

AGENDA
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, September 10, 2007, 7:00 p.m.

Immediately following the meeting Council will meet in **Executive Session under ORS 192.660 (2) (h)**, "To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed."

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Ceremonies/Appointments/Announcements

- A. Proclamation for National Emblem Club Week, Club President Debra Clary accepting. [pg. 7]
- B. Acceptance of resignation of Parks and Recreation Commissioner, Elizabeth Grodin, Position No. 6. [pg. 9]
- C. Appointment of Joyce Heffington as Interim City Recorder. [pg. 11]
- D. Yard of the Month Awards
 - 1. Commercial Property – The Center, #2 Ross Road, Manuel and Judy Lopez, owners [pg. 15]
 - 2. Most Improved Property - 828 Limbaugh, owner Dorothy Mote [pg. 17]
 - 3. Yard of the Month - 314 Birch, owner Dale York [pg. 19]

V. Public Hearings

- A. Continued from 8-27-07 Council meeting. File #LDC-2-06, revisions to Title 17, Chapters 17.170, Street Standards, 17.168, Utilities, and 17.80, Site Plan Approval of the Brookings Municipal Code. *Planning Director* [Advanced Packet dated 8/31/07]

VI. Oral Requests and Communications from Audience

- A. Liaison Reports
- B. Public Comments – limit to a maximum of **5 minutes per person**. A completed **public comment form**, located near the southern council door, **must be turned in to the Administrative Assistant prior to the start of the meeting**. 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 regarding the establishment of an "in lieu" parking space construction fee. *Planning Director* [pg. 21]
- B. Direction regarding review/approval of zoning ordinances in the Urban Growth Area; authorization to initiate discussions with Curry County on amending the Joint Management Agreement; and review and comment on the proposed Mixed-Use Master Plan Zoning Ordinances. *City Manager* [pg. 23]

VIII. Consent Calendar

- A. Acceptance of Parks and Recreation Commission Minutes for July 26, 2007. [pg. 63]
- B. Acceptance of Planning Commission Minutes for August 7, 2007 [pg. 65]
- C. Approval of vouchers for August, 2007 in the amount of \$1,075,186.97. [pg. 67]

IX. Ordinances/Resolutions/Final Orders

- A. First and second reading by title only with possible adoption of Ordinance 07-O-594, an ordinance amending Chapter 17.92, Off-Street Parking and Loading Regulations of the City of Brookings Land Development Code. *Planning Director* [Advanced Packet dated 8-31-07]
- B. Resolution 07-R-777, a resolution adopting an “in lieu” parking space construction fee to be applied as described under Chapter 17.92.030, Off Street Parking, of the Brookings Municipal Code. *Planning Director* [pg. 73]
- C. Resolution 07-R-778, a resolution adopting guidelines for the Community Relations Fund. *City Manager* [pg. 75]

X. Remarks from Mayor and Councilors

- A. Mayor
- B. Councilors

XI. Adjournment

NOTE: Council will meet on **Thursday, September 13, 2007 at 5:30pm** in City Hall Council Chambers, 898 Elk Drive, for a workshop to discuss water conservation funding for FY 2007-2008.

EVENTS

September 2007

| September 2007 | | | | | | |
|----------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 2 | 3 | 4 | 5 | 6 | 7 | 1 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

| October 2007 | | | | | | |
|--------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 7 | 1 | 2 | 3 | 4 | 5 | 6 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday |
|--|--|---|---|---|
| September 3 | 4 | 5 | 6 | 7 |
| LABOR DAY - Closed 9:00am 10:00am CC- VIPS/Volunteers in Police Service/Marvin Parker 7:00pm 10:00pm FH-FireTng/ChShrp | 7:00pm 9:00pm CC-Planning Commssn | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray 2:30pm 4:00pm FH - Coos Forest 2:30pm 3:30pm Safety Meeting 7:00pm 9:00pm FH-PoliceReserves | 9:00am 10:00am CC-Crm Stoppers 7:00pm 9:00pm SODw/ODF at Library | |
| 10 | 11 | 12 | 13 | 14 |
| 8:00am 5:30pm FH - Auditor's , Wall and Wall CPA's 7:00pm 10:00pm FH-FireTng/ChShrp 7:00pm 9:30pm CC-Council Mtg | 8:00am 5:00pm FH - Auditor's , Wall & Wall CPA's | 8:00am 5:00pm FH - Auditor's Wall & Wall CPA's 9:30am 10:00am Traffic Safety Committee 10:00am 12:00pm CC- Site Plan Com 10:00am 11:00am FH - Brookings Rural 12:00pm 1:00pm CC - Stout Park 5:00pm 8:00pm CC - Victims Impact | 8:00am 5:00pm FH - Auditor's, Wall & Wall CPA's 10:00am 11:00am CC - Muni Court 3:00pm 5:00pm CC Urban Renewal Advisory Committee 5:30pm 7:00pm CC - Water Conservation Workshop | 8:00am 5:00pm FH - Auditor's, Wall & Wall CPA's |
| 17 | 18 | 19 | 20 | 21 |
| 9:00am 10:00am CC-VIPS/Volunteers in Police Service-BPalicki 11:00am 1:30pm Garden Club Mtg, Brookings Best Western Inn (Best Western Brookings 7:00pm 10:00pm FH-FireTng/ChShrp | 7:00pm 10:00pm CC Planning Commission meeting | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray | 2:00pm 4:00pm CC - CEP (Emergency preparedness) | |
| 24 | 25 | 26 | 27 | 28 |
| 7:00pm 10:00pm FH-FireTng/ChShrp 7:00pm 9:00pm CC-Council Mtg | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray | 7:00pm 9:00pm CC-Parks & Rec Comm/City Manager | |

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

9/6/2007 10:18 AM

EVENTS

October 2007

| October 2007 | | | | | | | November 2007 | | | | | | |
|--------------|----|----|----|----|----|----|---------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 | 25 | 26 | 27 | 28 | 29 | 30 | |

| Monday | | Tuesday | | Wednesday | | Thursday | | Friday | |
|--|--|---|--|---|--|---|--|--------|--|
| October 1 | | 2 | | 3 | | 4 | | 5 | |
| 9:00am 10:00am CC- VIPS/Volunteers in Police Service/Marvin Parker | | 1:30pm 3:00pm CC - LDC Committee 7:00pm 9:00pm CC-Planning Commssn | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray 7:00pm 9:00pm FH-PoliceReserves | | 9:00am 10:00am CC-Crm Stoppers 12:00pm 5:00pm CC - PERS meeting 3:00pm 4:00pm FH- SafetyComMtg Kathy Dunn | | | |
| 7:00pm 10:00pm FH-FireTng/ChShrp | | | | | | | | | |
| 8 | | 9 | | 10 | | 11 | | 12 | |
| 7:00pm 10:00pm FH-FireTng/ChShrp 7:00pm 9:30pm CC-Council Mtg | | 1:30pm 3:00pm CC - LDC Committee | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray 10:00am 11:00am FH - Brookings Rural Fire Dept | | 10:00am 11:00am CC - Muni Court 3:00pm 5:00pm CC Urban Renewal Advisory Committee | | | |
| 15 | | 16 | | 17 | | 18 | | 19 | |
| 9:00am 10:00am CC-VIPS/Volunteers in Police Service-BPalicki 11:00am 1:30pm Garden Club Mtg, Brookings Best W 7:00pm 10:00pm FH-FireTng/ChShrp | | 1:30pm 3:00pm CC - LDC Committee 7:00pm 10:00pm CC Planning Commission meeting | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray | | 2:00pm 4:00pm CC - CEP (Emergency preparedness) | | | |
| 22 | | 23 | | 24 | | 25 | | 26 | |
| 7:00pm 10:00pm FH-FireTng/ChShrp 7:00pm 9:00pm CC-Council Mtg | | 1:30pm 3:00pm CC - LDC Committee | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray | | 7:00pm 9:00pm CC-Parks & Rec Comm/City Manager | | | |
| 29 | | 30 | | 31 | | | | | |
| 7:00pm 10:00pm FH-FireTng/ChShrp | | 1:30pm 3:00pm CC - LDC Committee | | 10:00am 12:00pm CC- Site Plan Com Mtg/LauraLee Gray | | | | | |

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

9/6/2007 10:18 AM

PROCLAMATION



WHEREAS, the members of the Supreme Emblem Club of the United States of America, in promulgating community service, have actively engaged in seeking out the worthy and the needy in every community; and

WHEREAS, their assistance and guidance to young men and women is evidenced by great numbers of scholarships, assuring the advanced education of the deserving; and

WHEREAS, the needs of the aged, the crippled, the mentally retarded, and the handicapped, the hospitalized, the veterans, and the poor are considered and fulfilled insofar as can be; and

WHEREAS, the members are vitally concerned with the immediate and permanent needs of those placed in stress by reason of flood, quake, hurricane, and other disasters of nature; and

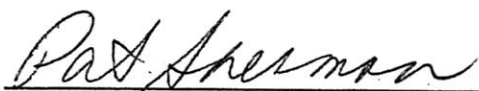
WHEREAS, these are dedicated to the principle of philanthropic endeavor; and

WHEREAS, be it resolved that the deeds of dedicated, charitable members of the Supreme Emblem Club of the United States of America be recognized;

NOW, THEREFORE, I, Pat Sherman, Mayor of the City of Brookings, Oregon, do hereby proclaim the week of **September 17, 2007, through September 23, 2007**, as

NATIONAL EMBLEM CLUB WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be affixed this **10th day of September, 2007**.



Mayor Pat Sherman



9.1.07

Mayor Sherman,
I regret fully inform
you that I am unable
to complete my position
as Park and reel commission
position 6. I am terminating
my involvement effective
immediately. I am sorry
to cause you this
inconvenience.

Elizabeth Grodin



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: City Manager

Date: August 29, 2007

Subject: Appointment of interim City Recorder

Recommendation: Appoint Joyce Heffington as interim City Recorder

Background /Discussion:

The Administrative Services Director is also the City Recorder. This position is now vacant due to the resignation of Paul Hughes. The City Charter provides that the City Recorder is appointed by the City Council. Administrative Assistant Joyce Heffington is familiar with the duties of City Recorder, and performs most of the day-to-day Recorder functions.

Financial Impact(s): None

City Manager Review and Approval for placement on Council Agenda:

Gary Milliman City Manager

CHAPTER III

FORM OF GOVERNMENT

Section 7. Council. The council consists of a mayor and four councilors nominated and elected from the city at large or, in case of one or more vacancies in the council, the council members whose offices are not vacant.

Section 8. Councilors. The term of office of a councilor in office when this charter is adopted is the term of office for which the councilor has been elected before adoption of the charter (or is elected at the time of the adoption). At each general election after the adoption, two councilors shall be elected, each for a four-year term.

Section 9. Mayor. The term of office of the most recently elected mayor at the time this charter takes effect begins at the first council meeting of the year 1993. At the general election of the year 1994 and at each subsequent general election, a mayor shall be elected for a two-year term, whose term of office shall commence at the first council meeting in January immediately following such general election.

Section 10. Terms of office. The term of office of an elective officer who is elected at a general election begins at the first council meeting of the calendar year immediately after the election and continues until the successor to the office assumes the office.

Section 11. Appointive Offices. A majority of the council shall appoint and may remove a city manager, municipal judge, city attorney and city recorder. A majority of the council may:

- (1) Create, abolish, and combine additional appointive offices and,
- (2) Except as the majority prescribes otherwise, fill such offices by appointment and vacate them by removal.

COMMERCIAL PROPERTY OF THE MONTH

THE CENTER

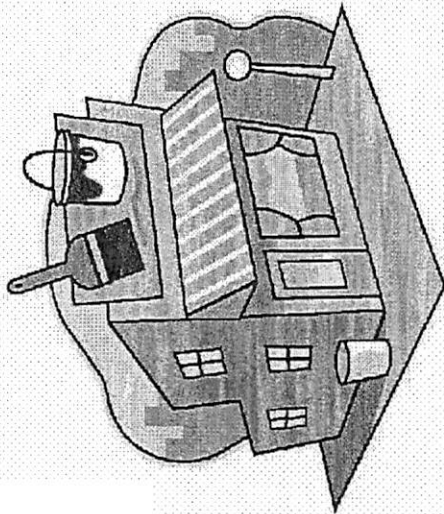
Judy and Manuel Lopez , Owners

#2 ROSS ROAD

Location, City of Brookings

SEPTEMBER, 2007

For Month and Year



Pat Sherman, Mayor

August 31, 2007

Date



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

Gary Milliman, City Manager

MOST IMPROVED PROPERTY OF THE MONTH

Dorothy Mote

828 LIMBAUGH

Location, City of Brookings

SEPTEMBER, 2007

For Month and Year



August 31, 2007

Pat Sherman, Mayor

Date

Gary Milliman, City Manager



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

YARD OF THE MONTH

DALE YORK

314 BIRCH

Location—Brookings, Oregon

SEPTEMBER, 2007

For Month and Year



Pat Sherman, Mayor

August 31, 2007

Date

Gary Milliman, City Manager



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



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: Dianne Morris

Date: August 30, 2007

Re: An "in lieu" fee in place of constructing required parking spaces within the Downtown Business District area.

Subject: An "In lieu" fee needs to be set and adopted by a resolution as described BMC 17.92.030, Off-street Parking.

Background /Discussion: New language was approved by the City Council at their August 27th meeting which provided for a Downtown Business District (DBD) property owner to pay a fee if it is not possible to provide the required parking spaces on the property to be developed. The funds would be retained by the City and used exclusively for the purpose of acquiring and developing public off-street parking facilities in the DBD. The amount of the fee is to be set by resolution. In researching other jurisdictions that have this provision Staff found the following:

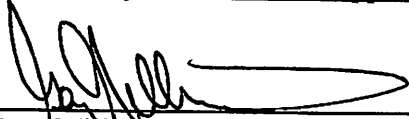
- Astoria – Requires an annual cash payment of \$180/ per each space not provided or, with the approval of City Council, provide a public service of equal or greater values than the cash payment.
- Bend – Charges a one time fee of \$20,000/ per space. They indicated the amount is based on actual cost of land acquisition and construction of a parking lot.
- Cannon Beach – Approximately 20 years ago they had an "in lieu" fee which reflected the true cost of acquiring land and constructing parking spaces. It deterred development and after two years the City opted to go to a "maintenance fee" of \$100/ for every space the property owner was unable to provide.
- In the Brookings area there is an existing 9 space parking lot for sale on Spruce St. for \$175,000. That is approximately \$19,400/ per space.
- Charging the actual cost per space for developing a parking lot would be a deterrent to new or expanding commercial use in the Downtown area. The Urban Renewal Plan calls for using tax increment revenues to develop additional parking.

