

City of Brookings MEETING AGENDA

CITY COUNCIL

Monday, February 27, 2012, 7:00pm

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

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Public Hearings/Ordinances/Final Orders *[See Advance Packet]*

1. Ordinance adding Section 12.25.017, Smoking prohibited in designated park areas, to Brookings Municipal Code (BMC) Chapter 12.25, Public Parks and Recreational Areas. [Public Works]
 - a. Ordinance 12.O-690
 - b. Chapter 1.05 General Penalty
 - c. Chapter 12.25 Current Version
2. Public Hearing in the matter of VAC-1-12, vacating Park Spur [Planning]
 - a. Planning Commission Staff Report
3. Final Order and Ordinance vacating Park Spur. [Planning]
 - a. Final Order and Findings of Fact on VAC-1-12
 - b. Ordinance 12-O-691
4. Public Hearing on File LDC-4-11, revising Chapter 17.136 of the BMC. [Planning]
 - a. Draft revisions to Chapter 17.136.080
5. Ordinance amending Section 17.136.080 of BMC Chapter 17.136, Conditional Use Permit. [Planning]
 - a. Ordinance 12-O-693
6. Public Hearing on File LDC-5-11, revising Sections 17.172.060.E, 17.172.070.G and 17.172.080, of BMC Chapter 17.172, Land Divisions. [Planning]
 - a. Planning Commission Staff Report
 - b. Draft of 17.172.060.E
 - c. Draft of 17.172.070.G
 - d. Draft of 17.172.080
7. Ordinance amending Sections 17.172.060.E, 17.172.070.G and 17.172.080 of BMC Chapter 17.172, Land Divisions. [Planning]
 - a. Ordinance 12.O-692
8. Public Hearing on File LDC-6-11, revising BMC Chapter 17.116, Planned Community. [Planning]
 - a. Draft revisions to Chapter 17.116
9. Ordinance amending Sections 17.116.060 and 17.166.070.B of BMC Chapter 17.116, Planned Community. [Planning]
 - a. Ordinance 12-O-694

E. Oral Requests and Communications from the audience

1. Committee Reports – Chamber of Commerce Annual Report
2. Public Comments – 5 minute limit per person.*

F. Staff Reports

1. Authorization for the Mayor to sign a letter supporting the Transportation Growth Management grant for funds update of the Transportation System Plan by a consultant. [Planning]
 - a. Letter of support
2. Approval of recommendations to realign Parks and Recreation Commission Positions and Terms to reflect changes made to Brookings Municipal Code Chapter 2.50 in 2011. [City Manager]
 - a. Brookings Municipal Code Chapter 2.50
3. Authorization for the City Manager to negotiate, by side letter, for payment of electric service for all downtown and three school area crosswalk street lights by Coos Curry Electric Cooperative (CCEC) as satisfying certain terms of the current franchise agreement and possible direction to send a letter to CCEC requesting that the franchise agreement be reopened to pursue a change with respect to City compensation. [City Manager]
 - a. Electric franchise fees 2011 City survey
 - b. League of Oregon Cities 2008 electric franchise fee survey
 - c. Electric cooperative rates December 2011
 - d. Privilege tax webpage from League of Oregon Cities
 - e. Privilege tax and franchise fee code provisions for City of Ashland
 - f. Newspaper article on City of Corvallis franchise fee discussion

G. Resolutions

1. Adoption of Resolution 12-R-975, extending the Franchise Agreement with Charter Communications to February 28, 2013, or until a new franchise is negotiated, whichever comes first. [City Manager]
 - a. Resolution 12-R-975
 - b. Franchise Extension Agreement
 - c. February 14, 2012 email from Charter Communications.

H. Consent Calendar

1. Approve Council minutes for February 13, 2012.
2. Approve Azalea Festival Requests per February 27, 2012 Council Agenda Report.
3. Receive January 2012 financial report.

I. Remarks from Mayor and Councilors

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 advance notification. Please contact 469-1102 if you have any questions regarding this notice.

February 2012

February 2012						
Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4
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March 2012						
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Monday		Tuesday		Wednesday		Thursday		Friday	
Jan 30		31		Feb 1		2		3	
				10:00am 11:00am CC- Site Plan 11:00am 5:00pm CC- Staff 12:00pm 2:00pm FH - Stout Park 4:00pm 5:00pm FH-Staff 7:00pm 9:00pm FH-PoliceResrvs		12:00pm 1:00pm CC - Public Art Commi 3:00pm 4:00pm CC - Staff		10:30am 11:30am CC - Staff (Council Chambers) - Lauri Ziemer	
6		7		8		9		10	
11:00am 12:00pm CC - VIPs 4:00pm 6:00pm CC - Council Wkshp 7:00pm 10:00pm FH-FireTrng		7:00pm 10:00pm CC-Planning Comm		9:00am 3:00pm CC - Staff 10:00am 11:00am FH-BRFD 10:00am 12:00pm CC- Site Plan		9:00am 10:30am CC-Crm Stoppers 1:00pm 2:00pm CC - Court			
13		14		15		16		17	
4:00pm 6:00pm CC-Budget Workshop 6:30pm 9:00pm CC-Council + Workshp 7:00pm 10:00pm FH-FireTrng				10:00am 12:00pm CC- Site Plan		12:00pm 1:00pm CC - Public Art Comm			
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8:00am 5:00pm Presidents Day - City Hall Closed 11:00am 12:00pm CC-VIPS 7:00pm 10:00pm FH-FireTrng				10:00am 12:00pm CC- Site Plan 4:00pm 6:00pm CC - Budget Workshop					
27		28		29		Mar 1		2	
7:00pm 9:00pm CC-Council 7:00pm 10:00pm FH-FireTrng				10:00am 12:00pm CC- Site Plan					

Jan 30 - Feb 3

Feb 6 - 10

Feb 13 - 17

Feb 20 - 24

Feb 27 - Mar 2

March 2012

March 2012						
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April 2012						
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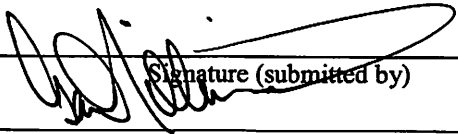
	Monday	Tuesday	Wednesday	Thursday	Friday
Feb 27 - Mar 2	Feb 27	28	29	Mar 1	2
				12:00pm 1:00pm CC - Public Art Comm 3:00pm 4:00pm CC - Staff	
Mar 5 - 9	5	6	7	8	9
	11:00am 12:00pm CC - VIPS 4:00pm 6:00pm CC - Council Wkshp 7:00pm 10:00pm FH-FireTrng	7:00pm 10:00pm CC-Planning Comm	10:00am 12:00pm CC- Site Plan 12:00pm 1:00pm CC - Stout Park 7:00pm 9:00pm FH-PoliceResrvs	9:00am 10:30am CC-Crm Stoppers 1:00pm 2:00pm CC - Court	
Mar 12 - 16	12	13	14	15	16
	7:00pm 10:30pm CC-Council 7:00pm 10:00pm FH-FireTrng		10:00am 11:00am FH-BRFD 10:00am 12:00pm CC- Site Plan 5:30pm 7:30pm CC - Victims Impact Panel		
Mar 19 - 23	19	20	21	22	23
	11:00am 12:00pm CC-VIPS 7:00pm 10:00pm FH-FireTrng	7:00pm 9:00pm CC - PC (TENTATIVE)	10:00am 12:00pm CC- Site Plan	7:00pm 9:00pm CC-Parks & Rec	
Mar 20 - 24	26	27	28	29	30
	7:00pm 9:00pm CC-Council 7:00pm 10:00pm FH-FireTrng		10:00am 12:00pm CC- Site Plan		

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 27, 2012

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Chamber of Commerce Annual Report and Contract Status

Recommended Motion:

Motion to accept the 2011 Annual Program Report from the Brookings Harbor Chamber of Commerce.

Background/Discussion:

The Brookings Harbor Chamber of Commerce has submitted their annual report and President/CEO Les Cohen will be in attendance at the meeting to make a presentation.

The City's current contract with the Chamber is scheduled to expire June 30, 2012. Staff will schedule the current the agreement for review at the March City Council workshop.

Attachment(s):

- a. Memorandum/Report from Les Cohen dated January 30, 2012



To: Mayor, Common Council, City Manager; Director of Administration
From: Les Cohen, President & CEO *Les Cohen*
Subject: Program Report for calendar year 2011
Date: January 30, 2012

In accordance with the agreement between the Brookings-Harbor Chamber of Commerce and the City of Brookings, and as specified in Ordinance No. 80-O-342, Transient Room Tax, Paragraph 7 of said agreement, the following program report detailing performance accomplishments for calendar year 2011, under this Agreement is respectfully submitted.

Performance Accomplishments:

A. In Calendar Year (CY) 2011 the Brookings-Harbor Chamber of Commerce (Chamber) expended \$64,633.72 in the promotion of the Brookings-Harbor area. This figure does not include administrative expenses relating to Visitor Information Center overhead, salaries, nor any other non-marketing or promotion expense, and is \$23,800 more than spent in CY 2010, representing a 58 percent increase in promotional spending. Part of this increase is due to cooperative advertising with the South Coast Partnership and the Brookings-Harbor Chamber of Commerce's administration of a Travel Oregon grant to promote Oregon's South Coast, and significantly increased postage costs for mailing the new map/brochure, filling requests for tourism information.

The funds were expended, in part, as follows:

1. Printing of promotional brochures - \$273.65
 - a. "Annual Calendar of Events"; "Great Things to See & Do"; "Children's Activities"; "Trails of the Chetco Ranger District"; "Nature Based Activities"; "Senior Housing and Special Services"; "Japanese Bomb Attack".
2. Postage for visitor information and relocation packets - \$5,704.39
3. Toll Free Telephone Number - \$411.09
4. Outdoor Sportsmen Shows (Roseburg, Medford) and Tourism Conferences - \$1,230.07
5. Oregon Coast Magazine (6 issues) Including Mile-by-Mile Guide - \$5,522.30
6. Travel Oregon Website Advertising - \$5,075.50
7. The Oregon Travel Planner - \$6,600.00
8. Curry Coastal Pilot Vacation Guides - \$720.00
9. Festival & Event Advertising - \$7,803.17
10. 2011 Winter TV Campaign in northern California & Rogue Valley as part of a South Coast Partnership with additional matching funds from Travel Oregon - \$13,515.00.

