AGENDA

City of Brookings Common Council Meeting

Brookings City Hall Council Chambers 898 Elk Drive, Brookings, Oregon 97415 Monday, December 10, 2007, 7:00 p.m.

Beginning at **6:00pm**, Council will meet in **Executive Session** under authority of 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."

A meeting of the **Urban Renewal Agency** will follow immediately after the Common Council Meeting.

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Ceremonies/Appointments/Announcements
 - A. Employee Recognition Public Works Utility Worker/Mechanic Chuck Gage Ten Year Anniversary. [pg. 9]
 - B. Appointments
 - 1. Appoint Rick Bishop to the Urban Renewal Advisory Committee, Position 7. [pg. 11]
 - 2. Appoint Ken Barkema to Parks and Recreation Commission Position 2. [pg. 15]
 - 3. Accept Richard Yock's resignation from Planning Commission Position 2, and direct staff to advertise the position. [pg. 25]

V. Oral Requests and Communications from Audience

- A. Council Liaison Reports
- B. Public Comments limit to a maximum of 5 minutes per person. A completed <u>public</u> <u>comment form</u> must be filled out and turned in <u>prior to the start of the meeting</u>. Forms are available in the City Manager's office and may be downloaded from the City's website at <u>www.brookings.or.us</u>. Completed forms may be turned in to the City Manager's office during regular business hours. Comments <u>will be restricted</u> to the topics indicated on the form. All remarks and questions must be addressed to <u>the presiding officer</u>, <u>only</u>. Comments will be <u>respectful</u>. Harsh or abusive language will not be tolerated.

VI. Regular Agenda

- **A.** Approve the Water Conservation Demonstration Project as recommended by the City Manager. *City Manager* [pg. 27]
- **B.** Authorize the Mayor to submit a specific proposal to the Coos Curry Electric Cooperative as outlined in the Council Agenda Report for an agreement with respect to achieving certain economic and conservation goals, and to conclude discussion on the formation of a municipal electric utility. *City Manager* [pg. 33]
- C. Authorize the Mayor to execute an Operating Agreement with the Brookings Harbor Soccer League. *City Manager* [pg. 49]
- **D.** Accept the Committee for Citizen Involvement annual report for 2007 and direct staff to forward to the motion "County Planning Coordinator and State's Citizen Involvement Advisory Committee" as required by Resolution 399. *Planning Director* [pg. 57]
- **E.** Approve the Storm and Surface Water Facilities Plan for the Brookings-Harbor Area, dated October, 2007. *Public Works Director* [pg. 79]

- F. Approve the bid by P&S Construction to tie in an existing six-inch storm drain line from Woodland Court into the storm drain system being constructed at Chetco Terrace Estates off of Spruce Drive. *Public Works Director* [pg. 87]
- G. Authorize Mayor to execute a consulting services agreement with WILLDAN for the preparation of a Pavement Management System. City Manager [pg. 91]
- H. Approve in concept the City's participation in the Border Coast Airport Authority Joint Powers Agreement. City Manager [pg. 99]
- I. Authorize City Manager to negotiate final terms and execute Separation Agreement and Release of Claims with Joe Ingwerson. *City Manager* [Supplemental Packet]

VII. Consent Calendar

- A. Approval of Council Meeting Minutes for:
 - 1. October 22, 2007 [pg. 111]
 - 2. November 13, 2007 [pg. 115]
- B. Acceptance of Planning Commission Meeting Minutes for November 6, 2007. [pg. 119]
- C. Acceptance of Parks and Recreation Commission Minutes for October 25, 2007. [pg. 121]
- D. Approval of vouchers for November, 2007 in the amount of \$258,224.39. [pg. 123]
- E. Receive and file report on Water Storage Tank Project from City Manager. [pg. 129]
- F. Receive and file report on Storm Emergency Follow-Up from City Manager. [pg. 139]

VIII. Ordinances/Resolutions/Final Orders

A. Ordinances

- 1. First reading in full, second reading by title only and adoption of Ordinance 07-O-599, an ordinance adding Chapter 2.30, Authority of the Police Department to Perform Criminal History Records Checks, to Title 2, Administration and Personnel, of the Brookings Municipal Code; and declaring an emergency. *Police Lieutenant* [pg. 141]
- 2. First reading in full, second reading by title only and adoption of Ordinance 07-O-598, an ordinance adding Chapter 1.10, "Fees and Charges" to Title 1, General Provisions, of the Brookings Municipal Code. *City Manager* [pg. 145]

B. Resolutions

- 1. Adopt Resolution 07-R-779, Adopting a Sustainability Policy for the City of Brookings. *Mayor* [pg. 149]
- 2. Adopt Resolution 07-R-881, a resolution amending Resolution 06-R-760, establishing fees for the performance of the actions and reviews required by the Brookings Municipal Code, repealing the County Referral Fee. *Planning Director Morris* [pg. 157]
- 3. Adopt Resolution 07-R-880, the Joint Resolution of the Cities of Port Orford and Brookings, calling for improved coordination between the Cities and Curry County with respect to urbanization planning within the Cities' urban growth areas and authorize continued collaboration with the City of Port Orford on this issue. *Mayor* [pg. 161] scrivener

IX. Remarks from Mayor and Councilors

- A. Mayor
- B. Councilors

X. Adjournment

URBAN RENEWAL AGENCY

REGULAR MEETING

To follow immediately after the Common Council Meeting

- I. Call to Order
- II. Roll Call
- III. Minutes
 - A. Approval of Urban Renewal Agency minutes for October 22, 2007. [pg. 169]
 - B. Approval of Urban Renewal Advisory Committee Minutes for:
 - 1. September 20, 2007 [pg. 171]
 - 2. October 11, 2007 [pg. 173]
- IV. Comments
- V. Regular Agenda
 - A. Review and consideration of funding for Façade Improvement Program project located at 519 Chetco Avenue. *Executive Director* [pg. 175]
 - **B.** Authorize Executive Director to execute Operating Agreement with the City of Brookings and Brookings Harbor Soccer League committing the Agency to pay up to \$17,000 for the installation of a water line to serve a new multipurpose field at Azalea Park. *Executive Director* [pg. 199]
- VI. Adjournment

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City of Brookings

898 Elk Drive, Brookings, OR 97415 Phone: (541) 469-1100 Fax: (541) 469-3650

Email: city@brookings.or.us www.brookings.or.us

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

Name: Ricky L. Bishop		Date: 11-13-07	:
Physical Address: 625 Spruce	St Brookings O	R 97415	
Mailing Address: POB 267 Broo	kings OR 97415	Phone: <u>541-661-</u>	2392
Email Address: mazdaadminenw	tec.com		
I would like to serve on one or more of	of the following Councils,	Commissions or Commi	ttees:
Council, Commission o ☐ City Council	or Committee	Selection Method Elected	Term 4 years
☐ Planning Commission /Commission Involvement (CCI)	on for Citizen	Appointed by Council	4 years
☐ Parks and Recreation Commission	ı	Appointed by Council	4 years
☐ Budget Committee	t a stadingwa i 4	Appointed by Council	3 years
** Urban Renewal Agency Advisory	Committee	Appointed by Council	3 years
☐ Other (please specify):		3	
1. Resident of the City of Brook	ings since: Month: 6	Year: <u>1970</u>	
2. Please list no less than three r NAME:	references: ADDRESS:	PHONE	3:
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B. _{Donald Hobbs}	P <u>OB 8081 Brooki</u> r	ngs OR 97415 54	1 <u>-251-3</u> 294
C.Donald Ortez	625 Mardon Ct Bi	cookings OR 9741	5 <u>541-4</u> 12-7

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City of Brookings 898 Elk Drive, Brookings, OR 97415 Phone: (541) 469-1100 Fax: (541) 469-3650

Email: city@brookings.or.us www.brookings.or.us

NOV 1 5 2007



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

Name: KEN BARKEMA Date: 11/15/07
Physical Address: 276 ALLEN LN.
Mailing Address: 276 ALLEN LN. Phone: 412-9873
Email Address: angelcrab@charter.net
I would like to serve on one or more of the following Councils, Commissions or Committees:
Council, Commission or Committee ☐ City Council ☐ Elected ☐ Elected ☐ Term ☐ 4 years
☐ Planning Commission /Commission for Citizen Appointed by Council 4 years Involvement (CCI)
Parks and Recreation Commission Appointed by Council 4 years
☐ Budget Committee Appointed by Council 3 years
☐ Urban Renewal Agency Advisory Committee Appointed by Council 3 years
☐ Other (please specify):
1. Resident of the City of Brookings since: Month: Year:
2. Please list no less than three references: NAME: ADDRESS: PHONE:
A. JAN WILLIMS 1244 1RIS 412-9499
B. PIXTT BROWN 870 CRESTWOOD PL. 469-9007
C. DONNA CRAMMER 17098 FERRY CREEK 469-6959

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5.	It is my intention to donate voluntary services for the City of Brookings (hereinafter "City") as follows:
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6.	I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
7.	I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
8.	I agree that such volunteer services will be donated to the City at times other than my regular work hours.
9.	I release the City from all matters relating to voluntary service by the undersigned, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from this voluntary service.
10.	I release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of voluntary services set forth above.
I,	sign this application voluntarily and in the presence of
the	tnesses whose signatures are shown below mine, and acknowledge that, upon signing, this
goci	ment will become public information and will be presented to the City Council and news media. KEN BARKEWA
	O O O
	1/15/07
	Applicant Date
	11-15-07
,	Witness Date

O ROOKING!

City of Brookings

CITY OF BROOKINGS

898 Elk Drive, Brookings, OR 97415

Phone: (541) 469-1100
Fax: (541) 469-3650
Email: city@brookings.or.us
www.brookings.or.us

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

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Name: Donald E Nuss III	Date: 11-16-7
Physical Address: 650 Mardon Ct.	Brookings OR
Mailing Address: POBOX 1581	Phone: 541-412-0246
Email Address: 10 m @ Coastal Copieus.	COM
I would like to serve on one or more of the following Counc	ils, Commissions or Committees:
Council, Commission or Committee ☐ City Council	Selection Method Term Elected 4 years
☐ Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council 4 years
☐ Parks and Recreation Commission	Appointed by Council 4 years
☐ Budget Committee	Appointed by Council 3 years
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City of Brookings

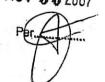
898 Elk Drive, Brookings, OR 97415 Phone: (541) 469-1100

Fax: (541) 469-3650

Email: city@brookings.or.us www.brookings.or.us

NOV 30 2007

RECEIVED



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

11 SKip "		//
Name: George B. WATWOOD III	Date: 11-28-2	$C\infty$
Physical Address: 97050 Dodge Ave	16 <u>8 1581 - 1 1 1</u> 1 2 3 1 1 1 1 1 1 1	1430 T. J. J.
Mailing Address: P.O. Box 6067	Phone: (541) 66 (-1504
Email Address: Skip@ Century 21 AgAte.	com	
I would like to serve on one or more of the following Council	s, Commissions or Commi	ttees:
Council, Commission or Committee ☐ City Council	Selection Method Elected	Term 4 years
☐ Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
☐ Parks and Recreation Commission	Appointed by Council	4 years
☐ Budget Committee	Appointed by Council	3 years
☑ Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
□ Other (please specify):		
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1. Resident of the City of Brookings since: Month.	Jau Year: 1999	
2. Please list no less than three references:		
NAME: ADDRESS:	PHONI	3:
A Daryn Farmer 846 Chetco Pt	Terrace (541)46	7-7431
Blavren Porson 16974 Pacific		
C. RICHIACH WILSON ITT THAILACK		

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

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

Applicant Date

1/-30-2007	Date	
Witness	Date	
Witness	Date	
Witness	Date	
Date	Date	Date
Date		

M:\Uoyce's Files\Council\Appointments\application to serve on commission.doc Updated 11/30/06

Page 3 of 3

Briefly explain why you wish to serve the community in this capacity and what prior experience, community service, or background you have in this area. Attach additional sheets if necessary.

I wish to serve on the Urban Renewal Agency Advisory Committee because I believe in the program. I believe it has improved the look and Image of The City of Brookings. I would like to serve the community because I feel I have insight and knowledge from my career experience that could be valuable to this program.

#4

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

I have a high school diploma. I also have many college credits but do not have a college degree. I am currently a licensed Real Estate Broker in the State of Oregon and have worked for Century 21 Agate Realty for the past 7 years continuously. I am also a licensed contractor in the State of Oregon for the past 9 years. Prior to that I was employed in the General Engineering Contracting industry for 13 years for two separate companies holding positions as Purchasing Agent, Project Manager and in Human Resources. My volunteer activities include coaching various organized youth sports teams as well as serving on there boards. I have volunteered time to the National Wild Turkey Federation. I have served on the Curry County Board of Realtors as the Treasurer for the past 3 years and have served on various committees' fir that board. I will serve as the President-Elect for 2008.

My Current physical address is 97050 Dodge Ave and is a county address. I do own multiple properties within the City of Brookings that include mutli and single family dwelling as well as commercial Chetco Ave buildings. My office address is also 1016 Chetco Ave in the City of Brookings.

PAGE 01/03 PAGE 02/02

12/05/2007 11:53

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BROOKINGS

December 5, 2007

Mayor Sherman City of Brookings 898 Elk Drive Brookings, OR.

Re: Resignation

Mayor Sherman:

Due to residing outside the UGB, I must resign from my position on the Planning Commission effective immediately. My terms expires April 2008 but was informed I cannot serve due to my residing outside the UGB.

•

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by:

Originating Dept: City Manager

City Manager:

Subject: Water Conservation Demonstration Project

Recommended Motion:

Approve Water Conservation Demonstration Project as recommended by City Manager

Financial Impact:

Utilization of \$10,000 budgeted in Fiscal 2007-08 for water conservation purposes.

Background/Discussion:

The City Council budgeted \$10,000 in the current fiscal year for a water conservation program. The City Council conducted a workshop on this matter on September 13, 2007, to review the 2006-07 program and directed the City Manager to develop a new program.

The City Manager is recommending the implementation of a demonstration program which would involve providing leak detection services and incentives for water conservation retrofits.

LEAK DETECTION

The leak detection element of the program would involve a review of individual account water use by Administrative Services Department staff to identify residential accounts that have an uncharacteristic level of water consumption. These accounts would be referred to the Public Works Department which would assign an existing employee to make contact with the subject property owner and offer a free leak detection inspection. If leaks are found, the City would offer the property owner a matching grant for leak repair as outlined in the Water Conservation Incentives listing. The implementation of this program would require the purchase of leak detection equipment at a cost of \$1,500. The amount of time allocated to the program by the Public Works Department would be limited to 10 hours per week for s six-month period.

WATER CONSERVATION INITIATIVES

Water conservation incentives would be offered to a maximum expenditure of \$10,000 for the remainder of the fiscal year. Incentives would be provided for residential and commercial retrofits of restrooms and landscape irrigation systems, and the purchase of Energy Star clothes washers. The Sustainable Reduction incentive would not be offered this fiscal year, but would be available beginning in fiscal 2008-09, and is subject to a budget appropriation for that fiscal year. The amount of the incentives are similar to those offered by other water systems that have conservation incentive programs, and have been reviewed by Building Official Laura Lee Gray. The Building Official will manage this program.

The Administrative Services Department will review the water use for those account holders that participate in the incentive program to determine the amount of reduced water use 12 months after completion of the retrofit. This information will be useful in evaluating the effectiveness of the program and in designing future water retrofit/incentive programs.

Policy Considerations:

Through its budget actions and Water Master Plan adoption, the City has established a policy of reducing the cost of water source development and production, and mitigating the impact of domestic water production on the Chetco watershed. The City is also considering a Sustainability Policy. This program is consistent with the aforementioned policy goals.

Attachment(s):

- 1. Water Conservation Incentives outline.
- 2. Memorandum from Building Official Laura Lee Gray.



City of Brookings

898 Elk Drive, Brookings, OR 97415 (541) 469-1100 Fax (541) 469-3650

WATER CONSERVATION INCENTIVES

Rebate/Incentive Types & Amounts	Description
\$75 - per Ultra-Low-Flush-Toilet (ULFT)	ULFT - Ultra-Low-Flush Toilets uses only 1.6 gallons per flush (gpf) - savings of more than 60% per flush. Typical pre-1983 toilets use about 5-7 gpf.
\$150- per High-Efficiency-Toilet (HET)	HETs - High-Efficiency Toilets uses only 1.2 gpf or about 20% less than standard ULFTs. Some HET are called Dual-Flush-Toilets have two different flushing mechanisms - one for liquids and one for solid matter.
\$100 - per Commercial High-Efficiency Urinal	Commercial High-Efficiency and Zero Water Urinals - save 66-100% water every time they are flushed. Pre-1989 urinals use 3 or more gpf compared to .5 gallon or less used by high-efficiency and/or zero water urinals. (A zero water urinal typically saves about 40,000 gallons of water per year, but is not available in Oregon).
\$100 per replacement of conventional clothes washer with Energy Star qualified clothes washer.	Energy Star - Conventional clothes washers use 40-50 gallons of water for each full load. Most Energy Star qualified washers use 18-25 gallons of water per load and 40% less energy. The most recent style, a water efficient horizontal-axis model, uses 20-25 gallons of water per load.
Up to \$100 matching grant (50% of cost up to \$100) per parcel for irrigation conversion.	Irrigation Conversion - Conversion from "sprinkler" type landscape irrigation system to drip system.
Up to \$200 matching grant (50% of cost up to \$100) per household for leak repair.	Leak Repair - City provides leak detection service at no charge and provides customer with list of recommended repairs. Grant (50% of cost, up to \$200) is provided upon verification that repairs are made.
\$100 for every 1000 gallons of sustainable reduction in water use. (Note: Subject to approval in the 2008-09 City of Brookings Budget)	Sustainable reduction in water use achieved through measures other than toilet, showerhead, faucet and/or washer replacements, as determined by water use review 12 months following project completion.



City of Brookings

898 Elk Drive, Brookings, OR 97415 (541) 469-1100 Fax (541) 469-3650

WATER CONSERVATION INCENTIVES

Program Guidelines

- Applications for rebates must be approved prior to purchase.
- Rebates and incentives are available for all properties including: apartments, condos, town homes, triplexes, duplexes, manufactured homes, all commercial, industrial, and institutional properties that receive water service from the City of Brookings. Customers who pay the City of Brookings for sewer service only do not qualify.
- Toilet rebates and incentives are only available when replacing fixtures that use 3.5 or more gallons per flush (gpf).
- Replacing a 1.6 gpf toilet (ULFT) with a HET does not qualify for a voucher.
- New construction projects and bathroom additions do not qualify for a voucher.
- Rebate/Incentive funding is limited, and is distributed on a first come, first served basis.
- All program participants are subject to an on-site installation verification.
- All toilets and urinals must be installed in compliance with all applicable plumbing and building codes.

City of Brookings –Building Department 898 Elk Drive Brookings, OR 97415 (541)469-1130 (541) 469- Fax: 469-3650 lgray@brookings.or.us www.brookings.or.us



Memo

To:

Gary Milliman, City Manager

From:

Lauralee Gray, Building Official

Date:

11/21/07

Re:

water conservation incentives

The following are costs for plumbing fixtures and appliances that are being considered for the water conservation incentive program.

ULFT (max 1.6 gpf)

\$150.00-200.00

HET (max 1.28 gpf)

\$300.00 minimum

Energy star clothes washer

\$300.00 minimum cost over conventional washer

Irrigation conversion to drip per fitting

\$ 4.95

Urinals

High efficiency (1/8 gpf)

\$625.00 minimum

Zero water

\$300.00 minimum

Rebate amounts seem reasonable and in line with other programs I checked on line. Zero water urinals are not legal at this time in Oregon and I was surprised that they are so much cheaper than the high efficiency. We may want to look at adjusting the rebate in light of the cost difference when, and if, the zero water usage fixtures become legal in Oregon.

CITY OF BROOKINGS

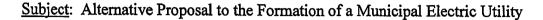
COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by:

Originating Dept: City Manager

City Manager:



Recommended Motion: Authorize the Mayor to submit a specific proposal to the Coos Curry Electric Cooperative as outlined in this Council Agenda Report for an agreement with respect to achieving certain economic and conservation goals, and to conclude discussion on the formation of a municipal electric utility.

Financial Impact: Potential savings to taxpayers of hundreds of thousands of dollars.

Background/Discussion:

At its meeting of August 13, 2007, the City Council authorized the City Manager to retain special legal services to evaluate the feasibility of forming a municipal electric utility. The City retained the services of Berry, Elsner and Hammond (BEH) to perform this analysis. BEH found that the formation of a Brookings municipal electric utility was legally feasible and identified a legal path for the formation of a municipal electric utility. However, BEH also warned that the formation of a municipal electric utility would be a multi-year and expensive process, particularly in the face of stated opposition by the Coos Curry Electric Cooperative.

A number of benefits of forming a municipal electric utility have been identified, including increased revenue to the City, more focused attention on Brookings electric power needs and projects, the potential for reducing electric power costs for local residents and businesses, and opening the utility policy setting process to the public (in the same manner as the City operates water and sewer utilities).

The Administration recommends that, in lieu of embarking on a lengthy and costly path of forming a municipal electric utility to achieve enhanced benefits for the community, that the City Council propose the following amendments to the franchise agreement between the City and CCEC. In lieu of a franchise agreement amendment, these items could be agreed upon in a side letter agreement. I have noted the rationale for each proposal in the bulleted subitems:

- 1. CCEC will work with the City in developing a long term capital electric utility capital improvements plan for serving the City. Said plan would be reviewed annually. CCEC will complete the following electrical service upgrades by mutually agreed upon dates:
 - Completion of the rebuild of the transmission line from Gold Beach to Brookings and building new sections of transmission line from Thomas Creek to north Brookings and Brookings substations.
 - Feeder upgrade to Rio Tinto property.

- Install electronic automated meter reading meters at all Brookings service locations.
- Install service upgrade at City swimming pool.
- Install SCADA system for entire system.
- CCEC representatives have stated publicly that they are proceeding with these projects. The City is interested in establishing dates-certain for completion of these projects, several of which are critical for economic development and sustainability.
- 2. CCEC will work with the City to achieve energy cost reductions and/or energy production revenue in an amount equal to five per cent of the total revenue received by CCEC within the City of Brookings. Said program may include provision of street light services or other electric services without cost, retrofitting City buildings/facilities to reduce energy consumption, developing energy resources on City-owned property, or such other means. The goal would be to achieve said five per cent value equivalent within four years.
 - Five per cent was chosen as this is the maximum allowable franchise fee that the City can enact on an electric utility. Rather than enact a franchise fee that would result in an increase in the amount that Brookings residents would pay on their electric bills, the proposal would seek to achieve the same revenue goal through reduced consumption and energy cost.
 - Five per cent in today's dollars would be \$244,940 annually. The estimated value of the street light service is \$57,000 annually, so CCEC has already achieved about 23 per cent of the goal. It is envisioned that projects such as retrofitting lighting and insulation at City Hall and constructing electric generation facilities at Ferry Creek Reservoir could contribute to achieving this goal.
 - The City currently pays CCEC approximately \$243,900 annually for electric service.
- 3. CCEC will develop and implement a plan to reduce energy costs by at least five per cent for the Brookings-Harbor School District and the top five private energy customers located within the City.
 - Working to reduce energy consumption by other public agencies and major employers will facilitate expanding and sustaining education programs and jobs in our community.
- 4. CCEC will explore alternative and sustainable energy generation technologies, including biofuel, wind and other emerging technologies with a goal of reducing reliance upon purchased electricity.
 - As fossil fuel resources decline and prices continue to rise, alternative energy resources must be developed both globally and locally. CCEC needs to be proactive in seeking out alternative energy resources and in reporting the progress of these efforts to the public.

- 5. CCEC will relocate electric utility poles and/or underground electric transmission lines at the request of the City in conjunction with public projects within the City's Urban Renewal Agency without cost to the City or Agency. The cost of such projects shall be credited against the Capital Credits due the City from CCEC.
 - Under the Cooperative program, Members accrue capital credits under a formula adopted by the Cooperative Board based upon consumption...sort of like a credit card rebate. According to a Capital Credit Allocation Statement from CCEC received with a letter in August, 2007, the CCEC has allocated \$683,132 in Capital Credits due to the City. According to CCEC staff, the CCEC has budgeted to make payments to Members this year for capital credits earned in 1973. Under the City's proposal, CCEC can satisfy their Capital Credits obligation to the City over time by providing capital services as a partner in urban renewal instead of making cash payments.
- 6. CCEC will make available appropriate financing programs that may be of use to the City in funding capital projects and equipment. CCEC will assist the City in preparing and submitting funding applications, and will submit applications on the City's behalf when so requested by the City.
 - CCEC management has indicated that they have financing programs uniquely available to electric utilities through federal sources that may be competitive for financing capital projects and equipment.
- 7. The CCEC will work with the City to consolidate small accounts, assure accurate billing, and develop programs to manage the City's energy use to mitigate the impacts of demand charges.
 - The City has many small accounts for electric fixtures that are infrequently used, such as outlets that are only used during the holiday lights event at Azalea Park. Yet, CCEC charges the City a minimum monthly fee for each of these small use "accounts," costing the City taxpayers thousands of dollars a year in stand-by fees. Additionally, for example, the City is being billed for street light costs on the Chetco River Bridge, and high demand charges for peak period use that we may be able to modify.
- 8. The City Manager or his/her designee will be allowed to attend all meetings of the CCEC Board of Directors, except executive sessions as defined in Exhibit A.
 - The City is not only a Member of the CCEC. The City has granted a franchise to the CCEC allowing the CCEC to conduct business on City property; by allowing the CCEC to construct and maintain transmission lines on City property.
 - The City as a custodian of public property has a responsibility to its citizens to monitor the affairs of the largest private user of public property within the City.
 - Actions and policies of the CCEC affect the well-being and economic future of all Brookings residents.

- 9. CCEC senior management and members of the Board will meet at least quarterly with the City Manager and City Council representatives to discuss matters of mutual interest and concern.
- 10. CCEC and the City will review the current CCEC energy conservation incentive program and incentive programs offered by municipal utilities to identify possible modifications and enhancements. CCEC and City will jointly promote energy and water conservation programs through their respective customer/member communications systems.

It is recognized that there may be modifications to the above proposals based upon further discussion with the CCEC. The proposals are intended to form the basis for further discussion and resolution of the issue.

The franchise agreement (an Ordinance) between the City and CCEC (as amended) continues through 2022 and provides CCEC with the exclusive right to provide electric utility service in the City. The CCEC pays no franchise fee and no business license fee.

Policy Considerations:

As indicated above, the City is not just another member of the CCEC. The City has a public safety and economic responsibility to its residents to be engaged in assuring that utility services are being provided in a cost effective and sustainable manner. The availability of adequate electric service is a key factor in the City's role as a planner and facilitator of economic development. The City has granted a franchise to the CCEC to operate an electric utility in the City. The concept behind franchising is not just to grant a permit for the use of public property for the conduct of business or generate revenue to the City. It is also recognition that the City has oversight authority of a business monopoly that is providing an essential utility service to the citizens of the community. The City's investigation into forming its own municipal electric utility and the above proposal is a signal that the City wishes to assert a more active role in carrying out its oversight responsibility.

Attachment(s): 1) CCEC energy conservation/rebate program information from CCEC website.

- 2) Energy conservation programs, City of Forest Grove.
- 3) Energy conservation programs, City of Hermiston
- 4) Franchise Agreement Ordinance 02-O-555
- 5) Franchise Agreement Amending Ordinance 04-O-555.A

E. EXECUTIVE (CLOSED) SESSIONS

1. Permissible Purposes

City councils may meet in executive sessions only in specified situations. ORS 192.660. An "executive session" is defined as "any meeting or part of a meeting of governing body that is *closed* to certain persons for deliberation on certain matters." ORS 192.610(2) (emphasis added).

The council may hold an open session even when the law permits it to hold an executive session. The council is authorized to hold closed sessions regarding the following subjects:

(1) Labor Negotiator Consultations

The council may meet in executive session for deliberations with persons designated by it to conduct labor negotiations. ORS 192.660(1)(d). The media may be excluded from such sessions. ORS 192.660(3).

(2) Real Property Transactions

The council may go into executive session to deliberate with persons designated by it to negotiate real property transactions. ORS 192.660(1)(e). Real Property transactions are not limited to purchase or sale of real property, but may include long-term leases. This exemption does not include discussions of long-term space needs or general policies concerning lease sites.

