

AGENDA
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday January 8, 2007 7:00 p.m.

VAULT COPY

- I. Call to Order
- II. Pledge of Allegiance
- III. Swearing in of newly elected Councilors, Ron Hedenskog and Jan Willms, and of re-elected Mayor, Pat Sherman.
- IV. Roll Call
- V. Ceremonies/Appointments/Announcements
 - A. Ceremonies –
 - 1. Employee Anniversaries:
 - a. Administrative Services Director, Paul Hughes – 5 years [pg. 7]
 - b. Police Detective, Ron Plaster - 15 years [pg. 9]
 - c. Fire Chief, William Sharp – 25 years [pg. 11]
 - 2. Recognition of Department of Public Safety Standards Training (DPSST) earned by Fire Department Volunteers. *Fire Chief Bill Sharp* [pg. 13]
 - B. Appointments
 - 1. Council selection and appointment of Council President.
 - 2. Approval of Mayor's selection for Planning Commission Position #5. [pg. 15]
 - 3. Confirmation of Mayor's liaison appointments.
 - C. Announcements
 - 1. Introduction of City Manager Pro Tem, Kenneth Hobson
 - 2. Introduction of memorandum from Mayor Sherman dated December 27, 2006 regarding sewer overflow problems. [pg. 45]
- VI. Oral Requests and Communications from Audience
 - A. Committee and Liaison Reports
 - 1. Chamber of Commerce Reports
 - 2. Council Liaisons
 - B. Public Comments – limit to a maximum of **5 minutes per person**. A completed **public comment form**, located near the southern council door, **must be turned in to the Administrative Assistant prior to the start of the meeting**. Comments will be restricted to the topics indicated on the form. All remarks and questions must be addressed to the **presiding officer, only**. Comments will be **respectful**. Harsh or abusive language will not be tolerated.
- VII. Regular Agenda
 - A. Discussion and approval of revised agreement between City and Brookings Harbor Chamber of Commerce. [pg. 47]
- VIII. Consent Calendar
 - A. Approval of Council Meeting Minutes for:
 - 1. November 29, 2006 [pg. 53]
 - 2. December 7, 2006 [pg. 57]
 - 3. December 11, 2006 [pg. 59]
 - 4. December 18, 2006 [pg. 63]
 - 5. January 3, 2007 [pg. 67]

- B. Approval of vouchers for December, 2006 in the amount of \$206,225.69. [pg. 69]
- C. Approval of calendar for Council 2007 Goal & Objectives work/study sessions. [pg. 73]
- D. Approval to reschedule 2007 meetings for May 28 to May 29, and November 12 to November 13, due to holiday conflicts, and cancel 2007 meetings for November 26 and December 24.
- E. Approval of budget calendar and budget officer. [pg. 77]
- F. Acceptance of Planning Commissioner Jim Collis' resignation. [pg. 81]

IX. Ordinances/Resolutions/Final Orders

A. Ordinances

- 1. Discussion and adoption of Ordinance 07-0-580, repealing Section 2.15.060, Severance, Chapter 2.15, "City Manager," of Brookings Municipal Code. [pg. 83]
- 2. Discussion and adoption of Ordinance 07-0-581, amending Section 3.10.150(A), Use of Transient Room Tax, of Chapter 3.10, "Transient Occupancy Tax," of the Brookings Municipal Code. [pg. 89]

X. Remarks from Mayor and Councilors

- A. Mayor
- B. Councilors

XI. Adjournment

EVENTS

January 2007

January 2007							February 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
January 1, 2007	2	3	4	5	6
New Years - Closed (closest work)		10:00am CC- Site Plan Com Mtg/LauraLee Gray 3:00pm CC - Special CC Meeting 7:00pm FH-PoliceReserves	9:00am CC-Crm Stoppers 3:00pm CC SafetyComMtg Kathy Dunn	8:30am CC - Planning & Public Works	
7:00pm FH-FireTng/ChShrp (Fire Hall)					7
8	9	10	11	12	13
4:00pm CC - Open House for Councilors 7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg	7:00pm CC - Planning Commission	10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC - Health Faire Meeting	10:00am CC - Muni Court 3:00pm CC Urban Renewal Advisory Committee	8:30am CC - Planning & Public Works 10:00am CC - Planning/ODOT meeting	4:00pm 2nd Saturday Art Walk (Downtown)
15	16	17	18	19	20
Martin Luther King Day - City Hall		9:00am CC - Pre App for 10:00am CC- Site Plan Com 1:30pm CC Land 5:00pm CC - Council 6:00pm FH Brookings Fire &	2:00pm CC - CEP (Emergency preparedness)	8:30am CC - Planning & Public Works	
9:30am CC-VIPS/Volunteers in Police Service-BP 11:00am Garden Club Mtg, 7:00pm FH-FireTng/ChShrp					21
22	23	24	25	26	27
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg		10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land Development Code committee	7:00pm CC-Parks & Rec Comm/City Manager	8:30am CC - Planning & Public Works	CC Traffic School with Marvin
29	30	31			28
7:00pm FH-FireTng/ChShrp (Fire Hall)	1:30pm Annual Ball Field Scheduling 7:00pm CC - Special Council Meeting	10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land Development Code 5:00pm CC Council			

CC - Council Chambers
 FH - Fire Hall
 CM - City Managers Office
 AZ - Azalea Park
 BC - Bud Cross
 SP - Stout Park

1/3/2007 4:18 PM

EVENTS

February 2007

February 2007						
S	M	T	W	T	F	S
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March 2007						
S	M	T	W	T	F	S
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			February 1	2	3
			9:00am CC-Crm Stoppers 3:00pm CC SafetyComMtg Kathy Dunn	8:30am CC - Planning & Public Works	
					4
5	6	7	8	9	10
9:30am CC- VIPS/Volunteers in Police Service/Marvin Parker 7:00pm FH-FireTng/ChShrp (Fire Hall)	7:00pm CC-Planning Commssn	10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land 5:00pm CC - Council 7:00pm FH-PoliceReserves	3:00pm CC Urban Renewal Advisory Committee	8:30am CC - Planning & Public Works	4:00pm 2nd Saturday Art Walk (Downtown)
					11
12	13	14	15	16	17
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg		10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land Development Code committee	10:00am CC - Muni Court 2:00pm CC - CEP (Emergency preparedness)	8:30am CC - Planning & Public Works	
					18
19	20	21	22	23	24
Presidents Day - Closed 9:30am CC-VIPS/Volunteers in Police Service-BP 11:00am Garden Club Mtg, 7:00pm FH-FireTng/ChShrp	7:00pm CC Planning Commission meeting	10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land 5:00pm CC - Council 6:00pm FH - Brookings Fire &	7:00pm CC-Parks & Rec Comm/City Manager	8:30am CC - Planning & Public Works	CC Traffic School with Marvin
					25
26	27	28			
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg		10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:30pm CC Land Development Code committee			

CC - Council Chambers
 FH - Fire Hall
 CM - City Managers Office
 AZ - Azalea Park
 BC - Bud Cross
 SP - Stout Park

1/3/2007 4:18 PM

CERTIFICATE OF APPRECIATION

Awarded to

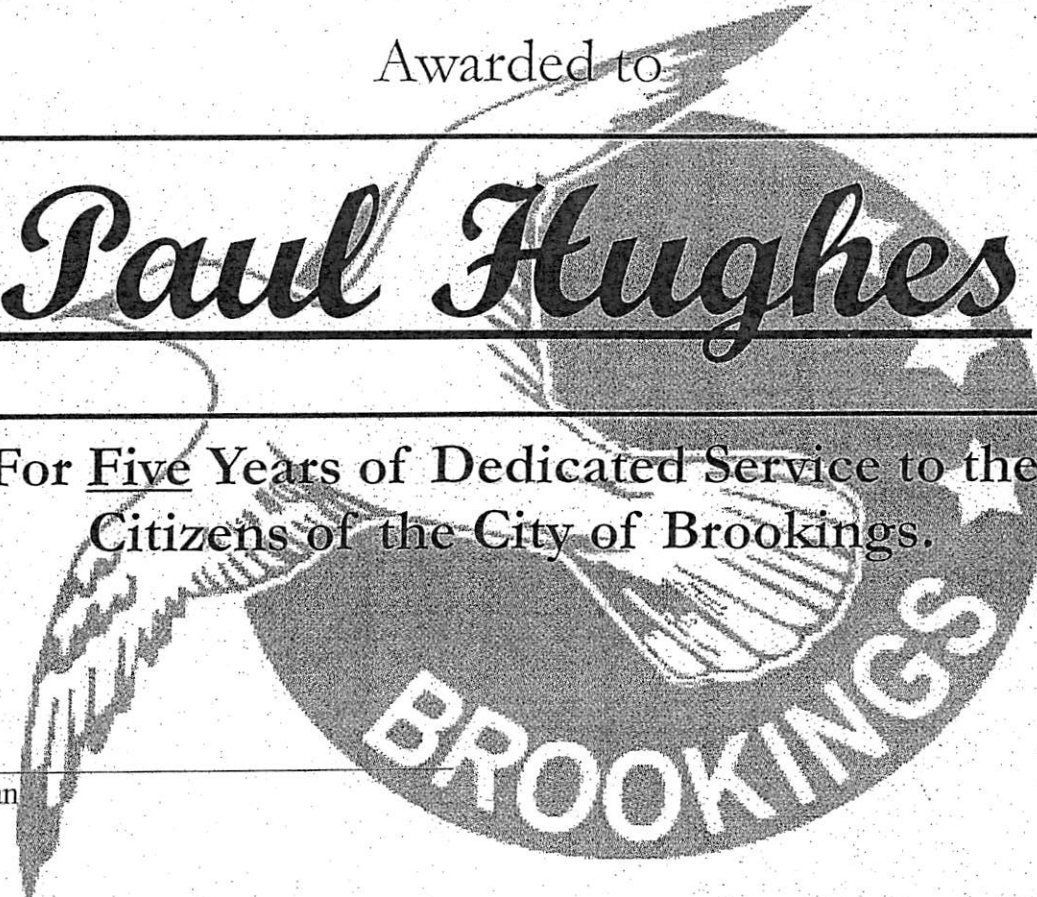
Paul Hughes

For Five Years of Dedicated Service to the
Citizens of the City of Brookings.

Mayor Pat Sherman

City Manager Pro Tem, Kenneth Hobson

Honored this 8th day of January, 2007



CERTIFICATE OF APPRECIATION

Awarded to

Ronald Plaster

For Fifteen Years of Dedicated Service to the
Citizens of the City of Brookings.

Mayor Pat Sherman

City Manager Pro Tem, Kenneth Hobson

Honored this 8th day of January, 2007

CERTIFICATE OF APPRECIATION

Awarded to

William Sharp

For Twenty Five Years of Dedicated Service to the
Citizens of the City of Brookings.

Mayor Pat Sherman


City Manager Pro Tem, Kenneth Hobson

Honored this 8th day of January, 2007



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: Chief William Sharp 

Date: 11-9-06

Re: Fire Department Members Receive State Certification

Subject: Firefighters Receive State Certification

Recommendation:

Council recognize Firefighters for receiving State of Oregon Certification from Department of Public Safety Standards and Training. Members receiving DPSST certificates are:

Asst Chief Jim Watson - NFPA Instructor I.

Lieutenant Jeff Lee - Wildland Firefighter II, Haz-Mat First Responder.

Firefighter Jesse Badger - NFPA Firefighter I, Wildland Firefighter II, Haz-Mat First Responder.

Firefighter Bill Casteel - Haz-Mat First Responder.

Firefighter Jose' Contreras - Haz-Mat First Responder.

Firefighter Kim Lamb - Wildland Firefighter II.

