

City of Brookings MEETING AGENDA

CITY COUNCIL/URBAN RENEWAL AGENCY

Monday, October 24, 2011, 7:00pm

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

Council will meet in **Executive Session at 6:00pm** in the City Manager's office under authority of ORS 192.660.2.e, "to conduct deliberations with persons designated by the governing body to negotiate real property transactions," under ORS 192.660.2.h, "to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed," and under ORS 192.660.2.d, "to conduct deliberations with persons designated by the governing body to carry on labor negotiations."

CITY COUNCIL

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. Proclamations:

- a. Red Ribbon Week. [pg. 5]
- b. Drug Awareness Week. [pg. 6]
2. Reappoint Timm Rolek to Public Art Committee Position 3. [pg. 7]
3. Appoint Bryan Tillung to Planning Commission Position 5. [pg. 10]

E. Public Hearings/Ordinances/Resolutions/Final Orders

1. Public hearing on file CP-1-11, revisions to Chapter 7 of the City of Brookings Transportation System Plan, to include recently adopted street standards; City initiated. [Planning, Advance Packet]
 - a. Draft revisions
 - b. Email from Oregon Department of Transportation
2. Ordinance amending Chapter 7, Transportation System Plan - Street Design Standards, of the City of Brookings Transportation System Plan. [Planning, Advance Packet]
 - a. Ordinance 11-O-684
3. Ordinance amending Brookings Municipal Code Chapter 2.50, Parks and Recreation Commission, in its entirety. [City Manager, Advance Packet]
 - c. Ordinance 11-O-685
 - d. Revised language

F. Oral Requests and Communications from the audience

1. Public Comments – 5 minute limit per person.*

G. Staff Reports

1. Authorize the City Manager to execute Bargain and Sale Deed and Easement Agreement for Bird Island Condominiums, located on Parkview Drive. [Public Works, pg. 14]

- a. Bargain and Sale Deed [pg. 15]
 - b. Easement [pg. 19]
2. Authorize a Change Order to the 2010/2011 Street Maintenance Project to include the paving, sealing and striping of the City Hall parking lot in an amount not to exceed \$41,059.40. [Public Works, pg. 23]
3. Review alternatives for Social Security Bar and provide direction to staff. [City Manager, pg. 24]
 - a. Proposed sign concept [pg. 26]
 - b. Map of property and possible use areas [pg. 27]
 - c. Email from ODFW [pg. 28]
4. Approve Agreement for Services of Municipal Judge Pro Tem with Jim Fallman with a monthly stipend of \$200 effective January 1, 2012. [City Manager, pg. 29]
 - a. Agreement [pg. 30]

H. Consent Calendar

1. Approve Council minutes for October 10, 2011. [pg. 34]
2. Receive monthly financial report for September. [pg. 37]

I. Remarks from Mayor and Councilors

J. Adjournment

URBAN RENEWAL AGENCY

A. Call to Order

B. Roll Call

C. Consent Calendar

1. Approve Agency minutes for September 26, 2011. [pg. 43]

D. Public Comments

E. Staff Reports

1. Approve the suspension of Urban Renewal Advisory Commission operations. [Executive Director, pg. 44]

F. Agency Remarks

G. 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.

October 2011

October 2011							November 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	8	13	14	8	9	10	11	12
16	17	18	19	20	21	15	20	21	15	16	17	18	19
23	24	25	26	27	28	22	27	28	22	23	24	25	26
30	31					29			29	30			

	Monday	Tuesday	Wednesday	Thursday	Friday
Oct 3 - 7	Oct 3 11:00am CC - VIPS 4:00pm CC - Council Wkshp 7:00pm FH-FireTrng	4 7:00pm CC-Planning Comm	5 8:30am CC - Staff 10:00am CC- Site Plan 12:00pm CC - Stout Park 7:00pm FH-PoliceResrvs	6 11:30am CC -Staff 3:00pm CC - Staff 4:00pm CC - Staff	7
Oct 10 - 14	10 7:00pm FH-FireTrng 7:00pm CC-Council	11	12 8:30am CC - Staff 10:00am FH-BRFD 10:00am CC- Site Plan 12:00pm Public Art Committee CC	13 9:00am CC-Crm Stoppers 1:00pm CC - Court	14
Oct 17 - 21	17 11:00am CC-VIPS 7:00pm FH-FireTrng	18 1:00pm CC - Staff	19 8:00am CC - Staff 8:30am CC - Staff 10:00am CC- Site Plan 3:30pm ODOT/ Staff Meeting	20 8:00am CC - Staff	21
Oct 24 - 28	24 7:00pm CC-Council 7:00pm FH-FireTrng	25	26 8:30am CC - Staff 10:00am CC- Site Plan	27 12:00pm Public Art Committee 7:00pm CC-Parks & Rec	28
Oct 31 - Nov 4	31 7:00pm FH-FireTrng	Nov 1	2	3	4

November 2011

November 2011							December 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

	Monday	Tuesday	Wednesday	Thursday	Friday
Oct 31 - Nov 4	Oct 31	Nov 1	2	3	4
		7:00pm CC-Planning Comm	8:30am CC - Staff 10:00am CC- Site Plan 12:00pm CC - Stout Park 8:00pm FH-PoliceResrvs	4:00pm CC - Staff	
Nov 7 - 11	7	8	9	10	11
	11:00am CC - VIPS 4:00pm CC - Council Wkshp 7:00pm FH-FireTrng		8:30am CC - Staff 10:00am FH-BRFD 10:00am CC- Site Plan	9:00am CC-Crm Stoppers	Veterans Day - CLOSED (closest weekday) 8:00am City Hall CLOSED - Veterans Day Holiday
Nov 14 - 18	14	15	16	17	18
	7:00pm FH-FireTrng 7:00pm CC-Council	7:00pm CC - PC (TENTATIVE)	8:30am CC - Staff 10:00am CC- Site Plan	1:00pm CC - Court 1:00pm CC - Court 7:00pm CC-Parks & Rec (TENT)	
Nov 21 - 25	21	22	23	24	25
	11:00am CC-VIPS 7:00pm FH-FireTrng		8:30am CC - Staff 10:00am CC- Site Plan	Thanksgiving - CLOSED	
Nov 28 - Dec 2	28	29	30	Dec 1	2
	7:00pm FH-FireTrng		8:30am CC - Staff 10:00am CC- Site Plan		

City of Brookings *Proclamation*

WHEREAS, Substance abuse is damaging to our children and is a contributing factor in the three leading causes of death for teenagers - accidents, homicides and suicides; and

WHEREAS, October 23rd to October 31st, 2011 has been designated **NATIONAL RED RIBBON WEEK** whereby all Americans can show their commitment to drug-free lifestyles; and

WHEREAS, Brookings Emblem Club #265 and The City of Brookings encourages its citizens to participate in **RED RIBBON WEEK** to establish an atmosphere that promotes family and individual responsibilities for living drug free, without the use of illegal drugs or the illegal use of legal drugs, and

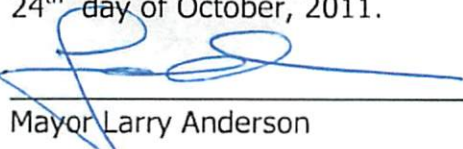
WHEREAS, the City of Brookings encourages its citizens to participate in **RED RIBBON WEEK** to establish an atmosphere that promotes family and individual responsibilities for living drug free, without the use of illegal drugs or the illegal use of legal drugs; and

WHEREAS, the citizens of Brookings are invited to show their support for a drug-free community in which to raise happy, healthy, alcohol, tobacco and drug-free children by wearing and displaying red ribbons during this week;

NOW THEREFORE, BE IT RESOLVED that I, Larry Anderson, Mayor of the City of Brookings, do hereby proclaim the week of October 23rd to October 31st, 2011 to be

Red Ribbon Week

In Witness Whereof, I, Mayor Larry Anderson, do hereto set my hand and cause the official seal of the City of Brookings, Oregon, to be affixed this 24th day of October, 2011.


