

AGENDA
CITY OF BROOKINGS
COMMON COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
898 ELK DRIVE
BROOKINGS, OREGON, 97415 - 7:00 P.M.
OCTOBER 27, 1997



Halloween

agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
October 27, 1997
10:00 am

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SCHEDULED PUBLIC APPEARANCES

- A. Proposal from First Golf Corporation for Jack Creek Golf Course

RECESS UNTIL 3:00 PM

- B. Proposal from The Claveran Group for Jack Creek Golf Course

RECESS UNTIL 7:00 PM

V. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

- A. Introduction of new Police Officer Donny Dotson (no handout)
B. Introduction of new Police Officer Gerald Kessler (no handout)
C. Thank you to Brookings-Harbor Youth Assn. for work at Kidtown
(green)

VI. PUBLIC HEARING

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
1. Planning Commission
2. Parks and Recreation Commission
3. Chamber of Commerce
4. Council Liaisons
B. Unscheduled

VIII.

STAFF REPORTS

A. City Manager

1. Pacific Coast Scenic Byway (no handout)
2. Student Representatives (yellow)
3. Budget Changes (blue)
4. Falcon Cable (pink)
5. Contract with Brown & Caldwell for WWTP engineering (gold)

B. Community Development

1. "No Parking" sign request near 1515 Seacrest Lane (purple)
2. Letter of Understanding between City, County and ODOT for Transportation Systems Plan (tan)

C. Police Department

1. Council representative to skateboard committee (orange)
2. Liquor license application - City Grill change of owner (green)

IX.

CONSENT CALENDAR

A. Approval of Council Meeting Minutes

1. Minutes of October 13, 1997 Regular Meeting (cream)
2. Minutes of October 13, 1997 Brookings Planning Commission/City Council Joint Meeting (blue)

(end Consent Calendar)

X.

ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Resolutions

1. Resolution No. 97-R-619a - A resolution amending Resolution No. 97-R-619 (yellow)
2. Resolution No. 97-R-620a - A resolution amending Resolution No. 97-R-620 (purple)

XI.

REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

EXECUTIVE SESSION - ORS 192.660 (1) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions

RECESS UNTIL TUESDAY, OCTOBER 28, 1997 - 9:00 AM

XII. STAFF REPORTS (Continued)

A. City Manager

6. Consideration of golf proposals for Jack Creek Golf Course
(no handout)

XIII. ADJOURNMENT

Thank You

TO

BROOKINGS-HARBOR YOUTH ASSOCIATION

*WE THANK AND SALUTE YOU FOR YOUR TIME AND
EFFORTS WORKING AT KIDTOWN
SATURDAY, OCTOBER 18, 1997!*

Tom Weldon, City Manager

Nancy Brendlinger, Mayor

MEMORANDUM

To: Mayor and City Council
From: Tom Weldon, City Manager *tom*
Subject: Student Representatives
Date: October 21, 1997

Mayor Brendlinger and I have interviewed the three high school girls who have applied to be student representatives to City committees.

These girls and their requested committees are:

Mary J. Ball Planning Commission
Sheena McKay Parks and Recreation Commission
Shiloh Thom City Council

Mayor Brendlinger and I recommend you appoint these girls to these committees.

-eom-

Mary J. Ball
840 Cameo Court
Brookings, OR 97415

September 17, 1997

Mr. Thomas Weldon
City Manager
898 Elk Drive
Brookings, OR 97415

Subject: Application for student position on Planning Commission

Dear Mr. Weldon:

I am currently a sophomore at Brookings-Harbor High School. I would like to be on the Planning Commission, because I think that the planning commission is very important. The Commission is responsible for planning the future of our community. I feel that if I was on the Planning Commission it would help me to get more involved in our community. I am enclosing a copy of my resume.

Last year our school had a Student Government Day that I participated in, as the Student City Manager as you know. I really enjoyed working with you and I learned a lot following you around and getting to experience what it was like to be the City Manager.

Respectively,

Mary J. Ball
Mary J. Ball

MARY J. BALL
840 Cameo Court
Brookings, OR 97415
541/469-7526

OBJECTIVE:

Student Seat on the Planning Commission

QUALIFICATION:

High School Leadership – this year and last year
Student Government Day – Student City Manager Spring 1997

WORK EXPERIENCE:

Fitzgerald Financial - part time summer of 1997
Azalea Middle School – Office Aide during my 7th and 8th grade years

PERSONAL:

Azalea Middle School Dance Team – 2 years
BHHS Bear Delights Dance Team – 2 years
BHHS Band – Alto Saxophone 1st chair this year and last
BHHS JV Softball Team – 1997
Little League Softball – 9 years

I am outgoing and like to be involved in a lot of activities. I am interested in what goes on in the City. The growth in Brookings during the past 10 years has been tremendous and is likely to continue in the future and challenges us as a community to plan for the future so that Brookings will continue to be the great place that it is.

EDUCATION:

Brookings Harbor High School, where I am currently a sophomore. I plan on graduating in the year 2000. Last year I had a 3.75 G.P.A. and was ranked 16th out of my class. I was selected for the 1997 Outstanding Biology Student of the Year Award.

REFERENCES:

Ron Fallert
Norma Fitzgerald
Molly Wales

Sheena McKay
912 Midland Way
Brookings
469--1922

Objective: I would like to be a member on the Parks and Recreation Committee.

Experience: I have been involved in Leadership for four years, and have done various things throughout the community.

Education: Brookings Harbor High School

Sophomore

References: Kristi Kleespies
Leadership Class

Dear Mr. Weldon and Mrs. Brendlinger,

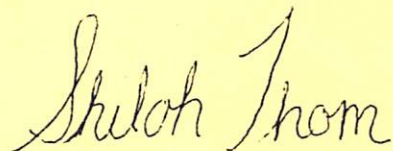
Hi, I'm Shiloh Thom and I'm a sophomore at Brookings-Harbor High School. I am interested in the exo-ficio position on the City Council. As for experience I was the exo-ficio member on the Parks and Recreation Committee. I also played the part of the Planning Commissioner in the City Government Night.

I really enjoyed being on the Parks and Recreation Committee and giving my input. I felt I had some valuable suggestions that helped the Committee see their plans from a teenagers point of view.

I am really interested in politics and would like to get some experience in it. I also feel that I have some valuable suggestions that I could give to the City Council. If I get chosen to be the exo-ficio member I would be interested in staying on it until I graduate.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Shiloh Thom". The letters are fluid and connected, with a prominent loop at the end of the last name.

Shiloh Thom

Shiloh Thom
P.O. Box 2812
Harbor, Oregon
469-4417

Objective: I am applying for a position on the City Council .

Experience: I was involved in Leadership at Azalea. I also was a member of the Parks and Recreation Committee last year.

Education: I am a Sophomore at Brookings-Harbor High School.

References: Mrs. Kleespies at Brookings-Harbor High School.

Memo

To: Mayor and Council

Thru: Tom Weldon, City Manager *Tom*

From: Beverly Adams, Finance Director/Recorder *BA*

Subject: Estimated tax receipts and request for expenditures

Date: October 21, 1997

Yesterday I spoke with Jim Kolen, County Assessor, regarding an update of expected property tax receipts for the City. He said that he will not have final information until the first part of November; and that a safe estimate would be to use a 17% cut from what the City would normally have received this fiscal year. Because our serial levy passed by a double majority, we will not have a reduction from that levy amount. Figuring a 17% reduction on \$873,289, and adding the \$505,907 serial levy, we will have an increase over our budget estimate of \$26,363. The report received from the State estimates our reduction to be 9%; so we can be reasonably assured that our increase is going to be more than \$26,363. (Past experience with tax collection rate, the addition of the serial levy, and a 9% reduction rather than 17%, leads me to believe that the final amount added to our budget will be closer to \$40,000.)

During budget preparation there were several cuts enacted to cover the \$220,000 shortfall we anticipated to result from Measure 47. Those cuts approved by the Budget Committee and Council were 1) city hall janitorial service; \$6000 2) City Manager's Administrative Assistant position; \$45,000 3) Municipal Court downsizing; \$26,000 4) Azalea Park janitorial services; \$4,200 5) 10% cut on all travel/training budgets 6) 46% cut in capital outlay expenditures 7) \$10,000 from Council/Community relations budget..

With the \$26,363 that we can safely put back into the budget, my recommendation is to reinstate City hall janitorial service (approx. \$5,000); and the Administrative Assistant position (as a Secretary-approx. \$21,000) for a total of \$26,000 for these services for the last 7 months of this fiscal year.

