

City of Brookings **WORKSHOP Agenda**

CITY COUNCIL

Monday, June 4, 2012, 4:00pm

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

A. Call to Order

B. Roll Call

C. Topics

1. Tourism Promotion Follow Up [pg. 2]
 - a. Grants Pass Tourism Promotion Services [pg. 4]
 - b. Proposed Chamber Tourism Promotion Budget [pg. 12]
 - c. Today in America Follow-up Memo [pg. 13]
2. Golf Course Follow Up [pg. 14]
3. Surplus Property Discussion [pg. 18]
 - a. Maps and deeds [pg. 20]
4. Grant Application Status [pg. 32]

D. Council Member Requests for Workshop Topics

E. Adjournment

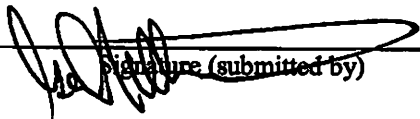
All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL WORKSHOP REPORT

Meeting Date: June 4, 2012

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Tourism Promotion

Background/Discussion:

The purpose of this Report is to provide an update on staff's activities relative to tourism promotion following discussion at the May 7, 2012, City Council workshop.

CHAMBER FOLLOW-UP

As of this writing, staff has not received written confirmation from the Brookings Harbor Chamber of Commerce that they do not plan to enter into an agreement for tourism marketing services beyond June 30, 2012. The City Manager has received verbal notice from Chamber Executive Director Les Cohen and Chamber President Ken Bryan. Staff has also received several referrals from the Chamber of parties with whom the Chamber has placed advertising in the past, or has received advertising inquiries, regarding tourism promotion. Staff has not contracted for the placement of any advertising. It is unclear as to whether the Chamber would continue to management community events such as the Azalea Festival.

GOING FORWARD

Attached is the budget page from the Chambers 2011/12-2016/17 Tourism Marketing Plan. This document identifies a number of the advertising venues the Chamber was planning to use. The City could follow-up with this list to develop an advertising program for 2012-13. There are a number of items on the budget list that the City could not simply "pick up" as they involve the production of documents or are loosely defined, such as "Internet Expense."

The City Manager has contacted the General Manager at the Port of Brookings Harbor to discuss the possibility of having the Port marketing and promotions staff assume the function of managing the City's tourism promotion program, and developing a joint City/Port tourism promotion program. The City Manager has now met twice with Port management. The Port has two part time promotions/events employees that would be available to conduct the promotions program, including organizing events. The Port would be willing to increase the hours of the employees at Port expense in order to maximize the City funding for advertising promotion. City and Port management also discussed developing a new joint marketing plan, which would address issues such as a jointly-shared tourism website. The Port office, which is currently staffed M-F, 8:00 a.m. to 5:00 p.m. (closed at lunch), could initially serve as the visitor information center; Port management indicated the days and hours could be adjusted to include weekends.

The City Manager has also been in contact with the Executive Director of the Tri Agency Economic Development Commission in Del Norte County. That agency is developing a tourism

marketing strategy and has expressed interest in partnering with the City of Brookings to develop a regional tourism promotion program.

A third alternative may be the formation of a volunteer City promotions committee to assist the City Manager in developing a City tourism promotion program. The City Manager has past tourism promotions experience, having served as general manager and marketing director for a tourist business, and having participated in regional tourism organizations in California. This would require some restructuring of the City Manager's work assignments. A tourism promotion committee may consist of local tourism business operators and marketing professionals.

A fourth option would be to develop a Request for Proposals for a private or non-profit to develop and manage a City tourism promotions program within the amount budgeted from Transient Occupancy Tax funds.

Yet another alternative would be to forego trying to develop a tourism promotion program and, instead, develop a visitor information center facility that could be operated by volunteers or in partnership with a private business or local non-profit organization. For example, the City could lease-option the former medical office building on Alder Street, retrofit a portion of the building to serve as a visitor center, develop the City-owned property adjacent to the building for parking...including RV parking...install signage and issue an RFP for a private business or non-profit to operate a visitor information center at that location. We are exploring possible funding through the U.S. Economic Development Administration for the development of a visitor and business recovery center. Still in the concept stage of discussion at this time, funding could be used to acquire property in the City on or near Highway 101 which would be developed to support two activities: 1) the operation of a visitor center and 2) the operation of a business assistance center. The major focus of this program is to assist local communities in a faster economic recovery following a natural disaster, such as a tsunami. EDA has expressed preliminary interest in this project for several reasons. This project is still in the conceptual development stage, although discussions with EDA have been positive.

Brookings Municipal Code Section 3.10.150(A) provides:

"The city shall use 25 per cent of the transient room tax collection each year to promote tourism."

Staff continues to research and develop alternatives relating to this matter, and welcomes comments from the City Council on any of the aforementioned approaches.

Attachments:

- a. Grants Pass Tourism Promotion Services.
- b. Proposed Chamber tourism promotion budget.
- c. Today in America Follow-up Memo

Program: Development – Tourism Promotion Services

Services Delivered:

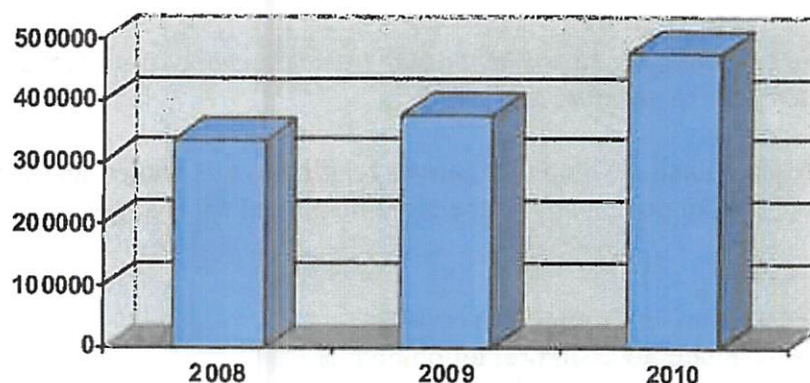
This program is responsible for marketing the Grants Pass area and providing tourism and visitor services to increase the economic impact in the community. Activities include outreach advertising, maintaining a dynamic website, visitor contact, event promotion, industry training, development of informational materials and public relations. The main Visitor Center is staffed both by the City's tourism marketing staff and the Chamber of Commerce. The Tourism Program contracts with the Chamber to provide telephone, fulfillment and greeting support.

FY'12 Anticipated Accomplishments:

Staff will work with the Tourism Advisory Committee on ideas and plans for the creation of a new or expanded event for 2012. The City received notice of a NEA (National Endowment of the Arts) grant for the key "Shoulder Season" event, "Art Along the Rogue". In its 9th year, this additional funding will help to enhance artist opportunities, by providing expanded workshops and specialized techniques taught by a professional street painting artist. The promotion of local events such as Amazing May, Back to the 50's and Holiday events, through an abundance of websites, will continue. Annual Hospitality Training, quarterly volunteer meetings and hospitality staff briefings will also continue. Efforts will continue to maximize print and web exposure through cooperative opportunities available through SOVA (Southern Oregon Visitors Association) and Travel Oregon. Additional efforts will continue to shift towards website and social media marketing. The website will continue to be updated as a primary marketing tool.

FY'12 Performance Measurements:

Annual Hits on www.visitgrantspass.org



- Effectiveness: The Tourism program will conduct a survey of local tourism industry providers, with a target of at least 80% positive rating of tourism marketing services.
- Effectiveness: An intercept survey requesting zip code information will be conducted at "Art Along the Rogue", to gain information on the event attendees and the response of marketing efforts.
- Efficiency: The Tourism program will research and engage in additional social media efforts to maximize this form of marketing.

Program: Development – Tourism Promotion Services

Budget Highlights:

Projected revenues are forecasted to remain flat throughout FY'12. This program is revenue driven. The program's expenses are set, based on the anticipated room tax collection and independent revenue generated in the fiscal year. The primary function of this program is to provide outreach marketing through various print and web based advertising.

