



Agenda

City of Brookings
Common Council Meeting
Brookings City Hall Council Chamber
898 Elk Drive, Brookings Oregon
January 23, 2006 7:00 p.m.

Before the regular Common Council meeting there will be an Executive Session under the authority of ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed beginning at 6:00 p.m. The Common Council meeting will begin at 7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Ceremonies/Appointments/Announcements

A. Announcements

V. Regular Agenda

A. Approval of contract for Fee Study Consultant – Finance Department [page 5]

VI. Public Hearing

- A. Systems Development Charges – Michael Dees [page 27]**
1. Adopt Resolution 06-R-748 – A Resolution establishing methodologies for system development charges for the water system, wastewater system, storm drainage system, transportation system and parks system; and repealing Resolution 03-R-716

VII. Scheduled Public Appearances

- A. Bio-solid presentation - Brown & Caldwell [page 39]**
1. Acceptance of report and selection of alternative

VIII. Oral Requests and Communications from the Audience

- A. Committee and Liaison reports**
1. Chamber of Commerce
 2. Council Liaisons
- B. Unscheduled**

IX. Consent Calendar

- A. Approval of Council Meeting Minutes
 - 1. Meeting of January 3, 2006 [page 41]
 - 2. Meeting of January 4, 2006 [page 45]
 - 3. Meeting of January 5, 2006 [page 49]
 - 4. Meeting of January 9, 2006 [page 53]
- B. Acceptance of Planning Commission Minutes
 - 1. Meeting of December 6, 2006 [page 59]
 - 2. Meeting of December 13, 2006 [page 63]
- C. Acceptance of a deed for a 15' storm main easement from Oil Can Henry's, Newcombe [page 65]
- D. Approval of Southern Oregon Coast Regional Housing Center Memorandum of Understanding [page 71]
- E. Acknowledge receipt of the Comprehensive Annual Financial Report for Fiscal Year 2004/2005 – Rob Wall, Wall & Wall CPA [page 83]
- F. Acknowledge receipt of notice of adjusted fees from Charter Communications effective February 1, 2006 [page 85]

End Consent Calendar

X. Remarks from Mayor and Councilors

- A. Council
- B. Mayor

XI. Adjournment



Event Calendar

January 2006							January 2006							February 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	5	6	7	8	9	10	11	12	13	14	15	16	17	18
8	9	10	11	12	13	14	12	13	14	15	16	17	18	19	20	21	22	23	24	25
15	16	17	18	19	20	21	19	20	21	22	23	24	25	26	27	28	26	27	28	
22	23	24	25	26	27	28	26	27	28											
29	30	31																		

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					January 1, 2006 City Hall CLOSED - New Years Day
2	3	4	5	6	7
City Hall Closed - New Year's Day 9:30am CC- VIPS/Volunteers in Police Service/Marvin Parker	8:30am CC-Investigator/Patrol Information Sharing 3:30pm KURY Radio 7:00pm CC City Council mtg	12:00pm CC Comnity Agencies 1:30pm CC Land 2:30pm FH-SafetyComMtg/ 7:00pm CC City Council Mtg 7:00pm PoliceReserves held	8:15am CC-CmtyDevDpt Staff mtg/EWait 9:00am CC-Crm Stoppers 10:00am CC- Site Plan Com 7:00pm CC City Council Mtg		8
9	10	11	12	13	14
7:00pm FH-FireTng/ChShrp (Fire Hall) 6:30pm CC-Council Mtg	3:30pm KURY Radio Community Focus 4:00pm FH Health Fair mtg 7:00pm CC-Planning Commssn	10:00am FH-Brookings Rural Fire District-Phil Co 1:30pm CC Land Development Code 6:00pm CC Goal Setting Dept	Blood Drive 8:15am CC-CmtyDevDpt Staff 10:00am CC- Site Plan Com 1:00pm CC City Plan 3:00pm CC Urban Renewal		15
16	17	18	19	20	21
8:00am CITY OFFICES CLOSED - Martin 9:30am CC-VIPS/Volunteers 6:00pm CC-American Red 7:00pm FH-FireTng/ChShrp	8:30am CC-Investigator/Patrol Information Sharing 1:30pm CC Health Fair mtg 3:30pm KURY Radio Community Focus	1:30pm CC Land Development Code committee 6:00pm CC Goal Setting w/ dept heads review	8:15am CC-CmtyDevDpt Staff mtg/EWait 10:00am CC- Site Plan Com 1:00pm CC-Municipal Court 2:00pm CC-CEP (Citizens for	1:30pm CC Meeting of summer field participates	22
23	24	25	26	27	28
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg	3:30pm KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	1:30pm CC Land Development Code committee 6:00pm CC Goal Setting	8:15am CC-CmtyDevDpt Staff mtg/EWait 10:00am CC- Site Plan Com Mtg/LauraLee Gray 7:00pm CC-P & R Jt Mtg.	4:00pm FH Helmet Instruction w/Marvin 2259	29
30	31				
7:00pm CC City Council mtg ANX-3-05 7:00pm FH-FireTng/ChShrp (Fire Hall)	3:30pm KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)				

Event Calendar

February 2006

February 2006						
S	M	T	W	T	F	S
			1	2	3	4
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March 2006						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		February 1	2	3	4
		12:00pm CC Comnity Agencies mtg 1:30pm CC Land Development Code 2:30pm FH-SafetyComMtg/ Kathy Dunn 7:00pm FH-PoliceReserves	8:15am CC-CmtyDevDpt Staff mtg/EWait 9:00am CC-Crm Stoppers 10:00am CC- Site Plan Com Mtg/LauraLee Gray		5
6	7	8	9	10	11
9:30am CC- VIPS/Volunteers in Police Service/Marvin Parker 7:00pm FH-FireTng/ChShrp (Fire Hall)	8:30am CC-Investigator/Patrol Information Sharing Meeting-Barbara Palic 3:30pm KURY Radio Community Focus 7:00pm CC-Planning Commssn	1:30pm CC Land Development Code committee	8:15am FH-CmtyDevDpt Staff mtg/EWait 9:00am CC-Police Ron Plaster 10:00am CM- Site Plan Com Mtg/LauraLee Gray 3:00pm CC Urban Renewal Advisory Committee		12
13	14	15	16	17	18
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg	10:00am FH-Brookings Rural Fire District-Phil Cox-469-5729 3:30pm KURY Radio Community Focus Talk Show w/City Staff/Council (KURY	1:30pm CC Land Development Code committee	8:15am CC-CmtyDevDpt Staff mtg/EWait 10:00am CC- Site Plan Com Mtg/LauraLee Gray 1:00pm CC-Municipal Court	9:30am CC Saftey Committee Mtg Parker 2259	19
20	21	22	23	24	25
CITY OFFICES CLOSED-President 9:30am CC-VIPS/Volunteers in Police Service-BP 6:00pm CC-American Red Cross Mtg/Karen 7:00pm FH-FireTng/ChShrp (Fire Hall)	8:30am CC-Investigator/Patrol Information Sharing Meeting-Barbara Palic 3:30pm KURY Radio Community Focus 7:00pm CC Planning Commission meeting	1:30pm CC Land Development Code committee	8:15am CC-CmtyDevDpt Staff mtg/EWait 10:00am CC- Site Plan Com Mtg/LauraLee Gray 7:00pm CC-Parks & Rec Comm/City Manager		26
27	28				
7:00pm FH-FireTng/ChShrp (Fire Hall) 7:00pm CC-Council Mtg	3:30pm KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)				

CITY OF BROOKINGS

City Council Agenda Report



Date: December 6, 2005

To: Mayor & City Council

From: Paul Hughes, Finance Director

Subject: Municipal Fee Review

Recommendation: **Authorize staff to negotiate and sign a contract with the Financial Consulting Services (FCS) Group to perform a Municipal Fee Study and to authorize appropriations from General Fund Contingencies to pay for the Study**

Background /Discussion:

The City of Brookings received five proposals to review the municipal fees for the City of Brookings city services excluding utility services and system development charges. The respondents were the following:

The FCS Group	\$34,980
Merina & Company	\$25,390
RedOak Consulting	\$24,235
Donovan Enterprises	\$22,281
Maximus	\$21,500

Proposals were evaluated by the City Manager, Finance Director, Community Development Director and Public Works Director based on project cost, project understanding, approach, schedule, and experience. The FCS Group's experience with similar projects in Oregon, along with their project understanding and approach toward cost recovery development, placed them at the top of the list. Although their project cost was the highest, City staff believes the FCS proposal deserves award of the project. Staff will ensure the cost impact to the General Fund will be as minimal as possible. We won't know until the end of the year, after all budgeted revenues and expenditures materialize, the exact amount of Contingencies needed to fund this project.

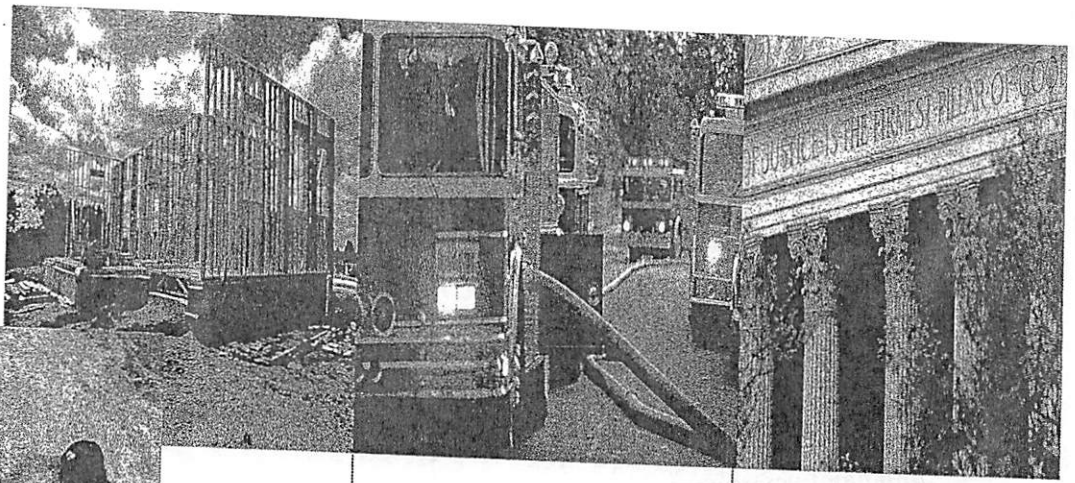
Financial Impact(s):

Up to a maximum transfer of \$34,980 from General Fund Contingencies to General Fund Contract Services

City Manager Review and Approval for placement on Council Agenda:

Dale Shaddox, City Manager

Brookings,
Oregon



Proposal to Perform a **Municipal Fee Study**

January 10, 2006



January 10, 2006

Finance Department
City of Brookings
898 Elk Drive
Brookings, OR 97415

RE: Municipal Fees Study

Dear Members of the Selection Committee:

FCS GROUP is pleased to submit this proposal to review the municipal fees for the City of Brookings city services (excluding basic water and wastewater service and SDCs). FCS GROUP has conducted over 1,300 engagements in the areas of fee-setting, cost allocation, cost of service, and other funding issues for public agencies throughout the Western United States. Our consulting practice is built on more than 17 years of cost of service analysis and fee establishment for all levels and structures of local government, for all types of public services they provide, and in each unique statutory and legal environment across the Western United States. Two of the key features that set our studies apart from those of other firms are:

- ◆ We work to ensure that our clients maximize all allowable fees afforded to them by respective state statutes. However, our work doesn't stop at optimizing the defensibility of municipal fees, we also facilitate the establishment of community-specific cost recovery objectives, which take into account the mix of public and private benefits provided by the services being studied and set fees consistent with those values.
- ◆ In developing fees and cost of service tools, we bridge the needs of both finance professionals and service providers. Our fee studies are often conducted with the collaboration of both city management/finance and the department service providers (Planning & Community Development, Parks, Police/Fire, etc). Maintaining this well-rounded group of internal stakeholders helps to ensure consistency with broader City management and resource goals, while still ensuring fee results that can be successfully implemented by staff on the front line, who must interact on a daily basis with the citizen and customers.


Our enclosed proposal elaborates on our strengths and outlines our approach in more detail, as well as provides the following key information requested in the RFP:

- ◆ A scope of work, which highlights the key elements of our study methodology, within the context of the scope of work provided by the City in the RFP.
- ◆ A description of our firm, which was established in 1988, and is dedicated to cost of service and fee and rate design for the public sector.

- ♦ A summary of our qualifications organized by similar services, and our ability to complete the work in a timely manner and present any necessary reports to elected officials.
- ♦ A description of the project team, which includes Principal Tracey Dunlap as the proposed Principal in Charge and Stephen Land as Study Manager, assisted by Jay Rogers and/or Kyle Nelson as staff analysts (the final selection will be based on availability. This project team was selected from our staff of 22 professionals representing a variety of financial, economic, public administration, and engineering disciplines. Our staff is well known for their clarity of presentation of highly technical data to non-technical audiences, as well as their technical expertise.
- ♦ A project schedule and a project budget.
- ♦ References, which we believe will attest to the quality of our services and attention to the needs of each and every client.

We have substantial experience providing consulting services in Oregon, including the Cities of Portland, Forest Grove, Canby, Grants Pass, Talent, and Central Point and Clackamas, Washington, Columbia and Clatsop Counties. We hope to have the opportunity to be of service to the City of Brookings in setting defensible fees. Please do not hesitate to contact me with any questions or to discuss our approach further.

Sincerely,


Tracey P. Dunlap, P.E.
Principal

T: (425) 867-1802, ext. 224 ♦ traceyd@fcsgroup.com

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Cover Letter

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1. TECHNICAL APPROACH

PROJECT UNDERSTANDING

The City of Brookings is seeking a consulting firm to review its municipal fees and make recommendations for revising, retaining or updating existing municipal fees and to research and implement appropriate municipal fees for: Administration; Municipal Court; Planning and Community Development; Building; Police/Fire; Public Works; Engineering; Parks including swimming pool fees; and any other applicable municipal fees.

FCS GROUP is prepared to provide all services associated with review of and recommendations for municipal fees and the development of a rational, defensible municipal fee structure. This project will be conducted under a purchase order establishing the work required based on the costs submitted in section 3 of this proposal and finalized during contract negotiations.

As a result of this study, the City of Brookings will receive a written report describing the analytical process used, factors included/excluded, and determinations made from the data analysis, a related presentations of results, and fee rate schedules to include inflation factors.

GENERAL APPROACH

FCS GROUP's fee setting methodology is designed to fully meet the City's objectives for this study, using an approach our Project Team has successfully employed in comparable studies.

I. Data Collection and Development

Task 1: Review all existing municipal fees currently assessed by the City.

Task 2: Review City documents associated with services provided by the City for which fees are charged.

Task 3: Meet with the City of Brookings staff to collect data and review services provided by the City for which fees are or should be charged and/or costs reimbursed.

Data collection is the most important part of any financial study. It establishes the foundation for clearly structured and accurate results. To ensure the sustainability of the study's findings, it is our practice to work with each city to develop a methodology for calculating fees using the least burdensome manner of data collection, without compromising the defensibility of the results.

Our Project Team will facilitate one onsite project kick-off meeting with City staff. The purpose of this meeting is to coordinate project administrative details, such as communication protocols, schedule, and accessibility; review the Project Team's work plan and needs from City staff; discuss available data; and strategize onsite data gathering activities. A written data request will be delivered to the City in advance of this meeting.

This meeting will also be an opportune time for City staff to communicate to the Project Team their goals for the studies, as well as needs and constraints. The result of this meeting will be a more focused work plan for the Project Team to complete each study and will ensure that outcomes are reflective of the City's needs and circumstances. Throughout the project, we will also coordinate review sessions with City staff to discuss interim findings and establish the

driving policy framework, with respect to those objectives.

FCS GROUP has found that staff time information proves to be the best barometer for defensibly establishing fees and is the most critical set of data developed during a study. It helps us determine where effort is being spent across all of the various services – both fee and non-fee activities – of the department. The Project Team will work with as much pre-recorded labor data as possible, but to the extent data sets need to be created, we will meet with key staff members providing services to generate self-reported time estimates. We will appropriately plan and prepare for these meetings to minimize the amount of line-staff time consumed.

Through our years of experience, we have developed an effective method for collecting and validating self-report time estimates. We follow a deductive method of capturing a snapshot in time: how much time are individual staff members spending in a given year across all the activities of the department? The needed estimates will be collected using a structured data collection form. We will guide City staff through completion of the form, which will identify direct time estimates for fee-generating activities and for the related indirect activities of the department, such as public information and assistance.

Because we have conducted this interview process many times, we know how to spot inconsistent or anomalous time reporting, and we are able to use departmental statistics to validate the reasonableness of time estimates. Furthermore, our summarization of time estimates gathered through this process can be reviewed with management to ensure that it is consistent with the practices and organization of the department.

Because of the City's size and location, we propose that this data collection and validation process will occur over an intensive 2-3 day period, beginning with the kick-off meeting, and the project schedule assumes that this will take place within two weeks of receiving authorization to proceed.

II. Municipal Fee Analysis

Task 4: Research municipal fees allowed by Oregon Statutes and identify all fees for services not currently assessed, but allowed by the Oregon Statutes. In addition, ensure all methodologies and charges are in accordance with related Oregon Statutes.

Task 5: Formulate recommended fees for all city services including Police and Fire.

Task 6: Prepare a comparison of recommended fees with other comparable cities in the region.