I believe we will have enough money available next fiscal year to adequately fund existing services as well as the addition of these two items.

Memorandum

TO: Mayor, City Council
FROM: Tom Weldon, City Manager *Tom*
DATE: October 22, 1997



Issue: Falcon Cable FCC form 205 and rate filing

Synopsis: Our cable consultant recommends we question some items in these 2 forms filed by Falcon Cable with the FCC.

Recommendation: Accept consultants recommendations and authorize Mayor to sign a letter asking questions of Falcon. I am discussing with County Counsel the possibility of this letter also being signed by a Curry County representative.

Rationale: Franchise negotiations with Falcon are coming up and we need to take an aggressive stance with Falcon.

Background: Please see attached memo from our cable consultant, Steve Jolin.

Options listed below are options we have reviewed and are not recommending.

1. Not question these 2 form filings.

MEMORANDUM

To: Jerry Herbage, Curry County; Tom Weldon, City of Brookings
From: Steve Jolin, MuniCom
Date: October 8, 1997

RE: INITIAL RATE REVIEW

Dear Jerry and Tom:

In accordance with our discussions, we have done an initial examination of Falcon's FCC Form 1205 and 1240 rate filings for Curry County and the City of Brookings dated June 13, 1997 and transmitted to you by letter July 25, 1997.

Form 1205

There are three difficulties that appear in the 1205 forms.

First, the hourly service charge of \$75 appears high, and would bear further examination. However, this affects only installations (not, e.g., converters, which have no maintenance charge assigned to them), and the result of a further inquiry is not likely to have much of an overall impact.

Second, Falcon shows the apparently rather high depreciation of \$81 for Converter 1 on Schedule C. However, there are only 61 of these converters out there, so any revision would be likely to have minor impact.

Finally, the rate card identifies a "wire maintenance charge" of \$1.50. However there is no justification provided for this charge, nor any indication of how many people elect the service, despite the fact that the FCC counts this as a regulated charge requiring justification. It would be appropriate for you to request from Falcon a justification and indication of how many people take the service.

With the exception of requesting the justification of the wire line maintenance charge, we do not recommend pursuing a full inquiry into the Form 1205s, as the probable results may be far from justifying the cost of the inquiry.

Form 1240

The principal question that arises on the 1240's is that the starting rate, on line A1, is higher than the maximum permitted rate on what appears to be the latest previous filing, which we believe to be February 15, 1996. It is possible that Falcon simply put the most recent actual rate on line A1, a practice that has been rejected by the FCC. It would be appropriate for you to request clarification from Falcon regarding the source of the rate on Line A1. If the starting rate is wrong, you may file a rate order requiring a recalculation and any appropriate refunds for basic service.

In addition, if there are two or more rate complaints from subscribers, you may wish to file a Form 329 rate complaint with the FCC regarding the non-basic cable programming services. You should first find out about the line A1 rate referred to above, as the FCC may not find that themselves in their review. I also recommend we have the opportunity to briefly review your filing of any Form 329 complaint, in order to ensure that it is not rejected as inapplicable by the FCC.

One final matter. Falcon wanted to put its new rates into effect October 1. If they did that, they did not give your jurisdictions the required 90-day notice. Falcon should be informed of this, and the matter could be pursued by you in a rate order regarding basic rates, as well as by the FCC regarding

non-basic cable programming service rates. Again, the impact here would be small.

You have until July of 1998 to do any rate orders, and if there are refunds applicable, they will be retroactive to at least July 25, 1997, arguably to June 13, 1997.

Please let me know if we may be of further service.

MEMORANDUM

To: Mayor and City Council

From: Tom Weldon, City Manager *Tom*

Subject: Brown and Caldwell engineering contract

Date: October 22, 1997

Attached is the engineering services contract from Brown and Caldwell for the Wastewater Improvement project.

Marty, Joe Edney (DEQ) and I have reviewed it and recommend that it be approved.

-eom-

**AMENDMENT NO. 1 TO
AGREEMENT FOR ENGINEERING SERVICES
BETWEEN CITY OF BROOKINGS
AND BROWN AND CALDWELL
FOR WASTEWATER SYSTEM ENGINEERING**

The AGREEMENT, made and entered into on the 23rd day of June, 1997, by and between the City of Brookings, hereinafter referred to as "Owner," and Brown and Caldwell, Inc., hereinafter referred to as "Engineer" is hereby amended as follows:

1. Delete Exhibit A, Project Description, dated June 23, 1997, and replace with the attached Exhibit A, dated October 9, 1997.
2. Delete Exhibit B, Scope of Services, dated June 23, 1997, and replace with the attached Exhibit B dated October 9, 1997.
3. Delete page 4 of 4 of Exhibit C, Compensation, dated June 23, 1997, and replace with the attached Exhibit C dated October 9, 1997.

The parties hereby reaffirm all other terms and conditions of the Agreement.

BROWN AND CALDWELL, INC.

CITY OF BROOKINGS

By: _____

Terry C. Gould

By: _____

Name: _____

Terry C. Gould

Name: _____

Title: _____

Senior Vice President

Title: _____

Date: _____

10/15/97

Date: _____

EXHIBIT A
PROJECT DESCRIPTION

Work under this contract will proceed in three phases.

Phase 1 will include: Task 1. Respond to DEQ Facilities Plan comments – prepare an addendum to the plan approved by the city.

Task 2 . Assist in Development of a mass load increase from DEQ to be submitted by DEQ in August 1997. The mass load increase will be the basis for the discharge permit under which the new plant will operate.

Task 3. Provide assistance at a public hearing and work sessions to aid in public understanding of the wastewater program issues.

Task 4. Provide a wastewater program fact sheet to answer the most commonly asked questions regarding the upcoming wastewater project.

Task 5. Provide continued I/I removal assistance including contracting for smoke testing, reviewing smoke testing results, performing dye testing, contracting for video inspection, and recommending specific pipe repair projects.

Phase 2 includes services for design and construction management of collection system improvements identified under Phase 1.

Phase 3 wastewater system engineering will provide major modifications to the Brookings wastewater treatment facility, which last upgraded in part in 1991 to accommodate the existing flows and loads. A subsequent expansion project was planned to begin shortly thereafter to provide capacity for growth as well as solids treatment. On September 16, 1997, the voters approved a bond measure to finance 13.1 million dollars of improvements.

The necessary improvements are described in the second and final draft of the City of Brookings Wastewater Treatment Plant Facilities Plan Amendment dated January 13, 1997. The expanded plant will serve the Brookings/Harbor area until at least the year 2015.

The project includes the following elements:

- headworks expansion
- two additional primary sedimentation basins
- solids contact tank expansion
- an aeration blower

- additional trickling filter pumps
- a secondary clarifier
- an anaerobic digester
- sludge thickening
- a sludge lagoon
- ultraviolet disinfection
- operations building improvements
- a new shop
- sanitary sewer rehabilitation
- pump station improvements

According to the Mutual Agreement and Order signed with the Department of Environmental Quality, the facility must be complete and in operation by April 20, 2001.

Our work will include the full range of design and construction management services including:

- Follow-on Assistance with Facilities Planning
- Project Management
- Preliminary Design Report
- Geotechnical Investigation
- Grant and Loan Administration Assistance
- Treatment Plant Final Design
- Bid Period Services
- Office Engineering
- Construction Management and Inspection Services
- Operation and Maintenance Manual and Operations Plan
- Startup and Training
- Performance Certification

EXHIBIT B
SCOPE OF SERVICES

PHASE 1

Task 1. Respond to DEQ Comments on the Facilities Plan. Your Plan has received preliminary approval from DEQ. All items detailed in our original scope of work have been approved with the exception of the infiltration and inflow (I/I) work which will be discussed later. The DEQ has added a requirement for an evaluation of each of your 12 pump stations as a condition of approval. Structural inspections must be conducted of the pump station wet wells and receiving manholes. Pumping capacities and the presence of overflows and alarms must be noted.

Task 2. Assist the DEQ in Development of a Mass Load Increase. The recommended wastewater plant expansion is planned to meet new permit limits currently under negotiation with DEQ. To acquire these new limits, it has been necessary to prove to DEQ that no degradation of water quality will result. We have provided a significant amount of this documentation including an analysis of the effects of your existing ocean diffuser. Additional effort will be necessary to support this mass load increase request which is the basis for your permit. Jon Gasik of the DEQ has asked us to evaluate numerous performance scenarios based upon differing flow conditions and permit limitations. It is critical that the final negotiated permit conforms as closely as possible to the planned performance of your recommended plant improvements. We understand DEQ will present their permit recommendations to the Environmental Quality Commission in July for their approval.

