

AGENDA
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday September 8, 2008 7:00 p.m.

Council will meet in **Executive Session at 6:00pm** in the City Manager's Office at City Hall, under authority of ORS 192.660(f), to consider information or records that are exempt by law and under ORS 192.660(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.

A meeting of the **Urban Renewal Agency** will immediately follow the regular meeting.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Ceremonies/Appointments/Announcements**
 - A. Yard of the Month Awards [pg. 7]
 - 1. Yard of the Month – 885 Joshua Court, accepted in tribute to Dorothy Davis.
 - 2. Most Improved Property - 1021 7th Street, Judy Schafer, owner.
 - 3. Commercial Property – 1101-1111 Chetco Avenue, Gerrid Joy, owner.
- V. Scheduled Public Appearances**
 - A. KASPER Report on Summer Program – *Carolyn Milliman*
- VI. Oral Requests and Communications from Audience**
 - A. Council Liaison Reports
 - B. Public Comments – limit to a maximum of **5 minutes per person**. A completed **public comment form** must be filled out and turned in **prior to the start of the meeting**. Forms are available in the City Manager's office and may be downloaded from the City's website at www.brookings.or.us. Completed forms may be turned in to the City Manager's office during regular business hours. Comments **will be restricted** to the topics indicated on the form. All remarks and questions must be addressed to **the presiding officer, only**. Comments will be **respectful**. Harsh or abusive language will not be tolerated.
- VII. Regular Agenda**
 - A. Discussion with direction to staff regarding the Marine Reserve review issue. *City Manager [pg. 11]*
 - B. Approval of Collective Bargaining Agreement for period July 1, 2008 to June 30, 2011 with the Teamsters Local Union #223 General Employees Unit. *City Manager [pg. 23]*
- VIII. Consent Calendar**
 - A. Acceptance of Planning Commission minutes: August 5 & August 19, 2008. [pg. 43]
 - B. Approval of vouchers for August, 2008 in the amount of \$405,617.62. [pg. 51]
- IX. Ordinances/Resolutions/Final Orders**
 - A. Ordinances

1. Ordinance 08-O-610, an ordinance adding Chapter 13.35, Storm Water, to Title 13, Public Services, of the Brookings Municipal Code. *Public Works Director [Advance Packet]*
2. Ordinance 08-O-619, an ordinance adding Chapter 13.40, Storm Water Fees, to Title 13, Public Services, of the Brookings Municipal Storm Water Fees. *Public Works Director [Advance Packet]*

B. Resolutions

1. Resolution 08-R-903, a resolution adopting guidelines to be used in reviewing proposals for murals within the City of Brookings. *Planning Director [pg. 55]*
2. Resolution 08-R-905, a resolution creating a Public Arts Committee to serve the City of Brookings. *Planning Director [pg. 65]*

C. Final Orders

1. Approve Final Order granting an extension of time for Lone Ranch Master Plan for a period of two years until October 24, 2010. Lone Ranch Extension. *Planning Director [Advance Packet]*

X. Remarks from Mayor and Councilors

- A. Mayor
- B. Councilors

XI. Adjournment

**URBAN RENEWAL AGENCY
REGULAR MEETING**

To follow immediately after the Common Council Meeting

I. Call to Order

II. Roll Call

III. Minutes

- A. Approval of Urban Renewal Agency minutes for June 23, 2008. [pg. 69]
- B. Acceptance of Urban Renewal Advisory Committee minutes for April 10, May 9, June 12 and July 10, 2008. [pg. 70]

IV. Comments

V. Regular Agenda

- A. Approve the Urban Renewal Advisory Committee's recommendation to approve a fund match of up to \$2500 for removal Chetco Inn/Matching Funds. *Building Official [pg. 77]*

VI. 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.

September 2008

September 2008						
S	M	T	W	T	F	S
7	1	2	3	4	5	6
14	8	9	10	11	12	13
21	15	16	17	18	19	20
28	22	23	24	25	26	27

October 2008						
S	M	T	W	T	F	S
5	6	7	1	2	3	4
12	13	14	8	9	10	11
19	20	21	15	16	17	18
26	27	28	22	23	24	25

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
September 1	2	3	4	5	6
LABOR DAY - Closed 9:00am CC- VIPS/Volunteers in Police Service 7:00pm FH-FireTng/ChShrp	12:00pm CC - PD 4:00pm CC - Council Workshop 7:00pm CC - Planning Commission	10:00am CC- Site Plan Com Mtg 1:00pm CC Staff meeting/planning 7:00pm FH-PoliceReserves	3:00pm CC SafetyComMtg		
8	9	10	11	12	13
7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	7:00pm CC - Planning Comm	9:30am Traffic Safety Committee 10:00am CC- Site Plan Com Mtg 10:00am FH - Brookings Rural 11:00am FH WWTP Interviews 12:00pm CC - Stout Park 5:00pm CC - Victims 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 11:00am Garden Club - BW Bkgs Inn 7:00pm FH-FireTng/ChShrp	7:00pm CC - Planning Comm (TENT)	10:00am CC- Site Plan Com Mtg 1:30pm CC - LDC Meeting			
22	23	24	25	26	27
8:00am CC -8am-5pm ICS Training 300/400 7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	8:00am CC -to 5pm ICS Training 300/400	8:00am CC - 8am-5pm ICS Training 300/400 10:00am CC- Site Plan Com Mtg 1:30pm CC - LDC Meeting	8:00am CC - 8am-5pm ICS Training 300/400 7:00pm CC-Parks & Rec Comm		
29	30				
7:00pm FH-FireTng/ChShrp					

CC - Council Chambers
FH - Fire Hall
CM - City Manager's Office

Meeting dates and times are subject to change.

9/4/2008 1:07 PM

October 2008

October 2008						
S	M	T	W	T	F	S
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November 2008						
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23	24	25	26	27	28	29
30						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		October 1	2	3	4
		10:00am CC- Site Plan Com Mtg 1:30pm CC - LDC Meeting 7:00pm FH-PoliceReserves	3:00pm CC SafetyComMtg		
					5
					9:00am CC - Fire instruction
6	7	8	9	10	11
9:00am CC- VIPS/Volunteers in Police Service 4:00pm CC - Council Workshop 6:00pm CC - Econ Analys Meeting 7:00pm FH-FireTng/ChShrp	6:00pm CC - Planning Workshop 7:00pm CC - Planning Commission	10:00am CC- Site Plan Com Mtg 10:00am FH - Brookings Rural Fire Dept 12:00pm CC - Stout Park Subcommittee 1:30pm CC - LDC Meeting	9:00am CC-Crm Stoppers 1:00pm CC - Court 3:00pm CC Urban Renewal Advisory Committee		
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CC - Council Chambers
FH - Fire Hall
CM - City Manager's Office

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9/4/2008 1:07 PM

YARD OF THE MONTH

DOROTHY DAVIS

885 JOSHUA COURT

Location—Brookings, Oregon

SEPTEMBER, 2008

For Month and Year




Larry Anderson, Mayor

September 2, 2008

Date


Gary Milliman, City Manager



City of Brookings
898 Elk Drive
Brookings, OR 97415
(541) 469-2163

MOST IMPROVED PROPERTY OF THE MONTH

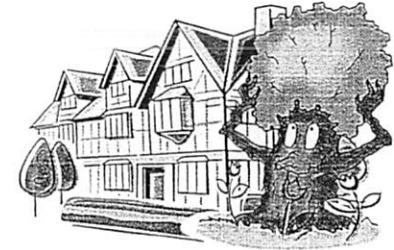
Judy Shafer

1021 7TH STREET

Location, City of Brookings

SEPTEMBER , 2008


For Month and Year



September 2, 2008

Date


Larry Anderson, Mayor


Gary Milliman, City Manager



CITY OF BROOKINGS
898 Elk Drive
Brookings, OR 97415
(541) 469-2163

COMMERCIAL PROPERTIES OF THE MONTH

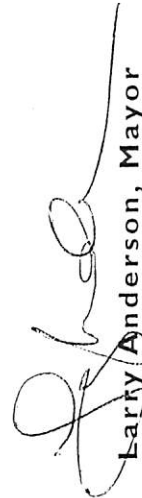
1101-1111 CHETCO AVE

Location, City of Brookings

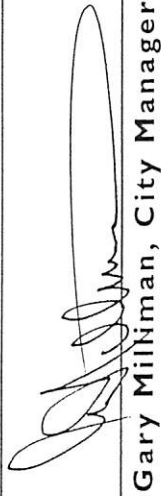
Owner: Gerrid Joy

SEPTEMBER, 2008

For Month and Year


Larry Anderson, Mayor

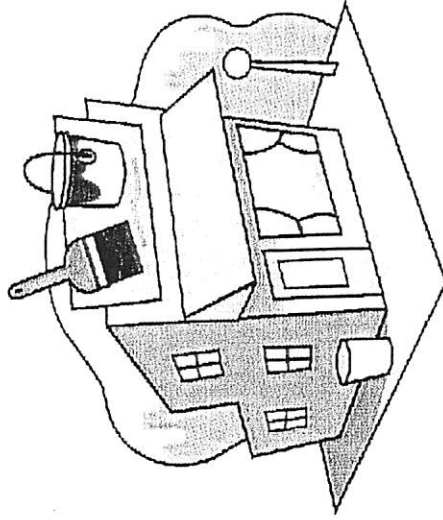
September 2, 2008


Gary Millman, City Manager

Date



CITY OF BROOKINGS
898 Elk Drive
Brookings, OR 97415
(541) 469-2163

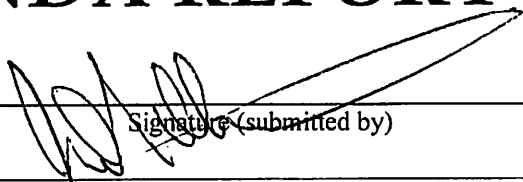


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 8, 2008

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: City Participation in Marine Reserve Issue

Recommended Motion: Discussion and direction to staff.

Financial Impact: Travel and administrative support costs depending upon selected alternative.

Background/Discussion:

At its meeting of August 25, the City Council endorsed the proposal to designate the Four Ports Group as a local review entity for proposed Marine Reserve designations along the Curry County and southern Coos County coast. The Council also indicated that it desired to have a high level of participation in the Marine Reserve issue and requested the City Manager to return with recommendations/alternatives. Following are some alternatives for City Council consideration:

- Participation as full member of the Four Ports Group. This is a new informal association among the Ports of Brookings, Bandon, Port Orford and Gold Beach. The organization is being formed to review Marine Reserve proposals and provide comments to the Governors Office and the Ocean Policy Advisory Council. The City Council could seek participation as a "member" and designate a Councilor as its representative.
- Participate in meetings of the Four Ports Group. The City Council could request to participate informally in meetings of the Four Ports Group and designate a Councilor as liaison.
- Independent contact with the Governor's Office and the Ocean Policy Advisory Council. This would involve periodic written correspondence and, possibly, appearances at OPAC meetings. The City Council could designate a member to serve as a liaison with OPAC and establish a working relationship with Board Member John Griffith, a Coos County Commissioner. There are no OPAC members from Curry County.
- Participate through the Oregon Coastal Zone Management Association. The City is a member of the OCZMA, which meets quarterly. It does not appear that OCZMA is taking an active role in reviewing proposed sites.

Policy Considerations:

The establishment of Marine Reserves along the Oregon Coast could have a significant economic impact on the Brookings community. It is appropriate for the City to be actively engaged in the Marine Reserve dialogue as the representative of community interests.

Attachment(s): Excerpts from various websites on the topic of Marine Reserves.

- [Home](#)
- [Oregon's Process](#)
- [Get Involved](#)
- [Site Proposals](#)
- [News](#)
- [Links](#)
- [FAQ](#)

HEADER

Oregon Marine Reserves

Public Gateway to Information

[Home](#) » [Oregon's Process](#)

Oregon's Marine Reserve Process



The State of Oregon has started the process for establishing a limited system of marine reserves along our coast as part of an overall strategy to manage marine waters and submerged lands using an ecosystem-based approach. The overall purpose of marine reserves is to help protect, sustain, or restore nearshore marine ecosystem, its habitat, and species for present and future generations of Oregonians. This website will guide you through the process and provide links to information resources.

How will we get to Marine Reserves?

Marine Reserves Process Overview

Current Biennium		Future Biennia (dependent on funding)	
Proposal Process	Budget	Evaluation	Implementation
2008	Jan – June 2009	July 2009 – June 2011	July 2011 – beyond
We are here			
<ul style="list-style-type: none"> • Proposed sites for further evaluation submitted • Coarse review conducted and sites recommended for more detailed evaluation • Fine review criteria developed for the detailed evaluation of sites next biennium • Budget for detailed evaluation of sites submitted to governor 	<ul style="list-style-type: none"> • Budget legislatively reviewed and approved 	<ul style="list-style-type: none"> • Data collected and sites evaluated • Potential marine reserve sites identified consistent with evaluation results • Opportunity for pilot marine reserve sites to be designated and implemented • Budget for implementation developed, legislatively reviewed, and approved 	<ul style="list-style-type: none"> • Marine reserves designated (through public rule making) • Marine reserves implemented (e.g., management, research, monitoring, enforcement)

Last Updated by ODFW on 6.08.08

[Click here for Adobe PDF](#)



The current process to designate marine reserves has multiple components. Oregon Sea Grant held several community conversations to listen and learn from coastal communities about what will and will not work regarding the establishment of reserves. Sea Grant took what they heard in these conversations and reported to OPAC. Sea Grant has produced an interim report, which was presented to OPAC and is currently available here. Additionally, the Science and Technical Advisory Council held a Size and Spacing Workshop to discuss Oregon specific guidelines based on the best available science. Results from this workshop will help inform the public process.

Proposal Process

Governor Kulongoski issued Executive Order 08-07 on March 26, 2008, directing state agencies to work with the Oregon Ocean Policy Advisory Council (OPAC) to site marine reserves through a comprehensive, collaborative process. Based on this guidance, OPAC will be seeking proposals from the public for specific sites in state ocean waters (0-3 nautical miles from shore) to be considered for further evaluation as potential marine reserves. Proposals must be submitted to the Oregon Department of Fish and Wildlife by September 30, 2008. Proposed sites will be reviewed consistent with coarse review criteria developed by OPAC. By December 1, 2008, OPAC will recommend to the Governor's office up to nine sites that best meet the criteria for further and more detailed evaluation. For more information about how to submit a proposal, click on Site Proposals.



[Read more...](#)

[\[Back \]](#)

This website is brought to you by the Department of Land Conservation and Development for the benefit of the people of Oregon, the Oregon Ocean Policy Advisory Council, and its Marine Reserve Working Group.