Mayor Larry Anderson




**I AM
DRUG-FREE**

City of Brookings *Proclamation*

WHEREAS, the Benevolent and Protective Order of Elks has designated June to honor all American Citizens for their accomplishments and give fitting recognition of their services to Community, State and nation in increasing Drug Awareness; and

WHEREAS, Brookings Elks Lodge #1934 will sponsor an observance during that week in tribute to all American Citizens of this community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to all Americans young and old who represent the nation's greatest resource and who in the years ahead will assume the responsibility for the advancement of Drug Awareness to our free society; and

WHEREAS, our youth need the guidance, Inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Drug Awareness. Our understanding of the great need for this worthy cause will help prepare all American's in every way to be great Citizens of their community.

NOW THEREFORE, I, Larry Anderson, Mayor of the City of Brookings, do hereby proclaim the week of October 23rd to October 31st, 2011 as

Drug Awareness Week

and urge all Departments of Government, Civic, Fraternal and Patriotic groups, and our Citizens generally, to participate wholeheartedly in its observance.

IN WITNESS WHEREOF, I, Mayor Larry Anderson, do hereto set my hand and cause the official seal of the City of Brookings, Oregon, to be affixed this 24th day of October, 2011.

Mayor Larry Anderson





City of Brookings

898 Elk Drive, Brookings, OR 97415
Phone: (541) 469-1100 Fax: (541) 469-3650
www.brookings.or.us

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

Name: TIMM ROLEK Date: 9/22/11
Physical Address: 1410 Glenwood Drive
Mailing Address: PO Box 7110 Phone: 469-3137
Email Address: timmrolek@gmail.com

I would like to apply for the following position (all positions are appointed by Council):

Position	Term
<input type="checkbox"/> Planning Commission/Commission for Citizen Involvement (CCI)	4 years
<input type="checkbox"/> Parks and Recreation Commission	4 years
<input type="checkbox"/> Budget Committee	3 years
<input type="checkbox"/> Urban Renewal Advisory Committee	3 years
<input type="checkbox"/> Traffic Safety Committee:	3 years
<input checked="" type="checkbox"/> Public Art Committee	3 years
<input type="checkbox"/> Other _____	

NOTE: Terms are as stated unless the appointment is to fill a vacancy with a term already in progress. Refer to specific notices for specific information.

1. Resident of the City of Brookings since: Month: Sept Year: 2001

2. Please list no less than three references:

NAME: ADDRESS: PHONE:

A. Larry Anderson 469-7915
B. Pete Chgsar PO Box 540, Brookings 660-9681
C. David Fuller 935 Marina Heights, Brookings

3. Briefly explain why you wish to serve the community in this capacity and what prior

experience, community service, or background you have in this area. Attach additional sheets if necessary:

I am currently serving a partial term
on this committee and wish to continue

4. Tell us about your education, employment, volunteer activities, etc. Attach additional sheets if necessary.

(see previous application)

5. It is my intention to donate voluntary services for the City of Brookings (hereinafter "City") as follows:

- _____
- _____
- _____
- _____
6. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
7. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
8. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
9. I release the City from all matters relating to voluntary service by the undersigned, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from this voluntary service.
10. I release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of voluntary services set forth above.

I, Timon Rolick sign this application voluntarily and in the presence of the witness whose signatures are shown below mine, and acknowledge that, upon signing, this document will become public information and will be presented to the City Council and news media.


Applicant


Witness

9/22/11
Date

Sept 22, 2011
Date

Rec'd 8-17-11



City of Brookings

898 Elk Drive, Brookings, OR 97415
Phone: (541) 469-1100 Fax: (541) 469-3650
www.brookings.or.us

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

Name: BRYAN TILLUNG Date: 8/17/2011

Physical Address: 7173 VISTA RIDGE DRIVE, BROOKINGS, OR 97415

Mailing Address: PO BOX 1077, BROOKINGS, OR 97415 Phone: 541-254-1973

Email Address: bryan@century21agate.com

I would like to apply for the following position (all positions are appointed by Council):

<u>Position</u>	<u>Term</u>
<input checked="" type="checkbox"/> Planning Commission/Commission for Citizen Involvement (CCI)	4 years
<input type="checkbox"/> Parks and Recreation Commission	4 years
<input type="checkbox"/> Budget Committee	3 years
<input type="checkbox"/> Urban Renewal Advisory Committee	3 years
<input type="checkbox"/> Traffic Safety Committee:	3 years
<input type="checkbox"/> Public Art Committee	3 years
<input type="checkbox"/> Other _____	

NOTE: Terms are as stated unless the appointment is to fill a vacancy with a term already in progress. Refer to specific notices for specific information.

1. Resident of the City of Brookings since: Month: 10 Year: 109

2. Please list no less than three references:

NAME:

ADDRESS:

PHONE:

A. DR. DOUG WALKER EYE CENTER OF BROOKINGS 541-469-6923
B. MOIRA FUSSUM BROOKINGS MEDICAL 541-661-5126
C. LES COHEN BH CHAMBER 541-661-3033

3. Briefly explain why you wish to serve the community in this capacity and what prior

experience, community service, or background you have in this area. Attach additional sheets if necessary: _____

Currently on the 'Urban Renewal Advisor
Commission'

Attached to the Brooking Fire & Rescue

4. Tell us about your education, employment, volunteer activities, etc. Attach additional sheets if necessary.

Attended Univ. of Maryland

Real Estate Broker - CBI Agents Realty

"Welcome to Brookings" Committee
member

Brookings/Harbor Rotary Rotarian

Member Chamber of Commerce

Treasurer - Curry County Board of
Realtors

5. It is my intention to donate voluntary services for the City of Brookings (hereinafter "City") as follows:

-
-
-
-
6. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
7. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
8. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
9. I release the City from all matters relating to voluntary service by the undersigned, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from this voluntary service.
10. I release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of voluntary services set forth above.

I, BRYAN TILLWAG sign this application voluntarily and in the presence of the witness whose signatures are shown below mine, and acknowledge that, upon signing, this document will become public information and will be presented to the City Council and news media.

Bryan Tillwag
Applicant

8/17/11
Date

Vicki Merrill
Witness

8-17-11
Date

References

Dr. Douglas J. Walker, OD, Eye Center of Brookings – (541) 469-6923

Jan Ramelli, Community Relations, Sea View Senior Living Community
jan@seaviewseniorliving.com

Charlie Kocher, Chief Editor, Curry Pilot - ckocher@currypilot.com

Rick Bishop, Bernie Bishop Mazda, rbishop@bbmazda.com

Les Cohen, Brookings-Harbor, Chamber of Commerce, les@brookingsor.com

Moira Fossum, Curry Health Network - irishm@charter.net

Raina Stoops, "Fitness Center", Seascape Regional Center - rainastoops@yahoo.com

Bryan Wood, School Superintendent - bryanw@brookings.k12.or.us

Ruth Wilson, Century 21 Agate Realty – ruth@century21agate.com

Becky Wilson, Century 21 Agate Realty – becky@century21agate.com

Chief Bill Sharp, Brookings Fire - bsharp@brookings.or.us

Tami Konkell, BayWest Mortgage, Broker/President – Tkonkel@BayWest-Mortgage.com

Paster Rick, "Church of Nazarene" - 541-469-2571

Lorelei Hanna, "Pelican Bay Arts Association", President - loreleinoel@charter.net

Dianne Morris, Planning Director, - dmorris@brookings.or.us

Ryan Webster, Executive Office, Curry County Board of Realtors -
ccbr@harborside.com

Evonne Tribble (Broker), President - Curry County Board of Realtors -
evonne@wave.net

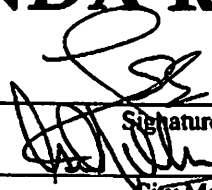
Bryan Tillung, (Broker), Treasurer – Curry County Board of Realtors –
bryan@century21agate.com

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 24, 2011

Originating Dept: Public Works



Signature (submitted by)

City Manager Approval

Subject: Bird Island Condominium dedications

Recommended Motion:

Authorize the City Manager to execute the Bargain and Sale Deed and Easement Agreement for Bird Islands Condominiums, tax lot #4014-36-90000, located on Parkview Drive.

Financial Impact:

Minimal recording costs.

Background/Discussion:

Stuntzner Engineering recently contacted staff regarding a discrepancy resulting from a past survey which left a strip of property owned by Larry and Susan Anderson in the Parkview Drive roadway. Execution of the attached Bargain and Sale Deed will correct this discrepancy and maintain contiguous City right of way along Parkview Drive.

In addition, execution of the attached Easement Agreement will allow the City to access the two water meters located on the same property.