Task 3. Provide Assistance at Public Hearing and Work Sessions. Development of public understanding and support will be key to achieving passage of your funding measure on September 16. We propose to prepare handouts and presentation materials and attend meetings at your request. It is expected these public meetings will be held in July.

Task 4. Prepare a Wastewater Program Fact Sheet. This would include responses to the most commonly asked questions regarding your project. Now that the project has been in front of the public a number of times, most of the basic questions and concerns have been voiced. A fact sheet will aid the Owner in providing clear and consistent responses to voter questions.

Task 5. Continued I/I Removal Program Assistance. We have worked with your current and prior plant operators to provide oversight for your on-going I/I removal efforts. As discussed in the May 5 meeting, the most promising approach to flow reductions typically results from targeting inflow and structurally defective pipes. DEQ

considers inflow reduction mandatory. The Owner's recent experience repairing broken sewers is a good indication that structural repairs are needed in portions of your system.

Smoke testing will be used to identify potential inflow locations. Video inspection of sewers will show areas of defective piping. To assist your staff during the busy summer months, we propose to contract directly for smoke testing and video inspection of sewer lines. Hopefully the Owner crews can clean the sewers as necessary. We will then solicit quotes and provide oversight for the entire process. We recommend the Owner focus on the basins which showed the highest levels of I/I in your 1987 Cost Effectiveness Analysis. The top five basins include approximately 29,000 linear feet. We recommend all five of these basins be smoke tested and most of them video inspected. The five basins with the next highest I/I amount to 41,000 linear feet should be smoke tested. This approach of targeting the basins which have historically shown the most I/I will provide the most effective program at the lowest cost. Typically, smoke testing and video inspection of sewers costs approximately \$0.20 and \$0.50 per foot, respectively.

The following subtasks are anticipated for smoke testing and video sewer inspection:

5A - Perform Smoke Testing. The Owner will inform the police and fire departments of the smoke-testing schedule provided by Brown and Caldwell. Twenty-four hours prior to smoke testing a specific area of the system, Brown and Caldwell will distribute door hangers on houses having the potential to be affected by the smoke. Isolation of sewage flows from each test section with plugs will be required to ensure forced flow of smoke.

5B - Review Smoke Testing Results. We will document identified inflow connections using maps and digital photographs. We will also estimate tributary drainage area(s) to each inflow source and the hydraulic impact of inflow sources. The identified inflow sources will be located on an electronic map of the Owner's service area.

5C - Perform Dye Tests. Brown and Caldwell will identify sites where roof drain connections and storm system cross-connections are likely to exist, but were not detected with smoke testing. The Owner will review and approve the suggested sites, and obtain permission from homeowners for Brown and Caldwell to enter the property and conduct the test. We will document identified inflow connections using maps and photographs. We will also estimate tributary drainage area(s) to each inflow source and estimate hydraulic impact of inflow sources. Budget will be allocated for performing up to five such tests.

5D - Select Video Inspection Contractor. Brown and Caldwell will select a contractor for sewer cleaning and video inspection through solicitation of competitive quotes.

5E - Perform Video Inspection. Video inspection would be limited to five basins where it would have the greatest utility. We will provide guidelines to the contractor for video inspection procedures and reporting. Using voice-overlaid videotape plus a written log, the contractor will identify sections being inspected and record conditions of line including root intrusion, leaks, conditions of joints, line sags, cracks, and location of laterals and joints.

Brown and Caldwell will review the written log and selected portions of the recorded tape. We will then summarize the field activities performed, indicating specifically the amount of each type of test, and report findings.

5F - Recommend Repairs. Under this task, we will identify the best candidates for pipe repair or replacement. If repair is warranted, a pipe rehabilitation method will be specified. A planning level construction cost estimate will be provided for each recommended repair or replacement.

PHASE 2

Phase 2 services will include the design and construction management of selected collection system improvement identified in Phase 1. A preliminary design phase will be conducted to evaluate the special site conditions related to the project and to solicit DEQ approval for the scope and methods associated with the recommended project. Final design will include preparations of detailed construction plans and specifications for bidding. Construction management will include inspections as requested to ensure conformance with the contract documents. The detailed scope of Phase 2 services will be negotiated at a latter date.

PHASE 3

Phase 3 services are divided into tasks and are described as follows:

Task 1. Follow-on Assistance with Facilities Plan.

1.1 Coordination with DEQ for approval of proposed I/I projects to be designed under separate amendment.

Task 2. Project Management.

- 2.1 Work Plan. Prepare a project management plan, including a detailed schedule, task budgets, and list of deliverable products. The management plan will also identify tasks to be performed by Owner's staff. The schedule will incorporate progress meeting dates and milestones when deliverables are to be submitted.
- 2.2 Status Reporting and Communications—We will maintain frequent and open communication with the Owner's project manager. We will work closely to anticipate changes in project emphasis or needs and to adjust task emphasis as the project evolves. When necessary, changes in project scope will be jointly determined by the Owner and Brown and Caldwell project managers.

We will keep the Owner informed of the project status with reports showing progress on each specific task and work anticipated for the upcoming weeks. We will review project expenditures weekly and quickly identify and respond to budget deviations. Correction plans will be prepared, and reviewed with the Owner's staff, in the event that the project is not proceeding satisfactorily.

- 2.3 Preliminary Meeting—Conduct a meeting with Owner staff and key members of the project team to establish project needs and design concepts.
- 2.4 Progress Meetings—We will hold three formal project review meetings with the Owner at critical stages of the project. Key project team members will meet to review progress, comment on deliverables, and clearly establish the direction of the project.
- 2.5 Meetings with DEQ—We will assist the Owner in preparing for and will attend two meetings with DEQ. A meeting is anticipated early in the preliminary design phase to discuss key project issues. A second meeting is anticipated for review of the draft preliminary design report.

- 2.6 Quality Control—Independent internal quality control reviews will be conducted at intervals during the project, focusing on the quality and technical content of deliverable products.
- 2.7 Subconsultant Coordination—We will prepare all agreements with subconsultants and submit invoices in a timely fashion.

Task 3. Preliminary Design Report

- 3.1 Develop site plan—Complete surveying and mapping of the wastewater treatment plant site for the purpose of site work design. Complete ground surveys to locate existing lines, grades, property corners, baselines, monuments, structures and other topography, and related office computations and drafting. Plot, compute and file descriptions of legal land surveys and rights-of-way for existing plant site property. Reestablish lost property corners.
- 3.2 Assist Owner with up to 40 professional hours for interface with regulatory agencies to define regulatory criteria for this project. Issues to be addressed include:
 - a. Handling storage requirements for fire/safety authorities for hazardous materials at the plant site.
 - b. Wastewater treatment process criteria and performance requirements by the DEQ.
- 3.3 Using the January 13 Wastewater Facilities Plan Amendment as a basis, develop 12 copies of a draft preliminary design report, and submit copies for review by the Owner, regulatory agencies, and by principals of Brown and Caldwell. Six copies will be delivered to the Owner and six copies will be distributed by the Engineer to the project reviewers.

The report will include the following sections:

Introduction

Background

Flows

Loads

Design Data
Process Area Tech Memos
Headworks
Primary Clarifier
Aeration Blowers/TF Pumps
Solids Contact
Secondary Clarifier
UV Disinfection
Digester
Solids Handling and Sludge Thickening
Facultative Sludge Lagoon
Electrical, Instrumentation, and Controls
Architectural, Structural, and Geotechnical Considerations
HVAC
Cost Estimate
Schedule
Equipment List
Specification List
Drawing List
Preliminary Drawings

- 3.4 Produce a preliminary design report that defines the basis of detailed design and distribute six copies to the Owner. The report will consist of an updated version of the draft, incorporating comments from regulatory agencies and the Owner.

Task 4. Geotechnical Investigation

- 4.1 Complete a geotechnical investigation of the wastewater treatment plant site. The investigations will consist of analyses, and studies to obtain geotechnical data and recommendations necessary for the project design, including foundation requirements, groundwater conditions, and corrosion protection.

Task 5. Grant and Loan Administration Assistance

- 5.1 Grant and Loan Eligibility—Assist the Owner with up to 30 hours interface with funding agencies.
- 5.2 Document Assistance—Assist the Owner with up to 30 hours in preparing applications and supporting documents to secure grants and loans for project funding.
- 5.3 Financial Report—Assist the Owner for up to 30 hours in preparing financial statements and reports required by the grant conditions.

