

**AGENDA**  
**City of Brookings**  
**Common Council Meeting**  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon 97415  
**Monday, May 11, 2009, 7:00 p.m.**

Council will meet for a **Workshop** in Council Chambers at **5:30pm**, before the regularly scheduled Council Meeting, to continue its discussion on system development charges and wastewater rates.

**I. Call to Order**

**II. Pledge of Allegiance**

**III. Roll Call**

**IV. Ceremonies/Appointments/Announcements**

A. Proclamation – Azalea Festival. *Pg. 5*

**V. Public Hearings/Ordinances**

A. Public hearing in the matter of File No. LDC-4-09, adding Chapter 17.94, Landscaping, Tree Preservation and Replacement, to Title 17, Land Development Code, of the Brookings Municipal Code, City initiated. Criteria used to decide this case can be found in Chapter 17.140; Amendments, of the Brookings Municipal Code. This is a legislative hearing and the City Council will be making a decision.  
*Planning Director/Advanced Packet*

B. Ordinance 09-O-635 adding Chapter 17.94, Landscaping, Tree Preservation and Replacement, to Title 17, Land Development Code, of the Brookings Municipal Code. *Planning Director/Advanced Packet*

**VI. Oral Requests and Communications from Audience** - Public Comments – limit to 5 minutes per person. Turn in completed public comment form before start of meeting or to the City Manager's office during regular business hours. Obtain forms at City Hall or at [www.brookings.or.us](http://www.brookings.or.us).

**VII. Regular Agenda**

A. Group Municipal Pool Rates. *Acting City Manager/Pg. 7*

B. Lone Ranch Financing Agreement. *Acting City Manager/Pg. 9*

**VIII. Consent Calendar**

A. Approval of Council Minutes for April 27, 2009. *Pg. 17*

B. Acceptance of Parks and Recreation Minutes for March 26, 2009. *Pg. 21*

C. Approval of pay grade change for Lauri Ziemer from Grade 1 to Grade 6. *Pg. 23*

**IX. Remarks from Mayor and Councilors**

A. Mayor

B. Councilors

**X. Adjournment**

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.

# May 2009

May 2009							June 2009						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	1	2	7	1	2	3	4	5	6
10	11	12	13	14	8	9	14	8	9	10	11	12	13
17	18	19	20	21	15	16	21	15	16	17	18	19	20
24	25	26	27	28	22	23	28	22	23	24	25	26	27
31					29	30			30				

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				May 1	2
					3
4	5	6	7	8	9
9:00am CC- VIPS/Volunteers in Police Service 4:00pm CC - Council Workshop 7:00pm FH-FireTng/ChShrp	FH - Fire Training 7:00pm CC - Planning Commission	8:00am CC-Staff/SRes 10:00am CC- Site Plan Com Mtg 3:00pm CC - Planning Staff 7:00pm FH-PoliceReserves	9:00am CC - HATSRP meeting 3:00pm CC SafetyComMtg		10:00am FH - Pistol Rifle Club
					10
11	12	13	14	15	16
8:00am 7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	FH - Fire Training 10:00am CC - AFLAC 12:00pm FH - Stout Park Subcomm	10:00am CC- Site Plan Com Mtg 10:00am FH - Brookings Rural Fire Dept 1:00pm CC - LDC Meeting	9:00am CC-Crm Stoppers 1:00pm CC - Court 3:00pm CC Urban Renewal Advisory Committee		
					17
18	19	20	21	22	23
9:00am CC-VIPS/Volunteers in Police Service 7:00pm FH-FireTng/ChShrp	FH - Fire Training 7:00pm CC - Planning Comm (TENT)	8:00am CC-Staff/SRes 10:00am CC- Site Plan Com Mtg 1:00pm CC - LDC Meeting			
					24
25	26	27	28	29	30
MEMORIAL DAY 7:00pm FH-FireTng/ChShrp	FH - Fire Training 7:00pm CC-Council Mtg	10:00am CC- Site Plan Com Mtg 12:00pm CC - Stout Park Subcommittee 1:00pm CC - LDC Meeting	7:00pm CC-Parks & Rec		
					31