This represents only a partial list of Marketing & Promotions expenses for calendar year 2011. Expenses not listed are: additional print and electronic media advertising; co-op advertising at Travel Shows through Oregon Coast Visitor Association and Southern Oregon Visitor Association; internet exposure such as internet access and website links. This figure also does not include expenses for travel to marketing related activities such as Sportsmen Shows and conferences and symposia related to tourism and marketing..

B. In Calendar Year (CY) 2011 statistics from the Chamber's Visitor Information Center and the new Crissey Field State Welcome Center show a combined total of recorded visitors of 43,023. This represents a 34% increase over CY 2010. This is partially a result of our work with Travel Oregon to increase staffing hours at the Crissey Field State Welcome Center, and the improved signage by Oregon State Parks, also resulting in part from our lobbying Travel Oregon.

C. City of Brookings Transient Room Tax revenues for the tourism season months of May through September continue to remain strong. For this past calendar year the bed tax revenues collected for these months was an 11.4% increase compared to the same months in CY 2009.

D. Marketing and promotion efforts in calendar year 2011 have again resulted in large numbers of inquiries for information about the Brookings-Harbor area. The Chamber documented and responded to 272,395 requests for information in CY2011. This number represents a 20% increase since CY 2009. Included in this figure are 176,890 individual visits to the Chamber's website.

E. As in all previous years of the Agreement, the Chamber has sources of revenue, such as membership dues, fund raising activities, program services, cooperative advertising with members and special events continue to subsidize the Chamber's additional marketing and promotions expenses as well as the Chamber's administrative expenses. Neither fixed nor variable overhead costs related to the operation of the Chamber's year-round Visitor Information Center are paid for with City Transient Room Tax dollars.

The Chamber, for the seventeenth consecutive year, is proud to state that it is in full compliance with Paragraph 4 of the Agreement between the Brookings-Harbor Chamber of Commerce and the City of Brookings, which states "...no more than thirty percent (30%) of the revenues received by the Chamber under the Agreement may be used for payroll costs."

Tourism forecast for the current calendar year:

- The Chamber has taken several steps in CY2011 and has initiated steps in CY 2012 that we believe will enhance the Brookings-Harbor area's visibility for the promotion of tourism.
 - The Chamber will be launching a new, redesigned website within the next three weeks. This website was designed to be appealing to the viewer interested in visiting Brookings-Harbor with the following features:
 - The site is Visitor oriented and user friendly.
 - It has extensive photo galleries specific to tourism, relocation and doing business and a liberal placement of photos throughout the site.
 - The site will have a feature that will allow local businesses to offer "Hot Deal" coupons to promote their businesses and enhance attractiveness of our area to visitors.
 - The site will have the capability of instantly translating its content into five languages in addition to English: Spanish, French, German, Chinese and Japanese. The U.S. tourism industry has been positioning itself to attract the huge Chinese populations who now have the means and the desire to travel to the U.S. We believe that by making our website easily understandable to these markets we will attract a larger number of international visitors. This feature dovetails nicely with U.S. Government's recently announced focus on positioning the U.S. more effectively as a destination for international travelers.
 - The Chamber's redesigned Visitor brochure, with its interactive map on the Chamber website that allows visitors to "pinpoint" participating local businesses, has proven to be an unqualified success and provides potential visitors with all of the information they need to plan and enjoy a Brookings-Harbor visit. Of the 30,000 copies of this publication delivered in December 2011,

more than half of them have since been distributed and we are planning for a revised reprint for CY 2013.

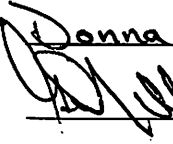
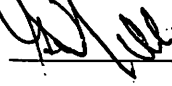
- The Chamber has recently published and is distributing the "2012-2013 Community Profile and Business Directory", as a fulfillment magazine promoting tourism, relocation and business desirability of our community.
- The Chamber's Facebook page, initiated in CY2010, has grown to over 2,100 fans that access the site, on average, more than 1,500 times each week. The site provides up to date photos of the area as well as information on upcoming events and activities. It also allows Brookings-Harbor businesses to promote their events and activities.
- In the fall of 2011 the Chamber facilitated a two day tour of five Culinary Travel Writers from British Columbia, Portland, Tennessee and California, which has resulted in several articles and blogs lauding our area's culinary and visual treats.
- We will continue to engage in marketing & promotion activities that will lead to increased awareness and a stable flow of visitors to our area. The partnership we were instrumental in forming in 2009 with other South Coast communities, including Reedsport/Winchester Bay; Lakeside; North Bend Coos Bay; Bandon; Port Orford, and Gold Beach to promote the Southern Oregon Coast in northern California and the Rogue Valley, our prime target market and source of our largest percentage of visitors, continues to function and be funded by the individual partners with the same goal. This partnership won the 2010 "Exceptional Partnership Award" at the Oregon Governor's Conference on Tourism in April. It was also re-granted by Travel Oregon in 2011 and 2012 to allow for the continuation of its promotion in select TV markets and Travel Oregon's website.
- The Chamber continues to play an active role in the America's Wild Rivers Coast regional marketing consortium, informing the vacationing public of the many diverse activities available in Curry and Del Norte Counties and helping to define America's Wild Rivers Coast as a destination area, with the intent of increasing the length of visits. It is generally recognized that this consortium has achieved significant success in branding Curry and Del Norte Counties. A portal website is in place that directs visitors to each of the five communities participating in the consortium. Chamber President Les Cohen served as Chair of the Consortium's Board of Directors in 2011, and is Vice Chair for 2012.
- The Chamber is represented on the Board of Directors of the Southern Oregon Visitors Association; the Chamber also participates with the Oregon Coast Visitors Association, to promote awareness of our area. Chamber President Les Cohen is the Southern Oregon Visitors Association Curry County Chairperson and a member of their Executive Committee.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: Feb. 27, 2012

Originating Dept: Planning


Signature (submitted by)

City Manager Approval

Subject: Letter of support for Transportation Growth Management (TGM) grant application to hire a consultant to do a complete update of the Transportation System Plan (TSP).

Recommended Motion: Approve the signing of a letter of support for submittal with the TGM grant application.

Financial Impact: None.

Background/Discussion: The Transportation System Plan was first adopted, as required by State law, in 2002. Over the last several years staff has done several revisions to the TSP. This document guides the management of existing transportation facilities and the design and implementation of future facilities. Although the TSP was adopted in 2002, work began on it in 1996 and the data reflects that era. A TSP is suppose to cover a 20 year planning period, so the current version covered expected needs until 2016 approximately. Many of the proposed projects listed have already been completed and should be removed. Many of the upcoming projects the City is contemplating are not listed in the current version, although when applying for grant funding it is usually necessary to have the project listed there.

The Oregon Dept. of Transportation (ODOT) has conducted several studies within our area that they want referenced in our TSP. Also recent traffic counts have been done that reflect current conditions that will provide more accurate information from which to make future decisions if identified in the updated version. The overhaul of the document to accomplish all that's needed is extensive and time-consuming. The Transportation Growth Management program recognizes the importance of keeping jurisdictions planning documents current to be sure decision makers are able to make informed decisions. The TGM grant would provide sufficient money to hire a consultant to complete the update. Matching fund would be in the form of staff time to assist the consultant by providing existing documents, lists of proposed projects, and scheduling public workshops and hearings for adoption. There would be no monetary requirement from the City.

Staff is requesting the City Council to approve sending the attached letter of support to accompany the grant application.

Policy Considerations: N/A

Attachment(s): Attachment "A" - Letter of Support



City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-1135 Fax (541) 469-3650

TTY (800) 735-1232

www.brookings.or.us

February 27, 2012

Re: City of Brookings Transportation Growth Management (TGM) Grant Application

To whom it may concern:

The Brookings City Council is in support of the TGM grant application to do a complete update to the City's Transportation System Plan. The Transportation System Plan (TSP) was first adopted in 2002, however work began on it in 1996 and the data reflects that era. A TSP is suppose to cover a 20 year planning period, so the current version covered expected needs until 2016 approximately. Many of the proposed projects listed have already been completed and should be removed. Many of the upcoming projects the City is contemplating are not listed in the current version, although when applying for grant funding it is usually necessary to have the project listed there.

The Oregon Dept. of Transportation (ODOT) has conducted several studies within our area that should be referenced in our TSP. Also recent traffic counts have been done that reflect current conditions and will provide more accurate information from which to make future decisions if identified in the updated version.

Thank you for the opportunity to express our support for this application that would provide needed funding for an updated TSP.

Sincerely,

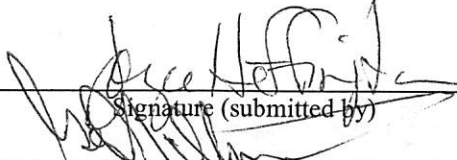
Larry Anderson
Mayor, City of Brookings

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 27, 2012

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Parks & Recreation Commission Positions and Terms

Recommended Motion:

Fill vacant Parks and Recreation Position 5 with the Commissioner currently sitting in Position 6, change the current term ending of vacant Position #2 to February 1, 2013, and eliminate Positions 6 and 7 to realign positions and term endings to reflect changes made to Brookings Municipal Code Chapter 2.50 in 2011.

Background/Discussion:

At its September 26, 2011 meeting, the City Council made several revisions to the Brookings Municipal Code (BMC) pertaining to the Parks and Recreation Commission. Two of these changes, downsizing the Commission's membership from seven members to five, and reducing the term length from four years to two, have resulted in minor housekeeping issues which need to be addressed including the elimination of the two extraneous positions and the realignment of term endings to maintain the original stagger of no more than two positions having term endings in the same year.