Task 6. Treatment Plant Final Design.

Engineer shall prepare drawings and specifications in sufficient detail for bidding and for general guidance in construction. Information shall be provided to enable the contractor to prepare the shop drawings necessary to obtain construction permits, to demonstrate conformance to the construction contract, and to describe detailed construction procedures to contractor personnel. To prepare the project manual for construction of the Project, Engineer shall perform the following tasks:

- 6.1 General and Civil Design. General and civil design covers plant layout, outside piping, paving, grading, landscaping, and drainage. Contract drawings for the general civil work will be prepared.
- 6.2 Process Diagram Design. Process show layouts of all project systems and relationships of systems and subsystems to one another. The diagrams in conjunction with control strategies, serve as process summaries, design controls, and construction aids. Process drawings will be prepared for inclusion in the contract drawings.
- 6.3 Structural Design. Structural design of foundations, buildings, process structures, supports, metal work, and handrails is covered by this task. Contract drawings for the structural work will be prepared.
- 6.4 Mechanical Design. Mechanical design consists of the selection, design, and layout of new process equipment and

pipng, and modifications to existing process equipment and piping. Contract drawings for the mechanical work will be prepared.

- 6.5 Electrical and Instrumentation Design. Electrical and instrumentation design consists of the analysis of power utility service, determination of power requirements, layout of electrical distribution system and control centers, preparation of lighting and circuit diagrams, and design of electric motors and switchgear. Control strategies and instrument loop diagrams will detail system control methodology and associated equipment. Contract drawings for the electrical and instrumentation work will be prepared.
- 6.6 Specifications. Construction specifications to be prepared will consist of two parts and will be consistent with Engineer's standard format. Part A will be the general provisions, which will set forth the bidding and general contract administration and requirements. Part B will be the technical provisions, which will set forth the special conditions for the project and the technical requirements for construction of the project.
- 6.7 Construction Cost Estimate. The construction cost estimate will be updated at the 10 (Predesign), 40, and 90 percent design stages. The Engineer's estimate of construction cost will be prepared based on the final design of the Project. The cost estimate will be subdivided into separate estimates of major process divisions.
- 6.8 Design Reviews. The preparation of the 40 and 90 percent design review documents will be included in the program and will be reviewed by principals of the firm, the DEQ, and representatives of the Owner. Invitations will be extended to all funding agencies.

The purpose of these reviews will be to ensure that the design conforms to the basic concepts set forth in the facilities plan amendment and that cost-effectiveness is achieved. The Owner is invited and encouraged to participate in these reviews.

- 6.9 Final Contract Documents. The contract documents will be reviewed in final form by project staff, the Owner, and regulatory agencies. The contract documents will then be

published, using offset printing. Eighty-five copies of the printed and bound specifications and half-size drawings will be submitted to the Owner. Six sets of full-size drawings will also be provided. Upon delivery of these documents, Task 6, treatment plant final design, will be completed.

Task 7. Bid period services. The following services will be provided during bidding of the outfall and treatment plant contracts.

- 7.1 Prepare advertisement language and list of recommended publications. Submit to Owner for their advertising.
- 7.2 Identify qualified bidders and promote bidder interest. Monitor bidder participation.
- 7.3 Provide 120 hours of professional and 40 hours of technical assistance to prepare addenda. Distribute bid documents and addenda.
- 7.4 Maintain bidders list.
- 7.5 Provide 140 hours of service to answer bidder inquiries.
- 7.6 Arrange and conduct prebid conference, keep notes and summarize them for distribution to the Owner, and conduct job site tours.
- 7.7 Attend bid opening.
- 7.8 Prepare bid tabulation and review bid documents for both technical conformance to contract documents and completeness.
- 7.9 Send bids to funding agencies for approval.
- 7.10 Present bids to city council with recommendation.
- 7.11 Prepare notice of award and notice-to-proceed.

Task 8. Office engineering during construction. During construction the Engineer will provide the following office engineering services:

- 8.1 Review a maximum of 140 submittals or resubmittals that the Contractors are required to submit for conformance with design concepts and for compliance with the requirements of the contract documents.
- 8.2 Attend a maximum of 24 jobsite meetings at the request of the construction manager.
- 8.3 Make periodic visits to the site providing a maximum of 240 professional hours of service for specialty inspection to observe the progress and quality of the work.
- 8.4 Provide 760 hours of professional service to interpret the contract documents and provide clarifications concerning the intent of the design documents when requested by the Construction Manager.
- 8.5 Provide 300 hours of professional and 180 hours of technical service to prepare technical information for inclusion in change orders prepared by the Construction Manager.
- 8.6 Revise the reproducible drawings for record purposes to show major changes made during construction using addendum drawings, change order drawings and as-built marked-up drawings provided by the Contractor. Furnish the Owner with one set of reproducible record drawings.
- 8.7 Attend five city council meetings to provide technical assistance.
- 8.8 Assist Owner with 60 professional hours for regulatory interface.
- 8.9 Assist Owner with 24 professional hours for operations advice during construction.

Task 9. Construction management and inspection services. Provide the following onsite construction management and inspection services on the Treatment Plant contract for a total of 17 months:

- 9.1 Review project master schedule and construction schedule developed by the Contractor. Cost-loading of schedule by Contractor will be reviewed.

- 9.2 Develop a contracts administration manual to establish procedures for administration of the construction contract. Incorporate comments from design engineer and Owner on this manual.
- 9.3 Establish and maintain coordination procedures. Conduct a preconstruction conference and distribute the contract administration manual. Review with all parties the procedures for administration of the contract.
- 9.4 Maintain project records and documentation. Such records include correspondence, schedules, submittals, product data, payments, change orders, photographs, meeting minutes, and clarifications.
- 9.5 Require Contractor to develop and cost-load the activities of his own construction schedule. Review and provide comments to Contractor regarding conformance of his schedule with requirements of the Project Manual. Input the data from the construction schedule to a Critical Path Method (CPM) computer program.
- 9.6 Monitor Contractor's actual progress relative to his planned construction schedule through monthly updates of the computer-based CPM schedule. Provide reports to Owner of actual versus planned progress as required by the Project Manual.
- 9.7 Review and recommend Owner action on contractor progress payments. Use the cost-loaded CPM schedule to monitor the actual progress of the work and cash flow. Meet monthly with the Contractor to review and update actual status of cost and time. Recommend to Owner the progress payment amount due to Contractor. Provide exception reporting of actual progress versus plan.
- 9.8 Establish, chair, minute, and monitor the follow-up of monthly job meetings. Representatives of Contractor, design, engineer, and others who the Construction Manager invites will attend the job meetings. Owner attendance at job meetings is optional. Resident inspector will regularly meet separately with Owner.

- 9.9 Negotiate time extensions and change orders with Contractor. Follow procedures established in the contracts administration manual to administer change orders, time extensions, and contractor claims. Negotiate with Contractor the validity, cost, and time of change orders, time extensions, and claims. Maintain documentation and records of the status of changes, time extensions, and claims. Provide prompt handling and documentation of change orders and claims.
- 9.10 Establish and maintain system for tracking Contractor submittals, product data, manuals, and other documents.
- 9.11 Provide field inspection for conformance to plans and specifications. Monitor conformance of Contractor's work with plans and specifications. Notify Contractor of nonconforming work and provide appropriate direction to Contractor.
- 9.12 Consultation. Obtain and oversee the services of independent subconsultants for soils engineering and surveys and other project services.
- 9.13 Manage the substantial and final completion activities. Conduct the substantial completion and final completion inspections. Prepare and issue the punch list of incomplete work to Contractor upon substantial completion. Recommend to Owner the dates of substantial completion and final completion. Assist Owner in scheduling start-up and use of the completed facility. Assist Owner in obtaining required manuals, guarantees, record drawings, and other documentation from the Contractor. Following substantial completion, the Construction Manager will not maintain full-time representation at the site.
- 9.14 Prepare a final project report, indicating planned and actual cost and time performance.

Task 10. Operation and maintenance manual and plan of operation. The Engineer shall produce a draft amendment to the existing operation and maintenance (O&M) manual providing descriptive material and operating instructions for facilities and a Plan of Operation for submittal to DEQ outlining operating plans during construction. Individual equipment operation and maintenance manuals provided as equipment

data by the Contractor are not part of the overall plant O&M manual but are provided to the Owner for separate filing. Five copies of the draft O&M Manual will be provided.

