AGENDA

CITY OF BROOKINGS

COMMON COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS

898 ELK DRIVE

BROOKINGS, OREGON, 1997 - 7:00 P.M.
APRIL 14, 1997



AGENDA

CITY OF BROOKINGS

Joint City Council/Planning Commission Work Session Brookings City Hall Council Chambers 898 Elk Drive, Brookings Oregon April 14, 1997 6:00 p.m.

Call to Order

- 1. Deferred Improvement Agreements and what direction the Planning Commission should take on them.
- 2. Traffic, parking and access at both the main and annex Post Offices.
- 3. Status of recommended committees for:
 - a) Neighborhood Circulation Plan.
 - b) Residential Care Facilities.
- 4. Establishing the date of the next Council/Commission work session.

IMPORTANT ANNOUNCEMENT

PLANNING COMMISSION

PARKS AND RECREATION COMMISSION

SYSTEMS DEVELOPMENT CHARGE REVIEW BOARD

BUDGET COMMITTEE

DEPARTMENT HEADS

PLEASE BE ADVISED THAT CITY ATTORNEY MARTIN STONE WILL BE IN ATTENDANCE AT THE BROOKINGS CITY COUNCIL MEETING ON APRIL 14, 1997 TO REVIEW THE <u>ETHICS GUIDE FOR PUBLIC OFFICIALS</u>, AS IS REQUIRED BY ORDINANCE NO. 91-0-474.

THIS REVIEW IS EXTREMELY IMPORTANT FOR ALL ELECTED AND APPOINTED PUBLIC OFFICIALS. PLEASE PLAN TO ATTEND.

agenda

CITY OF BROOKINGS COMMON COUNCIL MEETING Brookings City Hall Council Chambers 898 Elk Drive, Brookings, Oregon April 14, 1997 7:00 p.m.

<i>I</i> .	CALL TO ORDER
II.	PLEDGE OF ALLEGIANCE
<i>III.</i>	ROLL CALL
IV.	CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS A. Certificate of Appreciation for Linda Barker - 5 years employment (pink) B. Clean up month proclamation (blue) C. Poppy Proclamation (yellow) D. Crime Victims Rights Proclamation (green)
<i>V.</i>	PUBLIC HEARINGS
VI.	SCHEDULED PUBLIC APPEARANCES A. Dana Jensen - BMX B. Ron Ellingson - Curry County Employee Assistance Program
VII.	ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE
VIII.	STAFF REPORTS A. City Attorney 1. Oregon Ethics law review B. Police Department 1. Building Expansion plans (tan) C. Community Development 1. Paul Rettig's letter (orange)
	2. Pedestrian Facilities project (purple)

- 3. Building Code Administrative Ordinance (gold)
- 4. Authorization to call for bids for water treatment plant and Police Department expansion roofing (cream)
- 5. Accept bid on Public Works pickup truck (grey)
- 6. Approval of consultants contract (blue)
- 7. Committee members for the Highway 101 Refinement Study (green)
- D. City Manager
 - 1. Municipal Court Judge job description and salary (orange)
 - 2. Accept bid on surplus generator (yellow)
 - 3. Building inspections in County (pink)
- E. Finance Director
 - 1. 1995/96 Audit Paul McLeod (City Auditor will be present to answer any questions)

IX. CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
 - 1. Minutes of 3-24-97 Regular Council Meeting (cream)
 - 2. Minutes of 4-2-97 Special Council Meeting (gold)
- B. Acceptance of Commission/Board Minutes
 - 1. Minutes of 2-4-97 Regular Planning Commission Meeting (Purple)
- C. Approval of Vouchers (\$188,187.04) (grey)

(end Consent Calendar)

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
 - 97-0-523 An Ordinance establishing administration and enforcement standards and procedures for the City of Brookings and it's Building Official and code enforcement agency (tan)
- XI. <u>COMMITTEE & LIAISON REPORTS</u>
- XII. REMARKS FROM MAYOR AND COUNCILORS
 - A. Councilor Cartwright Softball Fields
- XII. <u>ADJOURNMENT</u>

APRIL 1997

	1		AFRIL 1997			
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		8:00am APRIL FOOL'S	8:00am CC-Muni Court	8:15am FH-CDD Staff	8:00am CC-Mtg with	1:00pm CC-South Curry
		DAY	12:00pm CC-Community	meeting	Brusch & Bauder attorney	Youth Assn (Heather
		8:30am Staff Mtg-Tom's	mtg	9:00am CC-Crime	with Nina Canfield, Leo,	412-0915)
		ofc	6:30pm CC-Citizen	Stoppers	Bill S. & Doug	412-0913)
		9:30am CC-PD Motorola	Academy	10:00am Site Plan-Tom's	Bill 3. & Doug	
		Class		ofc		
		12:00pm Rotary-Sandy's		Overflow		
		Overflow	2	2		
	9:00am CC-VIPS (Barb)	8:30am Staff Mtg-Tom's	8:00am CC-Muni Court	8:15am Finance Staff Mtg	4	
	7:00pm FH-Dept drill	ofc	6:30pm FH-Citizen	8:15am CC-CDD Staff		
	night	12:00pm Rotary-Sandy's	Academy	Meeting		
		1:15pm CC-Open bids for	7:00pm CC-APF Mtg	10:00am CC-Target		
		Public Works Pickup	7:00pm Tri Cities	(Barb)		
			Council-Gold Beach	10:00am Site Plan-Tom's		
			Chambers	ofc		
Daylight Savings Begins 6	7	8	9	Overflow		
Market Company of the	6:00pm	8:30am Staff Mtg-Tom's	8:00am CC-Muni Court	8:15am CC-CDD Staff	11	11
	CC-Council/Planning	ofc	1:00pm CC-911 Mtg	Meeting		
	Comm Mtg	9:00am CC-Forest Svc	(Mike Cooper)	10:00am Site Plan-Tom's		
	7:00pm CC-Council Mtg	(Shirley VanCleave)		ofc		
	7:00pm FH-Dept drill	12:00pm Rotary-Sandy's	Mtg	5:00pm CC-Student		
	night		5:00pm CC-CFABB	Government Day		
			Overflow			
13	14	15	16	17		
	7:00pm FH-Dept drill	8:30am Staff Mtg-Tom's	8:00am CC-Muni Court	8:00am CC-CDD Staff	- 18	19
	night	ofc	6:30pm FH-Citizen	Meeting		
	7:30pm School	12:00pm Rotary-Sandy's	Academy	10:00am Site Plan-Tom's		
	Board-Azalea Library	2:00pm CC-John Bischoff	7:00pm	ofc		
			CC-Council/Budget Comm	7:00pm CC-Parks & Rec		
				Comm Mtg		
			Overflow	3		
20	21	Passover 22	Secretaries Day 23	24	25	
	7:00pm CC-Council Mtg	8:30am Staff Mtg-Tom's	8:00am CC-Muni Court		25	
	7:00pm FH-Dept drill	ofc	6:30pm CC-Citizen			
	night	12:00pm Rotary-Sandy's	Academy			
		7:00pm CVAT-Forest				
		Svc Bldg				
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/1/97	APPOINTMENTS & SCHEDULED EVENTS 1:00pm Rotary Board of Dir-Sandy's 7:00pm CC-Planning Commission Mtg 11:00am Muni Court Bench Trial
1/1/97	7:00pm CC-Planning Commission Mtg
/3/97	11:00am Muni Court Bench Trial
/10/97	12:00nm Chambar Forum Conf Cte
/10/97	12:00pm Chamber Forum-Conf Ctr 5:00pm Local Public Safety Coord Council-GB 6:30pm FH-Citizen Academy 7:00pm CC-Council/Budget Mtg 7:00pm Chamber Board of Directors-Conf Ctr
110/97	Schopm Local Public Safety Coord Council-GB
/16/97	6:30pm FH-Citizen Academy
/16/97	7:00pm CC-Council/Budget Mtg
/23/97	7:00pm Chamber Board of Directors-Conf Ctr
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	Employee vacation hours				
	10:00am Site Plan-Tom's ofc				
	Stoppers Site Plan-Tom's				
	9:00am CC-Crime				
FRIDAY SATURDAY	THURSDAY	MEDNESDYA	TUESDAY	MONDAY	SUNDAY

Certificate of Appreciation

awarded to:

Linda Barker

Employed April 6, 1992 and honored this 14th day of April, 1997 for 5 years of dedicated service to the City of Brookings.

Tem Weldon

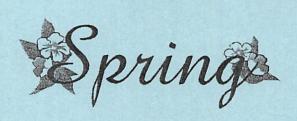
Tom Weldon

City Manager

Maney Brendlinger Nancy Brendlinger

Mayor

PROCLAMATION



WHEREAS, the Brookings-Harbor area has attained wide recognition for its natural beauty and friendliness; and

WHEREAS , the citizens of the Brookings-Harbor area are known for their civic pride; and

WHEREAS, a large number of visitors visit our area during the spring;

NOW, THEREFORE, I, Nancy Brendlinger, Mayor of the City of Brookings, do hereby proclaim the last 3 weeks of April as

"SPRING CLEAN-UP MONTH IN BROOKINGS-HARBOR"

And ask all citizens to pitch-in, join the Brookings-Harbor Clean-Up Program and show pride in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be affixed this 14th day of April, 1997.

Nancy Brendlinger Mayor



Keep this schedule of special Clean-Up Month events and suggestions!

Join the Brookings-Harbor Clean-Up Program and help! show pride in our community. For more information, contact Curry Transfer and Recycling at (541) 469-2425.

> Clean-Up Month is sponsored by the Partnership, City of Brookings, Curry Transfer and Recycling, and The Curry Coastal Pilot.

Yard Clean-Up April 12-20

That gives you two weekends to prune trees and bushes, pull weeds, rake leaves and reclaim the yard from winter.

Bag and bundle your yard clippings for FREE pickup by CTR during the week of April 21-25.

Just set the bags out at curbside on your. regular Curry Transfer Community Pride and Recycling garbage pickup day in your neighborhood. (No household

garbage, please.)



Spruce-Up April 21-25

Both at home and at work, it's time to wash windows, clean sidewalks and planters, take down old signs and just plain spruce up.

And while you're cleaning out, set aside "recyclable" items for Garage Sale Saturday on April 26.

Garage Sale Saturday April 26

How many garage sales, yard sales and sidewalk sales can one ! to dumpsters at community have? Advertise your sale in The Curry Coastal Pilot 1 to 4 pm, Mondayand get both a free sign and free listing on a special locator map. The ad deadline is 3 p.m. April 24.



Bring your metal, wood or yard debris **Brookings City** Hall from 8 am Friday, or drop them I free at Wridge Creek Transfer Site, 10 am to 5 pm, Saturday, May 3. Large loads may be sent to

- CTR on Carpenterville Rd.
- A small fee will be charged for refrigerators, air conditioners and freezers.
- Abandoned autos will be picked up at a reduced rate during April. Call 469-2425.
 - Help with large loads is available for small fee. Call 469-2425.



PROCLAMATION

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died in the field of battle; and

WHEREAS, a nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

THEREFORE, I, Nancy Brendlinger, Mayor of the City of Brookings, do hereby proclaim this 25th day of April, 1997, as

"POPPY DAY"

and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

IN WITNESS WHEREOF, I, Nancy Brendlinger, Mayor of the City of Brookings, have hereunto set my hand and caused to be affixed the official seal of the City of Brookings, this 14th day of April, 1997.

PROCLAMATION

WHEREAS, crime continues to despoil the quality of life in every community in our state and in our country; and

WHEREAS, law-abiding citizens are no less deserving of justice, rights, resources, restoration and rehabilitation than the violent offenders who victimize them; and

WHEREAS, to fight the continuing threat of crime and victimization, all Oregonians must join together, committing their individual and collective resources to crime prevention and victim services; and



WHEREAS, crime victims and their advocates over the past two decades have made unparalleled progress toward balancing the scales of justice in our criminal justice system; and

WHEREAS, the bells of liberty and justice are ringing across America in support of the millions of survivors of crime, their families and advocates who deserve justice; and

WHEREAS, the City of Brookings is joining forces with victim service programs, criminal justice officials, victim advocates and concerned citizens throughout Oregon and America to observe National Crime Victims Rights Week;

NOW, THEREFORE, I, Nancy Brendlinger, Mayor of the City of Brookings, do hereby proclaim April 13-19, 1997 as

"BROOKINGS CRIME VICTIMS RIGHTS WEEK"

in Brookings and encourage all citizens to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be affixed this 14th day of April, 1997.

O F F I C E

MEMO

To:

Tom Weldon, City Manager

From:

Sgt. Mike Cooper

THROUGH Police Chief Jack McDonald and City Manager Tom Weldon

Subject:

Police Department building addition

Date:

April 9, 1997

At this time we have spent \$150 on plans for the addition to the Police department and don't expect to spend anymore. Per the City Manager, the city building permit fees will be waived but we will pay the state fees.

We are still checking on bids for the electrical, roofing and insulation work. We have been advised by Doug Alexander that the estimates he gave came from contractors and should be very close to the price needed to do that work.

The excavation will be completed by the city crew and will consist of about 8 hours of work with a backhoe. The only soil preparation will be with the city crew placing the soil removed for the footings inside the foundation for fill.

The equipment room that was to be built on top of the new building has been deleted at this time to conserve money. If when the building is near completion money is available, the second floor equipment room may again be considered.

Floor covering would come out of this year's allocation. Heating and lighting fixtures are included in the electrical cost estimate.

TO: Mayor, City Çouncil

FROM: John Bisch Lanning Director

THROUGH: Tom Weldon, City Manager

DATE: April 3, 1997

<u>Issue</u>: Land within the city zone FG (Forest Grazing)

Synopsis: The city has received a letter from Paul J. Rettig, dated March 19, 1997,

objecting to the FG Zone in the city.

Recommendation: None - Information only.

Background: Actually there is no land within the city zoned Forest Grazing. The FG Zone

is a resource zone applied by counties through the state over land to be preserved for forest production. Most of the land within the state that is outside of an urban growth boundary (UGB) is zoned either Forest Grazing or for exclusive farm use. There may, at times be FG Zoning within an UGB, however, I also called the county and was told that there is no Forest

Grazing with in the old UGB.

Mr. Rettig is concerned about trees growing on a neighbor's property blocking his view. Both the Rettig property and the neighbor's property are

adjacent to but outside of the City Limits.

A copy of Mr. Rettig's letter is attached.

March 19-97

to the City Council

up the road and befor the first cure you feel as though Man and car or buck the embankment is jus 30 ket sla me being kill ore som

march 19, 97 to the City Council

TO: Mayor, City Council

FROM: Leo Lightle, Community Development Director

THROUGH: Tom Weldon, City Manager

DATE: April 8, 1997

<u>Issue:</u> Marina Heights Road—Paul Rettig letter.

Synopsis: Marina Heights Road could be constructed to a high level of service.

The cost to bring Marina Heights Road to a high level of service is beyond any financing that we currently have available. The Council

could order in a Local Improvement District.

Specific Issues: Potholes have been filled and more potholes will be filled. This

condition exists on many city streets. The road does have areas in which the asphalt slopes downhill but I'm not sure one can infer that

a total failure is eminent.

Mr. Rettig's calling areas to our attention for our evaluation is appreciated. The road could be reconstructed but lack of financing is

a problem.

- EOM -

TO:

Mayor, City Council

FROM:

Leo Lightle, Community Development Director

THROUGH:

Tom Weldon, City Manager

DATE:

April 8, 1997

Issue:

Pedestrian Facilities Brookings Section, Sidewalk Enhancement Project

Synopsis:

This project is to make the sidewalks on the ocean side of Highway 101 from Oak to Mill Street accessible to the disabled. The city has been working for about 3 1/2 years to get this project through the hoops necessary to start construction. The city would now pay \$17,100 of a \$46,500-\$48,500 project with the Federal Highway System paying

\$31,500.

Recommendation:

The City Council authorize an additional \$10,000 from the System Replacement Fund for this project and authorize related paperwork to be

signed by the City Manager.

Rationale:

The project is necessary and with the Federal Highway Administration paying \$31,500 seems the most efficient in getting this portion of the project done.