Attachment(s):

- a. Bargain and Sale Deed
- b. Easement for water meter access

BE

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

Larry Anderson & Susan L.
PO Box 1746
Brookings, OR 97415
Grantor's Name and Address
City of Brookings, a Municipal
Corp. of the State of Oregon
898 Elk Dr. Brookings, OR 97415
Grantee's Name and Address
After recording, return to (Name, Address, Zip):
City of Brookings
898 Elk Dr.
Brookings, OR 97415
Until requested otherwise, send all tax statements to (Name, Address, Zip):
City of Brookings
898 Elk Dr.
Brookings, OR 97415

SPACE RESERVED
FOR
RECORDER'S USESTATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was
received for record on _____
at _____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page _____
and/or as fee/file/instrument/microfilm/reception
No. _____, Records of said County.

- Witness my hand and seal of County affixed.

NAME TITLE
By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Larry Anderson & Susan L. Anderson

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
City of Brookings, a Municipal Corporation of the State of Oregon,
hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, heredi-
taments and appurtenances thereunto belonging or in any way appertaining, situated in Curry County,
State of Oregon, described as follows, to-wit:

As per Exhibit "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the
actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate
which) consideration. (The sentence between the symbols ☐, if not applicable, should be deleted. See ORS 93.030.)

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

IN WITNESS WHEREOF, the grantor has executed this instrument on _____; if
grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized
to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO
195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17,
CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 FEE TITLE TO THE
PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO
VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL,
AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL,
TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN
ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY,
UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, ORE-
GON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on _____

by _____

This instrument was acknowledged before me on _____

The following legal description was prepared to describe the area of Tax Lot 90000, Assessor's Map 40-14-36, Supplemental Map #1, said area located North, East and West of that Parcel conveyed to the City of Brookings, per Curry County Deed Instrument #2005-5170.

Exhibit "A"

A parcel of land lying within Government Lot 5, also known as the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 40 South, Range 14 West of the Willamette Meridian, City of Brookings, Curry County, Oregon, said parcel more particularly described as follows:

Beginning at a $\frac{5}{8}$ " Iron Rod on the Easterly Right of Way of the Oregon Coast Highway 101, said Iron Rod being North 472.56 feet and West 500.48 feet from the Southeast corner of said Section 36;

Thence North $7^{\circ} 30' 00''$ West 11.18 feet to the southerly Right of Way of Parkview Drive;

Thence North $74^{\circ} 31' 16''$ East (formerly North $74^{\circ} 21' 43''$ East) 72.00 feet;

Thence South $32^{\circ} 53' 44''$ East 10.13 feet to a $\frac{5}{8}$ " Iron Rod;

Thence South $73^{\circ} 27' 56''$ West 0.48 feet to a $\frac{5}{8}$ " Iron Rod at the Southeast Corner of that Parcel described in Deed Instrument #2005-5170;

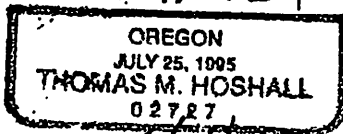
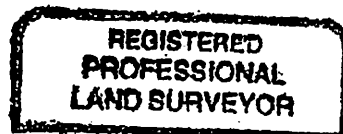
Thence North $32^{\circ} 46' 58''$ West (formerly North $32^{\circ} 55' 00''$ West) 5.24 feet along the East line of said Deed;

Thence South $73^{\circ} 26' 28''$ West 71.96 feet (formerly South $74^{\circ} 21' 43''$ West 72.00 feet) along the North line of said Deed;

Thence South $8^{\circ} 27' 20''$ East (formerly South $7^{\circ} 30' 00''$ East) 5.05 feet along the West line of said Deed to a $\frac{5}{8}$ " Iron Rod at it's Southwest corner;

Thence South $73^{\circ} 27' 56''$ West 2.00 feet to the Point of Beginning.

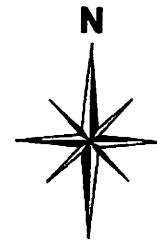
The above described contains 405.6 square feet, more or less.



Exp Date 6/30/2013

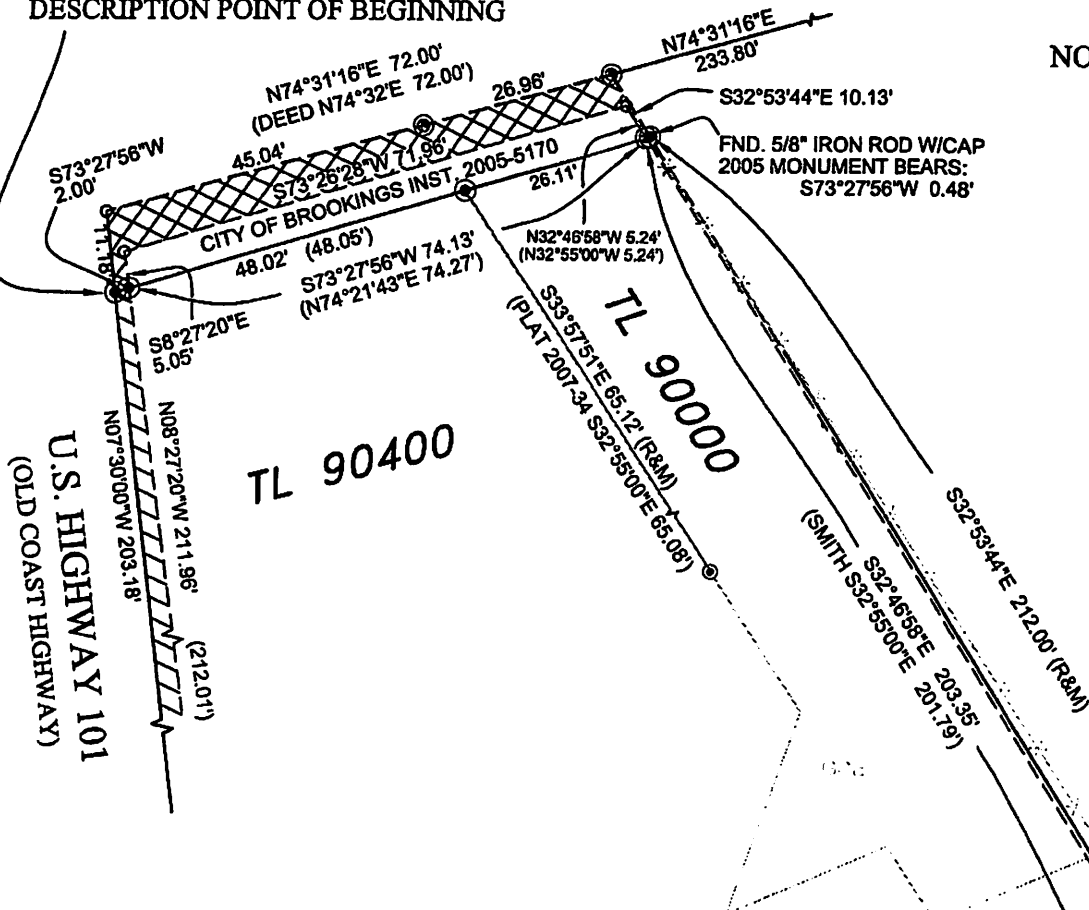
EXHIBIT MAP

PARKVIEW DR.



NOT-TO-SCALE

DESCRIPTION POINT OF BEGINNING



LEGEND

- FND. 5/8" IRON ROD W/PLASTIC CAP MKD. "STUNTZNER ENG"
- FND. 3" MAG. NAIL W/ALUMINUM CAP MKD. "STUNTZNER ENG"
- RECORD MONUMENT REMOVED PER CS 40-_____
- CALCULATED POINT
- EXISTING CEDAR FENCE
- "DEED"
- REFERENCE INSTRUMENT #2005-3086 AND #2005-3603
- RECORD AND MEASURED
- CONDOMINIUM PLAT 2007-01 BY T. HOSHALL (DEC. 2006)
- CONDOMINIUM PLAT 2007-34 BY T. HOSHALL (AUG. 2007)
- PER CORRECTIVE SURVEY MAP 40-_____
- DEED INSTRUMENT #1996-0735 DIMENSIONS
- DENOTES AREA OF BOUNDARY CORRECTED
- DENOTES AREA TO BE CONVEYED TO CITY OF BROOKINGS

Approved and accepted by the City of Brookings, a municipal corporation of the State of Oregon.