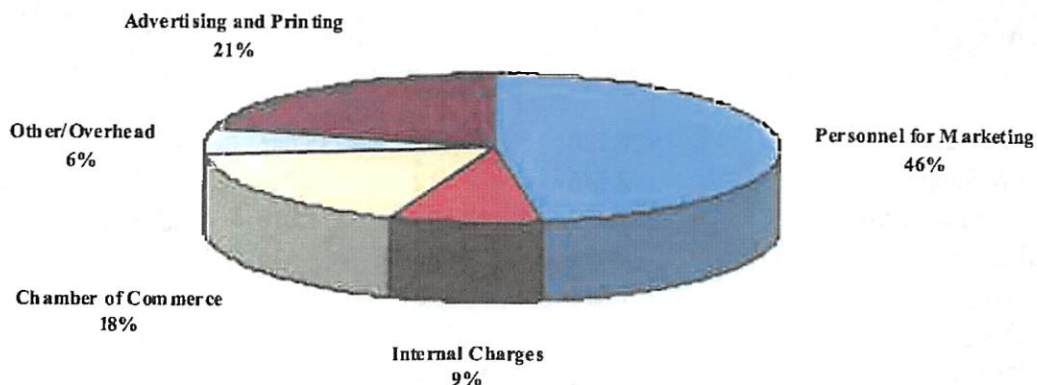
FY'11 Activity Review:

An updated marketing plan was approved by the City Council in 2010 and will continue to help direct marketing efforts. Extensive time and attention is spent on the tourism website (www.visitgrantspass.org) to keep information up-to-date, fresh, dynamic and interesting, through the creation of new pages which highlight activities and local events. A quarterly e-newsletter is sent to over 13,000 subscribers and social media activities such as Facebook and YouTube, which have become an important part of marketing. Several brochure and rack cards continue to be produced and distributed to encourage additional activities for all seasons and promote extended visitor stays. All brochures are available in PDF format on the website to provide another communication avenue. Art Along the Rogue, our fall "shoulder" season event, moved back to H Street and was expanded to include the blocks between 6th Street and (just shy of) 4th Street. Additionally, 5th Street was closed between G Street and J Street to allow for an expanded layout. The enhanced layout and amazing weather resulted in the event attendees staying longer and left a positive economic impact.

FY'11 Performance Indicators:

- Receive positive satisfaction ratings from at least 80% of local lodging providers - will survey in May 2010 - **Target met.**
- Increase website visits by 3% per year - **Target met.**

Budget Allocations



Actual Expenditures FY'11 (as of 3/21/11)

Program: Development – Tourism Promotion Services

Financial Summary

Resources	ACTUAL FY'09 \$	ACTUAL FY'10 \$	BUDGET FY'11 \$	MANAGER RECOMMEND FY'12 \$	COMMITTEE APPROVED FY'12 \$	COUNCIL ADOPTED FY'12 \$
Beginning Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>13,822</u>	<u>13,822</u>	<u>13,822</u>
Current Resources						
Activity Generated						
State Grants	6,000	0	0	0	0	0
Sales	5,057	3,757	2,500	2,500	2,500	2,500
Transfer from Room Tax	286,435	277,470	270,630	280,600	280,600	280,600
Other Revenue	<u>93</u>	<u>423</u>	<u>1,040</u>	<u>600</u>	<u>600</u>	<u>600</u>
Total Current Resources	297,585	281,650	274,170	283,700	283,700	283,700
General Support	<u>11,608</u>	<u>0</u>	<u>1,517</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Resources	<u>309,193</u>	<u>281,650</u>	<u>275,687</u>	<u>297,522</u>	<u>297,522</u>	<u>297,522</u>

Requirements	ACTUAL FY'09 \$	ACTUAL FY'10 \$	BUDGET FY'11 \$	MANAGER RECOMMEND FY'12 \$	COMMITTEE APPROVED FY'12 \$	COUNCIL ADOPTED FY'12 \$
Personal Services	126,180	129,148	135,046	141,217	141,217	141,217
Materials & Supplies	2,346	1,612	4,200	4,600	4,600	4,600
Contractual/Prof Services	151,652	112,394	111,010	122,383	122,383	122,383
Direct Charges	424	486	515	2,393	2,393	2,393
Capital Outlay	1,578	0	0	0	0	0
Indirect Charges	27,013	24,188	24,916	26,929	26,929	26,929
Ending Balance	<u>0</u>	<u>13,822</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Requirements	<u>309,193</u>	<u>281,650</u>	<u>275,687</u>	<u>297,522</u>	<u>297,522</u>	<u>297,522</u>

Program: Development – Tourism Promotion Services

Personnel

	BUDGET FY'09 #	BUDGET FY'10 #	BUDGET FY'11 #	MANAGER RECOMMEND FY'12 #	COMMITTEE APPROVED FY'12 #	COUNCIL ADOPTED FY'12 #
Tourism/Downtown Coordinator	1.00	1.00	1.00	1.00	1.00	1.00
Office Assistant II	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>
Subtotal	2.00	2.00	2.00	2.00	2.00	2.00
Parks and Comm. Service Director						
From: Property Management	0.05	0.05	0.05	0.05	0.05	0.05
Office Assistant II						
From: Property Management	0.05	0.05	0.05	0.05*	0.05*	0.05*
Tourism/Downtown Coordinator						
To: Downtown	<u>(0.25)</u>	<u>(0.25)</u>	<u>(0.25)</u>	<u>(0.25)</u>	<u>(0.25)</u>	<u>(0.25)</u>
Subtotal	(0.15)	(0.15)	(0.15)	(0.15)	(0.15)	(0.15)
Total Positions	<u>1.85</u>	<u>1.85</u>	<u>1.85</u>	<u>1.850</u>	<u>1.850</u>	<u>1.850</u>
Total Un-Funded Positions	0.00	0.00	0.00	(0.005)	(0.005)	(0.005)
Total Funded Positions	<u>1.85</u>	<u>1.85</u>	<u>1.85</u>	<u>1.845</u>	<u>1.845</u>	<u>1.845</u>

*The following is a Recap of Unfunded Positions by Fiscal Year:						
Office Assistant II	0.00	0.00	0.00	0.005	0.005	0.005

Office Assistant II	0.00	0.00	0.00	0.005	0.005	0.005
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TOURISM ADVISORY COMMITTEE MEETING AGENDA

Thursday, May 10, 2012

Visitors Center Board Room
4:00 p.m.

Welcome new Member, Introductions

Review and approve April minutes

Room Tax - Kerrie / All

Events - Kerrie

Monthly Report - Kerrie

SOVA Updates - Kerrie

Miscellaneous Items from the Committee

Comments from the Public

NEXT MEETING -- 4pm Thursday June 14, 2012

Tourism and Downtown Services

It's no secret Grants Pass is an exciting place to visit. Ask many new business owners and they'll tell you they came here first as a visitor, liked what they saw, and made the decision to move their business and their family to Southern Oregon.

As an industry, tourism is an integral part of the local economy. Tourism serves to celebrate and profit from the unique quality of life and natural, cultural and recreational treasures offered in the region. The City's program relies on aggressive marketing to sell the Grants Pass area to the world, thereby adding thousands of new dollars into the local economy and tax base.