Recommendation: Establish the "in lieu" fee at \$20,000/ per space payable in installments of \$2,000/ per space annually, interest free, and provide that no future payments

shall be required upon a finding by the City that an adequate number of parking spaces have been developed in the DBD. As an alternative, the City may accept dedication of newly developed parking at a location in the DBD, or immediately adjacent thereto, in an amount equal to the required on-site parking.

Financial Impact(s): None.

City Manager Review and Approval for placement on Council Agenda:



Gary Millman, City Manager



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: City Manager

Date: September 4, 2007

Subject: Joint Management Agreement (JMA) for Urban Growth Area and Proposed Mixed-Use Master Plan Zoning Ordinance.

Recommendation:

- 1) Provide policy direction on review/approval of zoning ordinances in the UGA;
- 2) Authorize staff to initiate discussion with Curry County on amending the JMA.; and
- 3) Review and comment on proposed Mixed Use Plan Zone.

Background /Discussion:

Please see attached memo from City Manager dated August 27, 2007.

Financial Impact(s):

None at this time.

City Manager Review and Approval for placement on Council Agenda:

Gary Milliman City Manager



MEMORANDUM

Office of the City Manager

GARY MILLIMAN

City Manager

August 27, 2007

DBT.

To: Mayor and Council

SUBJECT: Joint Management Agreement

As requested by Mayor Sherman, I have reviewed the Joint Management Agreement (JMA) between the City of Brookings and Curry County concerning the Urban Growth Area in the context of recent actions by Curry County to process zoning ordinances affecting the UGA. The JMA was approved in 2001.

It is my understanding that the County Commissioners have recently adopted zoning ordinances relating to street standards and erosion control within the UGA, and that they are now considering the adoption of a Mixed Use Master Plan Zone ordinance.

Ordinances are legislative actions.

Section VI of the JMA provides for the method of "coordination of legislative land use decisions" within the UGA and provides, in Section VI(A) that:

*"The County and City shall **jointly prepare and adopt** legislative changes to the comprehensive plan **and ordinances** affecting the UGA."*

Strictly interpreted, and standing alone, I would interpret this section to mean that any zoning ordinances that would affect property within the UGA are to be jointly prepared by the City and the County and jointly adopted by the City and the County. This could be interpreted to extend to land use ordinances that are applicable Countywide, and "affect" property within the UGA. In fact, zoning ordinances affecting the UGA have not been jointly adopted and there is no indication that the County is proceeding in this fashion.

However, Section VI(D) of the JMA could be interpreted as placing the City in more of a "commenter" role:

*"The City shall have the right to participate in the hearings process. **The County shall have the final decision on** all legislative changes to the comprehensive plan and **ordinances affecting the UGA. The City shall have the same rights as any other party to an appeal of a County decision.** The County shall have the right to participate in the hearing process and right if the City initiates the proposed legislative change."*

Also, Section III of the JMA provides:

"The County shall retain responsibility for land use decisions and actions affecting the UGA until annexed to the City."

Also, Section V(A) provides:

"The County planning staff shall refer requests for land use decisions under the Zoning and Subdivision Ordinance within the UGA to the City to allow the City to review and comment prior to final action by the County."

In my view, the document is internally inconsistent. While Section VI(A) clearly contemplates a true partnership in land use decisions affecting the UGA, other sections relegate the City to a commenter or applicant-like status.

According to Dianne Morris, the way this has been administered to date is:

1. Submittals from the County under Section V have been reviewed by the Brookings Planning Commission, with comments submitted to County Planning Staff.
2. Zoning Ordinance submittals from the County under Section VI have been reviewed by the City Planning Staff, with comments submitted to County Staff.

Section VI(B) of the JMA provides, in part:

"The Planning Directors shall outline in a memorandum of understanding the process to be used and the roles and responsibilities of each in the process" for initiating changes in ordinances affecting the UGA.

As of this writing, an MOU has not been prepared, although Dianne Morris reports that discussion has been initiated.

It is my understanding that efforts to amend the JMA to resolve the internal inconsistency and other issues have not been successful; the last draft of an amended JMA I have seen is dated May 2, 2006. That draft drops the term "and adopt" from Section VI(A). See attached. Land use Attorney James Spickerman informs me that City adoption of zoning ordinances in unincorporated territory located within the boundaries of an UGA is not unusual. I am not sure why the draft amendment deleted this provision; one observation is that the process for joint adoption could be cumbersome, requiring a special coordination of meetings and hearings between the two agencies. One approach would be to have joint meetings.

The JMA does not have an impasse resolution process. What happens if the City and County adopt inconsistent ordinances? The immediate answer is that, under the JMA, the County retains full authority over land use decisions in the area until it is annexed to the City, and a City ordinance has no force or effect until the property is annexed into the City Limits.

At this time, staff is seeking direction from the City Council as to whether we should process all land use ordinances proposed by the County and affecting property within the UGA in the same manner in which City zoning ordinances are processed. This process would involve staff review, Planning Commission review and City Council adoption of the ordinances.

The County Planning Department reports that the Mixed-Use Master Plan Zone currently under consideration would be the last zoning ordinance initiated by the County affecting the UGA. Comments are due September 20 and a preliminary hearing date (County) has been set for September 27. Forthcoming are the Storm Water Master Plan and Comprehensive Storm Water Master Plan which will be submitted for co-adoption by the City and the County.

It is my recommendation that the City again initiate discussion with the County on amending the JMA. Dianne Morris reports that in a conversation with County Planning Staff this week, they indicated that the County is now willing to consider changes in the JMA.

I plan to place this matter on the City Council agenda for the meeting of September 10. I will also be placing the latest proposed zoning ordinance change on the City Council Agenda for the meeting of September 10 to provide for Council review and comment on that ordinance. Attached is a copy of the proposed ordinance with marginal notes by Dianne Morris.

Cc: Dianne Morris, Planning Director

CURRY COUNTY ZONING ORDINANCE

DRAFT MIXED-USE MASTER PLAN ZONE

Proposed text amendments to the Curry County Zoning Ordinance to create the Mixed Use Master Plan Zone.

Added text is in Red and deleted text is ~~struck through~~.

Proposed Amendments to Article III – Use Zones:Section 3.460 Mixed Use Master Plan (MUMP) Zone.

Purpose of Classification. The Mixed Use Master Plan (MUMP) zone is designated to be applied to residential areas where a variety of housing types and densities with limited commercial office and retail uses to serve the surrounding residential neighborhood may be appropriate. This zone is intended to be applied only within urban growth boundaries identified by the *Curry County Comprehensive Plan*. The intent and purpose of the MUMP zone is to:

1. Implement the Mixed Use Policies of the Curry County Comprehensive Plan;
2. Implement adopted Comprehensive Development Plan(s), Public Facilities and/or Transportation System Plans;
3. Provide alternative “clear and objective” or “discretionary” approval for tracks of lands inventoried for needed housing as follows:
 - a. A discretionary track that encourages flexibility and innovative design; and
 - b. A “clear and objective” track consistent with the requirements of Oregon’s “needed housing statutes” that land inventoried for needed housing within acknowledged urban growth boundaries be made available under a permitting track that is subject only to local approval standards and procedures that are “clear and objective” and do not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay (ORS 197.307(6));
4. Encourage innovative planning that results in mixed-use development, improved protection of open spaces, parks, and natural features, and greater housing and transportation opportunities within urban growth boundaries;
5. Encourage developments that recognize the relationship of sustainable development and sustainable business practices;
6. Encourage and support affordable and workforce housing options and mixed-income neighborhoods;
7. Promote flexibility in design and permit diversification in type, density, and

- location of structures; and
8. Provide compatibility with surrounding land uses.

Section 3.461. Special Definitions.

Unless the context specifically indicates otherwise, as used in CCZO Section 3.460 to Section 3.476, the following mean:

1. **Building Footprint.** The outline of the total area covered by building's exterior walls at ground level, exclusive of courtyards.
2. **Comprehensive Development Plan.** A comprehensive long-range plan that implements the goals and policies of the *Curry County Comprehensive Plan* and guides future development for a defined area within an urban growth boundary outside of the city limits where public facilities and/or transportation system plans either do not exist or need to be revised.
3. **Dwelling unit** means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.
4. **Gross acre(s)** means the total horizontal area within the boundaries of a lot, parcel, combination of any number of lots or parcels, any unit or units) of land, any comprehensive development plan, or master plan of development exclusive of public and private roads, and easements of access to other property.
5. **Limited Commercial Office-Retail Node.** Tract(s) of land for commercial use adjacent to and at the intersection of two collector streets/roads or a collector and a residential street.
6. **Master Plan of Development (MPD).** A detailed regulatory plan that implements the adopted *Curry County Comprehensive Plan*, any adopted Comprehensive Development Plan, and the provision of the MUMP zoning designation.
7. **Mixed-Use Building.** A single building containing more than one type of land use such as, but not limited to, residential, office, retail, public, or entertainment.
8. **Open Space.** Areas designated on the final plan of a planned development, or phase thereof, which are permanently set aside for the common use of the general public; for members of a homeowners association; or for the owners and invitees of lands subject to conservation and open space easements. Open areas may be landscaped and/or left with a natural tree cover.
9. **Urban Growth Area.** The unincorporated area between a given city limits and the Urban Growth Boundary (UGB) as identified by the *Curry County*

Comprehensive Plan in which urban services and facilities can be extended and development at urban intensity and density will occur.

Section 3.462. Establishment of Mixed Use Master Plan (MUMP) Zone

The MUMP zone may be established on land only within urban growth boundaries as identified by the *Curry County Comprehensive Plan* having a Curry County "Residential" Comprehensive Plan designation.

Section 3.463. Land Use Regulations.

1. All development in the MUMP zone shall be undertaken pursuant to a Comprehensive Development Plan (if adopted) and the development standards set forth in the Curry County Zoning Ordinance (CCZO) Sections 3.464 to 3.476.
2. An area within an urban growth boundary having an MUMP zoning designation may establish land use regulations and development standards that differ from the regulations in the Curry County Zoning Ordinance with the adoption of a MPD. Where a provision in an adopted MPD differs from other provisions of the Curry County Zoning Ordinance the adopted MPD shall govern.

Section 3.464 General Development Standards.

The following general development standards shall apply to all development of greater than 40 acres or areas designated as "Master Planned Areas" with a MUMP zoning designation:

1. The maximum number of dwelling units within the MPD area shall not average more than 6 dwelling units per gross acre;
2. A minimum of 10 percent of the gross acreage of the property shall be reserved as natural open space, trails, parks, civic or public use;
3. The perpetual maintenance of any open space shall be required and described in any Master Planned Development;
4. A MPD covering a specific proposed area must be submitted and approved pursuant to the provisions of CCZO Section 3.467 through Section 3.470 prior to the occurrence of any new development.

Section 3.465. Uses Permitted Outright

Except as otherwise provided pursuant to Section 3.463(2) and as otherwise provided by an approved MPD, the following uses and their accessory uses are permitted outright:

1. Residential when developed pursuant CCZO Section 3.464

HARBOR HILLS
RESENTLY
HAS FG ZONE.

PROVIDED THEY ARE
SHOWN TO BE EQUAL TO
OR BETTER THAN
STANDARD REGULATIONS

EVEN IF A
PROPOSAL IS TO
PUT 1 SFD ON
40 ACRES?

- a) Single-family dwelling.
 - b) Mobile Home or Manufactured Home.
 - c) Multiple-family dwelling.
2. Professional Offices in a Limited Commercial Office-Retail Node:
 - a) Office of a physician, dentist or therapist;
 - b) Real estate sales,
 - c) Legal office, accountant office, etc.
 - d) Medical Clinic
3. Retail Sales in a Limited Commercial Office-Retail Node:
 - a) Drugstores;
 - b) Grocery or food stores;
 - c) Bakery;
 - d) Book or stationary shop;
 - e) Newsstands;
 - f) Restaurants, café, coffee shops, dining rooms and tea rooms;
 - g) Bakery;
 - h) Handicraft or gift store including the manufacture of such goods on the premises;
 - i) Barber or beauty shop;
 - j) Laundry and dry cleaning pick-up service establishments;
 - k) Post office station;
 - l) Other small retail uses with no more than 500 square feet total.
4. Mixed Use Buildings in a Limited Commercial Office-Retail Node.
5. Utility facilities necessary for public service, (e.g. fire stations, utility substations, etc.) except commercial facilities for the purpose of generating power for public use by sale.
6. Church, school or community building for public or non-profit organizational use.
7. Parks or open spaces for public or private use

Section 3.466 Conditional Uses

Unless otherwise approved in the MPD, the following uses may be allowed provided a land use application is submitted pursuant to Section 2.060 of the Curry County Zoning Ordinance and, upon the recommendation of the Commission, the Board approves the proposed use based upon relevant standards for review in this ordinance. Numbers in parenthesis following the uses indicate the standards described in Section 7.040 that must be met to approve the use.

1. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for

material that cannot be reasonably stored in an established commercial storage facility.

2. Television, microwave, and radio communication facilities and transmission antenna towers.
3. Home Occupation when operated under the provisions of CCZO Section 7.040(7).

Section 3.467 Master Plan of Development (MPD).

1. Review and approval of a MPD may occur concurrently with the review and adoption of a Comprehensive Development Plan.
2. The area subject to a MPD shall contain no less than forty (40) acres.
3. Standards, regulations, or processes stipulated in an approved MPD shall supersede all other standards, regulations, or processes of the zoning ordinance and shall be used as review criteria for any specific development proposal within the area covered by the MPD.
4. If residential development standards are provided in the MPD, then approval of such standards shall be reviewed and approved as "alternative approval criteria" under ORS 197.307. All such standards, regulations, or processes shall apply in lieu of the clear and objective standards set forth under Section 3.471 or any other applicable section of CCZO and shall govern all residential development identified within the area subject to the MPD. The use of such alternative standards shall be documented pursuant to Section 3.468.

WOULD 1ST HAVE
TO PROVE A "NEED"
BEFORE USING.