Comments on the function of the website? [Please use this form](#)

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HEADER

Oregon Marine Reserves

Public Gateway to Information

Home

Oregon's Path to Marine Reserves

Oregon has begun a [public process](#) for establishing marine reserves along the coast. Governor Ted Kulongoski has asked the [Ocean Policy Advisory Council](#) (OPAC) to provide him with recommendations for sites to be included in a system of marine reserves. To make sure that **Oregonians can help** with that recommendation, the Governor has invited the [public to propose](#) areas for consideration which will then be reviewed by the OPAC.

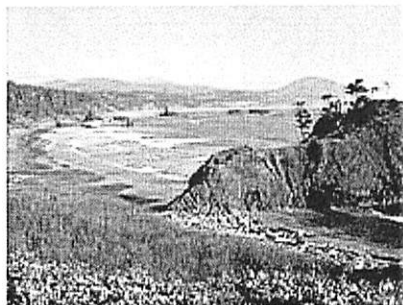


This website will provide links to information about marine reserves and Oregon's marine environment and will guide you through the proposal process.

What is a Marine Reserve?

In general, a marine reserve is an area of the [marine environment](#) that is protected from harmful uses, principally uses that remove or [disturb](#) marine life and environment. Around the world, marine reserves have been designated for different purposes, some for research, some to protect unique [habitat](#), some to promote rebuilding of fish stocks, and some for sight-seeing and recreation.

[Read more...](#)



Community Meetings



Kicking off the next phase of marine reserves outreach, Oregon Sea Grant and the Oregon Department of Fish and Wildlife hosted informational meetings

June 23 - 27, 2008 in the communities of Newport, Tillamook, Salem, North Bend, and Gold Beach. The meetings provided an update on changes to the marine reserves process made in response to public input earlier this year, and introduced the process by which the public can propose sites for further evaluation as potential marine reserves. To learn more, click on [Get Involved](#).

Upcoming Events

*Ocean Policy Advisory Council Meeting
August 19, Garibaldi, OR*

Links to all OPAC and Working Group agendas: [Click Here](#)

Latest Additions

- [Oregon Marine Port Locations, OCMP, 2008](#)
- [State seeks input for marine reserves, Statesman Journal, 8.9.2008](#)
- [Oregonians invited to suggest possible marine reserves sites, Newport News-Times, 8.1.2008](#)
- [Ocean planning is a chance to set standards, South Lincoln County News, 7.29.2008](#)

Popular

- [What is the Ocean Policy Advisory Council ?](#)
- [What is a Marine Reserve?](#)
- [Community Forum Agenda](#)
- [Proposal Map Series](#)
- [Marine Reserve Working Group Meetings](#)
- [Oregon's Marine Reserve Process](#)

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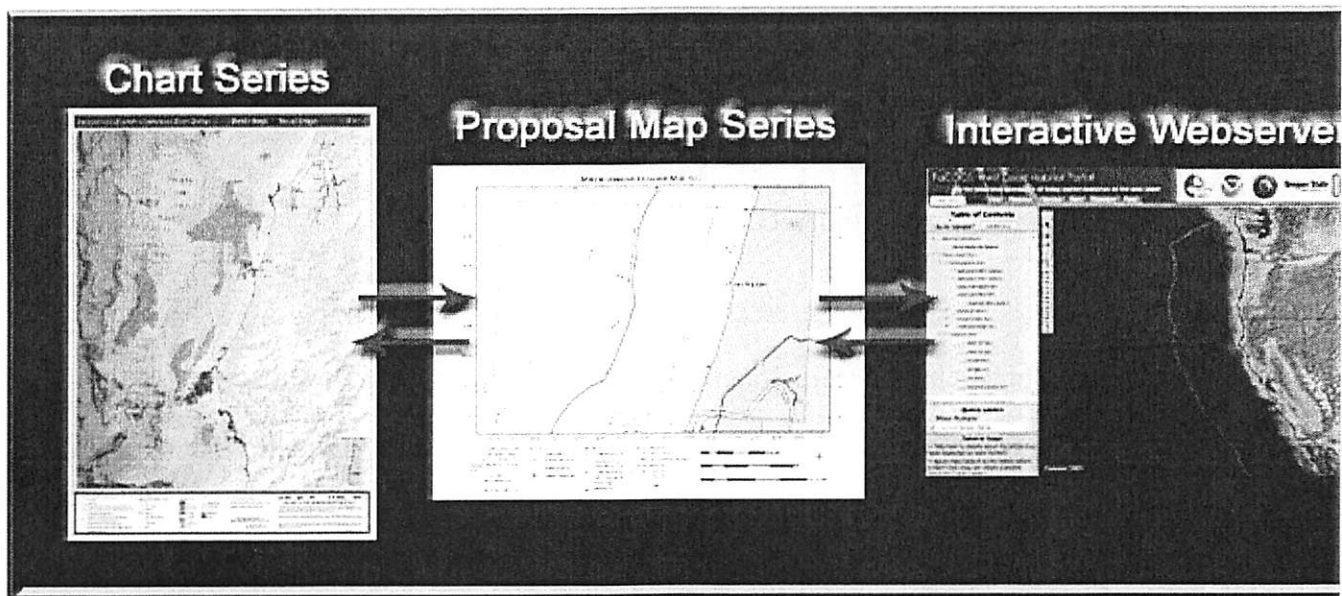
[Proposing a Site](#)

Proposals for Marine Reserves may be submitted by individuals, organizations, or agencies. To make the process as simple as possible, a basic proposal packet has been provided by OPAC and is available on the website. Also available is a series of simple maps of the coast, showing the ocean areas that are part of C territorial waters. Anyone who wants to propose a potential location may do so by filling in the proposal marking the location on the relevant map, and sending it in by the closing deadline.

[Read more...](#)

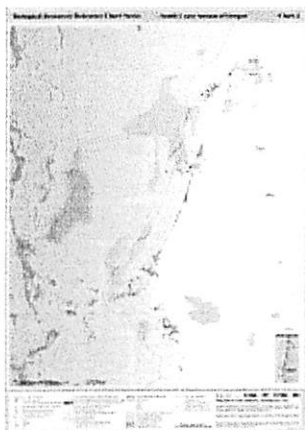
[Information Resources](#)

In an effort to make sure that all who wish to propose marine reserve evaluation sites will have equal availability to data and resources, several sets of standardized information products have been created to provide geographic context for potential proposals.



[Read more...](#)

Thematic Chart Series



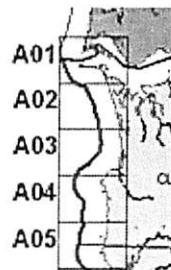
The thematic reference charts are provided to show where existing resources and uses occur in the vicinity of the Oregon Territorial Sea.

There are 3 thematic series based on the themes of Biologic resources, Management and Human Uses, and Seafloor Type. Each thematic series contains 5 charts, covering

the entire Oregon coast from north to south.

[Read more...](#)

Proposal Map Series



This series of base maps, cover Oregon's Territorial and adjacent upland areas, designed to assist you in proposing sites to be considered for evaluation as potential marine reserves. These maps must be used, along with

information, to propose sites for evaluation as marine reserves. The map sections are at a large enough scale so that you can draw in the boundaries for a proposed site on the printed map.

To download a map for your area of interest, please follow the "Read More" link below, note the Proposal Map number on the Index map(eg. A23), and download the corresponding PDF file. A maximum of nine sites can be designated as marine reserves from among those that are proposed for evaluation.

[Read more...](#)

GIS Data



As part of the marine reserves process, the GIS data needed most for compiling maps of resources and activities in Oregon's Territorial Sea has been gathered from various organizations including relevant state and federal

agencies. The data have been standardized and documented and are being made available in conjunction with the maps for use within a GIS.

[Read more...](#)

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OCZMA TOPICS

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MISSION STATEMENT

OCZMA serves local elected officials on the Oregon Coast. OCZMA is a clearinghouse of objective information on issues relating to the Oregon Coast—this information is then shared with the state and federal government. OCZMA conducts studies on the Oregon Coast's economy and carries out applied research to improve the standard of living in the region. Through our extensive network of local government officials and many other partners, OCZMA gives voice to the concerns and needs of coastal residents.

OCEAN POLICY

OCZMA INVOLVEMENT IN OPAC; OCZMA , RESERVES

OCZMA staff and several members of OCZMA's Board Advisory Council, (OPAC).

The OPAC process has become a focal point for ocean Involvement in OPAC and the issues swirling around a network of marine reserves on the Oregon Coast represented by OCZMA staff and members.

OPAC has recently set into motion a process to amend proposed new uses of the ocean.

More indepth information relating to the OPAC process Activities can be found under Wave Energy/Marine Reserves the Oregon Coast.



OCZMA Members & Staff

Important discussions are taking place about marine reserves. [m



OCZMA Actions on Marine

Over the years, OCZMA has been involved in many activities relating to the establishment of marine reserves on the Oregon Coast and the OPAC process.



OCZMA TOPICS

COASTAL HAZARDS

COUNTY TIMBER PAYMENTS

ECONOMY

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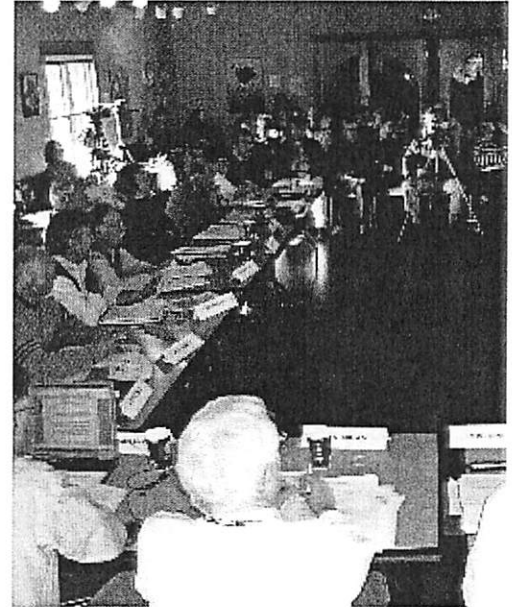


HOME

ABOUT US

NEWS

MEETINGS



OCZMA Members & Staff Serve on OPAC

Important discussions are underway at the state and These talks are likely to lead to additional closed area The no-fish or no-harvest areas, often called "Marine Areas", have generated controversy in recent years. more than fisheries. Marine Reserves could be a way industrial uses of the ocean. And, a significant numb community believe additional areas closed to fishing the long term, could enhance the fisheries.

In Oregon, an important dialogue about Marine Reser Policy Advisory Council (OPAC). The devil will ultimat has become a focal point for ocean policy discussions and within the last couple of years, wave energy activ

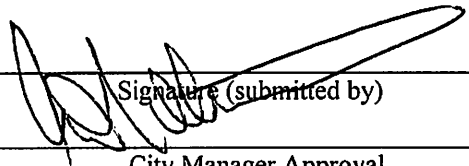
Several OCZMA Board members (Commissioner Terry Commissioner John Griffith, Coos County; Councilmai on OPAC with OCZMA Director Onno Husing. Jim Ber Astoria (and former OCZMA representative for the Po

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 8, 2008

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Agreement with Teamsters Local 223 General Employees Unit

Recommended Motion: Motion to approve Collective Bargaining Agreement for the period July 1, 2008 to June 30, 2011 with the Teamsters Local Union #223 General Employees Unit.

Financial Impact: The Administrative Services Director estimates the cost of this agreement at \$70,579 for FY 2008-09.

Background/Discussion:

Management has reached a tentative agreement with Teamsters Local 223, the general employees unit. The tentative agreement was reviewed in Executive Session on September 2 and is recommended for ratification by the City Council. Key elements of this tentative agreement are:

1. Three year term.
2. A cost of living increase for all union members of 4.3 percent effective July 1, 2008.
3. A cost of living increase for all union members of 3-5 percent, based upon the All Cities CPI-W on July 1, 2009 and July 1, 2010.
4. When an employee is assigned to be on "standby" on a weekend which includes a holiday, the employee will receive 1.5 hours of additional straight time pay for each of the three days and two additional straight time pay hours for being on standby on the holiday (for a total of 3.5 hours for the holiday). The employee may elect to take compensatory time off rather than pay. This is an increase of two-hours and may occur 10 times each year.
5. Vacation rate accruals would change as follows:

YEARS OF SERVICE	CURRENT	PROPOSED
1-4	80	96
5-9	120	120
10-14	120	144
15-20	160	168
20+	200	200

6. City would continue to pay medical, dental and vision insurance premiums. Employee would pay for any premium increase above 10 percent.
7. The salary grade for Utility Worker/Mechanic would be changed from Grade 6 to Grade 8.
8. The City agrees to undertake and complete a comprehensive compensation and classification study using the Local Government Personnel Institute (an affiliate of the League of Oregon Cities) prior to May 2009. The City agrees to reopen salary discussion when the study is completed.
9. An increase in sick leave accrual maximum from 720 hours to 960 hours, with payment of 25 percent of the value of unused to employees who retire with 20 or more years of service.

Policy Considerations: The General Employees organized for collective bargaining in 2005 and affiliated with Teamsters Local 223 at that time. The City entered into its first agreement with this unit July 1, 2005, and that agreement expired June 30, 2008.

The agreement represents the conclusion of a good faith bargaining period of more than 150 days. The cost of living adjustment is lower than the CPI for the region.

Attachment(s): Collective Bargaining Agreement

CITY OF BROOKINGS (GENERAL EMPLOYEES)

AND

TEAMSTERS LOCAL UNION NO. 223

COLLECTIVE BARGAINING AGREEMENT

JULY 1, 2008 - JUNE 30, 2011

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PREAMBLE

This agreement is entered into between the City of Brookings, Oregon, herein called "City" and Teamster's Local Union No. 223, International Brotherhood of Teamsters of Portland, Oregon herein called "Union" for the purpose of establishing wages, hours and other conditions of employment for employees within the bargaining unit of the City of Brookings General Employees.

ARTICLE 1 - RECOGNITION

1.1 Recognition. The City recognizes the Union as the exclusive bargaining agent for the purpose of establishing wages, hours and conditions of employment, for all regular employees of the City of Brookings who work 20 hours or more per week, excluding employees covered by the Brookings Police bargaining agreement, all supervisory and confidential employees as defined by ORS 243.650(6) and (23), seasonal and temporary employees (hired for a limited period of time not to exceed six (6) consecutive months in a twelve (12) month period)

ARTICLE 2 - NON-DISCRIMINATION

2.1 Non-Discrimination. The provisions of the Agreement shall be applied equally to all employees in the bargaining unit without discrimination as to age, sex, marital status, national origin, religion, race, union membership or disability. However, the City reserves the right to prescribe lawful bona fide occupational requirements. The Union and the City share the responsibility for applying the provisions of this Article in accordance with the affirmative action goals required under lawful regulations.