The executive session is limited to discussions of negotiation about specific real property and should not include discussion of long-term space needs or general policies concerning lease sites.

(3) Legal Counsel

Executive sessions may be used by the council to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. ORS 9192.660(1)(h). This authorization parallels the Public Records Law exemption for documents pertaining to litigation. ORS 192.501(1). The discussions may include substantive analysis of the legal merits, risks and ramifications of the litigation, as well as procedural options.

Discussions in executive sessions may proceed even to the point at which the council reaches an informal consensus as to its course of action. ORS 192.660(4) guarantees that the results of any consensus will be made public because any final decision must be made in open session.

Written legal advice from the city attorney is privileged information under ORS 40.225. It is exempt from disclosure under ORS 192.502(8) and a proper subject of an exempt session under ORS 192.660(1)(f). If appropriate steps are taken, an executive session may be used to discuss any legal matter of a confidential nature even without the existence or likelihood of litigation.

Public Records & Open Meetings - Oregon Public Meetings Law Thomas Sponsler - Beery & Elsner, LLP

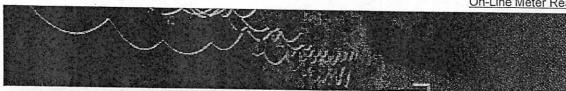
(4) Exempt Public Records

The council may meet in executive session to consider records "that are exempt by law from public inspection." ORS 192.660(1)(f). The Public Records Law, specifically ORS 192.496, 192.501 and 192.502, exempts records from public inspection. Unless a record is exempt under one this or some other law, the board may not consider the record in executive session under ORS 192.660(1)(f).

(5) Labor Negotiations

In 1997 the law was changed to require labor negotiations to be conducted by the council in open meetings unless both sides request negotiations in executive session. ORS 192.660(2). Note that city labor negotiations with employees' representatives are not subject to the meetings law at all if the negotiations are conducted for the city by individuals retained by the chair. In these circumstances, the public and the media cannot invoke the Public Meetings Law as a basis for attending negotiation sessions. Southwest Oregon Publishing Co v. Southwest Oregon Community College, 28 Or App 383 (1977).

On-Line Meter Reading | Round-Up Pr



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HOME

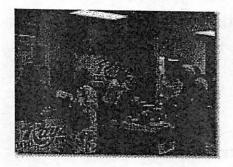
ABOUT US

MEMBER SERVICES

OUR POWER SUPPLY

NEWS AND EVENTS

ELEC



- What Does It Mean To Be A Member?
- ➤ Automatic Payment Option
- Line Extension Policy
- > On-line Meter Reading
- Energy Conservation
- Round-Up Program
- > AMR
- ► Energy Conservation Programs
- Net Metering



Energy Conservation Programs

Late last year your Board of Directors approved new energy conservation progran developed as part of the Bonneville Power Administration's (BPA) 2006 Conserva Programs – the Conservation Rate Credit (CRC). The new BPA program replace Conservation and Renewables Discount (C&RD) program and provides funding fc (like our electric cooperative) to offer rebates, provide low-income weatherization, renewable energy initiatives and pay for costs associated with administering and a energy conservation and renewable energy programs. You may recall that CCEC the C&RD program along with other cooperatives through PNGC Power. Due to a in and commitment to energy conservation, we exceeded our requirements; and the program was closed out earlier than expected last year. The new CRC program by October 1, 2006.

Building and upgrading to Energy Star® standards is the cornerstone of the new pexample, the Energy Star® Homes Northwest program encourages the constructifamily homes built to Energy Star® standards specifically designed for our area, the Northwest. Through this program, we will offer marketing and technical support for general education on how to build to the Energy Star® standards.

Credits or rebates are offered for qualifying Energy Star® appliances, manufacture compact fluorescent lighting. Qualifying electric water heaters are also eligible for rebate.

CCEC has set aside a portion of the funds we will receive from BPA to participate initiatives such as wave energy. And, we have also created a way members can i support the expansion of the Coffin Butte Resource Project, a landfill gas generati in partnership with other electric cooperatives through PNGC Power.

Program brochures are available in our area offices. At a time when the region is provide an affordable, reliable power supply for the next few decades, every kilow We recognize and appreciate your commitment to energy conservation and renew

Rebate Programs
Coffin Butte











© 2006 Coos-Curry El

Privacy

CCEC Rebate Program

Residential Water Heaters

What qualifies?

CCEC will credit members for qualified electric water heaters purchased after October 1, 2006, for use in their new or existing residential building(s). Credits will not be issued for water heaters with less than a 50-gallon capacity or for heat pump water heaters. To qualify for a credit, water heaters must be on the Bonneville Power Administration's Regional Technical Forum (RTF) systems list of cost-effective measures, and qualify based on

- · Rated capacity (tank size)
- Efficiency Factor (EF)
- Warranty period

What is the credit reimbursement level?*

Please see chart below for credit amounts.

Size/	Min		
Gallons	EF	Warranty	Credit
. 50	0.93	ANY	\$25
50	0.94	20	\$46
65	0.91	ANY	\$26
65	0.94	20	\$71
75	0,92	20	\$61
80	0.91	ANY	\$45
80	0.92	20	\$75
85	0.92	20	\$76
105	0.91	20	\$1.05
119	0.85	ANY	\$41

What is the required documentation?

Member must provide the following:

- Copy of sales receipt showing Brand and Model Number.
- Copy of label or other documentation showing rated capacity and EP
- Copy of warranty (if the unit qualifies for the 20-year or more warranty)
 - Complete a CCEC rebate form.

Energy Star® Appliances

What qualifies

Energy Star clothes washers, dish

Coos-Curry Electric Cooperative, Inc. Rebate Form

Please print the following information, attach the required documentation and return to any local area office or mail to:

Coos-Curry Electric Cooperative, Inc.

Attn: Megan Walters, PO Box 4819, Brookings, OR 97415

Member Name:		
Service Address:		
Mailing Address:		
City:	State:	Zip Code:
(For manufactured home	e rebate only) Addi	ress where will the manufac
tured home be sited?		
Telephone #:		
CCEC Account #:		(Primary Account)
Member Signature:		
Date		

*All credits will be applied to the member's primary CCEC electric account. Credit amounts are subject to change without notice.

washers and refrigerators purchased after October 1, 2006, are eligible for credit under the Conservation Rate Credit (CRC)

What is the credit reimbursement level?*

Clothes Washers: For Energy Star clothes washers using electric water heating with a Modified Friergy Factor (MEF) of 1.72 or above, the credit is \$50, for non-electric water heating, the credit is \$25.

Dishwashers: \$25, regardless of fuel source for water heater.

Refrigerators: \$25 for refrigerators that are 7.75 cubic feet or larger and installed in residential homes.

What is the required documentation?

Member must provide a sales receipt showing purchase date, brand, and model number for credit reimbursement, and complete a rebate form

Energy Star Compact Fluorescent Lighting (CFL)

What qualifies

CCFC will credit members for qualifying Energy Star CFL bulbs, purchased after October 1, 2006. The CFL must be screw-in or pin-based and must be more than 5 watts.

What is the credit reimbursement

Energy Star CFLs are eligible for a \$2.50 credit in all residential dwellings in both new and existing construction

What is the required documenta-

Member must provide the following:

- Receipt for purchased CFL's.
- · Original box CFL's came in.
- A completed rebate form

(Continued on page 29)

28 MARCH 2007, Coos-Curry



FOREST GROVE

Oregon

Forest Grove Light and Power Department

Janet Lonneker, General Manager

1818 "B" Street P.O. Box 326 Forest Grove, OR 97116

> (503) 992-3250 FAX: (503) 992-3149

QUICK LINKS

- Conservation Services
 - Power Outages

The Light & Power Department is a full service electric utility providing reliable electric service to customers in Forest Grove and surrounding areas. The Department also provides many related services, including conservation, weatherization, security lighting, and utility bill payment plans, among others.

Conservation Services

Residential Weatherization - A program for City of Forest Grove Light & Power customers that have electrically heated homes.

Eligibility: All Forest Grove Light & Power single and multifamily residential customers with permanently installed electric heat are eligible.

City of Forest Grove Light & Power has cash incentives for the installation of pre-approved cost-effective energy saving measures. Free energy audits are provided to our customers to identify areas of their homes that could be improved by installing eligible weatherization measures.

Certified contractors will install recommended measures and Forest Grove Light & Power will inspect all installed measures.

High Efficiency Heat Pump Program

Eligibility: All Forest Grove Light & Power residential customers living in single family homes with existing permanently installed electric heat.

Call for program details 503-992-3251.

Energy Efficient Appliance Program

Cash incentives are available for ENERGY-STAR rated appliances.

Eligibility: All Forest Grove Light & Power customers.

Certain Electrical Appliances and Electric Hot Water Heaters qualify for energy efficiency rebates. Call and request a brochure listing qualifying models. Forest Grove Light & Power customers must complete a rebate claim form available at the utility office or download online. Customer must also provide a receipt with their name, address, model #, and the type of appliance purchased.

Commercial & Industrial Energy Services Program

Forest Grove Light & Power works with its commercial and industrial customers to use electricity wisely and efficiently. FGL&P will assist the owners of the facility identify opportunities for energy and dollar savings. Financial incentives are available based on the energy savings associated with the project.

Contact Our Consumer Services Specialist At (503) 992-3251 For Program Details

Power Outages

System Reliability: Even with a modern and well-maintained system, we still occasionally experience a service interruption. Due to the system's design, long duration outages are rare.

Conservation Programs

Heat Pumps

Heat pumps use 40 to 50 percent less energy than standard electric furnaces, providing more even heating and cooling. HES has a heat pump program through local participating installers that can help you save on energy costs all year long Your new heat pump could qualify for a HES rebate of \$400 or more. That's only the start of your heating and cooling savings.

Free Energy Audit

HES offers a free home energy audit to help you determine how you can make your home more energy efficient. To schedule your audit, contact our energy service representative at 289-2000.

Weatherization Measures

Your home may be leaking air, leading to higher electric heating and cooling bills with less efficiency. HES offers valuable information on how a participating local installer can weatherize your home and give you substantial energy savings cost and pay 25% of the weatherization cost up to \$350.

Water Heater Rebate

HES will pay you \$50 if you install a qualifying energy efficient water heater. Call our energy service representative at 289-2000 for details.

Clothes Washer Rebate

For the purchase of a qualifying Energy Star rated clothes washer, you can receive a \$100 rebate from HES. To receive the rebate, bring the original receipt, verification of brand, and the model and serial number to HES at 750 W. Elm Avenue or mail it to HES at P.O. Box 1148, Hermiston, OR 97838. For additional information, call 289-2000.

IN AND FOR THE CITY OF BROOKINGS STATE OF OREGON

In the matter of an Ordinance granting a 20-year franchise to Coos-Curry Electric Cooperative, Inc., for the operation of an electric power transmission distribution system within the City of Brookings; prescribing the terms, conditions and manner of the acceptance of such franchise; repealing ordinance no. 82-O-368.

ORDINANCE No. 02-O-555

Sections:

Section 1.	Repeal of Ordinance No. 82-O-368.
Section 2.	Grant of 20-year franchise to Coos-Curry Electric Cooperative, Inc.
Section 3.	Terms and conditions of franchise.
Section 4.	Cooperative to furnish street lights without charge.
Section 5.	Location of equipment.
Section 6.	Repairs to be responsibility of Cooperative.
Section 7.	City to be held harmless.
Section 8.	Cooperative to abide by ordinances and Oregon State Statutes.
Section 9.	City to retain all rights and remedies.
Section 10.	Franchise to be exclusive.
Section 11.	Acceptance of franchise.
Section 12.	Terms of renegotiation of franchise.

The City of Brookings ordains as follows:

Section 1. Repeal of Ordinance No. 82-O-368. Ordinance No. 82-O-368 of the City of Brookings (hereinafter referred to as "City") is hereby repealed; said repeal effective on the date of this ordinance's passage. The respective claims of the City of Brookings and Coos-Curry Electric Cooperative, Inc. (hereinafter referred to as "Cooperative"), under said Ordinance No. 82-O-368 shall be settled between said parties as of the date that the Cooperative shall have accepted the franchise herein provided in this ordinance, said acceptance being in written form provided the City by a duly authorized resolution of the Cooperative's governing board.

Section 2. Grant of 20-year franchise to Coos-Curry Electric Cooperative, Inc. There is hereby granted unto the Cooperative, a cooperative corporation organized under the laws of the state of Oregon, upon the terms and conditions hereinafter set forth, the right, privilege and franchise of installing, owning, operating, and maintaining an electric power service transmission and distribution system by means of poles, conduits, wires, cables, and other equipment or appliances in, upon, over, under and along the streets, alleys or other public places within the corporate limits of the City of Brookings for a period of 20 years from the date of the enactment of this ordinance.

in streets, alleys and public ways; and further, such police power shall extend to the designation of on what parts of streets there may be erected poles, lines, conduits or other apparatus, or in proper cases, to require relocation thereof, and compel all generally accepted improvements which tend to decrease the obstruction of the streets or increase the safety or convenience of the public in their use; and further, said power shall extend, although not limited to, the regulation of the use, location, height, and size of utility poles as part of the City's general planning and zoning process and power.

Section 10. Franchise to be exclusive. No franchise shall be granted unto any other person, firm or corporation to engage in a similar business within the City of Brookings during the term of this franchise, except upon payment of comparable consideration to the City of Brookings in money or services, unless otherwise permitted under the provisions hereof or mandated by any state or federal law, rule or regulation.

Section 11. Acceptance of franchise. The grant of franchise herein made shall be void and of no effect unless the Cooperative shall of itself accept and agree in writing to the terms and conditions of this ordinance, which acceptance shall be filed with the city recorder prior to 45 days after the passage of this ordinance.

Section 12. Terms of renegotiation of franchise. Either the City or the Cooperative, as the case may be, may submit a written request to the other for the purposes of renegotiating any or all portions of the franchise hereinunder granted.

First Reading: November 25,2002	· . ·
Second Reading: November 25 2002	
Passage: November 25, 2002	, ,
Effective Date: December 25, 2002	
Signed by me in authentication of its passage this 25^{-1} day of N_z	vender 2002.

Boo Hagbom MAYOR Hasborn

ATTEST:

Paul Hugh

City Finance Director/Recorder

IN AND FOR THE CITY OF BROOKINGS STATE OF OREGON

In the Matter of an Ordinance amending Ordinance No. 02-O-555, an Ordinance granting a 20-year franchise to Coos-Curry Electric Cooperative, Inc. for the operation of an electric power transmission distribution system within the City of Brookings; prescribing the terms, conditions and manner of the acceptance of such franchise; repealing Ordinance No. 83-O-368.

Ordinance No. 04-O-555.A

Sections:

Section 1 Title
Section 2 Adoption

The City of Brookings ordains as follows:

- Section 1. Title This Ordinance shall be known as Ordinance No. 04-O-555.A, amending the Ordinance of the electric power transmission distribution system franchise between the City of Brookings, Oregon and Coos-Curry Electric Cooperative, Inc.
- Section 2. Adoption: Section 4 of Ordinance No. 02-O-555 is hereby amended to read:

Section 4. Cooperative to furnish street lights without charge. In consideration of the granting of said franchise, the Cooperative shall furnish the City, without charge, 270 street lights plus 9 street lights on the Dot Martin Bridge, with wattage not to exceed 200 watts, including installation, maintenance, replacement of bulbs, and electric energy for operation of same. It is understood that more than this number of street lights may now be in operation within the City; and the remaining lights and all additional lights installed hereinafter in excess of 279 shall be upon the customary contractual basis; provided however, that the said 279 lights are furnished based on a theoretical population of the city of 5,765 persons, then and at the time, the Cooperative shall furnish one additional light as the City may designate for each increase of 21 persons over said theoretical population of 5,765 persons.

Ordinance No. 04-O-555.A

Page 1 of 2

	•
First Reading: Systember 27, 2004	
Second Reading: September 27, 2004	
Passage: September 27 2004	
Effective Date: October 27, 2004	
Signed by me in authentication of its passage, this 28th 2004.	day of September,
Rick Dentino Council President	
-ATTEST:	
12 A1	
Paul Hugkes	
City Finance Director/Recorder	

Ordinance No. 04-O-555.A

Page 2 of 2

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Operating Agreement with Brookings Harbor Soccer League

Recommended Motion:

Authorize the Mayor to execute an Operating Agreement with the Brookings Harbor Soccer League.

Financial Impact:

An appropriation from the Urban Renewal Agency or City General Fund in the amount of \$16,700 is needed to pay for the cost of extending water service for this and other Azalea Park recreation facility improvements. The Administration recommends the use of Urban Renewal Agency funds, which would require Agency approval. The City will assume responsibility for turf maintenance of the field upon completion, which will require allocating more Public Works Department staff time to parks.

Background/Discussion:

At the joint City Council and Parks and Recreation Commission Workshop of July 26, 2007 the City Council confirmed the City's intent to support the development of a multipurpose athletic field at Azalea Park, generally situated between the two existing softball fields. Construction of the field, including drainage, grading, fencing, installation of irrigation systems and turf installation, would be accomplished by the Brookings Harbor Soccer League (BHSL). The City Council directed that the City Manager develop an operating agreement with the BHSL which clearly identified the respective responsibilities of the City and the BHSL in the construction and operation of the field.

Under the terms of the Agreement, the BHSL will bear the cost of developing the field and will have priority use of the field. The City will coordinate a master calendar of use for the field and will maintain the turf.

The major cost to the City under the terms of the Agreement is the installation of a water line from Lundeen Road to serve the new irrigation system. The new water line is needed because the water system serving the existing fields would be overburdened by the demands of the new field irrigation system. This eight-inch would be installed along the west side of the softball field for a distance of 450 feet. The Public Works Department estimates the cost of installation at \$16,700, including \$3,500 in employee costs utilizing the Public Works Department crew. This water line will also be needed to serve the restroom and snack shack proposed by the Softball Association. Ultimately, this line would be interconnected to the water system serving Azalea Park to the south, but this is not needed to support this project.

Policy Considerations:

Azalea Park is located within the Urban Renewal Area and projects in the Park are eligible for the use of tax increment revenues.

This is a good public/private/non-profit partnership project which the City encourages. Much of the funding for the field is from donated local labor, equipment and materials. City participation will enable this project and other recreation facility improvement projects utilizing voluntary donations to proceed.

Attachment(s):

Operating Agreement

OPERATING AGREEMENT

This Operating Agreement (Agreement) is executed by and between the CITY OF BROOKINGS URBAN RENEWAL AGENCY (Agency), on the one hand, and the BROOKINGS HARBOR SOCCER LEAGUE (League), on the other hand, Agency and League hereinafter collectively referred to as the "Parties."

1.0 RECITALS

- 1.1 WHEREAS, the League is a non-profit organization.
- 1.2 Definition of "Azalea Park". The term "Azalea Park" refers to the Agency's park area located at 640 Old County Road between Lundeen Lane and North Bank Road.
- 1.3 Definition of "Multipurpose Field". The term Multipurpose Field refers to an approximate 63,000 square foot portion of Azalea Park as generally depicted in Exhibit "A".
- 1.4 Definition of "Event". The term "Event" refers to any activity open to the general public for which a specific area of the park is reserved for a specific use. "Event" does not mean League meetings or activities associated with constructing the proposed improvements.
- 1.5 The League desires to develop and operate a soccer and multipurpose athletic field in a portion of Azalea Park. Said project shall include grading, removal of debris, installation of a grass turf field, irrigation system and other related appurtenances.
- 1.6 Agency finds that this project is consistent with the Agency's Parks Master Plan, would be a significant improvement to Azalea Park, and would provide another avenue of community involvement in recreation activities.
- 1.7 Agency finds that this project is located within the Urban Renewal area and is consistent with the approved list of Agency projects for which tax incremental funds can be used.

NOW, THEREFORE, the Parties promise and agree as follows:

2.0 TERMS AND CONDITIONS

2.1 The above-recitals are hereby incorporated by reference as though fully set forth herein.

2.2 Events

2.2.1 The League shall provide the Agency with an annual calendar of events to be conducted on the Multipurpose Field.

2.2.2 Any and all events on the Multipurpose Field shall be conducted only upon approval of a completed City Parks Use application. Any additional services needed to support an event including, but not limited to, portable restrooms, street barricades, traffic control and other crowd control devices shall be provided at the expense of League, unless otherwise agreed by Parties.

2.3 Use of Multipurpose Field

- 2.3.1 All organized activities on the Multipurpose Field shall be adult supervised.
- 2.3.2 League shall have priority use of the Multipurpose Field and will participate in the annual planning for athletic field use at Azalea Park. League shall be responsible for leaving the Multipurpose Field in a clean and safe condition upon conclusion of use.
- 2.3.3 The Agency reserves its rights to remove any structures or improvements where it is determined to be a health or safety hazard.
- 2.3.4 The League agrees to comply with all existing park rules, including hours of operation, unless otherwise modified by an approved City Parks Use Application.
- 2.3.5 The League shall bear the full cost of expenses of providing irrigation water, electrical and any other utility systems needed to support its plan for development and maintenance of the Multipurpose Field. All trenching, conduit and pipe installation within the grounds of Azalea Park shall be conducted under the supervision of the City Public Works Director and shall be developed to standards and inspected in the same manner as other public works improvements.
- 2.3.6 Agency shall pay the cost of installing an eight-inch water line to serve the field from the City's existing water main on Lundeen Road at a cost not to exceed \$17,000.00.
- 2.4 The term of this Agreement shall be one year from the date of execution by the Parties, renewable annually upon mutual consent of the Parties. Notwithstanding the foregoing, the Parties may terminate this Agreement upon thirty (30) days notice, with or without cause.

3.0 NOTICE:

3.1 Notice to either of the parties shall be (1) by personal delivery, (2) by facsimile and regular U.S. mail, or (3) by U.S. Mail, registered receipt requested. Notice shall be deemed effective upon personal delivery, or, in the case of a mailing, upon the depositing of the mail with the United States postal service. Notice shall be given as follows:

TO THE AGENCY:

City of Brookings

Attention: Executive Director

898 Elk Drive

Brookings, OR 97415

TO THE LEAGUE:

Brookings Harbor Soccer League

Attn: President PO Box 969

Brookings, OR 97415

4.0 INSURANCE AND INDEMNITY

4.1 The League shall hold harmless the City for any personal injury, replacement costs, fire, or theft in connection with the Multipurpose Field, as well as any and all personal property items located within the Multipurpose Field, as noted hereinabove. The League shall obtain a policy of general liability insurance and retain such insurance in full force and effect for the term of this agreement. The City shall be listed on any insurance obtained by the League for the purposes described herein as an additional insured.

4.2 The League shall waive any right to recover from the City, its agents, representatives, or employees, for any loss or damage resulting from the League's negligent acts or omissions, except for the City's own gross or willful misconduct. The League further agrees to indemnify and hold harmless the City for any and all liability, damages, or claims of any nature not arising from or due to the City's own negligence or gross negligence arising from the actual or alleged use or operation of the Multipurpose Field.

5.0 MISCELLANEOUS

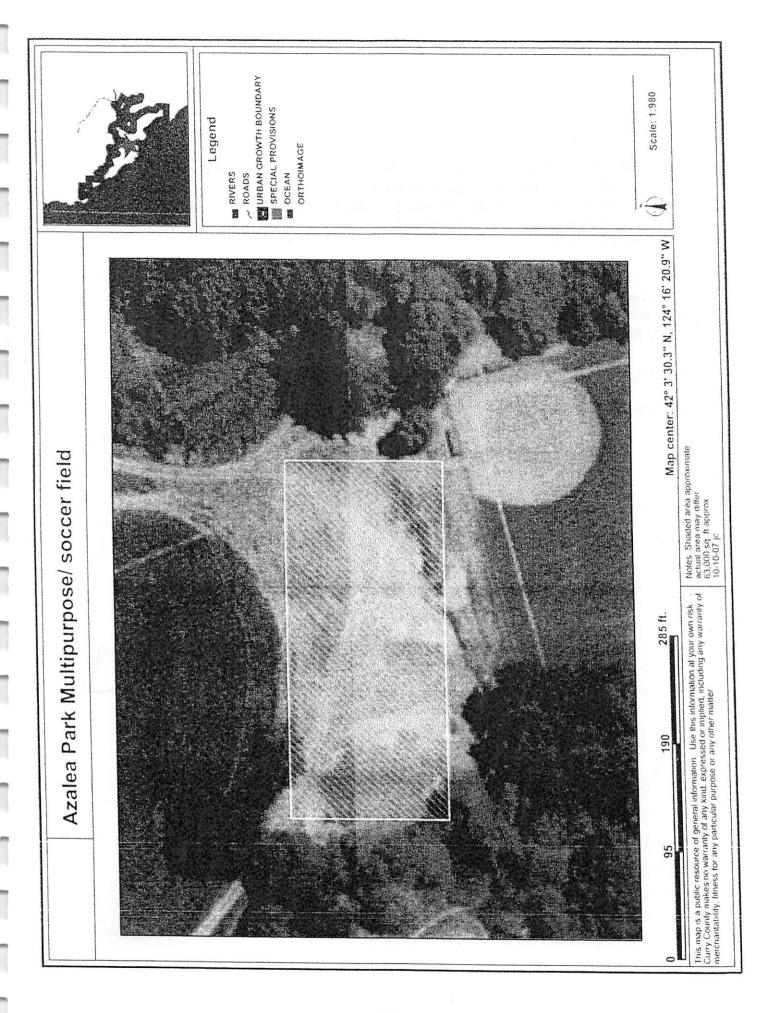
- 5.1. This Agreement shall be deemed by the Parties to have been executed and delivered within the State of Oregon, and the rights and obligations of the Parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the State of Oregon.
- 5.2. This Agreement may be amended, changed or modified only by an agreement in writing signed by the Parties.
- 5.3 If any legal action or other proceeding is brought for the enforcement or interpretation of this Agreement, or because of an alleged dispute, breach, default, or misrepresentation in connection with or arising from any provision of this Agreement, the prevailing Party or Parties shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.
- 5.4 Each party hereto represents and warrants that the signator below is authorized to execute this Agreement.
- 5.5 This Agreement may be executed in counterparts, and when each Party has signed and delivered at least one such counterpart, each counterpart shall be deemed Operating Agreement for Multipurpose Field at Azalea Park 11-28-07

 Pg. 3 of 4

an original, and, when taken together with other signed counterparts, shall constitute one agreement, which shall be binding upon and effective as to all Parties. Copies of facsimile signatures shall be considered and treated as though they were original signatures.

NOW, THEREFORE, in agreement with the terms and conditions set forth herein, the duly authorized signators for the respective parties hereto execute this Agreement.

DATED: December, 2007	BROOKINGS HARBOR SOCCER LEAGUE
	By: Daryn Farmer, President
DATED: December, 2007	URBAN RENEWAL AGENCY
	By: Gary Milliman, Executive Director
APPROVED AS TO FORM:	
	By: John Trew, City Attorney



2.3.5 The league shall share equal expense between organizations and the City of providing water and other mutual beneficial infrastructure including drainage system (culvert under field). All work provided by and directed by league shall be developed to standards and inspected in the same manner as other public works improvements.

Daryn, essentially everything looks great. My concern is as we have discussed, the league will share cost of improvements that benefit the league and children. Of course the big issue is the culvert. Replacement cost of that we cannot afford.

Again, I know this is a lot of work and we do appreciate your efforts and time.

Take care Ian

Chart my

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by: Dianne Morris

Originating Dept: Planning

City Manager: Gary Milliman

<u>Subject</u>: The Resolution creating the Committee for Citizens Involvement (CCI) requires an annual evaluation of the Citizens Involvement Program and a report to be given to the Mayor and City Council, the County Planning Coordinator, and the State's Citizen Involvement Advisory Committee.

Recommended Motion: Motion to accept the CCI annual report for 2007 and forward to the "County Planning Coordinator and the State's Citizen Involvement Advisory Committee" as required by Resolution No. 399.

Financial Impact: None.

<u>Background/Discussion</u>: A printed survey form has been available for the past year at the sign-in table at every Planning Commission meeting and on the City's website. The Planning Department has never received any filled out forms during that time. Staff mailed out copies of the survey form with stamped, addressed return envelopes to elicit some responses. These were sent out to 15 participants in the past years Planning Commission meetings and 9 people responded. The survey is meant to gauge how well the Planning Dept. is disseminating information and if the citizens feel they are involved in a meaningful way with the decision making process. Most of the responses were favorable. There were only a few recommendations for changes:

- To waive SDC fees for non-profit groups. This is not within the Planning Commission's authority to decide.
- A suggestion that work sessions be held for large developments prior to the hearing process.
- A recommendation that property owners within 250 ft. of the subject property which is the subject of a quasi-judicial land use application be notified of the proposed action. This is already State law and specified in our Land Development Code.