5. MPD requirements. The MPD shall include the following elements in the form of map(s), text, or both, as applicable:

- a) Illustrative site plan;
- b) The general allocation and identification of major proposed land uses, including residential (by density range), nonresidential, limited commercial office, limited retail, open space, and recreational land uses;
- c) Name, location, and extent of existing or proposed major streets located within the MPD area or needed for servicing the MPD area;
- d) Typical street cross-sections by street classification (i.e., arterial, collector, residential, alley, etc.) if any deviation is requested from county standards;
- e) A detailed listing of the permitted land uses in the Master Development Plan area;
- f) Detailed standards or regulations governing permitted uses, such as performance standards and standards for development, regulations

ONLY MAJOR?

for development densities, heights, floor area, open space, lot area and coverage, parking, landscaping, and other site improvements;

- g) Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife;
- h) An inventory and identification of all wetland and riparian resources, all intermittent and perennial waterways;
- i) Where applicable, the methods of protection or conservation for natural features, historic structures, and view sheds;
- j) Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is to be public or private;
- k) Standards for phasing and construction of streets proposed for the Master Development Plan area or needed for servicing the project as identified in the required study(ies) submitted with the Master Development Plan proposal;
- l) Standards for the phasing and construction of sewage disposal, effluent use, storm and surface water drainage, solid waste disposal, and public utilities as identified in the required studies submitted with the Master Development Plan proposal;
- m) A draft form of financial assurances for the construction of public infrastructure to be recorded prior to Master Development Plan approval;
- n) Specifications as to how and to what extent the Master Development Plan is to supplement or supersede adopted County regulations;
- o) Storm and surface water plan;
- p) Sanitary sewer system plan;
- q) Water system plan;
- r) A traffic impact analysis (TIA) update that includes trip generation factors for various modes, estimated trips per day by land use, proposed vehicular access and circulation plan, and traffic impacts by mode on adjacent development;
- s) Assurance that electrical service can be provided to the subject property prior to approval of the Master Development Plan;
- t) Impacts on existing structures and other development;
- u) Impacts on existing infrastructure and public services;
- v) Location of archaeological artifacts on any property located within a archeological sites identified in the *Curry County Comprehensive Plan*; and

ENGINEERED
PLANS?

WHAT WOULD
YOU ACCEPT?

ENGINEERED
PLANS?
ISN'T THIS COVERED
IN K) & L)?

NO PROVISION FOR
PEER REVIEW OF
INFRASTRUCTURE PLANS?

- w) Other information, as may be determined necessary by the Planning Director.

X) PLAT PREPARED BY SURVEYOR WHEN SUBDIVISION IS PROPOSED.

Section 3.468 Review Criteria for approval of or an amendment to a Master Development Plan.

1. The Planning Commission may recommend approval of an application to the Board of Commissioners for a MPD upon finding that the following approval criteria have been met:

- a. The proposed MPD is consistent with the purpose identified in Section 3.460;
- b. The proposed phasing schedule, if any, is reasonable and does not exceed 10 years between commencement of development on the first and last phases unless otherwise authorized by the Planning Commission either at the time of approval of the MPD or by a modification to the MPD. If at the end of 10 years the project is not built out, the Planning Commission shall review the MPD and shall have the ability to require changes to or rescind the plan based on existing conditions.
- c. The proposed MPD will demonstrate that adequate utilities and infrastructure are available or can reasonably be made available at each phase. The proposed MPD will further demonstrate that existing utility services and water supplies for adjacent properties will not be negatively affected at each phase.
- d. The proposed MPD will demonstrate that the plan respects the physical characteristics of the site.
- e. The circulation proposed MPD will demonstrate that adequate transportation facilities are available, and the plan promotes the most economic, safe and efficient movement of traffic.
- f. The proposed MPD meets the applicable requirements of the Urban Growth Boundary Joint Management Agreement.

"PHASE AND
COMPLETION OF THE"

WHAT CRITERIA
WILL YOU
USE TO
DETERMINE
THIS?

Section 3.469. Action by Planning Commission.

1. The Commission shall conduct a public hearing in accordance with CCZO Section 2.140.
2. Following the close of the hearing the Commission shall recommend the approval, approval with conditions, or denial of the MPD. The recommendation shall be forwarded to the Board and include findings that specify how the application has or has not complied with the above review criteria.

Section 3.470. Action by the Board of Commissioners

1. Upon receipt of said report from the Commission, a public hearing shall be set for a regular meeting of Curry County Board of Commissioners following the receipt of the report.
2. At the conclusion of the public hearing, the Board may enact an ordinance granting approval of the MPD, approval of the MPD with conditions, or may, by motion, deny the granting of the MPD.

"AND CO-ADOPTED BY CITY OF BROOKINGS"

Section 3.471 Residential Development Standards.

1. Any residential development shall conform to standards set forth in a MPD or the standards set forth in this section.
2. Except as otherwise provided by an approval MPD, the following development standards shall apply to all residential development:
 - a) **Minimum Lot Size.** Except as may be required to meet minimum setbacks and any requirements providing for a minimum square footage of a building or structure, there are no minimum lot size requirements for residential development. However, the overall residential development shall not average more than 6 dwelling units per gross acre.
 - b) **Building Setbacks.**
 - i) A minimum five-foot (5') setback is required from all alley rights-of-way.
 - ii) A minimum ten-foot (10') setback is required from all access easement or street rights-of-way. Open covered and uncovered porches may extend within the street setback to within five (5) feet of the property line. Except as may otherwise be required by Uniform Building Code Standards, no other minimum building setbacks apply.
 - c) **Frontage Requirements.** Residential lots shall have the following street frontage:
 - i) For single-family residential development, a minimum of eighteen (18) feet per residential unit; and
 - ii) For multi-family residential development, a minimum of twenty-four (24) feet.
 - d) **Lot Coverage.** The maximum lot coverage for residential development shall not exceed fifty-five (55) percent of the lot or parcel.
 - e) **Building Height.** No building shall exceed thirty-five (35) feet in height, except as provide in CCZO Section 5.050.

f) **Building Orientation.**

- i) All single-family attached homes and multi-family residential complexes shall have their primary orientation to the street. Entrances to multi-family buildings may include entrances to individual units or breezeway/courtyard entrances (i.e. to a cluster of residential units); or
- ii) All single-family attached homes and multi-family residential complexes may have its primary orientation to a side yard when a direct pedestrian walkway is provided between the main entrance and the street.

g) **Parking.** The provisions of CCZO Section 4.020 regarding Off-street Parking standards shall apply to all residential uses.

3. All applications for development shall be subject to the provisions of the Natural Hazard Overlay Zone (CCZO Section 3.250 through Section 3.253.)

Section 3.472 Limited Commercial Office, Limited Commercial Retail, Mixed Use, and Other uses.

- 1. Except as otherwise provided by an approved MPD, any development, other than residential, shall conform to standards set forth in a MPD or the standards set forth in this section. If a MPD has been adopted for the area of proposed development, then the applicant shall proceed according to the standards set forth in the MPD.
- 2. Unless otherwise specified in an approved MPD, the following development standards shall apply to all limit commercial development within the MUMP zone:

- a) **Minimum/Maximum Lot and Building Size.** There shall be no minimum lot size for limited commercial office/retail development except as may be required to meet minimum setbacks and any requirements providing for a minimum square footage of a building or structure. Limited commercial office and retail nodes shall be limited to a maximum of five (5) acres. Commercial office buildings and/or structures shall be limited to a maximum of 3,000 square feet and commercial retail establishments shall be limited to 6,000 square feet.

AND PARKING
REQUIREMENTS

- b) **Location:** The distance between Commercial Office and retail nodes shall not be less than 2,640 lineal feet (0.50 mile).
- c) **Building Setbacks.**
 - i) A minimum five-foot (5') setback is required from all alley rights-of-way.
 - ii) A minimum ten-foot (10') setback is required from all

access easement or street rights-of-way. Except as may otherwise be required by Uniform Building Code Standards, no other minimum building setbacks apply.

- d) **Frontage Requirements.** All limited commercial office/retail lots/parcels shall have a minimum of 16 feet of street frontage on a collector street or road. **RESIDENTIAL/LOCAL ?**
 - e) **Lot Coverage.** No minimum.
 - f) **Building Height.** No building shall exceed thirty-five (35) feet in height, except that the building height may exceed thirty-five (35) feet with a written statement from the provider of fire protection service that there is adequate equipment and services available to provide fire protection.
 - g) **Building Orientation.** All commercial office and retail establishments shall have its primary orientation to a collector street or road. A direct pedestrian walkway shall be provided between the main entrance and the street.
 - h) **Parking.** The provisions of CCZO Section 4.020 regarding Off street Parking standards shall apply.
 - i) **Hours of Operation.** All commercial office and retail establishments within the MPD zone shall not be open for business earlier than 6:00 am and shall close not later than 12:00 midnight.
 - j) **Open Storage.** Outdoor storage of materials and equipment is prohibited.
3. All applications for development shall be subject to the provisions of the Natural Hazard Overlay Zone (CCZO Section 3.250 through Section 3.253.)

Section 3.473 Natural Resource Guidelines.

- 1. The presence of natural resources define the special character of the land within it. In order to maintain this character, a MDP, any subsequent MPDs or any development within the MUMP zone, shall identify how natural hazards will be mitigated.
- 2. The MPD or any subsequent MPD shall consider all of the following:
 - a) Preservation of the natural drainage patterns of the site to the extent practical;
 - b) Existence and use of native plant species, where appropriate;
 - c) Integrity of mature stands of trees that are in good health; and
 - d) Significant wildlife habitat; and
 - e) Minimization of the amount of impervious surfaces near all

waterways.

F. RIPARIAN BUFFER AREAS

Section 3.474 Mixed Use Master Plan Zone Implementation and Assurances.

1. **MUMP Zone Implementation.** The implementation of the MUMP zone shall comply with the procedures of the Curry County Zoning Ordinance. The MPD may establish additional implementation procedures, provided such methods are not in direct conflict with procedures required by State or local law.
2. **Assurances.** The Curry County Commissioners or other provider of services may require financial or other assurances for any development in the MUMP zone to ensure proper installation of required street, sewer, electric and water utilities, drainage, flood control, and other improvements.

Section 3.475 Affordable and/or Workforce Housing Requirements

Affordable and/or workforce housing shall be provided for development with a density or potential density of six (6) residential units or greater per gross acre as follows:

1. Thirty-five (35) percent of the total number of residential dwelling units to qualifying buyers or renters with incomes at or below 120% of median income; or
2. Twenty-five (25) percent of the total number of residential dwelling units to qualifying buyers or renters with incomes at or below 100% of median income; or
3. Twenty (20) percent of the total number of residential dwelling units to qualifying buyers or renters with incomes at or below 80% of median income; or
4. Fifteen (15) percent of the total number of residential dwelling units to qualifying buyers or renters with incomes at or below 60% of median income; or
5. Title to a sufficient amount of buildable land for development is transferred to a non-profit (IRC 501(3)(c)) affordable housing developer or comparable Development Corporation for the purpose of complying with subsection 2 above. The land shall be located within the project and all needed public facilities shall be extended to the area or areas proposed for transfer. Ownership of the land shall be transferred to the affordable housing developer or Development Corporation prior to commencement of the project.

The total number of affordable units described in this Section shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 20 years.

Section 3.476 Issuance of Building Permits.

If alternative standards have been approved in the MPD and are utilized in a specific development proposal, a statement of compliance shall be submitted at the time of application for building permit to demonstrate how the proposed development complies with the Uniform Building Code and any alternative standards adopted as part of a MPD.

DRAFT



Memo

To: Gary Milliman
From: Pat Sherman
Date: September 1, 2007
Re: County Ordinances affecting the Urban Growth Area

Attached are three reports that I would like to offer as a starting point for discussion about the proposed County ordinances that affect the Brookings Urban Growth Area. I would like them included in Council Packet for the 9/10/07 City Council meeting

The reports are:

1. Comments on the process used to develop the County ordinances
2. Comments on draft of Mixed Use Master Plan Zone
3. Comments on draft of Curry County Comprehensive Development Plan ordinance.

The draft ordinances are available on line at the Curry County website.

I would also like the attached pages 41-45 of the transcript from the County workshop of March 27, 2007 included in the Council packet.

Thank you.

Comments on the process used to develop the County ordinances.

The content and quality of the proposed county ordinances appears to be directly related to the processes used to develop the ordinances. In the draft ordinances being considered, the process used to develop the ordinances is in violation of the agreement that was mutually adopted by Curry County and the City of Brookings for implementation of Goal 14. It would appear that the result of the flawed process is flawed ordinances. Also, it appears that some language in the ordinances is directly related to discussions that occurred in meetings to which the City was not invited and to which an individual with a special interest was invited. The examples cited below demonstrate how a flawed process resulted in a flawed product.

The process used to develop the county ordinances is in violation of (1) Curry County Comprehensive Plan, (2) The City of Brookings Comprehensive Plan, (3) the City of Brookings and Curry County Urban Growth Boundary Joint Management Agreement, and (4) Oregon Revised Statutes as follows:

(1) Curry County Comprehensive Plan

The relevant section of the Plan is:

14.9 Plan Policies Regarding Urbanization

“Curry County recognizes the urban growth boundaries of Port Orford, Gold Beach and Brookings and the mutually adopted Management Agreements for these areas.”

Comment: The Brookings JMA section VI. deals with coordination of legislative land use decisions. The policies set forth in the document have been violated. This will be discussed below.

(2) City of Brookings Comprehensive Plan

Goal 14, URBANIZATION, sets forth policies that deal with the Brookings Urban Growth Area as below:

FINDINGS:

1. “The City expanded its Urban Growth Boundary (UGB) in 1995 to include land needed to accommodate projected growth through 2015. The boundary expansion consisted of a total of 3,491 acres, of which 1,263 acres are developable land.”

3. “A new UGB Joint Management Agreement (JMA) has been adopted by both the City and County”. Items are numbered A. through J.

POLICIES:

7. “City shall work closely with Curry County in land use issues within the UGB pursuant to the provisions of the UGB JMA.”

11. “With regard to the Brookings UGB the city and county agree that the conversion of land from urbanizable to urban within the UGA must occur in an orderly and well planned manner that considers the economic and environmental issues identified as part of the UGB amendment. With that interest in mind, the provisions cited in finding number 3 above are considered to be policies of this plan.

IMPLEMENTATION:

"Refer to the UGB JMA, between the City of Brookings and Curry County."

Comment: The policies set forth in the Brookings Comprehensive Plan Goal 14 have been violated.

(3) City of Brookings and Curry County Urban Growth Boundary Joint Management Agreement (JMA)

The instrument that implements the policies under Goal 14 of BOTH the County's and the City's Comprehensive Plans is the Joint Management Agreement which was adopted in January 2001. Section VI of the JMA provides for the coordination of legislative land use decisions. A cursory review of this section, or a review that attempts to isolate the individual elements of the section, could lead one to think that the section has internal conflicts. First of all, we must assume that the people who wrote and signed such an important agreement were orderly in their thought process. Then, with this in mind, if one looks at the section as an outline of an orderly procedure, the appearance of internal conflict dissipates, and the section reads as I think it was intended- a statement of the intent and the process to be used to implement the intent.

The first statement #A, "the county and City shall jointly prepare and adopt legislative changes to the comprehensive plan and ordinances affecting the UGA", is a clear and unambiguous statement of what the policy is: jointly prepare and adopt.

The next three statements outline, in general terms, how the two entities will go about achieving the objective, to 'jointly prepare and adopt'. It would be reasonable to assume that the statements are written in sequence. (Why would they write them out of sequence?)