2.2 Gender. All reference to employees in this Agreement designates both sexes, and wherever the male or female gender is used it shall be construed to include both male and female employees.

ARTICLE 3 - MANAGEMENT RIGHTS

3.1 Management Rights. Except as otherwise expressly and specifically limited by the terms of this Agreement, the City retains all its customary, usual and exclusive rights, decision-making prerogatives, functions and authority connected with or in any way incidental to its responsibility to manage the affairs of the City or any part of the City. The contractual rights of employees in the bargaining unit and the Union are expressly limited to those specifically set forth in the Agreement, and the City retains all prerogatives, functions and rights not specifically limited by the Agreement. The City shall have no obligation with the Union with respect to the exercise of its discretion and decision-making. Any such subjects covered by the terms of this Agreement are closed to further negotiations for the term hereof, and any subject which was or might have been raised by either party in the course of collective bargaining, is closed for the term thereof.

ARTICLE 4 - PERSONNEL MANUAL

4.1 Manual. The City will provide each employee and the Union with a copy of City's Personnel Policies. These will be kept updated and provided to the employees and the Union by the City.

ARTICLE 5 - UNION SECURITY

5.1 Fair Share. All employees covered by this Agreement shall, within thirty (30) days from date of employment, either; (1) become and remain members of the Union; or (2) tender to the Union their fair share of the cost of negotiating and administering the labor agreement in good dues standing, except as otherwise noted in this Article.

5.2 Religious Objection. Employees objecting to Union membership based on bona fide religious tenets or teachings of a church or religious body of which the employee is a member shall not be required to join the Union as a condition of employment or to enter into a fair share agreement. Such an employee shall pay an amount of money equivalent to the regular dues and initiation fees and assessments to a non-religious charity mutually agreed upon by the employees and the Union. The employee shall furnish written proof to the City and the Union that this requirement is met each month.

5.3 Check Off. The City, when so authorized and directed in writing by an employee on an authorization form provided by the Union, will make payroll deductions for Union dues and initiation fee. If the employee has not joined the Union within the required time, the fair share amount shall be deducted from the employee's pay check and paid the Union. The City shall deduct such dues, initiation fees and fair share amounts as certified by the Union from the first salary check each month and forward to the Union within ten (10) calendar days.

5.4 Hold Harmless. The Union agrees to indemnify, defend, and hold the City harmless in the event of any suit or claim against the City arising from the City's compliance with provisions of this Article, so long as the City makes timely compliance with all lawful requests of the Union in the execution of these provisions.

5.5 New Hires. The City will notify the Union of all new hires within thirty (30) days after their having been employed, furnishing the Union with the new employee's name, position title, social security number and mailing address.

ARTICLE 6 - WAGES

6.1 Wages. Wages shall be in accordance with the wage schedules as set forth in Schedule "A", attached hereto and by this reference incorporated herein.

6.2 Pay Periods. Employees shall be paid every other Friday. In the event the regular pay day falls on a recognized holiday, employees shall be paid on the last preceding regular work day.

6.3 Acting in Capacity. An employee who is temporarily assigned the responsibilities and duties incident to a position higher than that of his regular grade for forty (40) hours or more, or eight (8) hours or more if the assignment involves duties of a lead or supervisory nature, shall have his wage increased five percent (5%).

6.4 New Classifications. In the event the City establishes a new classification which is appropriately included in the bargaining unit, the City shall establish a rate of pay for said classification and shall so notify the Union by certified mail. The Union may, within fifteen days of the receipt of the aforementioned notice, notify the City in writing of its desire to negotiate the wage rate. Nothing contained herein shall prevent the City from filling the position at the rate the City established unless negotiations have produced a new rate prior to the filling of the position.

6.5 Anniversary Date. An employee's anniversary date, for purposes of salary increases only, shall be their date of hire or date of promotion to a new classification.

6.6 Step Increases.

A. An employee shall receive a (1) step increase at the successful completion of probation.

B. An employee with satisfactory performance shall be granted a step increase on July 1st each year.

ARTICLE 7 - CERTIFICATION PAY

7.1 Certification Pay. For employees hired after July 1, 2005, certification pay will be paid at 1% for each certification level that is above and beyond the level required for the position, up to a maximum of five percent (5%). Employees shall receive the increase in their monthly salary beginning the first of the month after the City is in receipt of said certification.

For employees hired prior to July 1, 2005, certification pay will be paid at one percent (1%) for each certification required for the position as long as the required certifications are received prior to July 1, 2006. Certification pay will also be paid at one percent (1%) for each certification received above and beyond what is required for the position. The maximum total certification pay attainable is five percent (5%).

ARTICLE 8 - HOURS OF WORK

8.1 Work Week\Day. The work week shall normally consist of five (5) consecutive eight (8) hour days with two (2) consecutive days off or four (4) consecutive ten (10) hour days with three (3) consecutive days off. Eight (8) or ten (10) consecutive hours of work within a twenty-four (24) hour period shall normally constitute the regular work day.

Water and Wastewater Operator normal work and on call schedule: The first forty (40) hour work week will be Saturday through Tuesday off. Work Wednesday through Sunday for forty (40) hours followed by work Monday through Friday for the second week of forty (40) hours. This will cover the weekends and give each employee an eighty (80) hour pay period. On call duty will run from Thursday morning at 8:00 a.m. to the next Thursday morning at 8:00 a.m. Only designated Water/Waste Water Operators will be in the rotation. The on call Operators will rotate in as needed to cover weekends.

8.2 Breaks. Each employee shall receive a minimum of thirty (30) and a maximum of a sixty (60) minute unpaid lunch break and two fifteen (15) minute rest breaks with pay per normal shift.

8.3 Flexible Work Schedule. The Union and the City may, by mutual agreement, employ any other flexible work schedule.

8.4 Work Schedule. Each employee shall be scheduled to work on a regular shift, and each employee shall have regular starting and quitting times within the work day. Except for emergency situations, unless mutually agreed to by affected parties, changes in regular work schedules shall be posted at least five (5) days in advance.

8.6 Trade Days. Trading of days between employees shall be permitted with approval of the Department Head or his designee. For the trade, two employees may agree in writing, solely at their option and with the advanced written approval of the Department Head or his designee, to substitute for one another during scheduled hours of work. The City shall have no obligation to keep track of substitutions, to ensure that a substitution is reciprocated, or keep track of hours worked.

ARTICLE 9 - OVERTIME

9.1 Overtime. The City agrees to pay for overtime at the rate of one and one-half (1 1/2) times the employee's current wage rate for each hour worked in excess of eight (8) per day if employee is on a 5 day-8 hour schedule, or ten (10) per day if employee is on a 4 day-10 hour schedule; or all work performed in excess of forty (40) hours in a seven (7) day period.

Paid leave hours, including sick leave, compensatory time off, holiday leave and vacation leave, are considered hours worked for the purposes of computing overtime.

9.2 Compensatory Time. An employee shall be compensated for overtime worked in the form of cash or compensatory time off at the option of the employee until the employee has accumulated a maximum of eighty (80) hours. The City shall pay cash for overtime worked after the employee has accumulated the above noted eighty (80) hours.

9.3 Standby. When the City requires an employee to carry a communications device and be able to report for work in less than 30 minutes, the employee so assigned shall receive an additional 1.5 hours of straight time pay, exclusive of any pay differential, or, at the employee's discretion, 1.5 hours of compensatory time for each day of standby. Three (3.0) hours of compensatory or straight time pay shall be received on a holiday as recognized in Article 11.1.

Employees who are assigned to standby on a holiday (as recognized in Article 11.1) as part of a three-day weekend (Saturday, Sunday and Friday or Monday) shall receive an additional two hours of straight time pay or compensatory time off.

Standby time shall not be considered or treated as hours worked for any purpose.

The City shall establish an eligibility list for standby assignment and such duty shall be on a rotational basis. Standby shall be assigned in blocks of time of seven days. An employee may, upon approval of his/her supervisor, have another qualified employee on the list stand by in his/her place. If the substituting employee agrees to be on standby status for a full week, he/she will receive the additional compensation and remain in his/her original position on the list.

ARTICLE 10 - CALL BACK TIME

10.1 Call-Back. An employee called back to work in a work related matter more than one hour prior to the beginning or one hour after the completion of a scheduled shift shall be compensated at the overtime rate for all hours worked during the callback with a minimum of two (2) hours pay at the overtime rate. Time worked under this section shall be computed from the time the employee leaves his/her residence until the time he/she completes the assignment.

ARTICLE 11 - HOLIDAYS

11.1 Holidays. The following days shall be recognized by the City as official holidays:

- 1) New Years Day on January 1
- 2) Martin Luther Kings Birthday on the third Monday in January
- 3) President's Day on the 3rd. Monday in February
- 4) Memorial Day on the last Monday in May
- 5) Independence Day on July 4
- 6) Labor Day on the 1st Monday in September
- 7) Veterans Day, November 11
- 8) Thanksgiving Day on the 4th Thursday in November
- 9) Day after Thanksgiving
- 10) Christmas Day on December 25
- 11) (2) Floating Holidays (must be taken at a mutually agreeable time)

11.2 Holiday Pay. Full-time employees shall receive eight (8) hours of pay at the employee's regular hourly rate of pay for each of the holidays listed above.

11.3 Holiday Work. Employees required to work on the above holidays shall receive eight (8) hours of holiday pay at their current pay rate as provided above, in addition to either the current rate of pay for each hour worked on the holiday or, time off at the option of the employee at the straight time rate for each hour worked on the holiday. A maximum of eight hours of holiday pay taken as time off under this section may be carried over into the year subsequent to the year in which it was earned but must be utilized by June 30th. Holiday pay earned under this section may be utilized in minimum two- (2) hour blocks.

11.4 Observed. For the purposes of this Article and Article 9.3, whenever a holiday falls on a Sunday, the following Monday shall be observed as the holiday. Whenever a holiday falls on a Saturday, the previous Friday shall be observed as a holiday.

ARTICLE 12 - VACATIONS

12.1 Accrual Rates. Employee(s) will accrue vacation at the following rate:

	<u>Completed Years of Continuous Service</u>		<u>Vacation Earned</u>
	1	-	4
96 hours			
	5	-	9
120 hours			
	10	-	14
144 hours			
	15	-	19
168 hours			
	20		+
200 hours			

Employees shall advance to the next bracketed vacation accrual rate at the completion of the specified number of years of service, i.e. an employee hired on March 1, 2004 would start accruing vacation at the 120-hour rate beginning March 1, 2009. However, no employee shall be eligible to take vacation leave or pay therefore prior to completion of twelve (12) months of service. Part-time employees shall be credited with pro-rata vacation credits based on the accrual of a full-time employee.

12.2 Pay Rate. Earned vacation shall be paid at current salary rate.

12.3 Continuous Service. Continuous service shall be service unbroken by separation from the City except that time spent by an employee on military, vacation, sick leave or holiday leave.

12.4 Death or Termination. Upon termination of a regular employee, he shall be paid for all earned but unused vacation time. In case of death, compensation for accrued vacation leave shall be paid in the same manner that any salary due the decedent is paid.

12.5 Accrual. Employees shall be permitted and encouraged to take a portion of, or all of their vacation time depending upon service requirements as determined by the City, but no more than forty (40) hours more than can be earned in a one year period may be accrued at any time without prior approval of the Department Head and City Manager.

12.6 Scheduling. Requests for vacation shall be submitted on a first come first served basis for approval to the Department Head or designee. All employees shall be scheduled for and granted a vacation each year after the completion of probation.

ARTICLE 13 - SICK LEAVE

13.1 Accrual. Full-time employees will earn eight (8) hours of sick leave with pay for each full month worked from date of hire. Part-time employees shall accrue sick leave on a pro-rata basis. A total of 960 hours of sick leave may be accrued by each employee. Upon termination of employment with the City, one-half of the employee's unused accrued sick leave will be converted to the Public Employees Retirement System (PERS) in accordance with PERS rules or its successor as determined by the State of Oregon. In addition, employees with at least twenty (20) years of continuous service with the City and who separate from City employment shall be compensated for one-quarter of their unused accrued sick leave at their base rate of pay at separation.

13.2 Utilization. Sick leave with pay is intended to be utilized when employees are unable to work due to illness or off the job injury and to obtain dental, medical or vision care not covered by workers' compensation. Employees shall notify their supervisor of absence due to illness or injury as early as possible prior to the time they would otherwise report to

work.

The City may require proof of the reason for utilization of sick leave, and may require a physician's verification after more than three (3) consecutive days.

13.3 Family Illness. Sick leave of one day per occurrence may be used in the event of serious illness or injury to a member of the employee's immediate family living in the employee's household which requires the employee's presence to either care for or arrange for the care of said family member. The employee may request additional time providing the Department Head with a written request prior to taking said leave.

13.4 Compassionate Leave. Three (3) days of paid compassionate leave per occurrence may be used in the event of a death of a member of the employee's immediate family to enable the employee to attend and/or make arrangements for the funeral of the family member. An employee may use an additional four (4) days sick leave when needed.

13.5 Immediate Family. For purpose of this Article, the employee's immediate family shall include the employee's spouse, domestic partner, children, parents, mother-in-law, father-in-law, brothers, sisters, grandparents or other dependents living in the employee's household.

13.6 Integration With Worker's Compensation. When an employee must take time off from work as a result of an on the job injury or illness he shall receive compensation as scheduled by the State Compensation Board, and may supplement it with sick leave or vacation pay to equal regular take home pay. Such supplemental pay shall be deducted from the sick or vacation pay entitlement of the employee at the employee's choice.

13.7 Sick Leave Without Pay. Any full-time employee in need of an extended amount of time off due to illness or injury may apply for leave without pay for up to ninety (90) calendar days once all other accrued leave with pay has been depleted.

13.8 Transfer of Sick Leave. Employees who have exhausted all accrued leave benefits may obtain sick leave from other City employees (with their written consent) if they require extended time off for an illness or injury. Only employees with more than 240 hours of accumulated sick leave may make contributions, and no employee may contribute more than 40 hours per year to any other employee. No employee can receive more than 240 hours of contributed sick leave in any one calendar year. Employees receiving leave transfers from other employees must provide written documentation from an attending physician that such leave is required.

ARTICLE 14 - UNION LEAVE

14.1 Stewards. Up to two (2) employees designated by the Union shall be granted time off with pay to participate in labor negotiations and to conduct business as stewards of the Union when such cannot reasonably be done outside working hours.