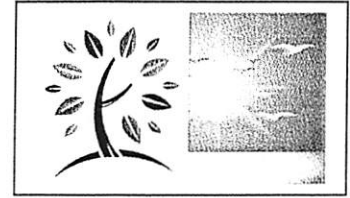
# June 2009

June 2009						
S	M	T	W	T	F	S
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2009						
S	M	T	W	T	F	S
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
June 1	2	3	4	5	6
9:00am CC- VIPS/Volunteers in Police Service 4:00pm CC - Council Workshop 7:00pm FH-FireTng/ChShrp	FH - Fire Training 7:00pm CC - Planning Commission	10:00am CC- Site Plan Com Mtg 1:00pm CC - LDC Meeting 7:00pm FH-PoliceReserves	3:00pm CC SafetyComMtg		
8	9	10	11	12	13
7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	FH - Fire Training	10:00am CC- Site Plan Com Mtg 10:00am FH - Brookings Rural Fire Dept 12:00pm CC - Stout Park 1:00pm CC - LDC Meeting 5:00pm CC - Victim's Impact	9:00am CC-Crm Stoppers 1:00pm CC - Court 3:00pm CC Urban Renewal Advisory Committee		
15	16	17	18	19	20
9:00am CC-VIPS/Volunteers in Police Service 7:00pm FH-FireTng/ChShrp	FH - Fire Training 7:00pm CC - Planning Comm (TENT)	10:00am CC- Site Plan Com Mtg 1:00pm CC - LDC Meeting			
22	23	24	25	26	27
7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	FH - Fire Training	10:00am CC- Site Plan Com Mtg 12:00pm CC - Stout Park Subcommittee 1:00pm CC - LDC Meeting	7:00pm CC-Parks & Rec		
29	30				
7:00pm FH-FireTng/ChShrp	FH - Fire Training				

# PROCLAMATION



**WHEREAS**, 2009 marks the 70<sup>th</sup> year of the Azalea Festival, which is traditionally held in Brookings–Harbor over Memorial Day weekend; and

**WHEREAS**, this free event, sponsored by the Brookings-Harbor Chamber of Commerce, introduces the Tourist Season that is so important to the economy of the Wild Rivers Coast; and

**WHEREAS**, the theme for this year's Festival and featured Annual Festival Parade, is "Tall Trees and Shining Seas;" and

**WHEREAS**, the Azalea Festival is the largest annual event in the Brookings-Harbor community attracting thousands of members of the area, along with visitors from throughout the Western United States; and

**WHEREAS**, the Azalea Festival Street and Craft Fairs feature local artisans and crafters from within the community as well as from other cities and states; and

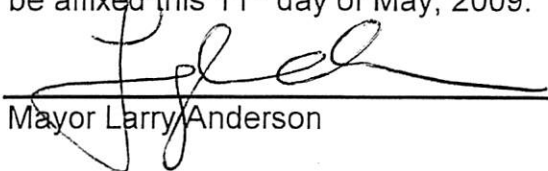
**WHEREAS**, the Azalea Festival includes activities and events sponsored by dozens of community-based organizations in venues throughout Brookings-Harbor, including the Plant and Flower Sale, the Quilt Show, the BBQ, the Shrimp Luncheon, the Car Show, and more;

**NOW THEREFORE**, I, Larry Anderson, Mayor of the City of Brookings, along with the members of the Brookings City Council, declare the week of May 18<sup>th</sup>, 2009, as

## Azalea Festival Week

And ask that the citizens of the Brookings-Harbor area join with us in supporting this annual event.

**IN WITNESS WHEREOF**, I, Mayor Larry Anderson, hereto set my hand and cause the official seal of the City of Brookings to be affixed this 11<sup>th</sup> day of May, 2009.

  
Mayor Larry Anderson




# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: May 11, 2009

Originating Dept: City Manager

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

---

Subject: Swimming Pool Group Rates

Recommended Motion: Motion to approve swimming pool group rates as recommended by the Parks and Recreation Commission.

Financial Impact:

Rate increase makes progress in having special pool rental fees pay the actual cost of operation for special events.

Background/Discussion:

The Parks and Recreation Commission has recommended an increase in the group rental rates for the swimming pool as follows (hourly rates):

	CURRENT	PROPOSED
30 people or less	\$45.00	\$60.00
31-60 people	72.00	90.00
61+	110.00	125.00

These rental fees apply to private parties when no public swimming or lessons are being offered. Last summer, the pool was rented for private parties 11 times, eight of which were rented by the same family.

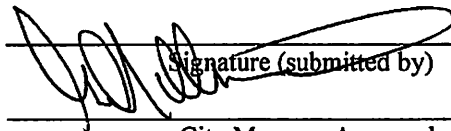
Cost of operation varies depending upon the number of lifeguards required. According an analysis by the Administrative Services Department, the "break even" hourly rate (depending upon life guard requirements) is \$85-125. While staff recommended higher fees than those proposed, the Commission felt that fees should be increased over a period of years.

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: May 11, 2009

Originating Dept: City Manager

  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

---

Subject: Lone Ranch Infrastructure Financing Agreement

Recommended Motion: Motion to authorize the City Manager to execute the Lone Ranch Infrastructure Financing Agreement.

Financial Impact: See discussion below.

Background/Discussion:

The City has been in discussion with representatives of U.S. Borax concerning the shared responsibility for installation of infrastructure to support the Lone Ranch development since 2004.

Staff and U.S. Borax representatives have reached a tentative agreement; a draft of the Agreement was reviewed at the City Council workshop of February 2, 2009. The Agreement sets forth a cost sharing formula for various segments of the water and sanitary sewer system that will need to be upgraded or constructed anew to serve the Lone Ranch development. The formula is based, generally, upon an analysis by the City's management and engineering consultant on the relationship between the need for the improvements and the Lone Ranch project, the capacity of the improvements to serve customers other than Lone Ranch, and the need for improvements to existing systems regardless of increasing capacity needs.