Grants Pass Tourism administers:

- Cooperative advertising opportunities with local businesses
- Outreach advertising for the community
- Hospitality education, awareness, and education programs
- Familiarization tours and events
- Community promotions, such as Amazing May
- Marketing materials and information for the community
- Public relations activities for the community
- The visitors information area in the Old Town Welcome Center downtown
- The Downtown Mainstreet Program

For more information on these and other visitor and business related items, check out the Grants Pass Tourism website

Event Calendar

Tourism Advisory Committee

Date: 5/10/2012 4:00 PM

Location: Chamber of Commerce -Visitor Center Board Room
1995 NW Vine St
Grants Pass, Oregon 97526

May 2012 - Tourism Advisory Committee Agenda

Event Calendar

Tourism Advisory Committee

Date: 5/10/2012 4:00 PM

Location: Chamber of Commerce -Visitor Center Board Room
1995 NW Vine St
Grants Pass, Oregon 97526

May 2012 - Tourism Advisory Committee Agenda

3. MARKETING EXPENSE WORKSHEET

2012/2013 - 2016/2017

	FY 2012/2013	FY 2013/2014	FY 2014/2015	FY 2015/2016	FY 2016/2017	5 year total
Printing	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$2,654.57
Postage and supplies for visitor & Relocation packets	\$6,000.00	\$6,180.00	\$6,365.40	\$6,556.36	\$6,753.05	\$31,854.81
Toll free number	\$450.00	\$459.00	\$468.18	\$477.54	\$487.09	\$2,341.82
Outdoor Sportsmen Shows (2)	\$1,300.00	\$1,340.00	\$1,380.00	\$1,420.00	\$1,465.00	\$6,905.00
Oregon Coast Magazine (6 issues)/Plus Mile-by-Mile guide	\$5,550.00	\$5,716.50	\$5,888.00	\$6,064.63	\$6,246.57	\$29,465.70
Travel Oregon Website Advertising	\$4,823.00	\$4,967.69	\$5,116.72	\$5,270.22	\$5,428.33	\$25,605.96
Oregon Travel Planner	\$6,600.00	\$6,600.00	\$6,800.00	\$6,800.00	\$7,000.00	\$33,800.00
Curry Coastal Pilot Vacation Guides	\$750.00	\$750.00	\$775.00	\$775.00	\$775.00	\$3,825.00
Charter Media Television Marketing *	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$5,000.00
Festival & Event Advertising *	\$10,700.00	\$10,914.00	\$11,132.28	\$11,354.93	\$11,582.02	\$55,683.23
South Coast Partnership Co-Op **	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$10,000.00
Internet Expense	\$1,380.00	\$1,380.00	\$1,380.00	\$1,380.00	\$1,380.00	\$6,900.00
Southern Oregon Visitor Association (SOVA) Vacation Guide	\$900.00	\$900.00	\$900.00	\$900.00	\$900.00	\$4,500.00
Co-Op N. California Travel Shows w/ SOVA	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$1,500.00
Travel Oregon State Welcome Centers	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$1,250.00
Total Expenditures per fiscal year	\$42,503.00	\$43,272.19	\$44,286.03	\$45,095.05	\$46,129.83	\$221,286.10
Total Room Tax from City of Brookings (estimated)	\$35,175.00	\$36,225.00	\$38,025.00	\$41,075.00	\$45,175.00	\$195,675.00
Variance	(\$7,328.00)	(\$7,047.19)	(\$6,261.03)	(\$4,020.05)	(\$544.83)	(\$25,611.10)

This worksheet is not intended to be inclusive of all annual Tourism Marketing expenses.

* Charter Media, regional radio stations and newspapers provide the Chamber with favorable pricing for both Chamber and community events that the Chamber administers advertising for, resulting in more purchasing power for our community's dollar.

** This worksheet does not account for the total amount of actual advertising purchased as a result of our Co-op efforts (ie: our \$2,000.00 expense with the South Coast Partnership Co-op in CY2011 purchased \$13,515.00 of print and television advertising in our principal target market areas during the Winter of 2011/2012. Additionally, the Co-op received 2 for 1 favorable pricing with the majority of the media used, substantially increasing the value of the actual monies spent.)



MEMORANDUM

Office of the City Manager

GARY MILLIMAN

City Manager

Credentialed City Manager

International City Management Association

TO: Mayor and Council

DATE: May 29, 2012

SUBJECT: Today in America

After a more intensive discussion with Today in America Program Director Kyra Burton and reviewing the Participation Agreement, I am not inclined to recommend that the City proceed with this program.

Following are my concerns:

1. The five-minute program would be shown one time only on the Discovery Channel, and 19 times on a **regional** CNN Headline News channel. In reviewing the regions where the program would be shown, there is only one in California: Sacramento. The program is not scheduled to be shown in the San Francisco Bay area or Los Angeles/southern California regions. The nearest other region is Seattle/Tacoma. Most of the regions are in the east and are narrowly defined.
2. The showing would occur between the hours of 6:00 a.m. and 11:00 p.m. any day of the week. The City would have no involvement in selecting the days and times of the showings.

While Sacramento is one of the areas from which we may be able to attract new residents and visitors, it was my earlier understanding that the showing regions were larger (i.e. multi-state).

The City of Newport has elected to purchase 34 regional showings for \$24,800; 29 regional showings could be purchased for \$29,000. So, it looks like \$9,800 of the fee goes to production and \$10,000 goes to purchase 20 television spots.

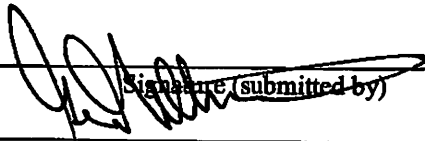
In addition to the showings, the City receives the master copy of the five-minute program and about 30-45 minutes of additional tape. There is a dubbing charge of \$750 for the additional tape. The City would also receive full licensing rights to the program and tapes. According to Burton, some cities are using the tape materials to create their own DVD's and creating longer-running programs in their websites. The most common practice has been to develop a 30-second program.

CITY OF BROOKINGS

COUNCIL WORKSHOP REPORT

Meeting Date: June 4, 2012

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Golf Course Follow-up

Background/Discussion:

Following the City Council meeting of May 14 where consultant J.J. Keegan or Golf Convergence provided his recommendations regarding the Salmon Run Golf Course, the City Manager contacted water rights Attorney Martha Pagel, the City Engineer, Planning Director Dianne Morris, City Attorney Martha Rice and Public Works Director to obtain cost estimates for going forward on the driving range, tree/shrub removal, water rights, water source development and lease revision recommendations.

The City Manager has also contacted Ron Fallert at South Coast Lumber Company concerning possible acquisition of land for the driving range.

DRIVING RANGE

Dianne Morris has reviewed the planning related issues. In addition to securing the site from South Coast Lumber, this project would require:

- Comprehensive Plan/ Zone Change. This would be heard by the Board of Commissioners and fee is \$5,590. A surveyor would be needed to do a legal description of the area involved and that cost is unknown.
- Conditional Use Permit (CUP) application. This would be heard simultaneously with the zone change and the fee is \$1,310. Legally the County has to process these within 150 days and given staffing constraints, Pratt thinks it would likely take all of that.
- If above is approved, a lot line adjustment to add this area to the existing parcels is required and the fee for that is \$1,125. In addition to that would be the surveyors cost to prepare the map and monument the area. There is also a filing fee to be paid to the County surveyor. A new deed including the area for the expanded driving range will need to be prepared and recorded. This would take at least six weeks to get County approval and the surveyors work after that would depend on his schedule.
- Prior to constructing the expanded area, the County requires an engineered erosion and sediment control plan to be submitted prior to the grading of the site. It appears the County doesn't issue grading permits but they charge \$137 to submit the erosion control plan.
- A DEQ 1200c permit for erosion control is required. Possibly the engineered plans that the County requires could be tailored to meet both DEQ and the County's requirements.

From DEQ website the fee appears to be \$782. We are not sure how long it takes to get this permit.

- There appears to be a creek that will be impacted; State agency involvement with that aspect will depend on what they are proposing to do. If they want to culvert or change the creek, the Department of State Lands (DSL) and Army Corps of Engineers (CORP) will need to issue a permit. If they just want to construct a bridge over the creek, Oregon Fish and Wildlife (ODFW) will need to approve the removal of vegetation. ODFW will be involved with vegetation removal for culverting or changing the creek also. Details about how this will be handled will need to be included in the CUP application for the expansion.