Firefighter Jan Miller - Wildland Firefighter II.

Firefighter Patrick Pemberton - NFPA Firefighter I, Wildland Firefighter II, Haz-Mat First Responder.

Background /Discussion:

Oregon Department of Public Safety Standards and Training requires that all firefighters whether volunteer or career receive certification in specific elements of skill and education. Over the last few months members of our Department have worked hard to attain the necessary training to meet these requirements and receive State certificates as testament of their actions. We are proud of our members efforts and dedication to being all that they can be to protect and serve this community.

City Manager Review and Approval for placement on Council Agenda:

Dale Shaddox, City Manager



City of Brookings

Phone (541) 469-1100

FAX (541) 469-3650

E-mail - city@brookings.or.us

898 Elk Drive ♦ Brookings, OR 97415

RECEIVED

DEC 1 2006

Per 

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

Name: Jim Relatford Date: 11/30/06
Physical Address: 817 Easy St. #5
Mailing Address: P.O. Box 7769 Phone: 251-1563
Email Address: Jim@PRN-data.com

I would like to serve on the following:
more:

Check one or

Council, Commission or Committee	Selection Method	Term
City Council	Appointed by Council	4 years
<input checked="" type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	
Parks and Recreation Commission	Appointed by Council	
Budget Committee	Appointed by Council	
Urban Renewal Agency Advisory Committee	Appointed by Council	
Other (please specify)		

- ☐ City Council(4 year term, elected position)
- ☒ Planning Commission..... (4 year term, appointed by Council)
- ☐ Parks and Recreation Commission (4 year term, appointed by Council)
- ☐ Budget Committee.....(3 year term, appointed by Council)
- ☐ Urban Renewal Agency Advisory Committee(3 year term, appointed by Council)
- ☐ Other (Please list): _____

1. Resident of City of Brookings since: Month: 07 Year: 04 Area since 1992

2. Please 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 needed.)

Although I don't have a specific background in land planning, I do have a strong desire to serve the community. I believe

(Continued on back)
we are going to see significant changes to our community over the next few years, and believe I can contribute to the process of managing change. My skills tend toward the analytical and process management which I think would be helpful. I have significant experience in organizing and management. I believe our community is destined to experience significant growth and will need a strong planning commission to attempt to manage that growth in a positive way —

2. Continued: _____

3. Biographical Sketch: (Education, employment, volunteer activities, etc.) (Attach additional sheets if needed.)

4 yrs Univ. Washington / Southern Ill. Univ. 1964

Honeywell Information Systems. Engineer

Sperry Univac — Regional manager

D.I.S.C. — Exec. Vice President

American Data (Oregon Bank) Vice President

PRN DATA Services, Inc. (Founder / CEO) 1982 - Present

Co-Founder — Chetco Cove Yacht Club — 2002

Co-Founder — Slamin Salmon Ocean Derby — 2002

4. Please list no less than three references:

	NAME:	ADDRESS:	PHONE:
A.	<u>Dave Gordon</u>	<u>Boke -</u>	<u>661-2359</u>
B.	<u>Charlie Kocher</u>	<u>Boke</u>	<u>469-3123</u>
C.	<u>Les Cohen</u>	<u>B-ks</u>	<u>661-3033</u>




Signature—My signature confirms my knowledge this document will be presented to the City Council and news media and become public information.

12/01/06
Date

1. I intend to donate voluntary services for the City of Brookings (hereinafter "City") as follows:

2. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
3. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
4. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
5. 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.
6. 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.

Signed voluntarily in the presence of the witnesses whose signatures are shown below mine.

 12/01/06
Date

Deanne L. Snow 12/1/06
Witness Date

Patricia M. Nelson _____
Witness Date



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

RECEIVED

DEC 26 2006

Per [Signature]

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

Name: James G. Hogben Date: 12/14/06

Physical Address: 1304 ENGLISH CT

Mailing Address: P. O. BOX 508
Home Phone: 469-5590
Cell: 661-1920

Email Address: jghcandm@yahoo.com

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input checked="" type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: 07 Year: 04

2. Please list no less than three references:

NAME:	ADDRESS:	PHONE:
A. <u>Wayne Hollowell</u>	<u>420 N. Depot St.</u>	<u>620-336-3350</u> <u>CHERRYVALE, KS</u>
B. <u>Dick Wilson</u>	<u>P.O. BOX 1836</u>	<u>661-1222</u> <u>Brookings, OR</u>
C. <u>Larry Garcia</u>	<u>P.O. BOX 30006</u>	<u>661-2323</u> <u>HARBOR</u> <u>Brookings, OR</u>
D. <u>Richard Green</u>	<u>Church of the Nazarene</u> <u>1600 Chetco Ave.</u>	<u>Brookings, OR</u> <u>469-2571</u>

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 care about the future of the

Community. I've worked with city and county
planning departments on individual projects. I've
made suggestions at city council meetings when
planning dept. was in on hearing a matter, and I
made suggestions that turned a "thorny" "log jam"
into a win-win-win situation (I was there to appear
before city council on a separate matter).

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

35 years Central Office Comm Tech Pac Bell / SBC - Retired July 2004.
4 years Architectural Drafting, Wilson HS, Los Angeles
2 years Electrical Engineering Technology, EAST LA COLLEGE
CAL POLY POMONA
30+ years member of Orange Empire Railway Museum

EQUIPMENT Repair, RR track work, Project Analyses, Trainman,
Trolley Motorman (operator), Landscape work, Trolley Barn Constr
10 years plus member National Trust for Historic Preservation.
Member "Main Street" program Cherryvale, KS
Worked with a Preservation group and the City of Whittier, CA
to save their last remaining Railroad Station (success)
Restoration in progress of 2 story 1912 Brick Hotel in KS
Real-Estate Investor (single family homes) Since 1983.

Life Member American Forestry Association.
Construction Electrician US NAVY RESERVES
RADIO RELAY / cable carrier COMMUNICATIONS INSTRUCTOR US ARMY Southeastern
Signal School. US ARMY COMM TECH IN VIETNAM.

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

Serve on Planning Commission

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, James W. Hogben 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.

James W. Hogben
Applicant

12/27/06
Date

Shirley Ann Hogben
Witness

Dec 27, 2006
Date

Vicki Bailey
Witness

12-27-06
Date

Please Note: I'll be out of town Dec 28-Jan 20
but can be reached on cell ph 661-1720



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: Dominic G. Petrucci Date: 12-26-06

Physical Address: 538 Cushing Ct - Brookings, Or.

Mailing Address: P.O. Box 1277 Phone: 469-4523

Email Address: dpetrucci@charter.net

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input checked="" type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: Oct Year: 2002

2. Please list no less than three references:

NAME:

ADDRESS:

PHONE:

- A. Dick Keusink P.O. Box 1952 Brookings 469-3267
- B. Dick Cloud P.O. Box 6759 Brookings 469-2671
- C. John Mathison P.O. Box 2992 Brookings 469-6930

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: _____

To improve The planning process And make it
more receptive To Neighborhood residents.

Organized McCall Ave. Home owners Assoc. Fresno County
Member Newark School Superintendents Parent Advisory
Community Newark, CA.

Organized Cushing CT. Homeowners Assoc. Brookings, Or.

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

Associate Degree STATE CENTER Community College District Fresno
Owned San Leandro Security Service Hayward, CA.
Boy Scouts, Served on various Committees And
As Scout Master Both in Newark, CA, And Brookings, Or.
Served in various Capacities in Church And
Am currently Pastor Safe Harbor Christian Fellowship.
Retired 1992 due To auto accident.

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

Serving On Planning Comm.

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.

[Signature] 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.

[Signature]

Applicant

12-27-06
Date

[Signature]

Witness

12-27-06
Date

[Signature]

Witness

12-27-06
Date



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

RECEIVED

DEC 26 2006

Per [Signature]

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

Name: Don Vilella Date: 12/22/06

Physical Address: 835 Chetco Pt Terrace, Brookings, OR.

Mailing Address: 835 Chetco Pt. Terrace Phone: 469-0948

Email Address: dandydon2@verizon.net

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input checked="" type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: Aug Year: 2005

2. Please list no less than three references:

NAME:	ADDRESS:	PHONE:
A. <u>Dick Wilson</u>	<u>117 Tanbark</u>	<u>469-5098</u>
B. <u>Ron Wheeler</u>	<u>1435 Seacrest Lane #3</u>	<u>251-4441</u>
C. <u>Bob Farris Faires</u>	<u>16107 Hoffeldt Lane</u>	<u>469-9482</u>

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: _____

Would like to help Brookings grow in a sensible manner. I would hate to see anymore hillsides like the east (south) side of the Chetco River (Harbor Hills). I was ~~on~~ the Cole Camp (Mo.) City Council 6 years and am presently on the Brookings Parks and Recreation Commission.

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

I am a retired school teacher (grades 7-8-9). I taught 35 years in Missouri. I have a B.S.S.E degree with 12 hours toward a Masters degree. I do mentoring, at Azalea Middle School and I serve as a liaison between Parks + Rec. and Nature's Coastal Holiday Com. and the Azalea Park Foundation Board. I volunteer my time and walk the streets of Brookings 3 to 4 times a week picking up trash.

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

to serve on the Planning Commission -
possibly continuing on Parks & Rec.
continuing to pick up trash.

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, Don Vilella 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.

<u>Don Vilella</u>	<u>12/22/06</u>
Applicant	Date
<u>Martha Vilella</u>	<u>12/22/06</u>
Witness	Date
_____	_____
Witness	Date



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: STEVE BISMARCK Date: 12/27/06

Physical Address: 270 ALLEN LN, BROOKINGS, OR 97415

Mailing Address: — SAME — Phone: 469-5763

Email Address: bismarck@harborside.com

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input checked="" type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: 7 Year: 02

2. Please list no less than three references:

NAME:	ADDRESS:	PHONE:
A. <u>Pauline Olsen</u>	<u>317 Memory Lane</u>	<u>469-3069</u>
B. <u>Frances Hartmann</u>	<u>1030 7th St.</u>	<u>469-0782</u>
C. <u>Wendell Vaughn</u>	<u>18148 Rainbow Rock Rd.</u>	<u>469-6395</u>

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: _____

SEE ATTACHED STATEMENT

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

- B.A., SPANISH LANGUAGE, UNIVERSITY OF ARIZONA, 1981

- B.M.E., MUSIC EDUCATION, NORTHERN ARIZONA UNIVERSITY, 1986

- CONTINUING EDUCATION, UNIV. OF OREGON, OREGON STATE UNIV., WESTERN
OREGON UNIV., 1990 - 1999

- LICENSED EDUCATOR SINCE 1986

- MOVED FROM PHOENIX, AZ TO CORVALLIS, OR IN 1989

- WORKED AT SOUTH ALBANY HIGH SCHOOL TEACHING ESL AND SPANISH
CLASSES UNTIL MOVING TO BROOKINGS IN 2001

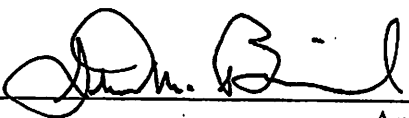
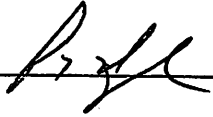
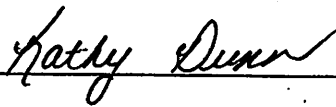
- NOT CURRENTLY EMPLOYED

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

NORMAL DUTIES AND HOURS ASSOCIATED WITH THE POST OF
CITY PLANNING COMMISSIONER.

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, STEVEN M. BISMARCK 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.