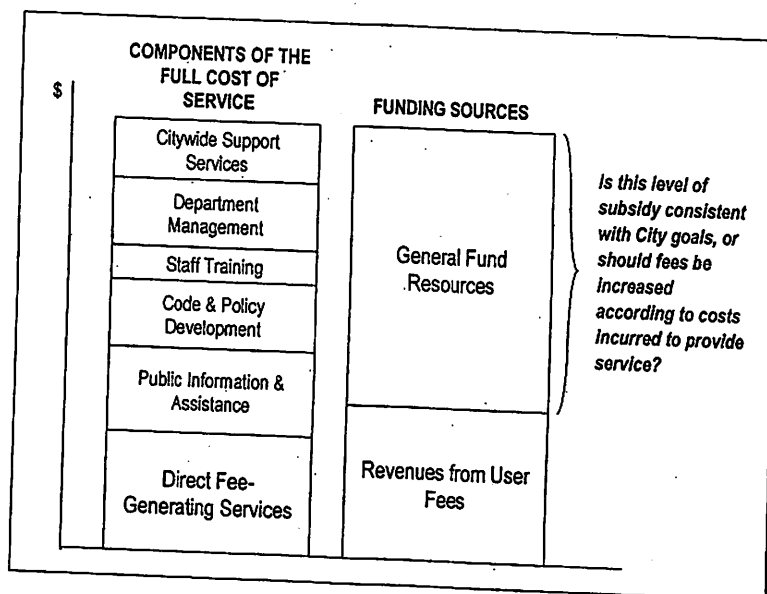
FCS GROUP will conduct a comprehensive municipal fee study for the eight-identified service areas¹ as well as for any allowable service areas identified during the review of Oregon Statutes, whether those fees are currently charged by the City or not. The outcome of this study will be a fee schedule, which is consistent with the costs incurred to provide service as well as the City's targeted cost recovery levels for each service category.

In our experience, we have found that fee studies can be an essential management tool, helping cities improve cost recovery and provide relief to constrained general resources, enhance the

¹ Administration; Municipal Court; Planning and Community Development; Building; Police/Fire; Public Works; Engineering; Parks including swimming pool fees.)

equity of cost burdens felt by constituents, and abide by relevant statutory requirements that fees be consistent with the costs incurred to provide service. In formulating cost recovery objectives for fee-generating activities, we will provide full-cost results, identifying the direct costs incurred to provide service to each customer, the indirect activity costs which relate to and support the direct services provided, and the overhead costs encompassing the business and management of government. Exhibit 1 (below) illustrates the type of information we will provide as the foundation for evaluating the full cost of providing services

Exhibit 1. The Full Cost of Service



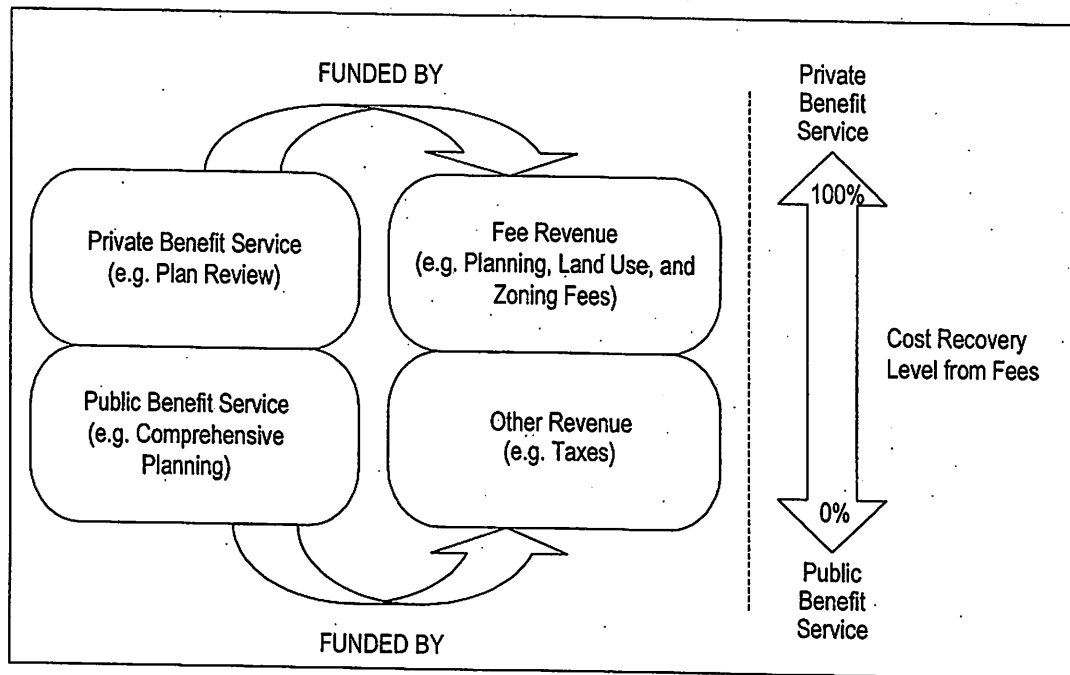
Our role is to assist the City in articulating these costs and facilitate a discussion of the benefits of each fee-generating service category. As illustrated in Exhibit 2 (on the following page), this discussion will aid a rational delineation of funding sources for fee-generating activities:

- ◆ Does the general public benefit in part for a service provided and thus, should general resources, such as taxes, pay for part of the full cost of service; or
- ◆ Does the private applicant solely benefit from the service provided, and thus, should bear more, if not all, of the costs incurred?

Once the level of costs to be recovered from fees is established, specific fees can be evaluated and updated fees can be calculated.

NOTE: The level of effort for each specific service area will recognize different magnitude of fee revenue generated and the relative share that fee-generating activities make up of each department's activities. Fees may be set based on estimated hours applied to fully loaded hourly rates or calculated based on a percentage adjustment to all fees to achieve desired cost recovery, depending on the service provided and information available.

Exhibit 2. Cost Recovery Policy Development



To accomplish this element, we will:

- ◆ Research applicable statutes and ensure the methodology and fees are consistent with those statutes.
- ◆ Develop spreadsheet analyses to calculate the full cost of service, evaluate cost recovery, and establish recommended fees.
- ◆ Meet with City staff to review and validate draft results.
- ◆ Collect comparable fee data from five comparable cities in the region.

III. Documentation and Presentation

Task 7: Develop a draft report of findings, methodologies, and recommended fee assessments. Present the draft report to City staff and City Council in a work session.

Task 8: Incorporate staff and City Council feedback on the draft report into a final report.

Task 9: Attend public hearings and provide expert testimony for consideration by the City in adoption of any changes to methodologies or fees suggested.

We will provide a fee schedule and a municipal draft fee study report that summarizes our approach, basis, findings, and recommendations. The report will be at an executive summary level, supported by the detailed fee calculations.

We will present the draft findings to the City Council and City staff in a work session and incorporate feedback received into the final report. The proposed study budget assumes presenting at one public hearing. If additional hearings are desired, they can be added to the

scope and budget at the price of \$1,800 per meeting. If expert testimony outside a public hearing format, or litigation support is desired, those services will be billed on a time and expense basis, with litigation support at litigation rates.

DELIVERABLES

The following list summarizes the onsite activities we will facilitate during the study, as well as the work products we will deliver:

- ◆ One project kick-off meeting with City staff, followed by two to three days of on-site data collection and validation.
- ◆ One interim review sessions with City staff to validate draft results.
- ◆ One presentation of draft results to City staff and the City Council in a work session.
- ◆ One public hearing (with additional hearings, if desired, at a per meeting cost and other expert services provided on a time and materials basis).
- ◆ Five bound copies, one master reproducible copy, and one electronic copy in Microsoft Word and portable document formats of the final document and fee schedule.

2. RECENT EXPERIENCE AND REPUTATION

- ◆ *Established in 1988*
- ◆ *Dedicated to cost of service and fee and rate design for the public sector*
- ◆ *More than 1,300 engagements for nearly 300 clients in ten Western states and Canada*
- ◆ *Substantial experience in Oregon working for more than 50 cities, counties and districts including Grants Pass, Shady Cove, Talent, and Central Point*
- ◆ *Depth of staff (22) to ensure work is completed on time and within budget. Staff well known for their clarity of presentation of highly technical data to non-technical audiences*

CONSULTING FIRM BACKGROUND & KEY DATA

FCS GROUP is a provider of financial, economic, and management consulting services specializing in cost of service and fee design for the public sector. We have been customizing solutions for public agencies since 1988, serving cities and towns, counties, regional agencies, and special districts across the Western United States and Canada. Our staff of twenty-two includes 18 cross-trained and experienced consultants with backgrounds in economics, accounting, engineering, policy analysis, public administration, and project management. We have conducted over 1,300 engagements in the areas of fee and funding issues.

We have analyzed municipal rates, charges, and fees, indirect/overhead cost allocation, and the costs of service associated with nearly every component of local government for public agencies ranging in size from the City of Shady Cove, Oregon, (population 2,307) to King County, Washington (population 1.8 million). The service areas for which we have analyzed the costs of fee-generating activities include building inspection and plan review, planning/land use/zoning service, engineering, finance, public safety, emergency response, libraries, parks and recreation, streets and

transportation, fleet, utilities, communications, information systems, equipment management, and administrative services.

FCS GROUP's mission is to facilitate sound decision-making and management by public officials and stakeholders by applying a solutions-oriented analytical approach to public-sector financial and management issues and programs. Every member of our staff values our purpose and has dedicated their careers to the support and betterment of our communities: Working for local governments and public servants on "cost of service" issues is our sole practice.

MUNICIPAL FEE STUDY EXPERTISE

In the field of municipal fee development, FCS GROUP has provided leadership and innovation in the West. We pride ourselves in providing personalized, *high-value service to public entities of all sizes* as they grapple with resource management in the highly scrutinized and increasingly litigated discipline of municipal fee development.

Recognized as experts in cost recovery and cost of service techniques, FCS GROUP staff members have led educational seminars on these topics for state finance officer associations and industry gatherings of building officials and municipal planning officers. Some of the topics addressed before these audiences include:

- ♦ *Recapturing Costs Through User Fees*
- ♦ *Development Review Fee Fundamentals and Cost Based Approaches*
- ♦ *Indirect Allocation Overhead Recovery & User Fees*
- ♦ *Revenue Generating Regulatory Fees*

Our expertise has been built from the combination of in-depth analysis and policy-level support we are known for providing to our clients. We conduct municipal fee studies suited to the unique requirements of each of our clients, without pre-conceived solutions or pre-structured analyses and fee models. This approach enables us to achieve superior results because:

- ♦ Our studies are tailored to individual situations; we can deliver first-rate, written policy guidance on the unique financial issues affecting our clients.
- ♦ Our technical documentation of findings and recommendations is meaningful to our clients because it is built around the financial systems, practices, and terminology used by our individual clients.
- ♦ We routinely serve our clients by helping them to articulate and establish cost-recovery policy, to clarify complex funding issues and constraints, to identify the best financial management practices relevant to their needs, and to conduct stakeholder involvement processes.

PROJECT PROFILES

The table on the following page provides an overview of our municipal fee and cost of service experience and highlights our knowledge and experience in the broad range of municipal services that the City is seeking to evaluate. Following the table are individual project profiles for selected engagements.

SELECTED MUNICIPAL FEE & COST OF SERVICE EXPERIENCE	
Category	Clients
<i>Parks & Recreation</i>	OR: Canby, Columbia County, Forest Grove ♦ CA: Brisbane ♦ WA: Kirkland, Mercer Island, Redmond, Mountlake Terrace, Bellevue, Des Moines ♦ MT: Billings
<i>Swimming Pools</i>	OR: Forest Grove ♦ CA: Brisbane ♦ WA: Kirkland, Mercer Island, Redmond
<i>Roads, Transportation & County Surveyor</i>	OR: Milwaukie, Corvallis, Newberg, Clackamas, Bend, Columbia County, West Linn ♦ WA: Vancouver, Bellevue, Seattle, Pierce County
<i>Libraries</i>	OR: Forest Grove, Canby ♦ WA: Timberland Regional Library
<i>Police</i>	OR: Canby, Columbia County, Forest Grove ♦ CA: Brisbane ♦ WA: Bellevue
<i>Fire & EMS</i>	OR: Forest Grove ♦ WA: Kirkland, Redmond, Seattle, Bellevue, Lynnwood, Sammamish, Bellingham, Clarkston, Puyallup, Vancouver, Whatcom County ♦ CA: Brisbane, Long Beach, Sonoma
<i>Engineering, Planning, Community Development, Land Use & Building Services</i>	OR: Portland, Canby, Columbia County, Forest Grove ♦ CA: Brisbane, Perris ♦ WA: Kirkland, Mercer Island, Redmond, Seattle, Snohomish County, Thurston County, Bellevue, Olympia, Bellingham, Walla Walla, Bainbridge Island, Puyallup, Vancouver, Poulsbo, Mountlake Terrace
<i>Cemeteries</i>	WA: Redmond
<i>City Clerk</i>	OR: Canby, Columbia County, Forest Grove ♦ CA: Brisbane
<i>Accounting/Finance/Information Technology</i>	OR: Clackamas County, Canby, Columbia County, Forest Grove ♦ CA: Brisbane
<i>Fleet/ER&R</i>	OR: Washington County ♦ WA: Bellevue, Puyallup
<i>Facilities/ Communications</i>	OR: Portland ♦ WA: Bellevue
<i>Public Health & Social Services</i>	WA: Grays Harbor County, Washington State, Thurston County
<i>Solid Waste</i>	OR: Portland-Metro ♦ WA: Camas, Walla Walla, Clark County
<i>Oregon Utilities & Public Works</i>	Astoria, Canby, Columbia City, Cottage Grove, Columbia County, Dundee, Forest Grove, Grants Pass, Gresham, Hillsboro, Keizer, Lake Oswego, Milwaukie, Mosier, Prineville, Rainier, Scappoose, Seaside, Sherwood, St. Helens, Tigard, Warrenton, Woodburn, Clackamas County, Eugene Water & Electric Board
<i>Oregon SDCs</i>	Talent, Central Point, Grants Pass, Corvallis, Dundee, Forest Grove, Hillsboro, Mosier, Prineville, Bend, Redmond, Eugene Water & Electric Board, West Linn, Gresham, Lake Oswego, Milwaukie, Warrenton, Seaside, Sherwood, Silverton, Woodburn, Valley View Water District, West Slope Water District

Profiles of a small selection of numerous studies we have performed to cost of service and user fee strategies for public entities are provided below.

City of Forest Grove, Oregon | User Fee Study and Management Consulting – The City of Forest Grove engaged FCS GROUP to conduct a user fee study and provide management consulting services. The user fee study included developing a cost allocation plan, calculating the full cost of service, and generating user fees for services Citywide. The study addressed community development including planning and building fees, parks and

recreation, swimming pool, and administrative charges. Cost recovery objectives were established through a collaborative process with City staff, management, and the City Council. The management consulting effort focused on evaluating the key factors impacting staffing needs, developing workload measures to assist in identifying when additional resources are warranted and recommending a range of baseline staffing requirements for the City's library. As part of Forest Grove's construction of a new library, the City engaged FCS GROUP to review the staffing impacts that the new library might have on the City's budget. We reviewed the current staffing, staff responsibilities, and operating procedures and evaluated how the new library might impact the efficiency of the staffing and operations. In addition, we identified standards and benchmarks for comparable libraries in Oregon and elsewhere in the United States.

Columbia County, Oregon | Comprehensive User Fee Study (Including Indirect Cost Allocation)— FCS GROUP was engaged to develop a comprehensive system for establishing an indirect overhead charge applicable to County services and a consistent full cost of service and cost recovery analysis to develop a County fee program. The indirect overhead allocation was established to be consistent with OMB Circular A-87 for reimbursement under federal programs. The user fee study incorporated general review of the County's service, fees, and policies; creation of fee cost pools; development of cost recovery techniques based on technical analysis and examination of public versus private benefit objectives; and recommendations for fee revisions and implementation through the County's public process avenues. The study required coordination with multiple departments and personnel involved, management of an extensive group of fees and services, development of thorough documentation to provide justification for fee revisions and overhead allocations, and involvement of the County's Board of Commissioners and other key management staff.

City of Canby, Oregon | Cost of Services/User Fee Analysis – FCS GROUP was retained by the City of Canby to conduct a cost of service and user fee analysis. The study included developing an indirect cost allocation plan, calculating the cost of services, identifying fee related services and services where fees might be charged, determining current cost recovery levels, and identifying new and revised fees for consideration by the City Council. Because of the City's tight financial situation, FCS GROUP worked collaboratively with City management and the City Council to develop cost recovery policies and fee priorities that would meet the community's needs. The City Council adopted increased fees because of the cost of service analysis.

City of Portland, Oregon | Overhead Model Review and Planning Fee Studies – FCS GROUP conducted a technical review of the City of Portland's General Fund overhead cost recovery practices, including its General Fund Overhead Model, its Federal Indirect Cost Plan, and its practices related to interagency agreements. The City had not substantively reviewed its practices in the 15 years prior to this project. The primary objectives of this evaluation were to identify recommendations for improvements to the overhead models that reflect best practices used by comparable cities; enhance equity and stability experienced by City operating bureaus which pay overhead charges and City service bureaus which depend on the revenue from these charges; and allow flexibility in adapting to evolving policies and procedures directed by the City Council and the bureaus. Based on this study, the City began a strategy for implementing the specific recommendations.

In earlier studies (1994/1999), FCS GROUP analyzed the user fees charged by the Planning Bureau, including establishing a full cost methodology and working with community stakeholders to set cost recovery objectives. The results of both studies were implemented by the City.

Clatsop County, Oregon | Long-Term Financial Plan and Fee Setting Methodologies
– Clatsop County engaged FCS Group to develop a long-term financial plan to guide the County's financial practices and future financial health. In developing the plan, the County wanted to analyze the use and level of reserve funding, especially for its Special Projects Fund and General Fund Resource Stabilization Account, review its indirect cost allocation plan and fee setting methodologies, compare its policies and practices with other comparable jurisdictions, and review its budget policies. FCS Group established a process that involved the County's elected officials, department directors, and financial staff, analyzed the County's various funds and financial policies, and surveyed other county jurisdictions. Based on the analyses and conclusions, FCS Group developed a long-term financial plan in conjunction with the County staff that incorporated recommendations and policy choices.