ARTICLE 15 - OTHER LEAVES OF ABSENCE

15.1 Miscellaneous Leave With Pay. A full-time employee, with approval, is entitled to leave his duties without loss of time, pay, or other benefits for absence caused by:

1. Voting. Time necessary for voting, when the employee is unable to vote before or after working hours, due to an emergency work schedule.
2. Jury Duty/Witness. Employees called for jury duty, or subpoenaed as a witness, shall not suffer a loss of regular City compensation during such absence; however, they shall be required to transfer any compensation received for the performance of such duty to the City. Time not worked because of such duty shall not affect vacation or sick leave accrued. No private civil case of the employee shall be covered by this court leave provision.

15.2 Military and Peace Corps Leave. Military and Peace Corps leave shall be granted as required by applicable law. Employees may use accrued vacation, holiday and compensatory time for official military leave in excess of the employer-paid time provided by statute.

15.3 Leave Without Pay. A full-time employee may be granted leave without pay for a period not exceeding ninety (90) calendar days. Requests for such leave must be in writing, and must establish reasonable justification for approval by the City Manager. No vacation, sick leave, retirement, or other benefits will be continued or accrued during periods of leave without pay.

ARTICLE 16 - SENIORITY

16.1 Definition. Seniority shall be defined as the total continuous length of service within the bargaining unit and within the employee's job classification.

16.2 Seniority List. The City shall provide the Union with copies of the seniority list on July 1 of each year and shall post the list in a conspicuous place available to all employees.

16.3 Lay Off. In the event it becomes necessary to lay off employees for any reason, employees shall be laid off in the inverse order of their classification seniority in their classification provided the employee retained is qualified to perform the work required. The City shall decide in which classification it wishes to lay off employees. The city shall notify affected employees in writing at least thirty (30) days in advance of the effective date of their lay off.

16.4 Bumping. Any employees to be laid off that advanced to their present classification from a lower classification shall have the right to use their seniority to bump into the lower classification if the employee remains qualified to hold such a position. Employees who bump into a lower classification shall suffer no loss of pay until the beginning of the next pay period at which time their salary shall be adjusted to the step in the new range closet to their former salary.

16.5 Recall. Employees shall maintain recall rights for twelve (12) months from date of layoff. Employees shall be recalled from layoff in their classification according to their seniority in that classification provided the employees possess the necessary qualifications. No new employees shall be hired in one of the classifications until all employees in that classification on layoff status desiring to return to work and who still have recall rights have been recalled. Employees must provide the City with their current address and must be available to report to work within seven (7) days of the certified mailing of the recall notice to said address.

16.6 Probationary Period. New employees shall be on probation without seniority for the first twelve (12) months of their employment. During this probationary period employees may be laid off or terminated at the discretion of the City. Probationary employees laid off or terminated shall have no recourse to the grievance procedure of this Agreement. After the appropriate probation period, new employees will be assigned regular work status and given seniority rights as of the last date of employment.

16.7 Promotional Probationary Period. Employees promoted to a higher classification in the bargaining unit shall serve a probationary period of six (6) months. An employee serving a probationary period shall be returned to his former position, if in the City's judgement, his work or conduct is below acceptable standards. The judgement of the City shall not be grievable.

ARTICLE 17 - JOB DESCRIPTIONS

17.1 Job Descriptions. Employees and the Union shall be provided with job descriptions. If during the life of the Agreement the City changes or modifies the job descriptions, such changes or modifications shall be forwarded to the employees and the Union. Nothing in this clause is intended to restrict the right of the City to make such changes. Such changes will be subject to bargaining for wages only upon request by the Union.

ARTICLE 18 - CLOTHING AND EQUIPMENT

18.1 Uniforms. The City agrees to provide clothing and equipment exclusive of footwear, to each employee performing duties in a City-prescribed uniform. The City has full discretion to determine which positions will be assigned a uniform and what the uniform will be. Employees hired prior to July 1, 2005, who are currently provided a City-prescribed uniform, will continue to receive a City-prescribed uniform throughout the term of this agreement.

ARTICLE 19 - MILEAGE AND PER DIEM

19.1 Per Diem. The City shall provide an employee per diem per day for meals and schedule appropriate lodging for an employee with approved overnight travel as per City policy as defined in the City of Brookings employee handbook.

19.2 Mileage. The City will reimburse employees whenever they are directed and authorized to use their personal vehicle for approved City business as per City policy as defined in the City of Brookings employee handbook. .

ARTICLE 20 - RETIREMENT

20.1 Retirement. The city shall pay all required employer contributions for employees into the Oregon Public Employee Retirement System or it's successor as determined by the State of Oregon. The City shall pay the employee's contribution (currently 6%).

ARTICLE 21 - HEALTH INSURANCE

21.1 Medical, Dental and Vision. Eligible employees and their eligible dependents shall have available to them Medical, Dental and Vision Insurance provided by the Oregon Teamster Trust (or equal plan) under the following plans: Medical Plan FW, Dental Plan Five, and Vision Plan Three. The City will pay the premiums for such coverage through December 31, 2008. Effective January 1, 2009, the City will pay the premiums for such coverage up to ten (10) percent above the premium for the preceding month. Any amount above the ten (10) percent increase shall be paid by the employee through payroll deduction. Effective January 1, 2010, the City will pay the premiums for such coverage up to ten (10) percent above the premium for the preceding month. Any amount above the ten (10) percent increase shall be paid by the employee through payroll deduction. Effective January 1, 2011, the City will pay the premiums for such coverage up to ten (10) percent above the premium for the preceding month. Any amount above the ten (10) percent increase shall be paid by the employee through payroll deduction. Payment of premiums for coverage subsequent to June 30, 2011, shall be a matter for collective bargaining.

Eligibility. A full-time employees as defined in Article 1 - Recognition must be on paid status at least eighty (80) hours in the qualifying month to be covered the following month. (Examples: An employee begins employment January 10 and is on paid status the required 80 hours in this month. He is then covered in the month of February. An Employee terminates January 25 after being on paid status the required 80 hours. He then is covered for the month of February. In both cases, if an employee is not on paid status the required 80 hours in January, he would not be covered in February). Paid status does not include overtime hours worked or "cash out" of accrued leave.

It is understood that the concept of "cash out" of accrued leave time (vacation, holiday, compensatory and sick time) does not constitute hours worked or compensated hours. A cash out is when an employee receives payment for accrued leave without actually taking the paid time off or upon termination from employment.

ARTICLE 22 - LIFE INSURANCE

22.1 Life Insurance. The City agrees to provide ten thousand dollars (\$10,000) of term life insurance covering employees against both occupational and non-occupational related death.

ARTICLE 23 - LIABILITY AND INDEMNIFICATION

23.1 Liability Insurance. The City will provide employees with liability insurance providing protection for possible claims arising out of acts committed by the employees in the discharge of their duties and in the course of their employment with the City as required by state law.

ARTICLE 24 - EDUCATIONAL REIMBURSEMENT

24.1 Reimbursement. The City encourages all employees to develop themselves through special training and academic courses. The city will participate in an educational reimbursement program as follows:

1. Approvals for educational reimbursement are within the complete discretion of the City. The City's decisions with regard to educational reimbursement are final and not subject to grievance.
2. For job related courses taken on the employee's own initiative with the City's approval, the City shall reimburse the employee for up to 100% of the cost of tuition and books.
3. All applications for educational reimbursement per section 2 must be submitted in writing accompanied by complete course description materials and be approved by the City prior to the employee taking the course. The employee must receive a passing grade of "C" or above to be eligible for reimbursement. Pass/fail courses will not be reimbursable unless the course provider certifies in writing that the employee's course work was of "C" quality or better.
4. For job related courses taken at the request of the City, the full cost of tuition and books will be paid in advance by the City.

ARTICLE 25 - DISCIPLINE

25.1 Discipline. No regular (non-probationary) employee shall be subject to suspension without pay, demotion, a reduction in pay or termination for other than just cause.

The parties agree that the primary purpose of discipline is constructive rather than punitive, therefore discipline shall generally be progressive. This is not to imply, however, that initial discipline cannot be imposed at an intermediate or even at the most severe level. Discipline shall generally consist, but not necessarily be limited to, the following actions: oral reprimand; written reprimand; reduction in pay; demotion; suspension (with or without pay); and discharge. Oral reprimands/warnings or counselings shall not be placed in an employee's personnel file.

Discipline shall not intentionally be administered in a manner that will embarrass the employee before other employees or the public.

25.2 Discharge. If the City determines there may be just cause for the discharge of an employee, the City shall deliver to the employee a written notice of such possible action. Such notice shall specify the principal grounds for such action. Any protest of the discharge of an employee shall be through the grievance procedure set forth in this Agreement and filed at step 2.

25.3 Right to Representation. An employee who has reasonable suspicion that disciplinary action may result from a meeting with a supervisor has a right, upon request, to have a representative of the Union present at such meeting. The role of the representative shall be in accord with guidelines set forth by the Employment Relations Board.

ARTICLE 26 - USE OF ALCOHOL AND DRUGS

26.1 City Policy Applicability and Employee Rights. The City's Substance Abuse Policy, Article XIX City Employee Handbook, is applicable to bargaining unit employees along with the following employee rights:

1. The employee shall have the right to have a Union representative present during testing procedures. Nothing herein shall restrict the employee's right to representation under general law. However, this provision shall not cause an unreasonable delay in testing nor shall it be allowed to interfere with the authenticity or reliability of the sample.
2. If the results of the laboratory testing procedures are negative, all further testing shall be discontinued. The employee will be provided with a copy of the results and all documentation on the testing will be sealed and maintained in a secure place. Test results will be treated as confidential information by the City and shall be accessible only to the City Manager, Chief of Police and the City's legal counsel.
3. Any employee who tests positive shall be given access to all written documentation provided to the City

from the testing laboratory which verifies the accuracy of the testing equipment used in the process, the chain of custody of the specimen, and the accuracy rate of the laboratory.

4. If the results of the test are negative, the employee shall have the right to grieve in accordance with the grievance process. If the results of these test(s) are positive, neither the Union nor the employee shall have the right to challenge whether reasonable suspicion existed for the ordering of the test.

ARTICLE 27 - PERSONNEL FILES

27.1 Inspection. Each employee shall have the right, upon request, to review and obtain, at his own expense, copies of the contents of his personnel file, exclusive of material received prior to the date of his employment by the City. The official personnel file shall be maintained by the City Manager or his designee.

27.2 Employee Response. An employee may respond, in writing, to any item placed in his personnel file, and said response shall become a part of said file.

27.3 Employee Signature. Each employee shall read and sign any written material that is placed in his personnel file, including merit ratings, written reprimands, demotions, suspensions or discharge. Signing does not necessarily indicate agreement. In accordance with this section, each piece of material of a derogatory nature to be signed by the employee shall bear a statement next to the signature lines that states: "Signing Does Not Necessarily Indicate Agreement".

27.4 Removal of Negative Material. Materials of a negative nature shall be removed from the personnel file after twenty-four (24) months (or thirty-six (36) months in the event of a suspension) if no subsequent discipline has been imposed.

ARTICLE 28 - GRIEVANCE PROCEDURE

28.1 Procedure. A grievance is defined as a dispute concerning an alleged violation of this Agreement. There shall be no right to grieve oral warnings. Should such dispute arise, the following steps shall be used:

Step 1. Department Head. Representatives of the Union or the aggrieved employee(s), with or without the presence of the representative of the Union, shall present the complaint, immediately upon discovery of the alleged infraction but no later than fourteen (14) calendar days after it arises or from the date the employee should reasonably have become aware, to the employee's immediate supervisor. The supervisor shall respond in writing within ten (10) calendar days.

Step 2. City Manager. If the complaint, having been presented to the Department Head in compliance with Step 1, is not satisfactorily resolved at that step, the representative of the Union, may file it as a grievance, in writing, with the City Manager within fourteen (14) calendar days of receipt of the written answer from the Department Head. The written grievance shall include the following:

- a) The nature of the facts describing the problem
- b) Provisions of the Agreement alleged to have been violated
- c) The nature of the remedy sought
- d) The name of the party(s) filing the grievance

The parties shall make earnest effort to reach early agreement on any complaint submitted in compliance with step 2 and shall be permitted to have present at joint discussions of the matter, any person or persons reasonably considered essential to satisfactory settlement. The City Manager shall render a written decision within ten (10) calendar days after receiving the grievance.

Step 3. Arbitration. In the event no agreement is reached in Step 3, either the Union or the City may, within ten (10) calendar days of the date of the City Manager's response, notify the other of its intent to take the matter to arbitration.

If the parties cannot mutually agree on an arbitrator, the moving party shall request from the Employment Relations Board a list of five Oregon arbitrators. The moving party shall strike the first name. The parties shall then alternately strike names from the list until only one remains.

The arbitrator shall set a time and place for hearing which is agreeable to the parties. The arbitrator shall render a decision within thirty (30) days of the hearing.

The authority of the arbitrator shall be limited to determining whether this Agreement has been violated and shall have no power to alter, modify, add to or subtract from the terms of this Agreement. The decision of the arbitrator shall be binding on the parties.

28.2 Expenses. Costs of the arbitrator's services and expenses shall be borne equally by the parties. Each party shall be responsible for the costs of presenting its own case.

28.3 Time Limits. Any time limits specified in this Article may be extended by mutual written agreement of the parties. Otherwise, all parties subject to these procedures shall be bound to the time limits contained herein. If either party fails to follow such limits, the following shall result:

- (a) If the grievant fails to respond in a timely fashion, the grievance shall be deemed waived.
- (b) If the party being grieved against fails to respond in a timely fashion, the grievance shall proceed to the next step.

ARTICLE 29 - NO STRIKE - NO LOCKOUT

29.1 Strike. During the term of this Agreement the Union shall not allow, cause or cause its members to participate in a strike, as defined in ORS 243.726 or 243.732 nor shall it cause them to commit any acts of work stoppage, slow down, or refusal to perform any assigned duties.

29.2 Discipline. Any employee who commits any of the acts prohibited in this Article shall have automatically committed an offense violating just cause standards and shall be subject to immediate discharge or other disciplinary action.

29.3 Union's Responsibility. In the event of a strike or other work stoppage either on the basis of individual choice or collective employee conduct, the Union upon notification shall make a reasonable good faith attempt to secure an immediate and orderly return to work.

29.4 Picket Line. Members of the bargaining unit agree that they will not honor any picket line established by any labor organization when called upon to cross such picket line in the performance of duty.

29.5 Lockout. There will be no lockout of employees in the unit by the City during the term of this Agreement.

ARTICLE 30 - BULLETIN BOARD

30.1 Bulletin Board. A Bulletin Board and space in City Hall and the Public Works Department for same shall be provided by the City. Postings on such Board shall be restricted to official business.