There is currently nothing in the BMC addressing position numbering or staggered term endings for this Commission.

The chart below shows the current status of each position, original four year term endings, current two year term endings, and changes proposed by staff to realign the Commission with revisions made to BMC Chapter 2.50 in 2011.

Position Number	Current Status	Past Term	Present Term	Changes as Proposed by Staff		
				Status	Term Ends	Term Change
Pos 1	Filled	2/1/14	2/1/14	Filled	2-1-14	None
Pos 2	VACANT	2/1/12	2/1/14	VACANT;	2-1-13	From 2014 to 2013
Pos 3	Filled	2/1/15	2/1/15	Filled	2-1-15	None
Pos 4	VACANT	2/1/12	2/1/14	VACANT;	2-1-14	None
Pos 5	VACANT	2/1/13	2/1/13	Filled from Pos 6	2-1-13	None
Pos 6	Filled	2/1/13	2/1/13	Eliminate		
Pos 7	VACANT	2/1/14	2/1/14	Eliminate		

Attachments:

- a. BMC Chapter 2.50

Chapter 2.50 PARKS AND RECREATION COMMISSION

Sections:

- 2.50.010** Creation of parks and recreation commission.
- 2.50.020** Terms of office.
- 2.50.030** Organization of parks and recreation commission.
- 2.50.040** Powers and duties.
- 2.50.050** Removal/vacancies.

2.50.010 Creation of parks and recreation commission.

There is hereby created a parks and recreation commission for the city of Brookings, Oregon, consisting of five members, as hereinafter provided. The five members of the commission shall be appointed by the mayor with the approval of the council. Four of the five members shall be residents of Brookings, and one member may be a resident within the Brookings urban growth area. The city council may appoint one of its own members to act as liaison between the commission and the council. Membership shall be restricted pursuant to Chapter 2.01 BMC. [Ord. 11-O-685 § 2; Ord. 11-O-681 § 2; Ord. 93-O-482.A § 2; Ord. 91-O-482 § 1.]

2.50.020 Terms of office.

The term of office for the appointed members of the commission shall be two years. Elected officers within the commission shall not hold the same office for more than two consecutive years. Elected officers shall include, but not be limited to, chair and vice chair. Officer elections shall take place at the March meeting. Term of elected office shall be one year, commencing immediately upon election. [Ord. 11-O-685 § 2; Ord. 11-O-681 § 2; Ord. 93-O-482.A § 3; Ord. 91-O-482 § 2.]

2.50.030 Organization of parks and recreation commission.

At its March meeting the commission shall organize by electing a chair and vice chair of the commission. The commission shall hold regular meetings, every two months, on a day and hour to be fixed by the commission. A majority of appointed commission members shall constitute a quorum. Special meetings may be held upon a call of the chair or vice chair of the commission with consent of a majority of the members of the commission. [Ord. 11-O-685 § 2; Ord. 91-O-482 § 3.]

2.50.040 Powers and duties.

The parks and recreation commission shall have the following powers and duties, in addition to such others as may be prescribed by the council. Upon authorization of the city council, the parks and recreation commission shall:

- A. Solicit gifts or bequests for park and recreational purposes, subject to the approval of the council.
- B. Make and recommend in writing to the council plans for the future growth, development, beautification and establishment of parks and recreational facilities in the city consistent with the future growth and development of the city of Brookings.

C. Make a detailed and exhaustive study of the future requirements of the city for park and recreational facilities, establish and recommend in writing to the planning commission and the city council a definite long-range plan for the orderly growth and development of park and recreational facilities within the city.

D. Meet and cooperate with representatives of other governmental bodies for joint and integrated plans between various municipal bodies for the most efficient and economical use of park and recreational facilities of the different governmental units.

E. Recommend to the city council such acts necessary and proper for the protection, operation or improvement of city parks and recreational facilities and all necessary rules and regulations, including user fees, schedules and concessions that aid in governing the use of those parks and facilities.

F. Keep the city council informed on the activities of the commission by submitting a copy of their minutes to the city council following approval of the minutes by the commission. The commission shall present at least an annual progress report to the city council at a regular city council meeting each January.

G. Form such subcommittees as it deems necessary to assist in the performance of its duties and responsibilities, in developing working relationships with other units of government and community based organizations, and in providing site or program-specific advice to city management.

H. Review proposals for new park facilities and recreation programs and make recommendations regarding same to the city council. [Ord. 11-O-685 § 2; Ord. 93-O-482.A, §§ 4, 5; Ord. 91-O-482 § 4.]

2.50.050 Removal/vacancies.

A member may be removed by majority vote of the city council. A member who is absent from two consecutive meetings without the permission of the commission chair, or chair when absent without permission from the vice chair, is rebuttably presumed to be in nonperformance of duty, and the city council shall declare the position vacant unless finding otherwise. All vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council, for the unexpired term. [Ord. 11-O-685 § 2; Ord. 93-O-482.A § 6; Ord. 91-O-482 § 5.]

This page of the Brookings Municipal Code is current through Ordinance 12-O-689, passed January 9, 2012.
Disclaimer: The City Recorder's Office has the official version of the Brookings Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

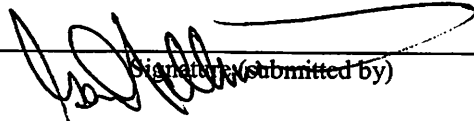
City Website: <http://www.brookings.or.us/>
(<http://www.brookings.or.us/>)
City Telephone: (541) 469-2163
Code Publishing Company
(<http://www.codepublishing.com/>)
eLibrary
(<http://www.codepublishing.com/elibrary.html>)

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 27, 2012

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Coos Curry Electric Cooperative Franchise

Recommended Motion:

1. Authorize City Manager to negotiate a side letter with Coos Curry Electric Cooperative management whereby CCEC would pay for the electric costs for City-owned street lights in the downtown area and the three school area crosswalk warning lights as satisfying the terms of the franchise agreement/ordinance with respect to the number of street lights CCEC is obligated to provide based upon a population of 6,460.
2. If the City Council desires to pursue a change in the franchise agreement/ordinance terms with respect to City compensation, direct the City Manager to send a letter to CCEC requesting that the agreement be reopened as to City compensation. Provide direction to staff on the amount of franchise fee to be sought.

Financial Impact: See below.

Background/Discussion:

During the 2011-12 budget discussions, the topic of franchise fee revenues was raised by members of the Budget Committee, specifically with reference to the electric utility. The current Coos Curry Electric Cooperative (CCEC) franchise agreement/ordinance runs through 2022. However, agreement terms may be reopened for renegotiations upon a request in writing by **either** party.

Staff researched the electric utility franchise fee matter and provided a report at the October, 2011, City Council workshop. The matter was subsequently discussed at the January and February, 2012, City Council Workshops.

A franchise fee is commonly levied by cities because these utilities use the public right-of-way to conduct their business by installing and maintaining poles, transmission lines and underground facilities. The City currently collects a franchise fee of 5.0 per cent from Charter Cable and 3.3 per cent from Frontier Communications. The City also collects a franchise fee from Curry Transfer and Recycling of one-half of one percent of their basic solid waste collection service. Some Council members have suggested moving to a uniform rate for all franchisees.

While most Oregon cities collect a franchise fee from their local electric utility based upon gross receipts, the franchise agreement between the City of Brookings and CCEC provides that CCEC maintain a certain number of street lights in the City at no cost in lieu of paying a franchise fee. Only cities served by CCEC also have this type of in lieu arrangement. This method of compensation for the franchise was first established in 1953.

According to CCEC General Manager Roger Meader, the cost to CCEC of providing street light services in the City is \$65-70,000 annually (about \$243 per light), while **each one per cent** of gross receipts revenue would equal about \$85-90,000 annually. The City currently pays about \$11,000 annually for street lights that are not covered under the terms of the franchise agreement.

Oregon Administrative Regulations, 860-022-0040, allows a city to levy an electric utility franchise fee of up to 3.5 per cent without having the fee separately listed on the electric utility bill. There is no statutory limit on the overall amount of franchise fee.

A recent review of CCEC invoices indicates that the City may also be paying the electric charge for traffic signals on Highway 101. Public Works Director Loree Pryce is conferring with ODOT maintenance management on this topic. If, under some form of agreement with ODOT, the City is required to pay for a portion of the traffic signal electrical costs, perhaps the City could receive some form of credit under the street lighting provision of the franchise agreement.

Based upon the estimates from CCEC, the City could generate \$297-315,000 annually at a franchise rate of 3.5 per cent or \$425-450,000 annually at a rate of 5.0 per cent, which would provide \$227-380,000 in net revenues to the General Fund (after payment of street lighting costs).

The City Manager recently completed an informal survey of Oregon cities to explore practices with respect to electric utility franchise fees. Attached are the results of that survey. Also attached is a 2008 League of Oregon Cities survey on franchise fees.

Madras is the closest city of like size to Brookings included in the League survey. They reportedly collected \$212,258 in electric franchise fees (5.0%), \$43,000 in telephone franchise fees (7.0%) and \$48,000 in garbage franchise fees (5.0%) in 2008. By comparison, Brookings received street lighting value of about \$70,000 in lieu of an electric franchise fee, \$19,493 in telephone franchise fees (3.3%) and \$7,457 in garbage franchise fees (0.5%)...a combined total of \$206,308 less revenue.

Attached is a spreadsheet showing comparative rates charged by other electric cooperatives. Franchise fees paid by the electric cooperatives range from 3.0-7.0 per cent. Some of the franchise fees paid by the same cooperative differ by community (for example, Oregon Trail Cooperative pays 3.0 per cent in Prairie City and 5.0 per cent in John Day). The League of Oregon Cities is currently conducting a survey of franchise fees; that report is expected to be published in spring 2012.