REMOVAL OF SHRUBS AND TREES FROM EXISTING COURSE

This would require:

- Coordination with ODFW about what vegetation may be removed.
- If a cumulative total of more than 800 sq. ft. will be disturbed, the County requires an engineered erosion and sediment control plan be submitted to them. County Planning Consultant David Pratt has advised that, if no roots or stumps are removed, he can waive this requirement. We would need to provide a plan for him to review and make this call. There is no fee for this even if an engineered plan must be submitted.
- Pratt believes the previous CUP authorized maintenance such as removal of trees and brush so this doesn't need another CUP.
- The City does not have a capacity to remove trees. This may be accomplished with volunteer labor, or by South Coast personnel.
- Loree Pryce and Bob Schaefer met with Ed Murdock at the golf course on May 22 to review the scope of work for the vegetation removal. It is estimated that the time required to address priority items for vegetation removal would be three work days with Schaefer as equipment operator and using City equipment. This would not include removing the cut vegetation from the site, which could possibly be handled by golf course member volunteers. Murdock also requested assistance with maintaining roadside vegetation, much in the same way the Public Works Department currently mows roadside shoulders on City streets. It was estimated that this could be accomplished in less than one day, twice annually. Staff estimates that the time required to undertake an ongoing vegetation control program would be about four weeks annually. Staff is currently developing a cost estimate for this activity..

WATER RIGHTS

Martha Pagel has reviewed the recommendations regarding the water rights. Following is a brief summary of the water rights issues presented, along with a rough estimate of the legal fees and consulting costs that would be expected.

With respect to the two options -- with the additional comments/clarifications below, Pagel believes either one would have similar requirements with respect to the timing and cost for dealing with the water right issues. In both cases, we would be adding a new point of diversion to the City's existing municipal water rights. The process would be to file a "transfer" application with OWRD. The transfer should be pretty straightforward and Pagel expects it would be

approved so long as it is characterized as a diversion from the Chetco River and not from Jack Creek.

Option 1: Diversion of Water near Jack Creek and the Chetco: This option would be workable if the proposal is to withdraw water from the Chetco River, not Jack Creek. This is because the City has no water rights on Jack Creek, but does have municipal water rights on the Chetco. The implication from the Operational Review is that the City would be using Permit 51383 -- but this is not an option because that permit allows use of water only during the very limited time period of March 1 through June 30 of each year. However, this concept would work under the same premise that is outlined in Option 2, whereby the new diversion point would be added to the City's existing municipal rights.

Option 2: Negotiations with Freeman: This option is essentially the same concept that was outlined in my letters of January 21 and March 18, 2010 for adding the Freeman well as an authorized point of diversion under the City's existing municipal water rights. Even though the well would be characterized as "ground water", Pagel believes this change could be accomplished because of the shallow construction of the well which means that it is really drawing water from the river.

Staff also referred a question from Mayor Hedenskog about the possibility of adding the golf course site as a new point of division for the City's "old" source of supply downriver.

Pagel reports that it would be very difficult to try to add the golf course location as a new point of diversion on the "old" downstream water right. As a general rule, it is always hard to move a POD upstream -- but is generally fairly easy to move it downstream. This is because an upstream change often results in "injury" -- and under the OWRD statutes, a change cannot be approved if it results in injury (unless the injury is mitigated.)

In this case, the City actually tried to move the POD upstream for the ground water right some years back, but ODFW objected on the grounds that it would cause injury to the in stream water rights on the Chetco. As a result, the City eventually withdrew that transfer application. Pagel does not recommend trying to add an upstream POD.

The cost for legal work and GSI consulting fees for these two options should be pretty similar -- both would involve filing a transfer application with OWRD to add a point of diversion and change the location of use to include the golf course land. The following estimate from Pagel assumes no major objections/protests to the transfer application. In developing this estimate, it was expected the bulk of the work in preparing and filing the transfer application would be done by GSI, with a need for only minimal review and oversight by Pagel. If unexpected issues arise in the transfer process, the cost and timeline would certainly increase. Pagel projects a time period of 1-2 years if the standard transfer process is used; however, the time period can be reduced to about 6-9 months if the City elects to pay extra for OWRD's expedited review process under the "Reimbursement Authority" program. Pagel's estimate of \$1,500 for the reimbursement authority process is an educated guess based on past experience. The final amount is determined by the actual cost to OWRD to process the application.

GSI Technical Services (preparing transfer application and map): \$5,000
Legal Review/oversight of transfer process: \$750

OWRD Application Fees: \$1,900

Optional/additional fee for expedited processing by OWRD (estimate): \$1,500

WATER SOURCE DEVELOPMENT

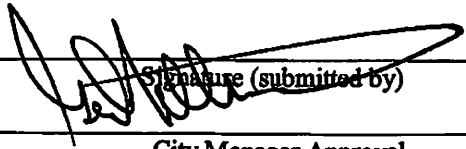
The City Engineer estimates the cost of an engineering feasibility study and budget for both alternatives listed above at \$15,000.

CITY OF BROOKINGS

COUNCIL WORKSHOP REPORT

Meeting Date: June 4, 2012

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Surplus Property Disposition

Recommended Action:
Discussion with staff.

Background/Discussion:

Staff is preparing to issue a request for proposals for maintenance of City property. Staff would like to discuss whether the City intends to retain these properties and continue to maintain them at a "park level", whether the City would like to pursue disposal of the properties, or retaining the properties and reducing the level of maintenance.

The properties in question include:

- Richard Street "Park" consisting of two non-contiguous parcels on Richard Street.
- Property to the west of the Easy Street children's playground; non-contiguous to the fenced area.
- Two triangular-shaped parcels on Memory Lane.
- A parcel on Rowland Lane at Arnold Lane.
- A parcel on 5th Street at Easy Street.

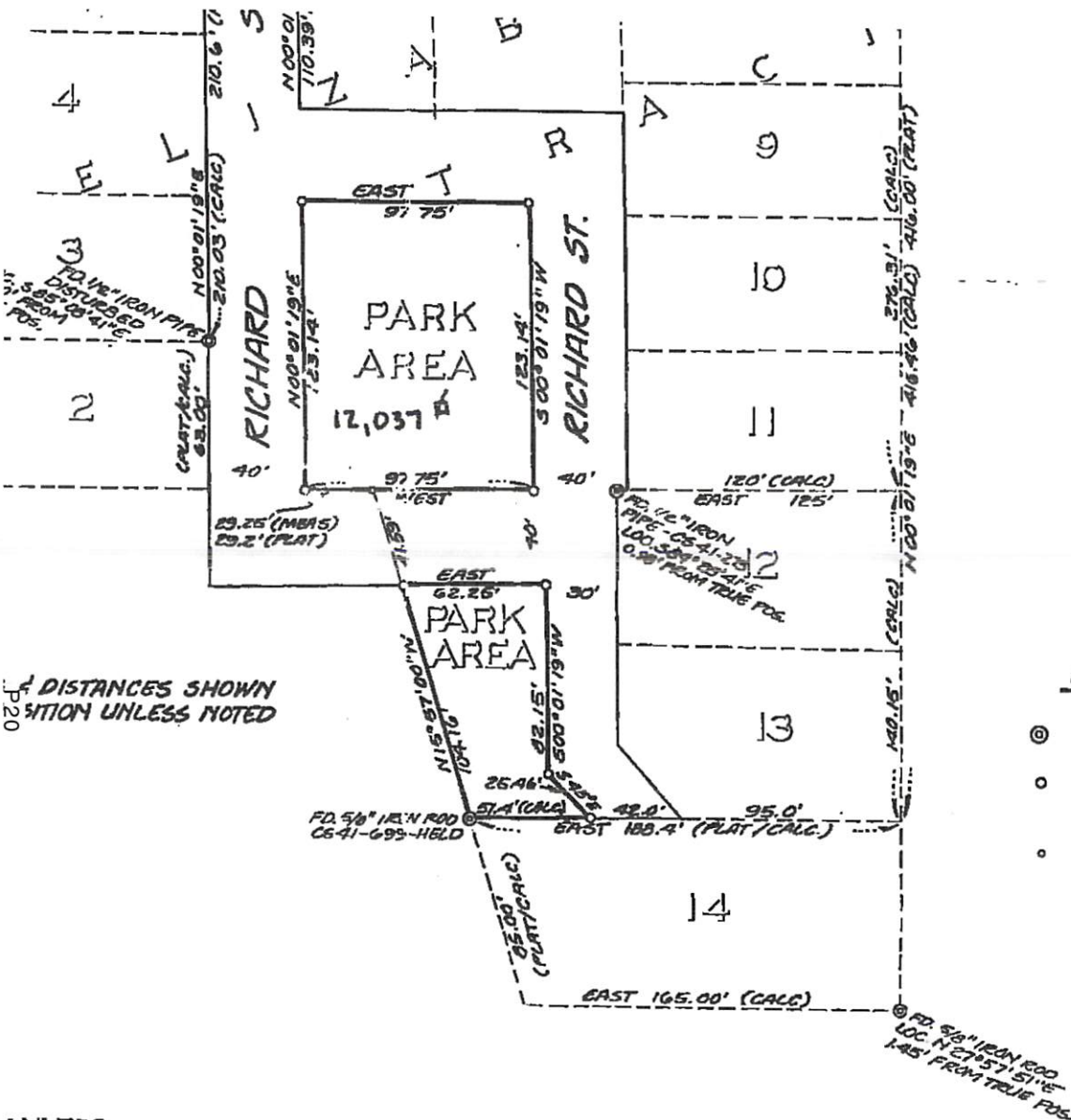
The City Attorney has reviewed the deed documents relating to these properties and advises as follows:

- Richard Street: This property is owned in fee simple by the City and the City may sell these parcels outright.
- Easy Street: If the City desires to dispose of these properties, they would revert to the adjoining parcels. The City cannot use these properties for any purpose other than park.
- Memory Lane: If the City abandons these parcels, they would become part of lots 24 and 25, respectively.

- Rowland and Arnold: This property is owned in fee simple by the City and the City may sell the property outright. There are City-owned underground utilities within this property; an easement for the maintenance of these utilities could be retained.
- Fifth and Easy: This property was dedicated for right-of-way. If abandoned, it would become a part of the contiguous parcel.

Attachment(s):

- a. Maps and deeds.



NARRATIVE:

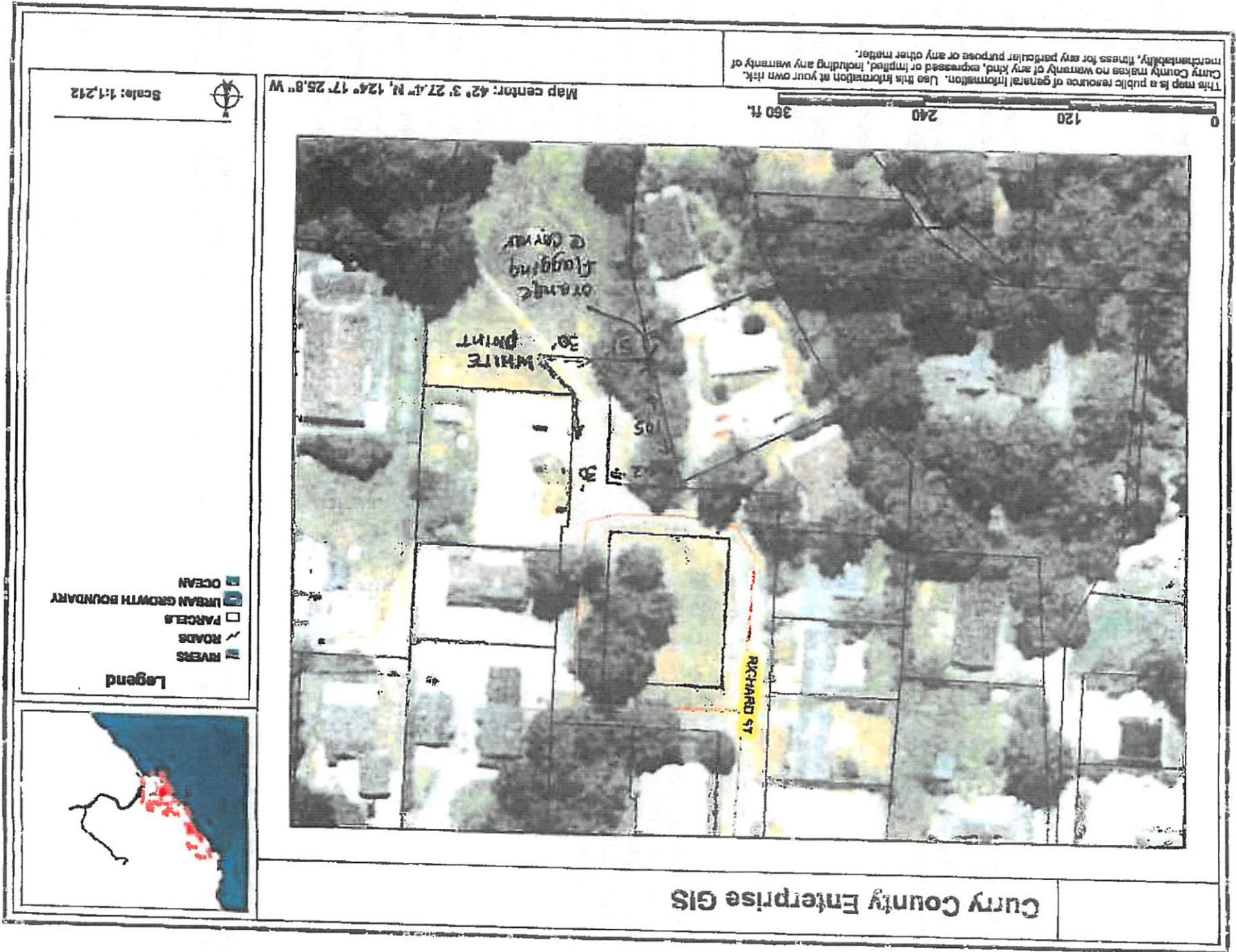
1. THE BASIS OF BEARING FOR THIS SURVEY BEING MONUMENTS SHOWN HEREON AS THE INITIAL NORTHWEST CORNER OF LOT 6, ELIZABETH TRACT, OREGON. THE BEARING BETWEEN THESE POINTS N89°23'00"E AS SHOWN IN THE ACKNOWLEDGED ORIGINAL PLAT OF ELIZABETH TRACT, BEARINGS BE TRUE.
2. THE BASIS OF SURVEY BEING THE RECORDED PLAT TRACT, CS#41-213, CS#41-214, & CS#41-215
3. THE PURPOSE OF THE SURVEY BEING TO MONUMENT ESTABLISH THE BOUNDARIES OF THE AREAS LAR. 7A" ON THE PLAT OF ELIZABETH TRACT.
4. THE INSTRUMENTS USED IN THIS SURVEY WERE AN IBM-PC. DEEDS USED IN THIS SURVEY BY OCEAN TITLE AND THE CITY OF BROOKLYN

LEGEND:

- FOUND MONUMENT-SIZE & TYPE AS NOTED
- SET 5/8" X 30" IRON ROD W/ PLASTIC CAP MARKED "HGE, INC."
- BEARING CIRCLE



41-1208



Gary Milliman

From: Martha Rice [mrice@attyblack.com]
Sent: Thursday, April 26, 2012 10:12 AM
To: Gary Milliman
Subject: RE: Richard Street

Gary,

I received a copy of the quitclaim deed and map from Donna. Because the property was quitclaimed to the City in fee and not "dedicated" for a specific purpose, the City may proceed with disposing of the property without going through a vacation process. The City has authority to sell property that is not needed for a public use under ORS 271.310.

*Martha D. Rice, City Attorney
Brookings, Oregon*

Law Offices of Robert N. Black

299 I Street, Suite 11B
Crescent City, CA 95531
Tel: 707-464-7637
Fax: 707-464-7647
Cel: 707-218-4310

THE PRECEDING E-MAIL MESSAGE (INCLUDING ANY ATTACHMENTS) CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL, PROTECTED BY THE ATTORNEY-CLIENT OR OTHER APPLICABLE PRIVILEGES, OR CONSTITUTE ATTORNEY WORK PRODUCT OR NON-PUBLIC INFORMATION. IT IS INTENDED TO BE CONVEYED ONLY TO THE DESIGNATED RECIPIENT(S). IF YOU ARE NOT AN INTENDED RECIPIENT OF THIS MESSAGE, PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE AND THEN DELETING IT FROM YOUR SYSTEM. THE USE, DISSEMINATION, DISTRIBUTION, OR REPRODUCTION OF THIS MESSAGE BY UNINTENDED RECIPIENTS IS NOT AUTHORIZED AND MAY BE UNLAWFUL.