Background:

The preliminary estimate (\$20,000) for this project was done in August, 1993 by Grant Crammond, the city's in-house engineer. The original grant was based upon Grant's estimate. The city agreed to pay \$7,100 as our share of the project.

The project was designed and the figures for the project doubled in cost.

Staff received authorization to cut back on the scope of the project to be closer to the budgeted amount.

Ken Norton of Oregon Department of Transportation called April 7, 1997 at 9:15 a.m. to tell me the results of the bid opening which were:

Freeman Rock

\$28,260.50

Tidewater Contractors

\$30,252.00

Options/Alternatives:

Do not do the project and reimburse the Federal Highway Administration for our share of engineering costs already incurred.

-EOM-

TO: Mayor, City Council

FROM: Douglas Alexander, Building Official

THROUGH: Tom Weldon, City Manager

DATE: April 9, 1997

<u>Issue:</u> Adoption of administrative ordinance (rule) for the city of

Brookings Building Codes Division

Synopsis: Because of changes required by Senate Bill 35 municipalities now

are required to adopt their own administrative rules for enforcing the building code. Adoption of the building codes by reference is no longer necessary as the state has mandated the codes. However, administration of the codes has been delegated to the

jurisdiction.

Recommendation: The City Council adopt the proposed ordinance.

Rationale: Municipalities given code enforcement jurisdiction by the state of

Oregon Building Codes Division are now required to provide an operating plan. Our operating plan was submitted in November of 1996. The plan was returned February 27, 1997 and required corrections. One of the corrections was to identify our ordinance allowing the city to issue stop work orders. We do not have any such ordinance nor any ordinance to require permits or inspections. After talking to the Chief Compliance Office I find that without an administrative ordinance the city of Brookings will

not have a viable building program.

Background: The city of Brookings Building Division requested the adoption of

the codes to comply with the new law. However, I failed to clarify the requirements. It was my understanding that by adopting the State Building Code Administrative portions of the Oregon State Structural Speciality Code by reference we would be covered and

in compliance. This evidently is not true.

Options/Alternatives: At this time I have been unable to consult with the proper people

in the State Building Codes Division to determine the consequences of not adopting the proposed ordinance. I believe that if we do not, we would be found in noncompliance and possibly have to forfeit our building inspection program. The

corrections are required to be submitted by May 15, 1997.

TO: Mayor, City Council

FROM: Leo Lightle, Community Development Director

THROUGH: Tom Weldon, City Manager

DATE: April 9, 1997

Issue: Reroofing the Water Treatment Plant and installing a roof on the

Police Department's new addition.

Synopsis: The Water Treatment Plant roof needs repair and we need to do it

soon before major structural damage occurs. The calling for bids for the Police Department addition's roof will be advertised at the same time if we receive the specifications in time for the bidding process.

Recommendation: The City Council authorize the city's consulting engineering firm to

prepare plans and specifications for the reroofing of the Water Treatment Plant and to call for bids. The call for bids will also include the bidding for the roof for the new Police Department addition.

Rationale: We must maintain our infrastructure or it will deteriorate until it is no

longer usable.

Background: The roof at the Water Treatment Plant is long overdue for repairs.

We've had our city consulting engineer look at the prints and review the records for the roof job. His recommendation was to wait until late in this fiscal year to do the project so that the roof and roof insulation could dry. Upon removal of the roofing material we have to examine the insulation and base material to see if they are okay before we add the new roof material. Staff assumes that no major structural damage has occurred. Moneys have been set aside under

the Water Treatment category projects to be determined.

TO: Mayor, City Council

THROUGH:

FROM: Leo Lightle, Community Development Director

Tom Weldon, City Manager

DATE: April 9, 1997

Issue: Awarding of the bid for the Public Works pickup truck authorized at the

March 24, 1997 Council meeting.

Synopsis: An advertisement for bids was placed in the Curry Coastal Pilot March 29

> and April 2, 1997. Letters were also sent to 8 automotive dealers in southwestern Oregon. One bid was received and opened April 8. The bid was from Coast Auto Center in the amount of \$16,369.00. The bid

included the following statement:

Due to the late timing of this Request for Bid in the model year, Coast Auto Center cannot guarantee a delivery date or even a production commitment. This bid is submitted on a will try basis only. Normal

delivery is 8-12 weeks from dealer order date.

Recommendation: The City Council accept the bid from Coast Auto Center for a 1997

Chevrolet C2500 for \$16,369.

Rationale: As noted in previous memos to the Council the funds for the new pickup

> were approved in the budget for fiscal year 1996-1997. This bid is \$731 less than the amount budgeted of \$17,100. The Public Works Division

has eight full-time employees but only five pickups.

Background: A request for bids for the Public Works pickup truck was advertised in

> February and 2 bids were received. When the bids were reported to the Council more information was requested on the need for this vehicle. This information was given at the March 24 meeting and authorization was granted to purchase the new pickup truck for the amount of the original bid price, 15,668.92 submitted by Coast Auto Center, Brookings. Coast Auto Center however could not honor this bid as the date had passed for them to order new fleet-priced vehicles for this model year. A new request for bids was prepared and advertised and bids were

opened April 8.

TO:

Mayor, City Council

FROM:

John Bischoff Planning Director

THROUGH:

Tom Weldon, City Manager

DATE:

Sono Carlos

Issue:

Contract for Consultant on the Public Services and Facilities Plan.

Synopsis:

The city and county has selected W&H Pacific, Inc. to generate the required Public Facilities and Services Plan for the new UGB. This action must be formalized by signing the contract between the city and consultant.

Recommendation:

Acceptance of the contract.

Background:

The contract has been reviewed and accepted by the city attorney. The consultant is now reviewing the final draft and should accept it by late Thursday the 10, or by Friday morning at which time it will be given to you. The delay is unfortunate, however, the alternative is to wait until the April 28th meeting to accept the contract which delays the project significantly.

Options/Alternatives:

Listed Below are the options we have reviewed and do not recommend.

1. Not accept and sign the contract.

2. Wait until the April 28, hearing to accept the contract.

TO:

Mayor, City Council

FROM:

John Bischoff, Planning Director

THROUGH:

Tom Weldon, City Manager

DATE:

Issue:

Highway 101 couplet refinement study - establishing a committee.

Recommendation:

Attached is a list of suggested committee members for the refinement study.

Please review and approve, deny or amend.

Rationale:

The committee is needed to oversee the process and to guide the study to

meet city needs.

Background:

The state has funded the study and hired a consultant to perform the work.

We now need a citizens advisory committee to participate in this process.

Options/Alternatives:

Listed Below are the options we have reviewed and do not recommend.

To not form a committee.

To form only a Technical Advisory Committee.

Highway 101Refinement Study Committee Members

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Leo Ligtle	City of Brookings	
John Bischoff	City of Brookings	
Chuck Nordstrom	Curry County	(541) 247-7011
Dan Crumbly	Curry County	(541) 247-7097
CAC		
Phillip Pfaendler At large	1021 7th St Brookings	(541) 469-7533
Susan Pully At large	P.O. Box 3244 Brookings	(707) 465-6742
Fred Hummel At large	202 Alder St. Brookings	(541) 469 5896
Jim Burfield Senior Center	P.O. Box 2773 Brookings, OR 97415	(541) 469-7862
Eldon Gossett Board of Realtors	P.O. Box 610 Brookings, OR 97415	(541) 469 4600
Rick Tidwell* So. Coast Lumber	P.O. Box 670 Brookings, OR 97415	(541) 469-2514
Walt Jurczenko Coo/Curry Elect.	P.O. Box 1268 Brookings, OR 97415	(541) 469-2103
Dan Friesen Chamber of Commerce	95731 Garet Ln. Brookings, OR 97415	(541) 469-1227
Larry Bircher Chamber of Commerce	P.O. Box 416 Brookings, OR 97415	(541) 469-2212
Mary O'Holleran Chamber of Commerce	640 Mardon Ct. Brookings, OR 97415	(541) 469-0920

OFFICE

MEMO

To:

Mayor and City Council

From:

Tom Weldon, City Manager

Subject:

Municipal Judge job description

Date:

April 9, 1997

Attached is the new job description the City Attorney and I recommend for your consideration. Also attached are the Judge's comments on this proposed job description.

The main changes in this proposed job description from the present one are that the judge would not supervise anyone now and that the judge would not have to publish a change of court hours in the newspaper.

I suggest this job be treated as a contractual position, like the City Attorney and Prosecutor. If the Council wanted to do this, the attached job description could be the basis for the duties outlined in the contract. A contractual judge saves us payroll expenses as well as other expenses such as training, memberships, etc. A contractual judge could not have any supervisory responsibilities and with the downsized court we do not need a violations clerk.

The Finance Director agrees this should be a contracted position and the City Attorney states it could be a contracted position.

MUNICIPAL JUDGE

GENERAL STATEMENT OF DUTIES:

The Municipal Judge is the judicial officer of the City of Brookings and shall preside over the Municipal Court of the City of Brookings.

DISTINGUISHING FEATURES OF THE CLASSIFICATION:

The Municipal Judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city of Brookings; to commit any such person to jail or admit him to bail pending trial; to issue subpoenas; to compel witnesses to appear and testify in court on the trial of any cause before the court; to compel obedience to such subpoenas; to issue any process necessary to carry in effect the judgments of the court; and to punish witnesses for contempt of court.

SUPERVISION RECEIVED:

The Municipal Judge works under the supervision of the City Council. The Municipal Judge is appointed and may be removed by a majority of the Council.

JURISDICTION:

All of the incorporated area, now or hereafter, within the City of Brookings shall be within the territorial jurisdiction of the Municipal Court and the Municipal Judge.

The Municipal Judge shall exercise jurisdiction of all offenses defined and made punishable by ordinance of the City of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the City of Brookings.

SUPERVISION EXERCISED:

No employees are supervised by the Municipal Judge.

DMVN,1993

MUNICIPAL JUDGE

KEY PERFORMANCE AREAS:

The Municipal Judge shall have authority to form and adopt reasonable rules for the conduct of the business of the Municipal Court for the City of Brookings; provided, however, that he/she shall not form or adopt any rule which contravenes the Constitution of the United States, the Constitution of the State of Oregon, the laws of the State of Oregon or any ordinance of the City of Brookings.

The Municipal Judge shall by order set the days and hours that the Municipal Court for the City of Brookings will be in session for the transaction of judicial business. Once the Municipal Judge has set said days and hours, they shall not be changed or altered except by order of the Municipal Judge.

EMPLOYMENT STANDARDS

KNOWLEDGE OF: Legal principles, rules of evidence and City Ordinances.

SKILL IN: Maintaining decorum and order in hostile situations; weighing evidence, evaluating witnesses testimony, applying legal principles to situations and maintaining the legal and civil rights of citizens.

DESIRABLE EXPERIENCE:

Employment as an attorney or judge.

PRE-EMPLOYMENT REQUIREMENTS:

Drug/Criminal background screen; bondability; educational, licensing and experience verification.

COMPENSATION TYPE: Monthly

EXEMPTION STATUS: Exempt

JOB GRADE: N/A

MUNICIPAL JUDGE

POSITION FUNCTIONAL REQUIREMENTS

Division/Dept:

Judicial

Job Title:

Municipal Judge

Reports To:

City Council

The functions and abilities for successful performance in this position include, but may not be limited to:

Physical Job Functions

Designated Function	Reach (Inches)	Distance (Feet)	Weight (Pounds)	Time (%)
COLLATING		3		5
DIALING	18			5
FILING	18			5
KNEELING			2	
LIFTING		3	10	5
REACHING		3		5
SITTING				80
SORTING	18			5
STOOPING				3
STANDING				10
TYPING	12			5
WALKING				10
WORD PROC	ESSING	18		5

Note:

Percentages of time usually exceed 100% because many functions

actually occur simultaneously.

MUNICIPAL COURT JUDGE

Mental Aptitudes Table

Designated Function	% Time	Aptitude Lev	vel .
WRITING	10	2 N	lote: Percentages
READING	25		lote: Percentages hay exceed 100% ecause functions
REASONING	100	1 si	nay occur imultaneously
MATHEMATICS	25	2	
VERBAL	40	2	

Basic Acuities

Designated Function	Acuity Level
VISION	1
HEARING	1
TOUCH	2
TASTE	2
SMELL	1

Note: Acuities levels are: High = 1 Medium = 2 Low = 3

Acuity levels are established after reasonable accommodations are provided.

interoffice MEMORANDUM

to:

Mayor, City Council

from:

William Sharp, Fire Chief THROUGH Tom Weldon, City Manager

subject: Surplus Generator Bid Recommendation

date:

April 9, 1997

On March 12, 1997 we began advertising for bids to sell our surplus old emergency standby generator. The bids closed on Friday, April 4th at 4:00 pm.

We had received one bid from Southern Curry Ambulance Association in the amount of \$501.01.

My check with suppliers (Pacific Detroit Diesel of Medford and Cummins Northwest of Medford) had given me a recommendation that the value of the surplus generator was approximately \$500.00. I recommend the surplus generator bid be awarded to Southern Curry Ambulance Association and sold for the price bid.

The flow of the

TO: Mayor, City Council

FROM: Tom Weldon, City Manager

SUBJECT: Building Inspections in County

DATE: April 9, 1997

<u>Issue:</u> Should the City of Brookings do building inspections in Curry

County

Synopsis: The Oregon State Building Codes Division has asked the City

of Brookings to provide building inspection throughout Curry County. See last Council packet for options the state has

offered to us.

Recommendation: The city not expand our inspection services by providing these

services outside the city.

Background:

1) It is staff's belief, concurred with by Council at your last meeting, that we should not take on this service unless it at least paid for itself and allowed us to provide better service to

the citizens/taxpayers of Brookings.

2) The Curry County Board of Commissioners have discontinued providing building inspection services in the cities of Gold Beach and Port Orford and the unincorporated areas of Curry County effective July 1, 1997. They did this because they projected a deficit between inspection service revenues and expenses thus necessitating a subsidy from the General Fund.

3) Based upon revenue estimates extracted from information provided by Curry County and the State Building Codes Division, it appears Brookings taxpayers may have to subsidize providing inspection services outside the city. Please see attached financial pages.

4) The revenue projections used in #3 above are based on the County's 1996 calendar year inspection/permit revenues. These revenues appear to be running less this fiscal year than last calendar year; calendar 1996 = \$209,420, Fiscal Year

1996/97 thru March = \$119,108. Granted there are still 3 months left in this fiscal year and the last 3 would normally be busy, however it still appears construction and consequently inspection/permit revenues are dropping.

- 5) By state rules, any extra inspection/permit revenues must remain with and be spent only on related inspection program expenses.
- 6) There would be a lot of staff time (Building Official, Community Development Director and City Manager) necessary in the next 3 months to put this expanded program together no matter which option we were to choose. This is time (and therefore money provided by Brookings taxpayers) that the city would never recover. This comes at a time when we're already busy and we're preparing for a 12.9 million dollar wastewater bond election.
- 7) There will be considerable hassle for city staff as we develop the program and implement it. I asked one builder what he thought of us taking over the County's program and he said, "be prepared for a big headache". Staff agrees with this profound, insightful statement.
- 8) The state has been asked, if we could justify the dollar figures, if they would give us a subsidy to operate this program. I was told they have never done that but would consider it and let me know before Monday night's meeting.
- 9) There is the possibility the state would let us provide these services to only the south end of the county. This would lower expenses and also revenues. I do not know how much expenses and revenues would be lowered because the county's dollar figures are not broken down in this manner. I don't believe even this reduction in jurisdiction size worth the extra staff time and hassle. The state will let me know about this before our Monday night meeting.
- 10) There is a possibility, under state law, we would have to absorb the County's building inspection employees at their present wages and benefits. While I don't know those people, or much about them, I would not be in favor of city staff not being able to choose the employees we hire. We, and the state, are researching this and should have an answer by our Monday night meeting.
- 11) According to the results of a survey by the Curry County Home Builders Association and the Curry County Board of Realtors, the City of Brookings building inspection and land use planning services "have become very non-user friendly". They have made several suggestions as to how to change this and

staff is evaluating those ideas. Staff doesn't necessarily agree with all the comments that accompanied the survey but, instead of taking on more employees, inspection programs and territory I believe we should focus on improving our present service level.