- 10.1 Compile basic information and write Plan of Operation.
- 10.2 Write liquids process control sections of O&M manual.
- 10.3 Write solids process control sections of O&M manual.
- 10.4 Write backup sections (safety, maintenance, appendices).
- 10.5 Prepare drawings.
- 10.6 Final type.
- 10.7 Update at end of first year.
- 10.8 Produce final documents.

Task 11. Start-up service and training. The Engineer shall provide up to 20 hours for the following start-up services and training.

- 11.1 Develop training plan and schedule.
- 11.2 Prepare training materials.
- 11.3 Present prestart-up training.
- 11.4 Deliver on-site training during new unit initial operation.
- 11.5 Deliver follow-on training during first year of operation.

Task 12. Performance certification. The Engineer shall provide the following services:

- 12.1 Review documents for project compliance.
- 12.2 Review operation records.
- 12.3 Review compliance information for facilities.
- 12.4 Prepare required documentation.

12.5 Review preliminary draft with Owner and DEQ.

12.6 Prepare final documents.

B. PLANNED ENGINEERING SERVICE SCHEDULE

Planned engineering services will be completed by the following schedule unless delayed by events beyond the control of the engineer:

<u>Schedule event</u>	<u>Date</u>
Submit Preliminary Design to DEQ	January 1, 1998
Deliver final plans and specifications for wastewater treatment plant expansion	October 1, 1998
Begin construction of treatment plant	May 1, 1999
Final completion of construction, startup and training complete	April 30, 2001

II. SPECIAL ENGINEERING SERVICES

Owner and Engineer agree that certain portions of the work contemplated to be performed by Engineer cannot be defined sufficiently at the time of execution of this Agreement, and that incidental engineering work related to the Project and not covered in this Exhibit as Planned Engineering Services may be needed during performance of this Agreement. Such categories of work shall be classified as Special Engineering Services and shall be undertaken under the terms of written amendments to the Agreement. Such services include, but are not limited to, the items listed below:

1. Land surveys, establishment of lines and grades, base lines and monuments, and related office computations and drafting for purposes of boundary surveying.

2. Additional copies of contract drawings, specifications, and other documents over the number specified to be furnished.
3. Plotting, computing, and filing descriptions of easements and rights-of-way.
4. Participation in and redesign recommended by the value engineering team if required by fund agencies and requested by Owner.
5. Providing technical information beyond contract documents for permit application.
6. Preparation or coordination of multiple contracts.
7. Assistance with bid protest resolution.
8. Evaluation and redesign of contract changes requested by Contractor or Owner after publication of contract documents to reduce construction costs or change design criteria.
9. Soils investigations, including test borings, related analyses and recommendations, as necessary for construction-related questions regarding unforeseen conditions.
10. Detailed mill, shop, and laboratory inspection of materials and equipment.
11. Field layouts for construction.
12. Services consequent upon the failure of the construction Contractor to carry out his contract to complete his work within the scheduled time.
13. Model tests of equipment such as pumps, valves, and hydraulic structures.
14. Assistance with bid protest resolution.
15. Assistance to Owner with grant eligibility interface with regulatory agencies outside stated hours in scope.
16. Assistance with regulatory agency audits.

17. Appearance as expert witness.
18. Services beyond the dates or time periods defined for planned services.
19. Additions to the project scope as defined.
20. Consultation, design, or other services not otherwise provided in this Agreement including work associated with collection system improvements not currently under contract.
21. All Phase 2 services as described in Exhibit B.
22. Assistance with public participation and education.

III. OWNER FURNISHED SERVICES

Owner agrees to provide facilities and equipment and to perform services which include, but are not limited to, the following:

1. Furnish, to the extent available:
 - a. Plant "as-constructed" drawings for both the original plant and the expansions or modifications.
 - b. Contract specifications relating to the "as-constructed" drawings noted in 1. above.
 - c. "As-constructed" drawings for all sewers, pumping stations, and force mains on the plant site and in the vicinity of the plant site that will transport sewage into the plant.
 - d. Information related to plant site boundaries, as modified, plant property map and legal description, easements, and rights-of-way.
 - e. Copy of previous soils reports.
 - f. Chemical analysis of wastewater sludge and effluent.

- g. Owner and Engineer will jointly generate a list of potential sludge storage sites to be screened using siting criteria provided by the Engineer.
- 2. Obtain necessary easements or rights-of-way.
- 3. Participate in design review meetings expected at 10, 40, and 90 percent completion.
- 4. Perform required administrative activities to satisfy Owner responsibilities for funding agency requirements.
- 5. Prepare necessary financial statements and reports required by the funding agencies.
- 6. Obtain permits which are not the responsibility of the Contractor.
- 7. Provide legal services for the Owner to accomplish Owner Services.
- 8. Provide a copy of all plant operating data for the most recent 12-month period available.
- 9. Obtain any necessary written agreements, understandings, comments, or approvals from the participating sanitary districts as required.
- 10. Advertise for bids.
- 11. Answer administrative bidder inquiries.
- 12. Attend prebid conference and conduct job site tours.
- 13. Conduct bid opening. Prepare bids for submittal to funding agencies for approval. Present and recommend bid awards to council.
- 14. Review bids for legal conformance to contract requirements.
- 15. Resolve bid disputes and protests except for assistance as requested of Engineer under item II-7 above.
- 16. Award contracts including receiving required Contractor documents, issuing notice of award, executing the construction agreements, and issuing notice-to-proceed.

17. Approve and pay acceptable progress payment requests.
18. Maintain the Owner's project accounting system to collect and track project income and expenses.
19. Establish change order approval authority for resident inspector, Owner representative, and city council. Present change orders to city council. Send to DEQ.
20. Interface with funding agencies regarding funding eligibility.
21. Operate plant during construction.
22. Resolve claims disputes, define procedural measures.
23. Public notification of sewer construction activities in the local newspaper.
24. Provide laboratory equipment and furniture for plant facilities.
25. Provide the Engineer with direction on site and building accessibility related to the American with Disabilities Act.

EXHIBIT C

COMPENSATION

Compensation for services provided under Article II, "Scope of Engineering Services," shall be based on time-related charges plus direct expenses, as described below. Payment shall be as specified in Article VI of the Agreement.

I. TIME-RELATED CHARGES

Time-related charges shall be the total hours worked on Project by each employee, multiplied by the employee's hourly salary rate, multiplied by a fringe benefit, overhead, and profit factor of 3.28.

Overhead includes general and administrative costs not directly allocable to individual projects. Profit includes state and federal income taxes, plus profit.

II. DIRECT EXPENSES

Direct expenses are charges, other than those included in time-related charges, incurred directly for Project. Direct expenses shall be billed at the consultants standard billing rates plus a service charge of 10 percent. Subcontracted services shall be billed at cost plus a service charge of 15 percent. Direct expenses include, but are not limited to:

1. Services and equipment such as special accounting services, computer and electronic data processing, field testing, and laboratory analysis.
2. Reproduction services including reproducing drawings, photocopying, printing, and binding.
3. Communication costs such as telephone, telecopy, telegraph, cable, express delivery, and postage.
4. Subcontracted services.
5. Living and traveling expenses of employees when away from their home office.
6. Automobile mileage at 48 cents per mile.

III. LIMITATION OF COST AND TIME

Consultant estimates that the cost for services described in Exhibit B shall not exceed \$1,902,958, and that the time for completion of Project shall be as stated in the Agreement. Consultant shall use its best efforts to perform the work specified within the estimated cost and time.

If Consultant believes the cost will exceed the estimate, Consultant shall notify Owner. The notification will include the revised cost estimate and/or the revised time for completion.

Owner shall not be obligated to pay Consultant for costs incurred in excess of the estimate unless Owner agrees to do so. Consultant shall not be obligated to continue performance under this Agreement or otherwise incur costs in excess of the original estimate unless and until Owner agrees to increase the authorized cost.

If increased costs and/or time adjustments are not agreed to by the scheduled completion date, Owner shall, on written request by Consultant, terminate this Agreement.

Tasks and costs for all work under this agreement is shown in Table 1.