Staff agrees work sessions are advisable for large developments to inform neighborhood groups and developers alike of issues that need consideration and may be able to mitigate prior to the public hearing process. It is Staff's intention to use this tool, as needed

Policy Considerations: None.

Attachment(s): Attached are copies of the returned surveys.



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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1.	How do you become aware of Planning Commission meetings: Please indicate approximate percentage:
	Newspaper:Radio/TV
	Internet Other:
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3.	Were you able to learn in advance the process or criteria the Planning Commission would consider to reach a decision?
4.	Were you allowed to present your ideas (objections/suggestions) to the decision makers?
5.	Were you treated courteously? <u>Yes</u>
6.	Did the officials listen and pay attention to what you had to say? Yes
7.	Did you feel that the officials gave consideration to your testimony and your opinions? LIS KAS J
8.	Were your opinions altered after listening to the Planning Commission deliberations? Some to the Planning Commission
9.	Do you feel the Planning Commission decisions are based on the criteria? <u>USりのり</u>
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10.	In your opinion are the issues fairly or logical decided?
11.	Do you feel the Planning Commission should base decisions on established criteria or on citizen input? Both ase I more Real Commission
12.	When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision? Established CR; text
13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

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Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

1.	How do you become aware of Planning Commission meetings: Please indicate approximate percentage:
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2.	Were you able to find information on planning actions prior to the meeting?
3.	Were you able to learn in advance the process or criteria the Planning Commission would consider to reach a decision?
4.	Were you allowed to present your ideas (objections/suggestions) to the decision makers?
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6.	Did the officials listen and pay attention to what you had to say?
7.	Did you feel that the officials gave consideration to your testimony and your opinions?
8.	Were your opinions altered after listening to the Planning Commission deliberations?
9.	Do you feel the Planning Commission decisions are based on the criteria?

898 Elk Drive Brookings, OR 97415 www.brookings.or.us Phone: (541) 469-2163 Fax: (541) 469-3650

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10.	In your opinion are the issues fairly or logical decided?
11.	Do you feel the Planning Commission should base decisions on established criteria or on citizen input?
12.	When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision?
13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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- 10. In your opinion are the issues fairly or logical decided? MOST OF THE TIME
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13. Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes? <u>VISG.</u>



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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9.	Do you feel the Planning Commission decisions are based on the criteria? 75%
8.	Were your opinions altered after listening to the Planning Commission deliberations?
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898 Elk Drive Brookings, OR 97415 www.brookings.or.us Phone: (541) 469-2163 Fax: (541) 469-3650 America's
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10.	In your opinion are the issues fairly or logical decided?
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13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

1.	How do you become aware of Planning Commission meetings: Please indicate approximate percentage:
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8.	Were your opinions altered after listening to the Planning Commission deliberations?
9.	Do you feel the Planning Commission decisions are based on the criteria?
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10.	In your opinion are the issues fairly or logical decided?
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13.	Have you participated or been involved in hearings, Planning
	Commission sessions that involved establishing criteria or land development codes?
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CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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9.	Do you feel the Planning Commission decisions are based on the criteria?

898 Elk Drive Brookings, OR 97415 www.brookings.or.us Phone: (541) 469-2163 Fax: (541) 469-3650 America's WIO Rivers

10.	In your opinion are the issues fairly or logical decided? about 50/50
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12.	When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision?
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13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?
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CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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12.	When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision? <u>CRITER IA</u> SHOULD PREVAIL, UNLESS CITIZEN OPINION IS OFFICED.
13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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9.	Do you feel the Planning Commission decisions are based on the criteria?						
898 Elk	Drive Phone: (541) 460 2163						

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- 10. In your opinion are the issues fairly or logical decided? <u>Yes</u>
- 11. Do you feel the Planning Commission should base decisions on established criteria or on citizen input? Always compliance with the
- 12. When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision? Established witer_ Citizens opinions it supported by evidence should be given weight
- 13. Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes? Yes Goals Plan Content / Elements of the Plan c) Elements that address any special needs or desires of the people in the area A work session for massive development eg. Itarba Huls should be a requirement.



CITIZEN INVOLVEMENT PROGRAM SURVEY QUESTIONAIRE

Brookings City Council Resolution 399 requires an annual evaluation of the effectiveness of the Citizen Involvement Program. Please respond to the following questions.

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Fax: (541) 469-3650

10.	In your opinion are the issues fairly or logical decided?
11.	Do you feel the Planning Commission should base decisions on established criteria or on citizen input? <u>Established Criteria</u>
12.	When established criteria and citizen opinions differ, which do you feel should be the controlling factor in reaching a decision? <u>Established</u>
	Criteria
13.	Have you participated or been involved in hearings, Planning Commission sessions that involved establishing criteria or land development codes?

Jim Capp, Western Land Use Services, Inc.

97829 Shopping Center Ave. Suite C PO Box 2937 [Phone & Fax Harbor OR 97415 | 1541-469-9587

November 9, 2007

Ms. Dianne Morris, Planning Director City of Brookings 898 Elk Drive Brookings OR 97415

Re: Citizen Involvement Program Questionaire

Dear Dianne:

Thank you for the opportunity to provide my thoughts. I have completed the questionnaire and it is included here. Because I am a land use consultant practicing in this community, my answers to the questions are probably not quite germane to the normal citizen's relationship to the program. However, I include them for your purpose. As a long term land use planner in Oregon, I have the following thoughts and recommendation to the City Council.

Background:

Goal 2 is broad instruction given cities and counties by the state as to how the land use process is designed. It sets general parameters for making decisions. The local government comprehensive plan is developed and adopted in response to Goal 2 and other Statewide Planning Goals. As are all local government land use ordinances in Oregon, the Brookings Comprehensive Plan and Land Development Code were developed and adopted over a long period of time with input from all sectors of the community and each serves a separate purpose. Generalized plans and maps and policies are set forth in the Comprehensive Plan which provide guidance for local land use matters. A local zoning ordinance (code) is developed and adopted in response to the local comprehensive plan.

The zoning ordinance [in this City the Brookings Land Development Code] is the document which implements the decisions and policies affecting land use in the City. Zoning Ordinances provide the specifics (the nitty-gritty if you will) of making individual land use decisions. Through decision making based on the criteria of the Land Development Code, the City will insure its Comprehensive Plan is carried forth.

Oregon case law has long established the differential between Comprehensive Planning issues and Quasi Judicial and the difference in the need to notice and involve citizens based on the scale of the area involved and weight of potential impact of each. As a result of that long term case law, the City long ago determined that providing notice to neighborhood property owners is an appropriate method of providing for and stimulating citizen involvement and participation in the small area, quasi judicial land use hearing process. It should be set down in policy that that is enough and that it is adequate and appropriate to establish basic party status.

The Citizen Involvement Program is established through Goal 1 in the Comprehensive Plan. The City has adopted as part of its Land Development Code a requirement that it notify property owners within 250 feet of a proposed Quasi Judicial (small area) action. That notice is based upon a map (Assessment Maps) which depicts tax lots within the required 250' radius. The owners of those lots are the folks who may be impacted by a site specific (Quasi Judicial) application and whom the city provides notice. Not the entire city. Surrounding property owners are therefore made aware,

first hand, of the process and are thereby given opportunity to become informed and participate in the City's decision making process regarding the proposed site specific permit application. On the other side of the equation, the entire City population has potential for input through the part of the Citizen Involvement Program regarding large areas and big all encompassing issues, the comprehensive planning side of the process. There is no need to involve the entire city population or even large portions of it in a decision to site a dwelling or small subdivision on a lot in one particular block in the City. It will likely save the City staff time (and therefore \$), materials for additional notice or advertising (and therefore \$), and time in hearings (and therefore \$) in processing quasi judicial matters. It may even save an applicant exposure to unnecessary delay and expense for the same reasons.

RECOMENDATION:

I recommend the City adopt a policy as part of its Citizen Involvement Program under goal 1 that this process of identification of property and owners of those properties within 250 feet of quasi judicial actions and subsequent notification to the owners of those properties of proposed actions is adequate and appropriate to establish basic party status in quasi judicial matters.

Sincerely,

Jim Capp

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Public Works

City Manager Approval

Subject: Approve/Adopt Storm and Surface Water Facilities Plan

<u>Recommended Motion</u>: Motion to approve the Storm and Surface Water Facilities Plan for Brookings-Harbor area dated October 2007.

<u>Financial Impact</u>: None for the adoption of the plan. To implement the Storm and Surface Water Facilities Plan the projected cost would be \$1,339,000.00. As noted in this years' 2007-2008 Adopted Budget there is a recommendation to add a monthly fee of \$2.50 on utility bills to allow for funding of the non-SDC eligible portion of these projects. This monthly fee would be a storm water replacement fund and would generate approximately \$107,000.00 per year.

<u>Background/Discussion</u>: The Mayor and Council met in a workshop and suggested changes to the Storm and Surface Water Facilities Plan. Those changes have been made and the City's portion of the document is ready for final approval. Curry County will need to adopt their portion. Adoption of this plan will give staff direction on current and future planning of storm drainage issues. As stated above there will need to be a Council commitment to adding a monthly \$2.50 storm water replacement fee to utility bills to be able to finance development of the recommendations listed in the Storm and Surface Water Facilities Plan.

<u>Policy Considerations</u>: This is a major policy document establishing a long-term capital improvement plan. Future decisions concerning development fees will be made based upon the information provided in this document. The plan also contains certain growth assumptions and other facility and land use planning documents needed to be maintained as consistent. The Administrative Services Department (ASD) will arrange for the necessary study to justify the new storm water utility fee. This may involve a review by the consultant currently under contract to do the sewer rate study. Now that the Storm and Surface Water Facilities Plan is complete, the ASD will issue a request for proposals for consultant services to review the City's water, wastewater and storm water system development charges as budgeted.

Attachment(s): Copy of Storm & Surface Water Facilities Plan pages 7-8, 7-9, Summary 5
Copy of page 132-133 Budget Documents 2007-08

24" line should be modelled to refine capacity requirements. Surveying will also be needed along the drainway preceding the 24" line and along the line to Macklyn Creek to determine existing capacity of the 24" line and to determine remaining capacity needed. A decision can then be made whether to: (a) reconstruct the 24" line, (b) supplement the 24" line with a parallel line, or (c) replace the 24" line with a single, larger diameter culvert.

A budget allowance of \$30,000 should be sufficient for design and construction needs assuming a supplemental line of 24" diameter or less is needed. An opinion of probable cost can be prepared early in the project to apprise City officials of probable costs based on the actual scope of work.

In addition to this project, City staff should check downstream manholes on the Macklyn Creek line, especially where the 48" line makes a 90° bend in Subbasin 19.5, in order to monitor and clear any obstructions that could impair performance. Any observed surcharging of Macklyn Creek should be recorded with descriptions and photos. Manholes downstream should all be checked as soon as possible following any observed surcharging in Macklyn Creek. Modelling suggests inadequate capacity in the 36" line that carries Macklyn Creek. The 36" line runs approximately 500 feet under parking lots and a City street until it connects to a 48" line. Depths are described by City staff as approaching 25 feet for the 48" line near Highway 101. Replacement of the 36" line with a 48" line would be disruptive and costly. An order of magnitude OPC for the upgrade is \$500,000. It is recommended that the City not construct the Macklyn Creek upgrade until the lower cost measures described above have been implemented and their effectiveness assessed. Any upgrade of the Macklyn Creek line should be preceded with a more detailed study of the Macklyn Creek drainage basin (see Section 7.5).

Priority II Projects

<u>Subbasin 19.6</u>

Project #3 is a continuation of Project #1 across Highway 101. The project crosses the ODOT ROW. Elevations are not known with sufficient accuracy to determine pipe size; a 36" line is estimated to be adequate. The manhole on the east side of Highway 101 is approximately 5 feet deep; consequently, the highway crossing is relatively shallow and will require open cutting to be constructed. Based on the recent 2006 highway project, it will be at least 2016 before such construction will be allowed by ODOT.

HGE, Inc., Architects, Engineers, Surveyors, & Planners

))

October 2007



A budget allowance of \$100,000 is recommended.

Subbasin 19.2

Project #4 is a continuation of Projects #1 and #3 and replaces defective and undersized 24" lines that run from Highway 101, south to and along Smith Drive to Rowland Lane, with 30" main; and replaces 30" and 36" lines with 42" down to and along Mill Beach Road to the 48" crossing in Subbasin 19.1.

Table 7.2: Project #4 Opinion of Probable Cost

Item	Quantity	Unit	Unit Cost .	Extension
42" Storm Drain Pipes 30" Storm Drain Piping Manholes Misc. Resurfacing	500 1300 7 1	LF LF EA LS	\$180 \$125 \$4,000 \$18,000	\$90,000 \$162,500 \$28,000 \$18,000
Construction Subtotal Contigencies Engineering Legal and Administration	1	٠		\$298,500 \$29,850 \$59,700 \$14,925
Project Total (rounded))			\$403,000

This project could be broken into smaller components. The section between Highway 101 and Fifeld Street is in the worst condition and passes under a building. Replacement of this section would involve approximately 700 lineal feet of 30" main.

Final sizing should be based on surveyed elevation data and model modifications to include greater detail.

Subbasin 19.1

Project #5 involves replacement of the defective culvert across Alpine Street (PA7). Alpine is a gravel road that could easily be mistaken for a driveway. The existing culvert is highly degraded and an ongoing maintenance problem. A 12" culvert approximately 25 feet long is needed for a replacement of the existing 10" line. Replacement costs are nominal - approximately \$1,000. Work could be accomplished by City staff assuming availability of needed resources.

Recommended capital improvements for Brookings include:

Reference Numbers	Priority	Subbasin Location	Description	Opinion of Probable Cost	
	I	19.6	250 LF Line upgrade (Addresses in part, problems near Lucky Lane)	\$84,000	
2	I	19.9	Upgrade of drainage along north edge of City Hall parking lot.	\$30,000	
3	I	19.9	Replace 36" Macklyn Creek line with 48" line. Not recommended prior to construction of (ref. no 2) project above and further study.	\$500,000 (order-of- magnitude estimate)	
4	п	19.6	Continuation of (ref. no 1) project across Hwy 101. Not constructable until 2016 due to ODOT restrictions.	\$100,000 (budget allowance)	
5	п.	19.2	Continuation of (ref. no.1 and 4) projects above. Includes 30" and 42" line upgrades.	\$403,000	
6	п	19.1	Replace 12" culvert across Alpine St.	\$1,000 (Assumes work completed by City Staff.)	
7	II .	19.1	Replace defective 48" line across Mill Beach Rd.	\$57,000	
	II	27	Extend storm drain along Old County Rd.	\$62,000	
9	п	23.1	Replace culvert at Willow St. and Railroad St.	\$6,000	
10	п	23.1	Replace culvert at Railroad St. and Oak St.	\$46,000	
Total	I	Macklyn Creek	Detailed stormwater study of the Macklyn Creek drainage.	\$30,000 - \$50,000 (depending on fina scope)	

CITY OF BROOKINGS CAPITAL IMPROVEMENT PROJECT LIST FISCAL YEAR 2007/2008

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	Elalyle).	John Tro	ARGUEGE			CUENT		ilto)tiz ir i	[N:2007/200	87.6
	STORM DRAIN	SDC'S								
	PRIORITY I	SUBBASIN 19.6	30" STORM DRAIN 250LF 4 MANHOLES HEADWALL & GRATE MISC RESURFACING	* *	\$ \$ \$	30,829 23,212 8,705 7,254				
		SUBBASIN 19.9	SUPPLEMENTAL 24' OR LESS STO	RM DRAIN	\$	25,000	\$	70,000 25,000		
	PRIORITY II	SUBBASIN 19.6	36" STORM DRAIN AND MANHOLE		\$	30,000	\$	30,000		
132		SUBBASIN 19.2	42' STORM DRAIN 500LF 30" STORM DRAIN 1300LF 7 MANHOLES MISC RESURFACING		\$ \$ \$	70,837 149,095 37,780 24,288	¢	282,000		
	e er	SUBBASIN 19.1	12' CULVERT 25LF		\$	1,000	\$	1,000		
	*		48" STORM DRAIN 60LF 4 MANHOLES HEADWALL MISC RESURFACING		\$. \$ \$	10,530 21,600 13,500 1,350	· \$	46,980		
		SUBBASIN 27	36" STORM DRAIN 500LF 5 MANHOLES MISC RESURFACING		\$ \$ \$	64,125 27,000 6,750	\$	97,875		
			12" STORM DRAIN 500LF 2 MANHOLES MISC RESURFACING		\$ \$	27,272 10,909 6,819	\$	45,000		
	70 m		15" STORM DRAIN 50LF MISC RESURFACING	n ne syn	\$	3,571 1,429	\$	5,000		
	· \4		30" STORM DRAIN 200LF		\$	22,950	•			

All of these projects are listed in the Storm Water Master Plan completed in fiscal year 2006/2007. Funds are budgeted in 2007/08 for an update to the Systems Development Charge Report to incorporate these projects as well as those listed in other master plans completed in FY 2006/07. The non-SDC eligible portion of each project will need funding from the General Fund or from Street Funding (already underfunded). The City does not have a Storm Drain Replacement Fund similar to the Street, Water and Waste Water Replacements Funds. The revenue from the Replacemen Funds is derived from the \$7.50 (\$2.50 each) charge per month on all City utility accounts. Adding a Storm Drain Replacement Fee would increase each utility account \$2.50 per month and create annual replacement funding of approximately \$107,000 which we would use to fund the non SDC eligible portion of each project. Total estimated Storm Drain SDC revenue available during Fiscal Year 2007/2008 is \$141,800. The percentage of each project eligible for SDC funding will not be known until they are implemented into the SDC Report.



indicates unfunded

CAPITAL IMPROVEMENT PROJECT LIST FISCAL YEAR 2007/2008 FUNDED/ 642,005 10,800 5,400 2 MANHOLES MISC RESURFACING TOTAL FUNDED
TOTAL UNFUNDED TOTAL

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Public Works

Signature (submitted by)

City Manager Approval

Subject: Storm Drain at Chetco Terrace Estates.

Recommended Motion:

Approve the bid by P & S Construction to tie in an existing six inch storm drain line from Woodland Court into the storm drain system being constructed at Chetco Terrace Estates (off of Spruce Drive).

Financial Impact:

A bid of \$2,600.00 was received from P & S Construction for the associated piping, catch basin and connection to the Chetco Terrace Estates system by the contractor doing the work on the subdivision. A proposed cap on the project would be that the improvements would not exceed \$3,000.00.

Background/Discussion:

This fall, construction on the subdivision uncovered a six inch concrete pipe with an unknown ending point. During the first fall rain event it was found that the pipe drained a catch basin on Woodland Court. The downstream end of the pipe caused extensive erosion damage to the earthwork in the subdivision. A meeting was held in the City Manager's office with Jim Capp, representing the developer (Ross Walton), asking what the city's level of participation could be in mitigating the drainage issue. There were short term temporary items on how to alleviate the erosion problem in the near term, which were implemented. The permanent solution to the problem is to attach the six inch drain to the Chetco Terrace Estates (CTE) system so that the drainage water is captured and directed into a common storm sewer. There will be a catch basin installed along the street curb for the Woodland Court outfall line to enter the CTE system and then a pipe from the catch basin to a manhole on the project site which will outlet into a larger storm drain pipe and outfall into the Chetco River. We have no plans showing the catch basin on Woodland Court, only plans showing the sewer and water system in that area. The Woodland Court subdivision was built in the 1960's.

Policy Considerations:

In recent Council meetings the Council has shown a willingness to address drainage issues and this project would be consistent with those decisions.

Attachment(s):

BID

P & S Construction Co., Inc.

P O Box 1597 Brookings, OR 97415

Bid

Date	Bid#
12/5/2007	11152008

Name / Address	•	•	· · · · · · · · · · · · · · · · · · ·
City of Brookings, 898 Elk Drive Brookings, OR 97415	· · · · · · · · · · · · · · · · · · ·	*	***************************************

Description	Qty	Cost	Total
ie existing storm drain from Woodlane Court to new storm drain system on Chetco Terrace.		2,600.00	2,600.00
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	1		
			, ■
4			
		1	

		Total	\$2,600.0

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by:

Originating Dept: City Manager

City Manager:

Subject: Pavement Management System

Recommended Motion:

Authorize the Mayor to execute a consulting services agreement with WILLDAN for the preparation of a Pavement Management System.

Financial Impact: Sufficient funds are budgeted for this \$35,000 expenditure.

Background/Discussion:

The City budgeted \$70,000 for the preparation of street improvement master plan, or Pavement Management System. A request for proposals was issued on September 7, 2007. No proposals were received. The City Manager contacted several engineering firms to follow-up in securing a proposal. One proposal has been received from WILLDAN. WILLDAN is experienced in performing similar projects in many California cities and the City Manager has direct knowledge of the quality of their work. They have proposed to undertake the project for a lump-sum fee of \$35,000.

The project will involve the field rating of all City streets, with condition recorded in a GIS-compatible database. The final report will include cost estimates for street improvements and a multi-year schedule. The report will be fully updateable as improvements are made and conditions change.

Policy Considerations:

The Pavement Management System will form the basis of determining the financing needs to improve and maintain the condition of the City's street system. The information will be used in the preparation of System Development Charges, in pursuing grant funding, and may be used in future City Council policy discussions concerning possible tax measures.

Attachment(s):

Letter proposal from WILLDAN dated November 19, 2007



November 19, 2007

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

Subject: Proposal for Pavement Management System

Dear Gary,

Willdan appreciates the opportunity to offer this proposal to provide professional engineering and consulting services to develop the City's Pavement Management System (PMS).

The services needed by the City of Brookings include a complete system for pavement management and preparation of a report with information necessary to implement the maintenance program recommended by the system. Recent industry costs will be incorporated along with a full construction history update for projects since the last update. All City streets will be field rated, with condition data recorded in the PMS database. Data processing will then be performed to provide system reports and summary information. The system provided will be fully integrated and compatible with the existing City of Brookings/Curry County geographical information system (GIS).

Willdan will use the City's existing PMS documents to obtain length, width and traffic data and segment limits.

Willdan is proposing to use MicroPaver as the platform for the PMS. The Willdan MicroPaver system taps the data within MicroPaver to produce accurate and detailed analysis and reports. Data within MicroPaver is also used to link the PMS data to the GIS and vice versa. This will establish a base GIS capable of producing maps displaying numerous possible aspects of the street system highlighted by color-coding.

Future updates will not require the relatively high cost of creating the GIS base map linkage to create maps and will not require establishing segments. The map files will be there to quickly generate maps on any update and only the construction history and pavement condition information will need to be updated to run all the analysis reports again. Any updates of MicroPaver can be directly uploaded because MicroPaver itself remains unaffected.

Due to the costs of direct meetings at City Hall, we propose that correspondence regarding all decisions by City staff will be carried out through electronic and voice communications. Copies of spreadsheets and exhibits will be transmitted by email for use during conference calls. The project budget as proposed envisions one in-person meeting in Brookings with a single Willdan attendee at an opportune time before proceeding with the final report. Additional meetings can be accommodated at additional cost.

Initiating this project in the winter would entail some unique risk factors in terms of mobilizing the field rater and then getting shut down for a rainstorm. Mobilization costs on this project are exceptionally high. We propose to begin work in the first week of May based on a no rain 10-day forecast. We will be able to continue rating in light rain.

The scope of work below outlines our understanding of the City's needs and the services to be provided.

SCOPE OF WORK

System Setup

- 1. Obtain GIS files of street centerlines, property lines and street names.
- 2. Create a PMS map file from GIS data.
- 3. Link each block in the GIS system to its associated PMS segment in the City's existing PMS.
- 4. Produce a map of streets for use by the pavement rater.
- 5. Record in the field quantities of distress conditions on all streets Citywide using Willdan's enhanced data gathering system. The full MicroPaver set of data will be recorded, which includes 19 deterioration elements that are gathered by visual means. A rating of ride quality will be added to the system using Willdan's matrix controlled system of establishing the rating.

The streets will be rated based on the following criteria:

- End segment rating at any arterial intersection.
- Include contiguous blocks of same width and approximately the same condition in one rated segment.

This method is more convenient in establishing projects for maintenance prioritization and budgeting because it automatically links segments with the same needs for maintenance together in a single project scale length, typically 500 to 800 feet in length. Otherwise it becomes somewhat tedious pulling them back together to assemble reasonable projects from a block-by-block list into budget and priority inventory reports.

The GIS linkage will be on a block-by-block basis and that status remains in place throughout, except for pavement management purposes where processing is performed on the segment basis.

- 6. Enter field data into a spreadsheet created from the City's existing PMS data.
- 7. Using traffic count data provided by City, apply a traffic index to each street.
- 8. Input construction history data for the past 5 years, as provided by City.
- 9. Upload the data into MicroPaver.

System Parameters

- 1. Consult with City and determine maintenance techniques to be utilized.
- 2. Establish strategies and calculate costs based on City preferred strategies and families of streets (local and arterial) to be used in Willdan's PMS analysis software which uses the MicroPaver data.
- 3. Establish annual budget levels to use for initial comparison in developing the preferred major maintenance expenditure levels.
- 4. Prepare family performance/deterioration curves for street categories as agreed by City to provide for projection of future pavement condition index (PCI) values.

Preliminary Data Processing

- 1. Calculate the PCI for each street segment.
- 2. Run a condition report, which lists all streets and their present PCI along with certain street data elements.
- 3. Run PCI frequency reports (percentage of total streets in Good, Fair, Poor and Failed categories) at the present time and for a selected number of years in the future with no funding.
- 4. Run a budget forecasting report to maintain pavements above selected average PCI value and backlog levels extending 10 to 20 years into the future. This will be used to gauge appropriate funding levels.
- 5. Run a major maintenance inventory report, including accurate individual costs for each segment, its strategy, and PCI.
- 6. Run a minor maintenance inventory report, including cost, strategy, PCI and priority.

- 7. Run future projections at various budget levels with percentage of funding applied to various PCI levels—worst case and greater and less than critical PCI in an iterative fashion to determine optimum funding assignments.
- 8. Provide bar graphs of unfunded backlog over the years of the projection using various budget levels and PCI at outcome.
- 9. Compile the information into a preliminary report of findings about the street system status.
- 10. Review the preliminary reports with City staff and decide which budget levels would be most appropriate to present to the City in the final report.

Final Budget Reports

- 1. Run the final selected multi-year projections to produce bar graphs of backlog and future average PCI Citywide over 10 to 20 years.
- 2. Prepare a five-year budget for major and minor maintenance as follows for each year:
 - Generate the budget report spreadsheet from Willdan's MicroPaver system with selected fields of data for strategy, PCI, and cost determinations.
 - Sort the list by ascending PCI (or other condition factors for minor maintenance)
 - Adjust the annual budget list to provide the optimal funding to PCI ranges determined previously.
 - ✓ Break the list into respective budget years by sub-totaling the improvement costs to the annual budget amount.
- 3. Compile all generated information into a report with the following chapters: Glossary, Executive Summary, Introduction to PMS, System Present Status, Strategies and Priorities, Findings and Recommendations, Projected Budget Comparisons, Implementation and Guide to Reports.
- 4. Provide color coded mapped representations of streets as follows:
- PCI,
- Budget year;
- Minor Maintenance;
- Major maintenance Strategy
- 5. Provide the City with the files for their GIS base, fully linked to the pavement management system to allow integration of the two systems.
- 6. Provide 10 copies of the final report.

Consultation

- 1. Confer with City's System Development Change (SDC) Consultant in the development of appropriate fees. These services would be limited to assisting the SDC consultant to understand the meaning of the information provided in the PMS report and consultation on what type of information reports the system could provide. Services to provide consultation on development fee approaches using PMS data or special reports based on manipulation of data to achieve a projected increase in maintenance costs as a result of new development, if desired, will be provided under a separate proposal.
- 2. Included in the Executive Summary of the final report will be a discussion of financing with State and Federal programs.