12) The Council needs to make a decision Monday night because the state has to make arrangements for the transfer of inspection services no matter what we do.

FINANCIAL PAGES

Options for City taking over Curry County Building Inspections

ADDITIONAL REVENUES TO CITY:

Option A. State rents space in City Hall, pays for City Building Official's time for supervising state inspectors and for clerical help.

	Revenues to city:	ANNUAL
	Space rent for up to 4 inspectors at \$200/month Building Official's time as supervisor at \$200/month Fees for issuing permits based on numbers from County Building Official D. Kilishek on 3/5/97 for	\$ 2,400 \$ 2,400
OR	calendar 1996 TOTAL ESTIMATED REVENUE	\$18,775 \$23,575
	Flat fee at \$1,500/month from state	\$18,000

Both options above include the city providing up to 4 hours clerical support per day, providing miscellaneous office supplies and state paying for phones and cars for their employees.

ADDITIONAL EXPENSES TO CITY:				
Direct:	Clerical support at 4 hours/day=\$1,400/month Miscellaneous expenses at \$100/month	\$16,800 \$ 1,200		
Indirect:	Building Official's time at 2 hours/day (Includes Building Official's 5% salary increase for accepting more responsibility)	\$13,844		
TOTAL ESTIMATE	Other clerical time (Finance Dept. employees) at 1 hour/day = \$350/month D DIRECT AND INDIRECT EXPENSES	\$ 4,200 \$36,044		

When all costs are included, this is a money losing proposition. The Building Official's time is included because we would lose that time from his regular city responsibilities and we would need to hire someone to replace his time on city business. That could be a problem - finding someone with proper certifications who would/could work part time. There could also be problems with the state inspectors as they would have two bosses - their state contact and our Building Official. While the lady from the Building Codes Division assures me this should not be a problem, I am skeptical.

Option B. City take over structural, mechanical, plumbing and manufactured dwelling inspection/permit program for all of Curry County and keep all revenues from these programs.

1.	A DDI'	TIONAL REVENUE TO CITY :		
1.	ADDI		* 00	200 420
		All permit fees in County (except electrical)	* <u>D</u> 2	209,420
2	4 DDI	* (Curry County 1996 permit fees) TIONAL EXPENSES TO CITY:		
2.				
	a.	3 inspectors at \$44,889 (salary & benefits)		134,667
	b.	10% salary increase for City Building Official for	\$	3,200
		accepting more responsibility		
	c.	Counter technician (salary & benefits)	\$	33,600
	d.	Overhead: Rent, utilities, City Manager, Community	\$	9,000
		Development Director, Finance Director and other staff		
		time, misc. at \$750/month		
	e.	Phones, photocopy, misc. supplies	\$	6,000
	f.	Training	\$	4,500
	g.	Vehicle operating expenses (3 vehicles)	\$	7,000
	h.	Vehicle replacement fund	\$	7,200
		, omere replacement fand		205,167
			<u> </u>	203,107
	FIRST	YEAR EXPENSES:		
	a.	Time - City Manager, Community Development	\$	3,000
		Director, Building Official, Finance Director		
		at \$500/month for 6 months		
	b.	Capital Outlay:		
		3 cars at \$8,000 each	\$	24,000
		1 computer at \$2,000 each	\$	2,000
		1 computer at \$2,000 each	0	
			Ф	29,000

First year (1997/98 FY) expenses would be approximately \$24,747 more than income. If construction, and therefore inspection/permit revenues remain the same in 1998/99 as in calendar 1996, we would essentially break even in the 2nd year of our assuming these inspection programs.

MINUTES

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
March 24, 1997
7:00 p.m.

. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Nancy Brendlinger, Councilor Bob Hagbom, Councilor Julie Cartwright, Councilor Larry Curry, Councilor Dave Ham

Staff Present: City Manager Tom Weldon, Finance Director/Recorder Bev Adams, Police Chief Jack McDonald, Judge William Cowley, Planning Director John Bischoff, Police Sergeants Wayne Sheffel and Mike Cooper

Media Present: Anita Rainey, Curry Coastal Pilot; Martin Kelly, KCRE; Austin Bertelson, KURY

IV. <u>CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS</u>

Mayor Brendlinger announced the Council Liaison appointment list had been distributed just prior to the meeting and asked for Council members to review. Councilor Hagborn told the Mayor and Council that he would not be able to fill the liaison to the Parks & Recreation Commission.

Councilor Ham moved to accept the updated version of the Council Liaison appointments as presented by the Mayor; Councilor Curry seconded, and the motion passed unanimously.

V. <u>PUBLIC HEARINGS</u>

A. Hearing to change zone from C-3 (General Commercial) to C-4 (Tourist Commercial) on the lot that contains the Elks Lodge building.

Mayor Brendlinger opened the public hearing at 7:07 p.m. Planning Director John Bischoff presented the request for the zone change. Planning Commission and staff both give unanimous recommendation for approval.

Following input from the public and discussion of the Council, Mayor Brendlinger closed the public hearing at 7:20 p.m.

Councilor Ham moved; Councilor Curry seconded, and Council voted unanimously to approve the Elks application for the zone change.

Councilor Ham moved; Councilor Hagbom seconded, and the Council voted unanimously to adopt the Planning Commission's Final Order and Findings of Fact on the Elks Lodge request for a zone change.

The Council decided to move consideration of Ordinance No. 97-O-522 up on the agenda since it is directly relating to this zone change.

Finance Director/Recorder Bev Adams read Ordinance No. 97-O-522 into the record.

Councilor Hagbom moved; Councilor Ham seconded, and the Council voted unanimously to adopt Ordinance No. 97-O-522.

After second reading of Ordinance No. 97-O-522 by title only, Councilor Hagbom moved; Councilor Curry seconded, and the Council voted unanimously to adopt Ordinance No. 97-O-522.

VI. <u>SCHEDULED PUBLIC APPEARANCES</u>

A. President of the Home Builders Association, Chuck Brendlinger, addressed the Council concerning City services pertaining to development.

Motion made by Councilor Ham, seconded by Councilor Curry, and Council voted unanimously to direct staff to review the recommendations presented by Mr. Brendlinger for improvements in City services.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

Commissioner Bill Roberts addressed the Council regarding a memo prepared on possible duplication of services and asked that the Council meet with him on this matter, specifically to discuss setting up a Justice Court.

VIII. <u>STAFF REPORTS</u>

A. Community Development

Community Development Director Leo Lightle was unable to attend, City Manager Tom Weldon presented the following items:

1. Request Council authorize purchase of a riding lawn mower in the amount of \$8,703; bid received from Basin Equipment Co.

Motion made by Councilor Ham, seconded by Councilor Hagbom to approve the purchase of a riding lawnmower for Public Works and accept the low bid. Motion passed unanimously.

2. Staff's second request of Council to approve purchase of a Public Works pickup, with additional information presented as previously requested by Council.

Councilor Ham moved, Mayor Brendlinger seconded, and Council voted unanimously to approve purchase of the Public Works pickup in the amount of the original bid price only.

3. Staff requests approval to take the necessary action to formally void a temporary construction easement on Map No. 40-13-32CC; Tax Lot 301.

Councilor Hagbom moved, Councilor Curry seconded, and Council voted unanimously to allow staff to proceed with voiding the temporary construction easement on Map No. 40-13-32CC; Tax Lot 301.

4. Staff is requesting Council authorization to discuss possibilities of the City entering into some type of agreement to provide building inspection and related services with the State of Oregon Building Codes Division.

Councilor Ham moved, Councilor Curry seconded, and Council voted unanimously to approve staff to review the various options available to provide building inspections throughout the County.

B. City Manager

1. Liquor license application renewal from Ken's Tavern

Councilor Curry moved, Councilor Ham seconded, and Council voted unanimously to approve liquor license application renewal from Ken's Tavern.

2. Azalea Park liquor use application from Joe Whaley

Councilor Curry moved, Councilor Ham seconded, and Council voted unanimously to approve an Azalea Park liquor use application for Joe Whaley contingent on his completion and signing an updated application form which has additional items included since his original application dated January 27, 1997.

3. Request from prospective developer for a 90 day extension of agreement on development of Jack Creek golf course.

Councilor Ham moved, Councilor Cartwright seconded, and Council voted unanimously to grant a 90 day extension to this agreement.

4. Recommendations regarding Azalea Park security from the Parks & Recreation Commission.

Councilor Curry moved, Councilor Ham seconded, and the Council voted unanimously to adopt recommendations 1 - 10 as recommended by the Parks & Recreation Commission.

- 5. Recommended 1997-98 fiscal year budget cuts of:
 - a. City hall janitorial service
 - b. Azalea park restroom janitorial service
 - c. Downsizing of Municipal Court

Council chose to consider items (a.) and (b.) together. Following discussion of these items, Councilor Ham moved to adopt the cuts in janitorial services effective May 1, 1997; Councilor Hagbom seconded, and motion passed unanimously.

At 8:25 p.m. Mayor Brendlinger announced that we would take a 10 minute break before addressing the balance of the agenda. Meeting reconvened at 8:35 p.m. At that time the Mayor announced that Joe Edney, Administrator of the DEQ State Revolving Fund loans was going to make a presentation on possible loan funding for the City's upcoming Wastewater Treatment System improvements project.

- B. City Manager and staff's recommendations for 1997/98 fiscal year budget cuts continued.
 - c. Downsizing of Municipal Court

Following considerable Council and public discussion of this item, Councilor Ham moved to downsize the Brookings Municipal Court effective May 1, 1997; Councilor Curry seconded and the motion passed 3-2.

C. Police Department

1. Request authorization from the Council to proceed with the enhanced 911 office expansion as explained in the Police Chief's memo detailing the project.

Motion made by Councilor Hagbom, seconded by Councilor Curry to table this item until more information can be brought to the Council at the April 14, 1997 Council meeting.

IX. CONSENT CALENDAR

- A. Approval of February 24, 1997 and March 6, 1997 Council Meeting Minutes
- B. Approval of the payment of vouchers in the amount of \$166,646.20
- C. Acceptance of deed to correct a recording error (Memo attached for detail of this item)

(End consent calendar)

Motion made by Councilor Hagbom, seconded by Councilor Curry, to approve consent calendar with amendments to Council meeting minutes as discussed; motion carried unanimously.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

1. Ordinance No. 97-O-522 (Addressed earlier in meeting)

B. Resolutions

1. Resolution No. 97-R-615; a resolution approving rates for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings

Councilor Curry moved, and Councilor Ham seconded, a motion to adopt Resolution No. 97-R-615, amended to read that the resolution be effective retroactive to April 1, 1997.

XI. COMMITTEE & LIAISON REPORTS

A. Council

Councilor Larry Curry reported on several meetings he has attended around the State.

Councilor Bob Hagbom reported on attending a 12 hour meeting regarding the status of the fishing problems of the area.

Councilor Hagbom and Ham plan to attend the OCZMA meeting scheduled next month.

Mayor reported speaking to several groups on wastewater issues and attending several meetings recently.

	B.	Planning Commission	<u>on</u>
	C.	Parks and Recreation	on Commission
	D.	Chamber of Comme None	<u>rce</u>
XII.	REM	ARKS FROM MAYOR	AND COUNCILORS
	A.	<u>Mayor</u> None	
	В.	Council None	
XIV.	ADJC	DURNMENT	
	Coun voted	cilor Hagbom moved, I unanimously to adjo	Councilor Curry seconded and the Council ourn the meeting at 11:00 p.m.
			Nancy Brendlinger Mayor
	ATTE	ST:	
			Beverly Adams Finance Director/Recorder

MINUTES

CITY OF BROOKINGS
SPECIAL COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
April 2, 1997
11:45 a.m.

I. CALL TO ORDER

Mayor Brendlinger called the meeting to order at 11:48 a.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Nancy Brendlinger, Councilor Bob Hagbom, Councilor Larry Curry

Staff Present: City Manager Tom Weldon, Community Development Director Leo Lightle

IV. STAFF REPORTS

A. Community Development

 Request for Council to authorize an expenditure of approximately \$16,700 to repair a break to the sewer line on Easy Manor Drive.

Motion made by Councilor Hagbom, seconded by Councilor Curry to approve the expenditure of approximately \$16,700 to repair the sewer line break on Easy Manor Drive. Motion passed unanimously.

V	1.	A	D	J	O	U	R	N	IN	ΛE	ΞN	I	Γ

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to adjourn the meeting at 12:00 p.m.

Nancy Brendlinger Mayor

ATTEST:

Beverly Adams
Finance Director/Recorder

MINUTES BROOKINGS PLANNING COMMISSION REGULAR MEETING February 4, 1997

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

Earl Breuer

Judi Krebs

John Bischoff, Planning Director

George Ciapusci

Marvin Lindsey

Linda Barker, Secretary

Ted Freeman, Jr.

Chet Singleton

Keith Pepper

Jessica Babin

Chair Ciapusci announced that he had been invited to and attended the Mayor and City Council Goals Setting Session held February 1, 1997. He requested the Councilors include two Planning Commission related goals in the final list for fiscal year 1997-98: (1) joint Council/Commission meetings four times a year and (2) continued funding for Commissioner training sessions.

MINUTES

By a 5-0 vote (motion: Commissioner Freeman, second: Commissioner Breuer; abstaining Commissioners Lindsey and Singleton) the Planning Commission approved the minutes of the January 7, 1997 meeting.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS
None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 5-2 vote, (motion: Commissioner Krebs, second: Commissioner Breuer; voting for: Commissioners Krebs, Freeman, Breuer, Ciapusci and Pepper; voting against: Commissioners Lindsey and Singleton) the Planning Commission denied (File No. CUP-4-96/MC-1) a request for an amendment to the conditions of approval for an approved conditional use permit to operate a day care facility, to allow the street improvements and right-of-way dedication be deferred: located on the northwest corner of Arnold Lane and Moore Street: zoned R-3 (Multiple-Family Residential); John and Tricia Kukawsky, applicants.

This action was taken following questions or comments regarding the request from the following people:

a) John Kukawsky

PO Box 6636

Brookings OR

The applicant waived his right to seven (7) additional days in which to submit written argument.

2. By a 7-0 vote (motion: Commissioner Freeman, second: Commissioner Breuer) the Planning Commission approved (File No. SUB-1-97) a request for a subdivision to create 6 lots ranging in size from 7,519.50 to 12,955.01 sq. ft. in size from two lots that total 1.54± acres; located on the west side of South Passley Road approximately 132 feet south of Dawson Road; zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size); Vic and Susan Williams, applicants; Richard Roberts, Stuntzner Engineering, representative.

This action was taken following questions or comments regarding the request from the following people:

a) Richard Roberts

PO Box 2748

Harbor OR

b) Dana Hall

96515 Dawson Road

Brookings OR

Before the hearing Commissioners Freeman and Singleton each declared they had business dealings with Mr. and Mrs. Williams in the past and this presents no conflict of interest. No one in the audience wished to challenge any Commission member.

The applicant waived his right to seven (7) additional days in which to submit written argument.

3. By a 7-0 vote (motion: Commissioner Breuer, second: Commissioner Singleton) the Planning Commission approved (File No. VAR-1-97) a request for a variance to allow a front yard setback of 11.2 feet rather than the required 20 feet for the existing house on the subject property; located on the west side of South Passley Road approximately 132 feet south of Dawson Road; zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size); Vic and Susan Williams, applicants; Richard Roberts, Stuntzner Engineering, representative.

This action was taken following questions or comments regarding the request from the following people:

a) Richard Roberts

PO Box 2748

Harbor OR

b) Dana Hall

96515 Dawson Road

Brookings OR

Before the hearing Commissioners Freeman and Singleton each declared they had business dealings with Mr. and Mrs. Williams in the past and this presents no conflict of interest. No one in the audience wished to challenge any Commission member.

The applicant waived his right to seven (7) additional days in which to submit written argument.