Table 1. Wastewater System Engineering
Compensation Schedule

Task Description	Cost, dollars
1. Phase I-I/I Services, Task 1 - 5	62,936
2. Phase 2 To Be Negotiated	0
3. Phase 3 Follow-on Facilities Planning Assistance	3,740
4. Phase 3 Project Management	78,160
5. Phase 3 Preliminary Design	117,600
6. Phase 3 Geotechnical Investigation	19,840
7. Phase 3 Grant and Loan Assistance	9,820
8. Phase 3 Treatment Plant Design	929,240
9. Phase 3 Bid Period Services	37,440
10. Phase 3 Office Engineering	247,520
11. Construction Management and Inspection	305,722
12. O&M Manual, Operations Plan	38,100
13. Startup and Training	26,160
14. Performance Certification	26,680
	<u>1,902,958</u>

MEMO

TO: Chief McDonald / City Manager

FROM: Sgt. Wayne Sheffel

SUBJECT: Parking problems on Sea Crest Lane

BACK GROUND:

Approximately one month ago Leo left a note on my desk requesting that either I or someone check out a possible parking problem on Sea Crest Lane. Leo said that there were some people in that area upset because a green van was being parked on the street and they felt it was a traffic problem. I went to the area, there were cars parked on both sides of the street (legally parked) I drove the patrol car up past the area and I felt that there was plenty of room for two vehicles to pass in the area. I came back to Brookings Police Department and wrote my opinion on the note that Leo sent me and I returned it to Leo, I remember having a discussion with him about it.

As to the Memo from the Chief and the City Manager I feel that this problem should have been handled by the Planning and Development Departments as they are responsible for the street locations. I conducted an investigation and here are my findings. These are only my opinions.

1- Sea Crest Lane-- This street is thirty-four feet in width from curb to curb. If there are two vehicles parked on the street legally then there is twenty-one feet left for two traffic lanes. This should be more than adequate room for two vehicles to pass without any problems. Sea Crest Lane has more room for traffic to pass than Moore street and Ransom Ave. On the South of Ransom Ave as it nears Pioneer street. The City allows parking on both sides of the two streets. On Ransom Ave. The traffic is reduced to one lane with vehicles parked on both sides which make it difficult for garbage trucks and fire trucks along with the normal traffic to pass without causing accidents.

I feel that if the City is concerned about Sea Crest Lane then there is a real liability problem with Moore and Ransom Ave

11- It would seem to the layman that the people responsible for the overseeing of the development of sub divisions would make sure that the street is of adequate widths for parking and vehicle travel before they are approved. This would surely cut down on the problems that we

have now.

111- On 101897 I talked to the developer of the Harris Heights Sub division. Larry Anderson said that he had the option of either putting in a thirty-four-foot Street. Or a thirty-six-foot one, he opted for the thirty-four one. He said that he was required to put in room for off street parking for each of the residences that were built. He said that he had done that but the people at 1515 Sea Crest Lane had turned their garage into some sort of a business that he didn't feel was quite legal and he didn't feel that they had a business license. He also said that the people that live at 1512 have converted their garage into a bedroom so now Henry parks his pickup on the street rather than parking it in his driveway, but the vehicle is still legally parked.

1V- I feel that the Sea Crest lane needs to have a center line, as this would establish some sort of a boundary. I observed traffic going up the hill toward the corner in question, they were half in the parking area and half in the travel lane portion of the street. This causes the up hill vehicle to swing around the vehicles that are legally parked on the South side of the street and when they meet a vehicle that is going down the hill, they think that there is going to be an accident. Remember that there is twenty-one feet there. I was told by the developer that a lot of the down hill traffic cuts the corner which puts them in the wrong lane.

V- RECOMMENDATIONS:

In my opinion the street needs to be center striped and parking should not be permitted for twenty yards on both sides of Sea Crest Lane in that corner, which is near 1515 Sea Crest Lane. On the North side of the street there aren't any residences West of the last driveway across from 1515 Sea Crest Lane. I also recommend that Moore Street. And Ransom Ave. be resigned too only allow parking on one side of the street as there is more danger on Ransom Ave. and Moore Street than on Sea Crest Lane.

The only reason that I can see to change anything on Sea Crest Lane is that in the mornings when the sun is coming up, the up hill traffic is faced with extremely impaired vision by the sun when traveling East on Sea Crest Lane.

If there are any more questions on this subject they should be directed to the Planning and Development Departments.

CC. McDonald, Chief

CC. Weldon, Tom City Manager

Harris Beach

A PLANNED COMMUNITY

HARRIS BEACH PROPERTIES

Post Office Box 1746

Brookings, Oregon 97415

Telephone: 541/469-7915

October 14, 1997

City of Brookings
898 Elk Dr.
Brookings, OR 97415

Attn: Mr. Leo Lightle

Re: Request for "No Parking" Sign at 1515 Seacrest Ln.

Dear Mr. Lightle,

Mr. & Mrs. William Halbert have discussed their concern with the above matter. It has been a concern of mine for many years as I also feel this is a potential accident waiting to happen. I personally have avoided several accidents at this point with west bound traffic cutting the corner on their way downhill.

The problem is accentuated between 7:00 - 8:00 a.m. when the sun is low and a blinding situation exists when traveling uphill.

The street is narrower than most (34') and coupled with the fact that three homeowners (1510, 1512, and 1515 Seacrest Ln.) have chosen to park their primary and secondary vehicles on the street rather than in their garage or on the apron.

The vehicles which cause the greatest hindrance to vision are owned by the residents at 1515 Seacrest Ln. It is my understanding the reason they don't park in their garage is because of a cottage business operating in the garage area. According to the City Finance Director, it is an unlicensed business, nor is there a conditional use permit.

(Cont'd.)

p. 2 - Request for "No Parking" Sign

Hopefully, the City will concur with the traffic concern and recommend no parking on the dog-leg turn area and avoid potential liability problems for all in concern.

If you have questions, please feel free to call.

Sincerely,



Larry Anderson
Partner

LDA:slh

cc: Dave Ham, Councilor
Mr. & Mrs. William Halbert

Memorandum

TO: Mayor, City Council
FROM: John Bischoff, Planning Director
THROUGH: Tom Weldon, City Manager
DATE: October 20, 1997



Issue: Letter of understanding between the city, county and ODOT for the Transportation Systems Plan.

Synopsis: ODOT has funded the city and county's efforts to create a transportation plan for the area from Pistole River south to the California Border.

Recommendation: Accept the funding and sign the Letter of Understanding.

Rationale: We are required to prepare a transportation plan for the city and, with the county, for the new UGB. The county must also do a plan for the area outside of the UGB.

Background: To comply with state law requiring all local jurisdiction to prepare and adopt a Transportation Systems Plan, one of the work tasks in the city's periodic review work program was designed for that purpose. Much of the work completed to date on the work program has been funded through grants from DLCD, however, in the case of the transportation plan, the state has funded this directly and issued the RFP to various consultant's. The city, county and ODOT staff have reviewed the consultant proposals and have selected David Evens and Associates to complete the project. DEA has a strong team, many of whom have worked in the Brookings area and two of which were principals in the Transportation Study that was completed a year and a half ago. DEA is also doing the North Curry County Transportation Plan, which includes a separate plan for Gold Beach and Port Orford, and their work on the southern portion of the county will allow a seamless county plan. The Transportation Plan is a culmination of the Transportation System Study which was completed in early 1996 which also spawned the Highway 101 couplet refinement study which was recently completed.

The Letter of Understanding is an agreement that ODOT will fund the project for \$35,000, hire the consultant, in this case DEA, that the city and county will provide available information to the consultant and that the City and County will hold public hearings to adopt a transportation plan for their jurisdiction and make appropriate amendments to the Comprehensive Plan. The adopted plan can be either the plan presented by the consultant through the committee, a modification of that plan or another plan altogether. This will complete another task in the periodic review process. A copy of the work program is attached to the letter.

Staff is recommending that the Council select a committee to work with the consultant. The following is a suggested list of organizations and individuals to sit on the committee.

City Planning Commissioner
County Planning Commissioner
Chamber of Commerce
Board of Realtors
Citizens for Orderly Development
South Coast Lumber Co.
Representative from the farming community
Port of Brookings Harbor
Emergency Services
Senior Center
School District
Others ?

Options/Alternatives: Listed Below are the options we have reviewed and do not recommend.

1. To not accept the state,s funding of the Transportation Plan and to proceed to develop the plan in-house.

October 21, 1997

LETTER OF UNDERSTANDING

IT IS AGREED, that:

1. The Oregon Department of Transportation (ODOT) shall fund a Transportation System Plan for the City of Brookings (City) and Curry County (County) more particularly described in Attachment A, attached hereto and by this reference made a part hereof.
2. Payment for said project shall not exceed a maximum amount of \$35,000 in ODOT funds.
3. ODOT shall engage a personal services contractor to perform the work described in Attachment A and agrees to pay personal service contractor, up to the personal service contract amount.
4. The work is to begin upon execution of this Letter of Understanding and shall be completed no later than June 30, 1998.