	<u>12/28/2006</u>
Applicant	Date
	<u>12/28/06</u>
Witness	Date
	<u>12/28/06</u>
Witness	Date

Statement of Interest for Citizen Involvement (application form item #3)

I have been involved with land-use and planning issues in the Brookings area as an independent citizen – on my own terms – for approximately three years. I feel that I am now in a position to move my level of involvement up to one that requires a regularly scheduled commitment. I learned at an early age that the blessings of participatory democracy are not free, and that the quality of government that we enjoy is directly proportional to the degree of citizen involvement.

I am a logical, independent thinker and already possess a reasonable level of knowledge regarding many of the governing documents pertaining to City planning including: the Brookings Land Development Code, the City of Brookings Comprehensive Plan, the City of Brookings Charter, and Chapters 197, 220 and 221, 222 and 227 of the Oregon Revised Statutes. As an educator, I also have background experience in the application of certain basic doctrines of law such as burden of proof, equal protection and due process. I am also an avocational builder with knowledge of standard building practices and codes. I have been through the permitting process and have worked on the construction of homes, workshops and greenhouses.

Steve Bismarck
December 28, 2006



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: GERALD M. Wolkowicz

Date: 12/27/06

Physical Address: 16916 Tule Road

Mailing Address: 16916 Tule Road

Phone: 541-469-7102

Email Address: GMWULK@CHARTER-NET

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input checked="" type="checkbox"/> <u>Planning Commission /Commission for Citizen Involvement (CCI)</u>	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

URBAN GROWTH ZONE

1. Resident of the City of Brookings since: Month: 12 Year: 2003

2. Please list no less than three references:

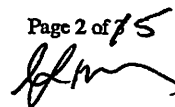
NAME:	ADDRESS:	PHONE:
A. <u>WALLY S. KOS, P.E.</u>	<u>SUPERINTENDENT OF HIGHWAY</u> <u>COOK COUNTY HIGHWAY DEPT.</u> <u>69 W. WASHINGTON BLVD.</u> <u>CHICAGO, IL. 60602</u>	<u>312-603-1601</u>
B. <u>CHRISTOPHER SNYDER, P.E.</u>	<u>DUPAGE COUNTY DEPT. OF TRANS.</u> <u>421 COUNTY FARM ROAD</u> <u>WHEATON, IL. 60187-2553</u>	<u>630-407-6910</u>
C. <u>DON SPARLIN</u>	<u>3 ROSS ROAD</u> <u>BROOKINGS</u>	<u>541-469-8988</u>

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: _____

See Attached

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

See Attached



3.

I am retired and have lived in Brookings for three years. I have kept abreast of City/Urban Growth Zone development issues through a subscription to the Curry Coastal Pilot. I feel I can contribute to the beneficial resolution of future planning issues through my professional input. Although I live outside the Brookings limit, my property has an irrevocable annexation agreement attached so I have a vested interest in guiding the City of Brookings in making informed decisions. I feel that if appointed to the Planning Commission I can not only bring my expertise to the Commission but also assist other members by sharing my experience in the Civil Engineering sector.

My first 17 years of employment with the Cook County Highway Department included drainage design and construction plan preparation; and, coordination, impact assessment and permit review/approval of municipal and private utilities on County highways and in unincorporated Cook County areas. Additionally, I also participated in Subdivision and PUD permit reviews from a drainage aspect including detention requirements.

My last 11 years with the Highway Department were as Head of the Advance Planning and Agreements Division whose duties, in part, included highway condition assessment, planning and project scheduling, resource allocation and preparation of a 5 year highway construction program. During this period, I also sat on the Work Program Committee of the Chicago Area Transportation Study (CATS see www.catsmpo.com), the Metropolitan Planning Organization (MPO) for Northeastern Illinois whose duties included the distribution of Federal Highway Funds and preparation of a 5 year Transportation Plan (TIP). I also participated in the development and publication of the 2000-2020 Long Range Transportation Plan for Northeastern Illinois.

In short, I can assimilate and interpret standards, criteria and building codes, I can read technical schematics as well as construction plans and I have been in a decision making position. I also have experience and am comfortable with both structured planning and the ethereal aspect of long range planning including the need for practicality and the restraints cause by the availability of resources.

4.

May 28, 1945 D.O.B.

- 1963 Graduate H.S.; Fenwick H.S., Oak Park, IL
- 1965-67 U.S. Army- Vietnam Veteran – Army Commendation Medal for Valor, Air Medal w/ 1st thru 10th Oak Leaf Cluster – Honorable Discharge
- 1971 Bachelor of Science, Geological Sciences, Univ. Illinois-Chicago
- 1973 Masters of Science, Environmental Geology and Hydrology, Univ. Illinois-Chicago. Published "Chloride Balance in an Urban Basin" G.S.A. Vol.5, No. 7, Oct. 1973
- 1974-84 Cook County Highway Department (www.co.cook.il.us), Drainage Division, Highway Engineer I, II, & III – Design highway storm sewers, waterway hydraulic openings and storm water pumping stations.
- 1984-92 Cook County Highway Department, Drainage Division, Highway Engineer IV, Utility Section Head – highway/utility impact assessment, design and construction conflict coordination, utility permit review w/ electrical, telephone, natural gas, petroleum pipeline, water utilities as well as municipal infrastructure.
- 1992-02 Cook County Highway Department, Advance Planning and Agreements Division, Highway Engineer V, Division Head – Oversee funding distribution, highway condition assessment, maintain highway inventory, coordinate Department/County Board Agenda, develop intergovernmental agreements, publish 5 year highway construction program.
- 2002 to date Retirement
- 1992-01 Served as Alternate Cook County Representative to the Work Program Committee of the Chicago Area Transportation Study (CATS), the MPO for Northeastern Illinois.

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

AS REQUIRED; but AT LEAST TWO (2) EVENINGS A MONTH.

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, GERARD M. WILKOWICZ 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.

[Signature]

Applicant

12/27/06

Date

[Signature]

Witness

12/27/06

Date

[Signature]

Witness

12-27-06

Date

[Signature]

STATE OF OREGON
COUNTY OF CURRY

On Dec. 27, 2006, before me Eileen J. Roberts personally
appeared Gerald Matthew Walkowicz, personally known to me (or proved to
me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on
the instrument the person(s) or the entity upon behalf of which the person(s) acted,
executed the instrument.

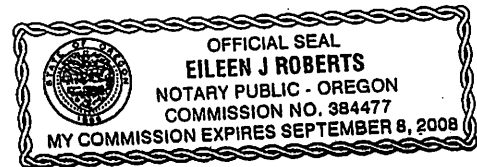
WITNESS my hand and official seal.

Signature

Eileen J. Roberts
(notary)

Commission expires

September 8, 2008





City of Brookings

Phone (541) 469-2163

FAX (541) 469-3650

E-mail - city@brookings.or.us

898 Elk Drive ♦ Brookings, OR 97415

RECEIVED

DEC 29 2006 3:07f

CITY OF BROOKINGS

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

Name: Ian H. Maitland Date: 12/29/06

Physical Address: 15676 Oceanview Drive, Harbor OR 97415-9576

Mailing Address: As above Phone: (541) 412-1200

Email Address: ian.maitland@nyu.edu

This is my application to serve on the following board or committee. **Check one or more:**

- ☐ City Council.....(4 year term, appointed by Council)
- ☒ Planning Commission.....(4 year term, appointed by Council)
- ☐ Parks and Recreation Commission.....(4 year term, appointed by Council)
- ☐ Systems Development Charge Review Board..(4 year term, appointed by Council)
- ☐ Budget Committee.....(4 year term, appointed by Council)
- ☐ Other (Please list): _____

1. Resident of City of Brookings since: Month: Sept. Year: 1997 (U.G.B.)
2. Please 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 needed.)

Please also read the attached letter.

I am a firm believer that retirement is just the beginning of another chapter of one's life. I retired from New York University in August of 2000 and now have the time, the energy and would like to serve with the Brookings Planning Commission where

2. Continued: I have strong interests and background. I am not connected with nor do I service in any manner developers or builders. My intention is to assist the Planning Commissoin with an impartial and objective point of view, to the best of my ability.

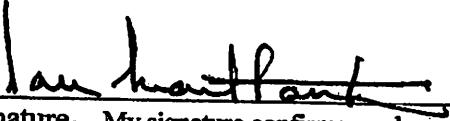
3. Biographical Sketch: (Education, employment, Volunteer activities, etc.) (Attach additional sheets if needed.)

Primary and secondary education in Australia. Graduated from the Royal Academy, London. Employment (England) British Broadcasting Corporation, Associated British Pictures, Ltd. (Australia) Founder and CEO of Maitland Productions (1961-1967). (USA) - Professor New York University 1967-2000. Founding faculty member of the Graduate Film Department. Board member and President of (Makers) COREGO, INC. a corporation that finances, produces and distributes family style motion pictures. I lectured at and consulted for Microsoft, IBM, MIT. I have lectured at the major Hollywood studios and the Cannes Film Festival on motion picture production.

Volunteer activities: I was on the Board of the Hollywood Motion Picture Technology Committee. In New Jersey I was appointed to the New Jersey Film Commission and served on the city's budget committee.

4. Please list no less than three references:

	NAME:	ADDRESS:	PHONE:
A.	<u>Cheryl Thorp</u>	<u>P.O. Box 2421 Harbor</u>	<u>469-2207</u>
B.	<u>Bruce Harden</u>	<u>15664 Oceanview Drive</u>	<u>412-2708</u>
C.	<u>Elain Mays</u>	<u>97950 Toner Lane</u>	<u>469-5791</u>
D.	<u>Carol Crockett</u>	<u>P.O. Box 2065 Harbor</u>	<u>469-5128</u>


Signature--- My signature confirms my knowledge
this document will be presented to the City Council
and new media and become public information.

3/17/05
Date

1. I intend to donate voluntary services for the City of Brookings (hereinafter "City") as follows:
As a member of the city Planning Commission.

2. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
3. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
4. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
5. 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 or arising from this voluntary service.
6. 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.

Signed voluntarily in the presence of the witnesses whose signatures are shown below mine.

[Signature]

12/29/06

Date

[Signature]
Witness

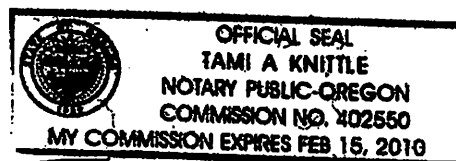
12/29/06

Date

[Signature]
Witness

12/29/06

Date



Tami A. Knittle

15676 Oceanview Drive
Harbor OR 97415-9576
(541)412-1200

December 29, 2006

City of Brookings
Mayor Pat Sherman
and members of the city council.

I wish to volunteer for the open position on the Brookings Planning Commission.

My name is Ian Maitland; I purchased my Harbor property at the above address in 1997. I am a semi retired full professor from New York University where I taught at Tisch School of the Arts and The Stern Graduate Business School for 33 years. During my tenure I served on the following committees: Budget and Finance, Building, Grievance and Tenure. I received two meritorious awards for teaching.

I was an arbitrator with the American Arbitration Association in New York and New Jersey from the mid 70's through the mid 90's, hearing cases involving contract analysis, construction, entertainment and union negotiations. In 1984 I received the American Arbitration Plaque for services rendered to the association.

In December 2003, I was appointed to Oregon's Citizens Involvement Advisory Committee to the Land Conservation and Development Commission. I traveled the length and breadth of Oregon last and this year, gathering information from citizens and planners, to understand better the problems that face the public, developers and planners.

In September 2004, I enrolled and attended a three day course (Oregon Planning Institute – Counties & Cities) at the University of Oregon, Eugene. The first day's speaker was land use attorney Gary Danielle, Esq. the remaining two days were less formal with many guest moderators and speakers.

I am a member of the American Planners Association in Oregon since March, 2003.

I would be happy to meet with you to answer questions you might have regarding my application.

Thank you for giving me this opportunity to apply. I look forward to your response.