From: Gary Milliman [<mailto:gmilliman@brookings.or.us>]
Sent: Thursday, April 26, 2012 8:33 AM
To: Martha Rice
Subject: Richard Street

Martha...Here is another instance of some property that the City owns and that we do nothing with. The property was never developed as a park, and probably will never be developed for that purpose as most of it is located in the middle of a culdesac serving about eight houses, and a piece of it is on the other side of the street (I'll have someone send you a map). We don't do anything with this property but mow it, and the neighbors use parts of the property to store boats and other materials. Staff would like to dispose of the property as it is an un-necessary maintenance expense.

Gary Milliman
City Manager
City of Brookings
898 Elk Drive
Brookings, OR 97415
541-469-1101; Fax 541-469-3650

INDEX

90 4/6

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That ROBERTA M. SMITH and RICHARD B. SMITH, individually, and as executor of the Estate of WARREN T. SMITH, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto THE CITY OF BROOKINGS, a Municipal Corporation

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Curry, State of Oregon, described as follows, to-wit:

All that certain land and tract designated "Park Area" located within the Elizabeth Tract Subdivision, a platted subdivision of and within the City of Brookings, Curry County, Oregon, also known as and described by Curry County Tax Assessor account numbers, to-wit:

- a.) Map No. 4113-0613, Tax Lot 1099, Type 00, Code Area 17-1; and
- b.) Map No. 4113-0613, Tax Lot 1699, Type 00, Code Area 17-1.

The authority of the Grantors herein to so convey said property to the Grantee is as more fully stated by said Grantors' affidavit attached hereto as Exhibit "A" and by such reference incorporated herein.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NIL

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ")", if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 17 day of August, 1981; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Roberta M. Smith
Richard B. Smith

(If executed by a corporation, affix corporate seal)

California

STATE OF ~~OREGON~~

County of ORANGE
August 17, 1981

Personally appeared the above named Roberta M. Smith and Richard B. Smith

STATE OF OREGON, County of

19

Personally appeared

and

who, being duly sworn,

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and acknowledged the foregoing instrument to be their voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me:

(OFFICIAL

Notary Public for California
My commission expires Jan 21, 1982

Notary Public for Oregon
My commission expires:

(SEAL)

ROBERTA M. SMITH & RICHARD B. SMITH

City of Brookings
992 Elk Drive
Brookings, OR 97415

City of Brookings
992 Elk Drive
Brookings, OR 97415

City of Brookings
992 Elk Drive
Brookings, OR 97415

STATE OF OREGON.

County of

I certify that the within instrument was received for record on the day of 19

at o'clock M., and recorded in book and volume to page or as document for file instrument number No. Record of Deeds of said county

Witness my hand and seal of County aforesaid

By

Deputy

BOOK OF RECORDS

90 417

STATE OF CALIFORNIA }
County of Orange } ss:

AFFIDAVIT

I, ROBERTA M. SMITH, and I, RICHARD B. SMITH, being first duly sworn, do depose and say the following:

1. I, Richard B. Smith, am the son and sole and lawful heir of Warren T. and Ruth B. Smith. Both of my said parents are deceased, said Ruth B. Smith dying on the _____ day of _____, 19____, and Warren T. Smith dying on the _____ day of _____, 19____.

All properties, property rights, assets and interests of any kind or nature whatsoever, of Ruth B. Smith, upon her death, did devolve to and become the property of Warren T. Smith. Before his death, Warren T. Smith did remarry, taking as his wife before death Roberta M. Smith.

2. I was the executor of the estate of said Warren T. Smith. I and Roberta M. Smith were the sole heirs and devisees of Warren T. Smith.

3. I, Roberta M. Smith, was duly and legally married to Warren T. Smith before his death. I and Richard B. Smith were the sole heirs and devisees of Warren T. Smith.

4. It has been explained to our knowledge and satisfaction that some doubt may exist upon the public record in regards to the dedication of the Elizabeth Tract Subdivision of and within the City of Brookings, Curry County, Oregon, wherein the park area designated on the plat map of said subdivision may not have been adequately or completely dedicated to the public as we believe the intents and purposes of Warren T. and Ruth B. Smith would have desired. As the sole heirs and devisees of said Smiths, it is our wish and intention to grant to said City of Brookings all of said Smiths' right, title and interest in and to said park areas as we have th authority to do being their sole heirs and devisees.

5. Further affiants sayeth not.

Roberta M. Smith
Roberta M. Smith

Subscribed and sworn to before me this _____ day of _____, 1981.

[Signature]
Notary Public for California
Commission Expires: 1-21-85

Richard B. Smith
Richard B. Smith

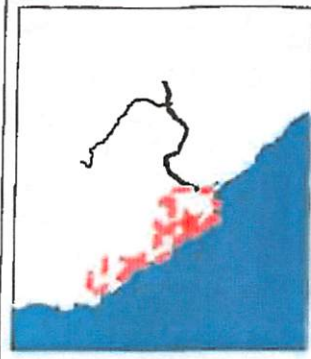
Subscribed and sworn to before me this _____ day of _____, 1981.

[Signature]
Notary Public for California
Commission Expires: 1-21-85

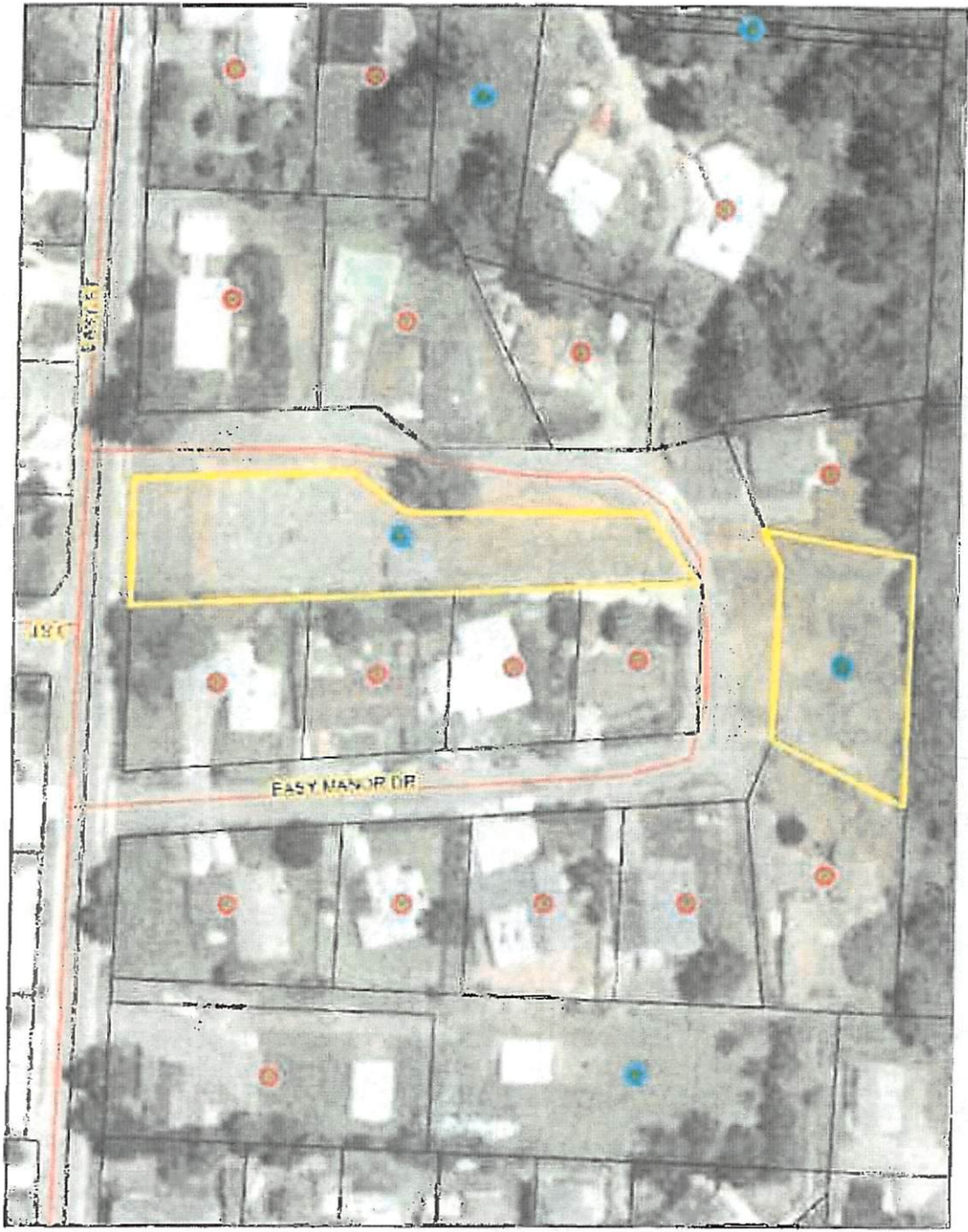
[Circular Stamp]
I hereby certify that the within instrument was
filed for record Feb. 19, 1982
at 12:10 o'clock P. M. and recorded
in Book of Records Vol. 90 Page 416-7
EUGENE P. BAUMANN, County Clerk
[Signature] Deputy
Fee Rec'd 82