ARTICLE 31 - OUTSIDE EMPLOYMENT

31.1 Application. Employees wishing to engage in off-duty employment must obtain approval from the City Manager by submission of a request in writing. Such written request shall specify the name of the prospective employer, the job title of the position and a description of the nature of work to be performed. In order to be approved, the outside employment must:

- 1. In no way distract from the efficiency of the employee in his work for the City.

2. In no way conflict with the interest of the City or be a discredit to the City.
3. Not take preference over work required by City employment.
4. If the employee is performing the same type of work off-duty as they are on-duty, their wage must be at least the same as their on-duty wage.

31.2 City Response. Written response shall be provided by the City Manager within fifteen (15) days of the request.

31.3 Revocation. It is understood that the City, with just cause, may at any time revoke permission to hold outside employment. Such notification shall be in writing and, except in emergencies, seven (7) days notice shall be given.

ARTICLE 32 - SAVINGS CLAUSE

32.1 Savings Clause. The provisions of this contract are declared severable and if any section, subsection, sentence, clause or phrase of this Agreement shall for any reason be held to be invalid or unconstitutional by any court of competent jurisdiction, administrative agency or by legislative action, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Agreement; but they shall remain in effect, it being the intent of the parties that this Agreement shall stand notwithstanding the invalidity of any part. The parties agree to immediately negotiate a substitute, if possible, for any invalidated portion.

ARTICLE 33 - TERM OF AGREEMENT

33.1 Term. This Agreement shall go into effect at 12:01 a.m. July 1, 2008, and shall remain in effect through June 30, 2011. It shall remain in full force and effect from year to year thereafter unless either the City or the Union shall serve written notice on the other no later than January 1, prior to the expiration date above or any subsequent anniversary date, requesting that the Agreement be opened for modification and/or termination.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed in their respective names by respective representative thereunto duly authorized.

For the City:

For the Union:

Signature

Date

Signature

Date

Title

Title

EXHIBIT "A"
SCHEDULE "A" - WAGES
Effective July 1, 2008
(Reflects a 4.3% COLA)

JOB CLASSIFICATION	R	1	2	3	4	5	6	7
Accounts Receivable Clerk	6	2237	2349	2466	2589	2718	2854	2997
Accounts Payable Clerk	6	2237	2349	2466	2589	2718	2854	2997
Secretary	10	2720	2856	2999	3149	3306	3471	3645
City Planner	16	3644	3826	4017	4218	4429	4650	4883
Senior Planner	14	3305	3470	3644	3826	4017	4218	4429
Building Official	16	3644	3826	4017	4218	4429	4650	4883
Inspector	13	3149	3306	3471	3645	3827	4018	4219
Lead Treatment Plant Operator	12	3150	3308	3473	3647	3829	4020	4221
Treatment Plant Operator	9	2721	2857	3000	3150	3308	3473	3647
Treatment Plant Operator Assistant	5	2238	2350	2468	2591	2721	2857	3000
Parks Foreman	12	2998	3148	3305	3470	3644	3826	4017

Parks Maintenance	6	2237	2349	2466	2589	2718	2854	2997
Public Works Foreman	12	2998	3148	3305	3470	3644	3826	4017
Utility Worker	6	2237	2349	2466	2589	2718	2854	2997
Utility Worker/Mechanic	6	2237	2349	2466	2589	2718	2854	2997
Equipment Operator/Utility Worker	8	2467	2590	2720	2856	2999	3149	3306
Utility Services Technician	8	2467	2590	2720	2856	2999	3149	3306

Effective September 1, 2008, the position of Utility Worker/Mechanic shall be re-classified from Salary Grade 6 to Salary Grade 8.

The City shall retain the services of the Local Government Personnel Institute (LGPI) to conduct a comprehensive classification and compensation study. The City and the Union shall meet with LGPI representatives to determine the study criteria. Said study shall be completed no later than May 30, 2009. The City and the Union agree that upon completion of said study, this contract shall be re-opened to negotiate appropriate adjustments to the wage schedule.

Effective July 1, 2009, the pay for bargaining unit employees shall be increased by the All Cities CPI-W March 2008 to March 2009 index, with a minimum of three (3) percent and maximum of five (5) percent.

Effective July 1, 2010, the pay for bargaining unit employees shall be increased by the All Cities CPI-W March 2009 to March 2010 index, with a minimum of three (3) percent and maximum of five (5) percent.

MINUTES
BROOKINGS PLANNING COMMISSION
August 5, 2008

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:02 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Ken Bryan	Hedda Markham
Randy Gorman	Cheryl McMahan

Commissioners Absent: Juliane Leighton, Bruce Nishioka, and Steve Bismarck

Staff Present: Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Cathie Mahon.

Other: Approximately 30 participants in the audience and Coastal Pilot reporter Kurt Madar.

CHAIR ANNOUNCEMENTS

The Chair announced a quorum was present and opened the public hearing.

WRITTEN REQUEST and COMMUNICATIONS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. The Chair opened the public hearing at 7:04 p.m., and announced the public hearing for File No. **DDP-1-08**, a request for approval of a Detailed Development Plan (DDP) on a 10 acre site and a subdivision creating this 10 acre parcel and platting a street from an 80 acre parent parcel; located on the easterly side of Highway 101 and Carpenterville Road; Assessor's Map 40-14-00, Tax Lot 2400; zoned Master Plan Development (MPD); Southwestern Oregon Community College, applicant. Criteria used to decide this application can be found in Chapter 17.70-Master Plan Development District, Chapter 17.100-Hazardous Building Site Protection Hillside Development Standards, Chapter 17.168-Utilities, Chapter 17.170-Street Standards, and Chapter 17.172.070- Subdivisions, of the Brookings Municipal Code.

No exparte contact, personal bias, personal interest, or conflicts were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

Planning Director Morris explained the criteria for the request before the Commission. Supplemental B consisting of 15 letters and documents submitted between July 23, 2008 and August 5, 2008, was entered into the record from the following:

Exhibit B-1	Delos Devin Oregon Dept. of Forestry-Coos District	e:mail correspondence
Exhibit B-2	Ben Mundie DOGAMI	e:mail correspondence
Exhibit B-3	Susan Lynn White-Asst. State Archaeologist State Historic Preservation Office Salem, OR	e:mail correspondence
Exhibit B-4	Lori Warner-Dickason-Western Region Manager Wetland and Waterway Conservation Dept. of State Lands-Salem, OR	e:mail correspondence
Exhibit B-5	Dennis Boyle, Director of Tio Tinto, Affiliate of US Borax, Greenwood Village, CO	1-page letter
Exhibit B-6	Dennis Griffin, State Archaeologist-Salem Parks & Rec-Heritage Conservation Div.	e:mail correspondence
Exhibit B-7	Craig Tuss, US Department of Interior Fish & Wildlife Service-Field Office Roseburg, OR	2-page letter
Exhibit B-8	Allan Haddox, Chairman of Rainbow Rock Condo Assoc. 17744 N. Highway 101 #100, Brookings	2-page letter
Exhibit B-9	Pete Chasar, 935 Marina Hts, Brookings	1 page letter
Exhibit B-10	EGR & Associates, Engineers, Geologists, and Surveyors Eugene, OR	5-page document
Exhibit B-11	Pat Sherman, P. O. Box 1140, Brookings	9 page document
Exhibit B-12	CRAG-Law Center, Portland James Brown on behalf of Oregon Shores and Catherine Wiley	20 page document
Exhibit B-13	Bill & Cate Yocum, Brookings, OR	e:mail correspondence
Exhibit B-14	Michelle McCormick, Harbor	e:mail correspondence
Exhibit B-15	Steve Major, P.E. City Engineer Dyer Partnership, Coos Bay, OR	e:mail correspondence

Exhibit C was submitted at the meeting by:

Pat Sherman

1 page letter + 2 page copy of Chapter 17.168-Public Facilities

The following gave testimony regarding the request:

Mike Crow, applicant's representative	125 W. Central Avenue	Coos Bay, OR
Cherie Mitchell	423 Buena Vista Loop	Brookings, OR
Judith Hanson, SWOCC President	1988 Denmark	Coos Bay, OR
Wayne Krieger, State Legislator		Gold Beach, OR
Jason Wood, Dean of SWOCC in Brgs.	420 Alder St.	Brookings, OR
Dave Kitchen	864 Jodee Lane	Brookings, OR
Peggy Goergen, former SWOCC Dean	1227 Collis Lane	Brookings, OR
Dr. Edmiston	18831 Montbretia Lane	Brookings, OR
Leslie Wolf	17440 Bluff Drive	Brookings, OR
Richard Brooks	P. O. Box 174	Smith River, CA
Suntayea Steinruck	140 Rowdy Creek Rd.	Smith River, CA
Don Mitchell	423 Buena Vista Loop	Brookings, OR
Pete Chasar	935 Marina Heights Rd.	Brookings, OR
Pat Sherman	P. O. Box 1140	Brookings, OR
Yvonne Maitland	15676 Oceanview Drive	Harbor, OR

The Chair noted Exhibit 12, a letter from James D. Brown, CRAG attorney, that on behalf of *Oregon Shores Conservation* and Catherine Wiley, requesting that the record remain open for additional evidence, argument, or testimony. The Public Hearing concluded at 8:37 p.m.

The Chair announced the hearing will be continued on this matter at the Public Hearing on Tuesday, September 2, 2008, at 7:00 p.m. in City Hall Chambers.

Chair Markham outlined the time table frame for the continuation:

- From Wednesday, August 6, 2008, until 4:30 p.m. on Tuesday, August 12, 2008, anyone who participated in the hearing would be allowed to submit additional written testimony and/or evidence.
- From Wednesday, August 13th through Tuesday, August 19th, anyone who participated in the hearing may provide written rebuttal only to the testimony and/or evidence submitted during the prior seven days. No new evidence may be submitted.
- From Wednesday, August 20th to no later than 4:30 p.m. on Tuesday, August 26th, the applicant will be allowed to submit written argument to the testimony and/or testimony submitted during the first two seven day periods. No new evidence may be submitted during this period.

At 8:38 p.m. a short recess was declared. The meeting reconvened at 8:44 p.m.

2. The Chair opened the public hearing at 8:44 p.m. and announced the continuation of File No. **CP-1-08**, a request to consider an adoption of the "*Storm and Surface Water Facilities Plan for the Brookings-Harbor Area*." This plan, which is to be jointly adopted by the City of Brookings and Curry County, addresses storm and surface water issues within the Urban Growth Boundary. The Planning Commission will make a recommendation to City Council.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

Testimony and documents were received from the following:

Exhibit D	Tom Huxley 15877 Pelican Bay Drive Brookings	3-page letter 10-page attachment 6 photos
Exhibit E	Maggi Runyan P. O. Box 6537, Brookings	1 page of comments
Exhibit F	Yvonne Maitland 15676 Oceanview Drive, Harbor	2 page letter with 5 pg. attachments
Harry Harms	General Manager of Hastings Bulb Growers, Inc. P. O. Box 2155, Harbor	

A short recess was taken from 9:15 p.m. to 9:18 p.m.

Discussion ensued. Due to a multitude of questions and language concerns by the Commission, Planning Director Morris suggested a continuation of the matter.

Chair Markham made a motion to continue File No.CP-1-08. The motion passed by a 4-0 vote.

Chair Markham declared a continuation and announced the meeting would be held on August 19, 2008 at 7:00 p.m. in City Council Chambers.

COUNTY REFERRELS

None.

APPROVAL of MINUTES

By a 4-0 vote (motion: Commissioner McMahan) the Planning Commission approved the minutes of July 1, 2008.

COMMENTS by the PLANNING STAFF

- Planning Director Morris discussed an "*Economic Development Opportunity Survey*" and encouraged the commissioners to participate. The survey is on the city web page-www.brookings.or.us/.
- Morris informed the commission that a second meeting for the month has been scheduled. The Public Hearing will be August 19, 2008, at 7:00. Items on the agenda are: a request for an extension for File No. PUD-1-07, a Planned Unit Development known as *Ocean Winds of Brookings*, and two amendments to the Brookings Municipal Code: Workforce Housing, and General Commercial zone (C-3).

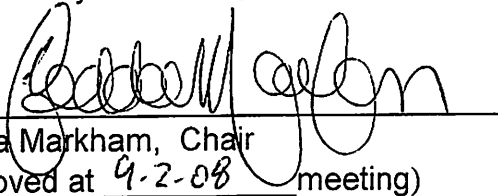
COMMISSIONERS COMMENTS

None.

ADJOURNMENT:

With no further business before the Planning Commission, Chair Markham made a motion to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Hedda Markham', is written over a horizontal line.

Hedda Markham, Chair
(approved at 9-2-08 meeting)

BROOKINGS PLANNING COMMISSION MINUTES

August 19, 2008

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck	Hedda Markham
Ken Bryan	Cheryl McMahan
Randy Gorman	Bruce Nishioka (late)
Juliane Leighton	

Staff Present: Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Cathie Mahon.

Other: Approximately 3 participants in the audience and Coastal Pilot reporter Arwyn Rice.

CHAIR ANNOUNCEMENTS

None.

WRITTEN REQUEST and COMMUNICATIONS

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

1. By a 6-0-1 vote (motion: Commissioner Bismarck-Commissioner Nishioka arrived late and could not participate in the vote) the Planning Commission approved the request for a one-year extension for File No. **PUD-1-07/SUB-2-07**, a Planned Unit Development and Subdivision named *Ocean Winds of Brookings*, to divide a 4.69 acre parcel into 40 dwelling units; located on the terminus of Lucky Lane; Assessor's Map 41-13-06BD, Tax Lots 2000, 2300, and 2302; Jeffrey McCollum, applicant for So. Curry Development LLC.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. The Chair opened the public hearing for the continuation of File No. **CP-1-08** at 7:06 p.m. The request is to consider the adoption of the "*Storm and Surface Water Facilities Plan for the Brookings-Harbor Area*." This plan, which is to be jointly adopted by the City of Brookings and Curry County, addresses storm and surface water issues within the Urban Growth Boundary.

Planning Director Morris outlined several options to obtain answers to address concerns raised by the Commission. David Pratt, Curry County Planning Director, will be contacting Dan Crumley, Curry County Roadmaster; and Amanda Punton, DLCD (Department of Land Conservation and Development). The County and City are pursuing grant funds to hire HGE consultants to address those concerns. It is recommended that

matter be continued until the Planning Commission's October 7, 2008 meeting.

Chair Markham made a motion to continue File No. **CP-1-08** to October 7, 2008, at 7:00 p.m. in City Council Chambers. The motion passed 5-0-2 with Commissioners Leighton and Nishioka abstaining due to being absent.