Yours truly,

Ian Maitland



Memo

To: Larry Anderson, Jan Willms, Dave Gordon, Craig Mickelson, Dale Shaddox

Cc: File, Ron Hedenskog, Lauralee Gray, John Cowan, Dianne Morris

From: Pat Sherman

Date: December 27, 2006

Re: Sewer overflow

As you know the City's wastewater collection system is subject to significant infiltration and inflow (I & I) whenever we have a big rainstorm. As you also know there are bottlenecks in our collection system.

On Christmas day the I & I problem and the bottleneck problem converged and caused the manhole at the end of Rowland Lane, where a big sewer pipe empties into a little sewer pipe, to overflow. An unknown amount of untreated sewage bubbled out of the manhole and drained onto the surrounding area and into the ocean. Our public works staff noticed the problem and responded quickly. Staff arranged for sewage to be hauled via tanker truck around the bottleneck-between the manhole at the end of Rowland to the Mill Beach pump station- for the better part of a day.

This kind of event will happen again unless the bottleneck is eliminated.

As Councilors we would be negligent in our oversight responsibility if we ignored the problem, allowed it to continue, or failed to act. I suggest we take the following actions:

1. Commend the public works staff for their prompt, effective response to the crisis. Their actions minimized the damage.
2. Direct the City Manager or his designee to: (a) inform the public about the incident via press release, (b) identify which sections of the City are served by the offending sewer pipe, (c) withhold issuance of building permits in the identified sections of the City until the bottleneck is eliminated, and (d) initiate action that will cause the bottleneck to be eliminated as soon as practicable.

Response requested.



COUNCIL AGENDA REPORT

To: Mayor & City Council (mtg of 1/8/07)

From: City Manager

Date: December 28, 2006

Re: Agreement for Tourism Promotion – City of Brookings/Chamber of Commerce

Subject:

Revised agreement between the Chamber of Commerce and the City of Brookings

Recommendation:

It is recommended that the attached proposed new agreement between the City of Brookings and the Chamber of Commerce be approved by the City Council with authorization for the Mayor to sign it on behalf of the City.

Background /Discussion:

There are 3 structural problems with the current agreement that are not consistent with good public policy and practice, as follows:

- The agreement does require a periodic public review of the specific activities and related expenditures of public funds associated with the activities. The agreement should be modified to require an annual or quarterly public meeting between the City Council and Chamber Board to review progress with agreed upon specific activities and related expenditures for the current fiscal year, and to review/negotiate the proposed detailed budget and work program for the upcoming city fiscal year.
- The agreement has a provision that automatically allocates a percent of motel tax revenues. An unspecified dollar amount allocated to an unspecified detailed work program is not good public policy/practice. This should be changed to provide that the City Council's annual allocation of funds for an agreed upon work program be a specific dollar amount as part of the annual city budget process.
- The agreement does not have a termination date. The only provision for termination is the 60 day notice by either party; otherwise the agreement goes on forever. Good public policy/practice dictates that no agreement be permanent, and instead there should be a periodic (say at least every 3-5 years) public competitive process for contracts with public agencies.


With these relatively minor changes to the existing agreement the association between the City and Chamber would consistent with the principles of good public policy/practice.

City staff and the Mayor have met with the Chamber manager and board members to discuss this matter, resulting in agreement with the attached new agreement and subject to ratification by the respective City Council and Chamber Board of Directors.

Financial Impact(s):

There is not expected to be a financial impact, one way or the other, with the proposed new agreement.

City Manager Review and Approval for placement on Council Agenda:



Dale Shaddox, City Manager

AGREEMENT

(City of Brookings/Brookings-Harbor Chamber of Commerce)

THIS AGREEMENT, effective as of July 1, 2007, by and between the CITY OF BROOKINGS, a municipal corporation of the State of Oregon, hereinafter called "CITY"; and the BROOKINGS-HARBOR CHAMBER OF COMMERCE, an Oregon Not For Profit Corporation, hereinafter called "CHAMBER".

RECITALS

WHEREAS, the Common Council of CITY desires to contract for a tourism promotion program utilizing funds from motel taxes collected within the City of Brookings, and

WHEREAS, CHAMBER has the capability and desire to undertake such a tourism promotion program,

AGREEMENT

NOW, THEREFORE, for and in consideration of the sums to be paid by CITY and the obligations to be performed by CHAMBER as hereinafter set forth, the parties hereto mutually covenant, stipulate and agree as follows:

1. Promotions Fee. CITY agrees to pay to CHAMBER a fee to perform a specified program of activities as agreed upon during the City of Brookings annual budget preparation and adoption process. Said agreed upon fee shall equal 25% of the annual estimated motel tax to be collected by CITY in the upcoming fiscal year.

If actual motel tax collected exceeds the annual estimate, the following will occur:

- CHAMBER will submit a supplemental budget equal to 25% of the difference between actual and estimated motel tax
- Upon review and approval of the supplemental budget by CITY, 25% of the difference between actual and estimated motel tax will be forwarded to the Chamber.

If actual motel tax collected is less than the annual estimate, 25% of the difference between the actual and estimated motel tax will be deducted from the following year's first monthly payment to the CHAMBER.

2. Payment. Monies payable under Paragraph 1 shall be transmitted by CITY to CHAMBER monthly, by the 15th day of the following month, in the amount of 1/12th of the annual agreed upon total annual fee.

3. Promotions Program. CHAMBER shall develop and implement an agreed upon program designed to promote tourism and local and special events in the Brookings area. Such

programs may include, but are not limited to: radio, television, and magazine advertisements; mailings; flyers; billboards; and other advertising methods designed to both promote tourism and local and special events, and to inform visitors as to scenic and historic attractions, entertainment, restaurants, accommodations, and other matters of special interest to visitors. CHAMBER will be solely responsible to furnish all labor and supplies necessary to develop and implement such program. CHAMBER shall operate a Visitor Information Center (the "Center") during the hours set forth in Paragraph 5.

4. Use of Funds. All fees paid by CITY under this Agreement shall be disbursed for expenses related to or in support of tourism promotions, provided that no more than thirty percent (30%) of the fees paid may be used for payroll costs.

5. Center Hours. The hours of operation of the Center shall be substantially as follows:

October through March: 8 hours/day 5 days/week

April through May: 8 hours/day 5 days/week
 4 hours/day Saturdays

June through September: 8 hours/day 5 days/week
 4 hours/day Sat/Sundays

6. Books and Records. CHAMBER shall prepare an accounting of fees received from CITY under Paragraph 1 and disbursements made by CHAMBER under Paragraph 4 separate and apart from its general books of account (the "Promotions Ledger"). The City Manager or his/her designee may examine the Promotions Ledger during normal business hours after providing written notification to the CHAMBER at least 48 hours prior to the time such examination is to be held. Information provided by CHAMBER to CITY under this Paragraph 6 shall not be considered the confidential property of CHAMBER. Nothing contained herein shall be interpreted to grant CITY access to the general books, papers and accounting records of CHAMBER or any other material of CHAMBER, except as specifically set forth in this Agreement.

7. Reports. CHAMBER shall file a copy of the Promotions Ledger with the City Manager on a monthly basis. CHAMBER understands that such filings shall be considered public information. In addition, CHAMBER shall file with the City Manager on or before January 31 of each year, a program report detailing performance accomplishments, suggestions and problems occurring under this Agreement to that point in time.

8. Annual Proposal and Fee Submittal. On or before March 30 of each year CHAMBER shall submit a proposed detailed program and related fee request for the upcoming fiscal year to begin on July 1. CITY shall consider this submittal as part of the annual City of Brookings budget preparation and adoption process.

9. CHAMBER Covenants. CHAMBER, in receiving monies from CITY and in providing services to CITY hereunder, shall:

(a) At all times be deemed an independent contractor and not an employee, agent, partner or joint venture with CITY. The parties acknowledge that any contracts entered into between CHAMBER and any third party shall not be an obligation of the CITY and CHAMBER shall not represent that it has the power or authority to contractually bind or obligate the CITY.

(b) Not discriminate in providing services hereunder on the basis of age, race, sex, color, religion or national origin.

(c) Not assign, transfer or delegate to any third party complete operational authority for services performed under this Agreement without the prior written consent of CITY, which consent will not be unreasonably withheld or delayed.

10. Equipment. CHAMBER shall purchase no equipment with monies received under this Agreement unless CITY is notified, proper bid procedures are followed, and equipment is consistent with the purposes of this Agreement.

11. Indemnity. CHAMBER shall be solely responsible and shall hold CITY harmless from all matters relating to CHAMBER'S performance under this Agreement, including payment of its employees in compliance with social security, withholding and other regulations governing such matters. CHAMBER shall, at all times, indemnify and hold CITY harmless from and against any and all actions or 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 CHAMBER'S performance under this Agreement. CITY shall, at all times, indemnify and hold CHAMBER harmless from and against any and all actions or causes of action, claims, demands, liabilities, losses, damages, or expenses of whatsoever kind and nature, including attorney fees, which CHAMBER may sustain or incur as a result of errors or omissions in CITY'S performance under this Agreement.

12. Term. This Agreement shall take effect on the 1st day of July, 2007, and shall remain in effect for a period of five years or until terminated as described in this Agreement.

13. Termination. Either party for any reason may terminate this agreement provided that written notice of termination is given no less than twelve (12) months prior to the anniversary date of the Agreement. In addition, this Agreement may be terminated automatically if it is later determined that any of its terms conflicts with or are preempted by state law, now existing or hereafter enacted.

14. Compliance With Law. CHAMBER shall observe and comply with all local, state and federal laws, ordinances and regulations applicable to the services described in this Agreement.

15. Notices. The addresses of the parties to this Agreement for purpose of any notices

permitted or required under this Agreement are as follows:

CITY: City of Brookings
898 Elk Drive
Brookings, OR 97415

CONTRACTOR: Brookings-Harbor Chamber of Commerce
P.O. Box 940
Brookings, OR 97415

16. Integration. This Agreement constitutes the entire and fully integrated agreement between the parties. All prior negotiations or agreements between the parties, oral or written, are superseded by, and included in, this Agreement.

17. Modification. This Agreement may not be released, discharged, abandoned, changed, or modified in any manner, except by an instrument in writing signed on behalf of each of the parties by their duly authorized representatives.

18. Titles and Headings. Titles and headings to sections and paragraphs herein are inserted for convenience of reference only and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first herein above written.

CITY OF BROOKINGS,
A municipal corporation

BROOKINGS-HARBOR
CHAMBER OF COMMERCE

By _____
CITY Mayor

By _____
CHAMBER President

ATTEST by City Recorder this ____ day of _____, 2007.

Administrative Services Director/City Recorder

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Wednesday, November 29, 2006

Call to Order

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

Roll Call

Council: Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon, Craig Mickelson and Jan Willms; a quorum present. *Absent:* Ex Officio Ashley Gemmell.

Staff: City Manager Dale Shaddox, Planning Director Dianne Snow, Public Works Director John Cowan, City Attorney John Trew, Administrative Assistant Joyce Heffington

Media: Curry Coastal Pilot Reporter Tom Hubka

Other: Approximately 19 citizens

Ceremonies

Mayor Sherman proclaimed November 30th to be National Meth Awareness Day. Myrna Barber accepted the proclamation on behalf of the Curry County Commission on Children and Families.

Public Comments

Mayor Sherman moved the Public Comment item ahead of the Public Hearing.

