 to ORS 105A.076. Permit to ORS 105A.072 to 105A.076, a charge for use of the assigned area or park facility of the state park land for camping is not a charge for any other recreational purpose or use of state park land. The recreational provision under ORS 105A.082 apply to use of state park land for any other recreational purpose.



**8:00 PM
TO 6:00 AM**

Smoking Prohibited in Oregon State Parks

Exceptions:

- Smoking allowed in campsites
- Smoking allowed in vehicles and camping units.

OSAR 736-010-0040



**CAMPING
PROHIBITED**

Protect Wildlife



**No Climbing on
Rocks or Islands**



From: [Dennis Thoren](#)
To: tdavis@brookings.or.us
Subject: Letter of support to ban Mill Beach Camping
Date: Thursday, October 19, 2017 9:41:30 PM

Dear Gary Milliman, City Manager,

My name is Dennis Thoren and I am a resident/owner of 200 macklyn cove drive, unit 9.

I am writing to request that Camping be banned on mill beach which is right next to my condominium complex. I am extremely concerned about an increase in homeless people using mill beach as a home which is unacceptable to me. I have invested in the community the right way by purchasing a condominium and paying the related taxes to the city. It is very unfair to allow Camping on mill beach which encourages an influx of transient homeless people to be in mill beach. This compromises safety for my wife who has had homeless people watch her and make her very uncomfortable just getting into and out of our gated condominium complex.

Please do the right thing and ban Camping to protect personal safety for my wife and I as well as protecting our investment.

Sincerely
Dennis Thoren
200 macklyn cove drive unit 9
714 330-7696
Sent from my iPhone

From: [Jim Thompson](#)
To: tdavis@brookings.or.us
Cc: [Karin Thompson](#); [Corrine Gist](#)
Subject: Supportive Letter for Brookings City Council Meeting (10/23/17)
Date: Sunday, October 22, 2017 4:07:57 PM

Dear Mayor and City Council Members: My spouse, Karin Thompson and I own Unit #5 in the Macklyn Cove Condominiums in Brookings. We live in Medford and use the condo frequently. We have been pleased, more or less, with the Council's efforts to protect the valuable asset embodied in the Mill Beach. We clearly recognize the difficulties you have faced in reconciling varying views of taxpaying residents and individuals who might wish to camp on the beach.

We join our colleagues who will be testifying on Monday evening at the council meeting to address use of the Mill Beach property. We urge you to use whatever powers the State of Oregon permits city councils to exercise to limit or even deny use of the beach area for overnight camping.

We wish you continued wisdom in pursuit of such measures.

Respectfully, //James and Karin Thompson//

From: [Benita Robinson](#)
To: tdavis@brookings.or.us
Cc: [June Podesta](#); [Cory Gist Sills](#)
Subject: City Council meeting on October 23rd
Date: Sunday, October 22, 2017 2:06:07 PM

Dear Ms Davis,

Re: the issue of Mill Beach camping, I'd like to submit the following personal statement/request for consideration at the above meeting.

"Dear Mayor, City Manager, and City Council Members of Brookings, Oregon:

When making the decision to purchase property at Macklyn Cove above Mill Beach in 2007, the biggest reason was the closeness to and beauty of the beach itself and the amazing view of the ocean.

Although those two things remain unchanged, I often wake up to seeing homeless people sleeping on the beach, sometimes in sleeping bags, sometimes under blankets. They leave behind various items such as empty bottles, drug paraphernalia, and have defecated and urinated out in the open instead of using the city installed public toilets.

I frequently go for early morning runs and often encounter homeless people walking away from the beach. Although I've never been threatened by any of them, it is not what I like to see first thing, nor do I appreciate comments made by some of them.

The City allowing people to camp on the beach is not a wise decision in my opinion. It is not only unwelcomed by the nearby residents, but also an embarrassment when entertaining out-of-town visitors, and when tourists decide to spend time on Mill Beach. Is Brookings soon becoming a homeless sanctuary city the way Eureka, CA, and Arcata, CA already are?

I hate to even think about what this is doing to the property values of our homes. I doubt that any of you, as elected city officials, would like to see any of this in your own front or back yard!"

Sincerely,

Benita Robinson
200 Macklyn Cove Dr #6
Brookings

Sent from my iPad