Project Management

- 1. Participate in conference calls between our pavement engineer and City staff.
- 2. Attend one meeting at the City to review the preliminary report prior to preparing the final draft.
- 3. Monitor progress of the work and review initial, preliminary and final reports.

Willdan proposes to provide the engineering and consulting services for a complete street system PMS for a fixed fee of \$ \$35,000.

Should the proposed services outlined above exceed or fall short of your reasonable expectations of the project, we would appreciate the opportunity to meet with you to review your concerns, make the appropriate work program modifications, and revise the proposed fees accordingly. Should you have any questions regarding this proposal, please contact me at 707-578-7987 or Mr. Tom Kirk at (714) 978-8228.

Respectfully submitted,

UL #

WILLDAN

Max H. Bridges Vice President

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by: WW

Originating Dept: City Manager

City Manager:

Subject: Airport Joint Powers Authority

<u>Recommended Motion</u>: Motion to approve in concept the City's participation in the Border Coast Airport Authority Joint Powers Agreement.

Financial Impact: Staff time associated with the City's participation in the new agency.

Background/Discussion:

The County of Del Norte, City of Crescent City and El Valley Rancheria formed the Border Coast Airport Authority in 2006 by entering into a Joint Powers Agreement (JPA). Under the terms of the JPA, the County of Del Norte retains ownership and fiscal responsibility for the operation and maintenance of McNamara Field, in Crescent City, while the Authority assumes the responsibility for planning for the future needs of the airport, pursuing funding for airport improvements, and pursuing expansion of commercial air service.

McNamara Field is the nearest commercial air service airport to Brookings. Sky West currently operates three commercial passenger flights from the field daily. There is also commercial shipping service at the airport.

Members of the Authority have invited the City of Brookings to joint as a participating member. This invitation has also been extended to Curry County, the City of Gold Beach and the Smith River Rancheria. By joining the Authority, the City of Brookings would be directly involved in the future development and management of the airport. Participation in the Authority through this Agreement does not create a financial obligation or liability for the City. Joint Powers Agreements create separate governmental agencies which are financed and function on their own standing. Similarly, a City representative appointed to the Authority Board is not subject to Council confirmation of their actions and has independent voting authority.

The JPA is funded by Del Norte County through their annual airport budget. All airport employees are paid by the County, including the Airport Manager who also serves as the executive officer for the Authority. While much of the funding for the airport comes from the County's general fund, the Federal Aviation Administration (FAA) provides funding for many of the projects. Presently, the airport operations are operating at an annual deficit of about \$300,000. The County is committed to continuing to fund the deficit while the JPA pursues additional funding.

The City has the authority to enter into agreements with California local government entities in the formation of joint powers authorities under ORS 190.420 and shares in common with the other participating entities the power to operate airports under ORS 836.200.

The Agreement among the existing parties would need to be revised to accommodate Oregon local government representatives. If the City Council wishes to proceed with this matter, staff will work with Del Norte County Council and other parties to revise the Agreement and return to the City Council with a final Agreement for approval.

Policy Considerations:

Participation in the Authority would further the City's broader economic development strategy. Improved commercial air service and airport facilities within relatively close proximity to Brookings would be an economic enhancement and provide better transportation services for Brookings residents.

Attachment(s): Border Coast Airport Authority Joint Powers Agreement

BORDER COAST AIRPORT AUTHORITY JOINT POWERS AGREEMENT

THIS AGREEMENT is made and entered into this 4th day of October, 2007, by and between the County of Del Norte, a legal subdivision of the State of California, hereinafter referred to as "County", the City of Crescent City, a municipal corporation existing under the laws of the State of California, and the Elk Valley Rancheria, a federally recognized Tribe, collectively referred to as "Participants", who agree as follows:

RECITALS

Del Norte County currently owns and operates McNamara Field, a commercial airport located in Del Norte and serving passengers from both California and Oregon (the "airport"). Recognizing the bi-state regional significance of the airport, the Del Norte County Board of Supervisors has decided to enter into this Border Coast Airport Authority (the "Authority") in order to permit other governments to share in operational decision making for the airport. In addition to the City of Crescent City, these governments may include local government agencies in the State of Oregon as well as sovereign tribal governments.

The parties to this agreement believe that by working together in the framework of this Authority, the future role of the airport in accommodating current and future air travelers, facilitating the economic development of the border coast region, and maintaining the airport as an essential component of the region's emergency response network, will be protected and enhanced.

By entering into this agreement, Del Norte County does not intend to transfer ownership of the land and facilities that make up the airport. Nor does entry into this agreement by entities other than Del Norte County imply a commitment on their part to provide funding for the capital improvement or operation of the airport. However, these and other issues may become the subjects of ongoing conversation among the Authority's Participants.

This agreement is entered into pursuant to the provisions of California Government Code Sections 6500 and following, hereinafter referred to as the "JPA Law," for the purpose of creating an agency to provide for the planning, operation, marketing, and maintenance, directly or indirectly, of the commercial airport located in Del Norte County and known as McNamara Field.

This agreement may also be entered into pursuant to provisions of Oregon Law, which may be now in effect or may be later enacted, that would allow public agencies of the State of Oregon to participate in this Authority.

It is the intent of the initial Participants of this Border Coast Airport Authority that the membership in the Authority shall be open to all those public agencies in the States of California and Oregon that elect to join the Authority, and meet the following criteria: (a) the territory of the public agency is substantially located in Del Norte County, California, or Curry County, Oregon; (b) the public agency has the power under the JPA Law or a similar Oregon Law, to join the Authority. Participation in the Authority shall remain open to those entities that may decide to join after the Authority is formed and operational.

ARTICLE I

CREATION AND OPERATION OF THE AUTHORITY

SECTION 1.1 <u>CREATION OF AUTHORITY</u>: Pursuant to the JPA Law, there is hereby created a public entity to be known as the "BORDER COAST AIRPORT AUTHORITY", referred to herein as the "Authority". The Authority is a public entity separate and apart from the parties hereto. The Authority shall come into existence upon approval of this agreement by Del Norte County and one other Participant.

SECTION 1.2 <u>INITIAL PARTICIPANTS:</u> The initial Participants in the Authority are Del Norte County, the City of Crescent City, and the Elk Valley Rancheria.

SECTION 1.3 GOVERNING BOARD; INITIAL BOARD APPOINTMENTS: The Authority shall be administered by a governing board, which shall be called the "Board of Directors of the Border Coast Airport Authority," and which shall be referred to herein as the "Board." The Board of the Authority shall initially consist of five members. The initial Board shall be appointed as follows: The Del Norte County Board of Supervisors shall appoint three members, two of whom shall be Supervisors, and two of whom shall be designated to serve four-year terms and one of whom shall serve a two-year term; the first two additional Participants shall appoint one member each, with each such member serving a term congruent with the term of the two-year appointee of the Del Norte County Board of Supervisors.

Section 1.4 GOVERNING BOARD; PERMANENT CONSTITUTION: The number of members of the permanent Board shall be seven. Following the terms of the initial Board, the terms of Board members shall be four years. However, each Board member shall serve at the pleasure of the appointing authority for that position. In recognition of the fact that the number of legally-eligible Participants may be substantial, and in view of the difficulty of determining which entities may in the future choose to participate, the Participants agree to negotiate the relative appointing power of the Participants, and the size of the Board, as new Participants indicate their intent to join the Authority. Adjustments to the size of the Board and to the appointing power of the Participants shall be incorporated into this agreement by formal amendment hereto, adopted by each Participant.

Section 1.5 <u>ALTERNATE MEMBERS</u>: Each Participant may appoint an alternate to serve in the absence of any member appointed by that Participant.

SECTION 1.6 <u>COMPENSATION</u>: Members of the Board of Directors shall receive no compensation. However, they may be reimbursed actual expenses

incurred while performing the duties and activities of the Board.

SECTION 1.7 <u>REGULAR MEETINGS</u>: The Board of Directors shall provide for its regular and special meetings; provided, at least one regular meeting shall be held each calendar quarter.

SECTION 1.8 <u>RALPH M. BROWN ACT</u>: All meetings of the Board of Directors of the Authority, without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code Sections 54950, and following.

SECTION 1.9 <u>MINUTES</u>: The Board shall provide for taking, approving, and preserving minutes of the meetings of the Board.

SECTION 1.10 <u>OUORUM</u>: A majority of the Governing Board shall be required for the transaction of business.

SECTION 1.11 <u>RULES</u>: The Board of the Authority shall adopt and amend as necessary such rules and regulations for the conduct of its meetings and affairs as are necessary for the purpose of accomplishing its stated purpose.

SECTION 1.12 MANNER OF EXERCISING POWERS: The manner of exercising the powers of the Authority is subject to the same restrictions on the exercise of like powers that apply to the County of Del Norte.

SECTION 1.13 <u>FISCAL YEAR:</u> The fiscal year of the Authority shall be from July 1 through June 30.

SECTION 1.14 TERM OF AGREEMENT: This agreement shall continue indefinitely, except that the agreement may be terminated sooner if withdrawal

is elected pursuant to Section 1.15 of this agreement by the County of Del Norte or by all Participants other than the County of Del Norte.

SECTION 1.15 <u>WITHDRAWAL</u>: Any Participant may withdraw from this agreement by giving sixty (60) days written notice to the Authority and to all other Participants. The withdrawing entity shall not be entitled to the return of any assets or contributions that the Participant made to the Authority.

ARTICLE II OFFICERS

SECTION 2.1 <u>CHAIRMAN</u>, <u>VICE-CHAIRMAN AND EXECUTIVE DIRECTOR</u>: The Board of Directors shall elect a Chairman and a Vice-Chairman from among its members. It may appoint an Executive Director or an Airport Manager, who shall not be a member of the Board of Directors.

SECTION 2.2 TREASURER: The Treasurer of Del Norte County is hereby designated as the Treasurer of the Authority and as the depositary to have custody of all the money of the Authority from whatever source. The Treasurer, and the officer performing the functions of Auditor or Controller, who shall be the Auditor-Controller of the County, shall have the duties and obligations set forth in Section 6505 and 6505.5 of the JPA Law and shall assure that there shall be strict accountability of all funds and report of all receipts and disbursements of the Authority.

SECTION 2.3 <u>BONDING OF PERSONS HAVING ACCESS TO PROPERTY:</u> From time to time, the Board of Directors shall designate public officers or persons, in addition to the Treasurer and Auditor-Controller, having charge of handling or having access to any property of the Authority, and the governing board shall determine the amount

of their official bond, pursuant to Section 6505.1 of the JPA Law.

ARTICLE III POWERS AND DUTIES

SECTION 3.1 <u>POWERS</u>: Border Coast Airport Authority shall have each of the following powers:

- a. To make and enter into contracts and to receive and expend funds, providing for aviation and airport-related services to the public;
- b. To supervise and oversee the performance of aviation and airport-related service contracts;
- c. To provide all services necessary to operate McNamara Field;
- d. To acquire, construct, manage, maintain or operate any facilities or improvements;
- e. To acquire, hold and dispose of property;
- f. To incur debts, liabilities or obligations, which do not constitute a debt, liability or obligation of the member entities;
- g. To employ personnel;
- h. To sue and be sued in its own name;
- i. To invest in accordance with the provisions of Section 6509.5 of the JPA Law, money in the treasury of the Authority that is not required for immediate necessities of the Authority;

- j. To apply for, accept, and utilize funds from any source for public Airport purposes, including funds available through the Federal Aviation Administration.
- k. To raise revenues, including the establishment of lease rates, parking fees, and other revenue and tax rates as authorized by law, to support aviation and airport-related services;
- 1. To incur short-term indebtedness;
- m. To petition the federal and state governments
- n. To receive contributions from Participants and to provide for their repayment on such terms as the Authority deems advisable;
- o. All other powers which are necessary and proper for the Authority in order to provide aviation and airport-related services.

SECTION 3.2 <u>DUTIES</u>: Border Coast Airport Authority shall have the following specific duties:

- a. On or before April 1 of each year, it shall cause to be prepared and submitted to the Board and each of the Participants a proposed budget for the upcoming fiscal year. The proposed budget shall be subject to approval and ratification as set forth in Section 4.3.
- b. The Authority shall oversee and maintain an ongoing process to plan for the future needs of the airport, anticipating the needs of the public for commercial air service.
- c. The Authority shall actively pursue funding, and the

development of sources of funding, for the implementation of its plans for aviation improvement and airport development.

d. The Authority will prepare and submit to the member entities quarterly progress reports concerning the provision of aviation services and the plans for development and financing of improvements to those services.

SECTION 3.3 <u>OBLIGATIONS AND AUTHORITY</u>: The debts, liabilities and obligations of the Authority shall not be the debts, liabilities and obligations of any of the member entities.

ARTICLE IV

SECTION 4.1 <u>CONTRIBUTIONS NOT REQUIRED</u>: Except as provided in section 4.2, no Participant is or shall be required to make contributions to the Authority, except as that Participant shall agree. No Participant is subject to assessment.

SECTION 4.2 <u>ADMINISTRATIVE AND OPERATING COSTS</u>: The County of Del Norte shall provide funding to the Authority up to the level of the County's budgeted commitment to support the airport for the fiscal year 2006-2007.

SECTION 4.3 <u>APPROVAL OF BUDGET</u>: The Board may tentatively adopt the annual budget of the Authority; however, the budget will have no force and effect until it is approved or ratified by each Participant that is contributing funds to the Authority pursuant to that budget.

SECTION 4.4 <u>DEBTS OF THE AUTHORITY</u>: No member entity is responsible for the debts of the authority.

ARTICLE V

DISPOSITION OF ASSETS UPON TERMINATION

SECTION 5.1 <u>NO SUCCESSOR ENTITY</u>: Upon termination of the Border Coast Airport Authority, without a successor entity, pursuant to paragraph 1.15 or otherwise, and subject to the terms of any repayment agreements entered into pursuant to paragraph 3.1, subparagraph n, the Board shall convey or quitclaim all assets and property of the Authority to the County of Del Norte.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and attested by their proper officers, who are duly authorized, as of the day and year first above written. Dennis Burns, Mayor City of Crescent City

ATTEST:

L. Diane Nickerson, Clerk
City of Crescent City

Dale A. Miller, Tribal Chairman Elk Valley Rancheria

APPROVED AS TO FORM:

Robert Black, Acting City Attorney
City of Crescent City

David Finigan, Chairman Board of Supervisors

ATTEST:

Sherri Adams, Clerk Board of Supervisors

Kim Krokodilos, Tribal Secretary Elk Valley Rancheria

APPROVED AS TO FORM:

DOHN HENION, County Counsel County of Del Norte

MINUTES

City of Brookings Common Council Meeting

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

Monday, October 22, 2007

Council met at 6:00pm, in the City Manager's office, for an Executive Session under the authority of 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 occur, and under authority of ORS 192.660 (2)(e), to conduct deliberations with persons designated by the governing body to negotiate real property transactions. In attendance were Mayor Sherman, Councilors Anderson, Hedenskog and Gordon, and City Manager Milliman.

Call to Order

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

Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon and Ron Hedenskog; a quorum present. Councilor Jan Willms was absent.

Staff Present: City Manager Gary Milliman, Planning Director Dianne Morris, Public Works Director John Cowan, Lead Plant Operator Mark Haglund, Utility Workers Joe Holmes and Joshua Higgs, and Administrative Assistant Joyce Heffington.

Media Present: None.

Other: Approximately 23 public

Councilor Gordon moved, a second followed, and Council voted unanimously to move Agenda Item #8 [Ordinances] up to #6 on the agenda.

Announcements

Mayor Sherman introduced new Public Work's Employees, Utility Workers Joe Holmes and Joshua Higgs and presented a ten year employee anniversary certificate to Lead Plant Operator, Mark Haglund.

Liaison Reports

Councilor Anderson attended four City and one Brookings Harbor School Board meetings.

Mayor Sherman attended meetings of the Brookings Harbor Education Foundation, Brookings Harbor Health Fair, Azalea Park Foundation, Oregon Coastal Zone Management Association, and the Easy Manor Park Subcommittee.

Councilor Hedenskog attended a meeting of the Port Commission.

Councilor Gordon attended a meeting of the Curry County Commission on Children & Families.

Public Comments

Randy Hall, 200 N. Rossini Lane, Brookings, addressed Council regarding a failed culvert at 760 Old County Road, generally stating that it is a public hazard and requesting that the city make repairs.

Steve Pomerleau, 760 Old County Road, stated that due to a failed culvert, he has a "sink hole" on his property, denying him access to his driveway. Pomerleau generally stated that he believes that the culvert is on City property and therefore it is the City's responsibility to repair.

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City Manager Milliman generally stated that this culvert was installed by the developer in the storm water ditch in 1980 and according to staff, past practice has been to assign responsibility for maintaining driveway approaches across drainage ditches to the owner if the improvement was never accepted by the City. This improvement predates the permitting process and extends across most of the property's frontage.

Mayor Sherman stated that the City can't apply rules retroactively, and Council Anderson asked that staff investigate and report back on the situation.

Ordinances

Planning Director Morris presented the staff report recommending the adoption of four ordinances amending the Land Development Code of the Brookings Municipal Code.

Councilor Anderson moved, a second followed and Council voted unanimously to do a first reading by title only of Ordinance 07-O-585, an ordinance adding Chapter 17.171, Neighborhood Circulation Plans, to the Brookings Municipal Code.

Councilor Anderson moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-585, an ordinance adding Chapter 17.171, Neighborhood Circulation Plans, to the Brookings Municipal Code.

Councilor Gordon moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-585, an ordinance adding Chapter 17.171, Neighborhood Circulation Plans, to the Brookings Municipal Code.

Councilor Anderson moved, a second followed and Council voted unanimously to do a first reading by title only of Ordinance 07-O-593, an ordinance amending Section 17.80.040, Site Plan Approval, Improvement Standards, of the Brookings Municipal Code.

Councilor Anderson moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-593, an ordinance amending Section 17.80.040, Site Plan Approval, Improvement Standards, of the Brookings Municipal Code.

Councilor Gordon moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-593, an ordinance amending Section 17.80.040, Site Plan Approval, Improvement Standards, of the Brookings Municipal Code.

Councilor Gordon moved, a second followed and Council voted unanimously to do a first reading by title only of Ordinance 07-O-595, an ordinance adding Chapter 17.170, Street Standards, to the Brookings Municipal Code.

Councilor Anderson moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-595, an ordinance adding Chapter 17.170, Street Standards, to the Brookings Municipal Code.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-595, an ordinance adding Chapter 17.170, Street Standards, to the Brookings Municipal Code.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading by title only of Ordinance 07-O-596, an ordinance amending Chapter 17.168, Public Facilities Improvement Standards and Criteria for Utilities, of the Brookings Municipal Code, in its entirety.

Councilor Anderson moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-596, an ordinance amending Chapter 17.168, Public

Facilities Improvement Standards and Criteria for Utilities, of the Brookings Municipal Code, in its entirety.

Councilor Gordon moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-596, an ordinance amending Chapter 17.168, Public Facilities Improvement Standards and Criteria for Utilities, of the Brookings Municipal Code, in its entirety.

Regular Agenda

City Manager Milliman presented the staff report regarding the proposed modification of the employee sick leave transfer policy as requested by Teamsters Local 223, generally stating that the modification would allow employees with physician documented illnesses requiring extended leaves to receive sick leave when all other employee sick leave policy parameters are met. Current policy only allows transfers of sick leave for "life threatening illness or injury."

Councilor Anderson moved, a second followed and Council voted unanimously to authorize the Mayor to execute a Letter of Agreement with the General Employees Unit modifying sick leave transfer policy as requested by the Teamsters Local 223.

Regular Agenda

City Manager Milliman presented the staff report recommending that Council deny the request from St. Timothy's Episcopal Church for assistance in installing a storm drain culvert and swale on their property adjacent to Old County Road.

Public Works Director Cowan generally stated that the culvert is in the City's right-of-way but that there is no policy regarding responsibility with this particular type of situation.

William Smith, 820 Highland Avenue, Brookings, presented the Church's position generally stating it is the City's responsibility to fix the problem because the problem did not exist until the City laid the 36" pipe into the natural drainage ditch.

Bob Busch, Busch Geotechnical Consultants, PO Box 222, Arcata generally stated that the culvert alignment in the ditch coupled with the water's velocity as it leaves the pipe at the terminal have contributed significantly to the situation currently threatening the Church's stability. Busch also stated that he did not believe that the water flowing across the parking lot was a significant factor in the "slumping" that was occurring. However, he did state that the property, due to its varied location, had a lot of natural drainage.

After considerable discussion, Council generally agreed that more information was needed to make a determination and staff was asked to have the site surveyed to determine the location of the City's right-of-way and bring their findings back to Council for further consideration.

City Manager Milliman also advised that staff was working on policy to deal with situations such as this.

City Manager Milliman recommended that Council award the bid for the vactor truck to EnviroClean Equipment & Supplies and reviewed various financing packages from several sources. After some discussion it was determined to defer the financing until more analysis is done.

Councilor Gordon moved, a second followed and Council voted unanimously to award the bid for the vactor truck to the lowest responsible bidder, EnviroClean Equipment & Supplies, in the amount of \$204,044.28.

Consent Calendar

- Approval of Council Meeting Minutes for October 8, 2007
- Acceptance of Parks and Recreation Meeting Minutes for August 23, 2007.

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

Adjournment

Councilor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn to a meeting of the Urban Renewal Agency at 8:58pm.

Respectfully submitted:	ATTEST by City Recorder this day of, 2007:		
Pat Sherman Mayor	Joyce Heffington Interim City Recorder		

MINUTES

City of Brookings Common Council Meeting

Brookings City Hall Council Chambers 898 Elk Drive, Brookings, Oregon 97415 Tuesday, November 13, 2007

Council met in Executive Session at 6:00pm, in the City Manager's Office, under ORS 192.660 (2)(f), to consider information or records that are exempt by law from public inspection. Present were Mayor Sherman, Councilor Larry Anderson, Councilor Dave Gordon, Councilor Jan Willms, Councilor Ron Hedenskog, City Manager Gary Milliman, City Attorney John Trew, Public Works Director John Cowan, City Engineer Richard Nored, Adam Sussman GSI Water Solutions and Curry Pilot Report Valiant Corley. Attorney Martha Pagel was conferenced in by telephone.

Call to Order

Mayor Sherman called the meeting to order at 7:04pm.

Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon, Ron Hedenskog and Jan Willms; a quorum present.

Staff Present: City Manager Gary Milliman, Administrative Services Director Patti Dunn, Planning Director Dianne Morris, Public Works Director John Cowan, City Attorney John Trew, Administrative Assistant Joyce Heffington, City Engineer Richard Nored.

Media Present: Curry Pilot Reporter Valiant Corley

Other: Approximately 28 public.

Appointments & Announcements

City Manager Gary Milliman introduced new Administrative Services Director, Patti Dunn.

Councilor Willms moved, a second followed and Council voted unanimously to accept Werner Buehler's resignation from the Urban Renewal Advisory Committee and direct staff to advertise the vacant position.

Liaison Reports

Councilor Willms attended three meetings of the Sutter Coast Hospital Board as well as meetings of the Urban Renewal Advisory Committee, the Parks and Recreation Commission, the Brookings Harbor Health Fair, the Stout Park Subcommittee, Easy Manor Park Subcommittee a meeting on the Triangle and two executive sessions.

Councilor Anderson attended one Brookings Harbor High School meetings and three City related meetings.

Mayor Sherman attended meetings of the Brookings Harbor Health Fair, and Easy Manor Park Subcomittee.

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Councilor Hedenskog attended a city meeting.

Councilor Gordon attended a Chamber Marketing meeting and two Curry County Commission on Children and Families meetings.

Public Comments

Tom Huxley, 15877 Pelican Bay Drive, Brookings, generally stated that he did not think the current City/County Joint Management Agreement was salvageable.

Regular Agenda

City Manager Milliman presented the staff report regarding staff's recommendation to remove the existing storm drain culvert along the frontage of 760 Old County Road.

Steve Parmeleu, 760 Old County Road, addressed Council generally stating that he was willing to compromise and return part of the culvert to open ditch, but believes that it is the City's responsibility to make repairs.

Councilor Anderson moved, a second followed and Council voted with "nay" votes from Councilor Willms and Councilor Gordon, to remove existing pipe [drain culvert] in front of the driveway [at 760 Old County Road] and replace with current product, pave the driveway only and leave the rest in open ditch.

Public Works Director John Cowan reported back on the right-of-way and drainage situation at St. Timothy's Church on Old County Road.

William Smith, 820 Highland, Brookings, generally reaffirmed his position that storm drainage problems on the Church's property were caused by the City, and requested a response to the geological assessment made by Bush.

City Engineer Richard Nored generally stated that he did not think the situation on the Church's property was the City's to resolve and that deterioration of the slope is due to water coming over the top of the ditch, not through it.

Councilor Anderson moved, a second followed and Council voted to authorize the City to contribute \$5000 for the [drainage] project [at St. Timothy's Church on Old County Road] but not be involved in the installation [with the project to] be privately maintained.

Councilor Willms moved, a second followed and Council voted unanimously to adopt the October 2007, Water System Master Plan Update and Water Conservation Management Plan for the City of Brookings.

Public Works Director Cowan presented staff's request to authorize Coos Curry Electric Coop (CCEC) to remove eight trees at various locations in Azalea Park and Stout Park at their own cost.

Pauline Olson, 317 Memory Lane, Brookings, speaking for the Friends of Trees, generally stated that the group was against the removal of any trees without first receiving an independent opinion from an arborist.

Lauren Porsche, 16974 Pacific View Drive, Brookings, speaking for the Coos Curry Electric Coop (CCEC), generally stated that CCEC has worked for several years to save the trees in question but that they are now creating outages and have become large enough to become safety hazards. Porsche also indicated that CCEC would be willing to plant replacement trees.

Councilor Anderson requested that the matter be taken to the Parks and Recreation first, and that each of the eight trees designated for removal by CCEC be clearly marked so everyone would know which trees were being considered.

Councilor Anderson moved, a second followed and Council voted unanimously to have the Parks and Recreation Commission review the proposal [made by Coos Curry Electric Coop to remove eight trees from areas around Stout and Azalea Parks] and make a recommendation to Council.

Administrative Services Director Dunn presented staff's recommendation to authorize the City Manager to enter into loan agreement with Chetco Federal Credit Union (CFCU) to fund the purchase of a Vactor Truck.

Mayor Sherman moved, a second followed and Council voted unanimously to authorize the City Manager to enter into a four year loan agreement with Chetco Federal Credit Union in the amount of \$205,000 for the original loan plus a \$3,000 initial loan fee for the purchase of a Vactor Truck.

Planning Director Morris presented staff's recommendation to have staff administratively review County referrals, unless policy development, in a public review setting, is needed, and repeal the associated fee.

Councilor Anderson moved, a second followed and Council voted unanimously to have the Planning Commission review the proposal [to have staff administratively review County referrals] and make a recommendation to Council.

Mayor Sherman called for a five minute break at 9:05pm and called the meeting back to order at 9:11pm.

Planning Director Morris reviewed the staff report regarding draft revisions to the City/County Joint Management Agreement (JMA).

After some discussion, it was determined that the current draft did not go far enough in meeting the City's needs and staff was generally directed to look at JMAs in other cities for other language that might be incorporated.

City Manager Milliman presented his recommendation to designate the City's Site Plan Review Committee as the System Development Review Board, generally stating that there was, at the present time, no formal body to which citizens could appeal System Development Charges imposed by the City.

Barbara Nysted, 427 Buena Vista Loop, Brookings, addressed Council regarding the Board's history.

Mayor Sherman moved, a second followed and Council voted unanimously to designate the City's Site Plan Review Committee as the System Development Review Board.

City Manager Milliman reviewed staff's recommendation to authorize the Mayor to execute an agreement with Oscar Larson Associates to provide engineering services for the 2.0 million gallon water storage tank project.

Councilor Willms moved, a second followed and Council voted unanimously to authorize the Mayor to execute a Master Agreement for Consultant Services with Oscar Larson Associates for services associated with the construction of a 2.0 million gallon water storage tank.

Consent Calendar

- Acceptance of Planning Commission Minutes for October 2, 2007.
- Acceptance of Parks and Recreation Commission Minutes for September 27, 2007.
- Approval of vouchers for October, 2007 in the amount of \$304,045.60.

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

Adjournment

Councilor Willms moved, a second followed and Council voted unanimously by voice vote to adjourn at 10:00pm.