4. By a 7-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the Final ORDER and Findings of Fact for File Document No. SUB-1-97 with a change of wording to condition 9 of the Conditions of Approval, eliminating the words "a 4 foot wide sidewalk on the *north* side and substituting the words "a four foot wide

sidewalk on one side.

5. By a 7-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the Final ORDER and Findings of Fact for File Document No. VAR-1-97 as written.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

None

UNSCHEDULED PUBLIC APPEARANCES

None

REPORT OF THE CITIZENS ADVISORY COMMITTEE

Planning Director Bischoff reported the second meeting of the Transportation Growth Management Program's Infill and Redevelopment Committee was held in January and the group is making progress in its study. Preliminary analyses of the residential areas in the existing Urban Growth Boundary have not pointed to a single area that is particularly undeveloped, meaning infill potential is spread evenly throughout the area of the study. The next portion of the study will concentrate on the redevelopment potential of the commercial and industrial areas within the existing Urban Growth Boundary.

MESSAGES AND PAPERS FROM THE CITY MANAGER

None

MESSAGES AND PAPERS FROM THE MAYOR

None

REPORT OF THE PLANNING DIRECTOR

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Commissioner Krebs asked the Planning Director if we had received any comments from the County Planning Department regarding media reports on Brookings Planning Commission's decisions on County referrals. Bischoff answered he has been talking with the County's Planning Director to set up a meeting on areas of contention. A brief meeting had been held in 1996 with last year's Planning Commission Chair Dave Ham, County Planning Director Nordstrom and Bischoff but nothing was resolved. Chair Ciapusci noted the issue is in the Planning Commission's Annual Report for 1996 and a round table discussion needs set with himself, Vice Chair Krebs, Planning Director Bischoff, County Planning Director Nordstrom, the City Manager and a representative from the County Commissioners as participants. Feedback from this meeting needs to be passed on to the City Planning Commissioners. Ciapusci was unaware a meeting had taken place between the former Chair, Nordstrom and Bischoff.

Commissioner Krebs also asked about the 11" X 17" zoning maps that had been mentioned by the Planning Director in a previous quarterly report. Updated zoning maps have been ordered through HGE, Inc., the City Engineer, but have temporarily been placed on hold while a digital mapping project of Curry County is completed. Once the mapping project is completed the results will be digitized into the computer and then the zoning maps can easily and accurately be updated.

Chair Ciapusci mentioned Commissioner Krebs' tutoring of Ex Officio Commissioner Babin. Krebs noted that Babin's grasp of planning concepts has given Krebs new perspectives to consider.

In reply to Chair Ciapusci's query about new businesses in Pacific Court (particularly a dentist with seven employees) Director Bischoff reported that this tenant is a manufacturer of dental appliances and thus is a permitted use for the zone. Another tenant has also left the building and additional parking has been provided around the corner from the building. The City monitors this building in relation to zoning and parking issues.

Commissioners Krebs asked about the sandwich board sign at Wharf and Railroad and the RV that has people living in it at 828 Railroad Street. Staff reported the owners of the RV had been flooded out in Klamath, CA and were living in the RV temporarily. They should be out of there now. Commissioner Krebs reported lights were on in the RV this evening. Staff will take action on this. Staff will also contact the owner of the sandwich board sign regarding its removal.

After brief discussion Commissioner Krebs moved and Commissioner Freeman seconded a motion to submit the 1996 Planning Commission Annual Report to the City Council at the February 10, 1997 Council meeting. This motion passed by a unanimous vote. Also on the Council agenda for February 10 is CPZ-1-97, the request for a change of zone on property located on Bridge Street.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION

George L. Ciapusci, Chairman

City of Brookings CHECK REGISTER: CHECK # 28235 THRU 28471 For The Month Ending: March 31, 1997 ** CLOSED ** PRINTED: April 1, 1997 09:33:23

PAGE 1

								•
:	CHECK #	PAID TO	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOUNT
•	28235	Bob Hagbom	Reimbursement	03/06/97	100-106.00	233.24	102-658.00	
	28254	AWWA Water & WW Short School	Watson/Rockwell	03/07/97	100-106.00	230.00	202-658.00	233.24 115.00
			MACIDIII NOCAMCII	00/0////	100 100.00	230.00	252-658.00	115.00
	28255	Brookings Harbor Chamber	Feb Motel Tax	03/07/97	100-106.00	893.75	109-687.00	893.75
	28256	Prookings Vol Firefighters	March Contrib	03/07/97	100-106.00	1,666.67	104-682.00	1,666.67
	28257	Dept of Administrative Service		03/07/97	100-106.00	150.00	109-646.00	150.00
	28258	DHR Child Support Unit	Garnishment	03/07/97	100-106.00	62.50	100-220.70	62.50
	28259	DHR Child Support Unit	Garnishment	03/07/97	100-106.00	33.00	100-220.70	33.00
	28260	EBS Trust	March Premium	03/07/97	100-106.00	47.00	103-654.00	17.00
							104-654.00	30.00
	28261	ICMA-RT 457 c/o 1st Ntl Bnk MD	Payroll 3/7/97	03/07/97	100-106.00	655.00	100-220.70	655.00
	28262	OPS Life Insurance	March Premium	03/07/97	100-106.00	212.00	100-220.60	212.00
	28263	Oregon Assn Chiefs of Police	Reg - McDonald	03/07/97	100-106.00	110.00	103-658.00	. 110.00
	28264	Oregon Department of Revenue	State W/H Tax	03/07/97	100-106.00	3,090.61	100-220.30	3,090.61
	28265	OR Teamster Employers Trust	March Premium	03/07/97	100-106.00	9,928.44	100-220.60	9,928.44
	28256	OR Teamster Employers Trust	March Premium	03/07/97	100-106.00	5,515.80	100-220.60	5,515.80
	28267	Paul Conway Shields	Inv 967060	03/07/97	100-106.00	5.00	104-606.00	5.00
	28268	PERS - Retirement	Payroll 3/7/97	03/07/97	100-106.00	6,457.88	100-220.70	70.72
			·			•	100-220.80	6,387.16
	28269	Jim Rockwell	Travel Advance	03/07/97	100-106.00	78.00	202-658.00	39.00
					•		252-658.00	39.00
	28270	Teamsters Local Union 223	March 1997 Dues	03/07/97	100-106.00	465.00	100-220.70	465.00
	28271	U S Bank	Fed W/H Tax	03/07/97	100-106.00	13,240.77	100-220.10	8,092.50
						•	100-220.20	5,148.27
	28272	Valley River Inn	Motel 3/9-11/97	03/07/97	100-106.00	279.24	202-658.00	139.62
							252-658.00	139.62
	28273	Mike Watson	Travel Advance	03/07/97	100-106.00	78.00	202-658.00	39.00
							252-658.00	39.00
	28276	Alice Bradley	Deposit Refund	03/13/97	100-106.00	25.93	200-134.00	25.93
	28277	Sharon Warner	Deposit Refund	03/13/97	100-106.00	30.58	200-134.00	30.58
	28278	Rhonda Gilman	Deposit Refund	03/13/97	100-104.00	43.85	200-134.00	43.85
	28279	Brambila A Moises	Deposit Refund	03/13/97	100-106.00	17.71	200-134.00	17.71
	28280	B. A. Spotswood	Deposit Refund	03/13/97	100-106.00	30.56	200-134.00	30.56
	28281	Bruce A Spotswood	Deposit Refund	03/13/97	100-106.00	40.88	200-134.00	40.88
	28282	Chetco Corporation	Deposit Refund	03/13/97	100-106.00	18.24	200-134.00	18.24
	28283	6ary & Jean Shadel	Deposit Refund	03/13/97	100-106.00	13.98	200-134.00	13.98
	28284	Stephanie Martincek	Deposit Refund	03/13/97	100-106.00	42.07	200-134.00	42.07
	28265	Bruce Chambers	Deposit Refund	03/13/97	100-106.00	33.71	200-134.00	33.71
	28286	Mark's Harbor Auto Repair	Deposit Refund	03/13/97	100-106.00	55.66	200-134.00	55.66
	28287	Tom Davis	Deposit Refund	03/13/97	100-106.00	17.56	200-134.00	17.56
	29298	E. M. Eastaff	Deposit Refund	03/13/97	100-106.00	. 23.24	200-134.00	23.24
	-=-==	Banora Lavman	leoosii Refuns	37/17/77	100-106.00	7,55	200-134.00	7.59
	12260	Wesel	Jeocsit Refund	03/13/97	100-104.00	5.75	200-134.00	å.75
	15251	Johnny Exgabross	Jeppent Refund	00/15/97	100-106.00	5, 44	200-134.00	5.44
	28292	Russell Stephens	Deposit Refund	03/13/97	100-106.00	13.02	200-134.00	13.02
	28293	Allison Lucaccini	Deposit Refund	03/13/97	100-106.00	34.54	200-134.00	34.54
	28294	John Marrington	Deposit Refund	03/13/97	100-106.00	19.26	200-134.00	19.26
	28295	Melinda Zachary	Deposit Refund	03/13/97	100-106.00	35.77	200-134.00	35.77
	28296	Ken Gilbert	Deposit Refund	03/13/97	100-106.00	157.45	200-134.00	157.45
	28297	Christina Proctor	Deposit Refund	03/13/97	100-106.00	24.84	200-134.00	24.84
	28298	Michael E Dolan	Deposit Refund	03/13/97	100-106.00	27.25	200-134.00	27.25
	28299	Ronald & Ruth Camp	Deposit Refund	03/13/97	100-106.00	14.65	200-134.00	14.65

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CHECK #	PAID TO	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLCC ACCT	ALLOC AMOUNT
28300	Jerry Smith	Deposit Refund	03/13/97	100-106.00	23.87	200-134.00	23.87
28301	C. A. Tickey	Deposit Refund	03/13/97	100-106.00	31.95	200-134.00	31.95
28302	Raymond Newman	Deposit Refund	03/13/97	100-106.00	28.69	200-134.00	28.69
28303	Chris Gilmore	Deposit Refund	03/13/97	100-106.00	5.75	200-134.00	5.75
28304	Charles & Denise Harlan	Deposit Refund	03/13/97	100-106.00	24.07	200-134.00	24.07
28305	Raymond C Weaver	Deposit Refund	03/13/97	100-106.00	4.53	200-134.00	4.53
	. Sue Baker	Deposit Refund	03/13/97	100-106.00	21.06	200-134.00	21.06
28307	Roger W Haag	Deposit Refund	03/13/97	100-106.00	36.33	200-134.00	36.33
28308	USDA Forest Service	Deposit Refund	03/13/97	100-106.00	29.23	200-134.00	29.23
28309	A-1 Fire Extinguisher Co	Inv 1142	03/13/97	100-106.00	32.72	103-606.00	12.92
						104-606.00	19.80
28310	Adams Building & Backflow	Repairs at Cove	03/13/97	100-106.00	70.00	252-606.00	70.00
28311	Janet Allison	Reimbursement	03/13/97	100-106.00	25.73	103-658.00	25.73
28312	American Custodial Supply	Inv 308281	03/13/97	100-106.00	45.40	252-612.00	45.40
28313	Associated Bag Company	Inv N765912	03/13/97	100-106.00	147.84	252-612.00	147.84
28314	Bay West Supply Inc	95455-1/95454-1		100-106.00	230.98	106-626.00	90.30
	,pp-,	70.00 1772.01 1	vo	100 100100	200170	109-614.00	140.6B
28315	B & B Excavation	Inv 0381	03/13/97	100-106.00	4,500.00	251-612.00	4,500.00
28316	Becco Inc	Misc Invoices	03/13/97	100-106.00	781.85	102-606.00	150.00
20010		11256 111101223		100 100100	701100	103-606.00	43.85
						104-606.00	60.00
						104-614.00	150.00
•						107-612.00	300.00
						252-606.00	78.00
28317	Best Western Brookings Inn	Feb Statement	03/13/97	100-106.00	123.95	109-602.00	· 17.25 "
20017	bese mestern brookings in	i eb otatement	V3/ 13/ //	100 100.90	123.73	107-686.00	106.70
. 28318	Best Western Sunnyside Inn	Hotel - Lightle	03/13/97	100-106.00	203.08	105-658.00	203.08
28319	John Bishop	Travel Advance	03/13/97	100-106.00	208.00	103-658.00	208.00
28320	John Bishop	Reimbursement	03/13/97	100-106.00	17.36	103-664.00	17.36
28321	Charles & Nancy Brendlinger	Refund Dig-in	03/13/97	100-106.00	685.00	200-460.00	485.00
28322	Brett's Small Engine	Inv 2095 & 2032		100-106.00	210.16	106-606.00	210.16
28323	Brookings Supply Inc	Feb Statement	03/13/97	100-106.00	703.88	106-606.00	
25020	or downings outpity the	len statement	V3/ 13/ //	100 100.00	703.86	150-606.00	359.24 4 218.97
						251-606.00	51.65
						252-606.00	74.02
28324	Brookings Union 76	Feb Statement	03/13/97	100-106.00	7.95	103-606.00	7.95 *
28325	Cabela's Inc, Attn: D. James	Inv 0057241	03/13/97	100-106.00	73.20	251-608.00	73.20
28326	Carpenter Auto Center	Feb Statement	03/13/97	100-106.00	1,784.00	103-606.00	1,784.00
28327	Cashway Plywood	Inv 50751	03/13/97	100-106.00	390.00	150-624.00	390.00
28328	Caveman Heating	Inv 1372 & 1395		100-106.00	303.25	252-606.00	303.25
26256	Chambion Metal Products. Inc	Inv 1372 & 1373	03/13/97	100-106.00	379.34	109-686.00	303.23 379.34
	Changier Heering	117 10010	55/15/27	196-195.00	1,171,14	150-524.00	3/7:34 .:71.23
	Chetco Shermacy & Bifts	Fed Statement	05/15/ 9 7	100-106.00	s.E0	103-502.00	4.50
	of the money of the test of Habitan for the money and	. II Jensement	var ser -	*44 14 0 *44	3.40	252-612.00	1.00
28332	Rays Food Place	Feb Statement	03/13/97	100-106.00	87.80	103-614.00	48.79
2002		. La dedement	VOI 101 11	100 100.00	07.00	103-614.00	19.01
29333	Colvin Dil	End Feb/643269	03/13/97	100-106.00	1,216.47	103-606.00	279.90
2000	WWATAII WAA	CIG (E3/ 07020 /	VOI 101 11	100 100 00	1,410.7/	104-606.00	17.15
						104-608.00	71.50
						150-606.00	42.24
						201-606.00	74.24
					-	202-606.00	35.81
						TAT 000100	, , , , , , , , , , , , , , , , , , ,

City of Brookings CHECK REGISTER: CHECK # 28235 THRU 28471

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	. PAID TO .	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOUN
	-;	, ;		; ;		·; ; ·	
						251-606.00	23.5
						252-606.00	35.8
						252-612.00	636.3
28334	Commercial Landscape Supply	Inv 57899/58862	03/13/97	100-106.00	588.23	106-726.00	588.2
28335	Mike Cooper	Reimbursement	03/13/97	100-106.00	51.82	103-602.00	51.8
28336	Coos-Curry Electric	Feb Electric	03/13/97	100-106.00	2,869.05	106-662.00	24.7
						109-686.00	83.8
						150-662.00	1,031.9
						201-662.00	1,134.
						251-662.00	360.0
						252-662.00	234.2
28337	CTR	450464 & 220000	03/13/97	100-106.00	77.10	103-612.00	42.1
						109-646.00	35.0
28338	Curry Coastal Pilot	Acct #2210	03/13/97	100-106.00	402.87	102-602.00	165.5
	·					105-602.00	147.
	•					107-602.00	15.
						150-724.00	24.
		•				201-724.00	24.
						251-724.00	24.
28339	Curry Equipment	Inv 29206	03/13/97	100-106.00	79.45	252-606.00	79.
28340	Curry County Clerk	Recording Fee	03/13/97	100-106.00	40.00	100-478.00	40.
28341	Curry County Treasurer	Feb Assessment	03/13/97	100-106.00	255.42	100-235.00	255.
28342	Larry Curry	Reimbursement	03/13/97	100-106.00	90.78	102-658.00	90.
28343	Dan's Auto & Marine Electric	Feb Statement	03/13/97	100-106.00	264.97	104-606.00	66.
100.0		·	VU. 20/ //	100 100.00	201177	106-606.00	54.
					•	106-726.00	91.
•						150-606.00	22.
						201-606.00	2.
		•				251-606.00	28.
28344	Dan's Photo & Cameras	Feb Statment	03/13/97	100-106.00	43.83	103-614.00	43.
28345	David Jones Construction	Install Stairs	03/13/97	100-106.00	107.25	109-624.00	107.
28346	Del Cur Supply	Inv 45281	03/13/77	100-106.00	10.00	106-626.00	10.
28347	Dept of State Police - LEDS	Inv L02053	03/13/97	100-106.00	960.00	103-664.00	960.
28348	Ferrellgas	Feb Statement	03/13/97	100-106:00	316.50	109-686.00	58.
20040	Leueridas	ren acacement	03/13/7/	100-100.00	310.30	251-612.00	257.
28349	1st Impressions	Feb Invoices	03/13/97	100-106.00	912.75		191.
20347	12C Turk G22TO12	LED THAOTCE2	03/13/7/	100-100.00	712.75	102-642.00	123.
				,		109-602.00	598.
28350	Hach Co	Inv 645871	03/13/97	100-106.00	543.80	202-606.00	297.
28550	nach co	100 0430/1	03/13/7/	100-100.00	343.00	252-512.00	246.
	- a process of the contract of	Inv 11287	:5/15/97	100-106.00	22.40	105-402.00	25.
15051	Howare Johnson Airport Hotel		03/13/97	100-106.00	53.41	107-558.00	ਹ- . ਹ.
19852 19855	industrial Electric Service Co	•	33/13/97	100-106.00	45.72	106-624.00	43.
28354	Joe Ingwerson		03/13/97	100-106.00	377.00	953-730.00	377.
28355		Feb Statement	03/13/97	100-106.00	659.6B	104-606.00	18.
1 20000	ואפו זימו מאמו ב	I CD JEEFEMENT	VUI 101 11	100 100.00	0.7.00	106-606.00	236.
						109-686.00	203.
						150-624.00	173.
							27.
						150-648.00	
28356	Kerr Hardware	Feb Statement	03/13/97	100-106.00	468.32	150-628.00	11.