Statement #B, "the initiating party shall notify the other of the intent to consider a change. The Planning Directors shall outline in a Memorandum of Understanding (MOU) the process to be used and the roles and responsibilities of each in the process".

In the situation under discussion, the initial responsibility begins with the County, then it shifts to joint responsibility between the City and the County.

I do not know when or if the County advised the City of its intent to make a change. According to the JMA, to comply with the requirement to 'jointly prepare', this notification should have happened before any workshops were scheduled. A MOU should have been written before any workshops took place. A MOU was never written.

Statement #C, paraphrased, the initiating party assumes responsibility for notifying the other of the public hearings.

It appears that, once it has been decided in the MOU who will be doing what, and after the process for developing the changes gets under way, there will be a point in time, 45 days prior to public hearings, at which there will be the need to announce the public hearings. Item C identifies which party is supposed to assume the leadership role in this phase of the process. One reasonable assumption is that Item #B has been completed. Another reasonable assumption is that, since the changes are supposed to be adopted by both the City and the County, each entity would be required to follow their respective procedures for adopting legislative changes. For

both the City and the County, public hearings by their Planning Commissions and their governing bodies (Council or Board) are required for land use legislative decisions. Whether these hearings were supposed to happen as joint hearings or as separate hearings would probably have been decided in the MOU stage of the process.

Statement #D, paraphrased, states that each entity can participate in the other's hearings. Given the objective of 'jointly preparing and adopting' one assumes that the participation is not limited to 'commenting'. Item D gives the County the final say, with the right of appeal going to the City, if disagreements remain after going through the entire process.

In summary, the policy in the JMA regarding coordination of legislative land use decisions clearly spells out both the intent and the processes that are supposed to be used in preparing and adopting the legislative changes affecting the UGA. Those processes include jointly preparing and adopting the ordinances, including joint preparation, as well as public hearings before both planning commissions and both governing bodies. In the current situation these mandatory procedures have been ignored. This is a violation of the Goal 14 policies of BOTH the County Comp Plan and the Brookings Comp Plan.

(4) Oregon Revised Statutes-

ORS 192.620 Policy. The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly.

ORS 192.640 Public notice required; special notice for executive sessions, special or emergency meetings. (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

County Workshops were held on March 27, 2007, May 30, 2007, June 18, 2007 and July 16, 2007. Proper notice of the meetings was not given for the meetings on March 27, May 30 and June 18. Specifically, a notice was not given of the principal subjects to be discussed, even though this is a mandate, not an option, under state law. Compounding the problem was the fact that only one member of the public was notified of the content of the meetings. The person, Mr. Leroy Blodgett, is engaged with HW3, LLC. HW3, LLC has a special interest in the ordinances being written because it owns one of the large parcels of land that will be affected by the ordinances. What follows are excerpts from the transcripts of the workshops on March 27 and May 30 that demonstrate how Mr. Blodgett bamboozled the Commissioners into drafting a poorly written ordinance that gives maximum flexibility to the developer and minimum protections to the community.

Example 1: During the workshop of March 27, 2007 Mr. Blodgett, a former City Manager for the City of Brookings, spoke as if he represented the City of Brookings: (Transcript page 23) *Mr. Blodgett: Like in --There was one provision the other day when I talked about it, the way the City's ordinance was written, it said, and I don't remember the exact words, but basically it said that any vary -- any waiver of standards must show that they're better than -- equal to or better than the existing standard.*

Commissioner Schafer: Right. They got stuck.

Mr. Blodgett: That was a mistake that was made when we put the ordinance together.

Comment: Mr. Blodgett does not represent the City of Brookings. Because proper notice was not given about the meeting, the City of Brookings did not have the opportunity to refute the erroneous statement made by Mr. Blodgett. In fact, the City's Master Plan ordinance, requiring that any waiver of standards must show that they are equal to or better than the existing standards is correct. The alternative to standards that are "equal to or better than" existing standards is standards that are "less than" existing standards. The City of Brookings does not accept standards that are less than the existing standards.

The result: Reference to 'equal to or better' standards was excluded in the final draft.

Example 2: During the workshop of March 27, 2007 Planning Director Pratt discussed density: (transcript page 25)

Director Pratt: When you talk about minimum lot size, I went to the density of six dwelling units. Like I said, it was based on the – on the expansion, the numbers used for justifying the expansion of the urban growth boundary to meet the 20- year supply, and the six dwelling units per acre is right about between 5000 to 6000 square feet on the average

Comment: The density mentioned is incorrect. Specifically, in "Findings Related to Goal 14 and Goal 2 Urban Growth Boundary Amendment", page 25, concerning the housing density-"The amount of land being added to the UGB is based on a housing mix and density that would provide for an overall density of 5.9 dwelling units per net buildable acre". Further, page 3, concerning the area south of the Chetco River- "Vacant, buildable land totaling 651 acres is being added to this portion of the urban growth area with the boundary amendment".

The result: Proposed density in the MUMPz zone ordinance is inconsistent with UGA amendment

Example 3: During the workshop of March 27, 2007 Mr. Blodgett engaged in an argument with Director Pratt about the amount of development that would be allowed without sewer. (transcript page 34)

Director Pratt: And those ten homes would probably be on five – at least minimum two acres, if not five or 10 acres or 20 acres, but what we want is the master plan, that conceptual plan, that shows where the lots are gonna be for future development.

Mr. Blodgett: Tha JMA doesn't – doesn't restrict the lot size.

Director Pratt: No. No it doesn't, but it says rural development.

Mr. Blodgett: No, unless otherwise provided for in the public facilities plan.

Director Pratt: It does say rural development and by definition under the state minimum of two acres.

Mr. Blodgett: Yeah, but it says unless otherwise provided for in the master plan – or the public facilities plan.

Director Pratt: And it doesn't.

Mr. Blodgett: Yes it does.

Comment: Here is what it says JMA X. D. ...If waste water treatment capacity is not available at the time of development and an interim on-site sewage system which meets all state and local requirements may be approved. Use of an interim on-site sewage disposal system is limited to a rural level of development or is specifically allowed by the Public Facilities Plan.

The result: Reference to 'limited to a rural level of development' is excluded from the final draft ordinance.

Example 4: During the workshop of March 27, 2007, Commissioners discredit the provisions for co-adoption of ordinances and of Master Plans, with Mr. Blodgett arguing that the City does not have a veto right. (Excerpt from page 41- 45 is attached.)

Comment: The County's disregard for the JMA and the attempts to 'go around' its requirements are appalling.

Result: County procedure is illegal because it violates Goal 14 of both Comp Plans..

Example 5: During the workshop of March 27 the following discussion concerning what standards should be applied (Transcript page 95)

Pratt: *So one's jus., like you said, one's the clear and objective standards.*

Commissioner Schafer: *Right. Yeah.*

Pratt: *And the other is the –*

Schafer: *Discretionary.*

Pratt: *-- the discretionary.*

Schafer: *Right.*

Pratt: *I need to mention that.*

Blodgett: *And I think just be careful about not saying varying or waiving from.*

Pratt: *Yeah.*

Commissioner LaBonte: *Yeah*

Schafer: *Right*

LaBonte: *Overrides the –*

Blodgett: *Just say they are the standards.*

Schafer: *Right*

Pratt: *Yeah*

Blodgett: *However you approve them*

Comment: Mr. Blodgett attempts to assure that there will be no standards.

Result: Language in final draft consistent with Blodgett's comments.

Example 6: During the workshop of May 30 the following discussion about standards.(transcript page 9-10)

LaBonte: *So we are – so we are gonna let the developer determine the size of the streets?*

Pratt: *Well, they can come in and request what would essentially –*

Schafer: *Like that one they've got down there on the south then, --*

Pratt: *-- it would be like a variance to the street standards for this development.*

Schafer: *-- the European stuff.*

Blodgett: *Well, I don't think you want – I think you want to be careful on that variance.*

LaBonte: *I'm gonna tell you that's –*

Pratt: *No, no, no. I'm saying – I'm not saying it's a variance, where you would vary or differ from the standards, but it would have to be approved by ordinance by the Board of Commissioners....*

Blodgett: *The individual developer comes to you with the master plan, and its gonna have all the – the way I'm seeing it anyway, all the development standards...*

Blodgett: *We're gonna – you're gonna need whatever it is.*

Schafer: Right.

Blodgett: Which MAY be equal to or – or better than the County's current standards, because I think you've got to be careful not to say – that's what got the City in the problem – trouble.

Schafer: Right. That had to match.

Blodgett: Equal to or better.

Schafer: Yeah, you can't.

Blodgett: And just say set the standards.

Comment: Referring to standards, Mr. Blodgett attempts to assure that the word 'variance' and the phrase 'equal to or better than' is not included in the ordinance.

Result: The words 'variance' and 'equal to or better than' are not included in the ordinance.

And so on....When one compares the content in the foregoing conversations to the text of the ordinances, it should become clear exactly how egregious the County's disregard for Oregon's public meetings law is. The failure of the County to give proper notice of the workshops did harm to the intent of the Oregon public meetings law and also did harm to the City of Brookings.

Summary

Because the County violated Goal 14 policies of both the Curry County Comp Plan and the Brookings Comp Plan by ignoring Section VI of the JMA, the process used is illegal.

Because of the County's failure to give notice about the agenda items as required by Oregon law, the resulting ordinance is so poorly written that it may not be salvageable. Further, a cloud of suspicion hangs over all of the proceedings.

1 computer.

2 COMMISSIONER LABONTE: (Inaudible).

3 DIRECTOR PRATT: I tried to be as explicit
4 and -- and simplistic, as simple as -- I tried to make
5 it simple. It was actually included in the Fairview --
6 Sustainable Fairview zone, mixed use zone, that was
7 developed by the City of Salem. They had a detailed
8 element of the comprehensive plan, and then it went into
9 the zoning ordinance. It was all in one document.

10 COMMISSIONER SCHAFER: My question on No. 1
11 on the second page is that it says, "By the county and
12 the affected city." Does that mean that the City of
13 Brookings has to adopt this exact same thing that we're
14 adopting?

15 DIRECTOR PRATT: Okay.

16 COMMISSIONER SCHAFER: Right here. No. 1.

17 DIRECTOR PRATT: Oh. Oh, I see. Yeah.

18 COMMISSIONER NOWLIN: Third page, yeah.

19 COMMISSIONER SCHAFER: Oh, I thought it was
20 the third -- the second page. Third page. No. 1.

21 DIRECTOR PRATT: Oh, I see. Yeah. Uh-huh.
22 Because it becomes -- In this case I think it's really
23 governed by the Joint Management Agreement, and the way
24 I -- what I was looking at is that anything that
25 involves an amendment to the comprehensive plan
26 (inaudible).

27 COMMISSIONER SCHAFER: Or the urban growth
28 boundary. So why does the City have to adopt it? I
29 mean, what kind of a holdup is that if the City says,

1 "No, we're not adopting it," and we did all the work and
2 say this works for us for an urban growth boundary? We
3 think we've complied with everything and yet --

4 DIRECTOR PRATT: Yeah.

5 COMMISSIONER LABONTE: What's ORS 197.610
6 say?

7 DIRECTOR PRATT: It's --

8 COMMISSIONER SCHAFER: That's the
9 acknowledgement.

10 DIRECTOR PRATT: Post acknowledgement.

11 COMMISSIONER LABONTE: So that doesn't
12 say --

13 COMMISSIONER SCHAFER: No, that it has to
14 be the City.

15 COMMISSIONER LABONTE: -- anywhere that the
16 City has to adopt it, too, does it?

17 DIRECTOR PRATT: I believe it says it in
18 our Joint Management Agreement.

19 COMMISSIONER SCHAFER: But let's find out
20 and make sure on that because, you know, we don't want
21 to -- that's the same thing we were having now with the
22 issue we've been having with the fact that when we
23 had -- the City trying to charge people for what we were
24 doing, and, I mean, we've got to be careful here.

25 COMMISSIONER LABONTE: Yeah. We have to be
26 careful because Port Orford (inaudible).

27 COMMISSIONER SCHAFER: Yeah. I mean, if it
28 can only be the County, then it should only be the
29 County. Yes, we should be working together. Yes, we

1 need their input, but if they have to approve the whole
2 plan, we leave ourselves wide open for them not doing
3 it --

4 DIRECTOR PRATT: The master plan --

5 COMMISSIONER SCHAFER: -- if there's one
6 thing they don't like.

7 DIRECTOR PRATT: Yeah. The master plan,
8 it's very explicit in the Joint Management Agreement,
9 the master plan has to be adopted by both jurisdictions.

10 COMMISSIONER SCHAFER: The master plan I
11 don't have any problem with because that -- that makes
12 sense, but some of these other things, this is not that.
13 This is our comprehensive plan. This is our
14 comprehensive development plan, not theirs.

15 COMMISSIONER LABONTE: (Inaudible).

16 COMMISSIONER SCHAFER: Well, yeah. I mean,
17 I just think that we just need to --

18 DIRECTOR PRATT: When we can -- What I can
19 do is strike that whole thing after 197.610 and scratch,
20 "And the provision of the Joint Management Agreement and
21 the affected city."

22 COMMISSIONER LABONTE: Yeah, I would say --

23 DIRECTOR PRATT: Just strike that.

24 COMMISSIONER LABONTE: (Inaudible).

25 COMMISSIONER SCHAFER: Right. Not adopt
26 our comprehensive plan.

27 COMMISSIONER LABONTE: They can make
28 comments on.

29 COMMISSIONER SCHAFER: Yeah. Well, and we

1 want them to.

2 COMMISSIONER LABONTE: (Inaudible).

3 COMMISSIONER SCHAFER: Sure.

4 COMMISSIONER LABONTE: (Inaudible).

5 COMMISSIONER SCHAFER: Well, of course, we
6 would.

7 COMMISSIONER LABONTE: If it's something
8 that we found is just horrible --

9 COMMISSIONER SCHAFER: But if they couldn't
10 get it adopted, you know, you just never know what could
11 happen, and I just think it --

12 COMMISSIONER LABONTE: (Inaudible) the same
13 standards as the City's anyway.

14 MR. BLODGETT: Jerry and Dave probably have
15 more input. I think they have to put it in their
16 comprehensive plan, but I don't think it gives them
17 legal authority. I don't think they have the options
18 even with the master plan.

19 COMMISSIONER LABONTE: Yeah.

20 MR. BLODGETT: If the County approved the
21 master plan, the City doesn't have a veto right.

22 COMMISSIONER LABONTE: Right.

23 MR. BLODGETT: They --

24 COMMISSIONER SCHAFER: Right.

25 MR. BLODGETT: They have to put it into
26 their master plan because it's in the urban growth
27 boundary --

28 COMMISSIONER SCHAFER: Sure.

29 MR. BLODGETT: -- which you have

1 jurisdiction over.