By Gary Milliman, City Manager, this _____ Day of _____, 2011.

Gary Milliman, City Manager

State of Oregon)

) ss.

County of Curry)

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, Gary Milliman, City Manager of Brookings, Oregon

Notary Public for Oregon

My Commission Expires: _____

EA

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



EASEMENT

Between

Larry & Susan Anderson

PO Box 1746

Brookings, OR 97415

And

City of Brookings

898 Elk Drive

Brookings, OR 97415

After recording, return to (Name, Address, Zip):

City of Brookings

898 Elk Drive

Brookings, OR 97415

SPACE RESERVED
FOR
RECORDER'S USESTATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was
received for recording on _____,
at _____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page _____
and/or as fee/file/instrument/microfilm/reception
No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

THIS AGREEMENT made and entered into on _____, by and
between Larry & Susan Anderson
hereinafter called the first party, and City of Brookings, a municipal corp. of Oregon
hereinafter called the second party, WITNESSETH:

WHEREAS: The first party is the record owner of the following described real property in Curry
County, State of Oregon, to-wit:

General Common Elements, BIRD ISLAND CONDOMINIUMS, a flexible
condominium Plat No. 2007-1, recorded January 25, 2007 Inst.#
2007-533 and

General Common Elements, BIRD ISLAND CONDOMINIUM Supplemental
No. 1 PLAT NO. 2007-34, recorded October 15, 2007 Inst. #2007-
5026, City of Brookings, County of Curry, and State of Oregon.

Said common elements and easement area as originally described
in Curry County Deed Instrument #2005-3086 and 2005-3603.

and has the unrestricted right to grant the easement hereinafter described relative to the real estate; and the second party is the record
owner of the following described real property in that county and state, to-wit:

Public rights of the municipality

NOW, THEREFORE, in view of the premises and in consideration of \$ 0 by the second party to the
first party paid, the receipt of which is acknowledged by the first party, it is agreed:

The first party hereby grants, assigns and sets over to the second party an easement, to-wit:

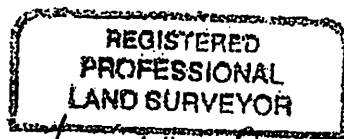
See Exhibit "A" and "B"

EXHIBIT A

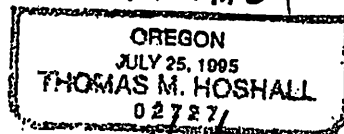
AN EASEMENT LOCATED WITHIN GOVERNMENT LOT 5, ALSO KNOWN AS THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWNSHIP 40 SOUTH, RANGE 14 WEST OF THE WILLAMETTE MERIDIAN, CITY OF BROOKINGS, CURRY COUNTY, OREGON, SAID EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF 2 EXISTING WATER UTILITY METERS, AND BEING 5 FEET IN WIDTH, 2.5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE SOUTHWEST CORNER OF THAT GENERAL COMMON ELEMENT (GCE) OF TRACT "A", BIRD ISLAND CONDOMINIUM SUPPLEMENTAL PLAT NO. 1, COUNTY RECORDING #2007-34, INSTRUMENT #2007-5626, FROM WHICH ITS INITIAL POINT BEARS NORTH 8°27'20" WEST (RECORD NORTH 7°30'00" WEST) 62.44 FEET;
THENCE ALONG SAID CENTERLINE SOUTH 73°38'53" WEST 3.14 FEET TO THE RIGHT OF WAY OF U.S. HIGHWAY 101 AND THE END OF THE HEREBY DESCRIBED EASEMENT.

THE ABOVE BEARINGS ARE BASED ON THE 2011 PLAT AMENDMENT AND SURVEY OF SAID BIRD ISLAND CONDOMINIUM.



Thomas M. Hoshall



Exp. Date 6/30/2013

EXHIBIT 'B'

UNIT #4

2.00'
(NTS)

INITIAL POINT
PLAT 2007-34

GCE

SCALE: 1" = 4'

TL 90000

BIRD ISLAND CONDOMINIUM
SUPPLEMENTAL PLAT 2007-34

U.S. HWY. 101

N08°27'20"W (FORMERLY N7°30'00"W) 62.44'
S7°30'00"E 62.68'
S7°30'00"E
3.14'
2.50'
WM
2.50'
S7°30'00"E

S73°38'53"W

BIRD ISLAND CONDOMINIUM
PLAT 2007-1

LEGEND

- ⊙ FND. 5/8" IRON ROD W/ PLASTIC CAP MKD. "STUNTZNER ENG"
- ⊙ RECORD MONUMENT REMOVED PER CS 40-____
- ▨ DENOTES EASEMENT AREA
- ▨ DENOTES AREA OF BOUNDARY CORRECTED
- WM EXISTING CITY OF BROOKING WATER METER

GCE

Stuntzner		87829 SHOPPING CENTER AVE.	PHONE: (541) 455-5329
Engineering & Forestry, LLC		P.O. BOX 2748	FAX: (541) 455-0768
		HARBOR, OREGON 97415	www.stuntzner.com
JOB #: 205-3-039		PREPARED FOR:	LARRY AND SUSAN ANDERSON
DATE: 9-28-2011			P.O. BOX 1746
DRAWN BY: JTC-ELS			BROOKINGS, OR 97415
CHECKED BY: TMH	FILE NAME: Anderson-Condo Unit July 2011.dwg	SHEET 1 OF 1	

Approved and accepted by the City of Brookings, a municipal corporation of the State of Oregon.

By Gary Milliman, City Manager, this _____ Day of _____, 2011.

Gary Milliman, City Manager

State of Oregon)

) ss.

County of Curry)

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, Gary Milliman, City Manager of Brookings, Oregon

Notary Public for Oregon

My Commission Expires: _____

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 24, 2011

Originating Dept: Public Works



Signature (submitted by)

City Manager Approval

Subject: Change Order to the 2010/2011 Street Maintenance Project

Recommended Motion:

Authorize the Public Works Director to direct the City Engineer to proceed with a Change Order to the 2010/2011 Street Maintenance Project to include paving, sealing and striping of the City Hall parking lot in an amount not to exceed \$41,059.40.

Financial Impact:

There are adequate funds remaining in the street capital improvement fund.

Background/Discussion:

Staff recognized during City Hall Storm Drain project that the public parking area fronting Elk Drive was in need of a repair, and paving the gravel area at the northwest of the City Hall building would provide additional parking. Additional parking spaces are needed to meet minimum parking requirements for City Hall/Police/Fire and the addition of the Emergency Operating Center (EOC). These additional spaces will also better serve volunteers and others attending training and other events at the Fire Station and new EOC. The parking lot in front of the City Hall building was damaged by heavy equipment responding to the sink hole event. In addition, applying a sealant to the existing paving in the City parking lot would enhance the lifespan of this existing pavement.

Tidewater Contractors, Inc. is the contractor on the 2010/2011 Street Maintenance Project. Strahm's Sealcoat and Striping has offered a proposal for seal coat and restriping and would serve as a subcontractor to Tidewater for completion of the change order tasks. Tidewater's change order proposal honors the same unit price as the work on the street project. Staff recommends moving forward with approval of this change order due to a reasonable price to complete this work and to construct before the winter season.

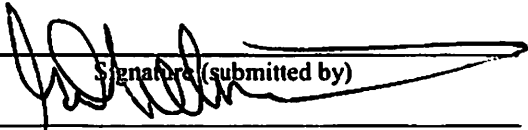
Front parking area reconstruction and paving	\$21,750.00
Northwest parking area paving	\$12,500.00
Slurry seal and restripe parking lot	\$ 6,809.40
Total Change Order	\$41,059.40

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 24, 2011

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Social Security Bar

Recommended Motion:

Review alternatives and provide direction to staff.

Financial Impact:

From minor to major depending upon alternative selection. Minor would be cost of signage. Sale of property could generate revenue to City. Park planning would require staff and consultant resources.

Background/Discussion:

The City Council has discussed staff and neighbor concerns regarding the City's access to Social Security Bar and the relationship of the City property to activities on the bar. City police and fire services responded to several events occurring on the bar this past summer, including an RV fire that resulted in a death.

The City Council has indicated its desire to maintain unrestricted access to Social Security Bar through the City's property on North Bank Chetco River Road. The City owns a 1.61-acre parcel at this location, upon which the main access driveway to Social Security Bar is located. The City also pays for a portable toilet service on the property.