City of Vancouver, Washington | Development Review Services Cost of Service Study
– The City of Vancouver engaged FCS GROUP to conduct a development review service cost of service review. The major objectives of the study were as follows: 1) Review and identify potential issues related to the time-tracking and revenue data and processes. 2) Review the cost of service analysis methodology and assumptions proposed by City staff and recommend adjustments as needed. Assist in reviewing data and provide quality control related to the model development efforts of City staff. 3) Determine, with staff, a methodology to revise the fee rates, including a process to determine the targeted cost recovery from fees. 4) Develop an analysis that compares the recommended fees to those from other cities in Washington and Oregon jurisdictions with similar development characteristics. 5) Conduct a series of meetings with the City Council and external stakeholders to review the methodology and the proposal as they are developed. 6) Assist in the development of the final report and presentation of proposed amendments at public hearings.

While undertaking a cost of service study for setting development-related fees outside of the Development Review Services Department (DRS), the City of Vancouver engaged FCS GROUP to examine the following services and fee schedules: Fire, Construction, Engineering (including water, sewer, and drainage), and Transportation. The study followed a methodology and public process comparable to the process FCS GROUP completed for DRS in 2001. As part of that effort, we evaluated the City's internal cost allocation among departments and recommended modifications to better reflect service demands.

City of Kirkland, Washington | Cost Allocation and User Fee Studies – FCS GROUP reviewed the City of Kirkland's practices related to internal charges for selected services to assist staff in revising and/or developing policies and procedures for annual assessments and in updating charges. We assisted in development of policies and procedures for calculation and application of citywide indirect rates that can be applied to both internal and external charges for service. We developed a spreadsheet-based cost allocation model that is currently in use by City staff and continue to provide on-call support, as requested.

In a subsequent assignment, FCS GROUP developed cost-based fees and cost recovery programs for Public Works (Engineering), Planning and Community Development, and the Building Division of Fire and Building. Full costs for development services charges were calculated, incorporating the internal service charges developed in the cost allocation study. The results were reviewed with City staff, an Advisory committee made up of community and developer representatives, and the City Council. Cost recovery targets were set based on the policy discussion of the public and private benefit of activities, and fee recommendations were implemented to meet target cost recovery.

Currently, FCS Group is completing a fee study (including swimming pool fees) for the City's Parks & Community Services (PCS) Department, which updates the methodology originally developed in 1999 to reflect the department's current structure and service mix. The recommendations will be applied within the context of the PCS pricing policy to generate revised fees.

City of Brisbane, California | User Fee Study and Indirect Cost Analysis – FCS GROUP performed a comprehensive user fee study for the City of Brisbane in the following areas: Planning, City Clerk, Finance, Recreation, Swimming Pools, Police, Fire, Public Works, Building, and Marina. A Citywide indirect cost analysis was created and the full cost of fee-generating services was calculated. FCS GROUP presented its findings, and the City Council was led through a discussion of cost recovery policy to arrive at the recommended fees. The models were delivered for the City's on-going use.

City of Redmond, Washington | Cost Allocation Plan and Development Services User Fee Update – FCS GROUP updated the City of Redmond's cost allocation plan, originally developed by FCS GROUP in 1990, revised in 1996, and reviewed in 2002. The 2003 update incorporated a new cost basis for the internal charges (i.e., biennial budget) and current workload measures to be used as cost allocation factors. The update also accounted for changes to the City's organizational structure, operation practices and cost recovery policies, including adding support functions to be included in the internal charges and revising the treatment of facility "lease" costs to reflect utility ownership of those facilities.

In addition, the City engaged FCS GROUP to update user fees for Planning & Community Development, Public Works, and Fire Departments using the cost of service methodology that FCS GROUP developed in prior work for the City in 1990-91 and 1996-97. This update also expanded upon the methodology to revise plan review and permit fees charged by the Building Division of Planning and Community Development. FCS GROUP developed a cost-based building permit fee schedule that reflects the disparate levels of service required by different applicants and project types, improves cost recovery, aligns with the management structure of the regulatory process, and dovetails with the other cost-based planning and development fees charged by the City. Results and recommendations were presented to stakeholders and the City Council.

City of Mercer Island, Washington | Development Review User Fee, Cost Allocation, and Parks and Recreation Studies – A comprehensive user fee study for the development review functions at the City of Mercer Island was conducted by FCS GROUP in two phases: Phase I focused on the set of fees determined by City staff that generated the majority of development review annual user fee revenue and workload. This phase also included the

calculation of a Citywide overhead rate for use in constructing the full cost of service for development review functions. Phase II incorporated the methodology employed in Phase I as well as the overhead rate to finish the complete user fee study. It provided an evaluation of the remaining development review fees as well as public services performed by City staff not already charging a fee. In a separate effort, FCS GROUP performed a study of the cost of service and fees, including swimming pool fees, for the City of Mercer Island's Parks and Recreation Department.

City of Bellevue, Washington | Cost of Service and User Fee Consulting Services –

From 1990 to the present, FCS GROUP has provided comprehensive cost of service, cost allocation, and user fee analysis to the City of Bellevue across a diverse scope of municipal services, including the Departments of Planning and Community Development, Fire, Transportation, Parks, Utilities, Police, Fleet, Facilities, and Finance. Due to the City's extraordinary history of development cycles during FCS GROUP's tenure of service, consulting efforts have focused on ensuring that the City is adequately and accurately recovering costs incurred to provide development review services in all of its involved departments. In addition to cost analysis and fee design, FCS GROUP has facilitated the implementation of comprehensive cost recovery policies which reflect the nature and benefit of services provided in these areas, brokered outreach and buy-in from the development community, and established financial and reserve management policies for the City's most active development review functions to sustain services during changes in business cycles.

In addition to our extensive background in municipal fee studies, we also provide services in the following areas: utility rates; capital facilities charges and connection fees; regional governance; asset valuation; performance audits and measurement; and assumptions, mergers, consolidations, and utility formations. Many of the underlying principles of our user fee approach stem from our diverse experience in these other fields. Not only do we understand the general government objective, but also, we have direct experience with the application and impact of the results in service areas, such as water, wastewater, storm water/drainage, and solid waste utilities. This gives us an effective means to balance the different perspectives within local government management.

PROJECT TEAM

FCS GROUP has assembled a group of our professionals to serve as the Project Team, based on their individual strengths in addressing each aspect of the City's study and their previous experience working successfully together. There are three key roles filled on our Team:

- ◆ **Principal in Charge – Tracey Dunlap** will be actively involved in the study and conversant in our progress, findings, and recommendations. In her role as Principal in Charge, Ms. Dunlap will execute the professional services agreement with the City and fully obligate the members of our Project Team to complete the City's scope of work on time and within budget. She will apply her senior-level expertise in cost of service and fee analysis to not only advise other Team members in the direction of their work efforts, but also conduct our Quality Assurance and Quality Control procedures.
- ◆ **Study Manager – Stephen Land** will be the City's primary point of contact throughout the course of the study. He will be responsible for the ongoing execution and completion of our work plan, matching the Project Team's work and deliverables with the City's needs and goals.

- ◆ **Technical Analyst** – Jay Rogers or Kyle Nelson will assist with data collection and interview tasks and have overall responsibility for creating the spreadsheet analysis. The final assignment will be made based on availability.

In this section, we have included summary resumes for our Project Team members, including their background and professional qualifications.

Tracey P. Dunlap, P.E., Principal in Charge

Tracey P. Dunlap, P.E. is a Principal and Partner with FCS GROUP, and she serves as the firm's Director of General Government & Management Consulting Operations. She has a B.S. in Industrial and Management Engineering from Rensselaer Polytechnic Institute, and she is a Registered Professional Engineer. Tracey has 22 years of professional experience, including over 14 years with FCS GROUP.

Ms. Dunlap has performed dozens of cost of service studies, user fee studies, and indirect cost allocation plans for numerous clients across three states including recent, related projects for the agencies listed below. She has also recently provided expert witness services in successful defenses of development-related costs/fees for the City of Bainbridge Island and King County, WA. Project profiles can be found starting on page 11 for agencies identified by an asterisk.

City of Brisbane*	City of Forest Grove*	City of Portland*
City of Bainbridge Island	City of Fresno	City of Redmond*
City of Bellevue*	City of Kirkland*	City of San Jose
City of Bellingham	King County	Snohomish County
City of Canby*	City of Mercer Island*	City of Vancouver*
Columbia County*	City of Mountlake Terrace	City of Walla Walla

Ms. Dunlap has reviewed costs and cost recovery issues for building and land use, fleet, public works, water, sewer, and storm water utilities and programs, communications, parks, transportation, and cemeteries. She has also performed funding, rate, and organizational studies involving public works, utilities, and fleet and equipment replacement. Ms. Dunlap's consulting experience also includes system development charge analyses, utility rate studies, cost of service analyses, general government, management reviews and audits, cost containment, and organizational consolidation studies.

Prior to joining FCS GROUP, Ms. Dunlap practiced industrial engineering and financial and management consulting with a major financial institution for three years and a large industrial corporation for five years. She is a frequent speaker on cost of service and fee issues for organizations that include the *Oregon and Washington Municipal Finance Officers Associations*, the *Washington Association of Building Officials*, and the *American Public Works Association*.

Stephen Land, Study Manager

With over 36 years of economic/financial experience, Stephen Land recently joined FCS GROUP as a project manager. Using his expertise in the areas of finance, budgeting, economic analysis and operational review, he supports FCS GROUP's management consulting practice helping to meet the growing needs of municipal clients.

Stephen has worked in the public sector for over 15 years, most recently as the Budget Process Manager for Seattle's Department of Planning and Design and for 12 years as a Utilities Economist for Tacoma Public Utilities. He also worked as a Senior Management Consultant for Touche Ross & Co. (now Deloitte) located in Washington and Oregon. Stephen has an M.B.A. in business economics from the University of Washington, an M.S. from the University of Rochester, NY, and B.S. degrees in both industrial engineering and mechanical engineering from the University of Washington. He is very active in both education and the public sector and has conducted budget process and utility rate adjustment workshops, and public process roundtables in Seattle and Tacoma.

For this study, Brookings will receive the benefit of Stephen's total experience in municipal financial matters and operations. Recent projects include:

- ◆ Bonney Lake Finance Dept. Performance and Management Review
- ◆ City of Tukwila Revenue Impact Study
- ◆ Washington State Department of Health CHS Financial Analysis & Modeling
- ◆ City of Seattle Green Sheet Information Systems Update

Jay Rogers, Technical Analyst

Jay Rogers is a senior analyst with FCS GROUP specializing in researching and evaluating government appropriations and procurements. He is experienced in U.S. budget analysis, historical consumer and producer price index studies, current and constant dollar analysis, data projections and extrapolations, and compiling and consolidating large data sets into publishable tables and reports. Prior to joining FCS GROUP, Jay worked as an Economist for the Bureau of Economic Analysis. He gathered, synthesized, and presented price and quantity data from a variety of government agencies. His experience involves developing spreadsheet models to synthesize large quantities of information into an understandable form. Jay received a B.A. in Economics and a B.B.A. in General Business from Pacific Lutheran University.

Kyle Nelson, Technical Analyst

Kyle Nelson is a financial analyst who specializes in management consulting. Kyle earned his degree in Economics from the University of Washington, with his concentration in econometric analysis and econometric methods. Kyle also belongs to the Omicron Delta Epsilon International Honor Society for Economics. With several years of spreadsheet experience and a background in programming, he is able to create user-friendly front-end spreadsheet models.

3. PROJECT BUDGET

Exhibit 3 below restates our work plan and shows the level of effort estimated for the members of our Project Team.

Brookings Municipal Fees Review

PROPOSED BUDGET

Task	Consultant Hours				Estimated Budget	
	Principal Dunlap	Project Manager Land	FCSG Consultants TBD	Admin. Support	Total Hours	Labor Budget
Effective Hourly Billing Rates:	\$170	\$140	\$105	\$50		
I - Data Collection & Development						
Task 1 - Review Existing Fees	1	1	0	0	2	\$310
Task 2 - Review Service-Related Documents	0	2	2	0	4	\$490
Task 3 - Meet to Collect Data	8	24	24	0	56	\$7,240
II - Municipal Fee Analysis						
Task 4 - Research Statutes		included in other tasks			0	n/a
Task 5 - Formulate Fees	8	40	60	0	108	\$13,260
Task 6 - Collect Comparable Fees	0	2	10	0	12	\$1,330
III - Documentation and Presentation						
Task 7 - Develop Draft Report/Finalize	4	36	12	2	54	\$7,080
Task 8 - Present to Staff/Council	8	8	2	1	19	\$2,740
Task 9 - Public Hearing *	8	8	0	1	17	\$2,530
Total Estimated Labor Budget	37	121	110	4	272	\$34,980

FCS Group will not charge direct expenses for the meetings identified in the scope of work.

TOTAL STUDY BUDGET **\$34,980**

*Note that one public hearing is assumed. Additional Public Hearings can be added at \$1,800 per meeting. Additional expert testimony would be provided on a time and expense basis, with litigation support charged at litigation rates.

4. PROJECT SCHEDULE

We have prepared our work plan to complete this study in 10-12 weeks after the finalization of contract negotiations. This schedule assumes that City staff will be available to meet for an intensive data collection effort (2-3 days) within the first two weeks of the study. The timing of Council meetings and Public Hearings is approximate subject to agenda/scheduling constraints.

Task	January	February	March	April
Municipal Fees Study				
Authorization to Proceed		◆		
I - Data Collection and Development		*		
II - Municipal Fee Analysis				
III - Documentation and Presentation			*	* *

* Project-Specific Meetings

◆ Major Milestone

5. REFERENCES

We believe our references are the strongest testament of our high service quality, consistency, and long-term sustainability of our work products. We encourage the City to contact these professionals to discuss their experiences. FCS GROUP has provided cost of service, cost allocation, and municipal/user fee work for the following public-sector professionals:

FOREST GROVE, OREGON

Mr. Paul Downey, Finance Director, (503) 992-3200 | User Fee Study and Management Consulting

CITY OF KIRKLAND, WASHINGTON

Ms. Marilynne Beard, Finance Director, (425) 828-1112 | Indirect Cost Allocation and User Fee Studies

CITY OF VANCOUVER, WASHINGTON

Mr. Pat McDonnell, City Manager, (360) 696-8121 | Development Review Services Cost of Service Study and Other Consulting Efforts

CITY OF BROOKINGS

City Council Agenda Report



Date: January 17, 2006

To: Mayor & City Council

From: Paul Hughes, Finance Director

Subject: Resolution No. 06-R-748 – A Resolution establishing methodologies for system development charges for the water system, wastewater system, storm drainage system, transportation system and parks system; and repealing Resolution 03-R-716.

Recommendation: **Adopt Resolution No. 06-R-748**

Background /Discussion:

On October 7, 2005 you held a Council work session to discuss the September 2005 System Development Charge (SDC) Report, prepared by the Dyer Partnership and City staff. Michael Dees of the Dyer Partnership presented the report, and along with city staff, answered all of your questions. At the October 24th Council Meeting you accepted the report and authorized staff to notify interested persons of the City's intent to modify the current system development charge methodology and fees.

January 22, 2006 marks the end of the required 90 day waiting period prior to holding a Public Hearing and adopting a Resolution or Ordinance establishing new SDC methodology and rates. The report has been available for public viewing in the finance department of City Hall and the Chetco Community Library since November 7 2005, well beyond the required 60 day term.

Resolution 06-R-748, pursuant to Ordinance 91-O-477, establishes new SDC methodologies and rates and repeals the current SDC Resolution 03-R-716. The Resolution presented is based on the report now referred to as the "SDC Report – 2006", and will be effective March 1, 2006. All completed applications received prior to March 1, 2006 will be subject to the current rates.

<u>Financial Impact(s):</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
Water	\$ 776.00	\$ 3,606.00
Waste Water	\$ 6,700.00	\$ 10,085.00
Storm Drainage	\$ 88.00	\$ 765.00
Transportation	\$ 258.00	\$ 1,141.00
Parks	\$ 57.00	\$ 1,275.00
Total	\$ 7,879.00	\$ 16,872.00

City Manager Review and Approval for placement on Council Agenda:


Dale Shaddox, City Manager

RESOLUTION NO. 06-R-748

A RESOLUTION ESTABLISHING METHODOLOGIES FOR SYSTEM DEVELOPMENT CHARGES FOR THE WATER SYSTEM, WASTEWATER SYSTEM, STORM DRAINAGE SYSTEM, TRANSPORTATION SYSTEM AND PARKS SYSTEM; AND REPEALING RESOLUTION 03-R-716

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BROOKINGS, pursuant to Ordinance No. 91-0-477.

Section 1. GENERAL BACKGROUND

The City of Brookings, Oregon had year 2004 estimated Equivalent Dwelling Units (EDUs) service area demands as follows:

Water System	4,180
Wastewater System	3,693
Storm Drainage System	5,975
Transportation System	15,619
Parks System	2,599

The study period for System Development Charges (SDC) calculations has been selected as ten years (2004-2014). The year 2014 EDU count is projected to be as follows:

Water System	5,548
Wastewater System	4,820
Storm Drainage System	7,175
Transportation System	20,991
Parks System	3,493

Therefore, during the period between 2004 and 2014, there are estimated to be the following additional system EDUs:

Water System	1,368
Wastewater System	1,127
Storm Drainage System	1,200
Transportation System	5,372
Parks System	894

Because of the City's long standing investment in the water, wastewater, storm drainage, transportation and parks systems, which provide various amounts of reserve capacity for future development, it is reasonable for the City to recuperate those reserve capacity costs as the capacity is utilized and to take these costs into account when calculating the reimbursement fee portion of the system development charge to be imposed upon new development.

In addition, it is reasonable that the portion of costs for water, wastewater, storm drainage, transportation and parks system capital improvements which will be necessary to provide service for new development should be taken into account by the City when

calculating the improvement fee portion of the system development charge to be imposed upon new development.