Secretary note for the record: The initial hearing for **CP-1-08** was held July 1, 2008, and Commissioner Nishioka was absent. The meeting was continued to August 5, 2008, at which time Commissioners Leighton, Nishioka, and Bismarck were absent. Commissioner Bismarck claimed participation eligibility for **CP-1-08** at tonight's meeting based on his review of both the written material and the video recording of the August 5th meeting.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

2. The Chair opened the public hearing at 7:15 p.m. for File No. **LDC-10-08**, an amendment to Chapter 17.180-Workforce Housing, of the Brookings Municipal Code. City initiated. The Chair announced the hearing was legislative and the Commission will make a recommendation to the City Council. The criteria used to decide the matter is found in Chapter 140-Amendments, of the B.M.C.

Planning Director Morris distributed to the commissioners nine (9) aerial maps highlighting the R-3 multi-family areas within the City of Brookings. Discussion ensued on "Accessory Dwelling Units" (ADUs), and a few changes to the document. Those changes will be noted before going before City Council on September 22, 2008.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request. The Public Hearing was closed at 7:40 p.m. and a vote was taken.

By a 7-0 vote (Motion: Commissioner Bismarck) the Planning Commission voted to forward to City Council the amended document with a favorable recommendation for File No. **LDC-10-08**.

A short recess was taken from 7:42 p.m. to 7:45 p.m.

3. The Chair opened the public hearing at 7:45 p.m. for File No. **LDC-11-08**, an amendment to Chapter 17.52- General Commercial (C-3) District, of the Brookings Municipal Code. City initiated. The criteria used to decide this matter is found in Chapter 17.140-Amendments, of the BMC. This is a legislative hearing and the Planning Commission will make a recommendation to City Council.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

The action was taken following questions and comments regarding the request from the following:

Exhibit B

Senior Planner Colby-Hanks read into the record a letter from

Bernie Bishop of Bishop Mazda 365 Wharf Street Brookings

Testimony was received from:

Ron Walker, President of Coast Auto Center 530 Chetco Avenue Brookings, OR

By a 4-3 vote (Motion: Commissioner Bismarck) the Planning Commission voted to forward to City Council a favorable recommendation for File No. **LDC-11-08**. Commissioners Bismarck, McMahon, Bryon, and Markham voted in favor of motion, Commissioners Gorman, Nishioka, and Leighton cast the dissenting vote(s).

COUNTY REFERRELS

None.

APPROVAL of MINUTES

None.

COMMENTS by the PLANNING STAFF

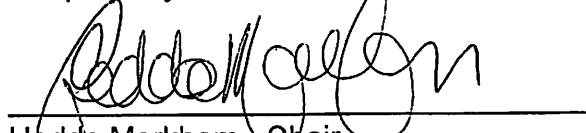
- Planning Director Morris discussed the "*Economic Development Opportunity Survey*". There has been a positive participation with over 140 participants responding. Agencies like the Chamber of Commerce have been encouraging residents to take the survey.
- Web page-www.brookings.or.us/.
- The data will be compiled and a hand-out is expected sometime in October.

COMMISSIONERS COMMENTS

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 8:37 p.m.

Respectfully submitted,



Hedda Markham, Chair

(approved at 9-2-08 meeting)

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
08/08	08/04/2008	60042	322	Postmaster	10-00-2005	720.00
08/08	08/06/2008	60043	4278	Alissa Jenkins Paulson	10-00-2005	40.00
08/08	08/06/2008	60044	3581	ALSCO	10-00-2005	114.68
08/08	08/06/2008	60045	1985	American Water Works Assn	10-00-2005	198.50
08/08	08/06/2008	60046	110	Brookings Harbor Auto Parts	10-00-2005	99.76
08/08	08/06/2008	60047	4274	Bruce, Denette	10-00-2005	102.82
08/08	08/06/2008	60048	2364	C&S Fire-Safe Services	10-00-2005	1,030.25
08/08	08/06/2008	60049	1840	Chetco Federal Credit Union	10-00-2005	3,053.00
08/08	08/06/2008	60050	822	Coast Auto Center	10-00-2005	444.98
08/08	08/06/2008	60051	1745	Coastal Paper & Supply, Inc	10-00-2005	234.90
08/08	08/06/2008	60052	2542	Crystal Fresh Bottled Water	10-00-2005	42.50
08/08	08/06/2008	60053	173	Curry Equipment Company	10-00-2005	95.85
08/08	08/06/2008	60054	4276	Custom Leases	10-00-2005	37.29
08/08	08/06/2008	60055	284	Day-Wireless Systems	10-00-2005	269.00
08/08	08/06/2008	60056	3342	Fastenal	10-00-2005	63.30
08/08	08/06/2008	60057	153	Ferrellgas	10-00-2005	371.96
08/08	08/06/2008	60058	4273	Gilliver, David	10-00-2005	63.58
08/08	08/06/2008	60059	4275	Gower, George	10-00-2005	69.52
08/08	08/06/2008	60060	4272	Juarez, Monica	10-00-2005	24.19
08/08	08/06/2008	60061		Information Only Check	10-00-2005	.00 V
08/08	08/06/2008	60062	162	Kerr Hardware	10-00-2005	854.00
08/08	08/06/2008	60063	1397	L N Curtis	10-00-2005	607.00
08/08	08/06/2008	60064	386	Lab Safety Supply Inc	10-00-2005	42.33
08/08	08/06/2008	60065	155	Mory's	10-00-2005	31.89
08/08	08/06/2008	60066	424	Munnell & Sherrill	10-00-2005	123.72
08/08	08/06/2008	60067	4277	Oce Financial Services, Inc.	10-00-2005	246.00
08/08	08/06/2008	60068	3610	VOID - OPI 2008	10-00-2005	540.00
08/08	08/06/2008	60069	322	Postmaster	10-00-2005	720.00
08/08	08/06/2008	60070	1193	PRN Data Services, Inc	10-00-2005	175.00
08/08	08/06/2008	60071	199	Richard Harper	10-00-2005	300.00
08/08	08/06/2008	60072	3872	Staples Business Advantage	10-00-2005	184.90
08/08	08/06/2008	60073	179	Trew & Cyphers LLP	10-00-2005	3,326.00
08/08	08/06/2008	60074	3611	Trivekta Corp	10-00-2005	27.07
08/08	08/06/2008	60075	4280	Tyler, Aaron	10-00-2005	47.89
08/08	08/06/2008	60076	978	U.S. Bank	10-00-2005	425.00
08/08	08/06/2008	60077	861	Village Express Mail Center	10-00-2005	6.84
08/08	08/06/2008	60078	108	VWR International Inc	10-00-2005	171.38
08/08	08/06/2008	60079	4219	Willdan	10-00-2005	2,600.00
08/08	08/13/2008	60080	370	VOID - CCIS	10-00-2005	.00 M
08/08	08/14/2008	60081	4285	Alexander, Chris & Bobbie	10-00-2005	6.03
08/08	08/14/2008	60082	4286	BAKER, DELORES	10-00-2005	29.61
08/08	08/14/2008	60083	304	Beckwith & Kuffel	10-00-2005	353.47
08/08	08/14/2008	60084	148	VOID - B-H Chamber of Commerce	10-00-2005	4,155.49
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08/08	08/14/2008	60086	4290	BROWN, DENNIS	10-00-2005	102.63
08/08	08/14/2008	60087	3015	Charter Communications	10-00-2005	84.90
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08/08	08/14/2008	60089	4287	COITO, DAVID	10-00-2005	10.39
08/08	08/14/2008	60090	183	Colvin Oil Company	10-00-2005	4,468.25
08/08	08/14/2008	60091	182	Coos-Curry Electric	10-00-2005	3,638.99
08/08	08/14/2008	60092	3375	CORRPRO Waterworks	10-00-2005	275.00
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08/08	08/14/2008	60097	166	Dan's Auto & Marine Electric	10-00-2005	196.06
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08/08	08/14/2008	60104	198	Grants Pass Water Lab	10-00-2005	175.00
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08/08	08/14/2008	60106	4284	ICI Paints	10-00-2005	491.86
08/08	08/14/2008	60107	4171	In-Motion Graphics	10-00-2005	87.75
08/08	08/14/2008	60108	4190	Integra Telecom	10-00-2005	1,565.99
08/08	08/14/2008	60109	4288	Johnson, Caleb	10-00-2005	12.00
08/08	08/14/2008	60110	3756	Newark InOne	10-00-2005	79.78
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08/08	08/14/2008	60112	4224	Oce Imagistics, Inc.	10-00-2005	7.77
08/08	08/14/2008	60113	279	One Call Concepts, Inc	10-00-2005	19.95
08/08	08/14/2008	60114	1561	VOID - Pacific Coast Hearing Center	10-00-2005	85.00
08/08	08/14/2008	60115	252	Paramount Pest Control	10-00-2005	38.00
08/08	08/14/2008	60116	4053	Patti JG Dunn	10-00-2005	1,171.97
08/08	08/14/2008	60117	187	Quality Fast Lube & Oil	10-00-2005	185.00
08/08	08/14/2008	60118	207	Quill Corporation	10-00-2005	2,005.49
08/08	08/14/2008	60119	180	Ray's Food Place	10-00-2005	135.72
08/08	08/14/2008	60120	4289	Region 5 Training Council	10-00-2005	50.00
08/08	08/14/2008	60121	169	Roto Rooter	10-00-2005	198.00
08/08	08/14/2008	60122	4282	Sea-Port Technical Controls	10-00-2005	5,065.21
08/08	08/14/2008	60123	2640	The Dyer Partnership Inc	10-00-2005	4,027.50
08/08	08/14/2008	60124	142	Tidewater Contractors Inc	10-00-2005	6,805.42
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08/08	08/14/2008	60126	991	Verizon Northwest	10-00-2005	597.33
08/08	08/14/2008	60127	4281	Whirry, Darrell	10-00-2005	200.00
08/08	08/14/2008	60128	4131	Zumar Industries Inc	10-00-2005	643.20
08/08	08/14/2008	60129	313	Brookings Vol Firefighters	10-00-2005	4,166.66
08/08	08/15/2008	60130	148	VOID - B-H Chamber of Commerce	10-00-2005	427.35
08/08	08/18/2008	60131	148	B-H Chamber of Commerce	10-00-2005	427.35
08/08	08/22/2008	60132	4294	American Water Works Assoc.	10-00-2005	59.50
08/08	08/22/2008	60133	528	Caselle, Inc	10-00-2005	750.00
08/08	08/22/2008	60134	3015	Charter Communications	10-00-2005	1,062.97
08/08	08/22/2008	60135	1740	Code Publishing Company Inc	10-00-2005	729.30
08/08	08/22/2008	60136	182	Coos-Curry Electric	10-00-2005	1,270.96
08/08	08/22/2008	60137	317	DCBS - Fiscal Services	10-00-2005	640.88
08/08	08/22/2008	60138	749	Emerald Pool & Patio	10-00-2005	36.00
08/08	08/22/2008	60139	3342	Fastenal	10-00-2005	145.70
08/08	08/22/2008	60140	4291	Gardiner, Rhonda	10-00-2005	93.00
08/08	08/22/2008	60141	598	Hydraflo, Inc	10-00-2005	335.94
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08/08	08/22/2008	60151	2351	Perrine Industrial Elect Inc	10-00-2005	1,891.00
08/08	08/22/2008	60152	866	Pitney Bowes Global Financial	10-00-2005	137.00
08/08	08/22/2008	60153	1193	PRN Data Services, Inc	10-00-2005	1,163.00
08/08	08/22/2008	60154	207	Quill Corporation	10-00-2005	795.40
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08/08	08/22/2008	60159	2640	The Dyer Partnership Inc	10-00-2005	4,077.50
08/08	08/22/2008	60160	4293	TURNER, CHRISTA	10-00-2005	695.97
08/08	08/22/2008	60161	861	Village Express Mail Center	10-00-2005	23.04
08/08	08/22/2008	60162	4131	Zumar Industries Inc	10-00-2005	1,182.00
08/08	08/28/2008	60163	4297	AKIN, ERNEST	10-00-2005	6.35
08/08	08/28/2008	60164	416	Brookings Lock & Safe Co	10-00-2005	7.50
08/08	08/28/2008	60165	4296	CHAPPIE, JOHN P	10-00-2005	8.63
08/08	08/28/2008	60166	822	Coast Auto Center	10-00-2005	20.85
08/08	08/28/2008	60167	183	Colvin Oil Company	10-00-2005	4,151.23
08/08	08/28/2008	60168	182	Coos-Curry Electric	10-00-2005	14,282.98
08/08	08/28/2008	60169	3135	David Gordon	10-00-2005	52.52
08/08	08/28/2008	60170	484	DMV	10-00-2005	8.50
08/08	08/28/2008	60171	2117	Edge Wireless	10-00-2005	200.27
08/08	08/28/2008	60172	3342	Fastenal	10-00-2005	489.00
08/08	08/28/2008	60173	152	FedEx	10-00-2005	20.65
08/08	08/28/2008	60174	4295	GARDNER, ANGELA	10-00-2005	70.55
08/08	08/28/2008	60175	269	Grainger	10-00-2005	116.04
08/08	08/28/2008	60176	131	HGE, Inc	10-00-2005	1,850.75
08/08	08/28/2008	60177	3678	Kenneth Manuele	10-00-2005	239.00
08/08	08/28/2008	60178	3978	KLB Enterprises	10-00-2005	65.00
08/08	08/28/2008	60179	3561	Oil Can Henry's	10-00-2005	33.29
08/08	08/28/2008	60180	4299	Oregon Department of Energy	10-00-2005	302.94
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08/08	08/28/2008	60182	3824	ProPet Distributors	10-00-2005	213.15
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08/08	08/28/2008	60188	990	United Parcel Service	10-00-2005	48.82
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08/08	08/29/2008	60191	4285	Alexander, Chris & Bobbie	10-00-2005	80.60
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08/08	08/29/2008	60193	1373	Cascade Fire Equipment	10-00-2005	125.00
08/08	08/29/2008	60194	2339	Coastal Window Tinting	10-00-2005	300.00
08/08	08/29/2008	60195	4283	Dairy, Anita	10-00-2005	72.92
08/08	08/29/2008	60196	4303	ENGLISH, SHARALEE	10-00-2005	9.02
08/08	08/29/2008	60197	269	Grainger	10-00-2005	42.84
08/08	08/29/2008	60198	4284	ICI Paints	10-00-2005	67.82
08/08	08/29/2008	60199	1397	L N Curtis	10-00-2005	1,389.45
08/08	08/29/2008	60200	328	Les Schwab Tire Center	10-00-2005	476.81
08/08	08/29/2008	60201	2484	Nat'l Hose Testing Spec Inc	10-00-2005	2,016.25
08/08	08/29/2008	60202	293	Petty Cash	10-00-2005	156.37
08/08	08/29/2008	60203	4300	POTTER, JASON	10-00-2005	45.44
08/08	08/29/2008	60204	4301	Rainbow Carpet & Upholstery	10-00-2005	745.00
08/08	08/29/2008	60205	4304	SANFORD, DENISE	10-00-2005	67.62
08/08	08/29/2008	60206	517	Santiam Emergency Equipment	10-00-2005	2,535.00
08/08	08/29/2008	60207	1292	Sparling Instruments Inc	10-00-2005	28.16
08/08	08/29/2008	60208	2736	StopTech Ltd	10-00-2005	412.75
08/08	08/29/2008	60209	4302	WEICHERS, CLINTON	10-00-2005	63.63
08/08	08/29/2008	60210	4219	Willdan	10-00-2005	11,041.25

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
Totals:						405,617.62

Dated: _____

Mayor: _____

City Council: _____

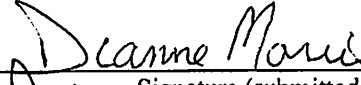
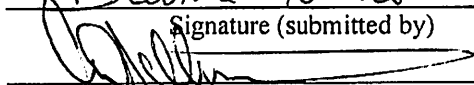
City Recorder: _____

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 8, 2008

Originating Dept: Planning


Signature (submitted by)

City Manager Approval

Subject: Resolution to adopt Mural Guidelines.