Staff is coordinating with various State agencies that have jurisdiction on the bar itself to install a more visible and informative sign at the entrance to the bar, drawing greater attention to State regulations including:

- Overnight camping is prohibited on the bar (the bar is posted as closed between the hours of 10:00 p.m. and 5:00 a.m.).
- Fishing and water craft regulations.
- No fires are permitted from May 1 to November 1.

Staff has discussed the long term status of the access and the City property with representatives of the Department of State Lands and the Department of Fish and Wildlife (ODFW). According to State agency representatives, the Oregon State Police, which has law enforcement jurisdiction on the bar, has recommended the installation of a seasonal gate at the bar entrance.

Staff has developed the following long term alternatives with respect to the City property adjacent to Social Security Bar:

RETAIN OWNERSHIP, IMPROVE SIGNAGE AND SEEK VENDORS

Under this option, the City would retain ownership of the property, improve regulatory signage and seek vendors to conduct seasonal business activity on the City property, such as kayak rental, food service or bait service. Minimal revenues would be anticipated, but would contribute to the City's cost of maintaining the property and the portable toilet located there.

RETAIN OWNERSHIP AND PREPARE PARK DEVELOPMENT PLAN

An expansion of the first alternative and would include developing a plan to improve the property as a public park. Improvements might include picnic areas and improved pedestrian access to the bar. The City could attempt to organize volunteer resources among anglers and pursue grant funding for development of the park

CONVEY PROPERTY TO THE STATE

The Department of Fish and Wildlife may be willing to accept the property and manage it as an access to the Chetco River. Staff understands that ODFW has made agreements with non-profit anglers groups to manage access at several locations on ODFW-controlled lands. Under this option, the City would no longer have any control or liability associated with maintaining this property. The City would also lose control over managing the access.

SELL THE PROPERTY AND RESERVE ACCESS EASEMENT

The property could be sold as surplus to the City's needs to a private party or non-profit organization. As a part of the transaction, the City could provide that a corridor from North Bank Chetco River Road would be reserved as an easement for unrestricted public access.

Attachment(s):

- a. Proposed sign concept.
- b. Map of property and possible use areas.
- c. Email from ODFW

CITY OF BROOKINGS

SOCIAL SECURITY BAR ACCESS

STATE REGULATIONS

STATE LANDS

|| | | |

FISH & WILDLIFE

| | | | |

MARINE BOARD

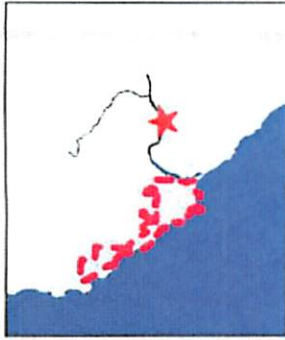
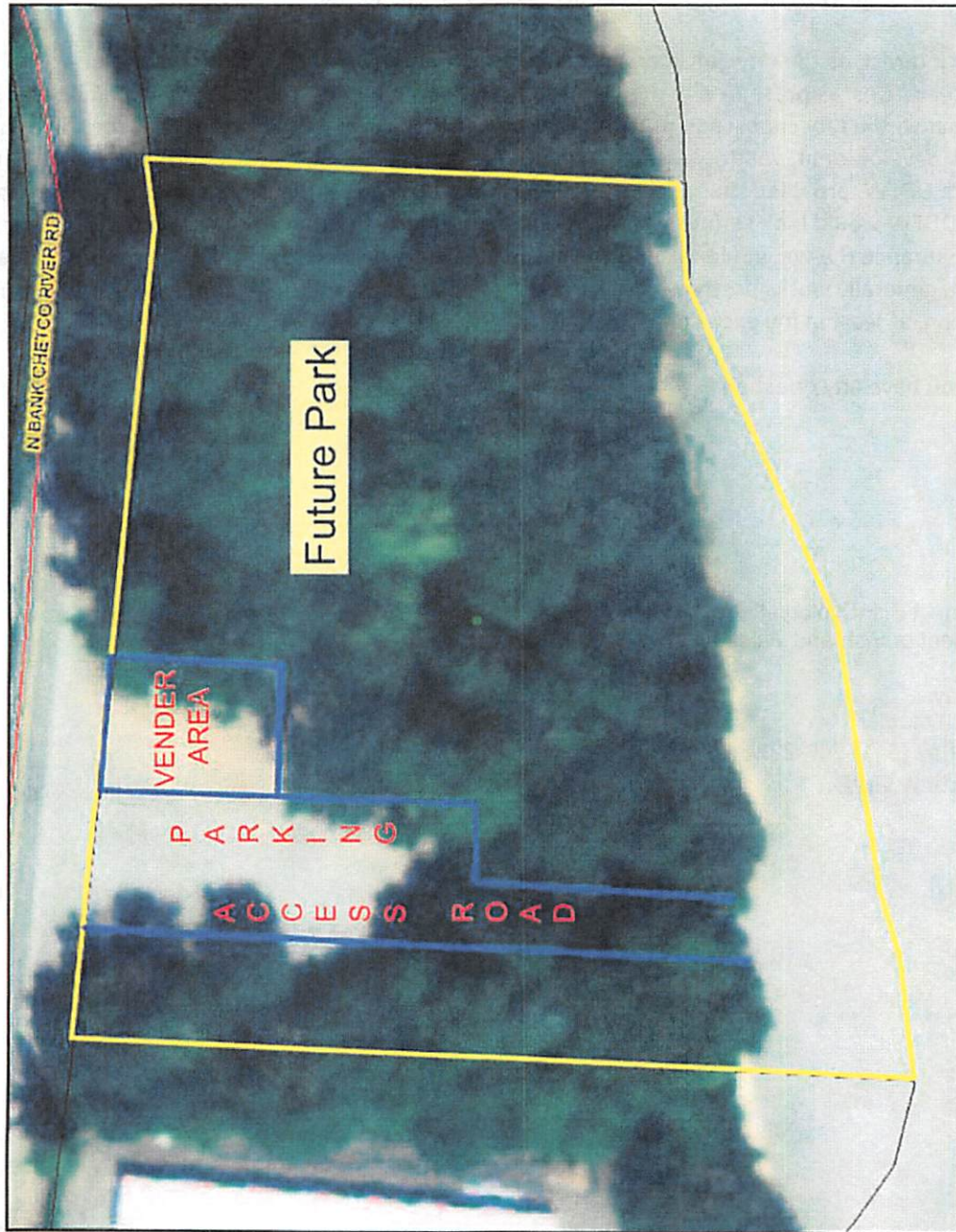
| | |

NOTICES

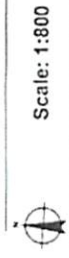
| | |

FOR EMERGENCIES OR TO REPORT VIOLATIONS CALL 9-1-1

Social Security Bar



- Legend**
- OWNER
 - RIVERS
 - ✕ ROADS
 - PARCELS
 - URBAN GROWTH BOUNDARY
 - SPECIAL PROVISIONS
 - OCEAN



Map center: 42° 3' 52.67" N, 124° 13' 46.44" W

0 75 150 225 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.

Gary Milliman

From: Todd Confer [todd.a.confer@state.or.us]
Sent: Tuesday, October 18, 2011 10:13 AM
To: Gary Milliman
Cc: chris.castelli@state.or.us; Russell Stauff
Subject: RE: Social Security Bar

Hi Gary:

As you know the public access at Social Security Bar is a primary boat take-out for salmon and steelhead anglers on the Chetco River. Social Security Bar is also a popular access for bank fishermen.

ODFW's primary interest, as the City considers its management options, is in maintaining angler access. Since all four management alternatives, as presented in the staff report, maintain public access ODFW would be comfortable with whichever alternative the City chooses to pursue. That being said ODFW would prefer that the City maintain ownership. Park development, vendor lease, or any other activities consistent with Curry County planning ordinances would be OK with ODFW, provided that angler access was not impaired. If the City decided to convey the property to another agency ODFW would look seriously at accepting the property in order to maintain public ownership, but I can't give you 100% assurance the we would take on the property. The 4th alternative, sell the property while reserving an access easement, generally works pretty well for providing public access although conflicts over terms of the easement are not uncommon, at least in my experience.

Let me know if you have any questions.