The general concept is that U.S. Borax would pay the initial cost of the infrastructure improvements in phases as a multi-year build-out of the project occurs. U.S. Borax would then receive reimbursement of the City share of the improvements as System Development Charges are collected from new connections occurring in the Lone Ranch project. The City would have no obligation to reimburse U.S. Borax unless sufficient SDC revenues are received from the Lone Ranch project area.

In 2005, the City used SDCs to pay the full cost of a sewer line replacement and upsizing between Crissey Circle and Parkview Drive. There was no written cost sharing agreement in place at the time. This segment of improvements is in the "50/50" formula area in the proposed Agreement. It is proposed that the City would recover 50 per cent of the initial cost through SDC's and that U.S. Borax would not receive any reimbursement of costs associated with infrastructure work until \$333,624.30 (50 per cent of the project cost) is received in SDC revenue from the Lone Ranch project area. Thus, the U.S. Borax repayment of its share of this

project would be in the form of a credit against future reimbursement for the City share of construction of other segments of the sewer main.

In all instances the parties are entitled to reimbursement for their agreed-upon share of the actual cost of construction and engineering. No interest is applied to the amount of reimbursement due.

After receiving Council comments at the workshop, the Agreement was revised as follows:

1. Section #2 "Improvements" and Section #3 "Infrastructure Defined" were consolidated into a single Section #2. The wording "upon the consent of Borax", which was in the original Section #2, was removed.
2. A new Section #3 was added entitled "Consent to proceed." This section makes it clear that **when improvements are constructed at the initial expense of Borax**, such improvements will be constructed only with the consent of Borax.

Policy Considerations: This proposal shifts the initial burden of financing construction infrastructure improvements needed to support the Lone Ranch development to the developer, who would be reimbursed for an agreed-upon City share of the cost from new SDC revenues generated by the Lone Ranch development project. This proposal also resolves a long-standing issue concerning payment by the developer for a portion of the cost of the 2005 sewer main project between Crissey Circle and Parkview Drive.

Attachment(s): Lone Ranch Infrastructure Financing Agreement Draft 4 and Exhibits

## LONE RANCH INFRASTRUCTURE FINANCING AGREEMENT

This Infrastructure Financing Agreement ("Agreement") is entered into by and between the City of Brookings ("City"), a municipal corporation of the State of Oregon, and U.S. Borax Inc., a Delaware corporation ("Borax").

### RECITALS

WHEREAS, Borax currently owns an approximately 550-acre property located in Curry County, Oregon, known as the Lone Ranch Property. The City has annexed the Lone Ranch Property and the City has approved Borax's Master Plan Development for the Lone Ranch Project, which includes the planning of a residential community that balances commercial, educational and housing possibilities while preserving open space.

WHEREAS, the City and Borax recognize that the development of the Lone Ranch Project cannot occur without adequate public water and sewer infrastructure and that the City needs to make improvements to its existing system. The City and The Lone Ranch Project will require improvements to the existing water and sewer infrastructure as well as the addition of new infrastructure. The City and Borax intend to share the cost and develop a plan for the construction of the required infrastructure improvements.

WHEREAS, the infrastructure improvements will be built as needed, in increments based on the demand for development of the Lone Ranch Project, the needs of the City and the consent of Borax.

NOW, THEREFORE, it is hereby agreed:

1. Purpose. This Agreement is not intended to be a development agreement as defined in ORS 94.504. This Agreement only addresses financial issues relating to the construction of certain public infrastructure facilities. It is not intended to set forth the full range of development responsibilities for the development of the Lone Ranch Project.
2. Infrastructure improvements. Water system improvements shall be constructed as designated by the attached Schedule A. Sanitary sewer improvements shall be constructed as designated by the attached Schedule B. For the purposes of this Agreement, "infrastructure improvements" shall mean water and sewer system facilities needed in whole or in part to serve the Lone Ranch Project.
3. Consent to proceed. When infrastructure improvements as defined herein are installed at the initial expense of Borax, such improvements shall be constructed only with the consent of Borax.
4. Cost allocation. The City and Borax shall share the actual cost of the required infrastructure improvements as follows:

A. SANITARY SEWER SYSTEM

North of Carpenterville Rd: City - 0%. Borax - 83%, Other - 17%  
South of Carpenterville Rd & North of Moore St: City- 50%. Borax- 50%  
South of Moore St: City - 77%, Borax - 23%

B. WATER SYSTEM

North of Carpenterville Rd.: City - 0%, Borax - 83%, Other - 17%

South of Carpenterville Rd.: City - 50%; Borax - 50%

"Other" means parcels of property located outside of the boundaries of the Lone Ranch Project, which have a potential to benefit from infrastructure improvements installed pursuant to this agreement.