If the City changes to a franchise fee method of compensation, the rate should be at least equal to the cost of providing street lighting. While there is no restriction on the use of franchise fee revenues, the City Council may wish to designate uses. Using a 5.0 per cent fee, **as an example**, the Council could direct that revenues be allocated as follows:

- 1.0 per cent to street lighting (about equal to street lighting costs)
- 1.0 per cent to utility undergrounding
- 1.0 per cent to street improvements
- 1.0 per cent to public safety (about equal to the cost the police officer added in 2010)
- 1.0 per cent to Parks

If the franchise fee were held at 1.0 per cent, there would be absolutely no justification for CCEC to increase electric rates, as this would be offset by a reduction in the cost of providing this service; the City would pay for the service. If CCEC were to increase rates in Brookings to recover a five per cent franchise fee from its customers, the rate increase should take into consideration that CCEC would no longer experience the cost of providing street lighting in the City.

It should also be noted that CCEC, because of its non-profit status, does not pay property tax and does not pay a business license fee.

CCEC recently conducted an audit to identify all street lights in the City that are covered under the in lieu agreement. CCEC is currently providing 288 street lights to the City under the franchise agreement. This includes the lights on the Chetco River Bridge. According to the franchise agreement, CCEC is to provide 279 lights as of the date of the agreement plus one additional light for each additional 21 residents. Based upon the current population estimate from Portland State University CCEC should be providing 307 lights. CCEC agrees with this number. According to CCEC management, their files had indicated they were providing 302 street lights; however, the recent field audit confirmed that they are providing 288; this includes two new lights on Lone Ranch Parkway adjacent to the College.

The City pays separately for electricity **and** maintenance of the new downtown street lights, which the City owns. Staff believes that the difference between the 302 and 288 above is: When the new downtown lights were installed, existing street lights located on CCEC poles were removed, decreasing the overall number of "franchise lights." The City is currently paying about \$7,800 annually in electric costs for the newer downtown street lights; the City pays CCEC separately for maintenance of these street lights. CCEC management has suggested that CCEC assume the electric cost for these downtown lights to bridge the gap between the 288 street lights they are now providing and the 307 street lights they should be providing under the terms of the franchise agreement.

The City also pays for a number of other electricity costs associated with street signage. For example, the City currently pays CCEC for the cost of providing electricity to three school pedestrian warning signs, the flashing beacon on Highway 101 near the Redwood Theater, and the traffic signals along Highway 101. Staff is researching the issue of why the City...and not ODOT... is paying for street lighting on the Chetco River Bridge and the downtown traffic warning light and signals. Perhaps the electricity cost of the three crosswalk lights could be considered as a part of the "franchise lights."

The City is now requiring franchise utilities to obtain a Right of Way Permit for conducting construction work within the City right of way, but does not charge a permit fee. Some cities have enacted an annual permit fee in addition to the franchise fee to cover the cost of inspections. It appears that some cities and their utilities have agreed to raise the franchise fee above 5.0 per cent as a consideration for the utility not paying permit fees. Staff has recently learned that, if a utility is paying a 7.0 per cent franchise fee, the City cannot charge permit fees for work within the City right-of-way.

One Councilor asked about the difference between a "franchise fee" and a "privilege tax." Attached are the "Privilege Taxes" category from the League of Oregon Cities website and both the privilege tax and franchise fee sections from the Ashland Municipal Code. Both fees appear

to be related to the utility using public streets, alleys, highways and rights-of-way for conducting their business. While State Law establishes a limit on the amount of a franchise fee, State Law also authorizes local agencies to impose a privilege tax. This may, in fact, be the only distinction.

Factors to consider in establishing a franchise fee include:

- The impact of the fee on the consumer.
- The City's financial needs and how franchise fees fit into an overall stable funding source matrix.
- Business equity. Utilities predominantly operate on public property and therefore contribute less in property tax than other commercial enterprises. Consideration should also be given to the franchise rate paid in other communities where the franchise provides the same services.
- Value of using public property/right of way as a conveyance for their services.
- Value of being a sole-source provider. Essentially, the franchise becomes the only provider of its service to the community thereby gaining a "captive market." In the case of CCEC, it is an exclusive franchise, whereas Charter Communications and Frontier Communications franchises are non-exclusive. The CTR franchise is also exclusive.

Attachment(s):

- a. Electric franchise fees City survey 2011.
- b. League of Oregon Cities electric franchise fee survey 2008.
- c. Electric cooperative rates December 2011.
- d. Privilege Taxes webpage from League of Oregon Cities.
- e. City of Ashland privilege tax and franchise fee code provisions.
- f. Newspaper article on City of Corvallis discussion of franchise fees.

Electric Franchise Fees

Cities @7.0 percent

Aumsville

Cave Junction

Coos Bay

Enterprise

Hood River

La Pine

North Bend

Ontario

Pendleton

Sisters

Cities @ 5.0 percent

Albany

Fairview

Forest Grove

Happy Valley

Independence (seeking increase to 7%)

Keizer

La Grande

Medford

Nehalem

North Plains

Rogue River

Roseburg

Tangent

Tillamook

Wood Village

Most cities that have enacted a 5.0 percent fee have enacted it as a 3.5 percent "franchise fee" and a 1.5 percent "privilege fee."

Cities @3.5 percent

Ashland

Dundee

Estacada (seeking increase to 5.0%)

Halsey

Lafayette

Turner

Other

Scio - 3 percent

Condon - 4 percent

Central Point - 5.5 percent

Bandon - owns its own electric utility. Charges its city-owned utility a 6.0 percent franchise fee. City owned electric utility also pays for street lights.

Drain - Same as Bandon, but franchise fee is 7.0%

Milton-Freewater - Same as Bandon, but franchise fee is 8.0%

Monmouth - Same as Milton-Freewater.

FRANCHISE FEE SURVEY - 2008

League of Oregon Cities - Summer 2008

ELECTRIC FRANCHISE AGREEMENTS

City	Electric Provider	Fee/Tax		NOTE
		Rate	Revenue 2006-07	
Adrian	Idaho Power	3.5%	\$5,330	1
Albany	Consumers Power	5%	\$82,582	1
	PacifiCorp	5%	\$1,502,954	
Arlington	PacifiCorp	7%	\$16,000	
Astoria	PacifiCorp	3.5%	\$224,807	
Aurora	Portland General Electric	3.5%	\$20,606	
Baker City	Oregon Trail Electric Co-op.	5%	\$314,704	
Banks	Portland General Electric	3.5%	\$39,330	
Bay City	Tillamook PUD	Not Available	\$20,333	
Beaverton	Portland General Electric	3.5%	\$2,181,408	
Boardman	Umatilla Electric Co-op	3%	\$63,461	
Brownsville	PacifiCorp	5%	\$36,337	
Cannon Beach	PacifiCorp	3.5%	\$71,428	
Carlton	Portland General Electric	5%	\$54,131	2
Cave Junction	PacifiCorp	7%	\$87,782	
Central Point	PacifiCorp	3.50%	\$262,019	3
Clatskanie	Clatskanie PUD	5%	\$60,838	
Columbia City	Columbia River PUD	Not Available	\$37,840	
Condon	Columbia Basin Electric	4%	\$25,786	
Coos Bay	PacifiCorp	7%	\$846,350	
Cornelius	Portland General Electric	3.5%	\$161,409	
Corvallis	Consumers Power	5%	\$161,051	
	PacifiCorp	5%	\$1,746,266	
Cottage Grove	Emerald PUD	3.5%	\$24,505	
	PacifiCorp	3.5%	\$166,856	
Damascus	Portland General Electric	3.5%	\$157,379	
Depoe Bay	Central Lincoln PUD	3.5%	\$37,905	4

1. The fee rate is for a privilege tax.
2. The 5% fee is comprised of a 3.5% franchise fee and 1.5% privilege tax.
3. Fee increased to 5% in October 2008.
4. Only 0.75% is applied to revenues received from industrial customers.

City	Electric Provider	Fee/Tax		NOTE
		Rate	Revenue 2006-07	
Dundee	Portland General Electric	3.5%	\$52,500	
Eagle Point	PacifiCorp	5%	\$149,097	
Echo	PacifiCorp	3.5%	\$13,336	
Enterprise	PacifiCorp	7%	\$118,322	
Estacada	Portland General Electric	5%	\$94,409	
Fairview	Portland General Electric	5%	\$227,720	5
Florence	Central Lincoln PUD	3.5%	\$330,429	6
Gearhart	PacifiCorp	3.5%	\$47,788	
Gladstone	Portland General Electric	3.5%	\$213,043	
Glendale	PacifiCorp	3.5%	\$19,697	
Grants Pass	PacifiCorp	5%	\$1,125,196	
Halsey	PacifiCorp	3.5%	\$16,009	
Happy Valley	Portland General Electric	5%	\$252,335	7
Helix	PacifiCorp	3.5%	\$5,343	
Hermiston	Umatilla Electric Co-op	3%	\$526,030	
Hillsboro	Portland General Electric	3.5%	\$3,944,332	
Irrigon	Umatilla Electric Co-op	4.5%	\$39,147	
Jacksonville	PacifiCorp	3.5%	\$49,648	
John Day	Oregon Trail Electric Co-op	5%	\$73,420	
Johnson City	Portland General Electric	Not Available	\$10,259	
Jordan Valley	Idaho Power	3%	\$5,406	
Joseph	PacifiCorp	3.5%	\$31,496	
Keizer	Salem Electric	5%	\$258,995	
	Portland General Electric	5%	\$580,987	
Klamath Falls	PacifiCorp	7%	\$706,058	
La Grande	Oregon Trail Electric Co-op	5%	\$371,092	
Lafayette	Portland General Electric	3.5%	\$47,780	
Lake Oswego	Portland General Electric	3.5%	\$943,269	
Lakeview	PacifiCorp	3.5%	\$60,005	
Lebanon	PacifiCorp	5.94%	\$494,350	
	Consumer Power	5.94%	\$55,642	
Lexington	Columbia Basin Electric	5%	\$8,579	
Lincoln City	PacifiCorp	Not Available	\$365,592	
Long Creek	Oregon Trail Electric Co-op	Not Available	\$358,221	