Catherine Wiley, 96370 Duley Creek Road, addressed Council regarding the Oregon Shores Conservation Coalition and its position on protecting cultural, estuary and coastal resources in the area of the proposed Lone Ranch development. Wiley offered a 4 page letter, addressed to the Mayor and Councilors, a letter from James D. Brown, Staff Attorney for the Cascade Resources Advocacy Group, addressed to City Attorney John Trew and Ex-Planning Director John Bishcoff, dated August 16th, 2005, and a copy of a document titled "Conditions of Approval Lone Ranch Master Plan MPD-1-04 (as amended by the City Council)," to be entered into the record.

Bill Yokum, 934 7th Street, addressed Council regarding issues surrounding the Cease and Desist Order issued by the Army Corps of Engineers to Freeman Rock. Yokum advised that Freeman Rock has appealed the decision but it could be several years before that decision was made.

Yvonne Maitland, 15676 Oceanview Drive, addressed Council stating that the owners of the Borax property are not paying their fair share of taxes and offered 4 pages of related property data to be entered into the record.

Public Hearing

Mayor Sherman opened at 7:20 p.m. the Quasi Judicial Public Hearing to hear the appeal in the matter of File No. APP-4-06, of the Planning Commission's approval (File No. CUP-1-04/MC-1-06) for a minor change to a conditional use permit formerly approved (January 2004) for a sheriff's substation, now requesting use as general Curry County offices; located at 517 Railroad Street; Assessor's Map 41-13-5CC, Tax Lot 1800; zoned R-3 (Multiple-family Residential), David Pratt, Curry County Planning Director, appellant. Criteria used to decide this case can be found in the City of Brookings Land Development Code, Chapters 17. 28.040(O) Multi-family

Residential District, Conditional Uses-Professional business and service offices; 17.136 Conditional Use Permit; and 17.152 Appeal to the City Council.

Council declared no exparte contacts or biases in the matter. No questions being asked nor objections voiced by the audience, Mayor Sherman reviewed the hearing procedures and guidelines and then asked staff to present its evidence.

Planning Director Snow presented her staff report, citing that the basis for the appeal is a request from the applicant to alter the language in Condition #4 of the Conditions of Approval requiring the Applicant to sign and record a Deferred Improvement Agreement (DIA) for street improvements including curb, gutter, sidewalk, match existing pavement, and any underground storm drainage that may be required.

Mayor Sherman asked Snow for clarification regarding the original DIA back in 2004, noting that the language appears to be verbatim to the DIA now in question. Snow advised that the language was the same and Mayor Sherman asked whether that DIA requirement was appealed or even recorded in 2004. Snow responded that it had been neither appealed nor recorded.

Mayor Sherman invited the applicant to present its evidence in the matter.

David Pratt, Public Services Planning Director, 94235 Moore Street, Gold Beach County Offices, presented the basis for the County's appeal, generally arguing that the City's requirements are not appropriate to the site, the use impact at the site has not changed, and the County, according to the Oregon State Constitution, cannot enter into a DIA with the City for a debt that would exceed \$5,000.

Council questioned Pratt as to the lack of completion of the 2004 conditions of approval, and whether the appeal was based upon the requirement of the DIA.

Pratt stated he could not speak to the 2004 DIA and affirmed that the required DIA was the basis for the appeal.

Bill Dundom, Planning Commissioner, asked if the City was looking for funding to do the work needed to bring Railroad up to City standards. Dundom also questioned the City's decision to require the County to make improvements on Railroad when it may have to be done again in the future. City Manager Shaddox advised that the improvements were required by ordinance and it could be years before City funding was available to do any improvements to Railroad.

The following individuals addressed Council in support of the appeal:

Curry County Commissioner, Marlyn Shafer, P.O. Box 246, Gold Beach; Curry County Commissioner, Lucie LaBonte, P.O. Box 746, Gold Beach; Curry County Commissioner, Ralph Brown, 97923 W. Benham Lane, Harbor; Kenneth W. Dukek, P.O. Box 309, Port Orford; Catherine Wiley, 96370 Duley Creek Rd, Brookings; and Yvonne Maitland, 15676 Oceanview Drive, Brookings. Kenneth Dukek offered into evidence the Curry County Juvenile Department Demographic Supervision/Service Chart 11/27/06, entered into the record as Exhibit 1.

Council questioned the Commissioners regarding the County's ability to pay for the required improvements in lieu of entering into a DIA. The Commissioners stated the County did not have the available funds to complete the necessary work and reiterated that they could not enter into a DIA with the City.

Hearing no request from Planning staff or any participant to present additional evidence, arguments or testimony regarding the application, Mayor Sherman closed the Public Hearing at 8:50 p.m.

The applicant having indicated the willingness to waive written argument and proceed with a decision, Council moved to deliberation and decision.

Discussion and additional questioning of staff and County representatives ensued around the various issues as well as the exploration of possible solutions. At one point, City Manager Shaddox advised Council that as public entities, the City could offer to pay for part of the improvements if the City had the funds to do this, which it does not.

In general, Council made it clear they were in full support of the County providing juvenile services in the City, but they had no authority to waive the requirements for half street improvements for the subject property and no choice but to uphold the City's laws and follow staff's recommendation.

Councilor Anderson moved, a second followed, and Council voted unanimously to follow staff recommendation to deny the appeal and uphold the Ordinance requirement to improve the subject Railroad Street frontage property to City standards or sign a Deferred Improvement Agreement for future street improvements, or to choose the alternative that staff has given as a third choice ["The applicant shall submit engineered street improvement plans showing 5 foot sidewalk, curb and gutter, and paved road surface to the centerline along the Railroad St. frontage on the subject property. Improvements shall also include any underground storm drainage, if required. The applicant shall also submit an engineer's estimate of cost for the above described improvements. The City must review and approve the plans and the cost estimate. Prior to the issuance of a building permit a Deferred Improvement Agreement must be executed and recorded, secured by a security bond in the amount of the agreed upon estimate of costs, agreeing that the public improvements will be completed prior to June 30, 2007. A one year warranty bond in the amount equal to 10% of the value of the improvements must be provided to the City prior to the City accepting the installed public improvements."], giving the County three choices.

Final Order

Mayor Sherman moved the Final Order up on the Agenda at the suggestion of City Manager Shaddox.

Councilor Gordon moved, a second followed and Council voted unanimously to approve the Final Order and Finding of Facts upholding the Planning Commission approval of a Minor Change to a Conditional Use Permit to allow existing 3,000 sq. ft. building to be utilized as general County offices on a 0.54 acre parcel of land located at 517 Railroad St.; Assessors Map 41-13-5CC, Tax Lot 1800; zoned R-3 (Multiple Family Residential), including as an alternative the option on page 7 [of the staff report] in bold and in quotes also the option that they improve the street as per the recommendation on page 9 [of the staff report].

Council Liaisons

Councilor Willms attended a Health Care Committee Meeting and advised the correct date for the fair is January 27th. Willms also advised that the Parks and Recreation Commission would be meeting on the 14th to hear public comments on bike/skateboard issues.

Councilor Anderson attended three meetings including the Harbor Sanitary Board and Coos Curry Electric Board.

Councilor Mickelson attended meetings of the Planning Commission and Chamber and participated in the Azalea Park Light Festival decorating weekend.

Councilor Gordon attended a Southwestern Oregon Community College meeting, an American Music Festival meeting and two Del Norte Airport Marketing meetings. Gordon also advised he was asked to sit on the Port Commission and attended that meeting as well.

Consent Calendar

A. Approval of Council Meeting minutes for November 13, 2006.

B. Approval to accept Ron Hedenskog's resignation, effective December 31, 2006, and advertise his vacated position on the Planning Commission.

Councilor Mickelson moved, a second followed and council voted unanimously to accept the consent calendar as written.

Remarks

Councilor Willms remarked that she attended a Curry County Recycling Committee meeting and advised that the County has a small planning grant to be used to set up household toxic waste disposal sites at various locations over the next 2 years.

Counselor Anderson asked City Manager Shaddox about the status of the City trees. Shaddox advised that the one that had thus far been planted did not require cutting a hole in the sidewalk. The planting of the remaining City trees would occur when the necessary cutting equipment was received.

Mayor Sherman remarked that some of the walkways around some of the poles are inadequate for wheelchair access and asked Shaddox to inquire of ODOT, if the access areas are to code, if the City can extend these areas. Shaddox advised there is a long punch list and a meeting had been scheduled to meet with ODOT and go over the list. Shaddox also advised that the Street light poles are scheduled to be delivered and installed in late January.

Adjournment

Councilor Mickelson moved and Council voted unanimously by voice vote to adjourn at 10:05 p.m.

Respectfully submitted:

ATTEST by City Recorder
this ____ day of _____, 2006:

Pat Sherman
Mayor

Paul Hughes
Administrative Services Director/City Recorder

MINUTES
City of Brookings
Special Meeting of the City Council
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Thursday, December 7, 2006

Call to Order

Mayor Sherman opened the special meeting at 2:55 p.m. and led the Pledge of Allegiance.

Roll Call

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

Staff Present: City Manager Dale Shaddox and Administrative Assistant Joyce Heffington

Media Present: Tom Hubka, Curry Pilot

Other Present: Approximately five other citizens.

Action Items

- A. Acceptance of Dale Shaddox resignation as City of Brookings City Manager, effective January 5, 2007.

Councilor Gordon moved, a second followed, and the Council voted unanimously to accept Dale Shaddox's resignation as City of Brookings City Manager, effective January 5, 2007.

- B. Discussion and possible approval to authorize Mayor Sherman and Council President Anderson to negotiate and enter into agreement with Dale Shaddox for consulting services to become effective January 5, 2007.

Councilor Gordon moved, a second followed, and Council voted unanimously to authorize Mayor Sherman and Council President Anderson to negotiate and enter into agreement with Dale Shaddox for consulting services to become effective January 5, 2007.

- C. Discussion and possible approval to authorize Mayor Sherman and Councilor Willms to negotiate and enter into agreement for services of City Manager Pro Tem.

Councilor Gordon moved, a second followed, and Council voted unanimously to authorize Mayor Sherman and Councilor Willms to negotiate and bring back to Council an agreement for services of City Manager Pro Tem.

- D. Discussion and possible approval to authorize Mayor Sherman and Council President Anderson to negotiate and enter into agreement with the League of Oregon Cities to provide job search services to fill the regular City Manager position.

Councilor Gordon moved, a second followed, and Council voted unanimously to authorize Mayor Sherman and Council President Anderson to negotiate and enter into agreement with the League of Oregon Cities to provide job search services to fill the regular City Manager position.

Adjournment

Councilor Mickelson moved, a second followed and Council voted unanimously by voice vote to adjourn at 3:17 p.m.

Respectfully submitted:

ATTEST by City Recorder
this ____ day of _____, 2006:

Pat Sherman
Mayor

Paul Hughes
Administrative Services Director/City Recorder

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday December 11, 2006

Call to Order

Mayor Sherman called the meeting to order at 7:00 p.m. Officer Caleb Johnson led the Pledge of Allegiance.

Roll Call*Council Present:* Mayor Pat Sherman, Council President Larry Anderson and Councilors Jan Willms, Dave Gordon and Craig Mickelson; a quorum present. Absent was Ex Officio Gemmell.

Staff Present: Administrative Services Director Paul Hughes, Lieutenant John Bishop, City Attorney John Trew and Administrative Assistant Joyce Heffington

Media Present: Tom Hubka, Curry Pilot

Other Present: Approximately eight other citizens.

Ceremonies/Appointments/Announcements

Mayor Sherman announced that Fire Chief Bill Sharp was unable to attend the meeting and so the recognition of Department of Public Safety Standards Training (DPSST) earned by Fire Department Volunteers would be moved to a later date.

Lieutenant John Bishop introduced new employee, Police Officer Caleb Johnson.

Scheduled Public Appearances

Frank Van Meter, Curry County Veterans Service Officer, presented information on services available to Curry County veterans and the assistance offered by him to help veterans access these services. Van Meter also announced that he is currently available to assist local veterans at the Elks Lodge each Thursday from 10:00 a.m. to 4:00 p.m.