Thanks

Todd

Todd Confer, District Fish Biologist
Oregon Department of Fish and Wildlife
PO Box 642
29907 Airport Way
Gold Beach, OR 97444
(541) 247-7605, Fax (541) 247-2321
Todd.A.Confer@state.or.us

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 24, 2011

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Agreement for Judge Pro Tem Services

Recommended Motion:

Motion to approve Agreement for Services as Municipal Judge Pro Tem with James Fallman with a monthly stipend of \$200.00 effective January 1, 2012.

Financial Impact:

Substantial additional revenues are anticipated with the addition of traffic cases to the Municipal Court. This agreement would increase the City judicial services cost by \$200.00 per month.

Background/Discussion:

The City will soon be expanding the existing Municipal Court to include handling traffic violations. Judge Richard Harper and Judge Pro Tem James Fallman plan to hold court two days per month, one day court session and one night court session. The program is scheduled to begin in November with full implementation in January.

Currently, the City provides a \$300.00 per month stipend to Judge Harper for service as Municipal Court Judge, but does not compensate Judge Fallman as his role has been to serve periodically as a substitute for Harper. With the addition of traffic cases, the Court will be convening more frequently and Judge Fallman will be serving more regularly. Judge Fallman has requested a stipend of \$200 per month.

Attachment(s):

- a. Agreement for Services Municipal Judge Pro Tem

AGREEMENT FOR SERVICES MUNICIPAL JUDGE PRO TEM

This Agreement is made and entered into this _____ day of _____, by and between the City of Brookings ("City") a municipal corporation of the State of Oregon, and James Fallman, Municipal Judge Pro Tem ("Fallman" or "Pro Tem"), collectively referred to as the "Parties."

RECITALS

1. City seeks to enter into a contractual agreement with Fallman for the provision of Municipal Judge Pro Tem services.
2. Fallman has served City in the capacity of Municipal Judge Pro Tem since April 20, 2006.
3. Fallman desires to continue to provide Pro Tem services as defined by this Agreement.

NOW THEREFORE, the Parties agree as follows:

TERMS OF AGREEMENT:

1. **Contract for services:** City contracts with James Fallman for Municipal Judge Pro Tem services for the City of Brookings.
2. **Duties of Municipal Judge Pro Tem:**
 - a. Pro Tem will fully and faithfully perform all of the duties of Municipal Judge Pro Tem as defined under Chapter 2.25 of the Brookings Municipal Code, and the duties and performance responsibilities set forth in the attached job description, incorporated into this Agreement as Exhibit "A."
 - b. It is understood that, from time to time, the Pro Tem will also perform such other duties as may be assigned by the City Council.
 - c. The Pro Tem must comply with all applicable federal, state, and local laws, ordinances, and regulations and faithfully discharge the duties of Municipal Judge Pro Tem to the best of Pro Tem's ability.
3. **Compensation:** Beginning January 1, 2012, Pro Tem's services will be compensated at the rate of \$200 per month.
4. **Term:** Pro Tem acknowledges that the City Council may, by majority vote, terminate this Agreement and relieve him of any and all Pro Tem duties and responsibilities, for any reason and with or without notice. City acknowledges that Pro Tem may terminate this Agreement for any reason with or without notice.
5. **Status as Independent Contractor:**
 - a. City and Pro Tem enter this Agreement with the understanding that Pro Tem will not be an officer or employee of the City, but rather will serve as an independent contractor. As such, Pro Tem acknowledges that he will not be eligible to receive employee benefits, including, but not limited to: social security, worker's compensation and unemployment benefits.

- b. City will not control the day-to-day activities and administration of justice by Pro Tem.
- c. Pro Tem hereby releases, acquits, and forever discharges City from any claims made by Pro Tem, available to him now or in the future, that he is other than an independent contractor.
- d. Pro Tem will indemnify, defend and hold City harmless against any and all damages, costs, fees or expenses (including attorneys' fees) that he may have against City arising from service to City, except as otherwise set forth in this Agreement and excepting claims arising from a negligent act of City.

6. General Provisions:

- a. This Agreement, including the exhibits, constitutes the entire agreement between the Parties. Each of the exhibits identified in this Agreement is attached hereto and incorporated by this reference.
- b. Any modification or amendment to this Agreement must be made in writing and signed by both parties.
- c. This Agreement is personal to the Parties. The Pro Tem may not assign nor delegate his duties hereunder.
- d. This Agreement is executed on behalf of City as authorized by its City Council.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be signed and executed in Brookings, Oregon on the day and year first written below.

Dated: _____

CITY OF BROOKINGS

MUNICIPAL JUDGE PRO TEM

By: Larry Anderson, Mayor
898 Elk Drive
Brookings, OR 97415
(541) 469-2163

James Fallman
250 Leavitt Mall
Crescent City, CA 95531
(707) 464-1858

ATTEST:

Joyce Heffington, City Recorder

Date: _____

CITY OF BROOKINGS
MUNICIPAL COURT JUDGE

GENERAL STATEMENT OF DUTIES:

The Municipal Court Judge is the judicial officer of the City of Brookings and shall preside over the Municipal Court of the City of Brookings.

DISTINGUISHING FEATURES OF THE CLASSIFICATION:

The Municipal Court Judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the City of Brookings; to commit any such person to jail or admit him to bail pending trial; to issue subpoenas; to compel witnesses to appear and testify in court on the trial of any cause before the court; to compel obedience to such subpoenas; to issue any process necessary to carry in effect the judgments of the court; and to punish witnesses for contempt of court.

SUPERVISION RECEIVED:

The Municipal Court Judge works under the supervision of the City Council. The Municipal Judge is appointed and may be removed by a majority of the Council.

JURISDICTION:

All of the incorporated area, now or hereafter, within the City of Brookings shall be within the territorial jurisdiction of the Municipal Court and the Municipal Court Judge.

The Municipal Court Judge shall exercise jurisdiction of all offenses defined and made punishable by ordinance of the City of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the City of Brookings.

SUPERVISION EXERCISED:

No employees are supervised by the Municipal Court Judge.

KEY PERFORMANCE AREAS:

The Municipal Court Judge shall have authority to form and adopt reasonable rules for the conduct of the business of the Municipal Court for the City of Brookings; provided, however, that he/she shall not form or adopt any rule which contravenes the Constitution of the United States, the Constitution of the State of Oregon, the laws of the State of Oregon or any ordinance of the City of Brookings.

The Municipal Court Judge shall set the days and hours that the Municipal Court for the City of Brookings will be in session for the transaction of judicial business.

CITY OF BROOKINGS
MUNICIPAL COURT JUDGE

EMPLOYMENT STANDARDS

KNOWLEDGE OF: Legal principles and rules of evidence.

SKILL IN: Maintaining decorum and order in hostile situations; weighing evidence, evaluating witness testimony, applying legal principles to situations and maintaining the legal and civil rights of citizens.

DESIRABLE EXPERIENCE:

Employment as an Attorney or Judge.

PRE-EMPLOYMENT REQUIREMENTS:

Drug/Criminal background screen; bond ability; educational, licensing (if appropriate) and experience verification.

COMPENSATION TYPE: Monthly

EXEMPTION STATUS: Exempt

JOB GRADE: N/A

City of Brookings

CITY COUNCIL MEETING MINUTES

Monday, October 10, 2011

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

Call to Order

Mayor Anderson called the meeting to order at 7:00pm.

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, Public Works Director Loree Pryce, Fire Chief William Sharp, Planning Director Dianne Morris, City Engineer Steve Major, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Reporter Steve Kadel and approximately 10 public.

Ceremonies/Appointments/Announcements

Mayor Anderson proclaimed the week of October 9th as Fire Prevention Week.

Staff Reports

Authorize the Mayor to sign the Tiger II grant application letter of support.

Director Morris presented the staff report regarding the City's intent to apply for Tiger II grant for the bicycle/pedestrian path.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve Mayor to sign the letter [of support] in the staff report [regarding the Tiger II grant application].

Authorize the Mayor to sign the new Curry County Mutual Aid Agreement.

Chief Sharp gave the staff report, generally stating that the new agreement will have all of the original signatures on one document.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the Mayor to sign the new Curry County Mutual Aid Agreement.

Reject proposal to install an alternative sewer system designed by Orenco Systems.

Director Pryce presented the staff report and a revised recommendation to include an Infrastructure Financing Agreement for the purpose of outlining "...the use of a portion of the developer system development funds contributing to the cost of a conventional system."