5. The 5% fee rate is comprised of a 3.5% franchise fee on gross receipts and an additional 1.5% tax.

6. Only 0.75% is applied to revenues received from industrial customers.

7. The 5% fee is comprised of a 3.5% franchise fee and 1.5% privilege tax.

City	Electric Provider	Fee/Tax		NOTE
		Rate	Revenue 2006-07	
Lowell	Lane Electric	4.5%	\$23,806	
Lyons	PacifiCorp	3.5%	\$26,961	
Madras	PacifiCorp	5%	\$212,258	
Malin	PacifiCorp	5%	\$14,294	
Manzanita	Tillamook PUD	5%	\$29,893	
Medford	PacifiCorp	7%	\$2,767,942	
Milwaukie	Portland General Electric	3.5%	\$756,026	8
Molalla	Portland General Electric	3.5%	\$147,751	
Moro	PacifiCorp	Not Available	\$9,262	
Mosier	PacifiCorp	3.5%	\$11,146	
Myrtle Creek	PacifiCorp	3.5%	\$56,682	9
Myrtle Point	PacifiCorp	5%	\$71,760	
Newberg	Portland General Electric	5%	\$646,109	10
North Bend	PacifiCorp	7%	\$481,381	
Nyssa	Idaho Power	3%	\$37,184	
Oakridge	Lane Electric	4.5%	\$115,719	11
Ontario	Idaho Power	5%	\$577,026	
Oregon City	Portland General Electric	Volumetric	\$687,442	
Philomath	Consumers Power	5%	\$34,163	
	PacifiCorp	5%	\$108,291	
Pilot Rock	PacifiCorp	3.5%	\$49,096	
Portland	PacifiCorp	5%	\$5,674,281	
	Portland General Electric	5%	\$17,526,885	
Prairie City	Oregon Trail Electric Co-op	3%	\$29,637	
Prineville	PacifiCorp	5%	\$315,867	
Redmond	Central Electric Co-op	5%	\$43,964	
	PacifiCorp	5%	\$901,109	
Richland	Idaho Power	3%	\$3,596	
Rivergrove	Portland General Electric	Not Available	\$5,726	
Rogue River	PacifiCorp	5%	\$82,342	
Roseburg	PacifiCorp	5%	\$832,502	
Sandy	Portland General Electric	3.5%	\$155,524	

8. The city started implementing a 1.5% privilege tax in 2007-08.

9. Fee rate increased to 7% as of July 1, 2008.

10. The 5% fee is comprised of a 3.5% franchise fee and 1.5% privilege tax.

11. Fee rate will increase to 5% in 2009-11.

City	Electric Provider	Fee/Tax		NOTE
		Rate	Revenue 2006-07	
Scio	PacifiCorp	3.5%	\$15,000	
Seneca	Electric Trail Co-Op	5%	\$4,930	
Sheridan	Portland General Electric	Not Available	\$101,235	
Siletz	Central Lincoln PUD	5%	\$23,085	
Silverton	Portland General Electric	3.5%	\$194,280	
Sisters	Central Electric Co-op	7%	\$118,615	
Springfield	Springfield Utility Board	Volumetric	\$1,759,019	
St. Paul	Portland General Electric	3%	\$11,550	
Sutherlin	Douglas Electric	3.5%	\$17,683	
	PacifiCorp	3.5%	\$133,649	
Sweet Home	PacifiCorp	5%	\$243,484	
Talent	PacifiCorp	5%	\$151,047	
Tangent	PacifiCorp	3.5%	\$41,464	
The Dalles	Northern Wasco Co. PUD	3%	\$552,677	
Tigard	Portland General Electric	3.5%	\$1,371,065	
Toledo	Central Lincoln PUD	2% - 3.5%	\$313,724	12
Troutdale	Portland General Electric	3.5%	\$467,931	13
Unity	Idaho Power Corp.	3.5%	\$3,005	
Waldport	Central Lincoln PUD	3.5%	\$57,675	14
Warrenton	PacifiCorp	5%	\$231,783	
Waterloo	PacifiCorp	3.5%	\$3,212	
West Linn	Portland General Electric	5%	\$972,862	15
Weston	PacifiCorp	3.5%	\$25,682	
Willamina	Portland General Electric	3.5%	\$43,375	
Wilsonville	Portland General Electric	3.5%	\$723,035	
Wood Village	Portland General Electric	3.5%	\$127,709	
Yoncalla	Douglas Electric Co-op.	3.5%	\$21,299	

12. Only a 2% rate is applied to industrial customer revenue. A 3.5% rate is applied to all other revenue.

13. The 5% fee is comprised of a 3.5% franchise fee and 1.5% privilege tax.

14. Only 0.75% is applied to revenues received from industrial customers.

15. After FY 2006-07, the local paper mill, who is a major power user, found an alternative source to buy power from. This resulted in a significant and unexpected decrease in franchise revenue for FY 2007-08 - \$655,929.

**ELECTRIC COOPERATIVE RATES
DECEMBER 2011**

	<i>Oregon Trail Electric Coop</i>	<i>Umatilla Electric Coop</i>	<i>Central Electric Coop</i>	<i>Douglas Electric Coop</i>	<i>Coos Curry Electric Coop</i>
<i>Base Residential Monthly Charge</i>	\$18.00	\$9.00	\$11.75	\$15.00	\$22.75
<i>Rate per Kilowatt Hour (kWh)</i>	7.052¢ kWh	6.72¢ kWh	7.33¢ kWh Apr-Oct 7.07¢ kWh Nov-Mar	7.92¢ kWh	7.47¢ kWh
<i>Show Franchise Fees On Customer Bills</i>	Yes	Yes	Yes	No	No

**Getting it done for Oregon's cities!****A-Z Index****Categories**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Privilege Taxes

Index > P > Privilege Taxes

- The 2008 LOC Franchise Fee Survey provides fee rate and revenue data for city telecom, cable, electric, natural gas, and garbage franchises.

- Medford* and Roseburg (Sect. 5.02) all charge a privilege tax (5% of gross revenues) on utilities operating within the public right of way.

** Medford's privilege tax does not apply to telecom and solid waste service providers*

- Albany levies a 5% privilege tax on electric providers, and a 5% utility tax on natural gas providers.

- Ashland levies a 3.5% privilege tax on electric providers.

- Troutdale levies privilege taxes on the following utilities: 1.5% on public electric utilities (Sect. 3.20); 2.94% on natural gas utilities (Sect. 3.16); and 7% privilege tax on telecommunication utilities (Sect. 3.26).

- Wood Village charges a 1.5% privilege tax to electric providers, in addition to the franchise fee. The city levies a 7% privilege tax to telecommunications provider who are not operating under a franchise agreement with the city.

- Coos Bay has a 7% privilege tax for telecommunication companies doing business within the city.

Resources

Relevant State Laws
(Constitution, ORS, OAR)

- Regulation & Taxes
- Right of Way

Relevant Items

Electric Franchises
Franchises (General)
Gas Franchises
Municipal Utility Fees/Taxes
Telecommunications

Contacts

Website LOC Staff

[Home](#)
[About Us](#)
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[City Resources](#)
[Legislative](#)
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16.24.070 Franchise Fees

As compensation for the benefits and privileges under its franchise and in consideration of permission to use the rightofway of the city, the grantee shall pay a quarterly franchise fee to the city, through the duration of its franchise, as follows:

- A. The minimum quarterly franchise fee shall be set by resolution of the council.
 - B. The franchise fee for a telecommunication utility shall equal 7% of its gross revenue on exchange access services earned within the boundaries of the city.
 - C. Except for limited use telecommunication grantees, the franchise fee shall equal a percent of the grantee's gross revenues derived from grantee's provision of telecommunications services and telecommunications facilities to retail customers and one percent (1%) on all other gross revenues derived from grantee's provision of telecommunications services and telecommunications facilities to wholesale customers, including other telecommunications carriers, if such customers or carriers are also telecommunication grantees under this title. If such customers or carriers are not grantees, then the franchise fee shall equal the fee for retail customers. The amount of the percent for retail customers shall be set by resolution of the council.
 - D. A limited use telecommunication grantee shall pay a fee based on the number of linear feet of right of way used. A limited use telecommunication grantee is defined as one whose franchise limits the amount of linear feet the grantee may occupy or one who has a franchise as of October 1998 for the purpose of long distance telecommunications. The fee per linear foot shall be set by resolution of the council.
- The annual franchise fee collectable from a telecommunications utility shall not exceed the maximum amount under Oregon Law. The city shall accept from a telecommunications utility, in full payment of the franchise fee, the maximum amount allowed under Oregon law. On request, the telecommunications utility must provide documentation to support its calculation.
- E. Grantee shall be "providing" telecommunications services or facilities if it sells, leases, resells, or otherwise conveys such services or facilities for consideration.
 - F. A grantee providing resold telecommunications services or facilities shall be entitled to a credit against its franchise fee for an amount equal to a percentage of the price paid for such services or facilities at wholesale. Such percentage shall be set by resolution of the council.
 - G. So long as it registers with the city as required in chapter 16.08 and pays the fees required for grantees set forth in subsections A and B above, a reseller may use another person's facilities to engage in telecommunications activities in the right-of-way without obtaining a franchise, providing the reseller does not, either itself or through an affiliate, own or lease, control or manage any facilities in the right-of-way and is not involved in construction or repair of facilities in the right-of-way.

For purposes of calculating the fees to be paid by a reseller, the amount of compensation paid by the reseller to the owner or manager of facilities in the right-of-way for the services it resells shall be deducted from the reseller's gross revenues before applying the percentage rates described in subsection C above.