Recommended Motion: Approve a resolution adopting Mural Guidelines. Approve a resolution creating a "Public Art Committee" and direct Staff to advertise to fill the openings.

Financial Impact: A fee will be required with each mural application. Any financial impact from fees or staff time will be minimal.

Background/Discussion: The Land Development Code (LDC) Committee discussed murals and then turned the development of these guidelines over to Committee member Pete Chasar, an experienced local artist. The LDC Committee made minor changes to the draft guidelines and application upon review.

The City adopted a revised sign ordinance, 08-O-608, which became effective May 27, 2008. This ordinance exempts murals from sign regulations and states that murals must be reviewed by the Site Plan Committee and conform to general guidelines. The attached Guidelines authorize the City Council to appoint a Public Art Committee to act as the review body for murals rather than the Site Plan Committee. Staff prefers this option as the Public Art Committee is proposed to have a majority of individuals with art backgrounds. If the Council chooses to approve this resolution, Staff will pursue a revision to the sign ordinance in the near future to reference the Public Art Committee or the Site Plan Committee. This will leave the Site Plan Committee in place as a back up review body in case there are difficulties finding volunteers to serve on the new Committee. There has also been discussion about the potential for other types of public art to be displayed in the City. Review of these future proposals could be handled by this new Committee as well. The Committee would meet on an as-needed basis when applications are submitted.

The suggested composition of the Public Art Committee would be five members, three which reside within the City of Brookings, while the remaining two could reside within the Brookings Urban Growth Boundary. It would be appropriate for three members to have an art background (i.e. teacher, artist, collector, gallery owner). A City Staff person would also attend these meetings. At the formation of the Committee, two positions could expire January 1, 2010 with

the remaining three expiring on January 1, 2011. There after, all terms would be for three years. The members will vote on a chair at their first meeting and annually at the first meeting of each new year thereafter. The attached ordinance to create the Public Art Committee contains the details concerning the duties and organization.

Pete Chasar will be attending the Council meeting to provide a brief presentation on the mural guidelines and the Public Art Committee.

Policy Considerations: N/A

Attachment(s):

Attachment "A" - Resolution 08-R-903 Mural Guidelines

Attachment "B" - Mural application

Attachment "C" - Resolution 08-R-905 Public Art Committee

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

IN THE MATTER OF A RESOLUTION
ADOPTING A SET OF GUIDELINES TO BE
USED IN REVIEWING PROPOSALS FOR
MURALS WITHIN THE CITY OF
BROOKINGS.

RESOLUTION 08-R-903

WHEREAS, the City of Brookings adopted Ordinance 08-O-608, amending Chapter 17.88, Sign Regulations, of the Brookings Municipal Code, which became effective May 27, 2008; and

WHEREAS, Chapter 17.88 now requires murals to conform to general guidelines;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the general guidelines for mural applications, as shown in Exhibit A, be adopted; and

BE IT FURTHER RESOLVED that a fee for the mural permit be set and updated annually by Master Fee Resolution.

Adopted by Council and made effective on the _____ of _____, 2008.

Dated and signed this _____ day of _____, 2008.

Attest:

Mayor Larry Anderson

City Recorder Joyce Heffington

MURAL GUIDELINES

Design and Review Criteria for Murals

Definition: A mural is a painting, mosaic, fresco, or other permanent artwork attached or applied directly to the outside of a structure.

General Guidelines

These guidelines provide anyone who wants to install a mural with a reasonable process that safeguards both the interests of the community and those of the individual building/property owner. The guidelines are designed to assure that murals within the City of Brookings enhance the community's appearance, without confusing drivers and/or pedestrians or causing any other negative impact on public safety or welfare.

In reviewing proposals for public (outdoor) murals, all of the following criteria will be considered:

Is the location appropriate?

Some locations may simply be inappropriate for murals, due to safety issues, potential maintenance problems, or complicated building geometry.

Too many murals?

To avoid the appearance of blight, the number of murals may have to be limited. If your neighborhood already has several murals, chances are, your mural proposal will not be approved.

How big is too big?

By their very nature, murals are large artworks. But, when murals become so large as to overwhelm the local streetscape and/or become a visual distraction, they are not likely to gain approval.

No logos or advertising, please!

Murals are considered public art, not billboards or signs. Murals containing logos, slogans, or advertising messages of any kind are considered signs and must comply with Chapter 17.88, Sign Regulations, Brookings Municipal Code (BMC).

Detailed mural guidelines and criteria

In addition to the general guidelines above, the Site Plan Committee, or a Public Art Committee appointed by the City Council, will evaluate mural proposals based on the following:

Design and content

- Relevance of the piece to the building or city, its values, culture, and people — murals within the city of Brookings should be based on one or more of the following themes: natural beauty; history and/or Native American heritage; logging, fishing, local agriculture or other relevant themes;
- Suitability of the work for outdoor display, including its maintenance and conservation requirements;
- Relationship of the work to the site and the community, especially how it serves to activate or enhance public space;
- Appropriateness of the scale of the artwork.

Site selection

In order to ensure that public art is fairly and equitably distributed throughout the city, and that it is sited in such a way as to enhance and activate public spaces, sites where murals are to be displayed should:

- Experience high levels of pedestrian traffic and be part of the city's circulation paths;
- Be easily visible and accessible to the public;
- Serve to anchor and activate its site;
- Enhance the overall public environment and pedestrian streetscape experience;
- Help to create a place of congregation and activity;
- Establish landmarks and neighborhood gateways.

Placement

The following are guidelines for mural placement:

- Mural art should be publicly accessible 24 hours per day, or, during the normal hours of operation if in a park.
- It should not obscure windows or entranceways, nor disrupt normal pedestrian circulation unless that is the purpose of the artwork..
- It should not be placed in a given site if it disrupts the site's landscaping and maintenance requirements.
- It should not be so large as to overwhelm adjacent architecture or become a visual distraction.
- It should not detract from its surroundings nor create "blind" spots where illegal activity can take place.
- It should be located in a site where it will enhance and activate the pedestrian and the streetscape experience.

Construction and Maintenance

1) Murals shall be well designed and incorporate high-quality materials that enhance the overall appearance of the site and not adversely affect safe and efficient movement of vehicles and pedestrians. Materials may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.

2) Colors, though vibrant, should be complimentary and harmonious with the exterior colors of the building structure, as well as consistent with the chosen theme. Neon, fluorescent, or reflective-type colors or materials are discouraged.

3) The mural shall be designed and painted by a qualified artist/muralist, one with sufficient knowledge and experience with the application of mural materials.

4) Mural size shall be determined by the wall surface to be covered. Smaller walls may be completely covered. On large walls, murals should be large enough to dominate the wall surface, but not so large as to overwhelm the local streetscape. Generally, one mural will be permitted per structure.

5) As indicated above, no advertising, logos, or political messages will be allowed. The mural artist's signature may appear, provided that it is not so prominent as to detract from the mural display.

6) The proposed mural, by its design, construction, and location, shall not obscure or detract from the significant architectural features of the building structure; nor should the building's architecture be altered to accommodate the mural.

7) The proposed mural, by its design, construction, and location, shall not have an adverse impact on adjacent properties or permitted uses. If the mural requires special lighting or other related construction, all applicable permits will be required as part of installation.

8) *Routine maintenance of an artwork becomes the responsibility of the building owner where the artwork is located.* As part of the contractual requirements, the artist should develop a maintenance program in cooperation with the building owner or manager for the proper long-term care of the artwork.

If, for whatever reason, the mural falls into disrepair, the building owner will be notified in writing and required to make necessary repairs within 60 days. If the repairs are not made within the specified time, the city reserves the right to repair or remove the mural at the owner's expense. The process found in BMC 8.15.090, General Abatement Procedure, will be followed.

Application Review and Approval Process

An applicant desiring to install a mural on a building in Brookings is required to submit a formal application, a scaled color rendering of the proposed project, and a photograph showing the building location of the proposed mural.

Mural proposals that do not meet all of the design criteria/guidelines may be denied by the Site Plan Committee, or the Public Art Committee, or accepted with required modifications. Applicants whose proposals are denied may appeal to the City Council per Ordinance 08-0-000.

Schedule:

Mural installation must begin within 60 days of approval, and must be completed within six months of the start date. If these dates are not met, the Site Plan Committee, or the Public Art Committee, may, at its discretion, cancel the mural permit. A one-time extension for an additional 60 days may be granted if the request is submitted in writing prior to the end of the initial 60-day period.



CITY OF BROOKINGS
Site Plan Committee or Public Art Committee

APPLICATION — Exterior Mural

FEE - \$130.

1. Proposed Mural location

Address: _____

Tax Map & Lot Number: _____

2. Brief description of mural, including its artistic concept and theme:

Attach a scaled color rendering of the proposed artwork on a sheet no larger than 11" X 17" (or on a CD as a JPEG or PDF file with maximum resolution of 200 PPI). Also attach a photo or digital image of the building surface where the mural will be applied.

3. Maintenance program details

Provide a copy of a signed maintenance agreement.

Close inspection of mural and any required maintenance will be performed at least once a year. If not by original artist(s), specify conservator information:

Name: _____

Address: _____

City/State/Zip: _____

Phone, Work: _____ Home: _____ Cell: _____

4. Planned start date of mural project: _____

Planned completion date: _____

5. Property owner Information:

Name: _____

Address: _____

City/State/Zip: _____

Phone, Work: _____ Home: _____ Cell: _____

6. Applicant, if other than property owner:

Name: _____ Signature: _____
Address: _____
City/State/Zip: _____
Phone, Work: _____ Home: _____ Cell: _____

7. Artist information and qualifications: (If more than one, attach additional sheets.)

Name: _____
Address: _____
City/State/Zip: _____
Phone, Work: _____ Home: _____ Cell: _____

Also attach artist resume(s).

8. CERTIFICATION BY PROPERTY OWNER

The owner certifies that to the best of his/her knowledge all information provided in this application is true and complete.

Property owner signature: _____
Date: _____

Note: Property owner's signature is required if applicant is not owner.

Return application with required attachments to:

City of Brookings
898 Elk Drive
Brookings, OR 97415

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

IN THE MATTER OF A RESOLUTION
CREATING A PUBLIC ART COMMITTEE
TO SERVE THE CITY OF BROOKINGS.

RESOLUTION 08-R-905

WHEREAS, the City of Brookings adopted Ordinance 08-O-608, amending Chapter 17.88, Sign Regulations, of the Brookings Municipal Code, which became effective May 27, 2008; and

WHEREAS, Chapter 17.88 now requires murals to conform to general guidelines;

WHEREAS, Resolution 08-R-903 adopted the general guidelines;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the Public Art Committee is created as described in Exhibit A to review mural applications.

Adopted by City Council and made effective on the _____ of _____, 2008.

Dated and signed this _____ day of _____, 2008.

Attest:

Mayor Larry Anderson

City Recorder Joyce Heffington

City of Brookings
Public Art Committee

A. General duties and responsibilities:

1. The Public Art Committee reviews applications to create a mural, defined as a painting, mosaic, fresco, or other permanent artwork attached or applied directly to the outside of a structure. The Committee shall use the Mural Guidelines, adopted by the City Council in Resolution 08-R-903, to review applications to create a mural.
2. Committee members shall serve at the pleasure of the City Council.
3. Committee membership is honorary and without compensation.
4. All Committee meetings shall be open to the public and held in a place that is handicapped accessible.
5. This committee may be assigned other duties related to review of other types of public art by the City Council.

B. Membership.

1. The committee shall consist of five voting members to be appointed by the City Council, and a non-voting Staff member to consist of the Planning Director or his/ her designee.
2. Three members must reside within the City of Brookings, while the remaining two may reside within the Brookings Urban Growth Area. These members shall not be officials or employees of the city.
3. Three members must have an art background (i.e. teacher, artist, collector, gallery owner).
4. The Chair of the Committee shall designate a Committee member whose responsibility it shall be to record the minutes of the meetings.

C. Terms of Appointment/Removal/Vacancies.

1. Terms shall be initially staggered so that three members serve a term of three years and two members serve a term of two years. Thereafter, all terms shall be for three years.
2. Vacancies created by a mid-term resignation or termination shall be filled by appointment of the City Council.
3. Members may be removed by a consensus of the City Council for any reason and at any time during the member's term of appointment. Failure of a member to attend less than 50% of the meetings shall result in automatic termination, unless the absences have been excused by the Committee's Chair.

D. Election of Officers.

1. At the first meeting of each calendar year, a Chair and Vice-Chair shall be elected from the voting members of the Committee for a one year term.
2. The newly elected officers shall take their seats at the first meeting of the next calendar year.
3. No member shall serve more than two consecutive years in any one office.

E. Quorum/Rules/Meetings.

1. Three voting members of the Committee shall constitute a quorum.
2. The Committee shall meet on an as-needed basis when an application has been submitted. All meetings shall be open to the public and noticed in accordance with State Public Meeting Law (Chapter 192 ORS).
3. Voting by the Committee on all matters shall be consistent with the process adopted by the City Council under Chapter 2.05.160 of the Brookings Municipal code, with the exception that the Committee member designated by the Chair to take the minutes shall call the names of each member and record the votes.
4. Applications which are denied may be appealed by a written request from the Applicant to the City Council.