In the event that the assessment adopted by the City Council method does not include property ownerships other than Borax, the shares allocated to "other" will be allocated to Borax.

Borax will not be responsible for any costs for the infrastructure improvements until said improvements are needed to serve buildings and uses developed on the site. Borax is not responsible for improvements needed to serve development on the community college site, as identified in Phase I of the attached Schedule A and Schedule B.

5. Borax agrees to pay for the entire cost of the infrastructure improvements and be reimbursed by the City for its proportional share of said cost at such time as system development charge fees are received from development occurring within the Lone Ranch Project.

In December, 2005, City paid \$667,248.60 from System Development Charge (SDC) Fees for the construction of the sewer line replacement and upsizing between Crissey Circle and Parkview Drive (within the Moore Street to Carpenterville Road segment). Said payment represented 100 per cent of the actual construction cost. Said payment exceeds the City's cost sharing obligation for this segment of improvements and no reimbursement for sewer system improvements shall be paid to Borax until such time as the City has first received \$333,624.30 in sewer SDC fees from development occurring on the Lone Ranch site.

6. The total costs of constructing the required infrastructure improvements are unknown at this time but will be based upon the actual cost of construction.
7. Authority. Each party hereto represents that it has all requisite power, authority, and authorization to execute and act in accordance with this Agreement and that the person executing this Agreement on such party's behalf has the legal power, right, and actual authority to bind such party.
8. Effective Date. This Agreement shall be effective upon signature of all the parties.
9. Assignment. This Agreement may be assigned by Borax.
10. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, and such counterparts shall together constitute one and the same instrument.
11. Controlling Law and Venue. This Agreement shall be deemed to have been entered into

in the State of Oregon and shall be construed and interpreted in accordance with the laws of Oregon. Any litigation or proceeding arising out of or connected with this Agreement shall be heard and decided in Oregon Circuit Court for the County of Curry.

12. Integration. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter herein contained and all prior negotiations, discussions, writings and agreements between the parties with respect to the subject matter herein contained are superseded and of no further force and effect.
13. Captions. The captions contained in this Agreement were inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.
14. Severability. If any clause, section or provision of this Agreement shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of this Agreement shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.
15. Arbitration/Mediation. Any dispute or claim that arises out of or that relates to this Agreement, or to the interpretation or breach thereof, shall be resolved by arbitration. The parties acknowledge that mediation usually helps parties to settle their dispute themselves. Therefore, any party may propose mediation whenever appropriate through one of the above named organizations or any other mediation process or mediator as the parties may agree upon.
16. Attorney's Fees. In the event suit or action is brought, or an arbitration proceeding is initiated, to enforce or interpret any of the provisions of this Agreement, or that is based thereon, the prevailing party shall be entitled to reasonable attorney's fees in connection therewith.

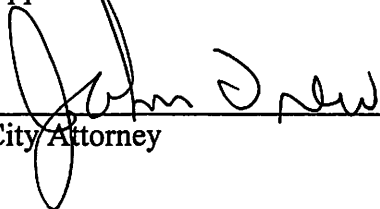
Signed by the parties hereto on the dates indicated below.

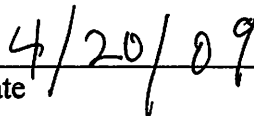
CITY OF BROOKINGS:

\_\_\_\_\_  
City Manager


\_\_\_\_\_  
Date

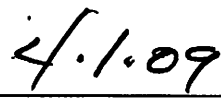
Approved as to Form:

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Date

U.S. BORAX INC.

  
\_\_\_\_\_  
Vice President, Operations

  
\_\_\_\_\_  
Date

**Schedule B**  
**3/2/2009**

(14)