2 COMMISSIONER SCHAFFER: Right. But this
3 just says something different.

4 COMMISSIONER LABONTE: This makes it sound
5 like they have veto rights.

6 COMMISSIONER SCHAFFER: Right. This does.

7 MR. BLODGETT: And the JMA does the same
8 thing.

9 COMMISSIONER SCHAFFER: Yeah. Yeah. But --
10 Yeah. So we'll just have to --

11 DIRECTOR PRATT: That's certainly something
12 we can amend and change.

13 COMMISSIONER SCHAFFER: Yeah. Well, I think
14 we would save ourselves some --

15 COMMISSIONER LABONTE: (Inaudible).

16 COMMISSIONER SCHAFFER: Uh-huh.

17 COMMISSIONER LABONTE: (Inaudible).

18 COMMISSIONER SCHAFFER: From a 1960's --

19 COMMISSIONER LABONTE: Really bad.

20 COMMISSIONER SCHAFFER: -- a 1960's
21 agreement before things changed.

22 COMMISSIONER LABONTE: (Inaudible).

23 COMMISSIONER SCHAFFER: Well, laws have
24 changed.

25 COMMISSIONER LABONTE: (Inaudible).

26 COMMISSIONER SCHAFFER: Uh-huh. Yeah,
27 that's what we have to do.

28 COMMISSIONER NOWLIN: Yeah. Okay.

29 COMMISSIONER SCHAFFER: Okay.

Comments on Draft of Mixed Use Master Plan Zone

Section 3.460 Mixed Use Master Plan Zone

Item 3. This entire section is unclear as to what you are trying to achieve. The terms 'clear and objective' and 'discretionary' are not defined. What may seem to be 'clear and objective' to one person may seem 'cloudy and subjective' to another person. The word 'discretionary' is defined by Webster as 'a power of free decision or latitude within certain legal bounds'. This assumes that legal bounds exist. Webster also defines 'discretionary' as 'individual choice or judgment'. This definition assumes no legal bounds.

Suggestion- Too much emphasis on flexibility for the developer; little to no emphasis on concerns of the citizenry.

Item 5. This entire section is unclear as to what you are trying to achieve. No definition of 'sustainable development'. No definition of 'sustainable business practices'. Unless we know what 'sustainable developments' or 'sustainable business practices' are, how do we go about encouraging developments that encourage a relationship between the two? Suggestion- delete this section or put more thought into it, so people five years from now know what you are talking about. Sustainable is a buzzword.

Item 6. Need definition for affordable housing. Need definition for work force housing. What is the difference between the two?

Suggestion- define both words

Section 3.461 Special Definitions

Item 2. Comprehensive Development Plan- The City and County have joint responsibility for preparing the public facilities plan for the UGA as per JMA Section VII.

Item 4. Gross acre- I understand that the intent is to add clarity but your definition is inconsistent with accepted English language, is messy, and will create confusion. An acre is an acre is an acre, 43,560 square feet. If the idea is to measure density, why not use EITHER dwelling units per acre OR minimum lot size, then there will be no confusion. Also, need to be consistent with density set forth in UGB amendment. To be consistent with the UGA amendment you should use the terms buildable acre and net buildable acre

Section 3.462 Establishmant of Mixed Use Master Plan Zone

Comment: Harbor Hills presently has Forest Grazing zone.

Suggestion- need to clarify

Section 3.463- Land Use Regulations

Item 2. land use regulations and development standards that differ from the regulations in the CCZO with the adoption of a MPD **provided they are shown to be equal to or better than standard regulations.** Unless this phrase is included the 'different' standards may be less than the regular standards, which would be contrary to the public interest. The proposed section is also in conflict with JMA Section VII. A. and C. Contrary to the assertion made in the Tuesday March 27, 2007 workshop, requiring equal or better standards was NOT a mistake made by the City of Brookings. Comments transcribed below are not true.:

Mr. Blodgett: Like in --There was one provision the other day when I talked about it, the way the City's ordinance was written, it said, and I don't remember the exact words, but basically it said that any vary -- any waiver of standards must show that they're better than -- equal to or better than the existing standard.

Commissioner Schafer: Right. They got stuck.

Mr. Blodgett: That was a mistake that was made when we put the ordinance together.

Section 3.464 General Development Standards

So, any area greater than 40 acres, even if the person plans a mobile home park? Or the person intends to put only two homes?

Item 1. Delete 'gross acre'. Add 'net buildable acre'. As written in the draft, this standard would allow, for example, within the Brookings UGB on the m/l 700 acres of the HW3 property alone, up to 4200 dwelling units. As written in the ordinance, the density of "six per gross acre" more than doubles the density allowed in the adopted Brookings Urban Growth Boundary amendment. Since the ordinance has its primary effect in the Brookings UGA, this is unacceptable. This item of the ordinance is inconsistent with the "Findings Related to Goal 14 and Goal 2 Urban Growth Boundary Amendment", which was adjudicated by the Court of Appeals, as follows:

Page 3. Concerning the area south of the Chetco River- "Vacant, buildable land totaling 651 acres is being added to this portion of the urban growth area with the boundary amendment".

Page 25. Concerning the housing density- "The amount of land being added to the UGB is based on a housing mix and density that would provide for an overall density of 5.9 dwelling units per net buildable acre".

In the Harbor area, then, to be consistent with the UGA amendment, a total of 651 acres times 5.9 dwelling units per acre, or 3840 dwelling units IS PLANNED. Contrast this with the 4200 dwelling units allowable under the MUMPz ordinance FOR THE HW3 PROPERTY ALONE!

Page 8. Concerning the unbuildable lands- "While 1,564 total acres, of which 1,437 are added acres, are considered unbuildable for planning purposes because they exceed 25% slope, these lands will serve a number of needs within the UGB. Some land will support construction of roads and utility lines benefiting buildable lands. Some of it may be utilized to provide water reservoir sites. Finally, unbuildable lands included within the boundary can also serve as permanent open space, wildlife habitat and recreation areas

within the UGB and mitigate environmental impacts. At the same time, some “buildable” land in the range of 20-25% slope may be found to be unbuildable after detailed technical studies are completed while some “unbuildable” land may actually be suitable and can *compensate*”.

In other words, 651 acres in Harbor is buildable. Compensate means “to be equivalent to”. You can switch one acre for another, but you can’t add to the total of buildable acres.

Page 5.- Concerning population growth rate- “David Evans and Associates estimated a range of 2% to 4% average annual population growth per year, but concluded that 3% per year until the year 2013 and 2% thereafter to the year 2043 were reasonable rates of growth for planning purposes”.

The actual estimated growth rate has been 2.6% per year, I believe. The growth rate is the basic building block of planning. Given the current growth rate, there is no evidence to support a need to increase the housing density or the amount of available land.

Item 2. Minimum preserve- who will own this? And how will it be paid for?

Item 3. Awkward sentence. Not clear what intent is. What are you looking for? If the person that submits the MPD sells off sections, who is responsible for the maintenance? This idea needs more thought.

Section 3.465 Uses Permitted Outright

Item 3. g) bakery listed twice

Item 3.h) Handicraft including manufacture- glass-blowing? Furniture manufacture? Any limits?

Section 3.466 Conditional Uses

Item 1. Time limit on trailer use?

Section 3.467 Master Plan of Development

General comments- The ordinance does not lay out any process for approval of the development other than the Master Plan requirement. Does this mean that once the MPD is approved the developer is done and he is ready to proceed even though the Master Plan is only conceptual and detailed design has not been worked out or approved? It appears the ordinance is lacking in safeguards to the public. It appears the ordinance ignores all of the limitations that were acknowledged when the Harbor Hills were added to the Brookings UGA.

Suggestion: You need to add a Detailed Development Plan component to the ordinance.

Item 3. This section is a carte blanche to the developer- anything goes. Flexibility is one thing; this is going too far. See JMA.

Item 4. It seems the basic substance of ORS 197.307 is that it is an anti-discrimination statute. It seems to be a statute that stands on its own merit. Including reference to the statute in the MUMPz zone (or any zone for that matter) seems to be redundant. Further, the statement as written is confusing. Further, there is no definition of "alternative approval standards" either in the statute or in this ordinance. What is the intent of including this in the ordinance? Here is the statute (in blue)

197.307 Effect of need for certain housing in urban growth areas; approval standards for certain residential development; placement standards for approval of manufactured dwellings. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

(2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable decent, safe and sanitary housing.

(3)(a) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing, including housing for farmworkers, shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

(b) A local government shall attach only clear and objective approval standards or special conditions regulating, in whole or in part, appearance or aesthetics to an application for development of needed housing or to a permit, as defined in ORS 215.402 or 227.160, for residential development. The standards or conditions may not be attached in a manner that will deny the application or reduce the proposed housing density provided the proposed density is otherwise allowed in the zone.

(c) The provisions of paragraph (b) of this subsection do not apply to an application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(d) In addition to an approval process based on clear and objective standards as provided in paragraph (b) of this subsection, a local government may adopt an alternative approval process for residential applications and permits based on approval criteria that are not clear and objective provided the applicant retains the option of proceeding under the clear and objective standards or the alternative process and the approval criteria for the alternative process comply with all applicable land use planning goals and rules.

(e) The provisions of this subsection shall not apply to applications or permits for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(4) Subsection (3) of this section shall not be construed as an infringement on a local government's prerogative to:

- (a) Set approval standards under which a particular housing type is permitted outright;
- (b) Impose special conditions upon approval of a specific development proposal; or
- (c) Establish approval procedures.

(5) A jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

(a) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.

(b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.

(c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.

(d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.

(f) The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.

(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject.

(6) Any approval standards, special conditions and the procedures for approval adopted by a local government shall be clear and objective and may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2]

Item 5.c- Since the MPD is the final legal hurdle before construction occurs in the UGA, shouldn't all, not only major, streets be mapped? In the City MPoD ordinance, there is an additional step, the Detailed Development Plan, that allows for details. The County ordinance has no such process; the MPD is the final step.

Items 5 k through s- engineered plans. Standards as per JMA. Need peer review, especially since the Master Plan will allow variations in any and all standards. Someone needs to watch out for the interest of the community, and the Commissioners do not have the expertise to do so.

Section 3.468 Review Criteria

Item 1. a. Need to add- and consistent with the JMA for Urban Growth Areas.

Item 1.c. “reasonably be made available”- The word ‘reasonably’ is problematic and should include cost estimates because whether or not the facility is ‘reasonably’ available may be directly related to the cost of the facility and the availability of funds.

In Brookings, according to League of Oregon Cities (City Infrastructure Projects, May 2007) the per capita cost of current needed infrastructure projects is \$6,615. In Port Orford the per capita cost of current needed infrastructure projects is \$18,844. In Gold Beach, which identifies only the WWTP, the per capita cost is \$3681. Given that the average earned income throughout Curry County is the third lowest of all counties in the state, it seems ‘reasonable’ that the cost of additional infrastructure and the burden those costs will place on County residents should be a fundamental criterion in deciding whether facilities are or can be made ‘reasonably’ available.

Need to add language that elaborates on ‘reasonably available’ to include cost considerations.

Section 3.470 Action by Board of Commissioners

Item 2. Need to add – and be co-adopted by the City of Brookings as per the JMA.

Section 3.471 Residential Development Standards.

Item 2. a. Minimum lot size. No minimum lot size is okay, but to be consistent with the Amendment to the Urban Growth Boundary, the overall residential development should be 5.9 dwelling units per net buildable acre. Also see comments under Section 3.464 Item 1.

Section 3.475 Affordable and/or Workforce Housing Requirements.

Need to delete this section. Can’t mandate this in Oregon; can only provide incentives. See ORS below (in blue).

197.309 Local ordinances or approval conditions may not effectively establish housing sale price or designate class of purchasers; exception. (1) Except as provided in subsection (2) of this section, a city, county or metropolitan service district may not adopt a land use regulation or functional plan provision, or impose as a condition for approving a permit under ORS 215.427 or 227.178, a requirement that has the effect of establishing the sales price for a housing unit or residential building lot or parcel, or that requires a housing unit or residential building lot or parcel to be designated for sale to any particular class or group of purchasers.

(2) Nothing in this section is intended to limit the authority of a city, county or metropolitan service district to adopt or enforce a land use regulation, functional plan provision or condition of approval creating or implementing an incentive, contract commitment, density bonus or other voluntary regulation, provision or condition designed to increase the supply of moderate or lower cost housing units. [1999 c.848 §2]

Comments on Draft of Curry County Comprehensive Development Plan Ordinance

Section 9.040 Purpose and Intent

“where a public facilities plan (PFP) and/or transportation system plan (TSP) either does not exist or needs to be revised”.

If the TSP and PFP are current then no need for a Comprehensive Development Plan.

Correct? And if TSP and PFP are updated then no need for a Comprehensive Development Plan. Right? And the City and County have joint responsibility for the PFP and TSP as per JMA Section VII.A.1. Public Facilities Plan- “The City and County shall have **joint** responsibility for preparing the PFP for the UGA as forth in OAR 660-11-015. The plan shall be coordinated with other service providers..... The standards set forth in the PFP shall be agreed to by all the parties or where standards are lacking, shall be the same as those of the city or to standards agreed to between the County and City”.

The default standards are the City’s standards.

As per JMA.VII.C.2. “Policies and standards regarding development of roads in the UGA shall be set forth in the PFP.”

The PFP standards are the default, or lacking a PFP, the City’s standards are the default

Section 9.042 Criteria for approval of a Comprehensive Development Plan

2. “can reasonably be made available”

The word ‘reasonably’ is problematic and should include cost estimates because whether or not the facility is ‘reasonably’ available may be directly related to the cost of the facility and the availability of funds.

In Brookings, according to League of Oregon Cities (City Infrastructure Projects, May 2007) the per capita cost of current needed infrastructure projects is \$6,615. In Port Orford the per capita cost of current needed infrastructure projects is \$18,844. In Gold Beach, which identifies only the WWTP, the per capita cost is \$3681. Given that the average earned income throughout Curry County is the third lowest of all counties in the state, it seems ‘reasonable’ that the cost of additional infrastructure and the burden those costs will place on County residents should be a fundamental criterion in deciding whether facilities are or can be made ‘reasonably’ available.

Need to add language that elaborates on ‘reasonably available’ to include cost considerations.

Concerning water and sewer facilities- “state and local requirements may be approved”

Need to add Brookings JMA language X.D. and X.E. “limited to rural level of development and must hook up to public system when it becomes available” Current rural level for county is 2 acre minimum lot size. Here is an example of what can happen if the suggested language is not added. In the not too distant past the Dawson Tract in Brookings was developed with septic tanks which failed. DEQ mandated that a sewer system had to be installed. For Brookings to extend its sewer system, Dawson had to be within city limits. The residents annexed into the city and had to finance a Local Improvement District to pay for the sewer system. Many of the lifelong residents were forced to sell because they were unable to afford the bond. And many of the residents in the development remain embittered because of this. By the time the sewer was needed,

many unprepared and unsuspecting residents got blindsided and the developer, of course, was long gone with his profits in his pocket.