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CHECK #	PAID TO	DESCRIPTION	· DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOUNT
,	Kerr Hardware, (Continued)	1	, —————	ii -		·ii	
	•					201-624.00	61.56
						251-612.00	22.90
						251-624.00	319.39
						252-606.00	21.24
28357	League of Oregon Cities	Inv 22913	03/13/97	100-106.00	267.46	103-614.00	267.46
28358	Mory's	Feb Statement	03/13/97	100-106.00	330 .9 3	102-602.00	61.72
						105-602.00	10.71
						107-602.00	49.11
20750	National Talamatica Rate Cha	7:- 0-4- B:-	A7 / 47 / D7	400 404 00		109-602.00	209.39
28359	National Information Date Ctr	Zip Code Dir	03/13/97	100-106.00	36.90	109-602.00	36.90
28360	Northstar Sportswear	Inv 63632	03/13/97	100-106.00	278.87	103-686.00	278.87
28361	Offices of Ted Fitzgerald	Case #96-4226	03/13/97	100-106.00	75.00	101-634.00	75.00
28362	Oregon Assn Chiefs of Police	Dues - McDonald	03/13/97	100-106.00	80.00	103-660.00	80.00
28363	Oregon Dept of Revenue	Feb Assessment	03/13/97	100-106.00	1,120.00	100-234.00	1,120.00
28364	Oregon Dept of Transportation	X-TEA-5009 (40)	03/13/97	100-106.00	1,340.00	901-730.00	1,340.00
28365	Oregon Dept of Transportation	X-TEA-865(1)	03/13/97	100-106.00	1,000.00	901-730.00	1,000.00
28366	Oregon Medical Laboratories	Jan Statement	03/13/97	100-106.00	259.00	201-646.00	185.00
						202-646.00	37.00
207.7	Ossifia Wakas Washa	011047710115571	A7 117 107	400 404 40		252-646.00	37.00
28367 28368	Pacific Water Works	2112437&2115531	03/13/97	100-106.00	543.60	201-612.00	543.60
	Paramount Pest Control Inc	Inv 99329	03/13/97	100-106.00	28.00	103-614.00	28.00
28369	Petty Cash	Reimbursement	03/13/97	100-106.00	86.87	102-602.00	2.69
					•	103-602.00	2.52
						103-606.00	5.85
						104-602.00	22.45
						106-606.00	3.17
						106-614.00	13.50
						109-602.00	3.99
						109-614.00	14.72
28370	Ron Plaster	Invactiontions	A7/17/07	100 107 00	7 000 00	252-612.00	17.98
28371	FowerPhone, Inc	Investigations Inv 19051	03/13/97 03/13/97	100-105.00	2,000.00	103-680.00	2,000.00
28372	Price n Pride	Inv 1590	03/13/97	100-106.00	73.45	300-458.00	73.45
28373	Pryor Resources Inc	Reg-Corrigan	03/13/77	100-106.00 100-106.00	65.88	251-612.00	65 . 88
28374	Quill- Corp	Inv 2255184	03/13/77		79.00	107-658.00 150-606.00	79.00
2007 1	ddili ddi p	1114 2200107	03/13/7/	100-100.00	53.98	201-602.00	10.80 10.80
				•		201-602.00	10.80
						251-502.00	10.79
						252-612.00	10.79
22375	Ramada Inn	Hotal-Ingwerson	03/13/97	100-106.00	194.52	953-730.00	194.52
	Ramomil of Iraçon	Fat Statement		100-102.00	775.78	102-264.00	24.71
			• • • • • • • • • • • • • • • • • • • •			103-664.00	208.97
						104-664.00	49.40
						105-664.00	33.70
28377	Ritz's Repair	Inv 6536	03/13/97	100-106.00	231.80	104-506.00	231.80
28378	Roto-Rooter	Feb Invoices	03/13/97	100-106.00	2,766.08	252-646.00	2,674.60
_		· · ·			_,,,,,,,,	109-686.00	91.48
28379	Safe & Sober Graduation	Sponsorship	03/13/97	100-106.00	25.00	109-686.00	25.00
28380	SCAN	Feb Statement	03/13/97	100-106.00	15.00	104-614.00	15.00
28381	Shirley Sheffel	Reimbursement	03/13/97	100-106.00	25.00	103-658.00	25.00
28382	Singleton Plumbing Inc	Inv 0001608-IN	03/13/97	100-106.00	66.30	106-624.00	66.30
	-						

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HECK #	PAID TO	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOU
28383	Stadelman Electric	-; ;· 3101,3095,3118	03/13/97	100-106.00	1,091.08	104-606.00	759.0
					-	252-606.00	332.0
28384	Stone, Trew & Cyphers	Feb Statement	03/13/97	100-106.00	3,349.50	102-632.00	2,479.
	•				·	102-638.00	869.
28385	Superior Lamp and Supply	Inv S1508739	03/13/97	100-106.00	392.63	252-606.00	392.
28386	Umpqua Research Co	Inv 1129	03/13/97	100-106.00	265.00	252-612.00	265.
28387	United Communications	Feb Phone	03/13/97	100-106.00	421.29	101-664.00	35.
						102-664.00	22.
						103-664.00	363.
28388	United Communications	Feb Phone	03/13/97	100-106.00	289.42	104-664.00	95.
						105-664.00	99.
						106-664.00	3.
	,					107-664.00	44.
		•				150-664.00	12.
						201-664.00	8.
						202-664.00	8.
	•					251-664.00	8.
			•			252-664.00	8.
28389	United Pipe & Supply Co Inc	Inv 3588605	03/13/97	100-106.00	150.85	201-612.00	150.
28390	West Publishing Corporation	Inv 90-760-451	03/13/97	100-106.00	33.90	101-604.00	33.
28391	Westcott Communications	Inv 827612	03/13/97	100-106.00	288.00	103-658.00	288.
28392	WW Grainger Inc	#268-445178-0	03/13/97	100-106.00	191.40	251-726.00	191.
28393	Xerox Corp	Inv 055525704	03/13/97	100-106.00	128.92	103-606.00	128.
28374	Zee Service Company	Inv 72-406572	03/13/97	100-106.00	102.65	201-684.00	102.
28396	Beverly Adams	Reimbursement	03/21/97	100-106.00	163.24	107-658.00	163.
	•	Inv 428350	03/21/77	100-106.00	331.13	103-726.00	331.
28397	ATD-American Co		03/21/97	100-106.00	66.00	105-602.00	66.
28398	Becco Inc	Inv 5834 & 5779	03/21/97	100-106.00	179.80	103-652.00	179.
28399	Nancy Brendlinger	Reimbursement					85.
28400	Clackamas Community College	Reg Fee-Lightle	03/21/97	100-106.00	85.00	105-658.00	22.
28401	Coastal Coffee Service	Inv 3709	03/21/97	100-106.00	22.50	109-614.00	
28402	Coos-Curry Electric	Feb Electric	03/21/97	100-106.00	1,469.21	106-662.00	426.
						150-662.00	138.
						201-662.00	
						251-662.00	360.
28403	John Cowan	Reimbursement	03/21/97	100-106.00	161.20	251-658.00	161.
28404	Larry Curry	Reimbursement		100-106.00	75.47	102-658.00	75.
28405	DHR Child Support Unit	Garnishment	03/21/97	100-106.00	62.50	100-220.70	62.
28406	DHR Child Support Unit	Garnishment	03/21/97	100-105.00	33.00		33.
28407	EBS Trust	April Premium	03/21/97	100-106.00	44.00	103-654.00	16.
						104-654.00	28.
28408	EMK Contractors	Recap 3/6/97	03/21/97	100-106.00	J0.384.67	953-730.00	30,384
25409	let labressions	lav EIS: % EIS)	JJ/21/57	.00-10a.30	155, 75	105-602.00	174
						107-402.00	251.
						102-642.00	. 191.
28410	First Trust National Assn	Acct #97-211743		100-106.00	784.65	700-602.00	784
28411	Fred Pryor Seminars	Inv 4954903	03/21/97	100-106.00	99.00	102-658.00	99
28412	Gary M Georgeff, Atty	Bus Lic Refund	03/21/97	100-106.00	30.00	100-422.00	30
28413	Gold Beach Lumber	Inv 39434	03/21/97	100-106.00	171.42	109-686.00	171
28414	Grants Pass Water Lab	Feb Statement	03/21/97	100-106.00	122.50	201-612.00	122
28415	GTE Northwest	Feb Phone	03/21/97	100-106.00	1,562.37	101-664.00	23
						102-664.00	120
						103-664.00	415

City of Brookings CHECK RESISTER: CHECK # 28235 THRU 28471

For The Month Ending: March 31, 1997 ** CLOSED **
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	STE Northwest, (Continued)	;;			***********	· ; ;	
						104-664.00	120.20
	•					105-664.00	108.56
						201-664.00	132.88
						202-664.00	120.80
						252-664.00	48.32
		•				300-664.00	472.85
28416	6TE	Inv CH60315	03/21/97	100-104.00	181.42	102-664.00	181.42
28417	HGE Inc	Inv 11332	03/21/97	100-106.00	841.71	105-646.00	841.71
29418	ICMA-RT 457 c/o 1st Ntl Bnk MI	Payroll 3/21/97	03/21/97	100-106.00	655.00	100-220.70	455.00
28419	Independent Business Forms Inc	Inv 0031636	03/21/97	100-106.00	337.14	109-602.00	337.14
28420	Industrial Steel & Supply	Inv 23144	03/21/97	100-106.00	254.20	106-627.00	254.20
28421	VOID		03/21/97	100-106.00	0.00	103-658.00	0.00
28422	Dave Lentz	Reimbursement	03/21/97	100-106.00	28.00	106-658.00	28.00
28423	Leo Lightle	Travel Advance	03/21/97	100-106.00	187.00	105-658.00	187.00
28424	Lynn Peavey Company	Inv 129910	03/21/97	100-106.00	106.05	103-606.00	106.05
28425	Nikki's Snack Shack	Bus Lic Refund	03/21/97	100-106.00	30.00	100-422.00	30.00
28426	O.C.P.D.A.	Dues - Bischoff	03/21/97	100-106.00	25.00	105-660.00	25.00
28427	Cregon Department of Revenue	State W/H Tax	03/21/97	100-106.00	3,001.09	100-220.30	3,001.09
28428	Oregon Dept of Transpertation		03/21/97	100-106.00	905.10	901-730.00	905.10
28429	ORPA	Dues - Nelson	03/21/97	100-106.00	30.00	106-612.00	30.00
28430	PERS - Retirement	Payroll 3/21/97		100-106.00	6,296.94	100-220.80	6,296.94
28431	Pitney Bowes Inc - FAX	Inv X212753	03/21/97	100-106.00	B5.00	109-606.00	85.00
28432	Quality Fast Lube & Oil	Inv 1213 & 1205	03/21/97	100-106.00	120.30	150-606.00	7.99
			V-1 1			201-606.00	104.33
		•				251-606.00	7.98
28433	Sutter Coast Hospital	Jan Services	03/21/97	100-106.00	165.50	201-646.00	132.40
					140.11	202-646.00	16.55
						252-646.00	16.55
28434	Sutter Coast Hospital	Pat #2887180	03/21/97	100-106.00	104.30	103-646.00	104.30
28435	United Pipe & Supply Co Inc	Inv 3600422	03/21/97	100-106.00	725.00	201-726.00	725.00
28436	U S Bank	Federal W/H Tax	03/21/97	100-106.00	12,931.14	100-220.10	7,846.80
	5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 			100 100100	11,70111	100-220.20	5,084.34
28437	U S Bank - Visa	Feb Statement	03/21/97	100-106.00	999.46	102-604.00	27.07
	722	Tes seathment	VO. 217 77		,,,,,,	102-658.00	63 . 97
						103-606.00	24.12
						103-658.00	406.36
						104-506.00	15.60
						104-658.00	97.21
						107-602.00	105.52
						109-614.00	259.61
19475	:Stoam veterans of America	Pireworks Donat		10(-108.01	300. 00	109-286.00	500.0 0
25479	aildfire Pacific Inc	inv 254174	37/21/97	100-106.00	575.39	104-725.00	578.39
13441	Hitoroable A-Terminators	15V 037T-000001	00/21/97	100-106.00	250.00	104-624.00	250.00
29442	Allied Colloids Inc	Inv 079036	03/27/97	100-104.00	1,631.70	252-652.00	
28443	American Linen	Inv 306876	03/27/97	100-106.00	40.00	104-624.00	•
28444	Bay West Supply Inc	Inv 96266-1	03/27/97	100-106.00	172.90	252-612.00	
28445	Brown & Caldwell	Inv 13-2198	03/27/97	100-106.00	14,482.30	903-730.00	
28446	CIS	Inv BRK-9601W	03/27/97	100-106.00	8,341.94	100-220.50	•
28447	Mike Cooper	Travel Advance	03/27/97	100-106.00	78.00	300-658.00	•
28448	Coos-Curry Electric	Feb Electric	03/27/97	100-106.00	7,005.84	109-662.00	
20770	oods omit treetite	IED FIEFFIIF	V31 £11 11	100 100,00	7,000.04	202-662.00	•
						ZVZ00Z.VV	01051101