**OFF SITE COST AND IMPROVEMENT PHASING FOR SERVING THE LONE RANCH SITE AND SURROUNDING AREAS**  
**WATER SYSTEM**

**Schedule A**  
**3/2/2009**

PHASING	Size Ac/Lot	EDU Water	Estimated Water SDC @ Building Permit \$	Lone Ranch Team Projected Work Scope	Value of Work	Current status of Work	City Team Projected Work Scope	Value of Work	Current status of Work
			3,510.00						
Phase I Community College		33	\$ 115,830.00						
Phase II Neighborhood E	48	48	\$ 168,480.00	Site to Carpenterville Rd	\$ 1,500,385.00	Completed			
Commercial Site	2.43	11	\$ 38,610.00						
Phase III Neighborhood F	94	94	\$ 329,940.00	No Improvement this phase			City Starts Work		
Phase IV Neighborhood D	62	62	\$ 217,620.00	12" on Easy Street	\$ 475,000.00	Not Completed	HWY 101 Boring & 12" water Main	\$ 55,000.00	Not Completed
Neighborhood I	39	39	\$ 138,890.00	No Improvement this phase				\$ 200,000.00	Not Completed
Phase V Neighborhood L	47	47	\$ 164,970.00	No Improvement this phase					
Neighborhood N	41	41	\$ 143,910.00	No Improvement this phase					
Neighborhood O	61	61	\$ 214,110.00	No Improvement this phase					
Phase VI Neighborhood J	30	30	\$ 105,300.00	No Improvement this phase			+/- 1/2 Balance of Work	\$ 460,000.00	Not Completed
Neighborhood K	41	41	\$ 143,910.00	No Improvement this phase					
Neighborhood M	80	80	\$ 280,800.00	No Improvement this phase					
Phase VII Neighborhood C	160	160	\$ 561,600.00	Carpenterville to Glenwood	\$ 479,480.00				
Lone Ranch Satisfies Off Site Water Construction Obligation:					\$ 2,454,865.00				
Phase VIII Neighborhood A	150	150	\$ 526,500.00	No Improvement this phase					
Phase IX Neighborhood G	80	80	\$ 280,800.00	No Improvement this phase		Not Completed	Balance of work	\$ 494,545.00	Not Completed
Phase X Neighborhood H	67	67	\$ 235,170.00	No Improvement this phase					
Total		1044	\$ 3,664,440.00					\$ 1,209,545.00	

**Gary Milliman**

**From:** John Trew [johntrew@verizon.net]  
**Sent:** Friday, March 13, 2009 2:00 PM  
**To:** Gary Milliman  
**Subject:** Confidential Correspondence

CONFIDENTIAL ATTORNEY CLIENT CORRESPONDENCE

March 13, 2009

Gary,

I reviewed Draft 6 of the Lone Ranch Infrastructure Financing Agreement. I have Draft 4 which was attached to the March 2, 2009 Council Workshop Report. I don't find Draft 5 but I also don't think it matters. One difference that may be in Draft 5 is the Consent to Proceed. Is Borax's consent only required when improvements are installed "at the initial expense of Borax"? Are there any circumstances in which the City might install improvements at the City's expense and then look to Borax for some participation? And if so, would that installation require Borax's consent?

If the City is satisfied with the allocation of responsibility including the financial responsibility of the agreement, I have no concerns about the legality of the agreement and have no additional comments to submit.

Respectfully submitted,

John Trew  
Brookings City Attorney  
\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise the sender immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

\*\*\*\*\*

3/13/2009

( 1 6 )

**MINUTES**  
**City of Brookings**  
**Common Council Meeting**  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon 97415  
Monday, April 27, 2009, 7:00 p.m.

**Call to Order**

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

**Roll Call**

Council Present: Mayor Larry Anderson, Councilors Hedenskog, Gordon, Kitchen and Pieper; a quorum present.

Staff Present: City Manager Gary Milliman, Planning Director Dianne Morris, Building Official LauraLee Gray and City Recorder Joyce Heffington.

Other Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 5 public.

**Ceremonies/Appointments/Announcements**

Mayor Anderson recognized Planning Director Dianne Morris for five years of service to the City.

**Public Hearings and Ordinances**

The legislative public hearing in the matter of File CP-1-09, a proposed amendment to the City's Comprehensive Plan, and an amendment to Chapter 15.15, Flood Damage Prevention of the Brookings Municipal Code (BMC), City initiated, was opened at 7:03pm.

Hearing no exparte, personal bias or conflicts of interest declared and no objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Building Official LauraLee Gray provided a brief report noting a couple of minor changes that needed to be included to bring the language in-line with the BMC.

Mayor Anderson asked for a motion regarding whether or not to proceed with the hearing in light of the suggested changes.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to proceed with the hearing.**

The hearing was closed at 7:13pm.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to accept the changes to CP-1-09 with changes addressed tonight [the datum reference for base flood elevation referred to as "mean sea level" is changed to the "North American Vertical Datum of 1988 or NAVD 88" in Chapter 15.15.140 (1) & (2), and 15.15.180(1) & (2), under Goal 7, Finding 1, the term "steep terrain and sandy slope conditions" is changed to the more specific term of "terrain that exceeds 15% slope," to agree with references already being used in the Brookings Municipal Code and in Finding 2, the typographical error, "Many times action *can*," is changed to read "Many times action *may*.]"**

Mayor Anderson introduced Ordinance 09-O-634.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-634 by title only.**

Mayor Anderson read the title.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-634 by title only.**

Mayor Anderson read the title.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-634, an ordinance revising Goal 7 of the City of Brookings Comprehensive Plan, and amending, in its entirety, Chapter 15.15, Flood Damage Prevention, of Title 15, Building and Construction, of the Brookings Municipal Code.**

The legislative public hearing in the matter of File LDC-2-09, an amendment to Chapter 17.04, Development Permit Procedures, of the Brookings Municipal Code, City initiated, was opened at 7:21pm.

Hearing no exparte, personal bias or conflicts of interest declared and no objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Planning Director Morris provided a brief report.