Section 9.043 The approval of a Comprehensive Development Plan

1. Need to add. If a Comprehensive Development Plan is proposed within the Brookings UGB designated Master Plan Areas, the CDP is considered equivalent to a Master Plan of Development as defined in CC MUMP Zone and must also be adopted by the City of Brookings as required by the Joint Management Agreement.

MINUTES
BROOKINGS PARKS AND RECREATION COMMISSION
July 26, 2007

CALL TO ORDER

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

ROLL CALL

Commissioners present: Michelle Benoit, Patricia Brown, Elizabeth Grodin & Chair Tony Parrish

Commissioners absent: Hayley Farr, Frances Hartmann and Don Vilelle

Others present: Pat Sherman, Mayor; Larry Anderson, Dave Gordon, Ron Hedenskog and Jan Willms, City Councilors; Tom Hubka, Media.

APPROVAL OF MINUTES

A. A motion was made by Commissioner Benoit to approve the minutes of June 28, 2007; the motion was seconded and the Commission voted, the motion carried unanimously.

INFORMATION UPDATES/DISCUSSION ITEMS

- A. Volunteer/Employee Picnic – scheduled for August 25, 2007
- B. Subcommittee for Lower Stout Park Beautification Project being formed to include members of the art community, the Garden Club, local contractors and the schools. Meeting date to be announced.

ADJOURNMENT

With no further business before the Commission, the meeting was adjourned at 7:06 p.m. to begin the joint work session with City Council to review and discuss the Azalea Park Use Plan.

Respectfully submitted,



Tony Parrish, Chair

(approved at August 23, 2007 meeting)

MINUTES
BROOKINGS PLANNING COMMISSION
August 7, 2007

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 | Juliane Leighton |
| Bill Dundom | Hedda Markham |
| Randy Gorman | Richard Yock |

Commissioners Absent: Bruce Nishioka

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

Other: Approximately 3 participants in the audience and *Coastal Pilot* reporter, Tom Hubka

CHAIR ANNOUNCEMENTS

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

1. By a 6-0 vote (Commissioner Bismarck) the Planning Commission approved the request for a one-year extension of File No. **CUP-7-06**, a Conditional Use Permit for a dwelling group to divide a .82 acre parcel of land; located at 19 Tanbark Road; Assessor's Map 41-13-08BB, Tax Lot 2000; R-1 (Single-family Residential) zone; Zoltan Istuan Gyurko, applicant.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS
None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

Before the public hearing was opened, Planning Director Morris introduced the new city manager, Gary Milliman, to the commission members.

Chair Markham opened the public hearing at 7:05 p.m. for File No. **LDC-1-07**, an amendment to Chapter 17.92: Off Street Parking and Loading Regulations, of the Brookings Municipal Code. City initiated.

1. By a 6-0 vote (Motion: Commissioner Markham), the Planning Commission voted to forward to City Council a favorable recommendation to approved Chapter 17.92- Off Street Parking and Loading Regulations.

There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS
None.

MINUTES

By a 5-0-1 (motion: Commissioner Markham, Commissioner Yock abstained due to absence) the Planning Commission approved the minutes of June 5, 2007.

COMMENTS by the PLANNING STAFF-Director Morris

- Planning Director Morris circulated copies of the Downtown Master Plan and The Master Plan Appendix: Implementation References and Exhibits, for the commissioners to review before the September 4th public hearing. The purpose of Chapter 17.54-Downtown Business District (DBD) is to create design standards for the creation of a town center along the areas of Chetco Avenue (Hwy.101) to Center Street to Oak Street, the north side of Railroad from Center Street west to Alder Street.
- A worksheet was distributed along with a request to review the public meetings they participated and the hours spent attending meetings and reviewing the material.
- Updated the Bruce Brothers *Pacific Terrace* appeal. Condition #43 regarding landscaping around the water tower was resolved, agreed to by both parties (Bruce Brothers and the neighbors), and consequently pulled from a LUBA review.
- A review of Ordinance 10-483.1-Section 5, states "when a member is absent two consecutive meetings...the position may be considered vacant." Contacting staff is appreciated to be assured of having a quorum. (Four voting commissioners constitute a quorum.)
- Distributed a copy of "2007 Erosion Control" workshop" to be held September 29, 2007, at the Best Western Beachfront (Brookings) from 8:30 a.m. to 4:30 p.m. Prior registration is required and a \$15.00 fee.
- Second meeting for the month is cancelled with the next public hearing scheduled for September 4, 2007.

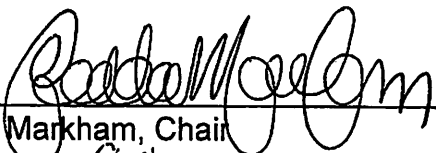
COMMISSIONERS COMMENTS

Commissioner Dundom asked about the status of the Brytus variance. Director Morris responded that the item was resolved by a lot line adjustment.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 7:51 p.m.

Respectfully submitted,



Hedda Markham, Chair
(approved at 9-4-07 meeting)

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|-------|------------|----------|-----------|-------------------------------|---------------|------------|
| 08/07 | 08/01/2007 | 57599 | 371 | DEQ Business Office | 10-00-2005 | 501,244.00 |
| 08/07 | 08/02/2007 | 57600 | 3946 | Al Silbowitz | 10-00-2005 | 33.25 |
| 08/07 | 08/02/2007 | 57601 | 630 | AWWA | 10-00-2005 | 173.00 |
| 08/07 | 08/02/2007 | 57602 | 138 | Becco, Inc | 10-00-2005 | 57.90 |
| 08/07 | 08/02/2007 | 57603 | 148 | B-H Chamber of Commerce | 10-00-2005 | 5,747.35 |
| 08/07 | 08/02/2007 | 57604 | 2407 | Blue Star Gas | 10-00-2005 | 2,841.65 |
| 08/07 | 08/02/2007 | 57605 | 313 | Brookings Vol Firefighters | 10-00-2005 | 2,083.33 |
| 08/07 | 08/02/2007 | 57606 | 2364 | C&S Fire-Safe Services | 10-00-2005 | 98.00 |
| 08/07 | 08/02/2007 | 57607 | 3947 | Catherine M Gustafson | 10-00-2005 | 26.31 |
| 08/07 | 08/02/2007 | 57608 | 370 | CCIS | 10-00-2005 | 2,475.00 |
| 08/07 | 08/02/2007 | 57609 | 3015 | Charter Communications | 10-00-2005 | 1,145.39 |
| 08/07 | 08/02/2007 | 57610 | 629 | Chemsearch | 10-00-2005 | 504.90 |
| 08/07 | 08/02/2007 | 57611 | 1840 | Chetco Federal Credit Union | 10-00-2005 | 3,330.00 |
| 08/07 | 08/02/2007 | 57612 | 178 | Chetco Pharmacy & Gift | 10-00-2005 | 24.40 |
| 08/07 | 08/02/2007 | 57613 | 2468 | Cliff Weeks | 10-00-2005 | 356.13 |
| 08/07 | 08/02/2007 | 57614 | 822 | Coast Auto Center | 10-00-2005 | 2,026.10 |
| 08/07 | 08/02/2007 | 57615 | 183 | Colvin Oil Company | 10-00-2005 | 2,507.73 |
| 08/07 | 08/02/2007 | 57616 | 182 | Coos-Curry Electric | 10-00-2005 | 19,088.61 |
| 08/07 | 08/02/2007 | 57617 | 2542 | Crystal Fresh Bottled Water | 10-00-2005 | 54.00 |
| 08/07 | 08/02/2007 | 57618 | 151 | Curry Coastal Pilot | 10-00-2005 | 528.64 |
| 08/07 | 08/02/2007 | 57619 | 173 | Curry Equipment Company | 10-00-2005 | 63.70 |
| 08/07 | 08/02/2007 | 57620 | 284 | Day-Wireless Systems | 10-00-2005 | 886.50 |
| 08/07 | 08/02/2007 | 57621 | 2075 | Department of State Lands | 10-00-2005 | 59.63 |
| 08/07 | 08/02/2007 | 57622 | 2827 | Dianne Morris | 10-00-2005 | 153.42 |
| 08/07 | 08/02/2007 | 57623 | 316 | Donald & Roberta Chandler | 10-00-2005 | 548.00 |
| 08/07 | 08/02/2007 | 57624 | 2117 | Edge Wireless | 10-00-2005 | 268.40 |
| 08/07 | 08/02/2007 | 57625 | 754 | First Response | 10-00-2005 | 400.00 |
| 08/07 | 08/02/2007 | 57626 | 3518 | GLC Concrete Construction Inc | 10-00-2005 | 1,192.13 |
| 08/07 | 08/02/2007 | 57627 | 2882 | Globalstar USA | 10-00-2005 | 72.88 |
| 08/07 | 08/02/2007 | 57628 | 3915 | Harrang/Long/Gary/Rudnick PC | 10-00-2005 | 3,044.79 |
| 08/07 | 08/02/2007 | 57629 | 131 | HGE, Inc | 10-00-2005 | 27,069.27 |
| 08/07 | 08/02/2007 | 57630 | 1082 | Hilary Thompson | 10-00-2005 | 57.83 |
| 08/07 | 08/02/2007 | 57631 | 3828 | Holly Beyer | 10-00-2005 | 38.22 |
| 08/07 | 08/02/2007 | 57632 | 1699 | Imagistics | 10-00-2005 | 503.97 |
| 08/07 | 08/02/2007 | 57633 | 307 | Industrial Steel & Supply Inc | 10-00-2005 | 9.24 |
| 08/07 | 08/02/2007 | 57634 | 526 | Joe Ingwersen | 10-00-2005 | 83.00 |
| 08/07 | 08/02/2007 | 57635 | 1182 | John Pohl | 10-00-2005 | 36.23 |
| 08/07 | 08/02/2007 | 57636 | 3943 | Josh Isbell | 10-00-2005 | 21.61 |
| 08/07 | 08/02/2007 | 57637 | 3941 | Judy Grant | 10-00-2005 | 10.36 |
| 08/07 | 08/02/2007 | 57638 | 3938 | Kay King | 10-00-2005 | 47.60 |
| 08/07 | 08/02/2007 | 57639 | 2801 | Keith's Sporting Goods | 10-00-2005 | 1,076.25 |
| 08/07 | 08/02/2007 | 57640 | 2834 | Kelby McCrae | 10-00-2005 | 765.40 |
| 08/07 | 08/02/2007 | 57641 | 3678 | Kenneth Manuele | 10-00-2005 | 134.00 |
| 08/07 | 08/02/2007 | 57642 | 262 | Kim Hunnicutt Court Reporting | 10-00-2005 | 24.00 |
| 08/07 | 08/02/2007 | 57643 | 386 | Lab Safety Supply Inc | 10-00-2005 | 257.29 |
| 08/07 | 08/02/2007 | 57644 | 2598 | Larry Garcia | 10-00-2005 | 34.86 |
| 08/07 | 08/02/2007 | 57645 | 328 | Les Schwab Tire Center | 10-00-2005 | 69.95 |
| 08/07 | 08/02/2007 | 57646 | 3933 | Lloyd Williams | 10-00-2005 | 15.13 |
| 08/07 | 08/02/2007 | 57647 | 3937 | Matthew D Ralston | 10-00-2005 | 40.11 |
| 08/07 | 08/02/2007 | 57648 | 373 | McMurray & Sons Roofing | 10-00-2005 | 135,541.00 |
| 08/07 | 08/02/2007 | 57649 | 155 | Mory's | 10-00-2005 | 3.00 |
| 08/07 | 08/02/2007 | 57650 | 1491 | Mt Hood Chemical | 10-00-2005 | 3,458.40 |
| 08/07 | 08/02/2007 | 57651 | 433 | NCL of Wisconsin | 10-00-2005 | 53.22 |
| 08/07 | 08/02/2007 | 57652 | 3159 | Northcoast Health Screening | 10-00-2005 | 357.00 |
| 08/07 | 08/02/2007 | 57653 | 3935 | Northern California Gloves | 10-00-2005 | 135.00 |
| 08/07 | 08/02/2007 | 57654 | 979 | Northwest Regional Magazines | 10-00-2005 | 18.95 |
| 08/07 | 08/02/2007 | 57655 | 3539 | O.K.D. Painting Inc | 10-00-2005 | 1,800.00 |

M = Manual Check, V = Void Check

Check Register - Summary
 GL Posting Period(s): 08/07 - 08/07
 Check Issue Date(s): 08/01/2007 - 08/31/2007