Mayor Sherman requested a motion to add a item for reconsideration of an item acted upon at the December 7, 2006 meeting.

Councilor Anderson moved, a second followed and Council voted unanimously to add the reconsideration of an item acted upon at the December 7, 2006 meeting.

Council Liaisons

Councilor Anderson attended five City related meetings and two meetings of the School Board.

Mayor Sherman attended a Special City Council meeting, the City's Holiday Open House, and a meeting of the South Coast Drug Free Coalition (SCDFC).

Councilor Mickelson attended a Coos Curry Douglas Development Corporation meeting, a Chamber Marketing meeting and a Planning Commission meeting.

Councilor Gordon attended the City's Holiday Open House, the Special City Council meeting, the SCDFC meeting, a Chamber Marketing meeting and Del Norte Airport Marketing Meeting.

Mayor Sherman reviewed the new Public Comment form.

Regular Agenda

A. Discussion and possible approval for City donation of \$50-\$100 from the Council Community Relations line item of the General Budget for the Bruin "Safe and Sober" campaign.

Mayor Sherman presented a proposal for a City donation of \$50-\$100 from the Council Community Relations line item of the General Budget for the Bruin "Safe and Sober" campaign.

Councilor Mickelson moved, a second followed and Council voted unanimously to approve a donation of \$100 for the "Safe and Sober" Campaign.

B. Discussion and possible direction to staff regarding attached memo from Mayor Sherman proposing possible partnership with Curry County to share the costs of accomplishing necessary street improvements on Railroad using available dollars from the City's Street System Development Charges Fund, Street System Replacement Fund and Street Maintenance Fund. Any financial decision on this matter will be made at a future meeting.

Larry Aslinger, 439 Buena Vista Loop, Brookings, addressed Council with questions and concerns regarding Regular Agenda, Item B. and presented a four page document for the record. Generally, Aslinger requested that the City pass a resolution removing Railroad Street from the list of streets requiring improvements by property owners until a master plan for improving Railroad Street is developed and approved by the City Council as it is not in the best interest of the public.

Mayor Sherman, in response to comments made by some people in the Community that the Council doesn't care about kids, stated that the Council cares very much about kids and that the Council tried very hard during the quasi judicial public hearing to find a solution that would work for the County while obeying the laws of the Federal, State and local government, to which the City Council is bound.

Mayor Sherman next presented information addressed in the memo which was included in the Agenda packet. In general, the memo introduced the possibility of the City partnering with the County in a public-public partnership. This partnership would entail the City sharing equally in the cost of completing the necessary street improvements.

Council discussion ensued and Mayor Sherman asked for a sense of direction from the Council. Generally, Council directed Mayor Sherman to see if there is interest in pursuing a partnership before further exploring the issue.

C. Reconsideration of decision from December 7th meeting to have Councilor Anderson and Mayor Sherman enter into and negotiate an agreement with Dale Shaddox for consulting services.

Councilor Anderson advised he did not have time with the limited time frame imposed by City Manager Dale Shaddox's scheduled to fulfill this commitment and asked that another Councilor take his place, noting that Councilor Gordon had expressed interest.

Councilor Anderson moved, a second followed and Council voted unanimously to reconsider the motion from the last meeting authorizing Councilor Anderson to work with Mayor Sherman to enter into and negotiate an agreement for consulting services of Dale Shaddox.

Councilor Willms moved to appoint Councilor Gordon to replace Councilor Anderson to work with Mayor Sherman to enter into and negotiate an agreement for consulting services of Dale Shaddox.

Consent Calendar

A. Approval to hold special Council meeting on December 19, 2006 for the purpose of holding public hearings.

B. Acceptance of Planning Commission Minutes for meetings of November 7 and November 14, 2006.

C. Approval of vouchers for November, 2006 in the amount of \$574,429.05.

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

Remarks

Mayor Sherman remarked on an invitation from the Del Norte Board of Supervisors to enter into joint governance of the Del Norte County Airport. City Attorney John Trew was asked about the legality of such an agreement. Trew remarked he would need to review the request and explore the issues before offering advice. However, Trew advised it was in theory possible for the City to enter a compact with another state. Councilor Gordon advised that he had made it clear that the City would have no funds to bring to such a venture. Discussion ensued and Mayor Sherman advised she would get together with Councilor Gordon and write a letter in response, asking for more information.

Mayor Sherman also remarked on the possibility of Council considering a City ordinance, at some future date, prohibiting the feeding of pigeons and seagulls within City limits.

Councilor Gordon commended the Water Treatment Department on the great report it received from the Department of Environmental Quality.

Councilor Anderson thanked Mickelson for his many years of service to the City, adding that Mickelson would be missed. Councilor Anderson also remarked that City Manager Dale Shaddox, in resigning his position with the City, was leaving the City in a better position than that in which he had found it and wished him well.

Councilor Willms added her thanks to that of Councilor Anderson's [for Councilor Mickelson's years of service], reiterating that Mickelson would be missed.

Adjournment

Councilor Gordon moved, a second followed and Council voted by voice vote to adjourn at 8:45 p.m.

Respectfully submitted:

ATTEST by City Recorder
this ____ day of _____, 2006:

Pat Sherman
Mayor

Paul Hughes
Administrative Services Director/City Recorder

MINUTES
City of Brookings
Special Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, December 18, 2006

Call to Order – Mayor Sherman called to order the meeting at 7:01 p.m. and led the Pledge of Allegiance

Roll Call

Council Present: Mayor Pat Sherman, Councilor President Larry Anderson, Councilors Craig Mickelson, Jan Willms and Dave Gordon; a quorum present

Staff Present: Planning Director Dianne Morris, Public Works Director John Cowan, Administrative Assistant Joyce Heffington.

Media Present: Curry Pilot Reporter Tom Hubka

Other: Approximately 4 other citizens

Action Item

- A. Discussion and possible approval to authorize Mayor Sherman to enter into agreement for services of City Manager Pro Tem.

Mayor Sherman deleted this item from the Agenda as having been handled previously at a special meeting.

Public Hearing

Mayor Sherman opened the Quasi Judicial Public Hearing at 7:03 p.m. in the matter of file no. **CPZ-2-06**, a Comprehensive Plan zone change from C-3 (General Commercial) to R-3 (Multi-family Residential), located adjacent to Lucky Lane and north of Chetco Avenue; Assessor's Map 41-13-6BD, Tax Lot 2000; Jeffrey McCollum, representative for South Curry Development LLC, applicant. Criteria used to decide this application can be found in Chapter 17.140-Amendments, of the Brookings Land Development Code.

Ex parte site visits were declared by Mayor Sherman and Councilor Willms. No personal bias was declared and Mayor Sherman reviewed the hearing procedures and guidelines. Mayor Sherman then turned the hearing over to staff.

Planning Director Dianne Morris presented a staff report summarizing the evidence. Council questioned Morris and Public Works Director John Cowan on a few details of the application.

Councilor Anderson questioned language, specifically cited in the Condition of Approval (COA) which states, "Any increase in capacity needed by the proposed development must be engineered, constructed, and paid for by the property owner." Anderson stated that this language reads, to him, as a "blank check," and that his understanding is that the owner pays a proportionate share of these costs.

Morris advised that this condition could be removed by Council if it so desired.

Mayor Sherman turned the hearing over to the applicant. Jim Maize, P.O. Box 628, Brookings, presented evidence on behalf of the applicant.

Hearing no opposition or requests for rebuttal, Mayor Sherman declared the public hearing closed at 7:37 p.m.

At the request of the Applicant, Council moved to discussion and deliberation.

Council discussed the application and possible language modifications to the COA and determined that the sentence in question be changed to read, "Any increase in capacity needed by the proposed development must be engineered, constructed, and a proportionate cost paid for by the property owner."

Councilor Anderson moved, a second followed, and Council voted unanimously to approve the qualified Comprehensive Plan and Zone change from C-3 (General Commercial) to R-3 (multi-family) for file CPZ-2-06, and subject to condition of approval as amended with language change as discussed by Council to include "a proportionate cost paid for by the property owner."

Final Order

Councilor Gordon moved, a second followed, and Council voted unanimously to approve the Final Order and Finding of Fact in the matter of Planning Commission File No. CPZ-2-06; application for a Comprehensive Plan/Zone Change; South Curry Development, LLC, applicant, with the change as approved to the Condition of Approval as stated in the previous motion.

Ordinance

The procedure for reading an ordinance by title only having been followed, Mayor Sherman proceeded to ask for a motion.

Councilor Gordon moved, a second followed, and Council voted unanimously to adopt Ordinance No. 06-0-579, an Ordinance amending the Comprehensive Plan designation on a parcel of land located adjacent to Lucky Lane and north of Chetco Avenue from Commercial to Residential and the zoning from C-3 (General Commercial) to R-3 (Multi-family Residential) with modifications to include a change in paragraph three, to read "Whereas, the Brookings City Council, at its meeting of December 18, 2006, did conduct a hearing on this matter, during which hearing considerable testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by Dianne Morris, Planning Director for the City of Brookings."

Councilor Mickelson moved, a second followed, and Council voted unanimously to adopt Ordinance No. 06-0-579, an Ordinance amending the Comprehensive Plan designation on a parcel of land located adjacent to Lucky Lane and north of Chetco Avenue from Commercial to Residential and the zoning from C-3 (General Commercial) to R-3 (Multi-family Residential) with modifications to include a change in paragraph three, to read "Whereas, the Brookings City Council, at its meeting of December 18, 2006, did conduct a hearing on this matter, during which hearing considerable testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by Dianne Morris, Planning Director for the City of Brookings."

Remarks

Mayor Sherman remarked that the procedure for adopting an Ordinance with a reading by Title Only was to first read the Ordinance by title only and then make the motion to adopt.

Councilor Anderson remarked on the trees that were being put in and that the light standards would be installed after the first of the year.

Adjournment

Councilor Willms moved, and Council voted unanimously by voice vote to adjourn the meeting at 7:50 p.m.

Respectfully submitted:

ATTEST by City Recorder
this ____ day of _____, 2006:

Pat Sherman
Mayor

Paul Hughes
Administrative Services Director/City Recorder

MINUTES
City of Brookings
Special Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Wednesday, January 3, 2007 3:00 p.m.

Call to Order

Mayor Sherman called the Special Meeting to order at 3:00 p.m. and led the Pledge of Allegiance.

Roll Call

Council Present: Mayor Pat Sherman, Councilors Craig Mickelson and Jan Willms: a quorum present. *Absent* were Council President Larry Anderson and Councilor Dave Gordon.

Staff Present: Administrative Services Director Paul Hughes, Administrative Assistant Joyce Heffington

Media Present: Curry County Pilot Reporter Tom Hubka

Other: 2 other citizens

Mayor Sherman removed Action Item B. from the agenda, the item having been dealt with at a previous meeting.

Action Item

A. Discussion and possible approval to authorize Mayor Sherman to enter into agreement with Kenneth Hobson for services of City Manager Pro Tem, effective January 8, 2007.

Mayor Sherman reviewed the staff report. Administrative Services Director Hughes advised this agreement was essentially the same as that entered into with the previous City Manager Pro Tem.

Councilor Mickelson moved, a second followed and Council voted unanimously to authorize Mayor Sherman to sign the City Manager Pro Tem employment agreement with Kenneth Hobson as included in the Agenda packet.

Adjournment

Councilor Mickelson moved and Council voted unanimously by voice vote to adjourn the meeting at 3:07 p.m.

Respectfully submitted:

ATTEST by City Recorder
this ____ day of _____, 2007.