The public hearing was closed at 7:26pm.

**Councilor Pieper moved, a second followed and Council voted unanimously to approve revisions to Chapter 17.04.**

Mayor Anderson introduced Ordinance 09-O-632.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-632 by title only.**

Mayor Anderson read the title.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-632 by title only.**

Mayor Anderson read the title.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-632, amending Chapter 17.04, Development Permit Procedures, of Title 17, Land Development Code, of the Brookings Municipal Code, in its entirety.**

The legislative public hearing in the matter of File LDC-3-09, an amendment to Chapter 17.140-Amendments, of the Brookings Municipal Code, City initiated, was opened at 7:30pm.

Hearing no exparte, personal bias or conflicts of interest declared and no objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Planning Director Morris provided a brief report.

The public hearing was closed at 7:35pm.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to approve revisions to LDC-3-09.**

Mayor Anderson introduced Ordinance 09-O-631.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-631 by title only.**

Mayor Anderson read the title.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-631 by title only.**

Mayor Anderson read the title.

**Councilor Gordon moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-631, amending Chapter 17.140, Amendments to Title 17, Land Development Code, of the Brookings Municipal Code, in its entirety.**

The legislative public hearing in the matter of File LDC-5-09, a proposed amendment to Chapter 17.28, Multiple-Family Residential (R-3) District, of the Brookings Municipal Code, City initiated, was opened at 7:37pm.

Hearing no exparte, personal bias or conflicts of interest declared and no objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Planning Director Morris provided a brief report.

The public hearing was closed at 7:41pm.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to approve revisions to LDC-5-09.**

Mayor Anderson introduced Ordinance 09-O-633, adding Section 17.28.020 (D), Permitted Uses, to Chapter 17.28, Multi-family Residential (R-3), of Title 17, Land Development Code, of the City of Brookings Municipal Code.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-633 by title only.**

Mayor Anderson read the title.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-633 by title only.**

Mayor Anderson read the title.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-633, adding Section 17.28.020 (D), Permitted Uses, to Chapter 17.28, Multi-family Residential (R-3), of Title 17, Land Development Code, of the City of Brookings Municipal Code.**

Mayor Anderson introduced Ordinance 09-O-630 and City Manager Milliman reviewed the report recommending that the Traffic Safety Committee be restructured due to the lack of adequate volunteer participation, the need to have qualified staff and the limited number of issues that are dealt with by the committee.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-630 by title only.**

Mayor Anderson read the title.

**Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-630 by title only.**

Mayor Anderson read the title.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-630, amending Chapter 2.65, Traffic Safety Committee, of Title 2, Administration and Personnel, of the Brookings Municipal Code, in its entirety.**

### **Regular Agenda**

City Manager Milliman reviewed the report regarding the resignation of the City Attorney and approval to form a subcommittee to prepare a draft request for proposals for City Attorney services.

**Councilor Kitchen moved, a second followed and Council voted unanimously to accept the resignation of the City Attorney.**

**Councilor Hedenskog moved, a second followed and Council voted to form a Council subcommittee to draft a request for proposals for City Attorney services with Councilors Pieper and Gordon to serve on the subcommittee.**

City Manager Milliman reviewed the report regarding a request to approve the job description change for the position of Interdepartmental Assistant.

**Councilor Kitchen moved, a second followed and Council voted unanimously to approve the job description for Interdepartmental Assistant.**

City Manager Milliman reviewed the report regarding the Urban Renewal Advisory Committees recommendation to have the City adopt a color pallet for solid waste containers.

Pete Smart, owner of Curry Transfer Recycling (CTR), generally stated that he had not problem implementing the program as long as the repainting is allowed to take place during normal refurbishment.

Council generally agreed that two colors should be sufficient and to continue to allow individual business owners to request colors to match their buildings as previously provided for by CTR.

**Councilor Pieper moved a second followed, and Council voted unanimously to approve the recommendation by the Urban Renewal Advisory Committee requesting Curry Transfer and Recycling to utilize two colors - Sherwood Forest for recycling and Wild Wild West for trash bins, to repaint CTR maintained containers located within the Urban Renewal Area, with painting to occur in the normal cycle.**

### **Consent Calendar**

Approval of Council Minutes for April 13, 2009.

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

### **Adjournment**

**Councilor Kitchen moved, a second followed and Council voted unanimously by voice voted to adjourn at 8:14pm.**

Respectfully submitted:

ATTESTED:  
this \_\_\_\_\_ day of \_\_\_\_\_ 2009:

---

Larry Anderson, Mayor

---

Joyce Heffington, City Recorder

MINUTES  
BROOKINGS PARKS AND RECREATION COMMISSION  
March 26, 2009

**CALL TO ORDER**

Chair Vilelle called the meeting to order at 7:00 pm followed by the Pledge of Allegiance.