H. Payment shall be made by each April 25, July 25, October 25 and January 25 for the quarter just ended.

Any grantee who fails to remit any fee imposed by this chapter within 30 days of the date it is due, shall pay interest at the rate of one percent (1%) per month or fraction thereof on the amount of the fee from the date on which the remittance first became due until paid.

(Ord 2850 S33 1999)

4.30.010 Tax Imposed

There is hereby imposed a privilege tax of three and one-half percent (3 1/2%) on the gross revenues from electric service customers of Pacific Power and Light Company within the corporate limits of the City of Ashland, pursuant to O.R.S. 221.450. Such tax shall be for the privilege of using the public streets, alleys and highways within the City for other than travel.

The fire protection fee would be based on a sliding scale so that larger, more intensive water users would pay more. The rate assumes that larger facilities have a larger impact on fire services.

History: Medford and Newberg have a public safety fee that is collected through utility bills. Keizer is sending a similar fee to voters in November.

Corvallis has not considered such a fee before, although it is similar in structure to the sustainability initiative fees that have been included in utility bills since February.

This concept was proposed by Ward 8 Councilor Biff Traber as a way to provide a dedicated revenue source for the Fire Department.

FRANCHISE FEES

What is it? The city charges a fee to both city and private utilities for use of the public right-of-way. In 2002, Corvallis implemented a 5 percent fee on city utilities. The rate of that fee could be increased.

How much would it earn? Currently, the 5 percent fee charged to the city's water, wastewater and stormwater funds generates \$881,950 per year in revenue. Increasing that rate to 6 percent would increase that revenue to \$1.06 million annually. A hike to 7 percent would bring in \$1.2 million annually.

If all privately owned utilities that could have their franchise rates increased were also charged 7 percent, revenues from them would increase by approximately \$1.26 million annually.

Restrictions: Each franchise agreement has a specific contract period. It's possible to reopen the contracts sooner, but opposition from the utility companies could result in a staggered implementation and revenue increase. NW Natural's contract will expire in 2012, the Pacific Power and Consumer Power deals will expire in 2017, and the Allied Waste agreement is up in 2018.

History: Oregon cities that charge more than 5 percent in city utility franchise fees include Pendleton, Eugene and Oregon City. Portland reduced its rate from 7.5 to 5 percent in recent years.

Over the past few years, Medford negotiated a franchise rate increase on utilities not owned by the city from 5 percent to 6 percent or 7 percent. Pendleton charges all utilities not owned by the city a 7 percent fee.

Revenue from franchise fees has begun to decrease in recent years due to energy conservation efforts and a reduction in telephone land lines.

LOCAL INCOME TAX

What is it? A tax on earned and unearned income received by people who earn income in Corvallis.

How much would it earn? A 0.25 percent personal income tax might gross as much as \$5.27 million annually, but revenue could vary widely depending on how it is assessed and collected.

Restrictions: There are no requirements for how a local personal income tax might be used.

Corvallis finance staff warns it could be difficult to administer locally without significant additional staffing and resources. A more likely model would be to contract with the state Department of Revenue.

Depending on how it is implemented, people who work outside Corvallis but live in the city might not have to pay the tax. Conversely, people who work here but live elsewhere could end up paying a local income tax to a community other than their home.

History: No other city in the Pacific Northwest charges such a tax.

TELECOMMUNICATIONS TAX

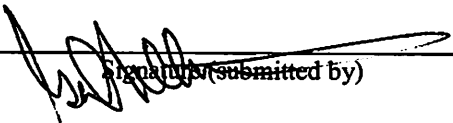
What is it? Also known as a cellphone tax, this proposal would levy a 3 percent to 5 percent tax on all revenues generated by providers of wireless telecommunication services.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 27, 2012

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Charter Cable Franchise Extension

Recommended Motion:

Adopt Resolution 12-R-975, extending the Franchise Agreement with Falcon Telecable, DBA Charter Communications, to February 28, 2013, or until a new franchise agreement is negotiated, whichever comes first, and repealing Resolution 11-R-951 in its entirety.

Financial Impact:

None

Background/Discussion:

The City of Brookings and Curry County have been engaged in negotiations with Charter Cable in the development of a new franchise agreement. The current agreement expired August 22, 2010. The City previously approved an extension through February 21, 2011 and November 30, 2011.

The progress of negotiations has been slow. Numerous changes in federal regulations affecting cable franchises have occurred since the current franchise agreement was approved in 2003. The City and County have jointly retained consulting services to assist with the development of a new agreement. A series of revised draft franchise agreements have been exchanged.

Charter has requested a further extension of the current franchise. City and County staff, along with the consultant, see no "downside" to approving this request as there are no matters of critical concern that need to be resolved.

Attachment(s):

- a. Resolution 12-R-975
- b. Franchise Extension Agreement
- c. Email dated February 14, 2012, from Charter Communications.

CITY OF BROOKINGS

RESOLUTION 12-R-975

A RESOLUTION OF THE CITY OF BROOKINGS EXTENDING THE FRANCHISE AGREEMENT WITH FALCON CABLE SYSTEM COMPANY II, L.P., D.B.A. CHARTER COMMUNICATIONS, TO FEBRUARY 28, 2013, OR UNTIL A NEW FRANCHISE AGREEMENT IS NEGOTIATED, WHICHEVER COMES FIRST, AND REPEALING RESOLUTION 11-R-951 IN ITS ENTIRETY.

WHEREAS, Falcon Cable System Company II, L.P., d.b.a. Charter Communications (Charter) currently holds a ten-year cable franchise with the City of Brookings, (City) Oregon, granted by Ordinance No. 00-O-539, (Franchise) on August 21, 2000 and amended by Ordinance No. 03-O-539 on July 28, 2003; and

WHEREAS, Charter's Franchise with the City expires on August 22, 2010; and

WHEREAS, the City and Charter have begun informal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended and the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

WHEREAS, the agreement was last extended to November 30, 2011 under Resolution 11-R-951; and

WHEREAS, Charter has requested that the City further extend the existing franchise agreement to February 28, 2013 while franchise negotiations continue; and

WHEREAS, it is in the public interest to further extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted;

NOW, THEREFORE, the City of Brookings hereby resolves to extend the Franchise Agreement with Charter through February 28, 2013, or until a new Franchise Agreement is negotiated, whichever comes first; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Brookings is authorized to sign the attached Franchise Extension Agreement and that Resolution 11-R-951 is hereby repealed in its entirety.

PASSED by the City Council of the City of Brookings, February 27, 2012; effective the same date.

Attested by:

Mayor Larry Anderson

City Recorder Joyce Heffington

**FRANCHISE EXTENSION AGREEMENT
CITY OF BROOKINGS, OREGON**

WHEREAS, Falcon Telecable, a California Limited Partnership, locally known as Charter Communications ("Charter") currently holds a cable franchise with the City of Brookings, Oregon ("City"), granted by Ordinance No. 00-0-539 ("Franchise") on August 22, 2000 and amended by Ordinance No. 03-0-539 on July 28, 2003; and

WHEREAS, the City extended the term of the Franchise until November 30, 2011; and

WHEREAS, the City and Charter have begun informal renewal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended and the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

WHEREAS, Charter has requested that the City extend the existing franchise while a new franchise continues to be negotiated; and

WHEREAS, it is in the public interest to further extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted.

NOW, THEREFORE, the Franchise of Charter shall be extended through February 28, 2013, or until a new Franchise Agreement is negotiated, whichever comes first. All other terms and conditions of the existing Franchise shall remain the same. The parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto.

APPROVED this ____ day of _____, 2012

City of Brookings, Oregon

By: _____

Print Name: _____

Title: _____

ACCEPTED this ____ day of _____, 2012

Falcon Telecable, a California Limited Partnership, l/k/a
Charter Communications

By: Charter Communications VII, LLC its
General Manager

By: Charter Communications Inc., its Manager

By: _____

Print Name: _____

Title: President, West Operating Group
Charter Communications

Gary Milliman

From: Roehr, Mary [Mary.Roehr@chartercom.com]
Sent: Tuesday, February 14, 2012 4:08 PM
To: Gary Milliman
Subject: Charter Franchise Extension
Attachments: 2012.2.14 Brookings OR Extension.pdf; ATT58398.txt

Hello Mr. Milliman,

As you know, the current Franchise Agreement (i.e., Ordinance No. 00-0-539), through November 30, 2011, was entered into by and between the City of Brookings ("City") and Falcon Telecable, a California Limited Partnership, locally known as Charter Communications ("Charter"). Under Section 626 of Title VI of the Communications Act of 1934, as amended, Charter continues to serve the City under our existing Franchise Agreement until a new Franchise is executed.

To allow for time for negotiation between the City and Charter for a new cable franchise agreement, Charter kindly requests that the City enter into an Agreement with Charter to extend the term of our current Franchise Agreement until February 28, 2013, or until the terms of the new cable franchise agreement are finally negotiated, whichever comes first. Thus, please find attached a draft Agreement to extend our current franchise agreement (i.e., Franchise Extension Agreement in the City of Brookings, Oregon.) Once the City has had a chance to review and approve the enclosed, I kindly request that the City print two (2) copies of the document and have a duly authorized representative sign and date each. Please return both signed Agreements to my attention for final execution by Charter. Once Charter has signed the enclosed Agreements, Charter will then return one (1) fully executed copy of the Agreement to the City for its records.

Please call if you have any questions. Thank you!

Regards,
Mary Roehr



Mary Roehr | Government Relations Manager | 360.258.5109
222 NE Park Plaza Drive, Ste. 231, Vancouver, WA 98684

City of Brookings MEETING Minutes

CITY COUNCIL

Monday, February 13, 2011, 6:30pm

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

Call to Order

Mayor Anderson called the meeting to order at 6:30pm.

Roll Call

Council Present: Mayor Larry Anderson, Councilors Ron Hedenskog, Dave Gordon, Jake Pieper, and Brent Hodges; a quorum present.

Staff Present: City Manager Gary Milliman, Administrative Services Director Janell Howard, Public Works Director Loree Pryce, City Attorney Martha Rice and Chief Treatment Plants Operator Ray Page.