Respectfully submitted:	ATTEST by City Recorder this day of, 2007:		
Pat Sherman Mayor	Joyce Heffington Interim City Recorder		

MINUTES BROOKINGS PLANNING COMMISSION

November 6, 2007

At 7:00 p.m. the Commission met for a workshop to discuss the County's MUMP (Mixed Use Master Plan) zone. David Pratt, Curry County Planning Director, and Brookings Planning Director Morris, responded to questions from the Commission. Approximately 15 residents were in the audience to hear the discussion. Testimony was not taken due to the fact it was a workshop and not a public hearing. The workshop concluded at 7:45 p.m.

The Planning Commission public hearing was called to order by Chair Markham at 7:46 p.m. in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck

Hedda Markham

Bill Dundom

Bruce Nishioka

Randy Gorman

Commissioners Absent: Juliane Leighton and Richard Yock

Staff Present:

Dianne Morris, Planning Director, and Cathie Mahon, Secretary.

Other: Approximately 5 participants in the audience and Coastal Pilot reporter, Valliant Corley

WRITTEN REQUEST and COMMUNICATIONS

None.

CHAIR ANNOUNCEMENTS

None.

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

None.

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

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

COUNTY REFERRELS

None.

UNSCHEDULED PUBLIC APPEARANCES

Yvonne Maitland, 15676 Oceanview Drive, distributed to the Commission a 3-page document regarding the "draft MUMP zone". As secretary for HCAC-Harbor Community Action Committee, Maitland briefly discussed several areas of concern the HCAC group has with the proposed MUMP zone.

MINUTES

By a 5-0 (motion: Commissioner Markham) the Planning Commission approved the minutes of October 2, 2007.

COMMENTS by the PLANNING STAFF

- Planning Director Morris reminded the Commission that election of officers will be held at the December 4th meeting. (Correction: the first meeting of the year will be January 8, 2008).
- Morris reminded Chair Markham of the annual report due the end of the year, followed by presenting it to City Council. Markham responded a draft copy will be sent to the Planning Department and forwarded to the commissioners for their review or additions.
- An amendment to <u>Chapter 17.04 Development Permit Procedures</u> is the only item scheduled for the December 4th meeting.
- The first Tuesday of 2008 falls on January 1st. Discussion ensued and it was unanimously decided to have the meeting on January 8th.
- Copies of the CIC questionnaires were distributed for the commissioner's review. Planner Morris reported 15 people were mailed the questionnaires, with nine questionnaires returned. A report with copies of the questionnaires will be presented to City Council and the state.

COMMISSIONERS COMMENTS

None.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 7:59 p.m.

Respectfully submitted,

Hedda Markham, Chair

(approved at <u>Pec</u> 4/07 meeting)

MINUTES BROOKINGS PARKS AND RECREATION COMMISSION October 25, 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, Frances Hartmann & Chair Tony Parrish

Commissioners absent: Don Vilelle, excused absence

Others present: City Councilor Jan Willms, City Manager Gary Milliman, Public Works Director John Cowan

APPROVAL OF MINUTES

A. Motion was made by Commissioner Hartmann to approve the minutes of September 27, 2007 as written; the motion was seconded and the Commission voted, the motion carried unanimously.

PUBLIC APPEARANCES

None

REGULAR AGENDA

- A. Review of City Parks Reservation Fee Schedule City Manager Gary Milliman presented a recommendation to: 1) remove park use fees from the Administrative Fee ordinance and add language allowing park use fees to be set by resolution; and to 2) adopt by resolution a revised fee schedule for City park use. Discussion of park use fees ensued including clarification of increased fees for events with more than 200 participants and 50% fee reduction for non-profit organizations. A motion was made by Commissioner Benoit to approve the proposed City Park Reservation Fee Schedule as presented; unanimously.
- B. Grant Application Planning City Manager Gary Milliman presented information on the Local Government and Recreation Trails Grant Programs and possible projects to begin planning to apply for grants. Discussed prioritization of grant projects currently in the process of pursuing. A motion was made by Commissioner Brown to make replacement of existing Easy Manor Park playground equipment the number one priority for the Local Government Grant Program; motion was seconded and the Commission voted, the motion carried unanimously. A motion was made by Commissioner Hartmann to recommend that the City Council look at the Chetco Point Park grant and it be resubmitted with modifications as necessary under the Recreation Trails Head grant; the motion was seconded and the Commission voted, the motion carried unanimously.
 - C. Flagpole at Azalea Park Bandshell Area Commissioner Parrish advised that an anonymous donor would like to install a flagpole at the bandshell to be used at public functions requiring a flag. Discussion ensued, it was suggested to bring the matter up at the Azalea Park Master Plan meeting October 30th; matter tabled at this time.

D. 4-H Use of Bankus Park for Holiday Candy Sale Fundraiser — A motion was made by Commissioner Hartmann to approve the use of Bankus Park by the 4-H as presented; the motion was seconded and the Commission voted, the motion carried unanimously.

INFORMATION UPDATES/DISCUSSION ITEMS

A. Easy Manor Park Update – Commissioner Brown presented a review of the Easy Manor Subcommittee meeting on October 5th where they received Local Government Program Grant Manuals to review and reviewed park comment forms received at the Ice Cream Social. Scheduling of another subcommittee meeting to go over grant requirements and to get neighborhood members involved is planned.

COMMISSIONER REPORTS/COMMENTS

Commissioner Hartmann questioned if the Peace Gathering scheduled for October 27th at Bankus Park needed permission of the Park & Recreation Commission. City Manager Milliman advised that it was a public gathering permitted under the law and were not required to get permission to gather in a public place.

Chair Parrish provided information on the progress of the Stout Mountain Railroad. Would like to know what can be done with the cistern and if it could eventually be made into a water feature for the park. The March of the Santas is scheduled for November 23rd.

Public Works Director John Cowan advised that the Department of Forestry is in the final stage of removal of the SOD trees and that the quarantine will continue to be in effect indefinitely. PW will be posting "Keep Out" signs with the quarantine signs to persuade people not to walk on trials and the spreading of SOD. Commissioner Parrish advised there is a tree on the corner of the cul-de-sac at Stout Park that may possibly need to be taken down.

ADJOURNMENT

With no further business before the Commission, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Tony Parrish, Chair

(approved at November 29, 2007 meeting)

City of Brookings

Check Register - Summary GL Posting Period(s): 11/07 - 11/07 Check Issue Date(s): 11/01/2007 - 11/30/2007

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	Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
	11/07	11/30/2007	57712	3632	VOID - Harbor View Windows	10-00-2005	282.61 -M
1	11/07	11/05/2007	58063		VOID - Brookings Signs & Graphics	10-00-2005	324.00 -M
	11/07	11/02/2007	58280	2505	Aramark	10-00-2005	517.78
	11/07	11/02/2007	58281	2421	Brookings Harbor Booster Club	10-00-2005	920.25
(CEE)	11/07	11/02/2007	58282	313	Brookings Vol Firefighters	10-00-2005	2,083.33
	11/07	11/02/2007	58283	715	Budge McHugh Supply	10-00-2005	35.46
	11/07	11/02/2007	58284	1201	Carolyn Duerr	10-00-2005	19.96
_	11/07	11/02/2007	58285	1840	Chetco Federal Credit Union	10-00-2005	3,330.00
(اس ت)	11/07	11/02/2007	58286	3834	Clean Sweep Janitorial Service	10-00-2005	700.00
	11/07	11/02/2007	58287	1745	Coastal Paper & Supply, Inc	10-00-2005	313.80
	11/07	11/02/2007	58288	182	Coos-Curry Electric	10-00-2005	11,699.70
1	11/07	11/02/2007	58289	173	Curry Equipment Company	10-00-2005	150.00
	11/07	.11/02/2007	58290	3956	Darwin Brookings Association	10-00-2005	39.51
	11/07	11/02/2007	58291	284	Day-Wireless Systems	10-00-2005	886.50
	11/07	11/02/2007	58292	185	Del Cur Supply	10-00-2005	275.50
أعيدا	11/07	11/02/2007	58293	316	Donald & Roberta Chandler	10-00-2005	548.00
1	11/07	11/02/2007	58294	3342	Fastenal	10-00-2005	58.60
	11/07	11/02/2007	58295	3577	Formsandchecks.com	10-00-2005	68.36
()	11/07	11/02/2007	58296	4036	Gemplers	10-00-2005	288.85
• •	11/07 11/07	11/02/2007	58297	3639	Gleaves Swearingen	10-00-2005	684.53
	11/07	11/02/2007	58298	269	Grainger	10-00-2005	34.44
	11/07	11/02/2007 11/02/2007	58299 58300	139	Harbor Logging Supply	10-00-2005	38.08
1000	11/07	11/02/2007	58301	3678 262	Kenneth Manuele	10-00-2005	148.00
	11/07	11/02/2007	58302	4048	Kim Hunnicutt Court Reporting	10-00-2005	54.00
	11/07	11/02/2007	58303	155	Liquivision Technology Inc Mory's	10-00-2005	2,800.00
	11/07	11/02/2007	58304	1330	Northwest Uniforms, Inc	10-00-2005	32.89
فيعتنا	11/07	11/02/2007	58305	3603	Norwest Safety	10-00-2005	965.55
,	11/07	11/02/2007	58306	3561	Oll Can Henry's	10-00-2005	209.55
	11/07	11/02/2007	58307	322	Postmaster	10-00-2005	91.77
النجا	11/07	11/02/2007	58308	207	Quill Corporation	. 10-00-2005	720.00
	11/07	11/02/2007	58309	199	Richard Harper	10-00-2005 10-00-2005	235.29 300.00
	11/07	11/02/2007	58310	3499	Simplot	10-00-2005	406.00
	11/07	11/02/2007	58311	3432	•	10-00-2005	52.00
(1-1-1)	11/07	11/02/2007	58312	170		10-00-2005	348.30
	11/07	11/02/2007	58313	136	United Pipe & Supply Co Inc	10-00-2005	1,783.00
	11/07	11/02/2007	58314	861	Village Express Mail Center	10-00-2005	12.30
(10.00)	11/07	11/02/2007	58315	2122	VISA	10-00-2005	904.36
f"#	11/07	11/02/2007	58316	1567	Westlog, Inc	10-00-2005	40.00
	11/07	11/02/2007	58317	917	Wm. H. Reilly & Co	10-00-2005	17,140.84
	11/07	11/02/2007	58318		· · · · · · · · · · · · · · · · · · ·	10-00-2005	70.73
limit.	11/07	11/09/2007	58319			10-00-2005	102.60
	11/07	11/09/2007	58320			10-00-2005	3,416.67
	11/07	11/09/2007	58321		• • • • • • • • • • • • • • • • • • • •	10-00-2005	32.79
_	11/07	11/09/2007	58322		• • • • • • • • • • • • • • • • • • • •	10-00-2005	324.00
()	11/07 11/07	11/09/2007	58323	•		10-00-2005	241.39
		11/09/2007	58324		•	10-00-2005	203.00
	11/07 11/07	11/09/2007 11/09/2007	58325			10-00-2005	376.20
(ma)	11/07		58326 59327		,	10-00-2005	596.15
	11/07	11/09/2007 11/09/2007	58327 58328			10-00-2005	445.55
	11/07	11/09/2007	58329			10-00-2005	2,276.73
	11/07	11/09/2007	58330		♥ * =	10-00-2005	164.59
فعسا	11/07	11/09/2007	58331			10-00-2005	356.81
	11/07	11/09/2007	58332			10-00-2005	72.80
	11/07	11/09/2007				10-00-2005	49.05
فجما	_11/07	11/09/2007	58334			10-00-2005	39.35
					OZONO DAINOS	10-00-2005	31.63

M = Manual Check, V = Void Check

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Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount	
11/07	11/09/2007	58335	4049	Josh Higgs	10-00-2005	21.00	
11/07	11/09/2007	58336	3174	Michelle Benoit	10-00-2005	25.00	
11/07	11/09/2007	58337	1190	Mike Batty	10-00-2005	21.00	
11/07	11/09/2007	58338	2971	Mission Communications	10-00-2005	260.00	
11/07	11/09/2007	58339	155	Mory's	10-00-2005	33.75	
11/07	11/09/2007	58340	597	Natl Public Safety Info Bureau	10-00-2005	134.10	
11/07	11/09/2007	58341	3935	Northern California Gloves	10-00-2005	202.50	
11/07	11/09/2007	58342	1029	Pitney Bowes Purchase Power	10-00-2005	1,040.10	
11/07	11/09/2007	58343	1193	PRN Data Services, Inc	10-00-2005	3,500.00	•
11/07	11/09/2007	58344	3824	ProPet Distributors	10-00-2005	213.15	
11/07	11/09/2007	58345	1195	Randy Mitchem	10-00-2005	21.00	
11/07	11/09/2007	58346	180	Ray's Food Place	10-00-2005	138.47	
11/07	11/09/2007	58347	169	Roto Rooter	10-00-2005	198.00	
11/07	11/09/2007	58348	4050	Ryan Lelorme -	10-00-2005	32.65	
11/07	11/09/2007	58349	142	Tidewater Contractors Inc	10-00-2005	532.27	
11/07	11/09/2007	58350	179	Trew, Cyphers & Meynink	10-00-2005	2,149.00	
11/07	11/09/2007	58351	990	United Parcel Service	10-00-2005	51.36	
11/07	11/09/2007	58352	136	United Pipe & Supply Co Inc	10-00-2005	328.77	
11/07	11/09/2007	58353	432	USA Bluebook	10-00-2005	92.69	
11/07	11/14/2007	58354	1881	AFLAC	10-00-2005	288.50	
11/07	11/14/2007	58355	144	OR Teamster Employers Trust	10-00-2005	2,838.42	
11/07	11/27/2007	58356	145	EBS Trust	10-00-2005	43.60	
11/07	11/15/2007	58356		Void Check	10-00-2005	-0.00 V	
11/07	11/27/2007	58357	144	OR Teamster Employers Trust	10-00-2005	14,926.08	
11/07	11/15/2007	58357		Vold Check	10-00-2005	.00 V	
11/07	11/15/2007	58358		Void Check	10-00-2005	.00 V	
11/07	11/27/2007	58358	189	OR Teamster Employers Trust	10-00-2005	13,060.32	
11/07	11/15/2007	58359		Void Check	10-00-2005	.00 V	
11/07	11/27/2007	58359	3433	OR Teamster Employers Trust	10-00-2005		
11/07	11/15/2007	58360		Void Check	10-00-2005	16,791.84	
11/07	11/27/2007	58360	214	Regence Life & Health Ins		.00 V	
11/07	11/27/2007	58361		Teamsters Local Union 223	10-00-2005	283.50	
11/07	11/15/2007	58361		Void Check	10-00-2005 10-00-2005	736.00	
11/07	11/15/2007	58362		Vold Check	10-00-2005	.00 V .00 V	
11/07	11/27/2007	58362	3404	Teamsters Local Union 223	10-00-2005		
11/07	11/15/2007	58363		Void Check	10-00-2005	920.00	,
11/07	11/29/2007	58363	256	B & B Excavation	10-00-2005	.00 V 2,239.98	
11/07	11/15/2007	58364		Vold Check	10-00-2005	-	,
11/07	11/29/2007	58364	138	Becco, Inc	12 33 200	.00 V	
11/07	11/29/2007	58365	149	•	10-00-2005	57.90 450.60	
11/07	11/15/2007	58365		Void Check	10-00-2005 10-00-2005	159.60	,
11/07	11/29/2007	58366	182	Coos-Curry Electric		.00 V	
11/07	11/15/2007	58366		Void Check	10-00-2005	13,189.73	
11/07	11/29/2007	58366		Coos-Curry Electric	10-00-2005	۷ 00.	
11/07	11/15/2007	58367		Void Check	10-00-2005	835.94	
11/07	11/29/2007	58367	173	Curry Equipment Company	10-00-2005	.00 \	
11/07	11/29/2007	58368	-		10-00-2005	125.90	
11/07	11/15/2007	58368		Void Check	. 10-00-2005	270.00	
11/07	11/15/2007	58369		Void Check	10-00-2005	.00 \	•
11/07	11/29/2007	58369		Harbor Logging Supply	10-00-2005	.00 \	<i>!</i>
11/07	11/15/2007	58370		Void Check	10-00-2005	224.11	
11/07	11/29/2007	58370		HGE, Inc	10-00-2005	/ 00.	/
11/07	11/15/2007	58371		Void Check	10-00-2005	11,834.50	
11/07	11/29/2007	58371			10-00-2005	.00.	/
11/07	11/29/2007	58371		League of Oregon Cities Mory's	10-00-2005	140.00	
11/07	11/15/2007	58372		Void Check	10-00-2005	10.70	
11/07	11/15/2007	58373			10-00-2005	.00.	
		30373		Vold Check	10-00-2005	.00	V

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	Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
					. 4,00	Olleck GL Acct	Amount
[]	11/07	11/29/2007	58373	375	OR Department of Revenue	10-00-2005	50.00
•	11/07	11/15/2007	58374		Vold Check	10-00-2005	.00 V
	11/07	11/29/2007	58374	301	Woudstra Concrete Finishing	10-00-2005	1,206.00
البسا	11/07	11/15/2007	58375		Vold Check	10-00-2005	.00 V
	11/07 11/07	11/29/2007	58375	389	Cummins Northwest LLC	10-00-2005	425.00
	11/07	11/29/2007 11/15/2007	58376 58376	575	DELL Computer Corp	10-00-2005	83.97
	11/07	11/15/2007	58377		Vold Check Vold Check	10-00-2005	.00 V
(100)	11/07	11/29/2007	58377	386	Lab Safety Supply Inc	10-00-2005	.00 V
	11/07	11/29/2007	58378	. 328	Les Schwab Tire Center	. 10-00-2005	92.32
	11/07	11/15/2007	58378	. 020	Void Check	10-00-2005	229.95
العنا	11/07	11/29/2007	58379	687	Owen Equipment Company	10-00-2005	.00 V
	11/07	11/15/2007	58379		Void Check	10-00-2005	416.08
	11/07	11/29/2007	58380	695	P & S Construction Co, Inc	10-00-2005 10-00-2005	.00 V
	11/07	11/15/2007	58380		Information Only Check	10-00-2005	50.00 .00 ∨
1	11/07	11/15/2007	58381		Information Only Check	10-00-2005	.00 V
	11/07	11/15/2007	58382		Vold Check	10-00-2005	.00 V
	11/07	11/15/2007	58383		Void Check	10-00-2005	.00 V
فيعدا	11/07	11/15/2007	58384		Void Check	10-00-2005	.00 V
, =,	11/07	11/15/2007	58385		Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58386		Vold Check	10-00-2005	.00 V
	11/07	11/15/2007	58387		Vold Check	10-00-2005	.00 V
(11/07 11/07	11/15/2007	58388		Vold Check	10-00-2005	.00 V
	11/07	11/15/2007 11/15/2007	58389		Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58390 58391		Void Check	10-00-2005	.00 V .
(==)	11/07	11/15/2007	58392		Void Check	10-00-2005	.00 V
1	11/07	11/15/2007	58393		Void Check Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58394		Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58395		Void Check	10-00-2005	.00 V
(=	11/07	11/15/2007	58396		Void Check	10-00-2005	.00 V
1	11/07	11/15/2007	58397		Vold Check	10-00-2005	.00 V
	11/07	11/15/2007	58398		Void Check	10-00-2005 10-00-2005	.00 V
لمعتا	11/07	11/15/2007	58399		Vold Check	10-00-2005	.00 V .00 V
()	11/07	11/15/2007	58400		Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58401	•	Void Check	10-00-2005	.00 V
	11/07	11/15/2007	58402		Void Check	10-00-2005	.00 V
(==)	11/07	11/15/2007	58403		Void Check	10-00-2005	.00 V
	11/07 11/07	11/15/2007	58404		Void Check	10-00-2005	.00 V
	11/07	11/15/2007 11/15/2007	58405 58406		Void Check	10-00-2005	.00 V
فعنا	11/07	11/15/2007	58407		Void Check	10-00-2005	.00 V
r-1	11/07	11/15/2007	58434	2578	Vold Check Action Trophies	10-00-2005	.00 V
	11/07	11/15/2007	58435	100	Anchor Lock & Key	10-00-2005	880.40
	11/07	11/15/2007	58436	390	APCO International	10-00-2005	24.00
	11/07	11/15/2007	58437	2505	Aramark	10-00-2005	115.00
	11/07	11/15/2007	58438	833	Azalea Lanes	10-00-2005	377.38
	11/07	11/15/2007	58439	256	B & B Excavation	10-00-2005	64.00
(==)	11/07	11/15/2007	58440	2998	Blackbird Shopping Center	10-00-2005 10-00-2005	13,818.19
14	11/07	11/15/2007	58441	2160	Cashier, DHS Drinking Water Pr	10-00-2005	712.56
	11/07	11/15/2007	58442	3015	Charter Communications	10-00-2005	60.00 84.90
	11/07	11/15/2007	58443	1106	City of Grants Pass	10-00-2005	22,134.00
(1995)	11/07	11/15/2007	58444	183	Colvin Oil Company	10-00-2005	3,746.03
	11/07	11/15/2007	58445	182	Coos-Curry Electric	10-00-2005	4,661.72
	11/07	11/15/2007	58446	151	Curry Coastal Pilot	10-00-2005	895.86
لفعدا	11/07. _11/07	11/15/2007 11/15/2007	58447 58449	173	Curry Equipment Company	10-00-2005	140.40
,,		1 1/ 10/2007	58448	284	Day-Wireless Systems	10-00-2005	81.05
	14-14	wal Charle M.					

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Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
1/07	11/15/2007	58449	185	Del Cur Supply	10-00-2005	447 45
1/07	11/15/2007	58450	575	DELL Computer Corp		117.45
1/07	11/15/2007	58451	371	DEQ Business Office	10-00-2005	491.92
1/07	11/15/2007	58452	198	Grants Pass Water Lab	10-00-2005	403.00
1/07	11/15/2007	58453	3915	Harrang/Long/Gary/Rudnick PC	10-00-2005	177.24
1/07	11/15/2007	58454	131	HGE, Inc	10-00-2005	3,329.40
1/07	11/15/2007	58455	1699	Imagistics	10-00-2005	17,384.46
1/07	11/15/2007	58456	2672	Inventory Trading Company	10-00-2005	243.84
1/07	11/15/2007	58457	3678	Kenneth Manuele	10-00-2005	204.00
1/07	11/15/2007	58458		Information Only Check	10-00-2005	128.00
1/07	11/15/2007	58459		Information Only Check	10-00-2005	.00 V
1/07	11/15/2007	58460	162	Kerr Hardware	10-00-2005	۷ 00.
1/07	11/15/2007	58461	328	Les Schwab Tire Center	10-00-2005	964.93
1/07	11/15/2007	58462	2940	McLennan Contractors LLC	10-00-2005	100.01
1/07	11/15/2007	58463	155	Mory's	10-00-2005	911.87
1/07	11/15/2007	58464	2484	Nat'l Hose Testing Spec Inc	10-00-2005	13.00
11/07	11/15/2007	58465	3159	Northcoast Health Screening	10-00-2005	520.00
11/07	11/15/2007	58466	572	•	10-00-2005	45.00
11/07	11/15/2007	58467	279	One Call Concepts, Inc	10-00-2005	85.00
1/07	11/15/2007	58468	400	Oregon APCO	10-00-2005	30.45
11/07	11/15/2007	58469	974	Oregon Chapter 31	10-00-2005	205.00
1/07	11/15/2007	58470	143	Oregon Department of Revenue	10-00-2005	20.00
1/07	11/19/2007	58471	687	VOID - Owen Equipment Company	10-00-2005	26.05
1/07	11/15/2007	58472	695	P & S Construction Co, Inc	10-00-2005	.00
1/07	11/15/2007	58473	252	Paramount Pest Control	10-00-2005	8,765.00
1/07	11/15/2007	58474	4053	Patti JG Dunn	10-00-2005	38.00
1/07	11/15/2007	58475	3954		10-00-2005	1,000.00
1/07	11/15/2007	58476		Riverside Manufacturing Co	10-00-2005	108.45
1/07	11/15/2007	58477	3309	Roberts & Associates	10-00-2005	1,500.00
1/07	11/15/2007	58478	4035	S. OR Sterling Parts & Srv Inc	10-00-2005	2,716.58
1/07	11/15/2007	58479	3369	Schwabe Williamson & Wyatt PC	10-00-2005	780.00
1/07	11/15/2007	58480	380	Stadelman Electric Inc	10-00-2005	683.67
1/07	11/15/2007	58481	486	State Forester	10-00-2005	380.12
1/07	11/15/2007		797	Town & Country Animal Clinic	10-00-2005	26.25
1/07		58482	161	United Communications Inc	10-00-2005	1,475.60
1/07	11/15/2007	58483	991	Verizon Northwest	10-00-2005	543.01
11/07	11/15/2007	58484	2178	Watershed, Inc	10-00-2005	378.87
1/07	11/15/2007 11/29/2007	58485 59496	4052	Witham Truck Center	10-00-2005	. 39.90
		58486	4059	ACR Publication Inc	10-00-2005	361.85
11/07 11/07	11/29/2007	58487	1843	Action Industrial Systems	10-00-2005	683.00
1/07	11/29/2007	58488	4056	Alan Denhartog	10-00-2005	20.96
1/07	11/29/2007	58489	4061	Alex Bailey King	10-00-2005	75.61
1 1/07 11/07	11/29/2007	58490	2505	Aramark	10-00-2005	40.39
1 1/07 11/07	11/29/2007	58491	3355	Brian Scott	10-00-2005	106.84
1 1/07 1 1/07	11/29/2007	58492	416	Brookings Lock & Safe Co	10-00-2005	46.50
	11/29/2007	58493	417		10-00-2005	1,790.17
11/07	11/29/2007	58494	2160	Cashler, DHS Drinking Water Pr	10-00-2005	320.00
11/07 11/07	11/29/2007	58495	4055	Celia Weaver	10-00-2005	13.66
1/07	11/29/2007	58496	3015	Charter Communications	10-00-2005	1,060.49
1/07	11/29/2007	58497	3852		10-00-2005	14.87
11/07	11/29/2007	58498	183	•	10-00-2005	2,836.28
11/07	11/29/2007	58499	259	Da-Tone Rock Products	10-00-2005	1,772.17
11/07	11/29/2007	58500	371	DEQ Business Office	10-00-2005	100.00
11/07	11/29/2007	58501	3498		10-00-2005	200.00
11/07	11/29/2007	58502	2340	and the same of th	10-00-2005	198.00
11/07	11/29/2007	58503	4062		10-00-2005	60.42
11/07	11/29/2007	58504	2117	•	10-00-2005	312.67
1/07	11/29/2007	58505	754	First Response	10-00-2005	160.00

M = Manual Check, V = Void Check

City of Brookings

Check Register - Summary GL Posting Period(s): 11/07 - 11/07 Check Issue Date(s): 11/01/2007 - 11/30/2007

Page: 5 Dec 03, 2007 10:31am

	Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount.	
_	11/07	11/29/2007	58506	000	Continue			
1	11/07	11/29/2007	58507	3408	Grainger IDEXX Distribution Inc	10-00-2005	318.90	
	11/07	11/29/2007	58508	1699	Imagistics	10-00-2005	231.83	
	11/07	11/29/2007	58509	3570	International Code Council	10-00-2005	173.65	
	11/07	11/29/2007	58510	4054	Jonnie Melsha	10-00-2005	60.00	
	11/07	11/29/2007	58511	3678	Kenneth Manuele	10-00-2005	95.85	•
	11/07	11/29/2007	58512	4057	Michael A Konkel	10-00-2005	111.00	
	11/07	11/29/2007	58513	4060	Michael Lugo	10-00-2005	5.59	
	11/07	11/29/2007	58514	1960	National Fire Fighter Corp	10-00-2005	37.64	
	11/07	11/29/2007	58515	1330	Northwest Uniforms, Inc	10-00-2005	920.00	
	11/07	11/29/2007	58516	3561	Oil Can Henry's	10-00-2005	122.32	
_	11/07	11/29/2007	58517	2974	· · · · · · · · · · · · · · · · · · ·	10-00-2005	77.37	•
	11/07	11/29/2007	58518	1251	Performance Promotions	10-00-2005	49.09	
	11/07	11/29/2007	58519	866	Pitney Bowes Global Financial	10-00-2005	1,074.75	
	11/07	11/29/2007	58520	3634	Pollard Water.com - East	10-00-2005	137.00	
(==)	11/07	11/29/2007	58521	3954	Riverside Manufacturing Co	10-00-2005	100.73	
	11/07	11/29/2007	58522	3963	Smith & Loveless, Inc	10-00-2005	60.40	
	11/07	11/29/2007	58523		Information Only Check	10-00-2005	540.15	
	11/07	11/29/2007	58524		Information Only Check	10-00-2005	.00 \	
	11/07	11/29/2007	58525		Information Only Check	10-00-2005	.00 \	
	11/07	11/29/2007	58526	3872	Staples Business Advantage	10-00-2005	.00.	/
	11/07	11/29/2007	58527	3752		10-00-2005	2,196.31	
_	11/07	11/29/2007	58528	136	United Pipe & Supply Co Inc	10-00-2005 10-00-2005	6.00	
1	11/07	11/29/2007	58529	1196	USF Reddaway	10-00-2005	672.00	
	11/07	11/29/2007	58530	861	Village Express Mail Center	10-00-2005	426.99 25.36	
	11/07	11/29/2007	58531	2122	VISA	10-00-2005	25.36 59.46	
()	11/07	11/29/2007	58532	2178	Watershed, Inc	10-00-2005	1,006.57	
1	11/07	11/29/2007	58533	1127	Lyle Signs Inc	10-00-2005	255.31	
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COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Water Storage Tank Project Update

Recommended Motion: Receive and file report on water storage tank project from City Manager

Financial Impact: None at this time

Background/Discussion:

Some years ago the City obtained a site for the construction of a steel water storage tank in the Harris Heights area. The tank was designed by HGE Engineering in 2006. Loan funding was obtained for the tank construction and other projects in 2006. The project was advertised for bid in July, 2007 and the City Council awarded the bid for the project on September 24, 2007.