**ROLL CALL**

*Present:* Commissioners Tony Baron, Michelle Benoit, Patricia Brown, Frances Hartmann, and Chair Don Vilelle. *Absent:* Commissioners Tony Parrish and Ken Barkema.

Also present: Gary Milliman City Manager

**APPROVAL OF MINUTES**

- A. **Motion made by Commissioner Benoit to approve the minutes of February 26, 2009 as written; motion seconded and Commission voted, the motion carried unanimously.**

**PUBLIC APPEARANCES**

None

**REGULAR AGENDA**

- A. *KASPER Program Update* – Bette Moore, KASPER Vice President advised that the KASPER after school program is starting March 31, 2 days a week, through June 4<sup>th</sup>. They have hired three staff members and are partnering with 4-H. Have @15 children registered, expecting numbers to increase up to 40-50. Charge is \$150 for ten week program. In process of establishing funding/grants and continuing to look for volunteers for the summer program.
- B. *KidTown Enhancements* – Rob Carrillo, representative of the Ford Family Foundation Leadership Training Class presented a class project request to make KidTown ADA accessible with a modified ramp entrance, recyclable rubber mat surface material under the swings and used to create ADA paths, improvement to benches and picnic tables; and in the sand box area removal of the box barrier. They would like to work with the City and Park and Recreation Commission for approval so they can begin project fundraising and order material samples. **Motion made by Commissioner Benoit to approve the project and forward to City Council for approval; motion seconded and Commission voted, the motion carried unanimously.** Matter to be scheduled for April 13<sup>th</sup> City Council meeting. Mr. Carillo to return to Park & Recreation Commission April meeting with mat product samples.
- C. *Swimming Pool* – City Manager Gary Milliman advised of required swimming pool maintenance needs. Pool budget will not cover required maintenance costs and upkeep. Recommended increase in user fees of resident youth and senior rate from \$2.25 to \$2.50, non-resident youth rate from \$2.50 to \$3.50, adult rate from \$3.00 to \$4.00. Pool group rental rates for families/special events and lifeguard requirements to be discussed at next Park & Recreation meeting. A resident discussed prospect of sponsoring Special Needs Children events to possibly create pool revenue. **Motion made by Commissioner Benoit to approve the increase in pool fees as presented, for lack of a second the motion died. Motion made by Commissioner Hartmann to set the daily, ten swim pass and season swim pass fees as presented in the handout for a period of one year and to forward matter to City Council for approval; motion seconded, and the motion was approved with Commissioners Baron and Brown voting "No". Motion carried 3 to 2.** Fees being approved were clarified. Commissioners further discussed pool promotion, advertising and marketing.

D. *Set Date for Master Plan Review Workshop* – Workshop set for May meeting.

### INFORMATION UPDATES/DISCUSSION ITEMS

- A. *Easy Manor Park* – Commissioner Benoit advised park equipment on order and expected to arrive in @ 4 weeks. Installation possibly sometime in May.
- B. *Lower Stout Park* – Commissioner Parrish provided written note indicating they are looking for money to set up account with Wild Rivers Foundation and the model created by Donna Kramer and Commissioner Benoit was great.

### COMMISSIONER REPORTS/COMMENTS

Commissioner Hartmann – complimented Commissioner Baron on the KidTown schematic used for tonight's presentation on KidTown.

Commissioner Brown – interested in the Capella volunteer progress. City Manager Gary Milliman advised there are approximately 20 volunteers interested in manning the Capella, and a volunteer training meeting and materials are being prepared.

Commissioner Baron – Little League season starting up and they are planning to do some field improvements, they will be in contact with the City Park crew. This year Brookings will be hosting the District 8 Girls Little League Tournament in late June/early July.


Chair Vilelle – on behalf of Tony Parrish advised that planting of the azaleas for Bankus Park will be two Saturdays after they are received, unknown yet when they will arrive. Tony will let everyone know. He also asked to mention that the Stout Mountain Railroad will have a miniature Azalea Festival on May 2<sup>nd</sup>. If you know of any group having an event during the regular Azalea Festival they are invited to participate and to contact him. Chair Vilelle advised that he had spoken with Azalea Park Foundation President Shirley Hyatt and she stated that they have not been having regular meetings but she will advise when they are planned.

City Manager Gary Milliman – advised that the City is submitting a grant application for the paving of the Chetco Point Park parking lot and installation of a restroom facility.

### ADJOURNMENT

With no further business before the Commission, the meeting adjourned at 8:31 pm. Next meeting scheduled for April 23, 2009.

Respectfully submitted,


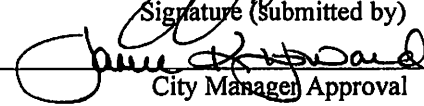
  
\_\_\_\_\_  
Don Vilelle, Chair  
(approved at April 23, 2009 meeting)

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: May 11, 2009

Originating Dept: City Manager

  
\_\_\_\_\_  
Signature (submitted by)  
  
\_\_\_\_\_  
City Manager Approval

---

Subject: Pay grade change for Lauri Ziemer.