Easy Manor Park

Easy Manor Park



- Legend**
- OWNER
 - SITUS
 - CODES
 - RIVERS
 - ROADS
 - PARCELS
 - URBAN GROWTH BOUNDARY
 - SPECIAL PROVISIONS
 - OCEAN
 - ORTHOIMAGE



Map center: 42° 3' 28.2" N, 124° 17' 35.1" W

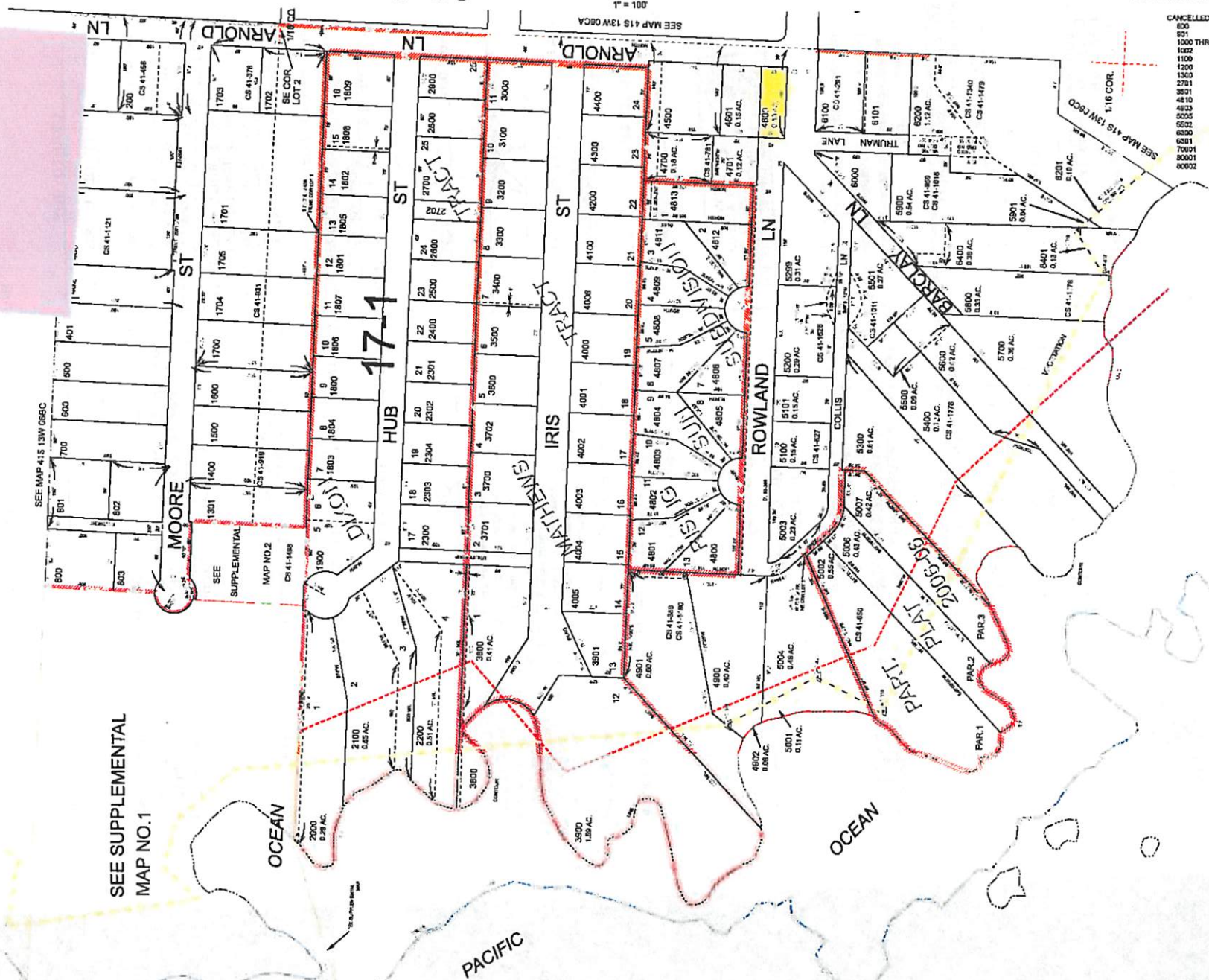
0 125 250 375 ft.

This map is a public resource of general information. Use this information at your own risk. Curry County makes no warranty of any kind, expressed or implied, including any warranty of merchantability, fitness for any particular purpose or any other matter.

FOR T
APPR.
BY OR



Rowland @ Arnold



Revised: RAA
01/25/2010

BROOKINGS
41S13W06CB

```

    _convey(s)

```

to CITY OF BROOKINGS

The South 40 feet of the following parcel: A tract of land lying in Lot Three (3) of Section Six (6), Township Forty-one (41) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon. BEGINNING at a point which bears South 788.8 feet from the Northeast Corner of Lot 3; thence West 140.0 feet;

thence West 140.0 feet;
thence North 100.0 feet;
thence East 140.0 feet;
thence South 100.0 feet to the point of beginning.

thence south 100.0 feet to the point of beginning.
 SAVE AND EXCEPT that portion that lies within the boundaries of Arnold Lane.

Dedicated for Right-of-Way Purposes.

APPROVED AND ACCEPTED BY CITY OF BROOKINGS, OREGON June 27, 1994

Tom Davis, Mayor

The true and actual consideration for this transfer is \$ -0-

Dated this 17th day of June, 19 94

~~Gerard Jay~~

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON ACQUIRING FEED TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DESIRED IN ORS 30.380.

STATE OF OREGON, County of CURRY) ss

.19_94 personally appeared the above-named

Gerrid Jov

and acknowledged the foregoing

Instrument to be his voluntary act and deed.



Before me:

Loris E. Allsup

Notary Public for Oregon

My commission expires:

* The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.

(Indicate which)

**BARGAIN AND SALE DEED
(INDIVIDUAL)**

Gerrid Joy

TO

City of Brookings

After Recording Return to:
City of Brookings
898 Elk Drive
Brookings, Oregon 97415

STATE OF OR 1994 INSTRUMENT 94 04859

County of _____ STATE OF OREGON
I certify that _____ COUNTY OF CURRY

on the _____
at _____ o'clock
on page _____
Witness my _____

I RENEE KOLEN, COUNTY CLERK, CERTIFY
THAT THE WITHIN DOCUMENT WAS
RECEIVED AND DULY RECORDED IN THE
OFFICIAL RECORDS OF CURRY COUNTY AT

04:28 ON 08-17-94

BY: CH DEPUTY

By	FEE \$	35.00
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PAGES: 7



VOL. 62 Page 109

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KNOW ALL MEN BY THESE PRESENTS, That Louis F. Morgan and Catherine M. Morgan, husband and wife

in consideration of Ten and no/100 Dollars, and other valuable considerations to them paid by City of Brookings, Oregon

do hereby grant, bargain, sell and convey unto the said grantees, its heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Curry and State of Oregon, bounded and described as follows, to-wit:

A tract of land for public street and roadway purposes lying in the Northwest Quarter of the Northwest Quarter of Section 6, Township 41 South, Range 13, West, W.M., in the City of Brookings, Curry County, Oregon.