Consent Calendar

- Approve January 23, 2012 Council minutes.
- Approve January 30, 2012 Special Council minutes.
- Accept October 27 & November 17, 2011 Parks and Recreation minutes.
- Accept November 29, 2011 & January 3, 2012 Planning minutes.
- Accept January 2012 Vouchers in the amount of \$195,989.05.

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

Adjourn

Councilor Hedenskog moved, a second followed and Council voted unanimously to adjourn by voice vote at 6:32pm.

Respectfully submitted:

ATTESTED:

this _____ day of _____ 2012:

Larry Anderson, Mayor

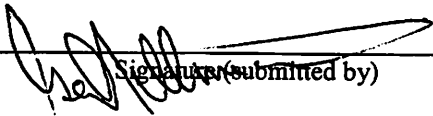
Joyce Heffington, City Recorder

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 27, 2012

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Azalea Festival Request from Chamber of Commerce

Recommended Motion:

Approve items 1 through 6, as stated in the February 13, 2012 Council Agenda Report, in connection with the 2012 Azalea Festival.

Financial Impact:

Some public works staff time in assisting with street closures.

Background/Discussion:

The Brookings-Harbor Chamber of Commerce has submitted a request dated January 20, 2012 for street closures, fee waivers, and assistance with installation of barricades in connection with the annual Azalea Festival event, to be held May 25th through the 28th. The request includes:

1. Authorizing the closure of Frontage Road and a portion of Ross Road from 5:00 p.m. May 25th to 7:00 p.m. May 28th.
2. Provision of a sufficient number of street barricades and traffic cones for use in the street closures.
3. Suspending the sidewalk sale regulations for the same period as indicated in Item 1.
4. Waiving fees for use of the Azalea Park band shell and garden area (the fee would normally be \$115), if needed, for events on the 25th and 26th.
5. Authorizing the installation of no parking signs on Chetco Avenue during the hours of 8:00 a.m. to noon on May 26th to coincide with the parade. This will also require ODOT approval.
6. Use of the City-owned portion of the parking lot adjacent to Ray's Market and the Bankus Fountain.

Because of the traffic flow disruption on Elk Drive, the Chamber will also be securing concurrence from Chase Bank and the Chetco Pharmacy building businesses for the proposed closure of Ross Road and Frontage Road.

Attachment(s):

- a. Letter from Chamber of Commerce



the PULSE of
America's
Wild Rivers
Coast
101 MILES OF NATURE'S BEST

January 20, 2012

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

Dear Gary:

In anticipation of the 73rd Azalea Festival, scheduled for the Memorial Day Weekend, May 25th through the 28th, 2012, the Brookings-Harbor Chamber of Commerce asks the City to permit the following requests:

1. The closure of the Frontage Road in the area bordering Highway 101, in front of Chetco Pharmacy, Spotlight Video and Washington Mutual Bank (see attached map), from 5 p.m., Friday, May 25th to 7:00 p.m., Monday, May 28th, 2012; and the cessation of watering the grassy strip between the Frontage Road and Chetco Avenue for the same time period.
2. The closure of Ross Land – the area between Mory's and the entrance to Chetco Pharmacy & Gifts (see attached map), for the same time frame as in request #1.

(Both of these closures are to insure pedestrian safety. An adequate emergency vehicle lane will be maintained. Businesses located in these areas will be notified by letter in advance of these closures.)
3. Request for a sufficient number of city barricades and traffic cones for both closures.
4. The waiving of the City's Sidewalk Sale Ban during the time frame stated in request #1. We believe that by allowing merchants along Chetco Avenue to create an atmosphere of interest and festivity, more foot traffic will be generated and retail and restaurant sales will benefit.
5. Waiving the fee for the use of the Azalea Park Garden Area on Friday, May 25th, 2012, to be used as a back-up site for the Azalea Festival Kick-off Mixer, and the "Stage Under The Stars" Bandshell for the Park Program component of the festival on Saturday, May 26th 2012. No alcoholic beverages will be consumed.

6. Declaring "No Parking" on Chetco Avenue during the hours of 8:00 a.m. through Noon, on Saturday, May 26th, 2012, to coincide with the parade.

7. Use of the public right-of-way by the fountain area adjacent to the parking lot in front of Ray's Market on Chetco Avenue.

With the above requested assistance from the City of Brookings we are confident that this year's Azalea Festival, the community's 73rd, will again prove to be a big success for both residents and visitors.

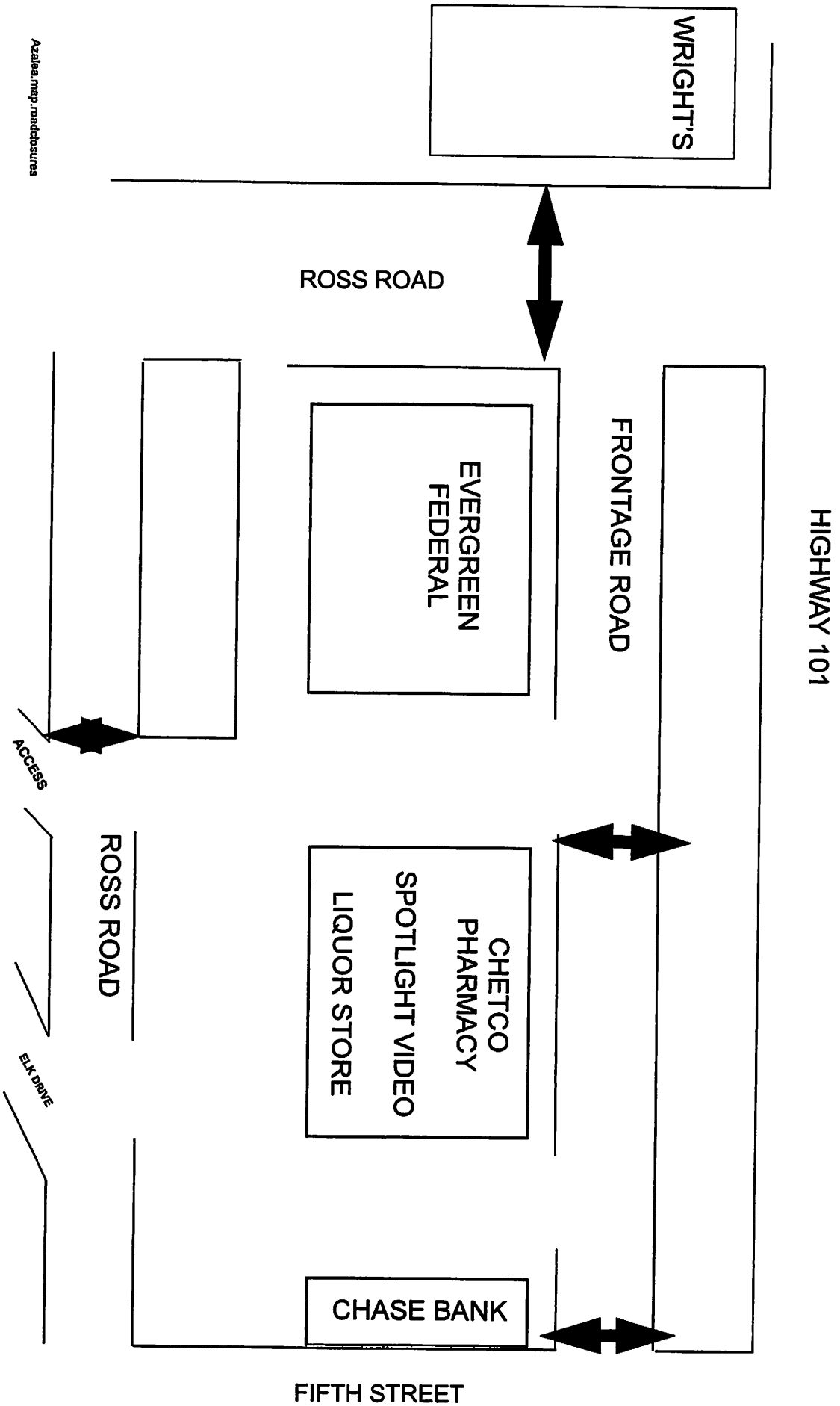
Sincerely,

A handwritten signature in black ink, appearing to read 'Les Cohen', followed by a horizontal line.

Les Cohen
President & CEO

Enclosures

c: Chris Wallace, Chief, Brookings Police Department



Azalea.map.roadclosures

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
TAXES	2,473,996.00	9,017.99	153,731.34	2,320,264.66	6.2
LICENSES AND PERMITS	94,500.00	5,387.45	60,554.28	33,945.72	64.1
INTERGOVERNMENTAL	569,000.00	12,268.94	72,033.15	496,966.85	12.7
CHARGES FOR SERVICES	142,500.00	50,639.14	84,551.60	57,948.40	59.3
OTHER REVENUE	94,500.00	11,278.89	52,901.11	41,598.89	56.0
TRANSFERS IN	530,591.00	.00	.00	530,591.00	.0
	3,905,087.00	88,592.41	423,771.48	3,481,315.52	10.9
EXPENDITURES					
JUDICIAL:					
PERSONAL SERVICES	13,539.00	.00	.00	13,539.00	.0
MATERIAL AND SERVICES	7,300.00	300.00	2,290.00	5,010.00	31.4
CAPITAL OUTLAY	12,500.00	.00	.00	12,500.00	.0
	33,339.00	300.00	2,290.00	31,049.00	6.9
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	226,652.00	26,585.51	141,490.39	85,161.61	62.4
MATERIAL AND SERVICES	85,700.00	12,218.19	77,825.03	7,874.97	90.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	312,352.00	38,803.70	219,315.42	93,036.58	70.2
POLICE:					
PERSONAL SERVICES	1,775,929.00	215,395.80	1,072,191.51	703,737.49	60.4
MATERIAL AND SERVICES	155,740.00	7,355.70	72,556.88	83,183.12	46.6
CAPITAL OUTLAY	401,100.00	7,803.00	60,792.65	340,307.35	15.2
TRANSFERS OUT	15,000.00	.00	.00	15,000.00	.0
	2,347,769.00	230,554.50	1,205,541.04	1,142,227.96	51.4
FIRE:					
PERSONAL SERVICES	194,065.00	21,855.25	117,866.42	76,198.58	60.7
MATERIAL AND SERVICES	124,240.00	3,817.91	53,344.84	70,895.16	42.9
CAPITAL OUTLAY	38,600.00	.00	36,685.01	1,914.99	95.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	356,905.00	25,673.16	207,896.27	149,008.73	58.3
PLANNING AND BUILDING:					
PERSONAL SERVICES	266,554.00	34,750.79	185,402.98	81,151.02	69.6
MATERIAL AND SERVICES	66,540.00	1,101.95	15,974.45	50,565.55	24.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	333,094.00	35,852.74	201,377.43	131,716.57	60.5