Section 2. DESIGNATION OF CAPITAL IMPROVEMENT PLAN

The capital improvement plan used in determining the improvement fee portion of the system development charges is comprised of the following documents. When there is conflicting information in the documents, unless the council directs otherwise, the document with the most recent date shall be used.

CITY OF BROOKINGS SYSTEM DEVELOPMENT CHARGES report of January 2006, by Dyer Partnership, hereafter referred to as the "SDC Report - 2006".

CAPITAL IMPROVEMENT PROJECTS listed in the approved and projected budgets for the current fiscal year and following years.

Section 3. DETERMINATION OF SYSTEM DEVELOPMENT CHARGE

The total system development charge for a proposed development shall be determined by totaling the charge for each capital improvement system for which the council has determined a methodology and rate and adding an administrative fee of 2% and then deducting any credit.

If the system development charge is not paid at the time of issuance of the permit it may be paid in equal semi-annual installments of principle and interest over a period of not to exceed 10 years. The interest on the unpaid principle balance shall be 10% per annum. Such installment payments shall be secured by a lien against the property upon which the development occurred or by some other collateral acceptable to the City.

Section 4. WATER SYSTEM CHARGE

4.1 Reimbursement Fee Calculation

- 4.1.1 The reimbursement fee portion of the City's water system is based on the following estimated depreciated values as determined from the City's records of municipal assets and the "SDC Report - 2006":

Distribution system	\$ 6,543,489
Plant & Pump Stations	\$ 428,400
Storage	\$ 0
Land	\$ 218,091
Total	\$ 7,189,979

- 4.1.2 Remaining value after deduction of capacity already utilized by customers and portions paid by grant or gift or otherwise not eligible for reimbursement:

Distribution system	\$ 494,642
Plant & Pump Stations	\$ 71,932
Storage	\$ 0

Land	\$ 36,619
Total	\$ 603,193

- 4.1.5 The reimbursement portion of the water System Development Charge is calculated by dividing the eligible reimbursement value by the study period (10 years) number of projected new EDUs as follows:

$$\text{\$ } 603,193 / (1,368 \text{ EDUs}) = \text{\$ } 441/\text{EDU}$$

4.2 Improvement Fee Calculation

- 4.2.1 The improvement fee portion of the City's water system is based on the Capital Improvement Plan (CIP) as summarized in Table 2.4.2.1 of the "SDC Report – 2006".

- 4.2.2 The values of the improvements listed in the water CIP total \$13,989,259 of which \$4,331,190 is estimated to be required to provide additional capacity necessary to serve future customers.

- 4.2.3 The improvement portion of the water System Development Charge is calculated by dividing the eligible improvement value by the study period (10 years) by the number of projected new EDUs as follows:

$$\text{\$ } 4,331,190 / (1,368 \text{ EDUs}) = \text{\$ } 3,165/\text{EDU}$$

4.3 SDC Determination The City Manager shall determine the potential peak demand upon the water system for development in terms of Equivalent Dwelling Units (EDUs). A single EDU is defined as the demand placed on the water system by a ¾" water meter and is typical of a single family residential unit. The average water usage associated with 1 EDU is 326 gallons per day. Meters or meter capacity installed only for fire fighting capacity shall not assessed SDCs and an adjustment shall be made based on the meter size required were fire fighting capacity not provided.. The City Manager shall determine the water EDUs for nonresidential development in accordance with the following schedule which is incorporated in Sub-Table W1 in TABLE 7.2.2 - SYSTEM DEVELOPMENT CHARGE (SDC) CALCULATION SHEET FOR CITY OF BROOKINGS as contained in the "SDC Report – 2006":

Meter Size	EDUs per Meter	Cost per Meter
3/4"	1	\$3,606
1"	1.7	\$6,130
1 1/2"	3.3	\$11,900
2"	5.3	\$19,112
3"	10	\$36,061
4"	16.7	\$60,222
6"	To be computed by City Staff based on analysis of projected water usage	
8"		

4.4 Total water System Development Charge (SDC) per EDU: The total Water SDC per EDU shall be based upon the sum of the reimbursement (\$441) and improvement (\$3,165) portions per EDU which equals \$3,606 per EDU

Section 5. WASTEWATER SYSTEM CHARGE

5.1 Reimbursement Fee Calculation

5.1.1 The reimbursement fee portion of the City's wastewater system is based on the following estimated depreciated values and debts as determined from the City's records of municipal assets and the "SDC Report – 2006":

Collection system	\$ 12,332,178
Wastewater Treatment Plant	\$ 13,634,810
Pump Stations	\$ 465,156
Debt Service	\$ 14,240,006
Total	\$ 40,672,151

5.1.2 Remaining value after deduction of capacity already utilized by customers and portions paid by grant or gift or otherwise not eligible for reimbursement:

Collection system	\$ 2,364,703
Wastewater Treatment Plant	\$ 781,547
Pump Stations	\$ 21,248
Debt Service	\$ 4,788,116
Total	\$ 7,955,614

5.1.5 The reimbursement portion of the wastewater System Development Charge is calculated by dividing the eligible reimbursement value by the study period (10 years) number of projected new EDUs as follows:

$$\text{\$ 7,955,614} / (1127 \text{ EDUs}) = \text{\$7,060/EDU}$$

5.2 Improvement Fee Calculation

5.2.1 The improvement fee portion of the City's wastewater system is based on the Capital Improvement Plan (CIP) as summarized in Table 3.4.1.1 of the "SDC Report – 2006".

5.2.2 The values of the improvements listed in the wastewater CIP total \$3,510,896, of which \$3,408,717 is estimated to be required to provide additional capacity necessary to serve future customers.

5.2.3 The improvement portion of the Wastewater System Development Charge is calculated by dividing the eligible improvement value by the study period (10 years) by the number of projected new EDUs as follows:

$$\text{\$3,408,717} / (1,127 \text{ EDUs}) = \text{\$3,025/EDU}$$

5.3 SDC Assessment: The City Manager shall determine the daily demand upon the wastewater system for new development in terms of Equivalent Dwelling Units (EDUs). A single EDU is defined as the demand placed on the sanitary sewer system by a typical single family residential unit. The wastewater flow associated with 1 EDU is 256 gallons per day: The City Manager shall take into account:

5.3.1 The daily demand figures published by DEQ and other local government jurisdictions for the development or similar developments;

5.3.2 The SDC historically charged the same or similar development;

5.3.3 TABLE 7.2.2 - SYSTEM DEVELOPMENT CHARGE (SDC) CALCULATION SHEET FOR CITY OF BROOKINGS as contained in the "SDC Report – 2006".

5.4 Total Wastewater System Development Charge (SDC) per EDU: The total Wastewater SDC per EDU shall be based upon the sum of the reimbursement (\$ 7,060) and improvement (\$ 3,025) portions per EDU which equals \$ 10,085 per EDU.

Section 6. STORM DRAINAGE SYSTEM CHARGE

6.1 Reimbursement Fee Calculation

6.1.1 The reimbursement fee portion of the City's storm drainage system is based on the following estimated depreciated values and debts as determined from the City's records of municipal assets and the "SDC Report – 2006":

Storm Drain	\$ 996,514
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6.1.2 Remaining value after deduction of capacity already utilized by customers and portions paid by grant or gift or otherwise not eligible for reimbursement:

Storm Drain	\$ 558,048
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6.1.5 The reimbursement portion of the Storm Drainage System Development Charge is calculated by dividing the eligible reimbursement value by the study period (10 years) number of projected new EDUs as follows:

$$\text{\$ 558,048} / (1,200 \text{ EDUs}) = \text{\$465/EDU}$$

6.2 Improvement Fee Calculation

6.2.1 The improvement fee portion of the City's storm drainage system is based on the Capital Improvement Plan (CIP) as summarized in Table 4.4.1.1 of the "SDC Report – 2006".

6.2.2 The values of the improvements listed in the storm drainage CIP total \$1,442,752, of which \$360,541 is estimated to be required to provide additional capacity necessary to serve future customers.

6.2.3 The improvement portion of the Storm Drainage System Development Charge is calculated by dividing the eligible improvement value by the study period (10 years) by the number of projected new EDUs as follows:

$$\$360,541 / (1,200 \text{ EDUs}) = \$300/\text{EDU}$$

6.3 SDC Assessment The City Manager shall determine the potential peak demand upon the storm drainage system for development in terms of Equivalent Dwelling Units (EDUs). A single EDU is defined as the demand placed on the storm drainage system by an impervious area of 2,500 square feet and is typical of a single family residential unit. The City Manager shall determine the water EDUs for nonresidential development in accordance with the following schedule which is incorporated in Sub-Table D1 in TABLE 7.2.2 - SYSTEM DEVELOPMENT CHARGE (SDC) CALCULATION SHEET FOR CITY OF BROOKINGS as contained in the "SDC Report – 2006":

Assessment Item	Area SF	EDU
Single Family Dwelling	---	1.0
Commercial, Industrial, Institutional		
Impervious Areas, Roofs, Pavements, Sidewalks, Etc.	2500	1.0
Gravel Parking/Roadway/Storage	2500	0.6
Compacted Dirt Roadway/Parking/Storage	2500	0.4

6.4 Total Storm Drainage System Development Charge (SDC) per EDU: The total Storm Drainage SDC per EDU shall be based upon the sum of the reimbursement (\$ 465) and improvement (\$ 300) portions per EDU which equals \$ 765 per EDU.

Section 7. TRANSPORTATION SYSTEM CHARGE

7.1 Reimbursement Fee Calculation

7.1.1 The reimbursement fee portion of the City's transportation system is based on the following estimated depreciated values and debts as determined from the City's records of municipal assets and the "SDC Report – 2006":

Roads	\$ 3,230,594
Sidewalks	\$ 1,242,139
Total	\$ 4,472,733

- 7.1.2 Remaining value after deduction of capacity already utilized by customers and portions paid by grant or gift or otherwise not eligible for reimbursement:

Roads	\$ 872,260
Sidewalks	\$ 335,378
Total	\$ 1,207,638

- 7.1.5 The reimbursement portion of the Transportation System Development Charge is calculated by dividing the eligible reimbursement value by the study period (10 years) number of projected new EDUs as follows:

$$\text{\$ 1,207,638} / (5,372 \text{ EDUs}) = \text{\$225/EDU}$$

7.2 Improvement Fee Calculation

- 7.2.1 The improvement fee portion of the City's transportation system is based on the Capital Improvement Plan (CIP) as summarized in Table 5.4.1 of the "SDC Report – 2006".

- 7.2.2 The values of the improvements listed in the transportation CIP total \$11,101,375 of which \$4,918,509 is estimated to be required to provide additional capacity necessary to serve future customers.

- 7.2.3 The improvement portion of the Transportation System Development Charge is calculated by dividing the eligible improvement value by the study period (10 years) by the number of projected new EDUs as follows:

$$\text{\$4,918,509} / (5,372 \text{ EDUs}) = \text{\$916/EDU}$$

7.3 SDC Assessment: The City Manager shall determine the daily demand upon the transportation system for new development in terms of Equivalent Dwelling Units (EDUs). A single EDU is defined as the demand placed on the transportation system by a typical single family residential unit. The transportation demand unit associated with 1 EDU is 0.9 trip ends per peak hour: The City Manager shall take into account:

7.3.1 The peak hour trip end figures published in Volumes 1 through 3 of Trip Generation, 7th Edition by the Institute of Transportation Engineers and as published by other local government jurisdictions for the development or similar developments;

7.3.2 The SDC historically charged the same or similar development;

7.3.3 TABLE 7.2.2 - SYSTEM DEVELOPMENT CHARGE (SDC) CALCULATION SHEET FOR CITY OF BROOKINGS as contained in the "SDC Report – 2006".

7.4 Total Transportation System Development Charge (SDC) per EDU: The total transportation SDC per EDU shall be based upon the sum of the reimbursement (\$ 225) and improvement (\$ 916) portions per EDU which equals \$ 1,141 per EDU.

Section 8. PARKS SYSTEM CHARGE

8.1 Reimbursement Fee Calculation

8.1.1 The reimbursement fee portion of the City's parks system is based on the following estimated depreciated values and debts as determined from the City's records of municipal assets and the "SDC Report – 2006":

Parks Assets	\$ 706,019
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8.1.2 Remaining value after deduction of capacity already utilized by customers and portions paid by grant or gift or otherwise not eligible for reimbursement:

Parks Assets	\$ 169,444
--------------	------------

8.1.5 The reimbursement portion of the Parks System Development Charge is calculated by dividing the eligible reimbursement value by the study period (10 years) number of projected new EDUs as follows:

$$\text{\$ } 169,444 / (894 \text{ EDUs}) = \text{\$ } 190/\text{EDU}$$

8.2 Improvement Fee Calculation

8.2.1 The improvement fee portion of the City's parks system is based on the Capital Improvement Plan (CIP) as summarized in Table 6.4.1 of the "SDC Report – 2006".

8.2.2 The values of the improvements listed in the parks CIP total \$16,568,130, of which \$970,081 is estimated to be required to provide additional capacity necessary to serve future residents.

8.2.3 The improvement portion of the Parks System Development Charge is calculated by dividing the eligible improvement value by the study period (10 years) by the number of projected new EDUs as follows:

$$\$970,081 / (894 \text{ EDUs}) = \$1,085/\text{EDU}$$

8.3 SDC Assessment The City Manager shall determine the demand upon the parks system for residential development in terms of Equivalent Dwelling Units (EDUs). Nonresidential commercial development will not be assessed parks SDCs. A single EDU is defined as the demand placed on the parks system by a single family residential unit. The City Manager shall determine the park EDUs for residential development in accordance with TABLE 7.2.2 - SYSTEM DEVELOPMENT CHARGE (SDC) CALCULATION SHEET FOR CITY OF BROOKINGS as contained in the "SDC Report – 2006":

8.4 Total Park System Development Charge (SDC) per EDU: The total Parks SDC per EDU shall be based upon the sum of the reimbursement (\$190) and improvement (\$1,085) portions per EDU which equals \$1,275 per EDU.

Section 9. CREDITS

9.1 No credits shall be given to be applied to the system development charge imposed except:

9.1.1 As required by state law for a qualified public improvement.

Section 10. SDC COST ADJUSTEMENTS

10.1 The SDC per EDU rate shall be increased or decreased annually at, July 1, in accordance with the ratio of the Engineering News Record (ENR) Construction Cost Index for the month of May of that year with respect to the May ENR index of the previous year. The cost adjustment calculation shall be as follows:

Adjusted SDC/ EDU = [\$SDC per "SDC Report – 2006"/ EDU] x [Current Year May ENR Index/Prior Year May ENR Index]

10.2 In accordance with ORS 223.307 (2), the City Manager may update, at any time, the Capital Improvement Plan (CIP) and increase the SDC charge as based on the addition of projects after provision of 30 days notice to persons who have requested written notice under ORS 223.304 (6). A public hearing is not required to adopt the modification if a written notice requesting a hearing is not received within 7 days of the notice.

Section 11. REPEALER

The following resolutions are hereby repealed:

RESOLUTION 03-R-716 , Adopted July 14, 2003.

Section 12. EFFECTIVE DATE

The effective of this Resolution is March 1, 2006.

Passed by the City Council of the City of Brookings, County of Curry, State of Oregon,
this _____ day of _____, 2006.

ATTEST:

Mayor, Pat Sherman

City Recorder, Paul Hughes

CITY OF BROOKINGS

City Council Agenda Report



Date: January 18, 2006

To: Mayor & City Council

From: Don Wilcox, Public Works Director

Subject: Biosolids Processing System Design

Recommendation: **Authorize staff to move forward with the biosolids treatment alternative that produces class A biosolids and a new building to house the equipment with an associated preliminary estimated capital cost of \$3,800,000. This includes authorization for staff to negotiate a Consulting Services contract with Brown and Caldwell for Professional Services toward design of this alternative to bring to Council for approval.**

Background /Discussion:


Council previously authorized a Consulting Services contract with Brown and Caldwell for Professional Services toward preparation of a Biosolids Treatment Alternatives Evaluation and Preliminary Design Report which was completed and presented by staff and Brown and Caldwell to Council in a Workshop on December 12, 2005 and identified 15 alternatives and a wastewater user rate impact estimate. Council directed staff to complete a Final Report and come back to Council with a recommendation of which alternative to proceed toward a Detailed Design and Construction project.

Staff has evaluated the alternatives and recommends the Class A Processing alternative as the one with the least post-processing potential disposal costs, a new building since utilization of existing space would only be temporary and the FKC Screw Press as the equipment with the least Present Worth costs and preferred operation. The Final Report is including in tonight's packet and Staff and Brown and Caldwell are present to answer any questions

Financial Impact(s):

The current estimated total project cost will be approximately \$3,800,000 and annual costs including operations, staffing and debt service to the City will be approximately \$230,000. Staff presented this project to the State's "One Stop Financing" program and will bring the resulting financing offers and refined cost estimates to Council for approval in March 2006. In addition, staff will complete an application from Senator Smith's office for potential financing through special programs possibly available to us as Councilor Mickelson has brought to our attention.