Minutes

Urban Renewal Advisory Committee

Council Chambers, 898 Elk Drive

Thursday, April 10, 2008

Call to Order: Chair Fitzgerald called the meeting to order at 3:04 p.m.

Present:

Committee members: Chair Fitzgerald, Vice Chair Chasar, Donna Cramer, Tony Parrish, Dan Nachel, Joyce Tromblee and Rick Bishop. Staff members attending were Executive Director Gary Milliman, Building Official LauraLee Gray, Public Works Inspector Rich Christensen and Planning Director Dianne Morris. Also in attendance were Councilor Jan Willms, Bob Pieper, Vicki Nuss and Curry County Pilot reporter Kurt Madar.

Minutes/Last Meeting:

March 13, 2008 minutes accepted as submitted, motion made by Joyce Tromblee and seconded by Dan Nachel, approved unanimously.

Public Comment:

Vicki Nuss asked if urban renewal funds were being proposed for use for improvements north of 5th Street and would it be legal to use these funds outside the urban renewal area. Director Milliman responded that by law, funds may be used outside the renewal area if the funding was for projects that directly affected the urban renewal area. This discussion led into a discussion of Alternative 5, see discussion item 1 below.

Committee Business:

1. Chair Fitzgerald started discussion regarding meeting laws that should govern this Advisory Committee. Executive Director Milliman will recommend to Urban Renewal Agency that the same regulations that govern bodies established by ordinance be applied to the Advisory Committee. Motion made by Rick Bishop and seconded by Dan Nachel to request that URAC be required to operate as per BMC 2.05. Motion passed unanimously.

Discussion Items:

1. Executive Director Milliman reported that when he met with Mark Ussleman of ODOT it was Usslemans contention that past City administration had been the force behind ODOT offering alternatives for changes to Chetco Avenue. Ussleman states that unless the City is interested in pursuing Alternate 5, ODOT would remove the project from their funding list as they believe that traffic movement is satisfactory at this time. A motion was made by Pete Chasar and seconded by Joyce Tromblee to advise the Agency to not seek funding for Alternative 5. Motion passed unanimously.
2. Donna and Pete presented photos of dumpsters around town and suggested that a color be chosen, such as bronze, and talk to CTR about changing their color from the blue and green currently in use. There was further discussion about

MINUTES
URBAN RENEWAL AGENCY
City Hall, 898 Elk Drive
Brookings, OR 97415
Monday, June 23, 2008

Call to Order

Mayor Anderson called the meeting to order at 8:28pm.

Roll Call

Agency present: Chair Larry Anderson, Directors Hedenskog, Gordon, Kitchen and Pieper, a quorum present.

Staff present: Executive Director Gary Milliman, Administrative Services Director Patti Dunn and City Recorder Joyce Heffington.

Other present: Curry Coastal Pilot Reporter Scott Graves

Minutes

Director Hedenskog moved, a second followed and Council voted unanimously to approve Urban Renewal Agency minutes of June 23, 2008, as written.

Budget Hearings

The public hearing on the Brookings Urban Renewal Agency Fiscal Year 2008-2009 Budget opened at 8:27pm and closed at 8:28pm with no public comment.

The public hearing on the Brookings Urban Renewal Agency Fiscal Year 2007-2008 Supplemental Budget opened at 8:29pm and closed at 8:29pm with no public comment.

Resolutions

Director Kitchen moved, a second followed and the Agency voted unanimously to adopt Resolution 08-R-897, a resolution adopting the Brookings Urban Renewal Agency Budget, declaring Tax Increment Funding as provided under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457, and making appropriations for the 2008-2009 Fiscal Year.

Director Kitchen moved, a second followed and the Agency voted unanimously to adopt Resolution 08-R-894, a resolution adopting a Supplemental Budget for the 2007-2008 Fiscal Year.

Adjournment

Director Hedenskog moved, a second followed and the Agency voted unanimously by voice vote to adjourn at 8:31pm.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2008:

Larry Anderson, Chair

Joyce Heffington, City Recorder

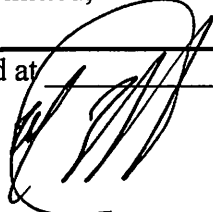
- implementing a dumpster surround program if façade improvement money is available next year.
3. Pete suggested using unsightly water towers as a canvas for a welcome sign or other positive visual for the community.
 4. After a discussion about the TEA funding vote and the confusion surrounding it, Joyce Tromblee moved and Rick Bishop seconded a request for a special meeting after receipt of the engineering study. Motion passed unanimously.
 5. Councilor Jan Wilms passed out flyers for the Litter B Gone, annual spring clean up to be held on Saturday April 19, 2008.

Next months meeting:

Dumpsters, continued

Adjournment: adjourned at 4:17

Respectfully submitted,

Chair (Approved at  meeting). 5-9-08

Minutes
Urban Renewal Advisory Committee
Council Chambers, 898 Elk Drive
Thursday, June 12, 2008

Call to Order: Chair Fitzgerald called the meeting to order at 3:00 p.m.

Present: Committee members: Chair Ted Fitzgerald, Vice Chair Pete Chasar, Donna Cramer, Tony Parrish, Dan Nachel, Joyce Tromblee and Rick Bishop. Staff members attending were Executive Director Gary Milliman, Building Official LauraLee Gray and Public Works Inspector Rich Christensen. Also in attendance was Bob Pieper.

Minutes/Last Meeting: May 9, 2008 minutes accepted as submitted.

Committee Business: No new business, Executive Director Milliman gave an update on the progress of bond issuance.

Discussion Items:

A presentation was made by Dyer and Associates regarding development of the core of downtown between Railroad and Chetco Avenues. The presentation gave some alternatives for traffic flow, parking and amenities such as landscaping features, bike paths and sidewalks. The recommendation of the committee was to work from Chetco Avenue down, starting with Fern and Willow due to the immediate gain in parking spaces that would be provided. Sidewalk infill around the Central Building was the second priority, followed by improvements to Hemlock and Spruce.

Tony Parrish brought up the dangerous condition caused by people parking on Chetco Avenue at the intersection with Oak St. and that in the past there was striping to prohibit parking, Rich will check with John Cowan.

Discussion of the Chetco Inn sign and the need for more investigation of possible sources of removal.

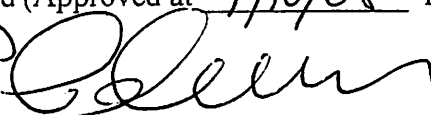
Next months meeting:

Guidelines for dumpster painting and décor - staff

Adjournment: adjourned at 4:44

Respectfully submitted,

Chair Ted Fitzgerald (Approved at 7/10/08 meeting).

FOR TED 

Minutes
Urban Renewal Advisory Committee
Council Chambers, 898 Elk Drive
Thursday, May 9, 2008

Call to Order:

Chair Fitzgerald called the meeting to order at 3:00 PM.

Present:

Committee members: Chair Ted Fitzgerald, Pete Chasar, Donna Cramer, Tony Parrish, Joyce Tromblee, Rick Bishop, and Dan Nachel. *Staff:* Executive Director Gary Milliman, Planning Director Dianne Morris, and Public Works Inspector Richard Christensen.

Minutes/ Last Meeting:

Minutes for the April 10, 2008 meeting were approved with the insertion of the word "past" in the first sentence under Discussion Item #1 so that it reads, "...it was Usselman's contention that *past* City administration had been the force behind ODOT offering alternatives for changes to Chetco Avenue."

Public Comments:

None.

Regular Agenda:

Discussion of dumpster painting and décor. Pete Chasar and Donna Cramer spoke with Curry Transfer and Recycling (CTR). The following items were discussed:

- Painting. CTR agreed to two more neutral colors and will convert to these colors when dumpsters are in need to re-painting.
- Placement. CTR will need to ok locations.
- Screening. CTR provided some ideas for screening. They are not in favor of gates. The Building Official LauraLee Gray could be consulted about design and need for permits.
- Consolidation. CTR wants one individual to discuss with neighboring properties and be the contact person. Rick Bishop will contact his neighbors and attempt to arrange a consolidation plan as a test case.
- Wheels. CTR indicated wheels are dangerous.

Discussion of Marine Drive water tank as a welcome sign. It was decided to wait until the Constitution Way realignment matter is resolved before possibly pursuing a welcome sign on the water tank.

Discussion of refurbishing orange concrete trash receptacles. Pete Chasar indicated the receptacles need cracks fixed, tiles removed, repainting, and leveling. **A motion was made by Pete Chasar and seconded by Dan Nachel to get more information on what it would take to do the refurbishing. Public Works Inspector Richard Christensen was instructed to do the refurbishing on one receptacle and determine how well it will work. The motion passed 6 to 1 with Tony Parrish casting the dissenting vote.**

Discussion of Oregon Main Street Program. Executive Director Milliman, described the program. Some grants opportunities require a City to participate in this program. Milliman will get more information and bring someone in to do a workshop presentation of the program.

Discussion Items:

Executive Director Milliman provided the following information:

- An update of the façade program.
- An outline of the track for issuance of bonds. The proceeds will be available after July 8th. There will be 3 million dollars available for projects. The Committee will be looking at street improvement projects and consider other possible projects in the future.
- A report on the Chetco Inn sign. The owners appear willing to remove the large, free-standing, non-conforming sign. It was decided to pursue the possibility of a scrap metal business being willing to do the work in exchange for the value of the metal. Don Horton will be contacted.

Committee Member Comments:

Tony Parish noted the new paint on the theater has some problems. Rick will mention it to the owner.

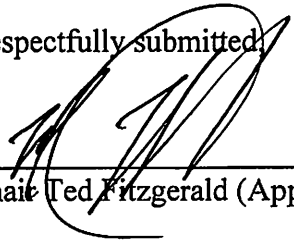
Agenda Items for Next Meeting:

None.

Adjournment:

Meeting adjourned at 4:10 PM.

Respectfully submitted,


Chair Ted Fitzgerald (Approved at 6-12-08 meeting).

Minutes

Urban Renewal Advisory Committee

Council Chambers, 898 Elk Drive
Thursday, July 10, 2008

Call to Order: Vice Chair Chasar called the meeting to order at 3:00 p.m.

Present: Committee members: Vice Chair Pete Chasar, Donna Cramer, Tony Parrish, Dan Nachel, Joyce Tromblee and Rick Bishop, absent was Chair Ted Fitzgerald. Staff members attending were Executive Director Gary Milliman, Building Official LauraLee Gray and Public Works Inspector Rich Christensen.

Minutes/Last Meeting: June 12, 2008 minutes accepted as submitted.

Regular Agenda: Building Official LauraLee Gray gave an update on the Chetco Inn sign removal project. A bid has been submitted for \$5000.00 and there is tentative agreement by the Advisory Committee to recommend approval of up to half the cost of the sign removal. Gray was directed to obtain 2 additional bids and to secure a written agreement from the owner committing to his share of the removal costs. Vice Chair Chasar distributed trash equipment screening guidelines for the Committee to review.

Executive Director Report: Director Milliman reported that US Bank offers the most competitive bond at 4.67% for 12 years. Proceeds will be available on July 22, 2008.

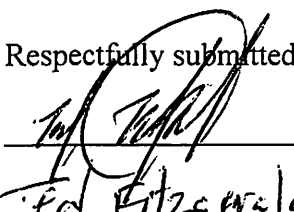
Next months meeting:

Landscape Maintenance Ordinance discussion
Update on Chetco Inn Sign
Update on cost to add new trees
Bicycle stands
Budget update
Dumpster screening guidelines

Committee Members comments: Several Committee Members have had out of town guests this summer and many have commented on the positive changes to the City of Brookings due to the streetscape and many façade improvement projects.

Adjournment: adjourned at 4:00

Respectfully submitted,



(Approved at Aug. 14, 08 meeting).

Ted Fitzgerald
(Chair or Vice Chair)

Print Name and Title

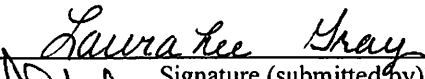
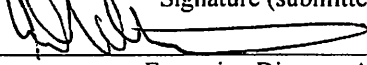
CITY OF BROOKINGS

URBAN RENEWAL AGENCY

AGENDA REPORT

Meeting Date: 09/08/08

Originating Dept: Building


Signature (submitted by)

Executive Director Approval

Subject: Matching funds for removal of Chetco Inn sign

Recommended Motion: A motion to approve the Advisory Committees recommendation to approve a funding match of up to \$2,500.00 for removal of the Chetco Inn sign.

Financial Impact: \$2,500.00

Background/Discussion: This sign has long been an eyesore in the downtown area and the owner has stated that he would like to remove it but cannot afford to do so. A local contractor has submitted a bid of \$5,000.00 for the removal, the owner has stated that he can afford \$2,500.00. The Committee feels that it is money well spent to facilitate removal of the sign.

Policy Considerations: The Urban Renewal Agency has approved many matching grants for façade improvements which have greatly improved the appearance of downtown. Although this sign is not attached to the building or part of the façade, removal of the sign would have the same impact as a façade improvement to this property and, due to its visibility, the whole downtown.

Attachment(s): Bid from Tim Patterson
Proposed letter of agreement of payment



City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-2163 Fax (541) 469-3650

www.brookings.or.us

September 09, 2008

Re: Chetco Inn sign

To Whom It May Concern:

The City of Brookings agrees to pay up to \$2,500.00 in matching funds for the removal of the Chetco Inn sign. The owner of the property on which the sign is located is responsible for contracting for sign removal and facilitation of the project. Upon completion of the project and submittal of an invoice, the City will process a check for ½ the cost up to \$2,500.00, payable to the contractor, or payable to the owner if proof of payment in full to the contractor is submitted.

Harbor Truss

17496 Carpenterville Rd, PO Box 6055, Brookings, OR 97415
PH: (541) 469-2516 Fax: (541) 469-7904



Harbor Truss

Job #:	08-Chetcolnn
Date:	August 19, 2008

Quotation

CUSTOMER INFORMATION:

Customer: Chetco Inn RCF
PO Number: 417 Fern Street
Contact: Brookings Or
Telephone: 707-516-8283
Delivery Date: Within 15 days of quote acceptance
Terms: Due on Completion

PROJECT INFORMATION:

Cust. Job or PO#: Herb Roberts

Remove and Dispose of Chetco Inn Sign

\$5,000.00

Note: All parties agree that funds, if any, received from the sale of the sign's scrapped materials shall be retained by Harbor Truss and are not a credit against the quotation price.

For the Month of: **August 2008**[illegible]

For the month of: August 2008

(8 2)