Deborah Newsome, Riverside RV Resort, Brookings, generally commented that initial costs associated with the Orenco system makes it a more viable option and asked Council to look closely at the statistics provided by Orenco.

David Lepre, Orenco Systems, Sutherlin, Oregon, questioned the number of EDU's being used by the City Engineer in his report, generally stating that operations and maintenance (O&M) costs are significantly less than presented. Lepre also commented that the Orenco system would initially cost less than a gravity system, would offer a "huge environmental benefit" over a gravity system and incur minimal costs for treatment at the plant.

Ron Tribble, Brookings, generally reinforced Lepre's comments, adding that projects would not go forward without the Orenco system and asked Council to allow it.

Marianne Padilla, Brookings, asked Council to keep an open mind about the proposal and generally commented that the addition of waterfront homes and additional property taxes would be a benefit to the City and the local economy.

Mayor Anderson stated, for the record, that this item is somewhat unique in that Council was considering it in advance of an application being submitted due to the potential application costs to the proposer.

City Engineer Steve Major said that he is aware of situations where STEP systems are appropriate, but with the potential number of EDU's involved the long term costs for O&M are significant higher.

Councilor Hodges asked if it would be feasible to put in a gravity system after the STEP system was in place, and Major said it would not be feasible because the STEP system uses a smaller diameter pipe than a gravity system does to pump solids.

Mayor Anderson said that while he shared some of the developer's concerns, he was a little concerned that a local improvement district wasn't being considered for this area.

Councilor Hedenskog said that, as far as actual costs are concerned, it becomes a "he said, she said," situation, and he was unable to make a decision based on O&M costs. Hedenskog said his biggest concern is that developers who are ready to "rock and roll" could end up locking the larger area into a type of system others may not want. His recommendation was for the formation of a local improvement district.

Councilor Hodges said that, in the long term, the deferral of costs associated with a STEP system would seem to benefit the developer, and not the City, and could pose a possible hindrance to future development in that area.

Councilor Pieper said that he agreed with Hedenskog that it's a "he said, she said," situation, and added that, "... basically it comes down to who you trust more or who you pay more, or something to that effect." In his view, Pieper said, the biggest problem was "...saddling everyone else up there with using the same system," and added that it seemed to him there must be another type of alternative system that could work.

Councilor Gordon said that Council's responsibility was to look at long term issues and he did not want to support a project that would ultimately cost more. Gordon also expressed concern that if this system was approved, it would make it difficult to say no to another developer wanting to put in the same kind of system somewhere else.

Councilor Hedenskog asked if there was a combination system that could work and Major said that it's possible to have a combination system, but the question was what the City would require as criteria to determine if and when a STEP system would be appropriate so that this type of system wasn't going in everywhere.

Councilor Hedenskog moved, a second followed and Council voted unanimously to accept staff's recommendation to reject the proposal from the North Bank Landowner's Group [to install an alternative sewer system designed by Orenco Systems].

Councilor Hedenskog moved, a second followed and Council voted unanimously to direct staff to consider a combined system in that [North Bank Chetco] area.

Councilor Hedenskog moved, a second followed and Council voted unanimously that an Infrastructure Financing Agreement be created that outlines the use of a portion of the developer system development funds contributing to the cost of the conventional system.

Award contract for construction of Final Effluent Line Relocation Improvements to Central Pipeline, Inc.

Director Pryce presented the staff report.

Councilor Hedenskog moved, a second followed and Council voted unanimously to award contract as per dialogue given by the Public Works Director [for construction of Final Effluent Line Relocation improvements to Central Pipeline, Inc., in an amount not to exceed \$125,808, and authorize the City Manager to execute all related documents].

Public Hearings/Ordinances/Resolutions/Final Orders

Resolution 11-R-972, accepting jurisdiction of that portion of Parkview Drive that lies within the City limits.

City Manager Milliman presented the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 11-R-972, accepting jurisdiction of that portion of Parkview Drive that lies within the City limits.

Consent Calendar

1. Approve Council minutes for September 26, 2011.
2. Approve cancellation of November 28th and December 26th Council meetings.
3. Authorize the Mayor to execute Legal Services Agreement with the Law Offices of Robert Black to provide City Attorney services for the period September 14, 2011 to September 14, 2013.
4. Accept Planning minutes for May 3, June 7 and August 2, 2011.
5. Accept Parks and Recreation minutes for July 21 and August 25, 2011.
6. Accept September 2011 Vouchers in the amount of \$678,154.68.

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

Adjournment

Councilor Gordon moved, a second followed and Council voted unanimously to adjourn by voice vote at 8:12pm.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2011:

Larry Anderson, Mayor

Joyce Heffington, City Recorder

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
TAXES	2,473,996.00	29,739.48	212,365.94	2,261,630.06	8.6
LICENSES AND PERMITS	94,500.00	5,221.56	32,875.11	61,624.89	34.8
INTERGOVERNMENTAL	569,000.00	10,253.25	46,740.27	522,259.73	8.2
CHARGES FOR SERVICES	142,500.00	7,190.71	29,662.46	112,837.54	20.8
OTHER REVENUE	94,500.00	4,989.63	27,677.98	66,822.02	29.3
TRANSFERS IN	530,591.00	.00	.00	530,591.00	.0
	3,905,087.00	57,394.63	349,321.76	3,555,765.24	9.0
EXPENDITURES					
JUDICIAL:					
PERSONAL SERVICES	13,539.00	.00	.00	13,539.00	.0
MATERIAL AND SERVICES	7,300.00	300.00	1,080.00	6,210.00	14.9
CAPITAL OUTLAY	12,500.00	.00	.00	12,500.00	.0
	33,339.00	300.00	1,080.00	32,249.00	3.3
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	226,652.00	18,856.02	66,372.51	160,279.49	29.3
MATERIAL AND SERVICES	85,700.00	6,443.90	28,264.55	57,435.45	33.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	312,352.00	25,299.92	94,637.06	217,714.94	30.3
POLICE:					
PERSONAL SERVICES	1,775,929.00	142,467.39	481,847.60	1,294,081.40	27.1
MATERIAL AND SERVICES	155,740.00	15,552.58	32,163.45	123,576.55	20.7
CAPITAL OUTLAY	401,100.00	17,359.93	23,020.63	378,079.37	5.7
TRANSFERS OUT	15,000.00	.00	.00	15,000.00	.0
	2,347,769.00	175,379.90	537,031.68	1,810,737.32	22.9
FIRE:					
PERSONAL SERVICES	194,065.00	15,601.47	55,181.15	138,883.85	28.4
MATERIAL AND SERVICES	124,240.00	8,808.54	26,043.75	98,196.25	21.0
CAPITAL OUTLAY	38,600.00	.00	6,106.00	32,494.00	15.8
TRANSFERS OUT	.00	.00	.00	.00	.0
	356,905.00	24,410.01	87,330.90	269,574.10	24.5
PLANNING AND BUILDING:					
PERSONAL SERVICES	266,554.00	24,311.35	86,803.42	179,750.58	32.6
MATERIAL AND SERVICES	66,540.00	4,960.28	9,237.82	57,302.18	13.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	333,094.00	29,271.63	96,041.24	237,052.76	28.8