City Manager Review and Approval for placement on Council Agenda:


Dale Shaddox, City Manager

**CITY OF BROOKINGS
SPECIAL COUNCIL MEETING MINUTES
City Hall Council Chamber
898 Elk Drive, Brookings, OR 97415
January 3, 2006 7:00 p.m.**

I. Call to Order

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

II. Pledge of Allegiance

Led by Mayor Sherman

III. Roll Call

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

Council Absent: Ex Officio Susan Stadelman

Staff Present:

City Manager Dale Shaddox,
City Attorney John Trew,
Community Development Director Ed Wait,
City Planner John Bischoff,
Deputy City Planner Dianne Snow,
and Administrative Assistant Donna Colby-Hanks

Media Present: Curry Coastal Pilot Reporter Brian Bullock

Other:

Approximately 65 other citizens

IV. Public Hearing

- A. *In the matter of file No. ANX-3-05, a request to annex 607 acres of land consisting of 14 tax lots in seven different ownerships located on the side and top of the area known as Harbor Hills, including 3.4± miles of Highway 101 right-of-way extending from the Brookings city limit line on the Chetco River Bridge, south to the southerly property line of the subject property abutting the highway; identified as Assessor's Maps 41-13-10, Tax lot 300; 41-13-14, Tax lots 200, 201, 203, 300, 307, 308, 310, 312; 40-13-15A, Tax lot 100; 40-13-15B, Tax lots 5200, 5300, and 40-13-15DA, Tax lots 100, and 101; HW3, applicant. Criteria used to decide this application can be found in Section 148-Annexation, of the Brookings Land Development Code. The Planning Commission made a recommendation of approval of this application on December 6, 2005.*

Mayor Sherman opened the public hearing at 7:10 pm, reviewed the application description and asked for ex parte contact and personal bias. Councilor Willms stated she

had attended two Planning Commission meetings when ANX-3-05 was heard, Mayor Sherman stated she had read articles in the newspaper, Councilor Mickelson attended Planning Commission meetings when ANX-3-05 was heard, Councilor Gordon had read newspaper articles, and Councilor Anderson had no ex parte contact. No personal bias was disclosed and there were no challenges from the audience.

Staff Reports:

City Planner John Bischoff described the property, its location and the process the property went through to be included in the expanded Urban Growth Area (UGA). The UGA process identified this property with environmental concerns and would require a stormdrain plan to deal with run off without impacting the Harbor Bench Farmland. The plan would be approved by the City and Curry County and peer reviewed by Oregon Water Resources. Bischoff explained the requirements of the Masterplan zone and the Detailed Development Plan.

Deputy City Planner Dianne Snow reviewed the history of the Urban Growth Boundary (UGB) and entered **Exhibit MMMMM**, IGA between Brookings, Curry County, and Harbor Water District dated 01-22-01, into the record. Snow discussed water and sewer services to the property and reviewed obsolete language in the Joint Management Agreement (JMA).

Public Works Director Donald Wilcox reviewed wastewater capacity and estimated flows at built out of the two large developments, Lone Ranch and HW3. Wilcox compared the average and the maximum daily water uses and entered **Exhibit NNNNN**, his spreadsheet on water and wastewater, into the record.

Community Development Director Ed Wait explained the Water Conservation Plan that was a product of Periodic Review and reviewed the history of the JMA. Wait entered **Exhibit RRRRR**, IGA between Brookings, Curry County, and Harbor Sanitary District (HSD) dated 01-22-01, into the record and read a Memorandum of Understanding between the City and HSD dated 07-13-04.

Bischoff discussed transportation issues, access points and impact mitigations to be determined with Traffic Impact Studies.

The meeting recessed at 8:25 pm and reconvened at 8:38 pm. Mayor Sherman questioned the application's compliance with the Comp Plan. The Council discussed with staff the need for geologic studies, McVay Lane jurisdiction, the JMA to be revisited with the County, and HSD pro rata share language being outdated.

Applicant:

Leroy Blodgett, P.O. Box 618, Brookings, Project Manager for HW3, explained the 5.1 water number and ODFW's involvement in Periodic Review.

Jan Sirchuk, P.O. Box 2711, Harbor, Project Manager for HW3, reviewed the application with a powerpoint presentation, **Exhibit PPPPP**.

Blodgett discussed the levels of taxes and the benefits of annexation for both the City and the applicant.

Steve Pfeiffer, 1120 NW Couch 10th floor, Portland, OR 97209 spoke regarding the reasonableness tests, Brookings Charter language, and warranty or bonding for infrastructure.

Shane Hughes, EGR & Associates, 2535 B Prairie Road, Eugene, OR 97402, discussed possibilities for receiving water from Harbor Water District or Brookings and mitigation measures if Brookings is the provider. Hughes explained past records indicate peak usage has been in June and the Chetco low water has been in August, September, and October. Also the effect of the Ranney Collector on the Chetco is unknown. Hughes stated ODOT has advised the Chetco River Bridge was designed for additional sewer lines.

Blodgett explained the pro rata agreement was reached when the sewer plant was nearing capacity prior to expansion. Sirchuk advised there were four access points with one additional possible. Following a discussion Sirchuk said he would research the jurisdiction of the access roads.

Ralph Christensen, EGR & Associates, 2535 B Prairie Road, Eugene, OR 97402, explained the process an application would need to follow and the peer review which would be done by Oregon Water Resources with all expenses to be borne by HW3. Christensen spoke about monitoring of water flows and erosion that would continue and special requirements due to the agricultural Harbor Bench.

Rick Thrall, PBS Engineering & Environmental, 1310 Main Street, Vancouver, WA 98660, explained the development of the Department of Oregon Geology and Mineral Industries (DOGAMI) hazard maps. Thrall described the multi-test pits and borings conducted on the property. These show 75% of the area was stable, 10% near creeks would be avoided, and 15% with earth flow/slump topography would require further detailed evaluations.

Blodgett reviewed the annexation criteria and explained how each one had been met.

Exhibits Received between Planning Commission meeting of 12-13-05 and City Council meeting of 01-03-06.

UUUU	Mary Lu Milstone	2 page letter to Nishioka and Bischoff
VVVV	Leroy Blodgett	1 page letter requesting postponement
WWWW	Leroy Blodgett	1 page letter agreeing to hearing dates
XXXX	Jim Hansen	1 page letter
YYYY	Harvey Thiesen	1 page letter, 4 page news article
ZZZZ	Rocky McVay	1 page letter and 2 signature pages
AAAAA	Diana Lemos	1 page letter

BBBBB	Yvonne Maitland	8 page and map
CCCCC	Ralph Martin	2 page letter and document
DDDDD	Dan Nachel	1 page letter
EEEEE	Frank Goodnough	1 page letter
FFFFF	Mary Henson	2 page letter
GGGGG	Steve Bismarck	3 page document
HHHHH	Carol Crockett	2 page document

Exhibits received at the City Council meeting of 01-03-06

IIIII	Rose Starer	5 pages of comments
JJJJJ	Mark & Emelinda St. James	1 page comments
KKKKK	Catherine Wiley	22 pages Jim Just, Goal One Coalition
LLLLL	Curry County Board of Commissioners	3 pages comments
MMMMM	Dianne Snow	10 pages, IGA between Brookings, Curry County, Harbor Water District, 01-22-01
NNNNN	Donald Wilcox, Public	1page Spreadsheet on water and wastewater
OOOOO	Donald Wilcox, Public	HW3 document submitted on 12-29-05
PPPPP	Leroy Blodgett	67 page Powerpoint presentation
QQQQQ	John Bischoff	2 pages notes from presentation
RRRRR	Ed Wait	IGA between Brookings, Curry County, Harbor Sanitary District dated 01-22-01
SSSSS	Dianne Snow	5 pages notes on presentation
TTTTT	Pat Sherman	1 page email interpretation of Section 148.03A

V. Adjournment

Mayor Sherman announced the hearing was recessed at 10:40 p.m. and would reconvene on Wednesday, January 4, 2006, 7:00 pm in the Council Chamber.

Respectfully submitted:

Pat Sherman
Mayor

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

Paul Hughes
Finance Director/City Recorder

**CITY OF BROOKINGS
SPECIAL COUNCIL MEETING MINUTES
City Hall Council Chamber
898 Elk Drive, Brookings, OR 97415
January 4, 2006 7:00 p.m.**

I. Call to Order

Mayor Pat Sherman reconvened the hearing at 7:00 p.m.

II. Pledge of Allegiance

Led by Mayor Sherman

III. Roll Call

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

Council Absent: Ex Officio Susan Stadelman

Staff Present:

City Manager Dale Shaddox,
Community Development Director Ed Wait,
City Planner John Bischoff,
Deputy City Planner Dianne Snow,
and Administrative Assistant Donna Colby-Hanks

Media Present: Curry Coastal Pilot Reporter Peter Rice

Other:

Approximately 50 other citizens

IV. Public Hearing

- A. *Continuation of file No. ANX-3-05, a request to annex 607 acres of land consisting of 14 tax lots in seven different ownerships located on the side and top of the area known as Harbor Hills, including 3.4± miles of Highway 101 right-of-way extending from the Brookings city limit line on the Chetco River Bridge, south to the southerly property line of the subject property abutting the highway; identified as Assessor's Maps 41-13-10, Tax lot 300; 41-13-14, Tax lots 200, 201, 203, 300, 307, 308, 310, 312; 40-13-15A, Tax lot 100; 40-13-15B, Tax lots 5200, 5300, and 40-13-15DA, Tax lots 100, and 101; HW3, applicant. Criteria used to decide this application can be found in Section 148-Annexation, of the Brookings Land Development Code. The Planning Commission made a recommendation of approval of this application on December 6, 2005.*

The applicants answered questions regarding surface water and clarified roads requested to be annexed. The feasibility of the number of dwelling units was discussed. The Council discussed requesting verification of financial information. Rick Thrall gave information on the geologic hazards on the property and along the coast. There would be no low-income housing although some multi-family dwellings were proposed.

Proponents:

Dick Wilson, 117 Tanbark, Brookings, in favor of the project but concerned with Harbor.

Les Cohen, 324 S. Hazel, Brookings, stated the Chamber of Commerce's mission was to create and maintain the economy. Cohen felt the growth needed to be managed and entered into the record **Exhibit XXXXX**.

Elliot Shwartz, Brookings, felt that development was inevitable and wished to see the growth managed to protect the farmland.

Bill Yocum, 934 7th, Brookings, felt it was better to develop the hills than the farmland and supported long range planning.

Jim Relaford, 817 Easy Street, Brookings, felt hillside development needs to be held to high standards and the City has the ability to manage the growth.

Harry A. Harms, Hasting Bulb Farms, P.O. Box 2155, Harbor, felt it was better to plan for development of a larger tract of land. Harms stated the farmers have been working with the developers.

Ted Fitzgerald, 21225 Carpenterville Road, Brookings, felt the project could be a win/win for the farmers and the developers with the best use of the land being determined by careful planning.

Doug Lewis, 17886 Rainbow Rock Road, Brookings, stated that development was inevitable and it would be best to keep the parcel as large as possible and with the local team.

Tim Patterson, 621 Chetco Avenue, Brookings, discussed the possibility of this development and a performing art center.

Bill Ferry, P.O. Box 1640, Brookings, felt the City had stronger standards and was more capable of controlling development.

The hearing recessed at 8:32 pm and reconvened at 8:40 pm.

Opponents:

Bob Mears, P.O. Box 2959, Harbor, spoke regarding ORS Chapter 195 and suggested an election.

Rose Starer, P.O. Box 2955, Harbor, felt the applicant's findings were not adequate and favored an election.

Ralph Martin, P.O. Box 2423, Harbor, felt there were many deficiencies in the applicant's findings.

Ian Maitland, 15676 Oceanview Drive, Brookings, felt the Harbor Hills have not been well maintained and McVay Lane was not included in the Urban Growth Boundary (UGB).

John Johnson, 632 Hassett Street, Brookings, felt this development would bring higher taxes and wanted it voted on.

Yvonne Maitland, 15676 Oceanview Drive, Brookings, was concerned with landslides and felt the first responsibility was to citizens.

Catherine Wiley, 96370 Duley Creek Road, Brookings, reviewed the goals and stated all citizens must be considered.

Larry Aslinger, 439 Buena Vista, Brookings, objected to the annexation.

Diana Lemos, P.O. Box 2849, Harbor, felt the Surface Water Management Plan was deficient and not orderly development.

Clyde Burke, 97619 Marina Heights Loop, Brookings, felt the annexation should be rejected and the City needs to take better care of what it has.

Pete Chasar, 935 Marina Heights Road, Brookings, felt the Traffic Systems Plan, Public Facilities Plan, and the Stormwater Masterplan would need to be amended to accommodate this development. Chasar also had financial concerns.

Steve Bismarck, 270 Allen Lane, Brookings, felt both the cherry stem and body of water could not be used for annexation.

Interested Parties:

David Pratt, Curry County Planning Director, 94235 Moore Street, Gold Beach, answered Council questions regarding Curry County's proposal to masterplan the entire Harbor area.

Stan Milstone, 206 Schooner Bay Drive, Brookings, appreciated the exchange of views and ideas and expressed concerns regarding financing.

Mary Milstone, 206 Schooner Bay Drive, Brookings, reviewed the language in the Brookings Charter.

Exhibits received at the City Council meeting of January 4, 2006.

UUUUU	Leroy Blodgett	4 page letter from Steven Pfeiffer dated 01-04-06
VVVVV	Ron Wimberly	3 page letter, 2 pages photos
WWWWW	Sheila Chambers	2 pages annexation information
XXXXX	Les Cohen	3 pages oral testimony
YYYYY	Bill Ferry	13 pages photos
ZZZZZ	Bob Mears	ORS Chapter 195
AAAAA	Ralph Martin	2 page letter with Attachments A, B, & C
BBBBB	Ian Maitland	Testimony, photos, draft DOGAMI map
CCCCC	John Johnson	1 page testimony
DDDDD	Yvonne Maitland	17 pages testimony, news article, hydrologist review
EEEEEE	Catherine Wiley	7 pages text, 4 pages photos
FFFFFF	Larry Aslinger	Video tape
GGGGGG	Larry Aslinger	2 transparencies
HHHHHH	Pete Chasar	5 pages testimony, news article
		LUBA case

V. Adjournment

Mayor Sherman recessed the hearing at 10:22 pm and announced the hearing would reconvene Thursday, January 5, 2006, 7:00 pm in the Council Chamber.

Respectfully submitted:

Pat Sherman
Mayor

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

Paul Hughes
Finance Director/City Recorder

**CITY OF BROOKINGS
SPECIAL COUNCIL MEETING MINUTES
City Hall Council Chamber
898 Elk Drive, Brookings, OR 97415
January 5, 2006 7:00 p.m.**

I. Call to Order

Mayor Pat Sherman reconvened the hearing at 7:00 p.m.

II. Pledge of Allegiance

Led by Mayor Sherman

III. Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Jan Willms, Craig Mickelson, and Dave Gordon, Ex Officio Susan Stadelman arriving at 8:45 pm, a quorum present.

Council Absent: None

Staff Present:

City Manager Dale Shaddox,
City Attorney John Trew,
Community Development Director Ed Wait,
City Planner John Bischoff,
Deputy City Planner Dianne Snow,
and Administrative Assistant Donna Colby-Hanks

Media Present: Curry Coastal Pilot Reporter Peter Rice

Other:

Approximately 40 other citizens

IV. Public Hearing

- A. *Continuation of file No. ANX-3-05, a request to annex 607 acres of land consisting of 14 tax lots in seven different ownerships located on the side and top of the area known as Harbor Hills, including 3.4± miles of Highway 101 right-of-way extending from the Brookings city limit line on the Chetco River Bridge, south to the southerly property line of the subject property abutting the highway; identified as Assessor's Maps 41-13-10, Tax lot 300; 41-13-14, Tax lots 200, 201, 203, 300, 307, 308, 310, 312; 40-13-15A, Tax lot 100; 40-13-15B, Tax lots 5200, 5300, and 40-13-15DA, Tax lots 100, and 101; HW3, applicant. Criteria used to decide this application can be found in Section 148-Annexation, of the Brookings Land Development Code. The Planning Commission made a recommendation of approval of this application on December 6, 2005.*

Mayor Sherman reviewed the application.

Applicant's Rebuttal:

Hank Westbrook, P.O. Box 398, Smith River, CA 95567, gave a history of his ownership of the property. Westbrook felt this property, Borax, and Buchanan were the future of Brookings. He explained his attempt to hire his team to help with the vision.

Blodgett spoke about the need for improvements on the public road accesses and entered **Exhibit MMMMMM**, into the record. Blodgett explained the bubble in the UGB was going around a property that didn't wish to be included in the UGB.

Hughes explained the infrastructure masterplan would be designed to accommodate future development.

Thrall described the geologic team and discussed the tests performed and equipment used on the property. Thrall answered questions regarding slope and stability.

Christensen explained the collection of data for streams, weather, and the Harbor Bench. He discussed computer modeling of the data collected and advised Oregon Water Resources would peer review the Comprehensive Surface Water Management Plan.

Pfeiffer reviewed the language in Brookings Charter, ORS 222.111, comprehensive plan/goals, and annexation agreements.

Mayor Sherman recessed the hearing at 8:55 pm and reconvened at 9:03 pm.

The HW3 team summarized the points of the annexation. Pfeiffer requested the record be left open the 7, 7, 7 days.

The dates for additional material to be submitted:

01-13-06	4:30 pm	all parties additional evidence
01-20-06	4:30 pm	all parties rebut previous material, no new evidence
01-27-06	4:30 pm	applicant rebuttal only

Mayor Sherman closed the public oral testimony portion of the hearing at 9:11 pm.

Staff Comments:

City Attorney John Trew interpreted several issues for the Council. John Bischoff discussed McVay Lane location within the UGB. Dianne Snow clarified the zoning designation of the property. Ed Wait explained Goals 2 and 14 and entered **Exhibit NNNNNN**, Resolution 95-R-599 and **Exhibit OOOOOO**, ODFW memo, into the

record. Don Wilcox explained other water options, the Water Curtailment Plan, and other mitigation options.

Exhibits received at the City Council meeting of January 5, 2006.

IIIII	Larry Aslinger	1 page comment letter
JJJJJ	Judy Kaplan	1 page comment letter
KKKKKK	Ron Wimberly	6 page document
LLLLLL	Frank Goodnough	1 page letter
MMMMMM	Jan Sirchuk	map and 24 page presentation
NNNNNN	Ed Wait	3 pages Resolution 95-R-599
OOOOOO	Ed Wait	3 pages ODFW
PPPPPP	John Bischoff	2 transparencies, DOGAMI and UGB

V. Adjournment

Mayor Sherman recessed the hearing at 9:52 pm and announced the hearing would reconvene Monday, January 30, 2006, 7:00 pm in the Council Chamber.