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|-------|------------|----------|-----------|---------------------------------------|---------------|----------|
| 08/07 | 08/02/2007 | 57656 | 3561 | Oil Can Henry's | 10-00-2005 | 31.49 |
| 08/07 | 08/02/2007 | 57657 | 279 | One Call Concepts, Inc | 10-00-2005 | 34.65 |
| 08/07 | 08/02/2007 | 57658 | 252 | Paramount Pest Control | 10-00-2005 | 38.00 |
| 08/07 | 08/02/2007 | 57659 | 3940 | Phillip D Giles | 10-00-2005 | 10.03 |
| 08/07 | 08/02/2007 | 57660 | 866 | Pitney Bowes Global Financial | 10-00-2005 | 137.00 |
| 08/07 | 08/02/2007 | 57661 | 1029 | Pitney Bowes Purchase Power | 10-00-2005 | 1,000.00 |
| 08/07 | 08/02/2007 | 57662 | 322 | Postmaster | 10-00-2005 | 720.00 |
| 08/07 | 08/02/2007 | 57663 | 207 | Quill Corporation | 10-00-2005 | 565.83 |
| 08/07 | 08/02/2007 | 57664 | 1363 | Red Lion Inn | 10-00-2005 | 331.40 |
| 08/07 | 08/02/2007 | 57665 | 199 | Richard Harper | 10-00-2005 | 300.00 |
| 08/07 | 08/02/2007 | 57666 | 2936 | Ross Walton | 10-00-2005 | 35.36 |
| 08/07 | 08/02/2007 | 57667 | 3939 | Roy Davis | 10-00-2005 | 35.30 |
| 08/07 | 08/02/2007 | 57668 | 3923 | Salsbury Industries | 10-00-2005 | 1,354.18 |
| 08/07 | 08/02/2007 | 57669 | 3944 | Scott Scoble | 10-00-2005 | 59.21 |
| 08/07 | 08/02/2007 | 57670 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/02/2007 | 57671 | 3872 | Staples Business Advantage | 10-00-2005 | 543.24 |
| 08/07 | 08/02/2007 | 57672 | 3942 | Stephen Hastings | 10-00-2005 | 21.37 |
| 08/07 | 08/02/2007 | 57673 | 1396 | The Lifeguard Store | 10-00-2005 | 73.50 |
| 08/07 | 08/02/2007 | 57674 | 3220 | The Radar Shop | 10-00-2005 | 537.00 |
| 08/07 | 08/02/2007 | 57675 | 142 | Tidewater Contractors Inc | 10-00-2005 | 222.00 |
| 08/07 | 08/02/2007 | 57676 | 3945 | Trina Frager | 10-00-2005 | 12.25 |
| 08/07 | 08/02/2007 | 57677 | 161 | United Communications Inc | 10-00-2005 | 1,472.63 |
| 08/07 | 08/02/2007 | 57678 | 991 | Verizon Northwest | 10-00-2005 | 19.28 |
| 08/07 | 08/02/2007 | 57679 | 861 | Village Express Mail Center | 10-00-2005 | 12.27 |
| 08/07 | 08/02/2007 | 57680 | 2122 | VISA | 10-00-2005 | 333.48 |
| 08/07 | 08/02/2007 | 57681 | 253 | Xerox Corporation | 10-00-2005 | 70.73 |
| 08/07 | 08/08/2007 | 57682 | 3955 | Gary D Milliman | 10-00-2005 | 2,612.12 |
| 08/07 | 08/09/2007 | 57683 | 3581 | ALSCO | 10-00-2005 | 102.60 |
| 08/07 | 08/09/2007 | 57684 | 800 | American Red Cross | 10-00-2005 | 55.00 |
| 08/07 | 08/09/2007 | 57685 | 2353 | B&H Gun Rack | 10-00-2005 | 1,085.95 |
| 08/07 | 08/09/2007 | 57686 | 3949 | B.F. Hurley Mat Company Inc | 10-00-2005 | 716.16 |
| 08/07 | 08/09/2007 | 57687 | 2975 | BatteryZone Inc | 10-00-2005 | 233.01 |
| 08/07 | 08/09/2007 | 57688 | 2407 | Blue Star Gas | 10-00-2005 | 1,061.26 |
| 08/07 | 08/20/2007 | 57689 | 3952 | VOID - First Baptist Community Church | 10-00-2005 | .00 M |
| 08/07 | 08/09/2007 | 57690 | 110 | Brookings Harbor Auto Parts | 10-00-2005 | 105.78 |
| 08/07 | 08/09/2007 | 57691 | 2364 | C&S Fire-Safe Services | 10-00-2005 | 714.00 |
| 08/07 | 08/09/2007 | 57692 | 3958 | Cathy Seamons | 10-00-2005 | 57.97 |
| 08/07 | 08/09/2007 | 57693 | 3834 | Clean Sweep Janitorial Service | 10-00-2005 | 700.00 |
| 08/07 | 08/09/2007 | 57694 | 183 | Colvin Oil Company | 10-00-2005 | 2,924.32 |
| 08/07 | 08/09/2007 | 57695 | 3960 | VOID - Comfort Suites Portland Airpor | 10-00-2005 | .00 |
| 08/07 | 08/09/2007 | 57696 | 2542 | Crystal Fresh Bottled Water | 10-00-2005 | 288.00 |
| 08/07 | 08/09/2007 | 57697 | 389 | Cummins Northwest LLC | 10-00-2005 | 571.88 |
| 08/07 | 08/09/2007 | 57698 | 173 | Curry Equipment Company | 10-00-2005 | 85.14 |
| 08/07 | 08/09/2007 | 57699 | 195 | Curry Transfer & Recycling | 10-00-2005 | 587.15 |
| 08/07 | 08/09/2007 | 57700 | 166 | Dan's Auto & Marine Electric | 10-00-2005 | 208.48 |
| 08/07 | 08/09/2007 | 57701 | 3956 | Darwin Brookings Association | 10-00-2005 | 21.02 |
| 08/07 | 08/09/2007 | 57702 | 259 | Da-Tone Rock Products | 10-00-2005 | 88.22 |
| 08/07 | 08/09/2007 | 57703 | 284 | Day-Wireless Systems | 10-00-2005 | 420.00 |
| 08/07 | 08/09/2007 | 57704 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57705 | 185 | Del Cur Supply | 10-00-2005 | 350.10 |
| 08/07 | 08/09/2007 | 57706 | 575 | DELL Computer Corp | 10-00-2005 | 106.68 |
| 08/07 | 08/09/2007 | 57707 | 3342 | Fastenal | 10-00-2005 | 33.12 |
| 08/07 | 08/09/2007 | 57708 | 153 | Ferrellgas | 10-00-2005 | 172.00 |
| 08/07 | 08/09/2007 | 57709 | 921 | Glass Impressions | 10-00-2005 | 257.50 |
| 08/07 | 08/09/2007 | 57710 | 198 | Grants Pass Water Lab | 10-00-2005 | 177.24 |
| 08/07 | 08/09/2007 | 57711 | 139 | Harbor Logging Supply | 10-00-2005 | 173.00 |
| 08/07 | 08/09/2007 | 57712 | 3632 | Harbor View Windows | 10-00-2005 | 282.61 |

M = Manual Check, V = Void Check

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|-------|------------|----------|-----------|--------------------------------|---------------|-----------|
| 08/07 | 08/09/2007 | 57713 | 3915 | Harrang/Long/Gary/Rudnick PC | 10-00-2005 | 671.23 |
| 08/07 | 08/09/2007 | 57714 | 2051 | HD Supply Waterworks Ltd | 10-00-2005 | 247.00 |
| 08/07 | 08/09/2007 | 57715 | 393 | ICMA | 10-00-2005 | 720.00 |
| 08/07 | 08/09/2007 | 57716 | 3953 | Identix | 10-00-2005 | 18,411.00 |
| 08/07 | 08/09/2007 | 57717 | 1699 | Imagistics | 10-00-2005 | 322.70 |
| 08/07 | 08/09/2007 | 57718 | 3957 | Jacque Cummings | 10-00-2005 | 59.15 |
| 08/07 | 08/09/2007 | 57719 | 526 | Joe Ingwersen | 10-00-2005 | 90.00 |
| 08/07 | 08/09/2007 | 57720 | 2801 | Keith's Sporting Goods | 10-00-2005 | 1,596.30 |
| 08/07 | 08/09/2007 | 57721 | 3726 | Kennedy/Jenks Consultants Inc | 10-00-2005 | 33,817.38 |
| 08/07 | 08/09/2007 | 57722 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57723 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57724 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57725 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57726 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57727 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/09/2007 | 57728 | 162 | Kerr Hardware | 10-00-2005 | 1,525.14 |
| 08/07 | 08/09/2007 | 57729 | 328 | Les Schwab Tire Center | 10-00-2005 | 419.54 |
| 08/07 | 08/09/2007 | 57730 | 3951 | Megan Volz | 10-00-2005 | 27.50 |
| 08/07 | 08/09/2007 | 57731 | 3959 | Melissa Camp | 10-00-2005 | 34.28 |
| 08/07 | 08/09/2007 | 57732 | 433 | NCL of Wisconsin | 10-00-2005 | 123.08 |
| 08/07 | 08/09/2007 | 57733 | 334 | North Coast Electric | 10-00-2005 | 30.90 |
| 08/07 | 08/09/2007 | 57734 | 1930 | Northern Safety Co | 10-00-2005 | 212.09 |
| 08/07 | 08/09/2007 | 57735 | 1330 | Northwest Uniforms, Inc | 10-00-2005 | 604.90 |
| 08/07 | 08/09/2007 | 57736 | 3561 | Oil Can Henry's | 10-00-2005 | 71.07 |
| 08/07 | 08/09/2007 | 57737 | 3725 | Oregon Air Gas | 10-00-2005 | 45.50 |
| 08/07 | 08/09/2007 | 57738 | 3264 | Pacific Electrical Contr Inc | 10-00-2005 | 632.25 |
| 08/07 | 08/09/2007 | 57739 | 3936 | Pape' Material Handling | 10-00-2005 | 16.03 |
| 08/07 | 08/09/2007 | 57740 | 2974 | Pat Sherman | 10-00-2005 | 291.00 |
| 08/07 | 08/09/2007 | 57741 | 3629 | PCC-IHP Central Portland-THS | 10-00-2005 | 235.00 |
| 08/07 | 08/09/2007 | 57742 | 1193 | PRN Data Services, Inc | 10-00-2005 | 3,619.75 |
| 08/07 | 08/09/2007 | 57743 | 187 | Quality Fast Lube & Oil | 10-00-2005 | 32.75 |
| 08/07 | 08/09/2007 | 57744 | 180 | Ray's Food Place | 10-00-2005 | 235.07 |
| 08/07 | 08/09/2007 | 57745 | 3721 | Recreation Resource Ince | 10-00-2005 | 7,994.00 |
| 08/07 | 08/09/2007 | 57746 | 3954 | Riverside Manufacturing Co | 10-00-2005 | 469.69 |
| 08/07 | 08/09/2007 | 57747 | 169 | Roto Rooter | 10-00-2005 | 57,158.75 |
| 08/07 | 08/09/2007 | 57748 | 2025 | Scientific Distributors LLC | 10-00-2005 | 634.52 |
| 08/07 | 08/09/2007 | 57749 | 2875 | Sporhaven Inc | 10-00-2005 | 880.00 |
| 08/07 | 08/09/2007 | 57750 | 956 | Suiter's Paint & Body | 10-00-2005 | 100.00 |
| 08/07 | 08/09/2007 | 57751 | 2254 | Sunny Wheatley | 10-00-2005 | 205.00 |
| 08/07 | 08/09/2007 | 57752 | 665 | The Riverhouse | 10-00-2005 | 330.00 |
| 08/07 | 08/09/2007 | 57753 | 797 | Town & Country Animal Clinic | 10-00-2005 | 314.55 |
| 08/07 | 08/09/2007 | 57754 | 273 | Traffic Safety Supply Co, Inc | 10-00-2005 | 1,052.49 |
| 08/07 | 08/09/2007 | 57755 | 179 | Trew, Cyphers & Meynink | 10-00-2005 | 1,381.00 |
| 08/07 | 08/09/2007 | 57756 | 2541 | U.S. Bank | 10-00-2005 | 425.00 |
| 08/07 | 08/09/2007 | 57757 | 990 | United Parcel Service | 10-00-2005 | 101.90 |
| 08/07 | 08/09/2007 | 57758 | 136 | United Pipe & Supply Co Inc | 10-00-2005 | 1,844.12 |
| 08/07 | 08/09/2007 | 57759 | 861 | Village Express Mail Center | 10-00-2005 | 14.14 |
| 08/07 | 08/09/2007 | 57760 | 108 | VWR International Inc | 10-00-2005 | 182.17 |
| 08/07 | 08/09/2007 | 57761 | 3646 | Western Power & Equipment | 10-00-2005 | 372.99 |
| 08/07 | 08/10/2007 | 57762 | 162 | Kerr Hardware | 10-00-2005 | .00 |
| 08/07 | 08/17/2007 | 57763 | 3542 | Arma Coatings of Brookings Inc | 10-00-2005 | 450.00 |
| 08/07 | 08/17/2007 | 57764 | 146 | Bay West Supply, Inc | 10-00-2005 | 330.04 |
| 08/07 | 08/17/2007 | 57765 | 3970 | Bill & Cate Yocum | 10-00-2005 | 43.10 |
| 08/07 | 08/17/2007 | 57766 | 2407 | Blue Star Gas | 10-00-2005 | 1,218.57 |
| 08/07 | 08/17/2007 | 57767 | 3964 | Brian Backman | 10-00-2005 | 102.88 |
| 08/07 | 08/17/2007 | 57768 | 715 | Budge McHugh Supply | 10-00-2005 | 89.00 |
| 08/07 | 08/17/2007 | 57769 | 2364 | C&S Fire-Safe Services | 10-00-2005 | 121.50 |

M = Manual Check, V = Void Check

Check Register - Summary
 GL Posting Period(s): 08/07 - 08/07
 Check Issue Date(s): 08/01/2007 - 08/31/2007