Recommended Motion: Approve under the Consent Calendar the pay grade change for Lauri Ziemer from Grade 1 to Grade 6 to coincide with the change in her job description from Interdepartmental Aide to Interdepartmental Assistant.

Financial Impact:

Due to the reduced hours associated with this position (24 hours to 19 hours per week), this action will reduce annual salary and benefit costs by approximately \$1600.

Background/Discussion:

At its April 27<sup>th</sup> meeting, the City Council approved a job description change for the position of Interdepartmental Aide to that of Interdepartmental Assistant. Associated with that change was an increase in pay grade from Grade 1 to Grade 6. Approval of this item under the Consent Calendar will formalize the pay grade change for Lauri Ziemer from Grade 1 to Grade 6.

Policy Considerations:

None.

Attachment(s):

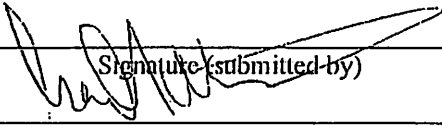
Related 4-27-09 Council Agenda Report

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: April 27, 2008

Originating Dept: City Manager

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

---

Subject: Position Description: Interdepartmental Assistant

Recommended Motion: Motion to approve position description for Interdepartmental Assistant.

Financial Impact: None.

Background/Discussion:

The City Manager recently reviewed the duties and responsibilities assigned to the part-time Interdepartmental Aide. This employee primarily provides staff support to the Public Works Director and the Parks and Recreation Commission, but also performs general administrative support duties for other departments, including the City Manager, as-needed.

Following the review, the City Manager prepared a position classification description for Interdepartmental Assistant, which more clearly defines the duties and responsibilities of this position.

This is a part-time, 19 hour peer week position.

Attachment(s): 1) Interdepartmental Aide position description.  
2) Interdepartmental Assistant position description.

**CITY OF BROOKINGS**  
**INTERDEPARTMENTAL ASSISTANT**

**GENERAL STATEMENT OF DUTIES:**

An employee in this classification performs clerical support for the City Manager, City Council and Department Directors, under the supervision of the City Manager. The work performed requires the frequent handling of sensitive and confidential information, considerable contact with management and employees, and an overall knowledge of City operations. The employee does related work as required.

**SUPERVISION RECEIVED:**

Work is performed under the general supervision of the City Manager.

**SUPERVISION EXERCISED:**

No supervisory duties are involved with this position.

**EXAMPLES OF DUTIES & RESPONSIBILITIES:**

1. Provides professional and clerical support to the City Manager, to include typing memos, letters, resolutions, ordinances and a variety of other documents and reports; faxing, copying and collating; answering the phone, and other related tasks as required.
2. Performs independent research and provides information as requested by the City Manager and by Department Directors, as needed.
3. Assists Department Directors with routine and non-routine department-related tasks to include purchasing, cataloging and maintaining construction documents and databases; handling Public Works related customer complaints and information requests; preparing memos, letters and other reports; filing and other duties, as needed.
4. Prepares City publications, including Public Service Announcements and a variety of informational brochures and flyers, working with staff and the public to obtain data, photographs and other information, as needed.
5. Provides staff support to the American Music Festival to include meeting attendance, creation of print media, receipting and tracking of donations; coordinates event preparation with the committee, performing artists and Public Works Department.
6. Prepares agendas and minutes for Parks and Recreation Commission meetings and other meetings as required by the City Manager.

7. Schedules park use and administer park and facility use permits. Coordinates volunteer staffing for Capella by the Sea, as necessary.
8. Assists with web page maintenance, including creating, updating, and publishing information and photos to the website.
9. Assists in scheduling, preparing, updating and editing City meeting calendar in Outlook, and televised events calendar for broadcast on cable television.
10. Assists with City event planning, as needed.
11. Establishes and maintains effective relationships with peers, supervisors, volunteers and the public.
12. Works in a safe manner and encourages safety.
13. Performs other duties as required.

#### **KNOWLEDGE, ABILITY AND SKILL REQUIREMENTS:**

**KNOWLEDGE OF:** Rules of effective English usage and grammar; general office practices and procedures; document processing utilizing Microsoft Office; filing systems; Microsoft Front Page.

**ABILITY TO:** Operate standard office equipment, including but not limited to, operation of computer, typewriter, copy machine, fax, postage machine, folding machine, and laminator. Conduct independent research; organize and summarize information; publish reports.

**SKILL IN:** Establishing priorities and organizing own work load; maintaining confidentiality; dealing effectively with frequent interruptions and several situations at one time; communicating effectively both verbally, by telephone, and in writing.

#### **EDUCATIONAL/EXPERIENCE REQUIREMENTS**

Minimum high school graduate or equivalent education.

**COMPENSATION TYPE:** Hourly

**EXEMPTION STATUS:** Non-exempt

**JOB GRADE:** Grade 6 through step 7