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PARKS & RECREATION:					
PERSONAL SERVICES	102,320.00	11,148.83	28,595.16	73,724.84	28.0
MATERIAL AND SERVICES	64,650.00	5,575.53	13,527.93	51,122.07	20.9
CAPITAL OUTLAY	80,800.00	888.78	39,841.53	20,958.47	85.5
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>227,770.00</u>	<u>17,693.14</u>	<u>81,964.62</u>	<u>145,805.38</u>	<u>36.0</u>
ADMINISTRATIVE SERVICES:					
PERSONAL SERVICES	272,597.00	22,219.08	78,767.49	193,829.51	28.9
MATERIAL AND SERVICES	32,640.00	805.98	4,740.88	27,899.34	14.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>305,237.00</u>	<u>23,025.06</u>	<u>83,508.15</u>	<u>221,728.85</u>	<u>27.4</u>
SWIMMING POOL:					
PERSONAL SERVICES	54,635.00	5,298.49	41,507.69	13,127.31	76.0
MATERIAL AND SERVICES	33,680.00	2,883.35	13,565.46	20,114.54	40.3
CAPITAL OUTLAY	20,000.00	.00	.00	20,000.00	.0
	<u>108,315.00</u>	<u>8,179.84</u>	<u>55,073.15</u>	<u>53,241.85</u>	<u>50.9</u>
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	177,940.00	11,621.22	26,057.81	151,882.19	14.6
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	683,366.00	.00	.00	683,366.00	.0
	<u>910,306.00</u>	<u>11,621.22</u>	<u>26,057.81</u>	<u>884,248.19</u>	<u>2.9</u>
	<u>4,935,087.00</u>	<u>315,180.72</u>	<u>1,062,734.81</u>	<u>3,872,352.39</u>	<u>21.5</u>
	<u>(1,030,000.00)</u>	<u>(257,786.09)</u>	<u>(713,412.85)</u>	<u>(316,587.15)</u>	<u>(69.3)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	421,000.00	27,713.23	90,958.09	330,041.91	21.6
OTHER REVENUE	300.00	1,701.81	1,801.81	(1,501.81)	600.6
TRANSFER IN	.00	.00	.00	.00	.0
	<u>421,300.00</u>	<u>29,415.04</u>	<u>92,759.90</u>	<u>328,540.10</u>	<u>22.0</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	61,196.00	3,658.05	16,449.37	44,748.83	26.9
MATERIAL AND SERVICES	193,240.00	41,365.64	60,377.90	132,862.10	31.3
CAPITAL OUTLAY	134,900.00	8,687.98	29,845.10	105,054.90	22.1
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>53,711.65</u>	<u>106,672.37</u>	<u>439,627.63</u>	<u>19.5</u>
	<u>546,300.00</u>	<u>53,711.65</u>	<u>106,672.37</u>	<u>439,627.63</u>	<u>19.5</u>
	<u>(125,000.00)</u>	<u>(24,286.61)</u>	<u>(13,912.47)</u>	<u>(111,087.53)</u>	<u>(11.1)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

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	133,358.07	398,586.31	876,913.69	31.3
OTHER INCOME	4,000.00	1,376.08	16,444.83	(12,444.83)	411.1
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,279,500.00</u>	<u>134,734.15</u>	<u>415,031.14</u>	<u>864,468.86</u>	<u>32.4</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	421,876.00	33,363.14	122,682.26	299,193.74	29.1
MATERIAL AND SERVICES	372,130.00	36,545.17	86,378.84	285,751.36	23.2
CAPITAL OUTLAY	80,800.00	5,022.61	10,638.90	70,163.10	13.2
	<u>874,806.00</u>	<u>74,930.92</u>	<u>219,697.80</u>	<u>655,108.20</u>	<u>25.1</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>74,930.92</u>	<u>219,697.80</u>	<u>1,249,802.20</u>	<u>15.0</u>
	<u>(190,000.00)</u>	<u>59,803.23</u>	<u>195,333.34</u>	<u>(385,333.34)</u>	<u>102.8</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
CHARGES FOR SERVICES	2,437,900.00	212,380.95	641,231.14	1,796,668.86	28.3
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>212,380.95</u>	<u>642,145.19</u>	<u>2,348,754.81</u>	<u>21.5</u>
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	317,804.00	28,084.48	111,721.78	205,882.22	35.2
MATERIAL AND SERVICES	228,740.00	14,118.12	32,271.47	194,468.53	14.2
CAPITAL OUTLAY	24,800.00	2,384.49	12,928.38	11,971.62	51.9
	<u>589,244.00</u>	<u>44,587.10</u>	<u>156,921.63</u>	<u>412,322.37</u>	<u>27.6</u>
WASTEWATER TREATMENT:					
PERSONAL SERVICES	371,227.00	29,360.73	105,348.63	265,880.37	28.4
MATERIAL AND SERVICES	579,290.00	104,861.08	193,509.62	385,780.38	33.4
CAPITAL OUTLAY	2,287,400.00	114,213.79	169,462.94	2,117,937.06	7.4
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>248,435.60</u>	<u>468,319.19</u>	<u>4,153,336.81</u>	<u>10.1</u>
	<u>5,190,900.00</u>	<u>293,022.70</u>	<u>625,240.82</u>	<u>4,565,659.18</u>	<u>12.0</u>
	<u>(2,200,000.00)</u>	<u>(80,641.75)</u>	<u>16,904.37</u>	<u>(2,216,904.37)</u>	<u>.8</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2011

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	481,345.00	.00	27,579.42	453,765.58	5.7
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>28,028.54</u>	<u>455,316.46</u>	<u>5.8</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	70,000.00	295.00	1,509.19	68,490.81	2.2
CAPITAL OUTLAY	587,215.00	850.65	2,665.08	584,549.92	.5
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	308,130.00	.00	.00	308,130.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>983,345.00</u>	<u>1,145.65</u>	<u>4,174.27</u>	<u>959,170.73</u>	<u>.4</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>983,345.00</u>	<u>1,145.65</u>	<u>4,174.27</u>	<u>959,170.73</u>	<u>.4</u>
	<u>(480,000.00)</u>	<u>(1,145.65)</u>	<u>23,854.27</u>	<u>(503,854.27)</u>	<u>5.0</u>

City of Brookings

URBAN RENEWAL AGENCY MEETING Minutes

Monday, September 26, 2011

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

Call to Order

Chair Anderson called the meeting to order at 8:05pm.

Roll Call

Agency Present: Chair Larry Anderson, Directors Ron Hedenskog, Dave Gordon, Jake Pieper, and Brent Hodges; a quorum present.

Staff Present: Executive Director Gary Milliman, Administrative Services Director Janell Howard, Public Works Director Loree Pryce, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Reporter Steve Kadel and approximately five public.

Consent Calendar

1. Approve Urban Renewal Agency minutes for June 27, 2011.
2. Accept Urban Renewal Advisory Committee minutes May 3, 2011.

Director Gordon moved, a second followed and the Agency voted unanimously to approve the Consent Calendar as written.

Staff Reports

Approve allocation of \$167,040 in Agency funds for Intersection Realignment Project.

Executive Director Milliman reviewed the staff report regarding the allocation of funds for the street realignment project.

Director Gordon moved, a second followed and the Agency voted unanimously to allocate \$167,040 in Urban Renewal Agency funds for the Railroad/Cove/Memory Intersection Relocation Project.

Authorize the Executive Director to execute Amendment to the Agreement for the Purchase and Sale of Property with Bi-Mart Corporation, adjusting the store commencement date.

Executive Director Milliman provided the staff report.

Director Hedenskog moved, a second followed and the Agency voted unanimously to authorize the Executive Director to execute amendment agreement for the purchase and sale of property with Bi-Mart Corporation, amending Exhibit B, Schedule of Performance, to provide a "Commence Store Operations" date of June 30, 2012.

Adjournment

Director Pieper moved, a second followed and the Agency voted unanimously to adjourn by voice vote at 8:10pm.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2011:

Larry Anderson, Chair

Joyce Heffington, City Recorder

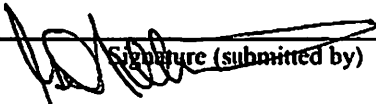
CITY OF BROOKINGS

URBAN RENEWAL AGENCY

AGENDA REPORT

Meeting Date: October 24, 2011

Originating Dept: Executive Director



Signature (submitted by)

Executive Director Approval

Subject: Urban Renewal Advisory Commission

Recommended Motion: Motion to suspend the operation of the Urban Renewal Advisory Commission.

Background/Discussion:

Of the five members of the seven-seat Urban Renewal Advisory Commission, the terms of Dan Nachel, Joyce Tromblee and Rick Bishop expired October 10, and Mayor Anderson has indicated he plans to appoint Bryan Tillung to the Planning Commission. Tromblee and Bishop have applied for reappointment. The fifth member is Sadie Coberly, who has attended one meeting and was recently appointed to serve as Director of Administrative Services for the Curry County Board of Commissioners.

While the URAC was heavily involved in the façade improvement program and the downtown improvement project design, the role of the URAC is to advise the Agency concerning matters that are referred to the URAC by the Agency. No such referrals have been made or are contemplated. Funding for the façade improvement project has not been budgeted and the Agency is now focusing its efforts on completing additional phases of the downtown street improvement project which have been substantially designed.

Chairman Anderson has suggested that the Commission go into inactive status until such time as the Agency considers new projects.