IT IS FURTHER AGREED, that:

1. City and County shall provide existing transportation plans, transportation policies, and development requirements, including, but not limited to, existing environmental constraints, transportation generators and destinations, existing aerial maps and data tables, upon request of ODOT or ODOT's consultant in a timely manner.
2. City and County shall notify for and hold public adoption hearings before the Brookings City Council and Curry County Board of Commissioners to ensure plan recommendations are considered.

By _____
Paul R. Mather
ODOT, Region 3 Manager

Date

By _____
Title: _____
City of Brookings

Date

By _____
Title: _____
Curry County

Date

ATTACHMENT A

**CITY OF BROOKINGS
AND
SOUTH CURRY COUNTY
TRANSPORTATION SYSTEM PLAN
WORK PROGRAM**

JULY 28, 1997

INTRODUCTION

The City of Brookings & South Curry County Transportation System Plan (TSP) will be developed through an inventory of existing facilities and services, a projection of future demand on these facilities, and an analysis of improvement options to address any identified capacity deficiencies and needs. The geographic area to be included in the TSP shall be the areas inside the limits of the incorporated City of Brookings and the portion of Curry County from Pistol River south to the California border. It shall include all areas over which the City of Brookings has land use planning jurisdiction and the areas in south Curry County over which the County has land use planning jurisdiction. The planning process is described below, followed by a listing of the general goals and objectives, and the work program for the TSP.

PLANNING PROCESS

Key elements of the process include:

- Establishing a Management Team with the members from the staff of the City of Brookings, Curry County and the staff of ODOT Region 3.
- Establishing a Transportation Advisory Committees for the City of Brookings and south Curry County .
- Establishing a public involvement process.
- Review existing plans and transportation conditions.
- Refining goals and objectives.
- Developing population, employment and travel forecasts.
- Developing and evaluating transportation system alternatives.
- Developing the TSP.
- Develop implementing policies and ordinances.

MANAGEMENT TEAM

The development of the City of Brookings TSP and south Curry County TSP shall be a coordinated effort between the City of Brookings, Curry County and ODOT Region 3. A management team shall be established with representatives of the City of Brookings, Curry

County and ODOT Region 3 staff. The management team shall meet regularly with the consultant to provide needed information for the project, direct the consultant in completing the project, and reviewing the process on the project as well as draft work products.

TRANSPORTATION ADVISORY COMMITTEE AND PUBLIC INVOLVEMENT

Public involvement is a key element in the development of the TSP. A Transportation Advisory Committee (TAC) shall be established for the City of Brookings and for Curry County. The TACs shall be composed of citizen members who are stakeholders in the transportation system and have an interest in planning the future of the transportation system.

An introductory meeting (workshop) will be held in the City of Brookings to receive information regarding transportation issues, comments on goals and objectives, and an initial review of the existing transportation facilities. It is anticipated that two other sets of meetings will be held during the development of the TSP. The first set of meetings will be held after work on the TSP has started. The purpose of these meetings is to receive community comment of the preliminary alternatives developed for the TSP. An open house format with exhibits and maps will provide and opportunity for attendees to talk one-to-one with the team developing the TSP. A presentation of the alternatives and a question and answer session should be included in the open house format. To solicit additional citizen input, a questionnaire for residents of the City and County will be developed and distributed. The second set of these meetings is to present the draft plan to the community for public response. The format for these meetings should be similar to that of the previous open house meetings. Community comments on the TSP will be incorporated into the final product.

REVIEW AND INVENTORY OF EXISTING PLANS, POLICIES, AND PUBLIC FACILITIES

To begin the planning process, existing plans and policies will be reviewed and an inventory of public facilities conducted. These efforts are to establish the history of planning in the City of Brookings and Curry County, including an examination of past population forecasts and actual population counts, how roads and other transportation facilities were planned and implemented, and how the City and County are currently managing their ongoing development. An evaluation will describe the pertinent elements of the comprehensive plan and ordinances, as well as any inadequacies relevant to the Transportation Planning Rule (TPR).

The inventory of existing facilities will catalog the current transportation system (roadways, bicycle and pedestrian facilities, public transit, and air, water, rail, pipeline, and telecommunication facilities) and identify how that system currently operates. The inventory evaluation will summarize the existing transportation system.

GOALS AND OBJECTIVES

Before proceeding with the analysis of future conditions, a set of goals and objectives for each TSP will be refined. A general set of goals and objectives, based upon *The Small Jurisdiction TSP Model*, have been defined for the TSP. These are described in the following sections of the work program.

FUTURE TRANSPORTATION SYSTEM DEMANDS

As requested by the TPR, the TSP must address a 20-year forecasting period. The 20-year travel forecast are then used to project future traffic demand on the roadway system and on other modes of travel.

TRANSPORTATION SYSTEM ALTERNATIVES

Once future traffic projections have been developed, a series of transportation system alternatives can be evaluated. The initial alternative evaluated should be the "No Build" condition, which is the existing street system plus and committed street system improvements. Based on projected deficiencies and safety concerns identified in the no-build alternative, if any, alternative improvements to the transportation system can then be developed and tested. After comparing the alternatives with the goals and objectives established at the beginning of the process, and with criteria for determining the benefits and costs of each alternative, a recommended TSP can be selected.

TRANSPORTATION SYSTEM PLANS

The TSP will include and evaluation to develop a plan for each mode of transportation. The street and road system plan should be developed from the forecasting and alternatives evaluation described above. The bicycle and pedestrian plans should be developed considering needed connections and linkages within the transportation system. The public transportation, air, water, rail, pipeline, and telecommunication plans will be developed (where appropriate) based on discussions with the owners and operators of those facilities.

GOALS AND OBJECTIVES

The purpose of the TSP is to provide a guide for the jurisdictions to fulfill their transportation goals and objectives. The following goals and objectives were developed from information supplied by the *Small Jurisdiction TSP Model* and will be refined with input from the Transportation Advisory Committees, Management Team, and public responses at the community meetings. Through the planning process, each element of the plan will be evaluated against these parameters:

OVERALL TRANSPORTATION GOAL:

Develop a transportation system that enhances the livability of each jurisdiction and accommodates growth and development through careful planning and management of existing and future transportation facilities.

GOAL: Preserve the function, capacity, level of service (LOS), and safety of the state highways.

Objectives:

1. Develop access management standards that will meet the requirements of the TPR and also consider the needs of the affected community.
2. Develop alternative, parallel routes.
3. Promote alternative modes of transportation.
4. Promote demand management (i.e., rideshare and park and ride).

5. Promote transportation system management (i.e., signal synchronization, median barriers, etc.).
6. Develop procedures to minimize impacts to and protect transportation facilities, corridors or sites during the development review process.
7. Promote railroad freight services (where appropriate).

GOAL: Improve and enhance safety and traffic circulation and preserve the level of service on the local street system.

Objectives:

1. Develop an efficient road network for each jurisdiction that would maintain an LOS D or better.
2. Improve and maintain existing roadways.
3. Ensuring planning coordination between local jurisdiction and the State.
4. Identify truck routes to reduce truck traffic in urban areas.
5. Examine the need for speed reduction in specific areas.
6. Identify local problem spots and recommended solutions.

GOAL: Identify the 20-year roadway system needs to accommodate developing or undeveloped areas without undermining the rural nature of the local and surrounding communities.

Objectives:

1. Adopt policies and standards that address street connectivity, spacing, and access management.
2. Integrate new arterial and collector routes into improving grid systems with an emphasis on reducing pressure on traditionally heavy traffic routes.
3. Improve access into and out of the City and County for goods and services.
4. Improve the access onto and off of arterial roadways to encourage growth.

GOAL: Increase the use of alternative modes of transportation (walking, bicycling, rideshare/carpooling, transit, and, where appropriate, telecommuting) through improved access, safety, and services.

Objectives:

1. Provide sidewalks, bikeways and safe crossings on arterial and collector streets.
2. Provide shoulders on rural collector and arterial streets.
3. Provide bikeways in accordance with the Oregon Bicycle and Pedestrian Plan.

4. Promote alternative modes and rideshare/carpooling programs through community awareness and education.
5. Plan for future expanded transit service by sustaining funding to local transit efforts and seeking consistent state support.