Pat Sherman
Mayor

Paul Hughes
Administrative Services Director/City Recorder

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
12/06	12/04/2006	55911	336	VOID - Chris Wallace	10-00-2005	120.00 -M
12/06	12/07/2006	56060	2898	Airgas Nor Pac	10-00-2005	80.00
12/06	12/07/2006	56061	3581	ALSCO	10-00-2005	79.20
12/06	12/07/2006	56062	167	Hach Company	10-00-2005	325.90
12/06	12/07/2006	56063	148	B-H Chamber of Commerce	10-00-2005	3,262.87
12/06	12/07/2006	56064	313	Brookings Vol Firefighters	10-00-2005	2,083.33
12/06	12/07/2006	56065	715	Budge McHugh Supply	10-00-2005	296.60
12/06	12/07/2006	56066	1840	Chetco Federal Credit Union	10-00-2005	3,330.00
12/06	12/07/2006	56067	822	Coast Auto Center	10-00-2005	233.64
12/06	12/07/2006	56068	1745	Coastal Paper & Supply, Inc	10-00-2005	78.37
12/06	12/07/2006	56069	2542	Crystal Fresh Bottled Water	10-00-2005	97.50
12/06	12/07/2006	56070	151	Curry Coastal Pilot	10-00-2005	132.12
12/06	12/07/2006	56071	195	Curry Transfer & Recycling	10-00-2005	596.69
12/06	12/07/2006	56072		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56073	166	Dan's Auto & Marine Electric	10-00-2005	970.01
12/06	12/07/2006	56074	284	Day-Wireless Systems	10-00-2005	139.20
12/06	12/07/2006	56075	316	Donald & Roberta Chandler	10-00-2005	548.00
12/06	12/07/2006	56076	3739	Equa-Chlor Marketing LLC	10-00-2005	6,010.09
12/06	12/07/2006	56077	282	GFOA	10-00-2005	350.00
12/06	12/07/2006	56078	2882	Globalstar USA	10-00-2005	72.34
12/06	12/07/2006	56079	1082	Hilary Thompson	10-00-2005	51.53
12/06	12/07/2006	56080		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56081		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56082		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56083		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56084		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56085		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56086	162	Kerr Hardware	10-00-2005	1,809.87
12/06	12/07/2006	56087	328	Les Schwab Tire Center	10-00-2005	745.21
12/06	12/07/2006	56088	155	Mory's	10-00-2005	39.00
12/06	12/07/2006	56089	424	Munnell & Sherrill	10-00-2005	85.27
12/06	12/07/2006	56090	110	Napa Brookings	10-00-2005	34.21
12/06	12/07/2006	56091	573	OBOA	10-00-2005	142.35
12/06	12/07/2006	56092	2993	O'Donnell Plumbing Inc.	10-00-2005	204.35
12/06	12/07/2006	56093	177	Oregon Medical Laboratories	10-00-2005	60.20
12/06	12/07/2006	56094	3634	Pollard Water.com - East	10-00-2005	183.16
12/06	12/07/2006	56095	3738	POS World Inc	10-00-2005	330.00
12/06	12/07/2006	56096	322	Postmaster	10-00-2005	675.00
12/06	12/07/2006	56097		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56098	1193	PRN Data Services, Inc	10-00-2005	24,266.50
12/06	12/07/2006	56099	199	Richard Harper	10-00-2005	300.00
12/06	12/07/2006	56100	3505	Rogue Valley Council of Gov	10-00-2005	3,129.19
12/06	12/07/2006	56101	1516	Ron Bodman	10-00-2005	165.00
12/06	12/07/2006	56102	169	Roto Rooter	10-00-2005	332.60
12/06	12/07/2006	56103	444	Secretary of State	10-00-2005	300.00
12/06	12/07/2006	56104	2443	Sirennet.Com	10-00-2005	48.50
12/06	12/07/2006	56105	2254	Sunny Wheatley	10-00-2005	164.00
12/06	12/07/2006	56106	3314	Taylor Anderson	10-00-2005	3.27
12/06	12/07/2006	56107	179	Trew, Cyphers & Meynink	10-00-2005	2,266.00
12/06	12/07/2006	56108	2541	U.S. Bank	10-00-2005	400.00
12/06	12/07/2006	56109	161	United Communications Inc	10-00-2005	1,442.04
12/06	12/07/2006	56110		Information Only Check	10-00-2005	.00 V
12/06	12/07/2006	56111	136	United Pipe & Supply Co Inc	10-00-2005	4,844.51
12/06	12/07/2006	56112	861	Village Express Mail Center	10-00-2005	25.65
12/06	12/07/2006	56113	253	Xerox Corporation	10-00-2005	70.73
12/06	12/12/2006	56114	910	OR Department of Justice	10-00-2005	115.38
12/06	12/12/2006	56115	1132	OR Department of Justice	10-00-2005	322.15

M = Manual Check, V = Void Check

Check Register - Summary
 GL Posting Period(s): 12/06 - 12/06
 Check Issue Date(s): 12/01/2006 - 12/31/2006

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
12/06	12/12/2006	56116	213	Teamsters Local Union 223	10-00-2005	735.00
12/06	12/12/2006	56117	3404	Teamsters Local Union 223	10-00-2005	807.00
12/06	12/14/2006	56118	182	Coos-Curry Electric	10-00-2005	3,466.00
12/06	12/14/2006	56119	882	Advanced Security Systems	10-00-2005	3,260.00
12/06	12/14/2006	56120	3759	Apple Time Inc	10-00-2005	471.69
12/06	12/14/2006	56121	630	AWWA	10-00-2005	213.50
12/06	12/14/2006	56122	174	Barbara Palicki	10-00-2005	403.33
12/06	12/14/2006	56123	138	Becco, Inc	10-00-2005	57.90
12/06	12/14/2006	56124	3760	Brookings Natural Foods Co-Op	10-00-2005	1,750.00
12/06	12/14/2006	56125	149	Carpenter Auto Center	10-00-2005	557.81
12/06	12/14/2006	56126	370	CCIS	10-00-2005	23,506.29
12/06	12/14/2006	56127	178	Chetco Pharmacy & Gift	10-00-2005	15.48
12/06	12/14/2006	56128	2190	City of Hillsboro	10-00-2005	66.29
12/06	12/14/2006	56129	822	Coast Auto Center	10-00-2005	164.42
12/06	12/14/2006	56130	183	Colvin Oil Company	10-00-2005	1,980.52
12/06	12/14/2006	56131	182	Coos-Curry Electric	10-00-2005	3,175.97
12/06	12/14/2006	56132	3676	Craig A. Stone & Associates	10-00-2005	780.00
12/06	12/14/2006	56133	151	Curry Coastal Pilot	10-00-2005	666.93
12/06	12/14/2006	56134	648	Curry County Sheriffs Office	10-00-2005	3,916.00
12/06	12/14/2006	56135	195	Curry Transfer & Recycling	10-00-2005	22.70
12/06	12/14/2006	56136	888	Custodial Related Services	10-00-2005	400.00
12/06	12/14/2006	56137	185	Del Cur Supply	10-00-2005	272.00
12/06	12/14/2006	56138	153	Ferrellgas	10-00-2005	939.69
12/06	12/14/2006	56139	3761	G. R. Construction Co	10-00-2005	2,275.00
12/06	12/14/2006	56140	3518	GLC Concrete Construction Inc	10-00-2005	12,368.24
12/06	12/14/2006	56141	1116	Grundfos CBS Inc	10-00-2005	2,672.00
12/06	12/14/2006	56142	3762	H J Heide	10-00-2005	160.64
12/06	12/14/2006	56143	167	Hach Company	10-00-2005	66.90
12/06	12/14/2006	56144	3755	Harbor Truss	10-00-2005	175.00
12/06	12/14/2006	56145	1699	Imagistics	10-00-2005	299.61
12/06	12/14/2006	56146	3758	Jim Irvin	10-00-2005	21.93
12/06	12/14/2006	56147	1397	L N Curtis	10-00-2005	14,257.00
12/06	12/14/2006	56148	2598	Larry Garcia	10-00-2005	20.88
12/06	12/14/2006	56149	328	Les Schwab Tire Center	10-00-2005	389.90
12/06	12/14/2006	56150	1011	Linda Martin	10-00-2005	24.43
12/06	12/14/2006	56151	155	Mory's	10-00-2005	19.59
12/06	12/14/2006	56152	685	Neilson Research Corporation	10-00-2005	60.00
12/06	12/14/2006	56153	3756	Newark InOne	10-00-2005	50.43
12/06	12/14/2006	56154	3159	Northcoast Health Screening	10-00-2005	50.00
12/06	12/14/2006	56155	1330	Northwest Uniforms, Inc	10-00-2005	177.13
12/06	12/14/2006	56156	2576	OACP	10-00-2005	200.00
12/06	12/14/2006	56157	279	One Call Concepts, Inc	10-00-2005	17.85
12/06	12/14/2006	56158	2089	OVFA	10-00-2005	125.00
12/06	12/14/2006	56159	252	Paramount Pest Control	10-00-2005	38.00
12/06	12/14/2006	56160	3545	Paul Salzberg	10-00-2005	34.13
12/06	12/14/2006	56161	3751	Proficient Automotive	10-00-2005	151.60
12/06	12/14/2006	56162	378	Quality Control Services	10-00-2005	450.00
12/06	12/14/2006	56163	187	Quality Fast Lube & Oil	10-00-2005	32.75
12/06	12/14/2006	56164		Information Only Check	10-00-2005	.00 V
12/06	12/14/2006	56165	207	Quill Corporation	10-00-2005	561.49
12/06	12/14/2006	56166	180	Ray's Food Place	10-00-2005	131.52
12/06	12/14/2006	56167	2936	Ross Walton	10-00-2005	45.00
12/06	12/14/2006	56168	3369	Schwabe Williamson & Wyatt PC	10-00-2005	2,555.00
12/06	12/14/2006	56169	2025	Scientific Distributors LLC	10-00-2005	143.63
12/06	12/14/2006	56170	797	Town & Country Animal Clinic	10-00-2005	101.75
12/06	12/14/2006	56171	136	United Pipe & Supply Co Inc	10-00-2005	3,474.20
12/06	12/14/2006	56172	432	USA Bluebook	10-00-2005	143.03

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
12/06	12/14/2006	56173	991	Verizon Northwest	10-00-2005	543.01
12/06	12/14/2006	56174	861	Village Express Mail Center	10-00-2005	11.46
12/06	12/21/2006	56175	2994	Barbara Ziller-Caritey	10-00-2005	29.85
12/06	12/21/2006	56176	2975	BatteryZone Inc	10-00-2005	169.30
12/06	12/21/2006	56177	417	Cabela's Inc	10-00-2005	328.73
12/06	12/21/2006	56178	3015	Charter Communications	10-00-2005	1,060.49
12/06	12/21/2006	56179	3764	Chetco Federal Credit Union	10-00-2005	28.57
12/06	12/21/2006	56180	1745	Coastal Paper & Supply, Inc	10-00-2005	140.80
12/06	12/21/2006	56181	586	Cole-Parmer Instrument Co	10-00-2005	362.61
12/06	12/21/2006	56182	182	Coos-Curry Electric	10-00-2005	1,320.18
12/06	12/21/2006	56183	3342	Fastenal	10-00-2005	3.68
12/06	12/21/2006	56184	198	Grants Pass Water Lab	10-00-2005	174.96
12/06	12/21/2006	56185		Information Only Check	10-00-2005	.00 V
12/06	12/21/2006	56186	131	HGE, Inc	10-00-2005	27,651.37
12/06	12/21/2006	56187	1699	Imagistics	10-00-2005	182.87
12/06	12/21/2006	56188	3763	Larry & Didi Thomas	10-00-2005	19.01
12/06	12/21/2006	56189	3765	Mike McDonald	10-00-2005	45.00
12/06	12/21/2006	56190	155	Mory's	10-00-2005	30.88
12/06	12/21/2006	56191	3766	Mossback Excavation	10-00-2005	40.47
12/06	12/21/2006	56192	866	Pitney Bowes Global Financial	10-00-2005	137.00
12/06	12/21/2006	56193		Information Only Check	10-00-2005	.00 V
12/06	12/21/2006	56194	207	Quill Corporation	10-00-2005	1,020.67
12/06	12/21/2006	56195	3735	Rogue West Landscapes	10-00-2005	20,263.77
12/06	12/21/2006	56196	612	Strahm's Sealcoat	10-00-2005	1,930.00
12/06	12/27/2006	56197	145	EBS Trust	10-00-2005	24.40
12/06	12/27/2006	56198	910	OR Department of Justice	10-00-2005	115.38
12/06	12/27/2006	56199	1132	OR Department of Justice	10-00-2005	322.15
12/06	12/27/2006	56200	214	Regence Life & Health Ins	10-00-2005	225.60
Totals:						<u>206,225.69</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____



COUNCIL AGENDA REPORT

To: Mayor & City Council (mtg of 1/8/07)

From: City Manager

Date: December 28, 2006

Re: Proposed Schedule of Study Sessions –Goals and Objectives Process

Subject:

Consideration to approve the attached proposed schedule of study sessions.