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i		Coos-Curry Electric, (Continu	-;- ; ed)				·	
							252-662.00	2,917.11
	28449	DEQ .	Permit #12005	03/27/97	100-106.00	80.00	252-612.00	80.00
	28450	GFOA	Inv 523507	03/27/97	100-106.00	120.00	107-660.00	120.00
	28451	Interviews & Interrogation	Reg Fee-Riddle	03/27/97	100-106.00	142.00	103-65B.00	142.00
	28452	Jerry Conant Janitorial	March Cleaning	03/27/97	100-106.00	500.00	109-644.00	500.00
	28453	Kah-Nee-Ta-Resort	Reserve-Cooper	03/27/97	100-106.00	114.00	300-658.00	114.00
	28454	LETN	Inv 835743	03/27/97	100-106.00	288.00	103-658.00	288.00
	28455	Motorola Inc	Inv S0549047	03/27/97	100-106.00	901.50	300-606.00	701.50
	28456	New Kings Inn	Hotel - Wallace	03/27/97	100-106.00	51.94	103-658.00	51.94
	28457	OPCA Spring Seminar	Reg Fee-Wallace	03/27/97	100-106.00	40.00	103-658.00	40.00
	28458	OPS Insurance Co	April Premium	03/27/97	100-106.00	222.60	100-220.60	222.60
	28459	The Oregonian	Feb-July 1997	03/27/97	100-106.00	81.60	102-602.00	40.80
							103-602.00	40.80
	28460	Petty Cash	Reimbursement	03/27/97	100-106.00	59.72	102-602.00	23.56
							107-602.00	11.99
							109-606.00	3.97
							109-614.00	7.18
							201-612.00	2.99
							252-612.00	10.03
	28461	Sea Cove Training Center	Feb Statement	03/27/97	100-106.00	300.00	106-626.00	300.00
	28462	Software Spectrum	Inv 3851236	03/27/97	100-106.00	635.00	103-606.00	635.00
	28463	Stampers Tires	Inv 128009	03/27/97	100-106.00	235.84	106-606.00	235.84
	28464	State Auto Glass Service	Inv 9098	03/27/97	100-106.00	236.58	109-606.00	236.58
	28465	SWOCC Attn: Cashier	Inv 9379 & 9383	03/27/97	100-106.00	75.00	103-658.00	75.00
	28466	United Pipe & Supply Co Inc	March Invoices	03/27/97	100-106.00	1,112.50	201-612.00	1,112.50
	28467	Chris Wallace	Travel Advance	03/27/97	100-106.00	52.00	103-658.00	52.00
	28468	Tom Weldon	April Car Allow		100-106.00	200.00	102-606.00	200.00
	28469	WW Grainger Inc	Inv 753-6621670		100-106.00	58.50	106-626.00	58.50
	28470	Xerox Corp	Inv 055791934	03/27/97	100-106.00	303.54	109-606.00	303.54
	28471	Viking Office Products	Inv 397658	03/27/97	100-106.00	39.99	101-602.00	39.99
			•			188,187.04		188,187.04
	*** END 0	F REPORT ***						=======================================

ORDINANCE NO. 97-O-523

AN ORDINANCE ESTABLISHING ADMINISTRATION AND ENFORCEMENT STANDARDS AND PROCEDURES FOR THE CITY OF BROOKINGS AND ITS BUILDING OFFICIAL AND CODE ENFORCEMENT AGENCY.

Sections:

Section 1. Title.

Section 2. Purpose

Section 3. Scope

Section 4. Definitions.

Section 5. Alternate Materials and Methods.

Section 6. Modifications.

Section 7. Tests.

Section 8. Powers and Duties of Building Official.

Section 9. Appeals.

Section 10. Permits and Plans.

Section 11. Codes and Regulations.

Section 12. Fees.

Section 13. Severability.

Section 14. Penalties.

Section 15. Emergency Clause.

The City of Brookings ordains as follows:

Section 1. <u>Title.</u> These regulations shall be known as the City of Brookings Building code, may be cited as such and will be referred to herein as "this code".

<u>Section 2.</u> <u>Purpose.</u> The purpose of this code is to establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security of the residents of the City who are occupants and users of buildings and for the use of modern methods, devices, materials, techniques and practicable maximum energy conservation.

Section 3. Scope. This code shall apply to the construction, alteration, moving, demolition, repair, maintenance and work associated with any building or structure, except those located in a public way. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall control. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply. Where there is a conflict between this code and a statute of the State of Oregon, the statute shall govern.

<u>Section 4.</u> <u>Definition.</u> For purposes of this code, the term "building official" shall mean the building official of the City of Brookings.

Section 5. Alternate Materials and Methods. The provisions of this code are not intended to prevent the use of any alternate material, design or method of construction not specifically prescribed by this code, provided such alternate has been approved and its use authorized by the building official. The building official may approve such alternate material, design or method provided the building official finds that the proposed material, design or method complies with the provisions of this code and that it is, for the purpose intended, at least the equivalent of that prescribed in this code in terms of suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The building official shall require that evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any approval of alternate material, design or method shall be recorded and entered in the files of the building official.

Section 6. Modifications. When there are practical difficulties in carrying out the provisions of this code, the building official may grant modifications provided the building official finds that the modification is in conformance with the intent and purpose of this code and that said modification does not lessen any fire-protection requirements nor the structural integrity of the building involved. Any action granting modification shall be recorded in the files of the code enforcement agency.

Section 7. Tests. Whenever there is insufficient evidence of compliance with the provisions of this code or that any material, method or design does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to the city. Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and

accepted test methods for the proposed alternate, the building official shall determine test procedures. All tests shall be made by an approved testing agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

Section 8. Powers and Duties of Building Official.

A. <u>General</u>. There is hereby established a code enforcement agency which shall be under the administrative and operational control of the building official. The building official is authorized to enforce all the provisions of this code. The building official shall have the power to render written and oral interpretations of this code and to adopt and enforce administrative procedures in order to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformance with the intent and purpose of this code.

- B. <u>Deputies.</u> In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint technical officers and inspectors and other employees to carry out the functions of the code enforcement agency.
- C. Right of Entry. When it may be necessary to inspect to enforce the provisions of this code, or the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to, in violation of this code or which otherwise makes the building or premises unsafe, dangerous or hazardous, the building official may enter said building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by Oregon law to secure entry.
- D. Stop Work Orders. Whenever any work is being done contrary to the provisions of this code (or other pertinent laws or ordinances implemented through its enforcement), the building official may order the work stopped by notice in writing served on any person(s) engaged in the doing or causing of such work to be done. Such person(s) shall stop such work until specifically authorized by the building official to proceed thereafter.

- E. Authority to Disconnect Utilities in Emergencies. The building official or the building official's authorized representative shall have the authority to disconnect fuel-gas utility service, and/or other energy supplies to a building, structure, premises or equipment regulated by this code when necessary to eliminate an immediate hazard to life or property. The building official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or premises in writing of such disconnection within a reasonable time thereafter.
- F. Authority to Abate Hazardous Equipment. When the building official ascertains that equipment, or any portion thereof, regulated by this code has become hazardous to life, health or property, the building official shall order the equipment either removed from its location or restored to a safe and/or sanitary condition, as appropriate. The notice shall be in writing and contain a fixed time limit for compliance. Persons shall not use the defective equipment after receiving the notice. When equipment or an installation is to be disconnected, written notice of the disconnection (and causes therefor) shall be given within 24 hours to the involved utility, the owner and/or occupant of the building, structure or premises. When equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the building official may institute such action as may be necessary to prevent, restrain, correct or abate the violation.
- G. <u>Connection after Order to Disconnect.</u> No person shall make a connection to or from an energy, fuel or power supply to any equipment regulated by this code which has been disconnected or ordered disconnected or discontinued by the building official until the building official specifically authorizes the reconnection and/or use of such equipment.
- H. <u>Maintenance</u>. All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this section, the building official may cause a structure to be reinspected.

I. Occupancy Violations. Whenever any building, structure or equipment therein regulated by this code is used contrary to the provisions of this code, the building official may order such use discontinued and the structure (or portion thereof) vacated. All persons using the structure (or portion thereof) shall discontinue the use within the time prescribed by the building official in his notice and make the structure, or portion thereof, comply with the requirements of this code.

Section 9. Appeals.

- A. <u>Board of Appeals</u>. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of all members of the Common Council of the City of Brookings. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.
- B. <u>Appeal Procedure.</u> Any decision by the building official relating to the suitability of alternate materials and methods of construction may be appealed to the board of appeals in conformance with procedures provided herein.

Section 10. Permits and Plans.

- A. <u>Permits Required.</u> No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved or converted unless a separate permit for each building or structure has first been obtained from the building official. A building permit shall not be required for those structures listed in Oregon Structural Specialty Code Section 106.2.
- B. <u>Application</u>. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose.
- C. <u>Submittal Documents</u>. Plans, specifications, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The building official may require plans, computations and

specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

D. Plan Review Requirements.

- 1. Information on Plans and Specifications. specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations are made for electrical, mechanical, plumbing and communication conduits, pipe and similar systems. Ventilation occupancy load and occupancy ventilation design methods shall be identified in the plans or specifications. Ventilation occupancy load and ventilation rates for each occupied space shall be indicated on drawings. Except as to R-3 occupancies and R-1 occupancies which are three stories or less in height, the plans, drawings and specifications shall be maintained as a permanent record on the building premises.
- State Fire and Life Safety Plan Review, Occupancies to be Reviewed. Certain occupancies identified in ORS 479.155(2) must have a state fire and life safety review. This review will require the payment of a separate plan review fee equal to 40% of the permit fee and this fee shall be in addition to the structural plan review fee.

E. Issuance, The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the City to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other

pertinent laws and ordinances, and that the fees have been paid, the building official shall issue a permit therefor to the applicant. When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work regulated by this code shall be done in accordance with the approved plans. The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

F. Retention of Plans. One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

G. Validity of Permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the city or any other federal, state, or local law, statute, rule, regulation, or ordinance. The issuance of a permit based on plans, specification and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder, when in violation of this code or of any other ordinances of the City.

H. Expiration of Plan Reviews. Applications for which no permit is issued within 180 days following the date of the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

I. Permit Expiration, Extension and Reinstatement, Every issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized is not commenced within the time limitations set forth in this section. Every permit issued by the building official shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. The work shall not be considered suspended or abandoned where the permittee has pursued activities deemed by the building official to indicate the intent to start and complete the project. The building official may require the permittee to document these activities. Every permit issued by the building official shall expire by limitation and become null and void 24 months after the date of permit issuance. If the building or work authorized by permit has not received inspections on a quarterly schedule or final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished. Any permittee holding an unexpired permit may apply for an extension of time within which work is to be completed under that permit when the permittee is unable to complete work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented work from being completed. No permit shall be extended more than once. Where a permit has expired, the permit can be reinstated and the work authorized by the original permit can be recommenced, provided the following are met: (a) the code under which the original permit was issued and other laws which are enforced by the code enforcement agency have not been amended in any manner which affects the work authorized by the original permit; (b) no changes have been made or will be made in the original plans and specifications for such work; and (c) the original permit expired less than one year from the request to reinstate.

The fee for a reinstated permit shall be one-half the amount required for a new permit. Where the request for reinstatement does not comply with the preceding criteria, a new permit, at full permit fees, shall be required. The time limitations set forth in this section are regulatory in nature and effect and shall apply to all permits issued by the City as of the effective date of this ordinance, and to all permits issued thereafter by the City.

J. Work Without a Permit/Investigation Fees. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee equal to the permit fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

K. Not Transferable. A permit issued to one person or firm is not transferable and shall not permit any other person or firm to perform any work thereunder.

L. Suspension/Revocation. The building official may, in writing, suspend or revoke a permit issued under the provision of this code whenever the permit is issued in error on the basis of incorrect information supplied, or if its issuance (or activity thereunder) is in violation of any ordinance or regulation of any other provisions of the City.

M. Inspections. It shall be the duty of the permit holder or authorized agent to request all inspections that may be necessary or otherwise required in a timely manner, provide access to the site, and to provide all equipment as may be deemed necessary or appropriate by the building official. The permit holder shall not proceed with construction activity until authorized to do so by the building official. It shall be the duty of the permit holder to cause the work to remain accessible and exposed for inspection purposes. Any expense incurred by the permit holder to remove or replace any material required for proper inspection shall be the responsibility of the permit holder or his agent.

Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and made available by the permit holder until final approval has been granted by the building official.

Section 11. Codes and Regulations.

A. The City has adopted by separate ordinance certain codes which regulate

within the City. By this reference the City adopts those provisions of the Oregon Administrative Rules which implement these codes. The building official shall enforce the regulations and provisions set forth in the codes and the Oregon Administrative Rules as if the same were set forth herein.

B. All buildings or structures regulated by this code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in this code are hereby designated as unsafe building appendages. All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Building Code or such alternate procedures as may have been or as may be adopted by the City. As an alternative, the building official, or another employee or official of the City as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.

Section 12. Fees. Fees charged under this code shall be as prescribed by the State of Oregon Building Codes Division. The building official may authorize the refunding of fees paid in accordance with any refund policy in effect in the City. The determination of value or valuation under any provisions of this code shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

Section 13. Severability. If any section, paragraph, subdivision, clause, sentence, or provision of this code shall be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of the code, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered, it

being the intent of the governing body to enact the remainder of this code notwithstanding the parts to be declared unconstitutional and invalid.

<u>Section 14.</u> <u>Penalties.</u> Any person violating any of the provisions herein for which a special penalty has not been expressly provided shall, upon conviction thereof, be punished by a fine not to exceed \$1000 per violation. Each day that a violation exists is a separate offense.

Section 15. Emergency Clause. The matters contained herein concern the peace, health, safety and welfare of the people of the City of Brookings and therefore an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its final passage by the Council and approval by the Mayor.

day of

BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of March, 1997 (Corrected)									
Building	Permit Fee	Plan Check Fee	Surcharge	SDF's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
Single Family Dwelling	\$1,258.50	\$817.00	\$62.93	\$5,114.00	\$356,697.00	12	\$1,945,550.82	5	\$690,049.10
Single Family Addition	\$286.00	\$185.50	\$14.30	\$0.00	\$38,976.00	5	\$54,476.00	8	\$61,945.00
Single Family Garage-Carport	\$448.00	\$291.00	\$22.40	\$0.00	\$77,282.00	2	\$77,282.00	6	\$49,144.00
Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$154,370.00
Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	3	\$1,487,885.00
Commercial New	\$0.00	\$0.00	\$0.00	\$51,140.00	\$0.00	0	\$0.00	3	\$252,716.00
Commercial Addition-Change	\$0.00	\$0.00	\$0.00	\$0.00		4		4	\$18,634.76
Churches	\$0.00	\$0.00	\$0.00			0		0	\$0.00
School Repair-Addition	\$0.00	\$0.00	·			1			\$0.00
Building Removal	\$0.00					1			\$0.00
/								<u>`</u>	\$9,500.00
Total Building Permits	\$2,049.00	\$1,330.50	\$102.45	\$56,254.00	\$478,155.00	27	\$2,096,308.82	36	\$2,724,243.86
								,	
Mechanical Permits	\$106.50	N/A	\$5.33		N/A	16		14	
Plumbing Permits	\$195.30	N/A	\$9.77	\$0.00	N/A	13		11	
Manufactured Home Permits	\$0.00		\$0.00	\$0.00	N/A	0		2	
									60 504 042 06
TOTAL PERMITS	\$2,350.80	\$1,330.50	\$117.55	\$56,254.00	\$478,155.00	56	\$2,096,308.82	63	\$2,724,243.86
Total Year to Date Calculated Fees	\$9,472.20	\$4,944.00	\$473.62	\$79,267.00	l				
	Single Family Addition Single Family Garage-Carport Two Family Residential Multi-Family Residential Apts Commercial New Commercial Addition-Change Churches School Repair-Addition	Single Family Dwelling \$1,258.50 Single Family Addition \$286.00 Single Family Garage-Carport \$448.00 Two Family Residential \$0.00 Multi-Family Residential Apts \$0.00 Commercial New \$0.00 Commercial Addition-Change \$0.00 Churches \$0.00 School Repair-Addition \$0.00 Building Removal \$0.00 MiscRetaining Wall-Fence \$56.50 Total Building Permits \$2,049.00 Mechanical Permits \$106.50 Manufactured Home Permits \$0.00 TOTAL PERMITS \$2,350.80	Building	Building	Building	Building	Building	Building	Building

	In February,	1997 Harbor issued permits for 2.0 EDUs.		
During the Month of	March, 1997	, Brookings issued permits for	22.00	_new sewer connections. The City of Brookings
now has	84.25	EDU Units connected to the Brookings W	astewater System since th	ne signing of the MAO.

agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
April 18, 1997
3:00 p.m.