Respectfully submitted:

Pat Sherman
Mayor

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

Paul Hughes
Finance Director/City Recorder

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
January 9, 2006 7:00 p.m.**

I. Call to Order

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

II. Pledge of Allegiance

Led by Sergeant Michael Cooper.

III. Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Jan Willms, Craig Mickelson, and Dave Gordon, Ex Officio Councilor Susan Stadelman (arriving at 7:10 pm), a quorum present.

Council Absent: None

Staff Present:

City Manager Dale Shaddox,
City Attorney John Trew,
Sergeant Michael Cooper,
Lieutenant John Bishop,
and Administrative Assistant Donna Colby-Hanks

Media Present: Curry Coastal Pilot Reporter Brian Bullock

Other:

four other citizens

IV. Ceremonies/Appointments/Announcements

A. Ceremonies

1. *Presentation of Certificate of Appreciation to Michael Cooper, 25-Year Work Anniversary*

Mayor Sherman presented Sergeant Michael Cooper with a 25-year Certificate of Appreciation and Lieutenant John Bishop presented him with a fishing pole.

B. *Election of Council President/Council Liaison Appointments*

Mayor Sherman presented her recommendations for appointments to Council liaison positions. She also recommended Councilor Anderson serve as Council President for the next year.

Councilor Gordon moved, a second followed and the Council voted unanimously to appoint the following persons as Council liaisons to both City and outside committees or commissions and to appoint Councilor Anderson as Council President for Calendar Year 2006.

Mayor Pat Sherman
Curry County

Councilor Jan Willms
Curry County Recycling Committee
Parks and Recreation Commission

Councilor Mickelson
City Planning Commission
Coos Curry Douglas Business Development
Coastal Policy Advisory Committee on Transportation
Oregon Coastal Zone Management Association
Urban Renewal Advisory Committee

Councilor Anderson
Chetco River Watershed Council
Harbor Sanitary District
South Coast Watershed Coordinating Council
Brookings/Harbor District 17C Schools

Councilor Gordon
American Music Festival
Local Public Safety Coordinating Council (LIPSYNC)
Port of Brookings Harbor
Southwest Advisory Committee on Transportation
Del Norte County Airport Commission

C. Announcements
None.

V. Scheduled Public Appearances

A. Bruce Chambers – Habitat for Humanity
Bruce Chambers, Curry County Chapter of Habitat for Humanity, P.O. Box 4610, Brookings, explained the requirements of Habitat for Humanity, both donations and the receiving families' responsibilities. Paul Guernsey, 15954 Short Way, Brookings spoke about the finances of this project. Chambers and Guernsey discussed the organization and possible payment plan for SDCs with the Council. The Council requested staff to meet with Habitat for Humanity and City Attorney to research options.

VI. Oral Requests and Communications from the Audience

A. Committee and Liaison reports

1. Council Liaisons

Councilor Willms attended a Park and Recreation Commission meeting, a health fair meeting, three City Council annexation meetings, and several Planning Commission meetings.

Councilor Anderson attended three City Council annexation meetings.

Mayor Sherman attended a health fair meeting, three City Council annexation meetings, Community Agencies meeting, and a Brookings-Harbor Education Foundation meeting.

Councilor Mickelson attended three City Council annexation meetings and a Chamber Marketing meeting.

Councilor Gordon attended Curry County Commission for Children and Families meeting, Brookings Harbor Youth Association meeting, business partners meeting with ODOT, three City Council annexation meetings, Airport Advisory Committee meeting, and a meeting for the Brookings Harbor Youth Basketball volunteer coaches.

B. Unscheduled

None.

VII. Regular Agenda

A. Approval of towing ordinance

POLICE DEPT.: *Ordinance No. 06-O-571, An Ordinance Declaring Some Motorvehicles to be Nuisances and Authorizing the Tow of Some Motorvehicles for Violation of Brookings City Ordinances or Oregon Revised Statues*

Police Lieutenant John Bishop reviewed the ordinance and explained all towing fees would be the responsibility of the vehicle owner. The City currently doesn't have a contract with the towing company.

Administrative Fees would be collected by the City to cover expenses incurred.

Mayor Sherman read Ordinance #06-O-571 in its entirety.

Councilor Willms moved, a second followed, and the Council voted unanimously to have the second reading of Ordinance #06-O-571 by title only.

Mayor Sherman read Ordinance #06-O-571 by title only.

Councilor Mickelson moved, a second followed, and the Council voted unanimously to adopt Ordinance No. 06-O-571, An Ordinance Declaring Some Motorvehicles to be Nuisances and Authorizing the Tow of Some Motorvehicles for Violation of Brookings City Ordinances or Oregon Revised Statutes.

VIII. Consent Calendar

- A. *Approval of Council Meeting Minutes*
 - 1. *Meeting of December 12, 2005*
- B. *Acceptance of Planning Commission Minutes*
 - 1. *Meeting of October 26, 2005*
 - 2. *Meeting of November 1, 2005*
 - 3. *Meeting of November 9, 2005*
 - 4. *Meeting of November 15, 2005*
- C. *Acceptance of Parks and Recreation Commission Minutes*
 - 1. *Meeting of October 20, 2005*
- D. *Approval of vouchers for month of December, 2005 (\$379,217.67)*
- E. *Acceptance of a deed for a 20' wide waterline easement from Daniel and Linda Backman*
- F. *Approval of Southern Oregon Coast Regional Housing Center Memorandum of Understanding*
- G. *Approval of budget calendar and budget officer*
- H. *Acceptance of Safety Committee Minutes*
 - 1. *Meeting of December 16, 2005*

End Consent Calendar

Councilor Anderson read the consent calendar and asked about the history of the Backman easement. Councilor Willms asked about the Southern Oregon Coast Regional Housing Center and projects in our area.

Councilor Willms moved, a second followed, and the Council voted unanimously to remove item F, approval of Southern Oregon Coast Regional Housing Center Memorandum of Understanding from the consent calendar.

The Council requested staff acquire a list of projects and additional information from Southern Oregon Coast Regional Housing Center.

Councilor Mickelson moved, a second followed, and the Council voted unanimously to approve the consent calendar with item "F" removed.

IX. Ordinances/Resolutions/Final Orders

- A. *Final Orders*
 - 1. *Final Order in the matter of Planning Commission denial of a side yard setback variance; File No. VAR-3-05; Appeal File No. APP-3-05; Kenneth Byrtus, appellant.*

Mayor Sherman reviewed the description of File No. VAR-3-05 and asked for discussion, there was none.

Councilor Anderson moved, a second followed and the Council voted unanimously to adopt the final order and findings of fact in the matter of an appeal of the Planning Commission denial of a side yard setback variance; File No. VAR-3-05; Appeal File No. APP-3-05; Kenneth Byrtus, appellant.

X. Remarks from Mayor and Councilors

A. Council

Councilor Gordon reminded the Council of their sponsorship of the Bruins Café to be Friday, January 27, 2006 at 11:45 in the library.

Councilor Anderson commended City Manager Dale Shaddox on his interview answers in the most recent edition of "City Happenings".

X. Adjournment

The Council voted unanimously by voice vote to adjourn at 8:40 pm.

Respectfully submitted:

Pat Sherman
Mayor

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

Paul Hughes
Finance Director/City Recorder

MINUTES
BROOKINGS PLANNING COMMISSION
Fifth MEETING – ANX-3-05
December 6, 2005

Chair Nishioka called the meeting of the Brookings Planning Commission to order at 7:00 p.m. in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Jim Collis	Randy Gorman
Rick Dentino	Ron Hedenskog
Bill Dundom	Bruce Nishioka

Staff Present:

Ed Wait, Director of Community Development, John Trew, City Attorney, John Bischoff, City Planner, Dianne Snow, Deputy City Planner, Don Wilcox, Public Works Director, and Cathie Mahon, Secretary.

Media: Coastal Pilot reporter, Brian Bullock

Other:

Councilor Mickelson

Student Ex Officio Skylar Shuford

Approximately 35 participants in the audience

NOTE:

The following documentation was given to both the commissioners and the applicant between the dates of November 15th and December 5, 2005.

Supplemental #8 written testimony received from anyone who previously testified received between November 15th and November 22nd 2005.

Exhibit SSS	Barbara Hilyer 14684 Wollam Road, Brookings	1 page letter
Exhibit TTT	John Bischoff, Brookings City Planner	1 page Memo
Exhibit UUU	Margie Ann Richards & Robert Lake P. O. box 2062 Harbor, OR	1 page letter
Exhibit V V V	Sheila Chambers 15594 Oceanview Drive, Brookings	3 page letter + map
Exhibit W W W	Catherine Wiley 96370 Duley Creek Road Brookings	7 page document

Exhibit X X X	Diane Lemos P. O. Box 2849, Harbor	9 page document
Exhibit Y Y Y	David Pratt, Planning Director for Curry County P. O. Box 746 Gold Beach	1 page letter
Exhibit Z Z Z	Ralph Martin, Chair of HAAC P. O. Box 2423 Harbor	58 page document
Exhibit AAAA	Robert Kampf 98041 Hall Way #38, Brookings	1 page letter
Exhibit BBBB	Albert Nelson 15589 Cedar Lane, Brookings	1 page letter
Exhibit CCCC	Ralph Martin, Chair of HAAC P.O. Box 2423 Harbor	3 page document
Exhibit DDDD	John Bryant Address not given	14 page document
Exhibit EEEE	Rose Starer P. O. Box 2955 Harbor	11 page document
Exhibit FFFF	Judy Kaplan P. O. Box 4187 Brookings	1 page letter
Exhibit GGGG	Richard Sine 15425 Museum Road, Harbor	11 page document
Exhibit HHHH	Carol Crockett P. O. Box 2065, Harbor	1 page letter
Exhibit IIII	Dave Perry, DLCD South Coast Regional Rep. Waldport, OR 97394	1 page letter
Exhibit JJJJ	Larry Aslinger 439 Buena Vista Loop, Brookings	6 page document
Exhibit KKKK	Chris Nichols, Superintendent Brookings-Harbor District 628 Easy Street Brookings	5 page document
Exhibit LLLL	Yvonne Maitland For Citizens for Orderly Development P.O. Box 7102, Brookings	9 page document

Exhibit MMMM	Yvonne Maitland For Citizens for Orderly Development P.O. Box 7102, Brookings	21 page document
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Exhibit NNNN	Oregon Hydrangea Company Richard Yock 15696 Hwy.101 South Brookings	4 page letter
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Exhibit OOOO	Leroy Blodgett, HW3, LLC P. O. Box 2767, Harbor	104 pages
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Documentation submitted between November 23rd and 29th by anyone who submitted written testimony.

Exhibit PPPP	Michael Cosgrove 90 Tanbark Circle, Brookings	2 page letter
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Exhibit QQQQ	Catherine Wiley 96370 Duley Creek Road, Brookings	1 page letter
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Exhibit RRRR	Yvonne Maitland For Citizens for Orderly Development P.O. Box 7102, Brookings	3 page document
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Exhibit SSSS	HW3, LLC P. O. Box 2767, Harbor	25 pages
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Documentation submitted by the applicant between November 29th and December 5th in response to written testimony (see Table 8 and 9).

Exhibit TTTT	Steven Pfeiffer, attorney for the applicant 1120 N.W. Couch Street Portland, OR 97209-4128	7 page document
--------------	--	-----------------

CHAIR ANNOUNCEMENTS

Chair Nishioka announced the continuation of the Public Hearing for File No. **ANX-3-05**. He asked the Commissioners for ex parte contact or bias. The commissioners expressed no bias and there was no challenge from the audience to continue the meeting. Chair Nishioka explained the hearing was closed for any additional testimony. He outlined the manner of the meeting would be for the commissioner's to discuss the request and documentation of previous meetings, and to ask City staff if they had any questions regarding the request.

Section 148, Annexations, of the Land Development Code was displayed on the overhead. Each of the six (6) criteria in the section was reviewed and discussed by the Commission regarding the requested annexation.

Chair Nishioka recessed the meeting at 8:27 p.m. and reconvened at 8:35 p.m.

The commissioners continued with their review and comments.

Chair Nishioka recessed the meeting at 9:25 p.m. and reconvened at 9:35 p.m.

Attorney Trew advised the Commission on the process of making the motion.

1. By a 3-3 vote, a motion was stated by Commissioner Gorman to send City Council a recommendation to approve the requested annexation, File No. **ANX-3-05**, (Commissioners Collis, Gorman, and Hedenskog voted in the affirmative, Commissioners Dentino, Dundom, and Nishioka voted against the motion).

With a tie vote, the motion was denied.

Discussion ensued.

2. By a 4-2 vote, (motion by Commissioner Collis) the Planning Commission decided to have a second vote (Commissioners Collis, Gorman, Hedenskog, and Nishioka voted in favor of the motion; Commissioners Dentino and Dundom voted against the motion).
3. By a 4-2 vote, (motion by Commissioner Gorman) the Planning Commission voted to send City Council a favorable recommendation for File No. **ANX-3-05**, (Commissioners Collis, Gorman, Hedenskog, and Nishioka voted in favor of the motion; Commissioners Dentino and Dundom voted against the motion).

Discussion ensued. Commissioner Collis stated he would urge City Council to review the Master Plan and have a peer group review the hydrology and geology of the subject property.


COMMENTS by the PLANNING STAFF

Planner Bischoff reminded the Commission the regular Planning Commission will be held on December 13th. The commissioners were also asked to turn-in their supplemental documentation for ANX-3-05, so it could be given to City Council for their review.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed at 10:35 p.m.

Respectfully submitted,



Bruce Nishioka, Chair

(approved at 1-10-06 meeting)

MINUTES
BROOKINGS PLANNING COMMISSION
Fifth MEETING – ANX-3-05
December 13, 2005

Chair Nishioka called the meeting of the Brookings Planning Commission to order at 7:00 p.m. in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Jim Collis	Randy Gorman
Rick Dentino	Ron Hedenskog
Bill Dundom	Bruce Nishioka

Commissioners Absent:

Jim Collis, and Bill Dundom

Staff Present:

John Bischoff, City Planner, Dianne Snow, Deputy City Planner, and Cathie Mahon, Secretary.

Media: Coastal Pilot reporter, Brian Bullock

Other:

Approximately 5 participants in the audience

CHAIR ANNOUNCEMENTS

None.

MINUTES

By a 4-0 vote (motion: Commissioner Dentino) the Planning Commission approved the minutes of October 26, 2005.

By a 4-0 voice vote (motion: Commissioner Gorman) the Planning Commission approved the minutes for November 1, 2005.

By a 4-0 voice vote (motion: Commissioner Hedenskog) the Planning Commission approved the minutes for November 9, 2005,

By a 4-0 voice vote (motion: Commissioner Dentino) the Planning Commission approved the minutes for November 15, 2005.

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

- 1, By a 4-0 vote (motion: Commissioner Dentino) the Planning Commission approved the request to name the unnamed street off of Fifth Street between the U. S. Bank property and the *Oil Can Henry* business. The proposed name was "Henry Lane" but "Henry Loop" was suggested by the City Planner to deter any mailing confusion to the current "Hendry Lane".

2. By a 4-0 vote (motion: Commissioner Gorman) the Planning Commission approved the request for a final map for the subdivision known as "SRW Subdivision" to divide a 2.66 acre parcel of land into 14 lots, and a new street, *Magnolia Court*; located at Sixth Street and Easy Street; R-2 (Two-Family Residential) zone; Assessor's Map 41-13-06AB, Tax Lots 2300 and 2400; Ross Walton, applicant.

COUNTY REFERRELS

1. By a 4-0 vote (motion; Commissioner Dentino) the Planning Commission approved a county referral, File No. **CR-P-0512**, a request for a partition to divide a .50 acre parcel into two residential lots; located at 97867 Titus Lane; Assessor's Map 41-13-8AA, Tax Lot 2200; R-1 (single family) zone; Richard Wilson, applicant.

The Commission requested the following recommendations be forwarded to the County:

- That Titus Lane be improved with curb, gutter, sidewalk, and pavement to match existing pavement along the street frontage of the subject property.
- That all the new property lines meet the required setback from the existing house.

COMMENTS by the PLANNING STAFF

City Planner Bischoff reminded the Commission that the annual report is due. The Commissioners requested copies of past reports. He also reminded them that election of officers will be at the January meeting.

Deputy Planner Snow reported due to City Council public hearing for File No. **ANX-3-05** is scheduled for January 3, 2006, the regular Planning Commission meeting has been rescheduled for January 10, 2006. She also mentioned Curry County was looking into training for their Commission and extended the invitation to the Brookings Commission. When the time and date is determined, information will be forwarded.

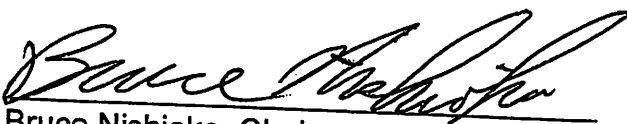
COMMISSIONERS COMMENTS

Chair Nishioka wanted to extend a formal invitation to have the city consultant, Sue Densmore, attend a meeting to discuss what she envisions for the city.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed at 7:35 p.m.

Respectfully submitted,



Bruce Nishioka, Chair

(approved at 1-10-06 meeting)

CITY OF BROOKINGS

City Council Agenda Report



Date: January 9, 2006

To: Mayor & City Council

From: John Bischoff, City Planner

Subject
Easement Deed.

Recommendation:
Acceptance of the deed.

Background /Discussion:

Along the north side of the Oil Can Henry property is an underground storm main that replaced an open ditch when Fifth St. was constructed between the highway and Railroad Ave. When Oil Can Henry received approval of the conditional use permit one of the conditions of approval was that they grant, to the city, an easement over this storm drain. The subject deed is for that purpose. This easement should have been obtained at the time the main was constructed but for some reason was overlooked.