Said tract of land being a portion of Lots 88 and 89 of the unrecorded Thornton and Ward Subdivision, and more particularly described as follows:

Beginning at a point which is North 32.21 feet and West 655.93 feet from the Southeast corner, of the said N.W. 1/4 of the N.W. 1/4 of Section 6, said point being the Southwest corner of said Lot 88; Thence North 89 deg. 22 min. East 80.00 feet; Thence North 16.00 feet; Thence North 16 deg. 46 min. West 277.30 feet to the Northwest corner of said Lot 89; Thence South 262.28 feet to the point of beginning, containing 0.27 acres, more or less.

This deed is given to correct the description in that certain Warranty Deed, dated October 31, 1960, and recorded on November 30, 1960, on page 237, Volume 60 of deed records of Curry County, Oregon.

To Have and to Hold the above described and granted premises unto the said grantees, its heirs and assigns forever.

And that the grantor do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances, no exceptions

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 28th day of June, 1961.

Louis F. Morgan (SEAL)

Catherine M. Morgan (SEAL)

(SEAL)

(SEAL)

STATE OF OREGON, ALASKA
THIRD DISTRICT

On this 28th day of June, 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Louis F. Morgan and Catherine M. Morgan, husband and wife

known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Elizabeth T. Beland
Notary Public for Oregon (in and for Alaska)
My commission expires January 6, 1962

WARRANTY DEED

Louis F. Morgan and Catherine

M. Morgan, husband and wife

TO

City of Brookings

AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE) RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,

County of Curry

I certify that the within instrument was received for record on the 19 day of July, 1961, at 9:17 o'clock P.M., and recorded in book 62 on page 109. Record of Deeds of said County.

Witness my hand and seal of County affixed.

Bernard S. Mathers
County Clerk
By Paul J. Giese Deputy.

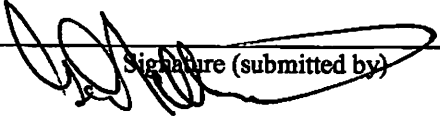
Docket No.

CITY OF BROOKINGS

COUNCIL WORKSHOP REPORT

Meeting Date: June 4, 2012

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Grant Application Status

Recommended Action:

No action. Informational only.

Background/Discussion:

Staff is currently pursuing grant funding for the following projects:

MILL BEACH/MACLYN COVE/TANBARK ACCESS

The City has submitted an application through the Oregon Department of Parks and Recreation (OPRD) to fund improvements to the Mill Beach/Maclyn Cove Beach access and one of the scenic overlooks along Tanbark Road. Improvements at Mill Beach would include paving the access road, parking area, installing a restroom and picnic area. Improvements at Tanbark would include a paved pedestrian walkway and a deck overlooking Chetco Cove.

Grant Funding: \$64,500

Local Match: \$60,500

WASTEWATER TREATMENT PLANT SLOPE STABILIZATION

This application has been submitted through Oregon Emergency Management (OEM) seeking Federal Emergency Management Agency (FEMA) funding from the Hazard Mitigation program for the installation of a retaining wall adjacent to the wastewater treatment plant. The project would address a slope failure at that location.

Grant Funding: \$307,125

Local Match: \$102,375

RAILROAD STREET RECONSTRUCTION

This application seeks Federal Highway Administration (FHWA) Discretionary Grant program funding through the Oregon Department of Transportation (ODOT) for the reconstruction of Railroad Street between Pacific Avenue and Oak Street including the installation of a multi-use path on the west side of the street.

Grant Funding: \$2,588,912

Local Match: \$1,000,000

HILLSIDE DRIVE PEDESTRIAN IMPROVEMENTS

This application seeks funding through the Transportation Enhancement (TE) and Bicycle/Pedestrian Program (OBPAC) administered by ODOT to fund pedestrian improvements on Hillside Drive to provide pedestrian linkage between the three elderly and disabled facilities located on Park Avenue and Highway 101/downtown Brookings.

Grant Funding: Still in development; expected to be less than \$150,000

Local Match: 10 per cent

EASY STREET PEDESTRIAN IMPROVEMENTS – PHASE II

This project is also being submitted for TE/OBPAC funding through ODOT for the installation of sidewalks on the west side of Easy Street between Pioneer Road and Fern Avenue. The application is being prepared by City staff, but will be submitted by Curry County. Each city and county is eligible to submit one application; by making arrangements with Curry County to submit an application with the City as co-applicant, we are able to submit two applications under the same program.

Grant Funding: \$450,000

Local Match: \$50,000

BROOKINGS AIRPORT INFRASTRUCTURE

This application is being submitted to the U.S. Economic Development Administration (EDA). This project would involve the extension of water and sewer services to Brookings Airport, and the construction of a 1.0 million gallon water storage reservoir just north of the airport. The project would implement a project that was conceptually designed in 2011 and would implement a major project in the City's water and sewer Master Plan. The project would also resolve a number of water pressure/volume issues in the area along Parkview Drive and would enable the City to take several of its pumping facilities out of service. Support letters have been received from Cal Ore Life Flight, Curry County, the Border Coast Regional Airport Authority, Tri-Agency Economic Development Commission (Del Norte County), Curry County and the Coos-Curry-Douglas Business Development Corporation. While the local match for these projects is typically 50 per cent, EDA has agreed to increase the federal match to 60 per cent due to the extreme economic conditions in Curry County. The project will compliment runway improvements that have been funded through the Federal Aviation Administration (FAA) to Curry County, and the development of a training center at the airport funded by Cal Ore Life Flight.

Grant Funding: \$1,762,110

Local Match: \$1,174,740

Staff is also preparing to submit this same project under a new EDA grant program for disaster preparedness. Under that program, grant funding would be at 80 per cent of the project cost.

BIKEABLE BROOKINGS

This application has been submitted through ODOT seeking federal funding under the TIGER III program for a regional bicycle project. The application was first submitted in 2010 and was not funded; it was resubmitted in 2011 and also not funded; staff restructured the application and we retained consulting services to prepare a cost-benefit analysis and resubmitted the application again in 2012. The project involves the construction of interconnecting bicycle facilities between Carpenterville Road and the California border. The project would incorporate the Railroad Street Reconstruction Project described above and the construction of bicycle or multi-use facilities on various other City streets. A substantial number of support letters were received for this project.

Grant Funding: \$4,866,138

Local Match: \$2,088,000

TRANSPORTATION SYSTEM PLAN

This project involves the preparation of a new Transportation System Plan (TSP). The TSP is mandated in State law, and is a requirement for street, bicycle and pedestrian facility grant funding eligibility.

Grant Funding: Actual cost up to \$200,000

Local Match: 10 per cent

VISITOR INFORMATION CENTER

Staff has had preliminary discussion with EDA concerning possible funding for a visitor information and business recovery center. See the Tourism Council Workshop Report for more information concerning this project.

Depending upon the project scope and the project timing (even if approved now, some of these grant funds would not be available or would not need to be claimed for 1-3 years), the local match could be provided with a combination of Urban Renewal; annual street funding appropriations from the State; street, parks water and sewer SRF or SDC funds; contributions from other agencies; and "in-kind" contributions by the City in the form of staff time or City-owned facilities. For the TIGER project, the City received financial contribution commitments from Southwestern Oregon Community College, Curry County and the Port of Brookings Harbor.

The City has had mixed success in its grant funding efforts, which is typical as the environment is very competitive.