During the preconstruction meeting with the contractor, it was learned that the proposed height of the tank exceeded that allowed in the zoning regulations for the property by 18 feet, due in part to a change in seismic safety standards. At its meeting of November 13, 2007, the City Council authorized the retention of Oscar Larson Associates (OLA) to evaluate project alternatives and, possibly, re-design the proposed tank.

OLA has completed its preliminary evaluation report and has presented three alternatives in their letter dated December 4, 2007. In the letter, OLA identifies certain additional concerns with respect to the tank design and the ability of existing storm drain systems to accommodate a tank overflow. The three alternatives include:

- 1. Reduce the tank volume to 1.6 million gallons and redesign the tank roof to stay within the height limits of the site. Based upon the Water System Master Plan, this would mean that the City would need to develop an additional 500,000 gallon water storage tank by 2014.
- 2. Change to specifications for the water tank from steel construction to concrete construction with an aluminum roof, and construct the tank 10-feet below grade.
- 3. Relocate the project to an adjoining site. Some preliminary discussion has been had with an adjoining property owner. This larger site may be available and would provide more flexibility in tank design...including a reduction in height while retaining the volume at 2.0 million gallons.

Staff is currently working with OLA to evaluate the three alternatives and will make a recommendation to the City Council at the January 14th meeting.

Policy Considerations:

The City cannot proceed with the current tank design and also comply with the City's development standards.

Attachments: Letter from OLA



Oscar Larson & Associates

Consulting Engineers & Land Surveyors

DEC X 4 2007

Per_ls

1146 Harrold Street • P.O. Box 1600 • Crescent City • CA 95531 • 707-464-9788 • FAX 707-464-9791 • e-mail: olarson@northcoast.com • website: www.northcoast.com/~olarson

Gary Milliman, City Manager City of Brookings 898 Elk Drive Brookings, OR 97415

Refer to:OLA:12047:SCP:30712.1

4 December 2007

Subject: Seacrest Lane - Proposed 2-Million Gallon Water Reservoir

Dear Mr. Milliman:

Per the scope of work that you authorized, we submit this letter Report and Alternatives.

Our understanding of the problem is that the height of the proposed 2-million gallon reservoir, to be constructed off Seacrest Lane in Harris Heights, Brookings, Oregon, as planned, will exceed the maximum 40-foot structure height limitation as called out in the City of Brookings zoning regulations for the reservoir site. It is our understanding that a contractor has been selected and contract documents have been signed. The "Notice to Proceed" remains to be executed, and the contractor has stopped work and is now awaiting direction.

The purpose of this report is to review the construction documents and available reference documents and provide alternatives to resolve the problem.

We are pleased to provide this letter Report and Alternatives, which indicate potential for relieving the current impasse. We must emphasize that our alternatives are based on available information provided by you and minor subsequent follow-up investigations and should not be construed as a complete understanding of the existing City of Brookings water system or existing site conditions. While the alternatives and recommendations are feasible in general, specifics as to the final design and opinion of cost of the selected recommended approach would be addressed under subsequent scope of work.

BACKGROUND:

We have received from your office the following information: Water System Master Plan, April 2000; Water System Master Plan Update, October 2007; and Project Plans and Specifications for 2.0 Million Gallon Reservoir and Transmission Main Improvements, April 2006.

As shown on the construction plans, the proposed site (40 14-36AD, 1900) resides within City of Brookings and is zoned Public Open Space (POS). It is our understanding the zoning ordinance for POS stipulates a 40-foot height limitation based on the entire height of the structure. Reservoirs can be exempted from the 40-foot height limitation with the caveat that the reservoir be no greater than 1.5 times the 40-foot limitation (60 feet) and that it be at least 50 feet from every property line. We note that with the area of the proposed reservoir site and reservoir diameter and height as designed, it will be impossible to meet the conditions of the ordinance.

Oregon State Regulations pertaining to the design and construction of water distribution reservoirs can be found within OAR 333-061-0050, 6(a). This stipulates conformance with the AWWA Standards D100 (Welded Steel Reservoirs) or D103 (Bolted Steel Reservoirs). The construction project specifications allows the contractor to select either a welded steel or bolted steel reservoir with an additional requirement of meeting the International Building Code (IBC) 2003 Standards for design and

Gary Milliman, City Manager
City of Brookings
Subject: Seacrest Lane – Proposed 2-Million Gallon Water Reservoir
4 December 2007
Page 2

construction of water reservoirs. There is also the requirement that if a bolted steel reservoir is selected, the contractor is required to install an unpainted aluminum dome roof. In this case, the contractor has selected to construct a bolted steel reservoir with an estimated height of 58 feet to the top of the dome.

Project plans show the diameter of reservoir at 92.5 feet, whereas the geotechnical report for the project indicates the reservoir diameter at 85 feet. If the City selects to continue with the project as planned, we recommend contacting the geotechnical engineer and receive correspondence acknowledging and approving the 92.5-foot reservoir diameter.

Project plans show the reservoir's overflow plumbing discharging into an existing 12-inch storm drain system. The project specifications call for the reservoir vents to be sized for an inflow of 3,100 gpm, so, that is the maximum overflow rate for the overflow plumbing. Without further information, we have doubts that the existing 12-inch storm drain line and the drainage conveyance has the flow capacity and recommend further investigation to verify. Further, as designed, the reservoir overflow is connected directly the existing 12-inch storm drain. American Water Works Association (AWWA) standards call for overflows to be separated from storm drains (or sewers) by an air gap. If the City selects to continue with the project as planned, we recommend revisions to the plans addressing this issue.

Project plans show the bottom of the proposed reservoir set at 290 feet, while both the Water System Master Plan and Water System Plan Update show the bottom of the existing 1.5-million gallon reservoir across town to be at 300 feet. Without further evaluation it would appear that the existing 1.5-million gallon reservoir will have to be empty to use the lower 10 feet (500,000 gallons) of the proposed reservoir capacity.

ALTERNATIVES:

1. Reduce the tank volume (height), replace aluminum dome with flat aluminum roof. Remain at the proposed reservoir site (refer to Figure 1), perform the site excavation and engineered backfill as planned, reduce the reservoir height by removing the two lower bolted sections of the proposed reservoir, and change the aluminum dome to an aluminum flat roof. We estimate the revised finished reservoir height at 39 feet and volume capacity of 1.6-million gallons. Refer to Figure 1.

Discussion:

Based on the Water System Master Plan Update, Table S.2, HGE Engineers, October 2007, the reduction of capacity of the proposed tank to 1.6-million gallons, along with the existing storage capacity of 1.9-million gallons, will only meet the expected total storage requirements to the year 2014. Therefore, the City will have to find an additional tank site or increase the capacity of future improvements to offset the impact.

Because of the reduced maximum water surface elevation in the proposed reservoir an altitude control valve and modifications to the planned piping within the reservoir will be required.

Gary Milliman, City Manager City of Brookings Subject: Seacrest Lane – Proposed 2-Millio

Subject: Seacrest Lane - Proposed 2-Million Gallon Water Reservoir

4 December 2007

Page 3

Advantages:

- Remain at the proposed reservoir site and retain the existing construction contract.
- Reduced cost of reservoir, estimated at \$160,000.

Disadvantages:

- Additional costs for difference between aluminum dome and aluminum roof estimated at \$120,000.
- Reduction of reservoir capacity from 2-million to 1.6-million gallons.
- Revisions to the reservoir overflow plumbing and storm drain system. Additional construction costs at \$5,000. Additional engineering services at \$5,000.
- Future construction of additional storage estimated (2014 costs) at \$500,000.
- Future engineering estimated (2014 costs) at \$50,000.
- Future purchase of new reservoir site \$50,000.

Total estimated additional cost for this alternative is \$570,000, most of which would be incurred in the future.

2. Replace the Bolted Steel Reservoir with a Concrete Reservoir with Aluminum Roof. Remain at the existing site, maintain the planned reservoir capacity and reservoir diameter, see Figure 1. Increase site excavation, and reduce engineered fill such that the reservoir base elevation is lowered approximately 10 feet with backfill around the completed reservoir to make the height above grade less than 40 feet.

Discussion:

The reservoir will remain at the 46-foot height (shell and roof); however, 10 feet would be below grade. Since the zoning height limitation is based on the height of the structure above the ground adjacent to the structure, the remainder of the reservoir above ground and roof would be approximately 36 feet and within the 40-foot zoning regulation.

This alternative will require a complete redesign of the reservoir, preparation of revised project plans and specifications and re-bidding of the project.

Advantages:

- Maintain the 2-million gallon storage volume.
- Remain at the proposed reservoir site.
- Eliminate the need for retaining walls, an estimated savings of \$170,000.
- Reduction of engineered backfill, an estimated savings of \$100,000.

Gary Milliman, City Manager

City of Brookings

Subject: Seacrest Lane - Proposed 2-Million Gallon Water Reservoir

4 December 2007

Page 4

Disadvantages:

- The current construction contract would have to be canceled. The cost to cancel the contract is estimated to be \$350,000 to \$400,000.
- Substitute steel reservoir with concrete reservoir shell. Additional construction cost of \$800,000. Additional engineering services at \$175,000.
- Revision of the grading and drainage plan. Additional engineering services at \$25,000.
- Revisions to the reservoir overflow plumbing and storm drain system. Additional construction costs at \$5,000. Additional engineering services at \$5,000.
- Lowering the reservoir results in operational problems and the need for additional controls to make it work with the existing 1.5-million gallon reservoir. Estimated additional cost of \$15,000.

The total estimated additional cost for this alternative is \$1,375,000 to \$1,425,000.

3. Relocate to a different site. This entails abandoning the existing reservoir site and relocating the proposed 2-million gallon reservoir to an adjacent parcel. Refer to Figure 1.

Discussion:

It is our understanding that the City has approached the owner of the property to the east and adjacent to the proposed reservoir site as a possible new reservoir site (40 14-36A, 900). The possible new reservoir site is located in Curry County and zoned R-2. R-2 zoning has a height limitation of 35 feet; however, under the exceptions section, reservoirs (tanks) can be approved without height limits with County approval.

This alternative will require a complete redesign of the reservoir and site work based on the existing ground profile, zoning criteria, subsurface conditions encountered, and drainage capacity. A new set of project plans and specifications would be required.

Advantages:

- Maintain the 2-million gallon storage volume.
- The current construction contract could be retained.
- The reservoir diameter can be increased and the overall height reduced, such that the reservoir base and overflow elevations match those of the existing 1.5-million gallon reservoir, avoiding the problem of having 25% of the reservoir only usable when the 1.5-million gallon reservoir is empty.

Disadvantages:

- Lease or purchase additional property for the reservoir. Cost of this is unknown.
- Engineering services for re-design estimated at \$200,000.

Gary Milliman, City Manager
City of Brookings
Subject: Seacrest Lane - Proposed 2-Million Gallon Water Reservoir
4 December 2007
Page 5

- Construction cost increase estimated at \$200,000 assuming site improvements required at the same as at the existing site. Depending on site conditions, costs could be decreased.
- Geotechnical study and recommendations for a new reservoir site. Additional engineering services at \$20,000.

The total estimated additional cost for this alternative is \$430,000, plus the cost of the new site.

Please note that the estimated costs are very preliminary and should be considered order of magnitude estimates, not precise construction cost estimates. They are sufficiently accurate to make comparisons between the three alternatives. Based on the above, it appears that the least costly alternative will be to relocate the tank to a new site, alternative 3.

We trust that the above satisfies your request. If you have any questions or concerns, please feel free contacting me or Steve Paynter at our Crescent City office.

Sincerely,

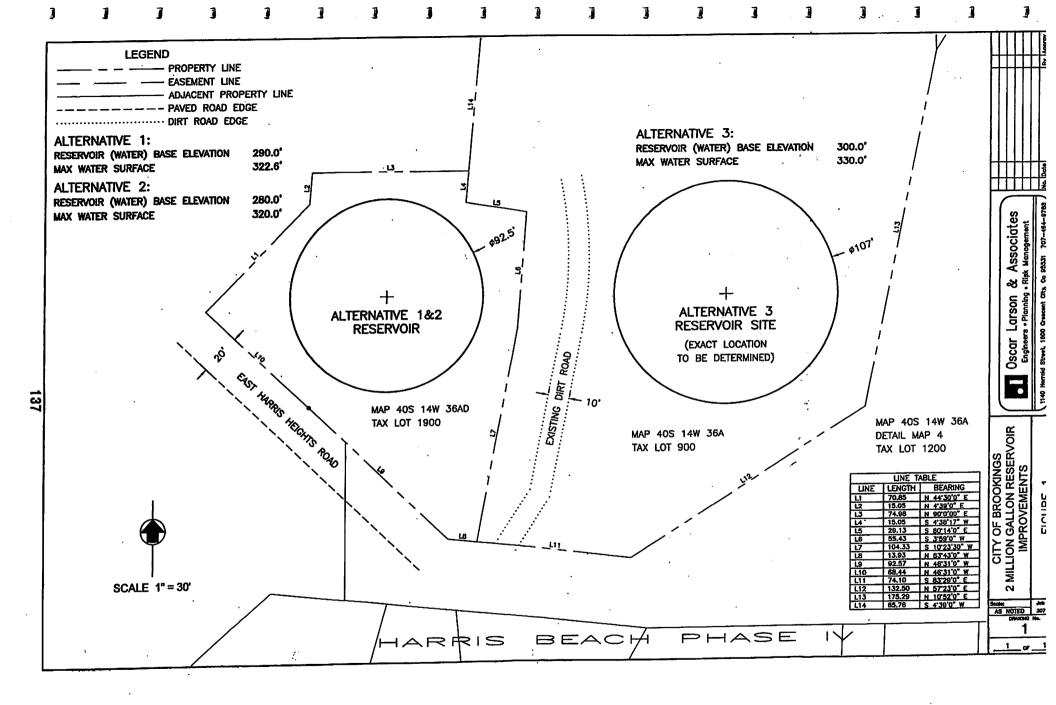
OSCAR LARSON & ASSOCIATES

Michael A. Hollrigel Project Manager

Stephen C./Paynter, Pl Project Engineer

SCP:sp

Attachment



COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Storm Emergency Follow-up

Recommended Motion:

Receive and file report from City Manager

Financial Impact:

None at this time.

Background/Discussion:

A major Pacific storm struck the Oregon/Washington/California coast on December 3. Fortunately, there were no reported injuries or structural damage in Brookings. Gold Beach and Port Orford experienced more significant damage.

Long distance and cellular telecommunications service was disrupted for several hours. 9-1-1 emergency call service was also disrupted, but in Brookings was restored within two hours. Public Works employees worked diligently to maintain storm water courses in operation to avoid flooding. Public Works employees also worked through the night on December 3-4 to manually operate elements of the water system telemetry affected by telephone service failure. A resident came to the Fire Station to report a structure fire, which was found to be a problem with a home heating unit.

Police Lieutenant John Bishop did an excellent job of monitoring storm conditions and working to restore emergency communications systems. This required coordination with a number of other agencies, including the California Highway Patrol, Verizon and the State Office of Emergency Management. Some 9-1-1 cellular calls were mysteriously re-routed to the California Highway Patrol in Eureka. Local officials were unable to "reset" the failed 9-1-1 system as it is designed. Arrangements were made with our computer services provider to establish alternate means of long distance telephone call-out. Frequent contact was made with Verizon representatives concerning the status of telephone service restoration. Electric power outages were very limited.

On December 4, the City Manager worked through Fire Chief Bill Sharp and Police Lt. Bishop to contact officials with the cities of Gold Beach and Port Orford to offer mutual aid assistance. None was requested.

During the course of this event, there was no contact between the City and the County Emergency Services Coordinator. No one from the County contacted the City to perform a basic

damage assessment, determine mutual aid needs, request mutual aid resources or offer assistance.

This incident demonstrated the following:

- The City has knowledgeable, dedicated and responsive employees.
- Improvements are needed in establishing reliable communications systems. The City needs to establish a stand-by alternative means of long distance telephone service and needs to evaluate the reliability of its cellular service.
- An emergency operating center is needed to facilitate the coordination of City services.
- Verizon needs to develop redundancy in its systems serving the Brookings area.
- The failure of 9-1-1 systems needs review with the State Office of Emergency Management and the County.
- The three cities and the County need to place greater emphasis on establishing a Countywide Office of Emergency Services that is focused on disaster preparedness and response coordination.

Prior to this incident, the City Manager directed the Chief of Police to develop and implement a comprehensive training program for City employees and volunteers...including the City Council...concerning their roles and responsibilities during a disaster event. The City Manager also established minimum standards of emergency training for management employees. Beginning in 2008, the City staff will be receiving additional training and conduct periodic exercises of the City's emergency plan.

Policy Considerations:

A fundamental responsibility of government at all levels is public safety. In the event of a disaster emergency, public safety is not strictly a law enforcement issue, but requires coordination with other units of government for the protection of life and property. In smaller, rural areas, multijurisdicitonal cooperation in emergency planning is essential as resources are more limited. The City should play a leadership role in pursuing the allocation of sufficient resources and assuring that appropriate management structures are in place for emergency preparedness and response.

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Police Department

Signature submitted by)

Ary Muliman (JH)

City Manager Approval

<u>Subject</u>: Establish the authority of the Brookings Police Department to perform criminal history records checks to bring the City into compliance with state law.

Recommended Motion:

Adopt Ordinance 07-O-599, an ordinance adding Chapter 2.30, Authority of Police Department to Perform Criminal History Records Checks, to Title 2, Police Department, of the Brookings Municipal Code, and declaring an emergency.

Financial Impact:

None.

Background/Discussion:

The Brookings Police Department performs criminal history record's checks for a variety of purposes including liquor license applications, Taxi Cab permits, employment applications, volunteer applications and criminal justice purposes.

A recent State of Oregon, Law Enforcement Data System (LEDS) audit process revealed that the current Brookings Municipal Code is insufficient in the declaration of authority related to accessing criminal history information through the Oregon Computerized Criminal History System (CCH). As provided under OAR 257-010-0025 (1)(a), "Criminal Justice Agencies, where the information is to be used for the administration of criminal justice, Criminal Justice Agency employment, or the information is required to implement a federal or state statute, local ordinance, Executive Order, or administrative rule that expressly refers to criminal conduct and contains requirements or exclusions expressly based on such conduct, or other demonstrated and legitimate needs."

The attached ordinance will establish the Brookings Police Department's authority to run criminal history records checks where required for criminal justice, State law and other purposes defined by City ordinance, resolution and policy.

Policy Considerations:

No change in current practice.

Attachment(s):

Proposed Ordinance

BROOKINGS ORDINANCE

ORDINANCE NO. 07-O-599

AN ORDINANCE ADDING SECTION 2.30.060 "AUTHORITY OF POLICE DEPARTMENT TO PERFORM CRIMINAL HISTORY RECORDS CHECKS" TO CHAPTER 2.30 "POLICE DEPARTMENT" OF THE BROOKINGS MUNICIPAL CODE (BMC), AND DECLARING AN EMERGENCY.

Sections:

Section 1. Ordinance Identified.
Section 2. Adds Section 13.30.010
Section 3. Emergency Clause
Section 4. Finding of Emergency

The City of Brookings ordains as follows:

Section 1. This ordinance adds Section 2.30.060, "Authority of the Police Department to perform criminal history records checks, to Chapter 2.30, "Police Department," Title 2, "Administration and Personnel," of the BMC.

Section 2.30.060, "Authority of the Police Department to perform criminal history records checks," is added to Chapter 2.30, "Police Department," to read as follows:

Members of the Police Department, when properly trained and authorized to access Law Enforcement Data Systems (LEDS) information by the State of Oregon and the Chief of Police or his/her designee, shall have the authority, as expressed under Oregon Administrative Rules (OAR) number 257-010-0025 (1)(a), "to access criminal history records when the information is to be used for the administration of criminal justice, Criminal Justice Agency employment, or the information is required in order to implement a federal or state statute, local ordinance, Executive Order, or administrative rule that expressly refers to criminal conduct and contains requirements or exclusions expressly based on such conduct, or other demonstrated and legitimate need." All requests for criminal history records, whether made by the City for purposes defined by resolution, ordinance or policy, or for criminal justice purposes, shall be handled in compliance with state law.

Section 3. Emergency Clause. It is hereby determined that this ordinance is in the interest of the public health, safety and welfare of the residents of the City of Brookings, and an emergency having been declared to exist, this ordinance shall become effective upon its passage by the City Council and signing by the Mayor.

Section 4. Finding of Emergency. The Council finds that an emergency exists due to non-compliance with state Law Enforcement Data Systems policy which, if this ordinance is not put into immediate effect, could result in the denial of access to information that is necessary to provide emergency dispatch and other vital Police Department services to the residents of the City of Brookings.

Ordinance 07-O-599 Pg. 1 of 2

First Reading:		
Second Reading:		
Passage:		
Effective Date:		
INTRODUCED AND ADOPTS authentication of its passage the	ED By the City of Broo	kings Council and signed by me in 2007.
Mayor Pat Sherman	At	test:
	<u></u> Jo	vce Heffington Interim City Penarder

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by:

Originating Dept: City Manager

City Manager:

Subject: Establish a Master Fee Resolution (MFR).

Recommended Motion:

Adopt Ordinance 07-O-598, an ordinance adding Chapter 1.10, Fees and Charges, to Title 1, General Provisions, of the Brookings Municipal Code.

Financial Impact:

None at this time

Background/Discussion:

Currently, fees for City services set by ordinance are located under a number of Titles and Chapters within the Brookings Municipal Code (BMC). Many of these fees are first set by ordinance and then later updated by resolution. Some fees are set by resolution only. Fees set by ordinance become a permanent part of the code, making it difficult to determine if more recent updates exist. Fees need to be reviewed and updated annually to reflect changes in City practices and the local economy. Updating the BMC to reflect annual changes is impractical and costly.

Ordinance 07-O-598 will add Chapter 1.10 to Title 1, General Provisions, of the BMC, and provide for the establishment of a Master Fee Resolution (MFR). Compiling all City fees not required to be set by ordinance into a single master fee resolution will make the process of updating, adding, deleting and accessing fees more efficient and cost effective.

Staff is currently in the process of reviewing and collating fees to be included in the proposed MFR. It is anticipated that staff will be ready to present recommended changes to current fees for Council consideration and public input in January. Adoption of the proposed MFR, along with any associated ordinance amendments, would then be presented for Council consideration at the following meeting.

Policy Considerations:

Some fees are first set by ordinance and then revised or updated by resolution. Some fees are set only by resolution. Adoption of this ordinance will establish a policy for setting fees, not required by law to be otherwise set, in a single, master fee resolution.

Attachment(s):

Ordinance 07-O-598

(Proposal and recommendation developed by Interim City Recorder)

BROOKINGS ORDINANCE

ORDINANCE NO. 07-O-598

AN ORDINANCE ADDING CHAPTER 1.10, FEES AND CHARGES, TO TITLE 1, GENERAL PROVISIONS, OF THE BROOKINGS MUNICIPAL CODE (BMC).

Section 1: Ordinance Identified - Adds Chapter 1.10

Section 2: Adds Section 1.10.010 Section 3: Adds Section 1.10.020

The City of Brookings ordains as follows:

Section 1. This ordinance adds Chapter 1.10, Fees and Charges, to Title 1, General Provisions, of the BMC.

Section 2. Section 1.10.010, Master Fee Resolution Established, is added to Chapter 1.10, Fees and Charges, to read as follows:

Unless considerations of convenience, clarity, ease of reference, or similar factors dictate otherwise, all rates, fees, charges, deposits, refunds, reimbursements and penalties imposed or collected by the City, except where required by law to be otherwise set, shall be designated and set forth in the Master Fee Resolution, as may be amended by the City Council from time to time. Wherever practicable throughout this code, reference shall be made to the Master Fee Resolution in lieu of any reference to specific rates, fees, charges, deposits, refunds, reimbursements and penalties.

Section 3. Section 1.10.020, Deposit of funds received, is added to Chapter 1.10, Brookings Fees and Charges, to read as follows:

All funds collected from fees, charges, deposits, refunds, reimbursements and penalties established by the Master Fee Resolution, shall be received by the Administrative Services Department and shall be deposited into the appropriate accounts within the general fund.

First Reading:	
Second Reading: Passage:	
Effective Date:	
	
INTRODUCED AND AD authentication of its passage	OPTED By the City of Brookings Council and signed by me in ge the day of 2007.
•	Attest:
	Aucst.
Mayor Pat Sherman	

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by:

Originating Dept: Mayor

City Manager:

Subject: Sustainability Policy

Recommended Motion: Adopt Resolution #07-R-779, Adopting a Sustainability Policy

<u>Financial Impact</u>: Undetermined. Should result in overall reduction in cost of operation over time.

Background/Discussion:

The purpose of the sustainability policy is to ensure that City programs and practices are conducted in a manner to achieve a more sustainable organization through efforts that promote more efficient and environmentally friendly operations: protect clean air and water; reduce energy consumption and the use of natural resource; reduce the use of toxic materials and persistent biotoxins, promoted recycling and waste reduction; and encourage conservation of native vegetation and habitat.

The proposed policy will require the City management to consider sustainability factors in a wide range of decision making, including the purchase of goods and services, facility maintenance practices, planning and evaluating new services and facilities, and employment.

Policy Considerations:

While the City Council has adopted policy in the form of past ordinances, resolutions and minute actions, staff is recommending the development of a formal body of Council Policy documents as a goal. As the City Council develops additional policy, consideration should be given to compatibility with City Council goals and existing policies.

Attachment(s):

- 1. Resolution #07-R-779
- 2. Sustainability Policy -- Draft

IN AND FOR THE CITY OF BROOKINGS STATE OF OREGON

In the Matter of a Resolution adopting a Sustainability Policy for the City of Brookings.

RESOLUTION 07-R-779

WHEREAS, the City of Brookings recognizes its responsibility to protect the quality of air, water, land and other natural resources and to conserve these resources in its daily operations; to minimize organizational impacts on local and on worldwide ecosystems; to use its financial resources efficiently and purchase products that are durable, reusable, non-toxic and/or made from recycled materials; to treat its employees in a fair and respectful manner, providing an inclusive work environment and helping staff develop their full potential; and

WHEREAS, the City of Brookings seeks to adopt a policy to ensure that the various functional departments within the City develop practices that achieve a more sustainable workplace through plans and programs that promote a balance of environmental values with economic and social equity values in the expenditure of public funds; and

WHEREAS, the City Council of the City of Brookings, in its leadership position, sets an example by adopting sustainable business practices in its activities and providing the resources necessary to allow the organization to be successful in its sustainability efforts;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the attached Sustainability Policy for the City of Brookings is hereby adopted.