Recommendation:

It is recommended that the Council approve the schedule as structured on the attached calendar.

Background /Discussion:


The Council will recall that last year we conducted a series of study sessions to review the status of city operations and capital projects with department heads and the City Manager. After completing the series of meetings/briefings the Council provided direction on items to be included in the upcoming fiscal year budget that would reflect the goals and objectives of the City Council for the budget year.

The attached proposed schedule of meetings is intended to mirror the process and outcome from this effort last year, resulting in Council direction on the content and structure of the Fiscal Year 2007/08 budget.

Financial Impact(s):

The financial implications of this process will be reflected in the draft budget for FY2007/08.

City Manager Review and Approval for placement on Council Agenda:



Dale Shaddox, City Manager

Calendar

Council Goals & Objectives

FY 2007-2008

January 2007

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
January 1, 2007	2	3	4	5	6
					7
8	9	10	11	12	13
7:00pm Council Meeting					14
15	16	17	18	19	20
		5:00pm Work/Study Session Police, Fire, Planning			21
22	23	24	25	26	27
7:00pm Council Meeting		5:00pm Work/Study Session Public Works			28
29	30	31			
		5:00pm Work/Study Session Admin Services			

Topics:
 Water/Wastewater
 Streets/Storm Drains
 Capital Projects
 Public Buildings
 Revenue Enhancements
 Hotel Tax
 Department Status

1/3/2007 4:22 PM

Calendar Council Goals & Objectives FY 2007-2008

February 2007

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			February 1	2	3
					4
5	6	7	8	9	10
		5:00pm Work/Study Session Council Goals & Objectives			11
12	13	14	15	16	17
7:00pm Council Meeting					18
19	20	21	22	23	24
					25
26	27	28			
7:00pm Council Meeting					

Topics:
Water/Wastewater
Streets/Storm Drains
Capital Projects
Public Buildings
Revenue Enhancements
Hotel Tax
Department Status

1/3/2007 4:22 PM

CITY OF BROOKINGS

City Council Agenda Report



Date: January 1, 2007

To: Mayor & City Council

From: Paul Hughes, Administrative Services Director

Subject: Budget Calendar and Budget Officer for Fiscal Year 2007/2008 Budget

Recommendation: **Approve the Fiscal Year 2007/2008 Budget Calendar as presented and appoint the City Administrative Services Director as the Budget Officer.**

Background /Discussion:

Each year the City Council must appoint a Budget Officer and approve the Budget Calendar. The Budget Officer prepares and presents the budget to the Budget Committee. The Budget Calendar is a timeline of the budget preparation process.

Financial Impact(s):

None

City Manager Review and Approval for placement on Council Agenda:

Dale Shaddox, City Manager



CITY OF BROOKINGS 2007 – 2008 BUDGET CALENDAR

January 8, 2007	.....	City Council to appoint Budget Officer and approve budget calendar
January 9, 2007	.....	Budget worksheets to department heads
March 1, 2007	.....	Completed department budget worksheets returned to Administrative Services Director
April 11, 2007	.....	Publish 1 st notice of Budget Committee meeting
April 18, 2007	.....	Publish 2 nd notice of Budget Committee meeting
April 25, 2007	.....	Budget Committee meeting (dates for additional meetings, if necessary, will be set at this meeting)
May 16, 2007	.....	Publish budget summary and notice of Hearing
June 11, 2007	.....	Budget Hearing
June 25, 2007	.....	Budget adoption by City Council

December 14, 2006

To: Mayor Pat Sherman
From: Jim Collis

Subj: Resignation

1. I have recently been advised that I am facing several months of serious health concerns. Thus, I have opted to move temporarily to Virginia where we have family support and more readily available medical facilities.
2. I sincerely regret, therefore, that I must hereby tender my resignation from the Brookings Planning Commission, effective immediately.
3. I consider it a high privilege to have had the opportunity to serve as a Planning Commission member and to be associated the superb members of the City Planning Staff. Merry Christmas and the very best of luck to all of you.

Sincerely:



Jim Collis

cc: Brookings Planning Staff

CITY OF BROOKINGS

City Council Agenda Report



Date: December 28, 2006

To: Mayor & City Council

From: Paul Hughes, Administrative Services Director

Subject: Repealing Section 2.15.060 of Chapter 2.15 of the Brookings Municipal Code.

Recommendation: **Adopt Ordinance 07-O-580 repealing Section 2.15.060, Severance, of Chapter 2.15 "City Manager" of the Brookings Municipal Code**

Background /Discussion:

Chapter 2.15 of the Brookings Municipal Code describes the position and duties of the City Manager. Included in the Chapter is a section (see attached) describing severance award in the event of termination. Staff believes that severance is a benefit that is negotiated as part of the City Manager contract and should not be set by ordinance. This process follows the City's past practice for at least the last two city manager contracts.

Financial Impact(s):

No current financial impact.

City Manager Review and Approval for placement on Council Agenda:

Dale Shaddox, City Manager

D. The city manager shall act as purchasing agent for all departments of the city. All purchases shall be made by requisition signed by the city manager.

E. The city manager shall be responsible for preparing and submitting to the budget committee the annual budget estimates and such other reports as the city council may request.

F. The city manager shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city real or personal property.

G. The city manager shall act as business agent of the council for the sale of real estate and other matters relating to franchises and leases.

H. The city manager shall supervise the expenditures of all departments, divisions or services of the city and analyze and supervise the functions, duties and activities of the various departments, boards and services of the city, and all employees thereof, and make recommendations to the mayor and city council with reference to which in his/her judgment will result, if adopted, in greater efficiency of the overall operation of the city of Brookings government.

I. When authorized by the city council, the city manager shall develop and organize improvement projects and programs, and aid and assist the mayor and city council in carrying the same through to a successful conclusion.

J. The city manager shall make and keep an inventory of all personal and real property owned by the city and advise the mayor and council of the need for purchase of new machinery, equipment or supplies, which in his/her judgment the same can be obtained under the terms and conditions which are most advantageous to the city.

K. The city manager shall make, or cause to be made, studies and surveys of the duties, responsibilities and work of the personnel employed by the city; shall inform and update the mayor and council in regards to his/her decisions on abolition, consolidation, transfer, removal of positions or personnel, or any other administrative decisions made by the city manager which in his/her judgment will increase administrative efficiency.

L. The city manager shall endeavor at all times to exercise the highest degree of tact, patience, and professional courtesy in his/her contacts with the public, personnel employed by the city and all elected and appointed officials, to the end that the highest possible standards of public service shall be maintained.

M. The city manager shall perform such other duties as may be required of him/her by the mayor and council, not inconsistent with the laws of the state of Oregon and the Charter and ordinances of the city of Brookings. [Ord. 89-O-457 § 3.]

2.15.040

Legislative policy making prohibited.

The city manager shall not exercise any legislative policymaking or legislative functions, nor attempt to commit or to bind the mayor or council to any action, plan or program regarding legislative policy or legislative function, and such shall remain exclusively the province of the city council. [Ord. 89-O-457 § 4.]

2.15.050

Salary and benefits.

The salary and benefits of the city manager shall be set by the city council within the annual budget of the city of Brookings. [Ord. 89-O-457 § 5.]

2.15.060

Severance.

In the event of termination, the manager shall be granted a severance award of two weeks of pay plus accrued vacation upon satisfactory completion of one year of service. For each additional year of satisfactory performance, the manager shall receive an additional month of severance pay plus accrued vacation leave until a maximum of five and one-half months of salary has been accrued. [Ord. 89-O-457 § 6.]

BROOKINGS ORDINANCES

ORDINANCE NO. 07-O-580

AN ORDINANCE REPEALING SECTION 2.15.060, SEVERANCE, OF CHAPTER 2.15 "CITY MANAGER" OF THE BROOKINGS MUNICIPAL CODE (BMC)

Sections:

- Section 1. Ordinance Identified.
- Section 2. Repeal of Section 2.15.060

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance repeals Section 2.15.060 of Chapter 2.15 "City Manager" of the Brookings Municipal Code (BMC).

Section 2. Repeal of Section 2.15.060. Section 2.15.060, Severance, of the BMC is repealed.

First Reading:
Second Reading:
Passage:
Effective Date:

INTRODUCED AND ADOPTED By the City of Brookings Council and signed by me in authentication of its passage the ____ day of _____ 2007.

Mayor Pat Sherman

Paul Hughes, Admin Services Director/Recorder

CITY OF BROOKINGS

City Council Agenda Report



Date: December 28, 2006

To: Mayor & City Council

From: Paul Hughes, Administrative Services Director

Subject: Amendment of Section 3.10.150(A) of Chapter 3.10 of the Brookings Municipal Code.

Recommendation: **Adopt Ordinance 07-O-581 amending Section 3.10.150(A), Use of Transient Room Tax, of Chapter 3.10 "Transient Occupancy Tax" of the Brookings Municipal Code**


Background /Discussion:

Section 3.10.150(A) of the Brookings Municipal Code, states that the city shall use 25 percent of the transient room tax collections each year to promote tourism in the **Brookings-Harbor** area. Ordinance 07-O-581 amends the language to read as follows: The city shall use 25 percent of the transient room tax collections each year to promote tourism. The amended language removes the specific Brookings-Harbor area from the ordinance.

Financial Impact(s):

None.

City Manager Review and Approval for placement on Council Agenda:


Dale Shaddox, City Manager

BROOKINGS ORDINANCES

ORDINANCE NO. 07-O-581

AN ORDINANCE AMENDING SECTION 3.10.150(A), USE OF TRANSIENT ROOM TAX, OF CHAPTER 3.10 "TRANSIENT OCCUPANCY TAX" OF THE BROOKINGS MUNICIPAL CODE (BMC)

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amendment of Section 3.10.150(A)

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 3.10.150(A) of Chapter 3.10 "Transient Occupancy Tax" of the Brookings Municipal Code (BMC).

Section 2. Amendment of Section 3.10.150(A). Section 3.10.150(A), Use of Transient Room Tax, of the BMC is amended to read as follows: The City shall use 25 percent of the transient room tax collections each year to promote tourism.

First Reading:
Second Reading:
Passage:
Effective Date:

INTRODUCED AND ADOPTED By the City of Brookings Council and signed by me in authentication of its passage the ____ day of _____ 2007.

Mayor Pat Sherman

Paul Hughes, Admin Services Director/Recorder