1.	CALL TO ORDER 3'.15 pm
11.	PLEDGE OKALLEGIANCE
III.	ROLL CALL
III.	STAFF REPORTS A. Community Development Planning Director reported on the 1. Approval of consultants contract Consultants Contract (2) WOH Pacific
IV.	EXECUTIVE SESSION A. Union negotiations
V.	REMARKS FROM MAYOR AND COUNCILORS

VI.

ADJOURNMENT

Memorandum

TO:

Mayor, City Council

FROM:

John Bischoff Planning Director

THROUGH:

Tom Weldon, City Manager

DATE:

April 17, 1997

Issue:

Contract for Consultant on the Public Services and Facilities Plan.

Synopsis:

The city and county has selected W&H Pacific, Inc. to generate the required Public Facilities and Services Plan for the new UGB. W&H Pacific obtained the highest score of the three consultants who responded to the RFP and they are also doing the Highway 101 refinement study of ODOT and are a team member on the TGM study. This action must be formalized by signing the contract between the city and consultant.

Recommendation:

Acceptance of the contract.

Background:

The contract has been reviewed and accepted by the city attorney and it and

Exhibits A, B anc C are attached for your review.

Options/Alternatives:

Listed Below are the options we have reviewed and do not recommend.

1. Not accept and sign the contract.

2. Wait until the April 28, hearing to accept the contract.

AGREEMENT

THIS IS AN AGREEMENT made this	day of	, 19,
BETWEEN The City of Brookings, hereinafte		
Oregon corporation, hereinafter called W&HP.		
OWNER INTENDS TOdevelop a public f		
drainage for the Brookings/Harbor Urban Grow	th Boundary in accordance	with a State of Oregon
DLCD Periodic Review Grant Agreement descri	ibed in attached Exhibit "A	", hereinafter called the
Project.		
IN CONSIDERATION of the mutual covenants	s contained herein, OWNE	R and W&HP agree as
follows:		
1 C. ' WAID 111 C D ' C		• (
1. Services: W& HP shall perform Basic Services:		•
attached hereto. Additional services will be perfe		-
writing by OWNER. Additional services are n	ot included as part of Basi	ic Services described in
Exhibit "B".		
Additional services may include, but are not necess	arily limited to, adding nev	v tasks or increasing the
work efforts for tasks described as Basic Ser		_
magnitude and/or complexity of the work envision		•
. ,		
2. OWNER's Responsibilities: OWNER shall do	the following in a timely m	anner so as not to delay
the services of W&HP:		·
2.1 Designate in writing a person to act as OW	/NER's representative with	n respect to the Project.
2.2 Provide all criteria and full information as	s to OWNER's requiremen	nts for the Project.
O:\CONTRACT\AGREEMNT\W&HPACE 4GR		Page 1 of 7 Pages

- 2.3 Assist W&HP by placing at W&HP's disposal all available information pertinent to the Project.
- 2.4 Arrange for access to and make all provisions for W&HP to enter upon public property as required for W&HP to perform services under this Agreement.
- 2.5 Give prompt written notice to W&HP whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of W&HP's services.
- 3. Period of Services: W&HP shall commence work on the project immediately upon receipt by W&HP of the executed Agreement and official Notice to Proceed from the State of Oregon DLCD and shall proceed with said work in a diligent manner to completion. W&HP will not be responsible for delays caused by factors beyond W&HP's control, including failure of OWNER to furnish timely information or to approve or disapprove W&HP's instruments of service promptly, and will not be responsible for delays caused by factors which could not reasonably have been foreseen at the time this Agreement was executed. W&HP agrees to complete the products identified in Exhibit "A" on or before June 30, 1997 and deliver them in a timely manner to OWNER such that the products may be submitted to DLCD by July 31, 1997.
- 4. Payments to W&HP: OWNER agrees to pay W&HP as follows:
- W&HP on the basis of salary cost times a factor plus incurred expenses as set forth in "W & H Pacific Standard Fee Schedule", attached hereto as Exhibit "C". The estimated maximum fee for Basic Services performed under this Agreement is Thirty Thousand Dollars (\$30,000.00) with the actual amount to be determined upon completion and acceptance of the Scope of Work as detailed in Exhibit "B". W&HP understands that the maximum not to exceed compensation for Basic Services identified in Exhibits "A" and "B" (including travel and other out-of-pocket expenses) is Thirty Thousand Dollars (\$30,000.00). Any additional sum will be paid only if the parties execute a

supplemental contract. Any additional sum will be negotiated through a supplemental contract between W&HP and OWNER. Should the OWNER and W&HP fail to reach agreement on a supplemental contract detailing the work scope and budget necessary to complete the project, termination of this contract (as per Section 9) may be necessary.

- 4.2 Additional Services: For additional services rendered under this Agreement, OWNER agrees to pay W&HP on the basis of salary cost times a factor plus incurred expenses as set forth in "W & H Pacific Standard Fee Schedule", attached hereto as Exhibit "C".
- 4.3 Terms of Payment: Fees for all services will be billed monthly based on W&HP's actual hours worked and expenses incurred. Itemized invoices will be submitted to OWNER. OWNER shall make prompt monthly payments in response to W&HP's monthly invoices. If OWNER objects to any invoice submitted by W&HP, OWNER shall so advise W&HP in writing, giving reasons therefore, within fourteen days of the date the invoice is received.

Except in those instances where OWNER objects to an invoice, if OWNER fails to make any payment due W&HP for services and expenses within thirty days of the date the invoice is received, the amounts owing will be considered past due. A late charge of 1-1/2% per month shall be added to the past due amount, and in addition W&HP may suspend services under this Agreement, without liability for delay or for consequential or other damages which may result therefrom, upon delivery of written notice of its intention thereof to the OWNER until W&HP has been paid in full all amounts due.

Payments in Event of Termination: In the event this Agreement is terminated, W&HP will be compensated for services performed under this Agreement to the date of termination in accordance with the above provisions of payments to W&HP. If this Agreement is terminated by OWNER, W&HP will also be compensated for all reasonable costs and expenses incurred to assemble and close project files and records. If W&HP fails to deliver all products listed in Exhibit "A", total compensation to W&HP will be reduced in proportion to the amount of work not completed, the amount to be negotiated between W&HP and the OWNER.

- 5. Standard of Performance: W&HP shall perform its services in accordance with O.A.R. 660-11-000 "PUBLIC FACILITIES PLANNING" and with generally accepted standards presently maintained by other practicing professionals engaged in the same type of work in the State of Oregon. W&HP makes no other warranty, express or implied.
- 6. The products listed in Exhibit "A" shall be delivered to the OWNER in reproducible adoption ready format and shall become the property of the OWNER. The products are not intended or represented to be suitable for reuse by OWNER or others on extensions of the services provided for in the intended Project or on any other project. Any reuse without approval by W&HP for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to W&HP; and subject to the limitations set forth in O.R.S. 30.270 OWNER shall indemnify and hold harmless W&HP from claims, damages, losses and expenses, including attorneys' fees arising out of or resulting therefrom. Any such approval will entitle W&HP to further compensation at rates to be agreed upon by OWNER and W&HP. Adoption ready format means on 8-1/2" by 11" pages, with W&HP name and logo limited to title page.
- 7. Electronic Media Delivery: It is recognized that the OWNER may, from time to time, request the delivery of and retain copies of drawings on computer disks in WordPerfect format. The original disks and/or magnetic tapes will be retained by W&HP. The information on the electronic media is considered part of W&HP's instrument of service and shall not be used on other projects, for additions to this Project, or for completion of this Project by another design professional except by agreement in writing and with appropriate compensation to W&HP.

Any such use or reuse by the OWNER, without written approval by W&HP for the specific purpose intended, will be at the OWNER's sole risk and without liability or legal exposure to W&HP. Furthermore, the OWNER shall, subject to the limitations set forth in O.R.S. 30.270, indemnify and hold narmiess W&HP from claims arising out of or resulting therefrom.

Due to the potential that the information set forth on the computer disks and/or magnetic tapes can be modified by the OWNER, unintentionally or otherwise, W&HP reserves the right to remove all reference to its ownership and/or involvement from each electronic display.

Because data stored on electronic media can deteriorate undetected, the OWNER agrees that W&HP will not be held liable for the completeness or correctness of the electronic data after an acceptance period of 30 days from the date of delivery of the electronic files to OWNER.

- 8. Limitation of Liability: Any claim for damages, fees or costs of defense by OWNER against W&HP on account of injury or damage to person or property arising from work under this agreement, including without limitation, design defects, errors, omissions or professional negligence, will be limited to a sum not to exceed Fifty Thousand Dollars (\$50,000.00).
- 9. Termination: Either party may terminate this Agreement at any time upon fourteen day's prior written notice to the other. Upon termination all products and documents that result from the Agreement (Exhibits "A" and "B") shall be delivered forthwith to OWNER, and W&HP shall be entitled to compensation for the percentage of the Project completed to the date of termination.
- 10. Attorney's Fees and Expenses: In the event suit or action is instituted to enforce any of the terms of this Agreement, the losing party shall pay to the prevailing party, in addition to costs and disbursements, such sum as the court may adjudge reasonable as attorney's fees in such suit or action, in both trial court and appellate court.
- 11. Waiver: No waiver of a breach of any covenant, term or condition of this Agreement shall be a waiver of any other or subsequent breach of the same or any other covenant, term or condition of this Agreement, or a waiver of the covenant, term or condition itself.
- 12. Controlling Law and Venue: This Agreement shall be governed by the laws of the State of Oregon. Venue of any dispute hereunder shall be in Curry County, State of Oregon.

13. Successors and Assigns: The covenants, agreements and obligations of this Agreement shall extend to and be binding upon and inure to the benefit of the parties, their successors and permitted assigns.

W&HP shall not assign, sublet or transfer any rights under or interest in this Agreement without the prior written consent of OWNER. Nothing contained in this paragraph shall prevent W&HP from employing, with prior written consent of OWNER, such independent professional associates and consultants as W&HP may deem appropriate to assist in the performance of services hereunder. W&HP shall be solely responsible for payment of any such associates or consultants.

- 14. Insurance: Prior to commencement of work under this Agreement, W&HP shall provide OWNER with certificates of insurance indicating limits of coverage for general and professional liability insurance and identifying OWNER as an additional named insured.
- 15. Status of W&HP: All work to be performed by W&HP under this agreement shall be as an independent contractor and not as an employee of OWNER. W&HP shall be solely responsible for payment of all federal or state taxes, worker compensation and unemployment premiums required to be paid for work under this Agreement.
- 16. Compliance with Laws: W&HP shall comply with all federal, state and local laws and ordinances applicable to work under this Agreement, including without limitation, the provisions of O.R.S. 279.312, 279.314, 279.316, 279.320 and 279.555.
- 17. Indemnification: W&HP shall indemnify, defend and hold harmless OWNER, and its officers, employees, agents and councillors, from all claims, demands, suits or actions of whatsoever nature resulting from or arising out of the negligent acts, errors and/or omissions of W&HP under this Agreement.

THIS AGREEMENT together with the exhibits and schedules identified above constitute the entire Agreement between OWNER and W&HP and supersede all prior written or oral understandings. This Agreement and said exhibits and schedules may only be amended, supplement, modified or canceled by a duly executed written instrument.

THE CITY OF BROOKINGS

W & H PACIFIC, INC.

BY:	Ву:
Title:	Title:
ATTEST:	
City Recorder	
Address for giving notices and to which invoices should be sent:	Address for giving notices and to which payments should be sent:

EXHIBIT A

WORK PROGRAM PERIODIC REVIEW GRANT PUBLIC FACILITIES AND SERVICES PLAN

A. Plans, Policies and Agreements

Objectives:

- Prepare a public facilities plan for sewer, water and storm drainage to meet the requirements of OAR 660-11.
- Develop comprehensive plan policies for the city and county to ensure the orderly and consistent extension of sewer, water and storm drainage service for the adopted UGA.

Tasks:

- 1. Sewage collection and treatment.
 - A. Prepare an inventory of existing public sewage collection, treatment, and discharge facilities which service the UGB based on existing facilities plans of the city and Harbor Sanitary District...

This is being accomplished as a part of the TGM project which will also prepare the projected facilities improvements needed (short term needs) to support the existing developed area defined in the TGM work program.

B. Prepare a projection of long term sewage collection, treatment, and discharge facilities needed to support the land use designations within the adopted UGA based on existing facility plans of the city and Harbor Sanitary District. This projection will allow for the projected needs for the Master Plan areas of the UGA but will not include facilities within those areas.

Labor/hrs: City: 6 ; County: 4 ; District: 4 ; Consultant: 30

Product: A map or description of collection, treatment and discharge facilities that will be

needed in the future.

Schedule:

C. List significant long term sewage facility projects which are necessary to support the land uses designated within the adopted UGA but not including the Master Plan areas. Projects are to be given specific names and or identification numbers with a brief description of the project and the entity responsible for completion.

Labor/hrs: City: 6 ; County: 4 ; District: 4 ; Consultant: 25

Product: A list of significant needed projects with name or identification numbers and a brief

description of each project.

Schedule:

D. Provide "rough cost estimates" for each project identified in Task 1.C.

Labor/hrs: City: 4 ; County: 2 ; District: 3 ; Consultant: 20

Product: Provide a list of projected cost estimates for project identified in Task 1.C.

Schedule:

E. Provide a map and/or written description of each identified project location within the adopted UGA.

Labor/hrs: City: 3 ; County: 3 ; District: 3 ; Consultant: 20

Product: A map showing the location of each identified project and/or a written description

of each project.

Schedule:

F. Develop policy statement(s) for the city and county comprehensive plans identifying each provider of sewage facilities for all areas within the adopted UGB area.

This item will be accomplished by the city and county staff.

G. Develop language for City/County UGB Joint Management Agreement identifying each provider of sewage facilities for all areas within the adopted UGB.

This item will be accomplished by the city and county staff.

H. Provide an estimate of when each facility project identified in Task 1.C, will be needed and which provider will be responsible for implementing and completing the project.

Labor/hrs: City: 3 ; County: 3 ; District: 3 ; Consultant: 15

Product: A time table estimating the initiation date of all projects identified Task 1.C.

Schedule:

I. Provide an evaluation of existing funding mechanisms and the ability of these and possible new mechanisms to fund the projects identified in Task 1.C and identify the sewage provider responsible for providing the funding. Funding analysis for the wastewater treatment plant upgrade is expected to be undertaken as a part of the TGM study.

Labor/hrs: City: 4 ; County: 2 ; District: 3 ; Consultant: 30

Product: A list of each funding mechanism available to each provider and discussion of the

potential of the mechanism to fund the identified project.

Schedule:

Water Systems

A. Prepare an inventory of existing water collection, treatment and distribution facilities located outside of the TGM study area and in the adopted UGB, based on the existing facilities plans.. The TGM study will inventory the existing water facilities within the TGM study area.

Labor/hrs: City: 4 ; County: 4 ; Consultant: 8

Product: An inventory of all water collection, treatment and distribution facilities within the

adopted UGB based on the existing facilities plans of the city and the Harbor

Water PUD.

Schedule:

B. Prepare a projection of long term water collection, treatment, and distribution facilities needed to support the land use designations within the adopted UGA based on existing facility plans of the city and Harbor Water District. This projection will allow for the projected needs for the Master Plan areas of the UGA but will not include facilities within those areas.

Labor/hrs: City: 5 ; County: 4 ; District: 4 ; Consultant: 25

Product: A map or description of needed collection, treatment and discharge facilities that

will be needed in the future.

Schedule:

C. List significant long term water facility projects which are necessary to support the land uses designated within the adopted UGA but not including the Master Plan areas. Projects are to be given specific names and or identification numbers with a brief description of the project and the entity responsible for completion.

Labor/hrs: City: 5 ; County: 4 ; District: 4 ; Consultant: 25

Product: A list of significant needed projects with name or identification numbers and a brief

description of each project.

Schedule:

D. Provide "rough cost estimates" for each project identified in Task 2.C.

Labor/hrs: City: 3 ; County: 2 ; District: 3 ; Consultant: 15

Product: Provide a list of projected cost estimates for project identified in Task 2.C.