Adopted by Council on	•
Dated and signed this day of	·
	Attest:
Mayor Pat Sherman	·
	Interim City Recorder Joyce Heffington

Sustainability Policy- Draft

1. Purpose

The City of Brookings recognizes its responsibility to:

- protect the quality of the air, water, land and other natural resources, and to conserve these resources in its daily operations;
- minimize organizational impacts on local and worldwide ecosystems;
- use financial resources efficiently and purchase products that are durable, reusable, non-toxic and/or made of recycled materials; and
- treat employees in a fair and respectful manner, providing an inclusive work environment and helping staff develop their full potential.

The purpose of this policy is to ensure City departments develop practices that achieve a more sustainable workplace through plans and programs that promote a balance of environmental values with economic and social equity values in the expenditure of public funds. The City Council, in its leadership position, sets an example by adopting sustainable business practices in its activities and providing the resources necessary to allow the organization to be successful in its sustainability efforts.

2. Definitions

- Sustainability means using natural, financial and human resources in a responsible manner that meets existing needs without compromising the ability of future generations to meet their own needs.
- Life-cycle cost analysis examines the full life of a product and its impact on the
 environment including the resources used to acquire the raw material and to
 manufacture, process, transport and install the material; the accrued life-time
 maintenance costs; and the final disposal (including recycle or reuse) of the
 product.
- 'Triple bottom line' is a framework for measuring and reporting organizational
 performance against economic, social and environmental parameters. The term
 is used to capture the set of values, issues and processes that organizations
 must address to minimize harm and create economic, social and environmental
 value.
- Greenhouse gas emissions include carbon dioxide, methane, nitrous oxide and fluorocarbon gases. These gases are released into the atmosphere through manufacturing, agricultural and industrial processes that commonly burn fossil fuels, solid waste or wood products. Motor vehicles also release large amounts of carbon dioxide into the atmosphere.
- Backcasting is a process where a future desirable state or sustainable endpoint
 is determined and a strategy is set to achieve that future state through

intermediate steps, usually at 1-, 5- and 10-year milestones. These intermediate objectives are then incorporated into the organization's planning efforts.

 Employer of choice is an organization recognized for its leadership, culture, and best practices that attract, optimize, and hold top talent, achieving organization objectives.

3. Policy

The City uses a triple-bottom-line framework to enhance sustainability in all aspects of the organization's activities. City departments, through changes in daily operations, ongoing programs and long-range planning are able to simultaneously have a significant positive impact on the environment, the economic efficiency of municipal government and the social character of the workplace. Departments promote actions which are environmentally and socially beneficial while also being economically intelligent, and endeavor to assure that future generations have the resources needed to sustainably maintain healthy and productive societies. The City strives to make sufficient gains in enhancing its own sustainability practices to begin providing community-wide sustainability leadership in 2011.

4. Organizational Objectives

- Encourage and develop connections between environmental quality, economic vitality and social equity. Promote organizational activities that reduce adverse effects on ecology and the natural resource capital base and support employment opportunities for all segments of the community.
- Include long-term and cumulative impacts in decision making and ensure commitment to equity so economic impacts and the costs of protecting the environment do not unfairly burden any one geographic or socioeconomic sector of the city.
- Use City resources efficiently and reduce demand for natural resources, such as energy, land, and water, as a first alternative to expanding supply.
- Prevent additional pollution through planned, proactive measures rather than only corrective action, and focus on solutions rather than symptoms.
- Act locally to reduce adverse global impacts of rapid growth of population and consumption, such as ozone depletion and global warming.
- Attract and retain the best fit employee for each position and for the organization as a whole, and commit to staff's continued growth and learning, development of new skills and willingness to take on new challenges.

- Increase diversity and diversity awareness in the workforce, and provide a
 positive, respectful work environment, with open and honest communications.
- Be a model of sustainable operations for other public and private organizations, and support and implement innovative programs that maintain and promote Brookings' leadership as a sustainable city.

5. Triple-Bottom-Line Framework

To the extent possible, sustainable initiatives will meet more than one of the triple-bottom-line components. For each component, a backcasting chart will be created to guide the organization's efforts (see Addendum). Goals will be reviewed and refined at least annually to reflect accomplishments of the organization and industry innovations in sustainable technologies.

Environmental sustainability

- The City values actions that are beneficial for the environment and the natural resource capital base as well as for the health and safety of employees and the public, and that go beyond regulatory compliance to minimize the City's environmental impacts. The organization seeks to enhance environmental sustainability through practices that promote clean air and water and reduce:
 - solid and hazardous waste;
 - use of toxins;
 - emissions of greenhouse gases and other pollutants; and
 - consumption of energy, water and natural resources.
- Decisions take into consideration protection of open space, habitat protection and restoration, and preservation of natural biodiversity.

Economic sustainability

• The City values wise use of public funds and considers the full cost implications of its efforts, including short and long-term purchase, operation and disposal costs, known as life-cycle costs. The organization seeks to enhance economic sustainability through purchasing parameters and guidelines that ensure an analysis of sustainably preferable options occurs with each purchase. Decisions take into consideration the time frame within which any incremental initial costs will be paid back from the savings achieved by environmental or social investments and the need to maintain a fiscally healthy financial situation to ensure continued services to the community.

Social sustainability

 The City values an open and friendly organization that is free from bigotry and intimidation, and exercises policies and programs that make it an employer of choice. The services provided to citizens does not burden or unfairly impact any one sector of the community. The organization seeks to enhance social sustainability through a respectful work environment and a philosophy for staff of:

- equity in opportunity, recognition and reward;
- engagement in the workplace and organizational goals;
- lifelong learning and adaptability to change; and
- overall physical, emotional and financial health, fostered through a positive
- work/life balance.

6. Implementation

- An organizational steering committee is established to adopt and implement sustainable strategies and practices in the departments. The committee creates goals, develops metrics, prioritizes projects, investigates new technologies, and measures success.
- The City Manager promotes the objectives of the policy, adopts and implements sustainable strategies and practices in the departments, documents department progress towards sustainable development on an ongoing basis, and prepares an annual report on progress achieved, as well as objectives to achieve before the next annual review.
- Departments inform, educate, encourage, and hold employees accountable for actively participating in programs and policies promoting sustainability; providing the organization with an opportunity to become a community leader.
- Staff seeks to continually improve best management practices to make them more sustainable in each of the triple-bottom-line categories.

7. Review and Update

This policy shall be reviewed annually in October by the (<u>fill in here</u>) Department and updated as necessary.

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Planning

Signature (submitted by)

City Manager Approval

<u>Subject</u>: Policy to authorize Planning Staff to administratively review County referrals of land use matters affecting the property within the Brookings Urban Growth Area and repealing the "County Referral Fee".

Recommended Motions:

- Motion authorizing Planning Staff to review and comment on County Referrals, unless in the opinion of Site Plan Committee, new policy direction is needed on a specific proposal and a review before the Planning Commission is desirable. In addition Staff will apprise the Planning Commission of all County Referrals and the final decisions made on them. Staff will also consider requests made for a public review by interested parties and inform the Site Plan Committee of their concerns when the decision is made as to the review process to be used.
- A motion to adopt Resolution 07-R-881 repealing the County Referral Fee effective immediately.

<u>Background/Discussion</u>: This matter was discussed with the Council at their November 13, 2007 meeting and received support from the Council. Prior to implementation the Council directed Staff to discuss the matter with the Planning Commission and receive their comments. This occurred at the December 4, 2007 Planning Commission meeting. Their comments were as follows:

- Discuss any County Referrals with the Site Plan Committee;
- Inform the Planning Commission of Staff review of all County Referrals and the final decision;
- Consider requests for public review that may be received from interested parties.

<u>Policy Considerations</u>: This will set new policy that will allow Staff to perform administrative review of County referrals resulting in a great savings of time and expense.

Attachment(s):
Resolution

IN AND FOR THE CITY OF BROOKINGS STATE OF OREGON

In the Matter of a Resolution amending Resolution 06-R-760 of the City of Brookings, establishing fees for the performance of the actions and reviews required by the Brookings Municipal Code and repealing the County Referral Fee.

Resolution 07-R-881

WHEREAS, the City Council has set policy directing Planning Staff to review County Referrals administratively; and

WHEREAS, the associated reduction in expense resulting from the administrative review of County Referrals is beneficial to the City of Brookings;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that effective December 10, 2007, the \$955.00 County Referral Fee is hereby repealed.

Adopted by Council on	·•
Dated and signed this day of	·
	Attest:
Mayor Pat Sherman	
	Interim City Recorder Joyce Heffington

M:\Joyce's Files\Ordinances & Resolutions\07-R-881 repeal county referral fee.doc

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Mayor

Signature (submitted by)

City Manager Approval

Subject: Joint resolution concerning Urban Growth Area Joint Management Agreements

Recommended Motion:

Adopt the Joint Resolution (Brookings Resolution 07-R-880) of the Cities of Port Orford, and Brookings (Cities) calling for improved coordination between the Cities and Curry County with respect to urbanization planning within the cities' Urban Growth Areas and authorize continued collaboration with the City of Port Orford on this issue.

Financial Impact:

No immediate cost. Adoption of new policy by County could result in substantial cost avoidance by the County that could result in providing services to an urbanized unincorporated area, and cost avoidance by the cities and property owners in bringing public facilities up to urban standards at time of annexation.

Background/Discussion:

An Urban Growth Boundary/Urban Growth Area (UGA) has been established for each of the three cities in Curry County. The purpose of Oregon's Statewide Planning Goal 14 is to provide for an orderly and efficient transition from rural to urban land use in these areas. Goal 14 states, in part, that land use controls and ordinances should be mutually supporting, adopted and enforced in these Areas to integrate the type, timing and location of public facilities and services in a manner to accommodate increase public demands as rural lands become urbanized.

In Curry County, each of the Cities has a Joint Management Agreement (JMA) with the County for the purpose of implementing Urban Growth Area policy. The JMAs are not uniform, either in process or in time of adoption. Curry County has adopted a practice of developing land use regulations uniformly applied to all three UGAs. This practice fails to acknowledge the unique and diverse development standards that have been adopted by each of the three cities through their land use regulations.

The Cities recognize that the minimum standards needed to support urban development are those standards that have been enacted for their City. Orderly urban growth can only be assured when urban standards as determined by the City for which the UGA has been established are applied within the UGA. Failure to apply adequate urban standards will result in urban development occurring within the UGA that cannot be supported by County service levels. Cities are not prepared to annex areas in which development has been allowed to occur without meeting City standards.

Other counties have successful enacted policies and procedures which address this issue by enacting UGA development standards unique to individual communities, and by applying the development standards of adjacent cities to lands within the UGA.

This Resolution calls upon the Curry County Board of Commissioners to reconsider their current policy and approach, and adopt a new approach whereby individual City development standards and land use regulations are applied to lands within the UGA.

Policy Considerations:

The Cities agree that the current County "one size fits all" practice in establishing land use and development standard policy in the Urban Growth Areas is untenable. Applying urban growth standards as developed by the individual cities in the Urban Growth Areas is good public policy and is consistent with the intent of State Law. It is also a proven practice in other Oregon counties.

Attachment(s):

Resolution 07-R-880 Memorandum dated August 27, 2007

IN AND FOR THE CITY OF BROOKINGS STATE OF OREGON

IN THE MATTER OF A JOINT
RESOLUTION OF THE CITIES OF PORT
ORFORD AND BROOKINGS
(CITIES) CALLING FOR IMPROVED
COORDINATION BETWEEN THE CITIES
AND CURRY COUNTY WITH RESPECT
TO URBANIZATION PLANNING WITHIN
THE CITIES' URBAN GROWTH AREAS

Resolution 07-R-880

WHEREAS, the purpose of Oregon's Statewide Planning Goal 14, Urbanization, is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth areas, to ensure efficient use of land, and to provide for livable communities; and

WHEREAS, Statewide Guidelines Goal 14, Urbanization states, in part, that land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services (police, fire, water, sewer, parks, roads, etc.) in a manner to accommodate increased public demands as urbanizable lands become urbanized; and

WHEREAS, in Curry County the urbanizable lands are located within the Urban Growth Boundaries (UGB) of the Cities of Port Orford and Brookings (Cities), each of which is characterized by unique attributes as well as common features; and

WHEREAS, it is the Cities' position that each city should be regarded as the logical and ultimate provider of urban services within its UGB; and

WHEREAS, it is the Cities' position that ultimate urban level density within a city's UGB should occur only where all essential public services are or will be shortly available at a level adequate to assure public health and safety; and

WHEREAS, it is the Cities' position that for the transition from rural to urban land within the UGBs to proceed in an orderly and logical manner, it is essential that the County acknowledge the diverse needs of the Urban Growth Areas, and that the County further acknowledge that the development standards and land use ordinances within the Cities' UGBs must be consistent with the development standards and ordinances of the cities.

NOW, THEREFORE BE IT RESOLVED BY THE CITIES OF PORT ORFORD AND BROOKINGS AS FOLLOWS:

1. The Cities request that Curry County will apply the individual city's public improvement standards within their UGB where it is determined that those standards are more rigorous than those of the County.

- 2. The Cities request that Curry County shall adopt the individual city's urban density land use ordinances within the individual city's UGB.
- 3. The Cities request that any Curry County approval of the division and/or development of land at urban density within a city's UGB shall be consistent with provisions of the applicable city plans and land use ordinances and standards within the area, and that such approval will occur only when all urban services are available at a level adequate to assure public health and safety.
- 4. The Cities request that any Curry County approval of the division and/or development of land at rural density within the Cities' UGBs shall allow for later conversion to full urban densities in an orderly and efficient manner (e.g. land divisions to be approved in such a way as to permit later re-division into greater and urban-level densities), and that rural level land use will not preempt the subject or other properties from the future orderly provision of urban services.

Adopted by the City of Brookings on	·
Dated and signed this day of	·
	Attest:
Mayor Pat Sherman	
	Interim City Recorder Joyce Heffington
Adopted by the City of Port Orford on	·
Dated and signed this day of	·
	Attest:
Mayor James Auburn	
	City Recorder Reverly Mones



MEMORANDUM

Office of the City Manager

GARY MILLIMAN
City Manager

August 27, 2007

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:

- 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

MINUTES

City of Brookings Urban Renewal Agency Meeting Brookings City Hall Council Chambers

Brookings City Hall Council Chambers 898 Elk Drive, Brookings, Oregon 97415 Monday, October 22, 2007

<u>Call to Order</u> Chair Sherman called the meeting to o	order at 0.50mm
	order at 8:38pm.
a quorum present. Director Jan Willm	ectors Larry Anderson, Ron Hedenskog, and Dave Gordon as was absent. <i>Also present</i> were Executive Director Gary byce Heffington, and Urban Renewal Advisory Committee
Chair, Pete Chasar.	you recrime ton, and Orban Kenewal Advisory Committee
<u>Minutes</u>	•
Director Hedenskog moved, a secon	ed followed and the Agency voted unanimously to inutes for October 8, 2007 as written.
Regular Agenda Executive Director Milliman reviewed recommendation to approve a Façade	d the Urban Renewal Advisory Committee's Improvement Project matching grant for 702 Chetco
recommendation to approve a Façade Improvement Project matching grant for 702 Chetco Avenue. Approval of the grant would include the appropriation of an additional \$6,372 in the Fiscal 2007-2008 budget for the Façade Improvement Program.	
a Façade Improvement Program ap	followed and the Agency voted unanimously to approve oplication in the amount of \$20,000 [as recommended by the for 702 Chotco Avenue His Harry of Handle
a Façade Improvement Program ap the Urban Renewal Advisory Comm	followed and the Agency voted unanimously to approve oplication in the amount of \$20,000 [as recommended be nittee for 702 Chetco Avenue, His Haven of Hope].
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a Façade Improvement Program ap the Urban Renewal Advisory Comm Adjournment Director Hedenskog moved, a secon	oplication in the amount of \$20,000 [as recommended be nittee for 702 Chetco Avenue, His Haven of Hope].
a Façade Improvement Program ap the Urban Renewal Advisory Comm Adjournment Director Hedenskog moved, a secon vote to adjourn at 9:00pm.	oplication in the amount of \$20,000 [as recommended Inittee for 702 Chetco Avenue, His Haven of Hope]. Indication in the amount of \$20,000 [as recommended Inittee for 702 Chetco Avenue, His Haven of Hope]. ATTEST by City Recorder
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Minutes

Special Meeting Urban Renewal Advisory Committee Council Chambers, 898 Elk Drive

Thursday, September 20, 2007

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

<u>Present:</u> Committee members: Chair Pete Chasar, Donna Cramer, Tony Parrish, Joyce Tromblee, Dan Nachel, and Werner Buehler. Absent was Ted Fitzgerald. City Staff attending were City Manager Gary Milliman and Building Official LauraLee Gray. Also in attendance were applicants Lloydeen Passley and Noah Bruce.

<u>Discussion Items:</u> The committee discussed whether the minimum Façade Improvement Project amount of \$2,500 should be reduced.

Dan Nachel moved, Donna Cramer seconded and the Committee voted unanimously to reduce the minimum Façade Improvement Project amount from \$2500 to \$1,500.

Tony Parrish commented that the benches in front of "His Haven of Hope" should be relocated as they already provide private benches at this location, and that the requested amendment to the project at 609 Chetco Avenue for widening of the door should be withdrawn.

Façade Improvement Projects:

654 Chetco Avenue - This project, tabled at the 09/13/07 meeting, was reconsidered for funding under the reduced project minimum.

Werner Buehler moved, Dan Nachel seconded, and the Committee voted unanimously to approve the grant amount of \$800 for the 654 Chetco Avenue project.

519 Chetco Avenue - This project was tabled at the 09/13/07 meeting due to concerns regarding completion of work prior to approval and a new ban on synthetic stucco. It was determined that the material is actual stucco and only the first of three layers had been applied. The project costs for the installed windows and the first coat of stucco were removed from the project leaving a revised project total of \$48,447.

Donna Cramer moved, Werner Buehler seconded, and the Committee voted unanimously to grant the full amount of \$20,000 for the 519 Chetco Avenue project.

604 Railroad Street - Reimbursement had been withheld for this project due to concerns about unapproved changes. After much discussion it was agreed that the work approved by the agency had been done in compliance with the application.

Werner Buehler moved, Tony Parrish seconded, and the Committee voted, with a nay vote from Dan Nachel, to approve the full reimbursement amount of \$17,500 for the 604 Railroad Street project.

The Committee agreed that consensus needed to be reached as to whether all aspects of a proposal are required to be completed even if the agency is not providing funding for that aspect. This will be a discussion item at the next regular meeting.

Adjournment: The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Chair Pete Chasar (Approved at _// 8/67 meeting).

Minutes

Urban Renewal Advisory Committee Council Chambers, 898 Elk Drive Thursday, October 11, 2007

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

<u>Present:</u> Committee members: Chair Pete Chasar, Donna Cramer, Tony Parrish and Dan Nachel. Absent were Ted Fitzgerald, Werner Buehler and Joyce Tromblee. City Staff attending were City Manager Gary Milliman and Building Official LauraLee Gray. Also in attendance were Councilor Ron Hedenskog, Council Liaison Jan Willms, Chuck Fidroeff, Emma McMillan, Tim King and Rick Bishop.

Minutes/last meeting:

Tony Parrish moved, a second followed and the Committee voted unanimously to approve the minutes of September 13, 2007 as written.

Discussion Items:

Executive Director Milliman proposed several guideline changes to the bid process: a maximum completion date of 6 months from approval, a program for dumpster screening, existing signs to be brought into compliance with ordinances and final review of projects by the Site Plan Committee.

Per Director Milliman, additional funding is available for façade improvement. After some discussion, the Committee determined that no more applications will be reviewed under this year's program as other, larger, projects needed to be considered.

After some discussion, it was also decided that to structure next years program so that applications will be accepted in April and approvals granted in May, to allow construction to begin as soon as funding is in place.

Projects for Urban Renewal Funds were discussed again and prioritized.

The Committee discussed recruiting business owners to participate in dumpster screening projects with designs pre-approved by the City and Curry Transfer and Recycling.

Councilor Hedenskog brought pictures of a street in Eugene where driving, parking and walking areas have been incorporated. Councilor Willms expressed concern about pedestrian safety in this scenario. Executive Director Milliman advised that he has received preliminary bids from a design engineer for the downtown area. He also pointed out that street standards would need to be revised to implement this type of change.

Councilor Willms expressed concern regarding the bolts left in the sidewalk in front of His Haven of Hope. Building Official Gray will notify Public Works that the bolts need to be covered as well as the bolts in front of Suzy Q's after the benches are removed. Gray will also develop a standardized bid form to be used with next year's façade program.

Façade improvement projects:

702 Chetco Avenue, His Haven of Hope: The Committee reviewed the project, including new information presented by the applicant. Tony Parrish asked that minutes be reviewed to see if a project from the Chetco Community Library was ever reviewed by the Committee.

Dan Nachel motioned, a second followed and the Committee voted, with a nay vote from Tony Parrish, to approve the full amount of \$20,000.00 for the 702 Chetco Avenue project, His Haven of Hope with a completion date is January 15, 2008, contingent upon the applicant obtaining the appropriate building permits and the egress windows being brought up to code.

519 Chetco Avenue, Chetco Plaza: The Committee discussed the applicant's proposal to modify the already approved project.

Dan Nachel moved, a second followed, and the Committee voted unanimously to withhold payment for the project at 519 Chetco Avenue until the previously requested information regarding the square foot variance in finish material is provided.

609 Chetco Avenue, Suzy Q's:

Donna Cramer moved, a second followed and the Committee voted unanimously to approve the request for a color change subject to the applicant's agreement that the darker color would be used for both above and below the awning.

Adjournment: The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Chair Pete Chasar (Approved at ///S/() meeting)

CITY OF BROOKINGS **URBAN RENEWAL AGENCY**

COUNCIL AGENDA REPORT

Meeting Date: December 10, 2007

Submitted by

Originating Dept: Executive Director

City Manager:

Subject: Review Façade Grant Compliance at 519 Chetco Avenue

Recommended Motion:

Alternative Motions:

1. Motion to uphold the recommendation of the Urban Renewal Advisory Committee and deny payment of matching funds for the façade improvement project at 519 Chetco Avenue as the completed project does not conform to the project as approved in the application.

Or

2. Motion to authorize payment of the full amount of matching funds as previously approved for the façade improvement project at 519 Chetco Avenue, and approve a change in design of the project consistent with the completed project.

Or

3. Motion to authorize payment of a reduced amount of matching funds for the façade Improvement project at 519 Chetco Avenue because, while the project is a significant improvement, it was not completed in full conformance with the approved project application; payment to be 60 per cent of the original approved grant: \$14,000.

Financial Impact: No fiscal impact.

Background/Discussion:

The Agency approved a \$20,000 match for a façade improvement project at 519 Chetco Avenue on September 24, 2007. The project description included three photographs depicting three sides of the building. Upon each of the photographs there are notes entered by the applicant indicating which sections of the building would have a stucco exterior applied. These photographs and notes indicate that stucco would be applied to:

- 1. The entire three-story back portion of the building.
- 2. The entire three-level side of the building.
- 3. The entire front of the building.

The project, as completed, does not conform to the application as approved. The stucco work associated with the completed project includes:

- 1. The two-story back portion of the building.
- 2. Two levels of the three-level side of the building.
- 3. The entire front of the building.

Building Official Laura Lee Gray calculated that approximately 2,250 square feet of the exterior of the building...roughly 28 per cent of the building wall surface...was not completed in accordance with the approved application.

After receiving notice from the Agency that there was a discrepancy between the project as described in the application and the finished project, the applicant (Noah Bruce) informed the Agency management that:

- 1. They never intended to stucco all portions of the side and back of the building and the exhibits so indicating that this work was to be done were submitted in error.
- 2. The cost estimate for the stucco work contained in the application was consistent with the billing from the subcontractor for the amount of work that was actually performed.
- 3. Even though all of the stucco work was not completed, the total cost of the project was sufficient to justify the \$20,000 match.

The Urban Renewal Advisory Committee (URAC) reviewed this matter at their meeting of November 8, 2007, and voted to recommend that payment of the entire amount of façade grant funding allocated for this project be denied. Not stuccoing the building as shown in the application constitutes a change in project design. The Agency's Façade Improvement Program Guidelines provide;

- Projects must comply with approved submitted plans in order to qualify for matching or loan funds.
- Any changes to the approved project plan, including additions, deletions or substantive modifications, must be approved in advance. Failure to do so will release the URA from any obligation to provide any matching grants.

These guidelines are provided, in writing, to the applicant. This same issue was raised with this same applicant on an earlier façade project.

Subsequent to the URAC meeting, staff was contacted by the property owners, Mike and Bradlee Snow. The Snows advise that they were unaware that the application had included exhibits indicating that the entire building exterior would be stuccoed, and that this was never their intent. They stated that the overall cost of rehabilitating the building exceeded their expectations as structural improvements needs were uncovered during the façade project. The Snows, who reside in Lakewood, California (Los Angeles area) plan to attend the December 10 Agency meeting.

In order to approve the matching grant under Agency guidelines, the Agency would need to approve a change in the project design to accept the project as completed.

Policy Considerations:

Denial of funding would be consistent with the policy as outlined in the Façade Improvement Program Guidelines. This 2007 program is now concluded for and new guidelines will be developed by the Administration.