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PARKS & RECREATION:					
PERSONAL SERVICES	102,320.00	8,049.17	52,959.23	49,360.77	51.8
MATERIAL AND SERVICES	64,650.00	2,084.82	28,588.50	36,061.50	44.2
CAPITAL OUTLAY	60,800.00	.00	59,707.38	1,092.62	98.2
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>227,770.00</u>	<u>10,133.99</u>	<u>141,255.11</u>	<u>86,514.89</u>	<u>62.0</u>
ADMINISTRATIVE SERVICES:					
PERSONAL SERVICES	272,597.00	21,629.83	159,416.32	113,180.68	58.5
MATERIAL AND SERVICES	32,640.00	3,885.21	17,819.84	14,820.16	54.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>305,237.00</u>	<u>25,515.04</u>	<u>177,236.16</u>	<u>128,000.84</u>	<u>58.1</u>
SWIMMING POOL:					
PERSONAL SERVICES	54,635.00	71.66	35,560.36	19,074.64	65.1
MATERIAL AND SERVICES	33,680.00	111.12	19,344.54	14,335.46	57.4
CAPITAL OUTLAY	20,000.00	.00	11,973.00	8,027.00	59.9
	<u>108,315.00</u>	<u>182.78</u>	<u>66,877.90</u>	<u>41,437.10</u>	<u>61.7</u>
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	177,940.00	18,411.75	70,153.85	107,786.15	39.4
CAPITAL OUTLAY	2,000.00	.00	.00	2,000.00	.0
TRANSFERS OUT	67,000.00	.00	.00	67,000.00	.0
CONTINGENCIES AND RESERVES	663,366.00	.00	.00	663,366.00	.0
	<u>910,306.00</u>	<u>18,411.75</u>	<u>70,153.85</u>	<u>840,152.15</u>	<u>7.7</u>
	<u>4,935,087.00</u>	<u>385,427.66</u>	<u>2,291,943.18</u>	<u>2,643,143.82</u>	<u>46.4</u>
	<u>(1,030,000.00)</u>	<u>(296,835.25)</u>	<u>(1,868,171.70)</u>	<u>838,171.70</u>	<u>(181.4)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	421,000.00	28,483.25	183,762.71	237,237.29	43.7
OTHER REVENUE	300.00	.00	5,343.27	(5,043.27)	1781.1
TRANSFER IN	.00	.00	.00	.00	.0
	<u>421,300.00</u>	<u>28,483.25</u>	<u>189,105.98</u>	<u>232,194.02</u>	<u>44.9</u>

EXPENDITURES

EXPENDITURES:

PERSONAL SERVICES	61,198.00	6,736.89	33,610.44	27,585.56	54.9
MATERIAL AND SERVICES	183,240.00	4,720.07	132,328.41	60,911.59	68.5
CAPITAL OUTLAY	134,900.00	246.63	37,118.53	97,781.47	27.5
TRANSFERS OUT	94,504.00	.00	.00	94,504.00	.0
CONTINGENCIES AND RESERVES	62,460.00	.00	.00	62,460.00	.0
	<u>546,300.00</u>	<u>11,703.59</u>	<u>203,057.38</u>	<u>343,242.62</u>	<u>37.2</u>
	<u>546,300.00</u>	<u>11,703.59</u>	<u>203,057.38</u>	<u>343,242.62</u>	<u>37.2</u>
	<u>(125,000.00)</u>	<u>16,779.66</u>	<u>(13,951.40)</u>	<u>(111,048.60)</u>	<u>(11.2)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,275,500.00	(310.91)	684,148.21	591,351.79	53.6
OTHER INCOME	4,000.00	.00	21,936.36	(17,936.36)	548.4
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,279,500.00</u>	<u>(310.91)</u>	<u>706,084.57</u>	<u>573,415.43</u>	<u>55.2</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	421,876.00	42,610.79	253,310.53	168,565.47	60.0
MATERIAL AND SERVICES	372,130.00	22,897.75	187,160.23	184,969.77	50.3
CAPITAL OUTLAY	80,800.00	.00	16,218.36	64,581.64	20.1
	<u>874,806.00</u>	<u>65,508.54</u>	<u>456,689.12</u>	<u>418,116.88</u>	<u>52.2</u>
WATER TREATMENT:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	443,149.00	.00	.00	443,149.00	.0
CONTINGENCIES AND RESERVES	151,545.00	.00	.00	151,545.00	.0
	<u>594,694.00</u>	<u>.00</u>	<u>.00</u>	<u>594,694.00</u>	<u>.0</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>1,469,500.00</u>	<u>65,508.54</u>	<u>456,689.12</u>	<u>1,012,810.88</u>	<u>31.1</u>
	<u>(190,000.00)</u>	<u>(65,819.45)</u>	<u>249,395.45</u>	<u>(439,395.45)</u>	<u>131.3</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
CHARGES FOR SERVICES	2,437,900.00	31,167.66	1,270,004.60	1,167,895.40	52.1
OTHER REVENUE	553,000.00	.00	914.05	552,085.95	.2
TRANSFER IN	.00	.00	.00	.00	.0
	<u>2,990,900.00</u>	<u>31,167.66</u>	<u>1,270,918.65</u>	<u>1,719,981.35</u>	<u>42.5</u>
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	317,604.00	35,296.69	221,673.74	95,930.26	69.8
MATERIAL AND SERVICES	226,740.00	9,069.26	66,587.35	160,152.65	29.4
CAPITAL OUTLAY	24,900.00	.00	18,559.34	6,340.66	74.5
	<u>569,244.00</u>	<u>44,365.95</u>	<u>306,820.43</u>	<u>262,423.57</u>	<u>53.9</u>
WASTEWATER TREATMENT:					
PERSONAL SERVICES	371,227.00	41,376.70	222,832.98	148,394.02	60.0
MATERIAL AND SERVICES	579,290.00	36,179.15	469,520.59	109,769.41	81.1
CAPITAL OUTLAY	2,287,400.00	.00	1,050,898.40	1,236,501.60	45.9
TRANSFERS OUT	1,123,824.00	.00	.00	1,123,824.00	.0
CONTINGENCIES AND RESERVES	259,915.00	.00	.00	259,915.00	.0
	<u>4,621,656.00</u>	<u>77,555.85</u>	<u>1,743,251.97</u>	<u>2,878,404.03</u>	<u>37.7</u>
	<u>5,190,900.00</u>	<u>121,921.80</u>	<u>2,050,072.40</u>	<u>3,140,827.60</u>	<u>39.5</u>
	<u>(2,200,000.00)</u>	<u>(90,754.14)</u>	<u>(779,153.75)</u>	<u>(1,420,846.25)</u>	<u>(35.4)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2012

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	481,345.00	.00	7,326.31	474,018.69	1.5
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	2,000.00	.00	449.12	1,550.88	22.5
	<u>483,345.00</u>	<u>.00</u>	<u>7,775.43</u>	<u>475,569.57</u>	<u>1.6</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	70,000.00	3,890.00	7,134.19	62,865.81	10.2
CAPITAL OUTLAY	587,215.00	.00	2,686.07	584,528.93	.5
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	306,130.00	.00	.00	306,130.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>963,345.00</u>	<u>3,890.00</u>	<u>9,820.26</u>	<u>953,524.74</u>	<u>1.0</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>963,345.00</u>	<u>3,890.00</u>	<u>9,820.26</u>	<u>953,524.74</u>	<u>1.0</u>
	<u>(480,000.00)</u>	<u>(3,890.00)</u>	<u>(2,044.83)</u>	<u>(477,955.17)</u>	<u>(.4)</u>

BUILDING DEPARTMENT ACTIVITIES SUMMARY

For the Month of: **January 2012**

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDC's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
0	Single Family Dwelling (SFD)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	
0	Single Family Addition (SFA)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$55,920.00
0	Single Family Garage-Carport (SFG)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Two Family Residential (TFR)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Multi-Family Residential Apts (MFR)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Commercial New (C)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Commercial Addition-Change (CA)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Churches (C)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	School Repair-Addition (S)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
0	Building Removal (B)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00		
1	Misc.-Retaining Wall-Fence (M,RW,F)	\$182.65	\$118.72	\$21.92	\$0.00	\$20,000.00	1	\$20,000.00	3	\$27,483.00
1	Total Building Permits	\$182.65	\$118.72	\$21.92	\$0.00	\$20,000.00	1	\$20,000.00	5	\$83,403.00
0	Mechanical Permits	\$0.00	\$0.00	\$0.00	N/A	N/A		N/A		N/A
0	Plumbing Permits	\$0.00	N/A	\$0.00		N/A		N/A		N/A
0	Mfg Home Install - Permit Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
0	Mfg Home Install - Administrative Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
1	TOTAL PERMITS	\$182.65	\$118.72	\$21.92	\$0.00	\$20,000.00	1	\$20,000.00	5	\$83,403.00
	Total Year to Date Calculated Fees									

For the month of: **January 2012**

**Per Data Base
Per Worksheet**