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
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| 08/07 | 08/17/2007 | 57770 | 3965 | Carissa Wolf | 10-00-2005 | 44.02 |
| 08/07 | 08/17/2007 | 57771 | 3966 | Cary H Sutter | 10-00-2005 | 45.00 |
| 08/07 | 08/17/2007 | 57772 | 3015 | Charter Communications | 10-00-2005 | 84.90 |
| 08/07 | 08/17/2007 | 57773 | 629 | Chemsearch | 10-00-2005 | 28.45 |
| 08/07 | 08/17/2007 | 57774 | 1745 | Coastal Paper & Supply, Inc | 10-00-2005 | 30.77 |
| 08/07 | 08/17/2007 | 57775 | 183 | Colvin Oil Company | 10-00-2005 | 1,633.32 |
| 08/07 | 08/17/2007 | 57776 | 182 | Coos-Curry Electric | 10-00-2005 | 4,643.17 |
| 08/07 | 08/17/2007 | 57777 | 3967 | Corrie Taylor | 10-00-2005 | 33.60 |
| 08/07 | 08/17/2007 | 57778 | 3969 | Dave Hoover | 10-00-2005 | 120.00 |
| 08/07 | 08/17/2007 | 57779 | 575 | DELL Computer Corp | 10-00-2005 | 1,434.42 |
| 08/07 | 08/17/2007 | 57780 | 2729 | DJC | 10-00-2005 | 1,195.00 |
| 08/07 | 08/17/2007 | 57781 | 3955 | Gary D Milliman | 10-00-2005 | 5,000.00 |
| 08/07 | 08/17/2007 | 57782 | 269 | Grainger | 10-00-2005 | 627.75 |
| 08/07 | 08/17/2007 | 57783 | 2109 | Granite Construction Co. | 10-00-2005 | 559.79 |
| 08/07 | 08/17/2007 | 57784 | 3950 | Grice Industries Inc | 10-00-2005 | 534.00 |
| 08/07 | 08/17/2007 | 57785 | 2916 | ICC Membership Services | 10-00-2005 | 100.00 |
| 08/07 | 08/17/2007 | 57786 | 3408 | IDEXX Distribution Inc | 10-00-2005 | 208.82 |
| 08/07 | 08/17/2007 | 57787 | 1699 | Imagistics | 10-00-2005 | 181.38 |
| 08/07 | 08/17/2007 | 57788 | 438 | John Bishop | 10-00-2005 | 150.00 |
| 08/07 | 08/17/2007 | 57789 | 2801 | Keith's Sporting Goods | 10-00-2005 | 433.20 |
| 08/07 | 08/17/2007 | 57790 | 1397 | L N Curtis | 10-00-2005 | 2,544.35 |
| 08/07 | 08/17/2007 | 57791 | 386 | Lab Safety Supply Inc | 10-00-2005 | 165.16 |
| 08/07 | 08/17/2007 | 57792 | 283 | Mufflers & More | 10-00-2005 | 77.00 |
| 08/07 | 08/17/2007 | 57793 | 424 | Munnell & Sherrill | 10-00-2005 | 861.96 |
| 08/07 | 08/17/2007 | 57794 | 1844 | My-Comm, Inc | 10-00-2005 | 342.50 |
| 08/07 | 08/17/2007 | 57795 | 1960 | National Fire Fighter Corp | 10-00-2005 | 996.00 |
| 08/07 | 08/17/2007 | 57796 | 3159 | Northcoast Health Screening | 10-00-2005 | 90.00 |
| 08/07 | 08/17/2007 | 57797 | 442 | OCCMA | 10-00-2005 | 85.85 |
| 08/07 | 08/17/2007 | 57798 | 279 | One Call Concepts, Inc | 10-00-2005 | 26.25 |
| 08/07 | 08/17/2007 | 57799 | 143 | Oregon Department of Revenue | 10-00-2005 | 23.95 |
| 08/07 | 08/17/2007 | 57800 | 3264 | Pacific Electrical Contr Inc | 10-00-2005 | 535.71 |
| 08/07 | 08/17/2007 | 57801 | 252 | Paramount Pest Control | 10-00-2005 | 38.00 |
| 08/07 | 08/17/2007 | 57802 | 2166 | Paul Hughes | 10-00-2005 | 1,170.00 |
| 08/07 | 08/17/2007 | 57803 | 866 | Pitney Bowes Global Financial | 10-00-2005 | 137.00 |
| 08/07 | 08/17/2007 | 57804 | 169 | Roto Rooter | 10-00-2005 | 17,978.40 |
| 08/07 | 08/17/2007 | 57805 | 1197 | Teledyne Isco Inc | 10-00-2005 | 215.50 |
| 08/07 | 08/17/2007 | 57806 | 135 | The World | 10-00-2005 | 1,149.55 |
| 08/07 | 08/17/2007 | 57807 | 3917 | Thermo Fisher Scientific | 10-00-2005 | 53.50 |
| 08/07 | 08/17/2007 | 57808 | 3968 | Tina Rhodes | 10-00-2005 | 28.13 |
| 08/07 | 08/17/2007 | 57809 | 2586 | TMG Services Inc | 10-00-2005 | 160.66 |
| 08/07 | 08/17/2007 | 57810 | 991 | Verizon Northwest | 10-00-2005 | 543.01 |
| 08/07 | 08/17/2007 | 57811 | 2178 | Watershed, Inc | 10-00-2005 | 67.84 |
| 08/07 | 08/22/2007 | 57812 | 1881 | AFLAC | 10-00-2005 | 342.84 |
| 08/07 | 08/22/2007 | 57813 | 145 | EBS Trust | 10-00-2005 | 36.20 |
| 08/07 | 08/22/2007 | 57814 | 144 | OR Teamster Employers Trust | 10-00-2005 | 14,926.08 |
| 08/07 | 08/22/2007 | 57815 | 189 | OR Teamster Employers Trust | 10-00-2005 | 13,993.20 |
| 08/07 | 08/22/2007 | 57816 | 3433 | OR Teamster Employers Trust | 10-00-2005 | 16,791.84 |
| 08/07 | 08/22/2007 | 57817 | 214 | Regence Life & Health Ins | 10-00-2005 | 306.00 |
| 08/07 | 08/22/2007 | 57818 | 213 | Teamsters Local Union 223 | 10-00-2005 | 690.00 |
| 08/07 | 08/22/2007 | 57819 | 3404 | Teamsters Local Union 223 | 10-00-2005 | 866.00 |
| 08/07 | 08/28/2007 | 57820 | 1985 | American Water Works Assn | 10-00-2005 | 173.00 |
| 08/07 | 08/28/2007 | 57821 | 342 | Applied Industrial Technology | 10-00-2005 | 19.20 |
| 08/07 | 08/28/2007 | 57822 | 2407 | Blue Star Gas | 10-00-2005 | 1,102.43 |
| 08/07 | 08/28/2007 | 57823 | 3295 | Brian J. Gagnon | 10-00-2005 | 1,260.00 |
| 08/07 | 08/28/2007 | 57824 | 3976 | Carole Raydon | 10-00-2005 | 85.04 |
| 08/07 | 08/28/2007 | 57825 | 149 | Carpenter Auto Center | 10-00-2005 | 94.80 |
| 08/07 | 08/28/2007 | 57826 | 3015 | Charter Communications | 10-00-2005 | 1,060.49 |

M = Manual Check, V = Void Check

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|---|------------|----------|-----------|--------------------------------|---------------|---------------------|
| 08/07 | 08/28/2007 | 57827 | 1686 | Chetco Community PublicLibrary | 10-00-2005 | 15.00 |
| 08/07 | 08/28/2007 | 57828 | 2172 | Coastal Heating & Air | 10-00-2005 | 1,378.39 |
| 08/07 | 08/28/2007 | 57829 | 183 | Colvin Oil Company | 10-00-2005 | 3,474.29 |
| 08/07 | 08/28/2007 | 57830 | 182 | Coos-Curry Electric | 10-00-2005 | 16,343.23 |
| 08/07 | 08/28/2007 | 57831 | 151 | Curry Coastal Pilot | 10-00-2005 | 1,143.21 |
| 08/07 | 08/28/2007 | 57832 | 173 | Curry Equipment Company | 10-00-2005 | 1,106.66 |
| 08/07 | 08/28/2007 | 57833 | 166 | Dan's Auto & Marine Electric | 10-00-2005 | 77.89 |
| 08/07 | 08/28/2007 | 57834 | 3982 | Darla Hayes | 10-00-2005 | 64.93 |
| 08/07 | 08/28/2007 | 57835 | 2340 | Diamond Communications, Inc | 10-00-2005 | 244.00 |
| 08/07 | 08/28/2007 | 57836 | 2729 | DJC | 10-00-2005 | 549.70 |
| 08/07 | 08/28/2007 | 57837 | 3981 | Donald V Cobbs | 10-00-2005 | 65.00 |
| 08/07 | 08/28/2007 | 57838 | 2117 | Edge Wireless | 10-00-2005 | 289.76 |
| 08/07 | 08/28/2007 | 57839 | 153 | Ferrellgas | 10-00-2005 | 825.64 |
| 08/07 | 08/28/2007 | 57840 | 3952 | First Baptist Community Church | 10-00-2005 | 90.00 |
| 08/07 | 08/28/2007 | 57841 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/28/2007 | 57842 | 131 | HGE, Inc | 10-00-2005 | 39,147.31 |
| 08/07 | 08/28/2007 | 57843 | 3983 | Jim Falls | 10-00-2005 | 13.52 |
| 08/07 | 08/28/2007 | 57844 | 350 | John Zia | 10-00-2005 | 12.60 |
| 08/07 | 08/28/2007 | 57845 | 3678 | Kenneth Manuele | 10-00-2005 | 216.00 |
| 08/07 | 08/28/2007 | 57846 | 3978 | KLB Enterprises | 10-00-2005 | 131.12 |
| 08/07 | 08/28/2007 | 57847 | 1397 | L N Curtis | 10-00-2005 | 485.43 |
| 08/07 | 08/28/2007 | 57848 | 202 | League of Oregon Cities | 10-00-2005 | 15.00 |
| 08/07 | 08/28/2007 | 57849 | 328 | Les Schwab Tire Center | 10-00-2005 | 1,110.56 |
| ** Check Number 57849 from Bank 5 has both Voided and Unvoided sequences for this Vendor. | | | | | | |
| 08/07 | 08/28/2007 | 57850 | 3971 | Local Market | 10-00-2005 | 13.11 |
| 08/07 | 08/28/2007 | 57851 | 3984 | Manuel Valdivia | 10-00-2005 | 14.41 |
| 08/07 | 08/28/2007 | 57852 | 3972 | Margaret Nelson | 10-00-2005 | 25.32 |
| 08/07 | 08/28/2007 | 57853 | 3975 | Nancy Fair | 10-00-2005 | 44.67 |
| 08/07 | 08/28/2007 | 57854 | 3840 | Nancy Wise | 10-00-2005 | 92.59 |
| 08/07 | 08/28/2007 | 57855 | 2484 | Nat'l Hose Testing Spec Inc | 10-00-2005 | 2,475.20 |
| 08/07 | 08/28/2007 | 57856 | 3603 | Norwest Safety | 10-00-2005 | 560.90 |
| 08/07 | 08/28/2007 | 57857 | 3561 | Oil Can Henry's | 10-00-2005 | 150.00 |
| 08/07 | 08/28/2007 | 57858 | 2535 | Oregon Fire Marshals Assn | 10-00-2005 | 30.00 |
| 08/07 | 08/28/2007 | 57859 | 3845 | Pacific Property Partners | 10-00-2005 | 16.96 |
| 08/07 | 08/28/2007 | 57860 | 3973 | Paige Lindley | 10-00-2005 | 33.00 |
| 08/07 | 08/28/2007 | 57861 | 1193 | PRN Data Services, Inc | 10-00-2005 | 6,849.50 |
| 08/07 | 08/28/2007 | 57862 | 3907 | Rock Island Industries | 10-00-2005 | 367.52 |
| 08/07 | 08/28/2007 | 57863 | 3963 | Smith & Loveless, Inc | 10-00-2005 | 231.45 |
| 08/07 | 08/28/2007 | 57864 | 3980 | Smith Design Services | 10-00-2005 | 75.00 |
| 08/07 | 08/28/2007 | 57865 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/28/2007 | 57866 | 380 | Stadelman Electric Inc | 10-00-2005 | 8,622.01 |
| 08/07 | 08/28/2007 | 57867 | 3872 | Staples Business Advantage | 10-00-2005 | 395.19 |
| 08/07 | 08/28/2007 | 57868 | 2254 | Sunny Wheatley | 10-00-2005 | 123.00 |
| 08/07 | 08/28/2007 | 57869 | 3974 | Tama Jacobs | 10-00-2005 | 5.26 |
| 08/07 | 08/28/2007 | 57870 | 3977 | The Emblem Authority | 10-00-2005 | 582.66 |
| 08/07 | 08/28/2007 | 57871 | 135 | The World | 10-00-2005 | 509.76 |
| 08/07 | 08/28/2007 | 57872 | 2586 | TMG Services Inc | 10-00-2005 | 46.00 |
| 08/07 | 08/28/2007 | 57873 | | Information Only Check | 10-00-2005 | .00 V |
| 08/07 | 08/28/2007 | 57874 | 136 | United Pipe & Supply Co Inc | 10-00-2005 | 5,649.57 |
| 08/07 | 08/28/2007 | 57875 | 1523 | United Rentals Northwest Inc | 10-00-2005 | 255.00 |
| 08/07 | 08/28/2007 | 57876 | 3979 | US Hole In One | 10-00-2005 | 330.00 |
| 08/07 | 08/28/2007 | 57877 | 3706 | Walter Ciceric | 10-00-2005 | 2.06 |
| Totals: | | | | | | <u>1,075,186.97</u> |

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|-----|------|----------|-----------|-------|---------------|--------|
|-----|------|----------|-----------|-------|---------------|--------|

Errors were found. Please check the report carefully.

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

**In the Matter of a Resolution
adopting an “in lieu” parking
space construction fee to be
applied as described under
Chapter 17.92.030, Off Street
Parking, of the Brookings
Municipal Code.**

RESOLUTION 07-R-777

WHEREAS, Chapter 17.92.030, Off-street Parking, Brookings Municipal Code provides for the setting and adoption of in lieu parking space construction fees to be applied within the Downtown Business District (DBD) when it is not possible to provide some or all of the required off-street parking; and

WHEREAS, the collection of fees is necessary to provide adequate parking in the Downtown Business District; and

WHEREAS, collected fees shall be retained by the City and used exclusively for the purpose of acquiring and developing public off-street parking facilities within the DBD; and

WHEREAS, the DBD is described as including the first tier of lots on the north side of Highway 101 from Center Street to Oak Street to the north side of Highway 101 from Railroad Street and from Center Street on the west to Alder Street on the East;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the following in-lieu parking space construction fee is hereby adopted:

**\$20,000 per space, payable in interest free installments of
\$2000 per space, annually.**

BE IT FURTHER RESOLVED that no future payments shall be required upon a finding by the City that an adequate number of parking spaces have been developed within the DBD, and that as an alternative, the City may accept dedication of newly developed parking at a location within the DBD, or immediately adjacent thereto, in a amount equal to the required on-site parking.

Adopted by Council on _____.

Dated and signed this _____ day of _____.

Mayor Pat Sherman

Attest:

Interim City Recorder Joyce Heffington



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: City Manager

Date: August 29, 2007

Subject: Community Relation Fund Guidelines

Recommendation: Adopt Resolution 07-R-778, a resolution establishing a set of guidelines for the Community Relations Fund.

Background /Discussion: Council included in the adopted 2007/2008 FY budget a line item of \$2,000 designated to be used to fulfill donation requests made to the city by various community groups. At Council's direction, Councilor Willms compiled a set of guidelines that was later reviewed at a Council workshop. Staff was directed to formalize the guidelines and bring to Council for adoption.

Financial Impact(s):

None. Funds are already budgeted.

City Manager Review and Approval for placement on Council Agenda:

Gary Milliman City Manager

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

**In the Matter of a Resolution
adopting a set of guidelines to be
used for the Community Relations
Fund.**

RESOLUTION 07-R-778

WHEREAS, the City of Brookings has established through its budget process a Community Relations Fund; and

WHEREAS, through its budgeting process a fixed amount of funds has been set aside to be used for the purpose of responding to requests for donations from various groups within the community;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that effective September 11, 2007, the following set of Community Relations Fund guidelines are hereby adopted:

1. All applicants must complete a Community Relations Fund Application and provide evidence that:
 - a. the requesting organization is a non-profit organization.
 - b. the project/event will serve a broad base of the Brookings community.
 - c. the lack of Community Relation Funds will prevent the applying organization from going forward with its project/event.
2. Following the application deadline, to be set each year following adoption of the new Fiscal Year Budget, all applications submitted prior to the deadline will be reviewed by a screening committee comprised of City staff and City Council members. Applications that do not meet the above listed criteria will be removed from funding consideration.

3. Screening committee recommendations will be presented to the City Council for funding consideration at the next Council meeting following the deadline.
4. Applicants will be notified of funding approval or denial within one week of Council's decision by the Administrative Services Director or his/her designee.
5. Within three months following the completion date of an approved project/event, the applicant will complete a Performance Measures form and provide information regarding funding leveraged from other sources and the number of persons or other units assisted by the project/event. Failure to comply with this reporting requirement will automatically eliminate the applicant from future consideration for Community Relations Funds.

Adopted by Council on _____.
Date and signed this _____ day of _____.

Mayor Pat Sherman

Attest:

Interim City Recorder Joyce Heffington