Attachments:

- 1. Original application with exhibits
- 2. Façade Improvement Program Guidelines
- 3. City letter dated November 19, 2007
- 4. Letter from owners

CITY OF BROOKINGS

Urban Renewal Agency

FACADE IMPROVEMENT PROGRAM

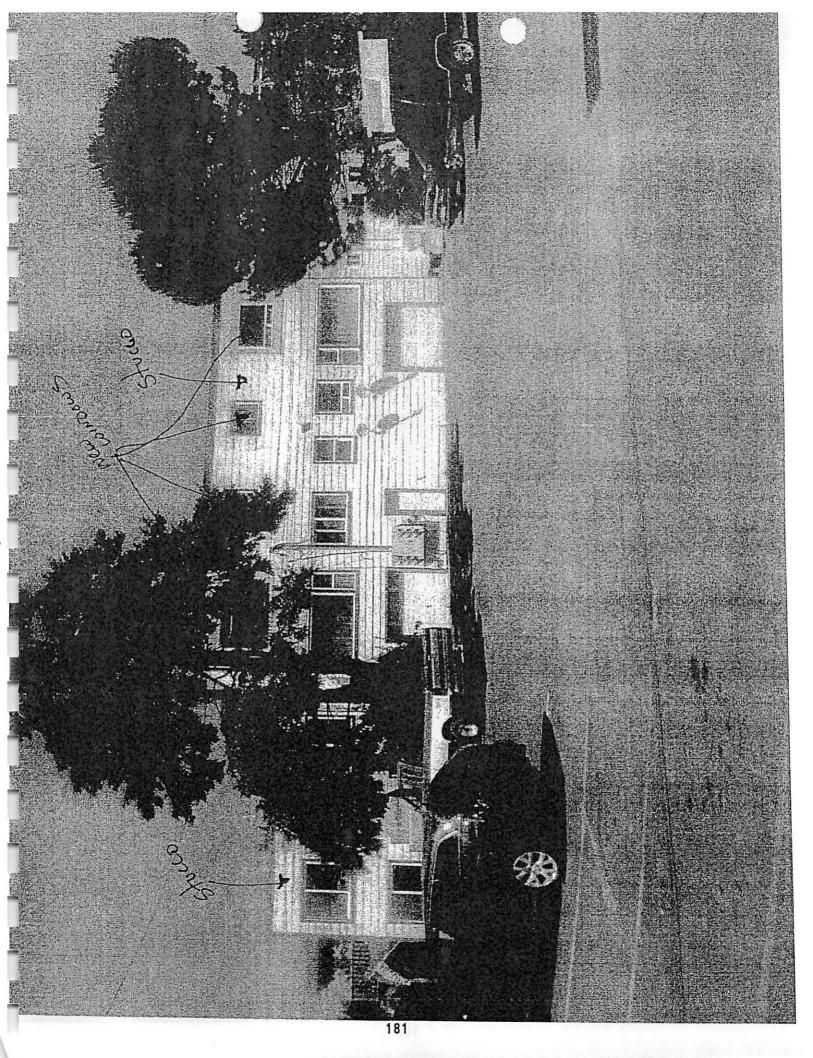
APPLICATION

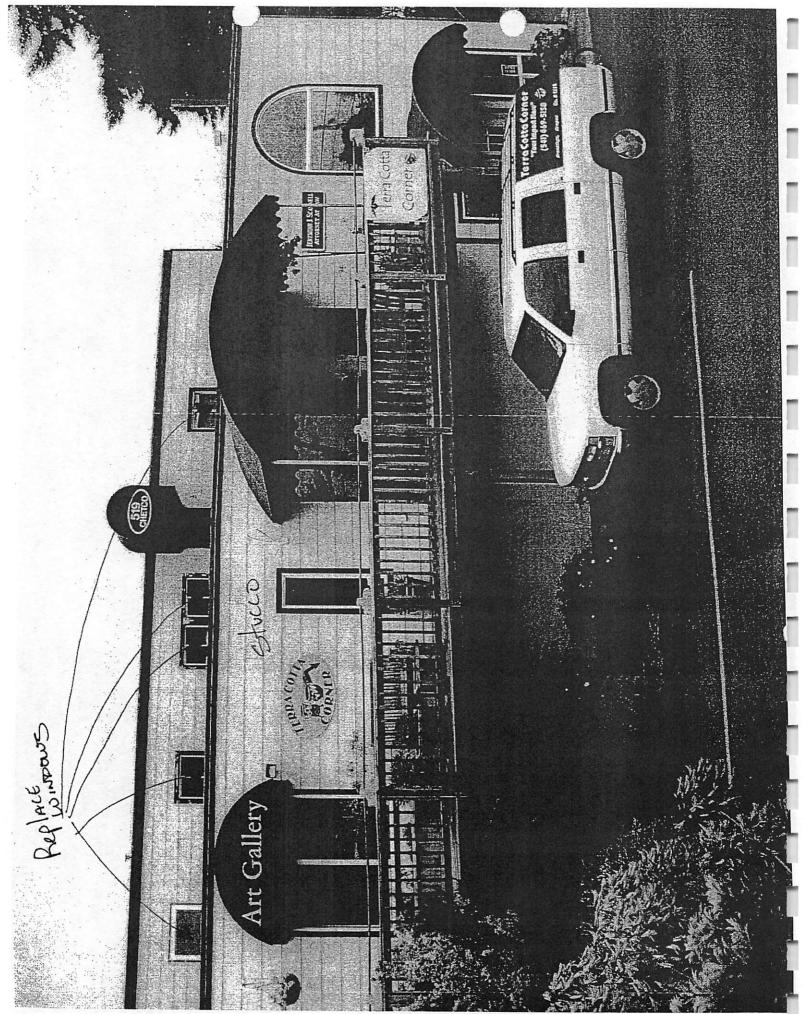
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eme(s): Bruce Bos Inc.	· ·		1-64
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2. Building / Business to be Rehabilitated:		21 part 3,25 8	Planted Pr
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Address: 519 Chefre Ave.	Bishlass	01 7/9/2	Regardate Mo
Tax Map & Lot Number: 41.5 /3w 05	cb 1/6	10500	
3. Owner of Property (If other than application Name: Mike 4 Bradles Street: 2832 Peshwood St	SAAW	562-	789-92
7:	: <u>Ca</u>	SHE VILTORES.	นกรวิจาสกรรมใหม
4. Brief Description of Exterior Facade submit color and/or material samples, if a Siding Polos, Windows,	• •	ćim	
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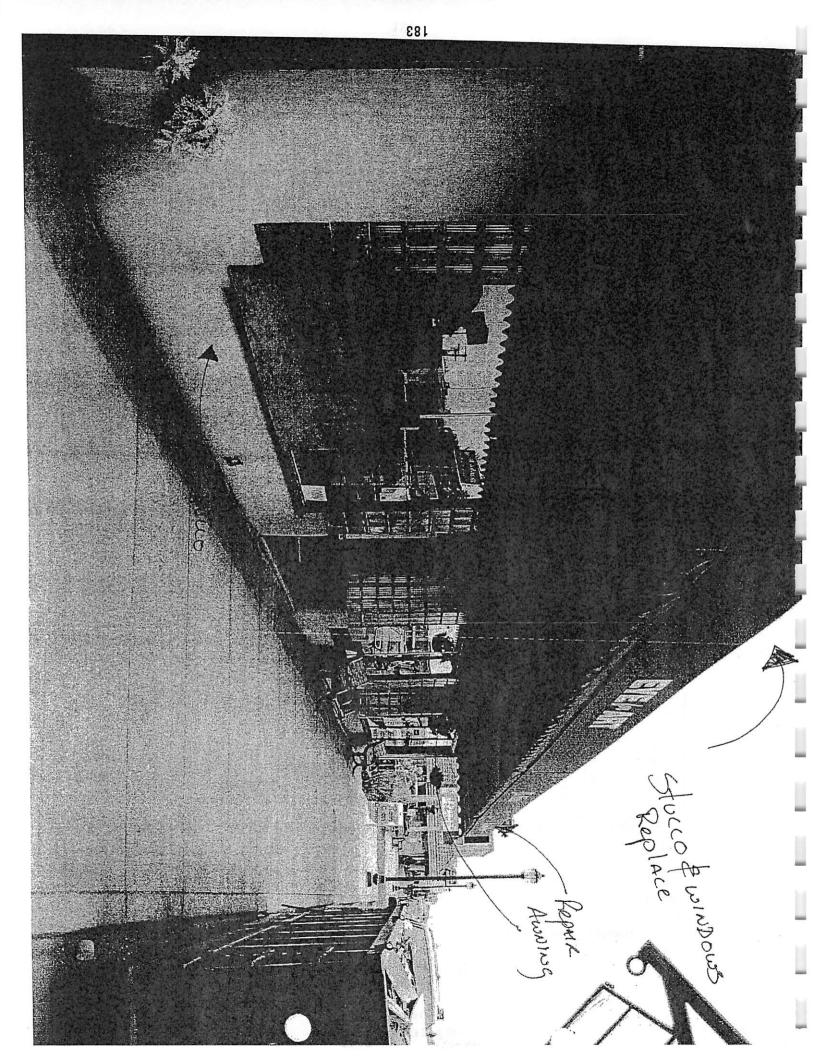
Brookings Urban Renewal Agency - Facade Improvement Application

5. Estimated Total Cost of Facade Improvements: \$80,438. 42 Note: 50% of this amount, not to exceed \$20,000, is the maximum amount eligible for potential reimbursement.
6. In addition to facade improvement, is other work planned at the same time or under the same contract? If yes, a clear separation and delineation of all such costs must be attached. Yes: No: No:
Total of all facade work: \$ 80,438,49
Total of all other work: \$
7. Source of Matching Funds: Owner of Franch
5.86 B 6 36 2-31 -
8. Planned Project Start Date: Already in Progress
Planned Project Completion Date: Mich-Sept 07 Bugin - 00 07
NOTE: The Brookings Urban Renewal Agency will review the proposed Facade Improvements Proposal and advise the applicant of any recommended changes. Some proposed improvements may not be funded by the agency.
Certification By Applicant
The applicant certifies that all information provided in this application is true and complete to the best of the applicant's knowledge and belief. If the applicant is not the owner of the property to be rehabilitated, or if the applicant is an organization rather than an individual, the applicant certifies that he/she has the authority to sign and enter into the agreement to perform the work proposed in this proposed. Evidence of this authority must be attached.
X Ald 5
Applicant Signature Date
Property Owner Signature Date
Return application with required attachments to:
City of Brookings
Urban Renewal Agency 898 Elk Drive Brookings. OR 97415

2 of 2







Bruce Bros Inc.

207B Wharf Street P.O. Box 61 Brookings, OR 97415 CCB # 108497 (541) 469-9210

Customer:

Mike Snow

519 Chetco Ave. Unit 1/2

Chetco Plaza

Brookings, Or 97415

562-754-7632

Bid Proposal

No. :

621

Date:

8/13/2007

QUANTITY	DESCRIPTION	PRICE	A	MOUNT
1 1 1	Stucco Siding and Trim 3 sides(N, S, W) Window package Repair and Renovate Awning Painting	\$52,120.00 \$ 6,000.00 \$ 5,800.00 \$ 7,900.00	\$ \$ \$ \$ \$	52,120.00 6,000.00 5,800.00 7,900.00
				• •
	1st Draw To be Paid Upon Acceptance of Bid 12% Contractor Fee	Total	\$	71,820.00 8,618.4

For questions concerning this Bid Proposal, call (541)469-9210

Grand Total

80,438.40

Thank you For Chaosing Bruce Bros Inc.

Signature below indicates acceptance of signed Contract, parties right to mechanical liens. All legal inquiries will be handled through arbitration, if legal counsel is needed prevailing party will receive costs and appropriate attorney/legal fees.

Client name

Date

Scheduled Start date of Contract



Bid for Mike Snow 519 Chetco Ave. Unit 1/2 Chetco Plaza Brookings, Or. 97415

Description: remodel

Stucco Siding and Trim Window package Repair and Renovate Awning Painting <u>Price</u> \$49,200.00 \$7,100.00 \$7,500.00 \$6,400.00

Total: \$70,200.00

15% Contractor Fee \$10,530.00

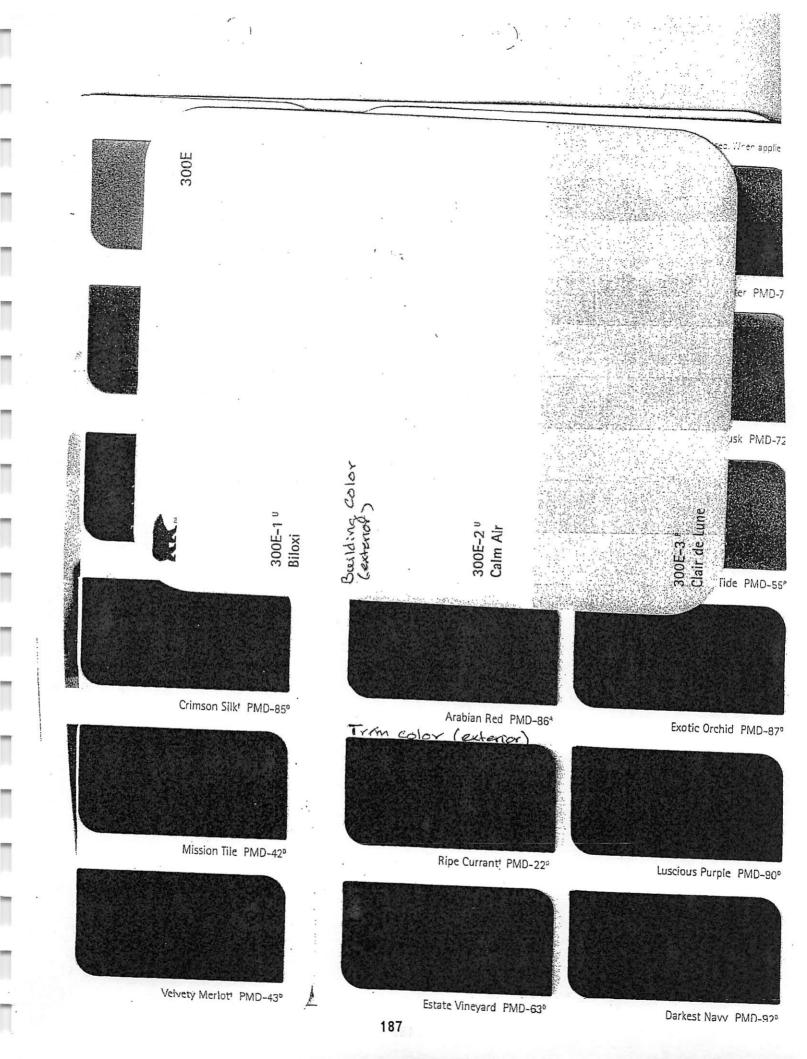
Grand Total: \$80,730.00

Sage Bruce Ph# 541-412-9362 Cell# 541-661-0985 Po Box 4092 Brookings Or. 97415

Jcob Coatney Constructi (541) 251-0252 CCB # 165499

Date: 8-15-07

Telephone: Mobile Phone: Fax: Description * Stucco Siding & Painting * Window & Trim Package * Repair Awning	Quantity	Price (4,000 8,000 8,000	Total 64,000 স,০০০ ৪,৪০৩
Description * Stucco Sidin & Painting * Window & Utrim Package * Repair Awning	Quantity	64,000 8,000	64,000 71,000
* Stucco Siding & Painting * Window & Utrim Package * Repair Awning	Quantity	64,000 8,000	64,000 71,000
* Window & Jrim Package * Repair Awning		64,000 8,000	64,000 71,000
* Window & Virin Package * Repair Awning		8.000	7,000
* Repair Awning J			
LABOR			
TOTAL PROJECT PRICE	\$ 80.9	8000	
PAYMENT SCHEDULE Material Costs are due upon signed Acceptance of Proposal.			
Labor Costs are due upon completion of the job.			
Prenared By	18-07		
Date			
ACCEPTANCE OF PROPOSAL			
The above prices, specifications and conditions are satisfactory and are hereby accepted. I further agree to	nou for any additions	change	
that I authorize during the course of the project. You are authorized to do the work as specified. Payment wi	all he made as ordine	d ahnua	
I also acknowledge receipt of the Construction Contractors Board's Consumer Notification form and the Information Liens form that are required by law	armation Notice to Own	mer about	,
Accepted By Date			



CITY OF BROOKINGS

Urban Renewal Agency



FACADE IMPROVEMENT PROGRAM GUIDELINES

This is a reimbursement program designed to provide financial aid for businesses and property owners who rehabilitate buildings within the Urban Renewal District of Brookings in order to alleviate blight and improve the area's overall appearance.

PROCEDURAL BASICS

- Provides matching grant funds or loans for improvements within the Urban Renewal District.
- Funding amount is based on project need and available funding allocated by the Urban Renewal Agency (URA) Board of Directors (City Council).
- Applications are processed as they are received
- Approved project costs are reimbursed after paid in full by the applicant.

BUILDING FACADE IMPROVEMENT MATCHING GRANTS

- Business or property owners can receive up to \$20,000 in matching grant funds per business, up to a maximum of \$40,000 in any one fiscal year. "Matching funds" means that the owner will be reimbursed for half of approved project costs when the project is completed.
- The minimum value of any project to be considered for a grant is \$2500.
- Design consultant fees, when a professional designer is utilized for the project, are eligible for up to 10% of the total project cost or \$5,000, whichever is less.
- To qualify for matching funds, exterior design details and colors must be approved by the Urban Renewal Advisory Committee (URAC).
- Applications for the "same" improvement on any property within 5 years of an approved project will not be accepted.

Funds can be used for structural and aesthetic facade improvements clearly visible from the public right-of-way.

GENERAL GUIDELINES

- 1. This program will not provide any funds for work completed prior to application approval, other than design consultant fees as described above.
- 2. Exterior facades shall be updated and integrated into a design that complements adjacent structures to provide a harmonious composition of masses, materials, colors, and textures. Submission of color and/or material samples, as applicable, will be required with your application.
- 3. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas.

M:\Joyce's Files\Urban Renewal\Facad Improvement Program\Application Packet Materials\FIP Guidelines 4-17-07.doc

- 4. Building components, such as windows, doors, eaves and parapets, shall be coordinated with the design theme and proportional with each other.
- 5. Design attention shall be given to mechanical equipment or other utility hardware so as to screen them from view to the extent feasible.
- 6. Signs will be a part of the architectural concept. Size, materials, color, lettering and location shall be harmonious with the building design and the number of signs shall be minimized.
- 7. The URAC, at its discretion, may consider other conditions or building appurtenances.

COLOR GUIDELINES

Because repainting is one of the easiest, most cost-effective ways to enhance a property — or an entire downtown area — the following color guidelines are a key part of the Brookings Urban Renewal Program.

Basic color guidelines:

- Choose exterior colors that harmonize rather than contrast with surrounding buildings. In short, color should not be used as a "sign" or to attract attention. Intense or extremely bright colors or radical patterns create disharmony that makes the Urban Renewal District look less attractive.
- Using harmonizing colors does not limit you to the same colors as your neighbors. There is broad latitude in these color guidelines.
- When considering color, be sure to include all elements of your property: walls, fences, planters, signs and other accessory structures.
- Keep it simple. Too many different colors or too many shades of a color are distracting and tend to cheapen a building's appearance.
- Natural materials, like stone or brick, usually are more interesting and attractive when left in their unpainted, natural states, and require less maintenance.

Suggested colors: The sample colors and color combinations provided are only examples to help you select the right color scheme for your property. There are no hard, fast rules. The important thing is to follow the spirit of these guidelines. Photo copies of the sample color combinations are attached and original color chip samples are on file in the City Manager's office.

DESIGN REVIEW COMMITTEE

The URAC is hereby designated as the Design Review Committee (DRC). After the DRC determines that an application is complete and meets program objectives, the application will be forwarded to the City Manager for further processing.

The DRC shall function as the body that determines whether the project meets the mission and purpose statements of the Facade Improvement Program. Their project funding recommendations will be forwarded to the URA for final approval.

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The attached facade illustration can be used as a guide in your preparation for meeting with the DRC. A drawing or photos of your facade with any planned modifications detailed will be very helpful.

PROCESS

In addition to a completed application form, your application packet needs to include:

- preliminary design drawings
- evidence of property and/or business ownership
- photographs of the site
- description of methods and materials to be used including color and/or material samples
- location map
- itemized cost estimates from a licensed contractor
- itemized cost estimates from a professional design consultant, if one is to be utilized.
- the amount of matching funds being applied for
- estimated project completion time

Application packets may be obtained from, and completed applications returned to, the City Manager's Office. If the application is complete and conforms to the requirements, it will be forwarded to the URAC for review, evaluation, and recommendation to the URA. The DRC process may also include a site inspection and applicant interview.

If the URA approves the application, the construction phase will be monitored by the City Manager or City Manager's designee.

Construction must be initiated within six months and completed within twelve months of URA approval.

Matching grant funds will be dispersed upon project completion, after final inspection by the City's Building Official and approval of the City Manager.

CONDITIONS AND CONSIDERATIONS

- 1. The Brookings URA shall have the sole authority to approve an application. A project may be modified and changes required at either the DRC or URA review levels.
- 2. Projects must comply with approved submitted plans in order to qualify for matching or loan funds.
- 3. Any changes to the approved project plan, including additions, deletions or substantive modifications, must be approved in advance. Failure to do so will release the URA from any obligation to provide any matching grant funds.
- 4. Commercial and business applicants must be current with all City taxes, licenses and fees.
- 5. Street addressing must be brought up to code.
- 6. All signage on the property must be made code compliant as part of any approved project.
- 7. If the applicant is not the owner of the property to be renovated, written authorization from the property owner must be submitted with the application.
- 8. Approved project costs are reimbursed after paid in full by the applicant.
- 9. Projects in excess of \$5,000 require submittal of a minimum of 3 bids/quotes, unless specifically approved by the City Manager. While the applicant will not be required to use

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- the services of the low bidder, reimbursement by the City will be computed, and thus limited, as if the low bid contractor had been selected.
- 10. Applicant has the responsibility for checking with all appropriate entities regarding any necessary regulatory approvals. This application is intended only for accessing this funding program.

DEFINITIONS

Designer means a designer or architect; the designer shall furnish proof of working with a structural engineer and be licensed, bonded, insured, and have all appropriate City licenses. The designer, architect, and structural engineer cannot be the applicant.

ELIGIBILITY

Subject properties must be located within the Urban Renewal District boundary.

Eligible activities: including, but not limited to: rehabilitation of building facades, including masonry cleaning, cornice restoration, new siding, exterior painting, canopies, and window awnings, repair to gutters and downspouts, removal of old signs and replacement of new conforming signs and improvements which enhance the pedestrian environment. Funds may also be used for structural upgrades to a facade wall.

Ineligible activities: including, but not limited to: previously completed projects, security systems, personal property, and billboards.

Attachments: Sample Color Combinations

For more information, please contact:

City of Brookings, City Manager 898 Elk Drive Brookings, OR 97415 541-469-1101



City of Brookings

898 Elk Drive, Brookings, OR 97415 (541) 469-1100 Fax (541) 469-3650 gmilliman@brookings.or.us

GARY MILLIMAN

City Manager

November 19, 2007

Noah Bruce PO Box 61 Brookings, OR 97415

Dear Noah:

The purpose of this letter is to document the outcome of our meeting on November 15, 2007, concerning the façade improvement project at 519 Chetco Avenue.

Following is an outline of the information you provided at the above referenced meeting:

- 1. The areas of the subject building where no stucco was installed was never intended to be stuccoed.
- 2. The marking of those areas which were not to be stuccoed as "to be stuccoed" on the exhibit attached to the application was a mistake.
- 3. You notified Building Official Laura Lee Gray of this mistake "three or four weeks ago."
- 4. You explained to the Urban Renewal Advisory Committee that portions of the building would not be stuccoed because it was not possible to work around certain building fixtures.
- 5. The original amount of the bid for stucco was more than the amount included in your original budget, and that the difference reflected your decision not to apply stucco to the entire exterior of the building. You agreed to provide me with a copy of the original bid.
- You were unable to attend the URAC meeting because of a conflict with urgent personal business. You requested another opportunity to meet with the URAC.

My comments to you at the subject meeting can be summarized as follows:

- 1. The URAC recommended to the Urban Renewal Agency that funding for the project be denied because they believed that the project was not completed in accordance with the approved application, which calls for all portions of the three street/alley-facing sides of the building to be stuccoed.
- 2. Neither the URAC members or I recall any discussion as represented in Item 4 above.





City of Brookings

898 Elk Drive, Brookings, OR 97415 (541) 469-1100 Fax (541) 469-3650 gmilliman@brookings.or.us

- While the URAC was concerned about a difference in the color of the building from what was approved, this was not a factor in their voting to recommend denial of funding.
- 4. Not stuccoing the building as shown in the application constitutes a change in project design. The Agency's regulations provide that the Agency may deny funding for the entire project if it is not completed in compliance with the approved application, and if approval for a change in design is not secured prior to project completion.
- 5. The amount of funds documented as being spent on the project is sufficient to justify the Agency match. However, the issue is not about documenting sufficient monetary match, it is about not delivering the project that was represented.
- 6. I agreed to contact the URAC Chair and Members to ascertain as to whether they would be willing to meet with you to review the matter further.

I today received from you a copy of the bid from Creative Exteriors LCC for the stucco work dated August 28, 2007. I note that the bid is dated 15 days after you signed the funding application, and eight days after the application was received. Your bid proposal for \$52,120.00 in stucco work included in the application materials is dated August 13, 2007.

Please be advised that the URAC Chair and Members contacted as of this writing are not inclined to reconsider the matter. I am, therefore, scheduling the matter for the December 10, 2007, meeting of the Urban Renewal Agency.

Respectfully,

Gary Milliman
Executive Director
Urban Renewal Agency

Cc: Mike and Bradlee Snow Urban Renewal Advisory Committee Members LauraLee Gray, Building Official File



November 26, 2007

Gary Milliman, City Manager City of Brookings 898 Elk Drive Brookings, OR 97415

1. The Control of the

Dear Mr. Milliman,

Thank you for copying us on your correspondence to Noah Bruce. It has been very helpful in explaining the position of the URAC Board.

Unfortunately, we never received a copy of the full application which seems to be the major point of contention in these discussions. The denial of grant funds and the charges are naturally very distressing to us as we would never have extended our immediate investment to include all that was done without the approval of the grant monies in advance.

We would like to take this opportunity to mention the facts of our position throughout the project since we are the ones most negatively affected by the board's decision.

As you may know we only took ownership of the 519 Chetco Avenue and 524 Spruce Street property on July 30, 2007. Our immediate intent was to correct some very long deferred maintenance that had compromised the integrity of the Chetco Plaza structure. The original scope was to only:

- Replace windows along the east and west sides of the building where water was able to enter into and around the framing.
- Remove and replace siding on the wall of the eastern side of the building. An area neglected
 during the remodel of roughly ten years previous. This wall had areas that were completely
 exposed to the elements and constituted the most urgent need.
- To stucco wrap the chimney on the Spruce Street side of the building (Terra Cotta Corner) that had been part of an aborted upgrade several years previous and to tie in siding around the chimney to seal out water.
- The rest of the building had siding that was still providing adequate protection to the building and because our project funds were limited we chose to focus those where they would be of most benefit to the investment.
- There were two residential apartments that were vacant at the time of title transfer and we made the decision to focus the majority of our budget to upgrade those in order to create a more upscale desirability to the area for our commercial tenants in the surrounding downtown area.

The only stucco discussed at that time was to finish off the chimney at the Terra Cotta Corner space. Our goal was simply to address whatever damage had already been done by weather and to mitigate any future damage.

In our initial talks with Noah Bruce about the apartments we were adamant that we wanted to maintain the original period features to the building and it was then that Noah mentioned the URAC funding program. He said that he had successfully applied worked with URAC on other projects and that he would handle the necessary application process. Having never worked with such a program and being completely new to the Brookings area we trusted in his guidance. At this point we agreed to expand the scope of the project to include essentially cosmetic work, such as, replacing windows on the Chetco Avenue side as well and relied on Noah's experience to complete any the application paperwork.

The only stucco discussed at that time was to finish off the chimney at the Terra Cotta Corner space. Our goal was simply to address whatever damage had already been done by weather and to mitigate any future damage.

Since we are not familiar with the weather patterns in Brookings we knew only that a significant amount of rainfall is the norm and wanted the work begun immediately so that the work would be completed before the heavy rains began.

We left Brookings on July 31, 2007 and had email and phone conversations with Noah to discuss the project bids and progress.

Noah indicated he had a team available immediately to provide the stucco finish to the chimney and suggested that the wall surrounding the chimney be completely covered in stucco rather than repair the existing siding with the advantage of sealing the entire wall from water. We agreed this was a good suggestion and that logic was then expanded to the other walls that were already in plan to be worked on. Meaning the entire east wall, the front upper story (Chetco Avenue side) where the apartment windows were being replaced and the west side of the three story portion of the building only.

At no time did we discuss putting stucco on the two story portion facing Willow Avenue or the three story portion of the side facing Spruce Street. The siding on those areas of the building was is still in good repair and the availability of our funds was limited. As a condition to meeting the URAC program parameters we then decided to paint the entire building in a new color scheme since the stucco portions would require color and constituted the majority of the structures. The new color scheme was researched to select colors fitting the era the building was erected and fit within palette guidelines based on the color copy of the pallet we received.

We cannot speak to the timing of Noah's application paperwork or the accuracy of the application scope since we never received a copy of anything more detailed than the summary, which mentions only "siding, windows, paint and awning". All of which, in that brief overall view, is accurate and has not changed.

We would like to reiterate that our primary concern in getting the project underway as quickly as possible was in order to complete the expanded exterior rehab before the heavy rains began. A strategy we regret in retrospect.

We certainly regret our ignorance of the proceedings and any inaccuracies in the initial application and failure to follow instructions of filing corrections. This is our first foray into this kind of process and we have learned a great many lessons. As mentioned earlier we would not have expanded the scope of the project had we not received approval for the URAC grant funds. The board's decision comes as a great blow that will affect the timing of future planned enhancements to the property. More the pity since the overall public response to the initial improvement seems to be very favorable.

We would gratefully appreciate any reconsideration the board would entertain to this case.

Respectfully,

Michael & Brodle Snow

Michael and Bradlee Snow

Cc: LauraLee Gray, Building Official
Noah Bruce

CITY OF BROOKINGS

URBAN RENEWAL AGENCY AGENDA REPORT

Meeting Date: December 10, 2007

Originating Dept: Executive Director

Signature (submitted by)

Executive Director Approval

Subject: Funding for Water Line at Azalea Park

Recommended Motion:

Authorize Executive Director to execute Operating Agreement with the City of Brookings and Brookings Harbor Soccer League committing Agency to pay up to \$17,000 for the installation of a water line to serve a new multipurpose field at Azalea Park.

Financial Impact:

The estimated cost of the improvements is \$16,700. Staff is requesting an expenditure authorization of up to \$17,000. Sufficient funds are available in the URA account to accommodate this project

Background/Discussion:

The City and the Brookings Harbor Soccer Association have agreed to the development of a new multipurpose athletic field at Azalea Park. The project requires the installation of a water line, which would also serve other planned recreation support facilities in the park. Development of the field involves substantial volunteer effort and donation of equipment and materials.

Policy Considerations:

Azalea Park is located within the Urban Renewal Area. Park improvements are among the approved Urban Renewal Area projects.

Attachment(s):

(See Operating Agreement under Regular Agenda).