Schedule:

E. Provide a map and/or written description of each identified project location within the adopted UGA.

Labor/hrs: City: 3 ; County: 3 ; District: 3 ; Consultant: 15

Product: A map showing the location of each identified project and/or a written description

of each project.

Schedule:

F. Develop policy statement(s) for the city and county comprehensive plans identifying each provider of sewage facilities for all areas within the adopted UGB area.

This item will be accomplished by the city and county start.

G. Develop language for City/County UGB Joint Management Agreement identifying each provider of water facilities for all areas within the adopted UGB.

This task will be accomplished by the city and county staff.

H. Provide an estimate of when each facility project identified in Task 2.C, will be needed and which provider will be responsible for implementing and completing the project.

Labor/hrs: City: 3 ; County: 3 ; District: 3 ; Consultant: 15

Product: A time table of estimated initiation dates of all projects identified Task 2.C.

Schedule:

I. Provide an evaluation of existing funding mechanisms and the ability of these and possible new mechanisms to fund the projects identified in Task 2.C and identify the water provider responsible for providing the funding.

Labor/hrs: City: 3 ; County: 2 ; District: 3 ; Consultant: 25

Product: A list of each funding mechanism available to each provider and discussion of the

potential of the mechanism to fund the identified project.

Schedule:

Note: Some of the above water systems study will be accomplished through the county's periodic review process. Exactly what parts have not been determined at this date, however, once this has been determined consultant hours may be rearranged to enhance the remaining tasks of this work program.

3. Storm Drainage.

A. Prepare an inventory of existing storm drain collection and discharge facilities located outside of the TGM study area and in the adopted UGB based on existing city and county facilities plans. The TGM study will inventory the storm discharge facilities within the TGM study area.

Labor/hrs: City: 4 ; County: 5 ; Consultant: 10

Product: An inventory of all storm drain collection and discharge facilities within the

adopted UGB.

Schedule:

B. Prepare a projection and identify as projects, significant long term storm drain collection and discharge facilities needed to support the land use designations within the UGA but outside of the TGM study area and Master Plan areas based on existing facility plans of the city and county. Projects are to be given specific names and or identification numbers with a brief description of the project and the provider responsible for completion. The TGM study will identify and describe the needed facilities within its study area based on existing facilities plans of the city and county. This task is a combination of Items B, C and E as shown in Tasks 1 Sewage Collection and 2 Water Systems of this work program

Labor/hrs: City: 8 ; County: 10 : Consultant: 35

Product: A location map and brief description of needed storm drain collection and

discharge facilities identified as projects with names or identification numbers and

a brief description of each project and the entity responsible for completion.

Schedule:

Note: Projections for areas down stream from Master Plan areas, may require revision once a development plan for the Master Plan area is established.

C. Provide "rough cost estimates" for each project identified in Task 3.B.

Labor/hrs: City: 3 ; County: 4 ; Consultant: 10

Product: Provide a list of projected cost estimates for each project identified in Task 3.B.

Schedule:

D. Develop policy statement(s) for the city and county comprehensive plans identifying each provider of storm drain facilities for all areas within the adopted UGB area.

This task will be accomplished by the city and county staff.

E. Develop language for City/County UGB Joint Management Agreement identifying each provider of storm drain facilities for all areas within the adopted UGB.

This task will be accomplished by the city and county staff.

F. Provide an estimate of when each facility project identified in Task 3.B will be needed and which storm drain facility provider will be responsible for implementing and completing the project.

Labor/hrs: City: 3 ; County: 3 ; Consultant: 10

Product: A time table of the estimated initiation date of all projects identified Task 3.B.

Schedule:

G. Provide an evaluation of existing funding mechanisms available to each provider and the ability of these and possible new mechanisms to fund the projects identified in Task 3.B.

Labor/hrs: City: 2 ; County: 4 ; Consultant: 18

Product: A list of each funding mechanism and discussion of the potential of the mechanism

to fund the identified project. If an existing or potential new source is available to

one provider but not to another this should be pointed out.

Schedule:

B. Coordination And Service Agreements

Objectives:

• Ensure consistency between city, county and every special district plans involved in providing water and sewer service and storm drainage within the adopted UGB.

Task

Develop special district "Urban Services Agreement" as required under Chapter 195.060 - 195.085 between the city, county, Harbor Water District, and Harbor Sanitary District.

This task will be accomplished by the TGM study.

C. Participation

Objectives:

- Ensure adequate technical input from all local governments and special districts involved, throughout the planning process.
- Encourage adequate input from citizens, throughout the planning process.
- Encourage an appropriate level of support by city and county elected local officials.

Tasks:

1. Establish a technical Advisory Committee with representatives from the city, county, Harbor Sanitary District, Harbor Water District, Camilla Park Sanitary District, DEQ, DLCD, and citizens at large.

Labor/hrs: Ci

City: 15; County: 15; Districts: 4; Consultant: 10

Product:

Minutes and agendas of meetings.

Schedule:

On going throughout life of study.

2. Establish a public participation program to allow public review and comment on the project, including at least 4 public workshops.

Labor/hrs:

City: 10 ; County: 10 ; District: 4 ; Consultant: 6

Product:

agendas, records of meetings, record of public comment.

Schedule:

On going throughout life of study.

3. "Brief" the members of the city and county planning commissions, city council, and county board of commissioners at least once every 90 days during the planning process.

Labor/hrs:

City: 2 ; County: 2 ; Consultant: 2

Product:

Meeting agendas and minutes.

Schedule:

To be determined.

4 Hold public hearings before the city and county planning commissions.

Labor/hrs:

City: 4 ; County: 4 ; Consultant: 3

Product:

Minutes from the public hearings.

Schedule:

To be determined.

5. Hold public hearings before the city council and county board of commissioners.

Labor/hrs:

City: 4 ; County: 4 ; Consultant: 3

Product:

Adoption of a Public Facilities and Services Plan

Schedule:

To be determined.

Total Hours

Entity	Sewer	Water	Storm	Particp.	Total
Consultant	140	128	83	24	375
City	26	26	20	35	107
County	18	22	26	35	101
Districts	20*	20*	-	-	40
Total	204	196	129	94	623

^{*}Includes participation at committee meetings and hearings.

City of Brookings Public Facilities and Services Plan Scope of Work

EXHIBIT "B"

Introduction

W&H Pacific will provide consulting services to prepare a public facilities and services plan studying water, sewer and storm drainage infrastructure for the newly adopted city of Brookings Urban Growth areas. The plan will meet the requirements of OAR 660-11. The intent of this plan is to develop comprehensive plan policies for both Curry County and the city of Brookings (City) to ensure the orderly, consistent extension of sewer, water, and storm drainage services in the

W&H Pacific's services will include the following tasks:

Tasks

Inventory Existing Systems 1.

W&H Pacific will assemble and review existing infrastructure information on sewer, water and storm drainage for the affected area. This analysis will include data from the city of Brookings, Harbor Water District, Harbor Sanitary District, Curry County, ODOT and other affected organizations. This inventory will include:

- A summary description of the system.
- The current capacity of the system and its pertinent components.
- The amount of capacity currently utilized or remaining.
- A listing of any significant factors impacting the ability of the infrastructure system to accommodate the urban growth expansion.

The inventory will be summarized in a Current Conditions Chapter.

Prepare a Facilities Projection 2.

Based upon the current and proposed land use provided by the city of Brookings, W&H Pacific will provide an ultimate need analysis of the infrastructure to support the urban growth boundary land use designations. This projection will include:

- Determine the water, sanitary, and storm water demands created by the proposed land
- Determine the water, sewer, and storm drainage facilities necessary to service the
- Compare the proposed facilities against the existing facilities.
- Determine the facilities necessary to accommodate the urban growth boundary
- Identify provider or providers responsible for implementing improvements.

City of Brookings Public Facilities and Services Plan Scope of Work Page 2

The facilities projection will be conceptual in accuracy and subject to refinement during future master planning efforts. The findings will be summarized in a Future Needs Chapter.

3. Prepare Facilities List

After identifying the necessary facilities to service the expanded urban growth boundary, W&H Pacific will prepare a capital improvements list. Each item this capital improvements list will include:

- A specific name and identification number.
- A written description of each capital item.
- An exhibit map or drawing showing the proposed facility.
- An order of magnitude cost estimate for the facility.
- A description of any institutional requirements predicating implementation of the capital item.

The anticipated facility needs will be summarized in a Capital Improvements Chapter.

4. Prepare a Preliminary Capital Improvement Schedule

W&H Pacific will prepare a prioritized schedule of improvements based upon the anticipated growth, proper technical connection of the physical facilities, and financial constraints. This prioritization schedule will be included in the Capital Improvements Chapter.

5. Funding Mechanisms

W&H Pacific will identify and evaluate potential funding mechanisms appropriate for the urban boundary expansion related improvements. Funding sources will be included in a Funding Mechanisms Chapter.

Policy and Agreement Language

City and county staff will provide language for the City/County Joint Management Agreement and for policy statements in either parties comprehensive plans.

Prepare Draft Decument

and the findings from the above tasks will be compiled into a draft document and submitted to the city for review. 20 copies will be printed.

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City of Brookings Public Facilities and Services Plan Scope of Work Page 3

8. Final Document

After draft review, 20 copies of the final document will be prepared.

Enhanced Participation Program (Pre-June 30, 1997)

In conjunction with the report preparation, W&H Pacific with Cogan, Owens, Cogan will conduct a public participation program consisting of the following tasks.

9. Technical Advisory Committee

Consultant will assist staff with developing agendas for up to three (3) TAC meetings and will also prepare suitable handout materials for duplication by city and county. Consultant will attend two (2) TAC meetings.

10. Public Participation Program

Consultant will advise staff in how to design and conduct one (1) public information meeting to present the findings of the public facilities planning project. Advice will consist of publicity, format of meeting, materials needed and other details. Consultant will not attend this meeting.

11. Property Owner Meetings

Consultant will attend two (2) meetings with major property owners that will be impacted by the public facilities plan to obtain their input on how they would like to see facilities provided and develop their support for the final recommendations. These meetings will occur at times when other trips are made to Brookings.

Adoption Process (After July 1, 1997)

THE FOLLOWING TASKS CAN BE PROVIDED UNDER SUPPLEMENTAL AGREEMENT

12. Briefings

Consultant will provide two (2) briefings to elected officials of progress on the public facilities plan during the same trips that will be made for TAC meetings.

10. Planning Commission Public Hearings

The consultant will advise staff on how to present information, prepare findings and suitable handout materials and exhibits for public hearings. The consultant will attend one (1) public hearing,

City of Brookings Public Facilities and Services Plan Scope of Work Page 4

preferably a joint city-county hearing, if such hearing is scheduled during the contract period. In lieu of a hearing, if it cannot be scheduled, consultant can provide one (1) briefing.

14. Elected Officials Public Hearings

The consultant will attend one (1) public hearing of the elected officials, preferably a joint hearing, if such hearing is scheduled during the contract period. In lieu of a hearing, if it cannot be scheduled, consultant can provide one (1) briefing.

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STAFF TASK HIGHR DISTRIBUTION

PAGE 1

TASK 1. Sewage Collection and Treatment		D. SIEGEL \$90	B. Arvidson \$85	M. BOGUSLAWSKI	K. Sugnet	L. DAVIS	TOTALS
		400	405	\$70	\$55	\$ 90	
1. A and 1. B. Inventory % Facilities Proje	ection						
1. C. Facilities List	CuO!	0	8	9	10	0	27
1. D. Rough Cost Falintales.]	5	8	10	0	24
1. E. Exhibits		1	4	8	6	0	19
1. F. and 1. G. Policy & Agree		Accomplished by	1	5	15	0	22
1. H. Schedule Estimate		Accomplished by o	iny and county s				
1.1 Funding Mechanisms		10	4	3	4	3	17
		10	10	0	0	10	30
O Maria							
2. Water Systems							
2. A Inventory		0	1	_	•	_	
2. B. Facilities Projection 2. C. Facilities List		1	3	5 8	2	0	8
2. D. Rough Cost Estimate		1	3	8	3 3	0	15
2. E. Exhibits		1	3	7	3	0	15
2. F. and 2.G. Policy and Agree		1	3	7	3	0 1	14
2. H. Schedule Estimate		Accomplished by ci	ity and county st	ləff		ſ	15
2. I Funding Mechanisms		1	3	7	3	1	45
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				-	-	J	21
3. Storm Drainage							
3. A. Inventory							
3. B Facilities Projection		1	1	5	3	0	10
3. C. Rough Cost Estimates		2	8	13	10	Ō	33
3. D. and 3. E. Policy and Agree		Accomplished to the	. 2	5	2	Ö	10
3. F. Schedule Estimate		Accomplished by cit	y and county sta	aff		•	
3. G. Funding Mechanisms		2	4	0	0	4	10
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STAFF TASK - HOUR DISTRIBUTION	COST TOTALS	\$4, 050	\$6,715	\$6,860	\$4,345	\$2,520	24.490

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PARTICIPATION:

TASK 1. Establish Technical Advisory Committee	D. SIEGEL \$90	B. Arvidson \$85	L. DAVIS	TOTALS	PAGE 2
	6.0	9.0	9.0	24.00	
2. Establish Public Participation Pgrm	2.0	2.0	2.0	6.0	•
HOUR TOTALS PARTICIPATION COST TOTALS	8.0 \$7 20	11.0 \$935	11.0 \$ 990	30.0 \$ 2,645	
STAFF TASK - HOUR DISTRIBUTION & PARTICIPATION COTHER EXP	OST TOTALS ENSES (10%)			\$27,135	
Project/1997 2299/guardatathk property	TOTAL			\$2,714 \$ 29,849	

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City of Brookings Public Facilities and Services Plan Concerned Public Agencies List

Public Agencies

City of Brookings
Brookings Port District
Curry County
DEQ
DLCD
Harbor Sanitary District
Harbor Water District
ODOT
Oregon Health Department
OWRD
(other small water districts)
ODF&W

W&H PACIFIC STANDARD FEE SCHEDULE

I. STANDARD FEE SCHEDULE

The compensation of W&H Pacific for work done on the basis of salary cost times a factor, plus incurred expenses (which may be referred to as "time and materials" or "standard billing") will be the sum of all of the items set forth below:

A. PERSONNEL SERVICES

- 2.2 times salary cost. Salary cost is defined as total hours worked times the employee's straight-time rate of pay on an hourly basis plus 37% allowance for payroll taxes and other employee benefits. All time spent in connection with the order by executive, professional, subprofessional, technical, and clerical employees will be included.
- 2. Overtime premium (overtime hours worked times the difference between overtime and straight -time rates) if the client's requirements make overtime work necessary.

B. TRAVEL AND TRANSPORTATION EXPENSES

- 1. Reimbursement for actual travel and subsistence expenses paid to or on behalf of employees on business connected with the project, plus a service charge of 10%.
- 2. Forty cents (\$.40) per mile for use of vehicles.

C. OUTSIDE SERVICES

 Invoice cost of services and expenses charged to W&H Pacific by outside consultants, professional or technical firms engaged in connection with the order, plus 10% overhead costs.

D. MISCELLANEOUS EXPENSES

1. Outside Sources:

The invoice cost of materials, supplies, reproduction work, and other services, including communication expenses, procured by W&H Pacific from outside sources, plus a service charge of 10%. All out-of-pocket expenses not included in items A, B, C, and D will be included in this category.

2. W&H Pacific Reimbursables:

a.	CADD workstation with plotter	\$15.00 per hour
ъ.	Computer	\$ 5.00 per hour
c,	Facsimile transmissions	\$1.00 per page - incoming/outgoing
đ.	Photocopying	\$ 0.15 per sheet
e.	Blueline prints	\$0.25 per square foot
f.	Electrostatic plotting	\$10.00 per sheet
g.	Total station theodolite with data collector	\$15.00 per hour
Ä,	RD400 radio detection pipe locator	\$20.00 per day/\$80.00 per week
i.	GPS receiver	\$250.00 per day
i.	Mobile phone	\$4.00 per day

W&HP Form C

Effective January 1995