Financial Impact(s):

No particular cost of accepting the deed. Undetermined costs for future maintenance of the storm drain regardless of the easement..

City Manager Review and Approval for placement on Council Agenda:


Dale Shaddox, City Manager

NON EXCLUSIVE STORM DRAIN LINE EASEMENT

This easement agreement is between the City of Brookings, Grantee, and Michael Newcombe, Grantor.

Grantor owns real property in Brookings, Curry County, Oregon, as set forth is Exhibit, "No. 1," (2 pages) which is incorporated herein by this reference.


Grantees intend to construct and maintain at their sole expense a storm sewer line under Grantor's property within the easement area as shown in Exhibit "No. 1". This storm sewer line will be constructed under the State standards and the conditions for subsurface utility easements and existing utilities must be protected and not interfered with. Work shall be done in a manner that will minimize impact on Grantor and in such a manner that there will be no impact on the operation of any business conducted on the land by Grantor.

It is the intent of the parties that Grantor grant a perpetual easement to Grantee on a portion of Grantor's property, for the limited purpose of constructing and maintaining a subsurface storm sewer line described above.

NOW, THEREFORE, Grantor, in consideration of the covenants herein contained and of other good and valuable consideration, conveys to Grantee, forever, an easement over his property as shown on Exhibit "No. 1", for the purpose of constructing and maintaining a subsurface storm sewer line. Said sewer line must be constructed pursuant to State standards within the easement area as shown on Exhibit "No. 1."

Grantor further conveys to Grantees all rights and privileges necessary and incidental to the enjoyment of the rights herein granted. This easement runs with the land.

DATED this 5th day of January, ~~2005~~ 2006 new



Michael Newcombe, Grantor

STATE OF OREGON)

: ss.

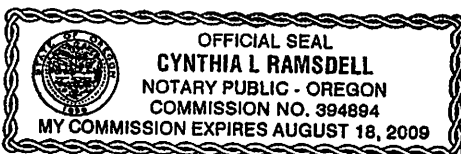
County of Curry)

Personally appeared before me the above-named Michael Newcombe and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me this 5th day of January, ~~2005~~ 2006


Notary Public for Oregon

My Commission Expires: aug. 18, 2009



900.27

EXHIBIT NO. 1

STORM DRAIN EASEMENT

An easement for the installation, maintenance and replacement purposes of a public storm drain, storm drain manhole, and necessary appurtenances over a strip of land 15 feet in width over a portion of a parcel of land identified as Parcel 2 of Partition Plat No. 1994-23 and described in Instrument No. 94-03115, Records of Curry County, located in Section 6, Township 41 South, Range 13 West of the Willamette Meridian, City of Brookings, Curry County, Oregon, with the centerline of said strip being more particularly described as follows:

Beginning at the northwesterly corner of said Parcel 2, marked by a PK nail stamped "DEA Inc.", which bears North 60°55'20" West, 359.30' from the northeasterly corner of said Parcel 2, marked by 5/8" rebar with plastic cap stamped "DEA Inc.", this line being the Basis of Bearings;

Thence South 30°30'43" West, 20.93' to a point on the westerly line of Parcel 2, said point being the True Point of Beginning of the centerline description of said 15-foot wide storm drain easement;

Thence South 58°03'41" East, 332.65' to a storm drain manhole;

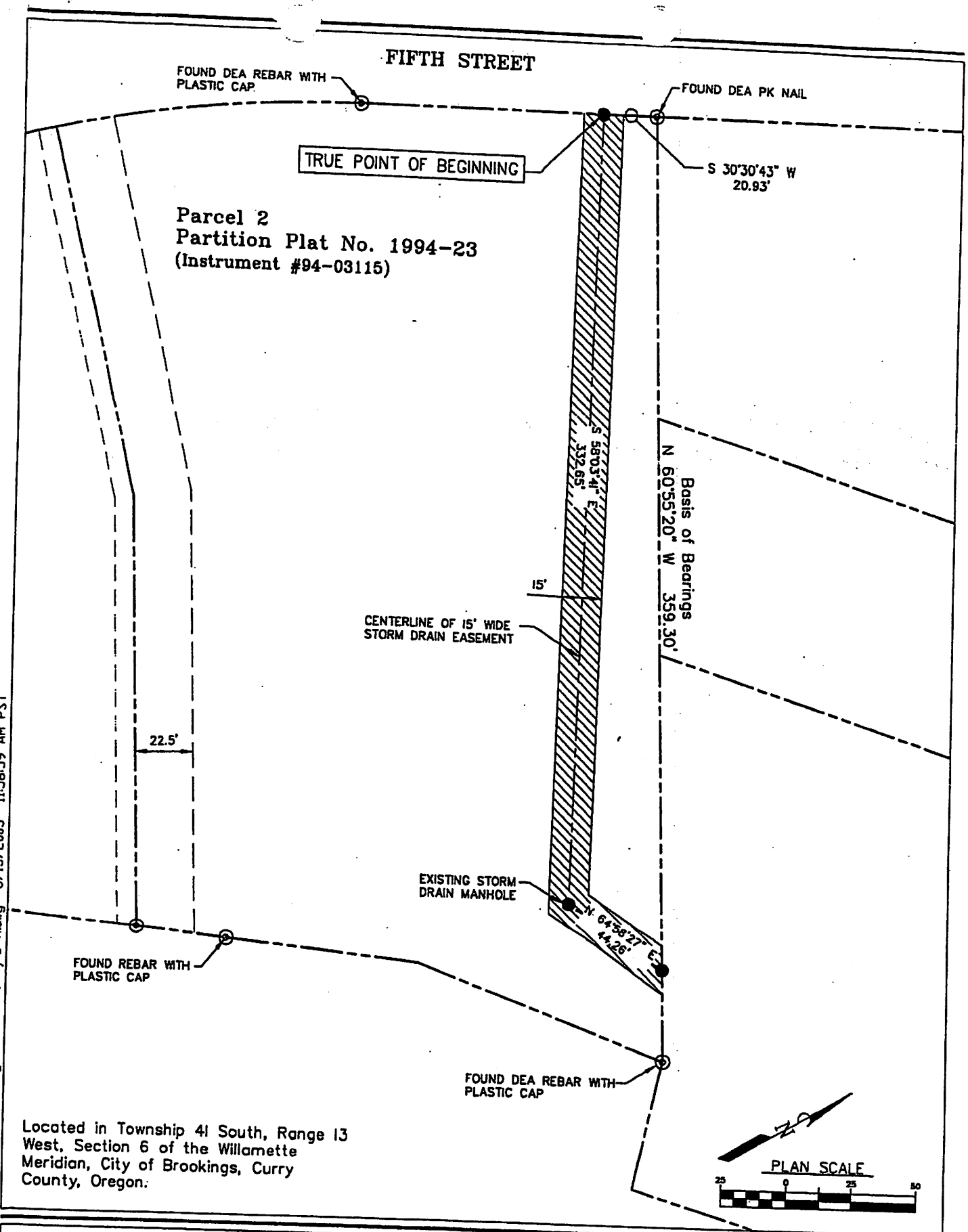
Thence North 64°58'27" East, 44.26', more or less, to the northerly line of said Parcel 2 with the sidelines of said 15-foot strip of land being lengthened or shortened to terminate on said northerly line, all as specified on the attached map.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JULY 28, 1988
MICHAEL W. ERICKSON
2340

EXPIRES: 12-31-05

\\Dyer\projects\01Active\900.27\dwg\Oil Can Henry's-M.dwg 6/13/2005 11:56:59 AM PST



THE DYER PARTNERSHIP ENGINEERS & PLANNERS, INC.		OIL CAN HENRY'S BROOKINGS, OREGON STORM DRAIN EASEMENT MAP	FIGURE NO. 1
DATE: JUNE, 2005			
PROJECT NO.: 0900.27			

DATED this _____ day of January 2006.

CITY OF BROOKINGS

By: _____

Name: Pat Sherman

Title: Mayor

STATE OF OREGON)
)SS
County of Curry)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006, by _____, as Mayor of the City of Brookings.

(Seal:)

NOTARY PUBLIC

My Commission expires: _____

City of Brookings
898 Elk Drive
Brookings, OR 97415



COUNCIL AGENDA REPORT

To: Mayor & City Council (Mtg. of 1/23/06)
From: City Manager
Date: January 18, 2006
Re: Southern Oregon Coast Housing Opportunities Provider (SOC-HOP)

Subject:

Renewal of a 3-year agreement to provide regional coordination of programs/activities in connection with the federal Community Development Block Grant program.

Recommendation:

Approve the new 3-year Agreement as submitted, and authorize the Mayor to sign it on behalf of the City.

Background /Discussion:

At your previous meeting the City Council requested more information about the recent activities of SOC-HOP before considering approval of a new 3-year agreement. The Council also requested to have a SOC-HOP representative attend a City Council meeting to answer questions regarding their operations

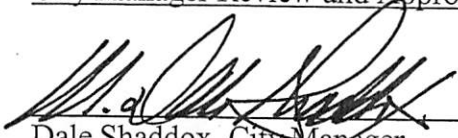
When contacted by City staff, SOC-HOP responded with a letter dated January 11 (attached) outlining their recent activities, including two housing rehabilitation projects here in Brookings. However, they were not able to send a representative to tonight's meeting, hoping that their letter of January 11 would be satisfactory.

The proposed agreement is attached for your reference.

Financial Impact(s):

No financial impact to the City. CDBG funds expended in the community would not otherwise be available without the proposed agreement.

City Manager Review and Approval for placement on Council Agenda:


Dale Shaddox, City Manager



**Southern Oregon Coast Housing
Opportunities Provider, L.L.C.**

RECEIVED

JAN 12 2005

Per *De*

January 11, 2006

Dale Shaddox
City of Brookings
898 Elk Drive
Brookings, OR 97415

Dear Mr. Shaddox and City Counsel members:

Thank you for your request for information regarding our Housing Rehab Program and those who have benefited from the program in your City.

Kathy Kebler, our Program Manager has completed two rehab projects in Brookings totaling approximately \$39,000. She also worked with another homeowner for quite sometime, who because of serious illness withdrew from the program but may be coming back into the program.

Over all in Curry County, thirteen homes have received funding for housing rehab

Brookings	2 homes
Gold Beach	4 homes
Port Orford	4 homes
Langlois	3 homes

I have attached a couple pictures of the home that was completed in the City of Brookings, the other home is not yet completed. A new roof was installed and we will paint when weather permits.

I hope this information is helpful and we appreciate your continued support of the Regional Housing Center.

Sincerely,

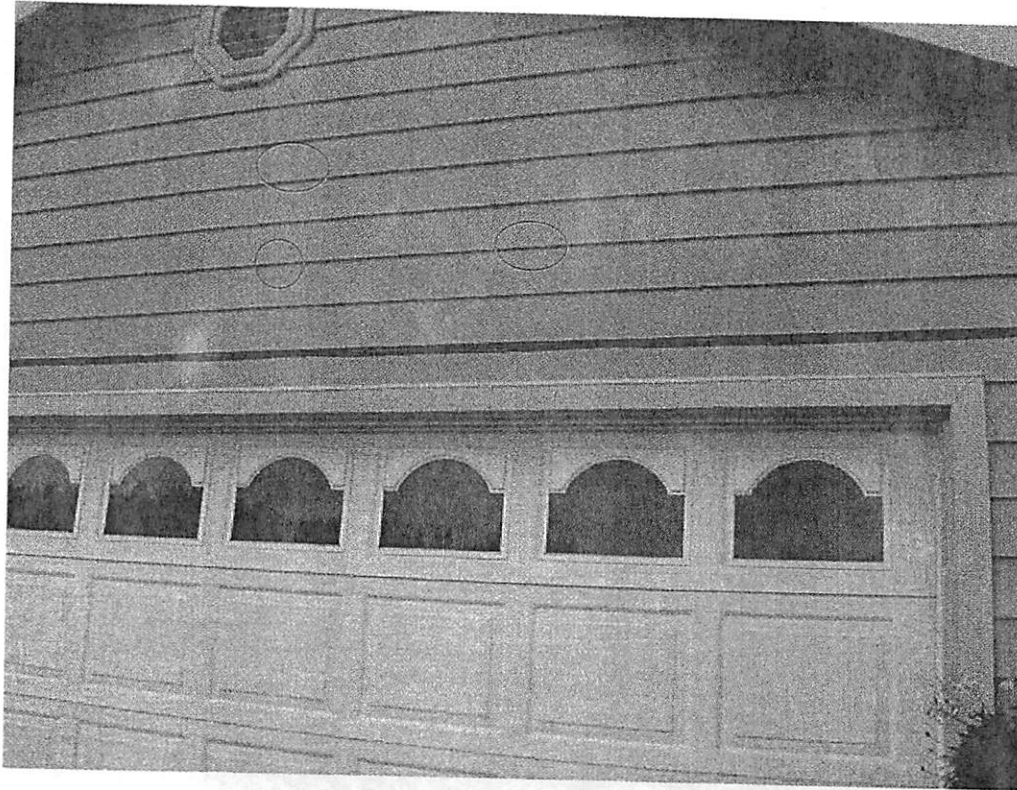
Karan B. Reed

Karan B. Reed
Single Family Housing Manager
kreed@umpquacdc.org
Roseburg Office 541-673-4909

20 Central, Suite 410, Coos Bay OR 97420; Phone 541-267-6505 or 866-572-5635
A subsidiary of Umpqua Community Development Corporation



**Southern Oregon Coast Housing
Opportunities Provider, L.L.C.**



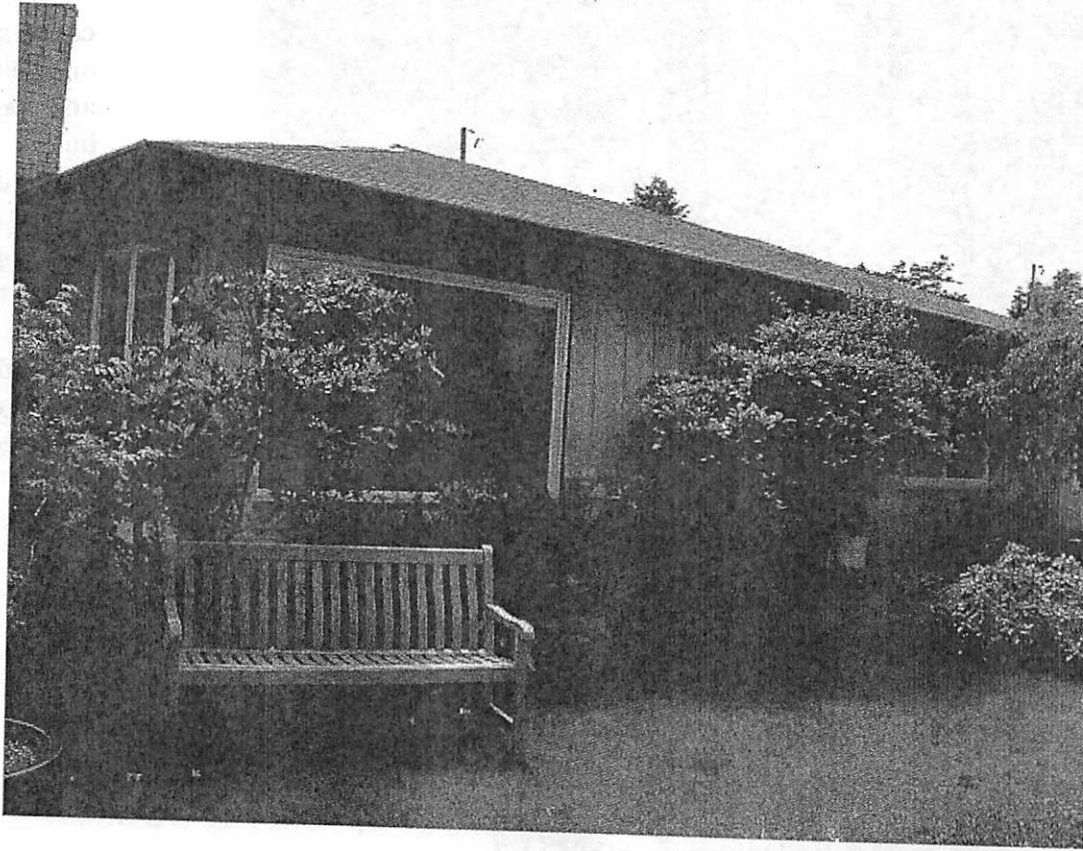
- Replaced cedar siding on the front and back of house. All of the nails were rusted out causing the siding to detach.
- Painted the exterior, and replaced carpet.



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A subsidiary of Umpqua Community Development Corporation



**Southern Oregon Coast Housing
Opportunities Provider, L.L.C.**



Before picture / home not completed

- **Roof to be replaced**
- **New exterior paint**

20 Central, Suite 410, Coos Bay OR 97420; Phone 541-267-6505 or 866-572-5635
A subsidiary of Umpqua Community Development Corporation



Southern Oregon Coast Housing Opportunities Provider

a subsidiary of Umpqua CDC

A one-stop shop for housing needs and home buying information.

SOC-HOP is a regional housing center serving the residents of Coos and Curry Counties in Southwest Oregon. Our services include:

- Homebuyer education and pre-purchase counseling programs
- Owner occupied housing rehabilitation funds
- Down payment and closing cost assistance programs

Learn about our classes for homeownership and **FREE** lead-based paint safe work practices training for contractors, subcontractors, and painters.

For more information, call Kathy Kebler at 541 267-6505.

The preparation of this Web site was funded in its entirety with federal funds from the Oregon Community Development Block Grant Program. This Web site is not subject to state or federal copyright law. As such, any part of the Web site may be reprinted, copied, or duplicated without the permission of the State of Oregon or SOC-HOP.

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[Umpqua Regional](#)

[Housing Center](#)

[Construction](#)

[Contractors Board](#)



[free hit counter](#)



SOC-HOP Homebuyer Programs

SOC-HOPs experienced staff is available to help residents of Coos and Curry counties learn how to become first-time homebuyers. We can provide you with unbiased information about the many programs available for purchase and down-payment assistance.

We provide individual counseling and information to prepare potential home buyers for purchase and ownership. While we do not offer home loans, our goal is to increase homeownership opportunities for those seeking affordable housing by providing resources and training necessary to qualify for a mortgage loan.

Whether you want to buy in the next couple of months or years, we can help you prepare for ownership. SOC-HOP is a trusted source to help you through the home buying process.

Learn about our [ABCs of Homebuying Classes](#)

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SOC-HOP Home Rehab Programs

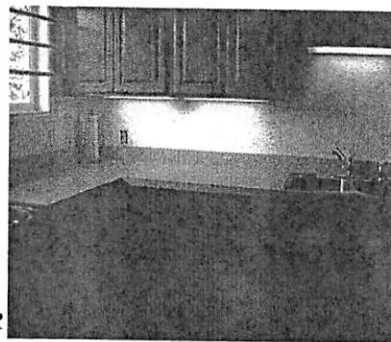
The Housing Rehab Program offers low-interest loans to low-income families to make needed home repairs that enable you to remain in your home. Repairs may include roof work, weatherization upgrades, adding gutters, foundation work, a new paint job, and so on. Currently we have funds available for Coos County low-income homeowners, and funding is being sought for residents of Curry County.

Funding for this program is provided by Oregon Housing and Community Services with the US Department of Housing and Urban Development grant funds.

Myrtle Point Rehab Project



BEFORE



AFTER

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[Construction Contractors Board](#)



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MEMORANDUM OF UNDERSTANDING
BETWEEN
SOUTHERN OREGON COAST HOUSING OPPORTUNITIES PROVIDER, L.L.C.
AND THE

CITY OF BROOKINGS

1. PARTIES

This document constitutes an agreement between the Southern Oregon Coast Housing Opportunities Provider, L.L.C. ("SOC-HOP"), a 501(c)(3) nonprofit corporation, and City of Brookings (the "participating jurisdiction"), a municipality in the State of Oregon.

2. RECITALS

- a. In 2001 the Oregon Housing and Community Services Department ("OHCSO") set forth a mechanism for distributing housing rehabilitation funding utilizing Community Development Block Grant funds, energy deregulation funds, and other state and federal funding sources. OHCSO desires that regions establish "Regional Housing Centers" to be eligible for these funds. SOC-HOP is a Regional Housing Center.
- b. One of OHCSO's goals is to de-federalize CDBG Housing Grant funds, thereby affording communities greater flexibility in the long-term use of the funds. SOC-HOP will provide a mechanism for fund de-federalization.
- c. SOC-HOP's decisions regarding the regional distribution of de-federalized funds will be made after consultation with the Member Forum, which will consist of representatives of participating jurisdictions. Participating jurisdictions may be cities or counties.
- d. This Memorandum of Understanding is intended to form the mechanism that will allow participating jurisdictions to become members of the Member Forum and become eligible for housing rehabilitation funding. It is also intended as an instrument for ensuring the availability of funds for distribution.
- e. The participating jurisdiction hereby acknowledges that SOC-HOP has been selected to undertake the duties identified herein based on SOC-HOP's specialized skills, knowledge and resources that enable it to exercise its sound professional judgment in carrying out the services required by this Agreement, per OAR 125-020-0130.

3. RESPONSIBILITIES

- a. Participating Jurisdiction:

- 1) The participating jurisdiction will apply for CDBG Housing Grant funds, and will seek the assistance of SOC-HOP, as needed, in preparation of its applications.
- 2) The participating jurisdiction will contract with SOC-HOP as the subgrantee for grant administration and program management of the CDBG Housing Grant if the participating jurisdiction's application is successful.
- 3) The participating jurisdiction will pledge any CDBG Housing Grant funds that it receives to SOC-HOP's Revolving Loan Fund through a sub-grant agreement with SOC-HOP.
- 4) The participating jurisdiction will appoint one member to SOC-HOP's Member Forum, which will monitor operation of initial loan programs and provide a mechanism for members to participate in the rehabilitation and maintenance of affordable housing within their jurisdictions.
- 5) The participating jurisdiction will provide advice to SOC-HOP regarding how the revolving loan fund should operate, housing activities to be supported, and loan terms to be offered.

b. SOC-HOP

- 1) SOC-HOP will act as the subgrantee of CDBG Housing Grant funds and will administer the funds in accordance with the guidelines and requirements of the grant contracts. SOC-HOP will manage all funds in compliance with OHCSO guidelines:
 - a) New CDBG Housing Grant funds will be loaned out for housing rehabilitation in compliance with the grant pursuant to which the funds are received. Upon repayment the funds become de-federalized;
 - b) De-federalized funds will be utilized to meet low-income housing needs in members' areas of the Southern Oregon Coast.
- 2) SOC-HOP will assist loan recipients in identifying and selecting contractors to perform authorized rehabilitation on units for which members have received revolving loan fund loans.
- 3) SOC-HOP will assist participating jurisdictions that have received revolving loan fund loans in obtaining complementary financing for their projects.
- 4) SOC-HOP will undertake additional actions to assist recipients of revolving loan fund loans complete rehabilitation projects in an efficient and effective manner.

4. DURATION:

This agreement will continue in force for a term of three years from the date of signing. At such time as this MOU is terminated, any funds that have been transferred into SOC-HOP's Revolving Loan Fund will remain with SOC-HOP.

City of Brookings

Date

Southern Oregon Coast
Housing Opportunities Provider

Date

CITY OF BROOKINGS

OREGON

COMPREHENSIVE ANNUAL FINANCIAL REPORT

For the year ended June 30, 2005





received
12-28-05 DC

December 23, 2005

VIA: CERTIFIED MAIL, RETURN RECEIPT

Leroy Blodgett
City Manager
City of Brookings
898 Elk Dr.
Brookings, OR 97415

RE: City of Brookings (Agent No. SA852107 8752-1900 (0500-0600))

Dear Leroy Blodgett:

Each year at Charter our goal is to look for innovative ways to continue to provide our customers with quality products and services. At the same time, Charter strives to keep its prices fair and competitive. Effective February 1, 2006, the monthly subscription prices for our services will be adjusted. While this adjustment is due to increased business and programming costs, we continue to work hard to minimize the impact on our customers.

At Charter, our customers are important to us and we want them to know that they are receiving the best value for their entertainment dollar. For example, we take great pride in being able to continue to offer our customers in your community a basic level service package below \$20. In addition, Charter will soon implement virtual call centers, which are designed to ensure that our customers can more conveniently reach a Charter representative. Enclosed you will find a detailed list of the price adjustments affecting your community.

Charter is committed to providing our customers with superior customer service. And keeping you and our customers informed is our top priority. If you have any questions or comments regarding this notification or the enclosed list of price adjustments, please do not hesitate to contact Linda Kimberly, General Manager for the Charter Sahalee Cable Systems Group at 360-828-6615.

Sincerely,
Charter Communications
Northwest Key Market Area

It's time to get hooked on Charter.

Communities Served: Curry County/Brookings

	Current Price	February 1, 2006	Difference
CHARTER CABLE TV™			
Basic Cable	\$19.98	\$19.99	\$0.01
Expanded Basic Cable	\$29.01	\$31.00	\$1.99
Basic & Expanded Cable	\$48.99	\$50.99	\$2.00

CHARTER DIGITAL TIERS (When purchased a la carte, includes music channels and ITV where applicable.)			
Family & Information Tier	\$5.00	\$5.00	N/C
Movie Tier (Showtime Unlimited)*	\$5.00	\$5.00	N/C
Sports Tier	\$5.00	\$5.00	N/C

DIGITAL PREMIUM NETWORKS (when purchased a la carte)			
HBO (5 chls)	\$13.95	\$13.95	N/C
Cinemax (4 chls)	\$11.95	\$11.95	N/C
Showtime Unlimited (8 chls)	\$14.95	\$14.95	N/C
Starz/Encore (8 chls)	\$13.00	\$13.00	N/C
HBO/Max (9 chls)	\$13.00	\$13.00	N/C

CHARTER PAY-PER-VIEW (per activity)			
Movies	\$3.99	\$3.99	N/C
Adult	Varies	Varies	N/C
Events	Varies	Varies	N/C

VCR EQUIPMENT RENTAL			
Standard Digital Receiver	\$3.95	\$3.95	N/C
CableCARD	\$1.50	\$1.50	N/C
Remote Control	\$0.15	\$0.15	N/C

OTHER SERVICES			
Integrated Interactive Services Fee**	\$3.00	\$3.00	N/C

CHARTER HIGH-SPEED (HSI)			
384 Kbps Download	\$39.99	\$44.99	\$5.00
Discounted Service***	\$29.99	\$44.99	\$5.00
3 Mbps Download	\$49.99	\$11.99	\$2.00
Discounted Service***	\$39.99	\$11.99	\$2.00
Modem Lease - 384 Kbps	\$4.95	\$4.95	N/C
Modem Lease - 3 Mbps	\$2.95	\$2.95	N/C
Gateway Lease - 3 Mbps	\$5.00	\$5.00	N/C
HomeNetwork	\$4.99	\$4.99	N/C

*** Applicable if customer purchases other Charter services. Certain restrictions apply. Other features and pricing available including additional Home Networking, Portal and Security services.

****Not available with 384Kbps service
 *****Price reflects \$10 Multi-Product Discount
 **Requires Digital Service
 *SS includes program guide, music channels, on screen ordering of PPV
 N/C - NO CHANGE

	Current Price	February 1, 2006	Difference
DIGITAL VALUE PACKAGES			
Big Value Package (Basic, Expanded Basic, digital receiver, IS, choice of 1 digital tier, music channels and ITV where applicable)	\$54.99	\$56.99	\$2.00

Bigger Value Package (Basic, Expanded Basic, digital receiver, IS, choice of 1 digital tier, choice of HBO/Max or Starz/Encore, music channels and ITV where applicable)	\$67.99	\$66.99	\$2.00
Biggest Value Package (Basic, Expanded Basic, digital receiver, IS, choice of 1 digital tier, HBO/Max and Starz/Encore, music channels and ITV where applicable)	\$70.99	\$74.99	\$4.00

INSTALLATION (per activity)			
Primary Outlet			
Unwired Home	\$45.95	\$45.95	N/C
Wired Home	\$29.95	\$29.95	N/C
Reconnect	\$29.95	\$29.95	N/C
Additional Outlet - Unwired Home			
With Initial Install	\$19.50	\$19.50	N/C
Special Trip	\$24.95	\$24.95	N/C
Additional Outlet - Wired Home			
With Initial Install	\$9.95	\$9.95	N/C
Special Trip	\$24.95	\$24.95	N/C
Relocate Additional Outlet			
With Initial Install	\$19.50	\$19.50	N/C
Special Trip	\$24.95	\$24.95	N/C
Change of Service/Disconnect			
Special Trip	\$23.95	\$23.95	N/C
Computerized	\$1.99	\$1.99	N/C
Hourly Service Charge	\$26.00	\$26.00	N/C
Video Equipment Hookup			
Special Trip	\$24.95	\$24.95	N/C
Amplifier or A/B Switch			
Special Trip	\$26.00/hr	\$26.00/hr	N/C
HSI Installation			
Standard	\$49.95	\$49.95	N/C
Self	\$35.99	\$35.99	N/C

UNRETURNED EQUIPMENT FEES			
Standard Digital Receiver	\$195.00/unit	\$195.00/unit	N/C
CableCARD	\$84.00/unit	\$84.00/unit	N/C
Remote Control	\$4.00/unit	\$4.00/unit	N/C
Modem - 384 Kbps/3Mbps	\$33.00/unit	\$33.00/unit	N/C
Gateway - 3 Mbps	\$88.00/unit	\$88.00/unit	N/C

MISC. OTHER CHARGES			
Whole House Wire			
Maintenance	\$3.99	\$3.99	N/C
Returned Check Fee	\$25.00	\$25.00	N/C
Past Due 45 Day Fee	additional \$6.00	additional \$6.00	N/C
Phone Payment Processing (CSR Assisted)	N/A	\$1.99	\$1.99

Channel Line-up

Effective 12/31/05
 Programming subject to change.

Analog Basic	
2 KBVU - FOX	
3 KIEM-TV - NBC	
4 Local Origination	
5 KOBI - NBC	
6 KTVL - CBS	
7 WB 100 Plus	
8 UPN9 - KUVU	
9 KBSC-LP - WBN	
10 QVC	
11 KDRV - ABC	
12 WGN	
13 KSY5 - PBS	
14 Home Shopping Network	
15 Univision	
16 Shop NBC	
17 CSPAN	
18 CSPAN2	
19 Inspirational Network	
20 EWTN	
21 KBLN	
22 Trinity Broadcasting/TBN	
95 The Weather Channel	
97 Telemundo	
98 Leased Access	
99 Government Access	

Expanded Basic	
23 VH-1	
24 MTV	
25 CNBC	
26 AMC	
27 Travel Channel	
28 The Learning Channel	
29 HGTV	
/Home and Garden Television	
30 Fox Sports Net Northwest	
31 Comedy Central	
32 Lifetime	
33 fx	
34 FOX News Channel	
35 USA	
36 ABC Family	
37 ESPN	
38 Spike TV (TNN)	
39 CNN	
40 CNN Headline News	
41 TNT	
42 MTV2 (M2)	
43 ESPN2	
44 History	
45 Golf Channel	
46 Women's Entertainment	
47 Outdoor Life Network	
48 Animal Planet	
49 The Disney Channel	
50 CMT	
51 The Discovery Channel	

52 TBS	
53 Sci-Fi	
54 Bravo - West	
55 Turner Classic Movies	
56 TV Land	
57 National Geographic	
58 MSNBC	
59 E!	
60 Toon Disney	
61 Speed Channel	
62 Hallmark Channel	
63 Court TV	
64 Cartoon Network	
65 Style	
66 Oxygen	
67 Food Network	
68 A&E	
69 Northwest Cable News	
70 Nickelodeon-West	
71 GSN (Game Show)	
72 Great American Country	
75 G4	
76 Do It Yourself	

Digital Family and Information Tier

100 Boomerang	
102 Discovery Kids	
104 Nickelodeon Games and Sports	
106 Nickelodeon Toons	
108 Noggin	
112 Biography	
113 Discovery En Espanol	
114 Military Channel	
115 The Science Channel	
116 Discovery Health	
119 Discovery Home Channel	
123 Soap Net	
129 CNN International	
130 History Channel International	
132 BBC America	
133 CNN en Espanol	
134 Discovery Times	
141 MTV Espanol	
142 MTV Hits	
144 MTV Jams	
146 VH-1 Classic	
148 VH-1 Country	
152 VH-1 Soul	
153 VH Uno	
158 BET Jazz	
180 ESPN Classic	
182 ESPNNews	
190 Lifetime Movie Network	
193 FOX Movie Channel	
195 Independent Film Channel	
196 Sundance-West	

Digital Sports Tier	
401 Fox College Sports - Atlantic	
402 Fox College Sports - Central	
403 Fox College Sports - Pacific	
404 Fox Soccer Channel	
406 Fox Sports en Espanol	
416 Fuel	
417 The Sportsman Channel	
418 Outdoor Channel	

Digital Premium

500 HBO-West	
501 HBO-East	
502 HBO 2-West	
504 HBO Signature-West	
506 HBO Family-West	
520 Cinemax-West	
521 Cinemax-East	
522 More Max-West	
524 Action Max-West	
700 Starz-West	
706 Starz Cinema-West	

The Movie Tier

600 Showtime-West	
602 Showtime Too-West	
604 Showtime Showcase-West	
606 Showtime Extreme-West	
608 Showtime Beyond-W	
610 FLIX-W	
620 The Movie Channel-West	
622 TMC Xtra-West	
680 LOGO	
750 Encore-West	
751 Encore Action-West	
752 Encore Love-West	
753 Encore Mystery-West	
754 Encore Drama-West	
755 Encore Westerns-West	

Digital Pay Per View

800 IN DEMAND Previews	
801-813 IN DEMAND	

Digital Adult - Pay Per View

890 Hot Choice	
894 The Hot Network	
895 The Hot Zone	
897 Playboy	
898 Spice	
899 Spice 2	

Digital Music (Digital Converter)	
901 MC - Showcase	
902 MC - Today's Country	
903 MC - Classic Country	
904 MC - Bluegrass	
905 MC - R&B and Hip-Hop	
906 MC - Classic R&B	
907 MC - Smooth R&B	
908 MC - R & B Hits	
909 MC - Rap	
910 MC - Metal	
911 MC - Rock	
912 MC - Arena Rock	
913 MC - Classic Rock	
914 MC - Alternative	
915 MC - Retro-active	
916 MC - Electronica	
917 MC - Dance	
918 MC - Adult Alternative	
919 MC - Soft Rock	
920 MC - Hit List	
921 MC - Party Favorites	
922 MC - 90s	
923 MC - 80s	
924 MC - 70s	
925 MC - Solid Gold Oldies	
926 MC - Singers & Standards	
927 MC - Big Band & Swing	
928 MC - Easy Listening	
929 MC - Smooth Jazz	
930 MC - Jazz	
931 MC - Blues	
932 MC - Reggae	
933 MC - Soundscapes	
934 MC - Classical Masterpieces	
935 MC - Opera	
936 MC - Light Classical	
937 MC - Show Tunes	
938 MC - Contemporary Christian	
939 MC - Gospel	
940 MC - Radio Disney	
941 MC - Sound of the Seasons	
942 MC - Musica Urbana	
943 MC - Salsa Merengue	
944 MC - Rock 'En Espanol	
945 MC - Pop Latino	
946 MC - Mexicana	