DETAILED WORK PROGRAM

I. DEVELOP PUBLIC INVOLVEMENT PLAN

- A. Establish a management team with the following membership:
 - representative(s) from the staff of the City of Brookings.
 - representative(s) from Curry County.
 - representative(s) from ODOT Region 3.
- B. Hold an introductory meeting in the City of Brookings in a workshop format to explain the project, the general goals and objectives, the public involvement process and to receive comment and information regarding the project, its goals and transportation issues in the area. This meeting will also be an opportunity to solicit membership for the Transportation Advisory Committee.
- C. Establish a Transportation Advisory Committee (TAC) for the City of Brookings and Curry County which shall have citizen members from the City and County which represent stakeholders in the existing transportation system and are interested in planning the future transportation system. The membership of these committees should be broad-based including at least representatives of major transportation system users such as commercial trucking representatives, school representatives, pedestrian/cycle users, etc.
- D. Hold a workshop with the TAC and public following the inventory and preliminary alternative development phases. This workshop will be to report on progress to date, to outline issues regarding the TSP and prospective alternatives, to review a questionnaire to be circulated for public input, and to receive comment from the committee and general public.
- E. Hold a workshop meeting with the TAC and public following the preparation of the draft TSP document. This workshop will be to review the comment received from the questionnaire, review the content and conclusions of the draft TSP and receive comment from the committee and general public regarding the draft TSP.
- F. Incorporate all comment from the Management Team, the TAC and the public into the final draft TSP and provide copies to the City and County.

II. REVIEW PLANS AND POLICIES

- A. Review the existing comprehensive plans for the City and County, particularly as they relate to transportation needs and land development.
- B. Review all previous transportation planning reports, traffic studies, and traffic safety programs and corridor strategies that impact the TSP area. Identify policies,

recommendations and capital improvements (planned and implemented) that may affect the transportation system of the City and County.

C. Review existing street cross-section and access standards.

D. Review any proposed improvements to the state highway system in the area as identified by ODOT and supporting traffic and environmental studies.

E. Review plans for improvements to the City's and County's street/road systems.

F. Review the existing sources for funding street/road construction and maintenance.

G. Review the land use policies and regulations that guide the relationships between land use and transportation facilities, as well as their impacts on each other.

H. Review economic development plans and strategies (e.g., Regional Strategies, Governor's Transportation Initiative) as they relate to transportation needs and land development.

III. INVENTORY EXISTING PUBLIC FACILITIES

A. Inventory and generally assess the existing plus committed roadway and street system within the City and County with regards to function, type, capacity, and condition.

1. This inventory should identify:

a) The jurisdictional responsibility for the roadway (Federal, State, County, City, other);

b) the classification of the street/roadway (arterial, collector, local or statewide, region and district highways);

c) the street right-of-way width;

d) the number of travel lanes and speeds;

e) the presence of on-street parking, specifying which side of the road and type of parking (parallel, diagonal, head-on);

f) the presence of sidewalks, specifying which side of the roadway, width of sidewalk, general condition of sidewalk, and Americans with Disabilities Act (ADA) compliance;

g) the presence of bicycle facilities, specifying the type and location of the facility and general condition; and,

h) the type of pavement surface and general condition.

The inventory is to be done for arterial and collector streets and preferably for the entire street system. It should be summarized in the tabular form for easy reference and should have a written description in the transportation plan.

- 2. At high volume locations and critical intersections, obtain traffic counts including turning movements. This information may or may not be available from ODOT through their annual count programs and/or recent data collection.
- 3. Estimate the transportation capacity of the existing plus committed street/roadway system.
- 4. Identify street/roadway facilities where traffic demand is at or near the estimated capacity of the facility.

B. Inventory the bicycle system throughout the planning area. Most of this information will be collected as part of the roadway system inventory; however, additional paths of bicycle facilities on local roadways should be identified.

C. Inventory the pedestrian system throughout the planning area. Most of this information will be collected as part of the roadway system inventory; however, additional paths or sidewalks on local roadways should be identified.

D. Inventory the public transit system:

- 1. Describe public transportation services for the transportation disadvantaged and identify service inadequacies.
- 2. Describe intercity bus and passenger rail service and identify the location of terminals.

E. Identify where public use airport and port facilities are located.

F. Prepare maps summarizing the various elements of the transportation system.

- 1. Prepare a street and roadway map indicating existing street/road classifications, jurisdictions, and existing traffic signals.
- 2. Prepare a street/roadway map detailing traffic volumes.
- 3. Prepare a street map detailing the locations of existing deficiencies (capacity, safety, design, etc.).
- 4. Prepare a street/roadway map detailing the existing bicycle facilities (bikeways and bikelanes).
- 5. Prepare a street/roadway map detailing the existing pedestrian facilities (including off-street/roadway pathways).

G. Prepare a written description of all of the various existing plus committed transportation facilities. This description should be included in the TSP.

IV. FORECASTING FUTURE TRAVEL DEMAND

A. Develop existing and future population and employment forecasts. Because growth on the Oregon Coast has historically been cyclical, a simple trend forecast, commonly used elsewhere, may not be appropriate. The Management Team and consultant will identify an appropriate forecasting method based on best available information.

B. Project future traffic volumes for the existing plus committed transportation system. These projections should be based on forecasted change existing population and employment as well as externally generated (tourist) traffic. A cumulative analysis (Level 2 in ODOT's TSP guidelines) shall be used for the City.

C. Evaluate the 2018 traffic volume projections against the capacity of the existing plus committed transportation system to identify any future circulation and capacity deficiencies.

D. Prepare maps detailing the future traffic volumes and capacity deficiencies of the transportation system.

E. Prepare a written description of the population and employment forecasts and the process for projecting future traffic volumes. Identify any capacity deficiencies that may occur in the future as a result of increased traffic volumes.

V. DEVELOP AND EVALUATE TRANSPORTATION SYSTEM ALTERNATIVES.

A. Develop transportation system alternatives that address short and long term capacity deficiencies, connectivity and safety hazards. These alternatives should comply with the established goals and objectives and will include roads and other modes. A "no-build" alternative shall be included to determine where deficiencies may occur during the 20-year planning period. Other alternatives should specifically address the following:

1. Evaluate what geometric or other improvements may be necessary to improve safety at locations with higher than average accidents rates;
2. Identify where the addition of highway passing lanes would improve roadway operations;
3. Public transportation funding and development;
4. Identify sidewalk improvements where the pedestrian system is insufficient because of a lack of sidewalks or sidewalks that are in poor condition;
5. Identify where additional arterial or collector streets may be needed to accommodate future growth;
6. Identify bicycle facilities where the bikeway system is insufficient because of a lack of facilities or poor conditions;
7. Work with the local jurisdiction, surrounding Cities and Counties, and Council of Governments towards improving long distance public transportation options and intermodal freight and passenger options;
8. Identify Transportation Demand Management (TDM) opportunities; and
9. Evaluate the alternative using the following parameters:
 - a) Projected traffic volumes
 - b) Volume-to-capacity ratios
 - c) Level of service at selected intersections

- d) Approximate construction and right-of-way costs
- e) Impact(s) to adjacent lands
- f) Environmental, economic, social, and energy factors (EESE).

- B. Identify which alternatives should be included in the TSP on the basis of the evaluation.
- C. Prepare a written description of each alternative, the evaluation process, and recommendations for the TSP.
- D. Prepare a map of the alternatives for the City and County identifying the general location of the improvements, including regional and district-level state highways.
- E. For each jurisdiction present the alternative evaluation at community meetings to allow public input into the final selection.

VI. DEVELOP TRANSPORTATION PLAN

- A. Develop a street/roadway system plan for the City and County.
 - 1. Identify the probable location(s) of traffic signals and other traffic system management (TDM) strategies such as changes in lane striping.
 - 2. Identify street/roadway functional classifications for the existing and future roadway system.
 - 3. Identify street/roadway modifications or improvements, including the number of lanes on arterial and collector roadways, and on the regional and district-level highways for the next 20 years. This task shall include the development of an arterial/collector network plan to accommodate growth and provide alternative routes.
 - 4. Identify truck routes.
 - 5. Develop design standard(s) for each street and road classification indicating street and road right-of-ways widths, number of travel lanes, and parking, sidewalks, and bicycle facility provisions. Recommend standards for sidewalks and bicycle facilities that are contained in the Model Ordinances. Evaluate and as appropriate, reduce residential street and road standards consistent with OAR 660-12-045(7).
 - 6. Develop standards for vehicular access on arterial and collector roadways indicating driveway spacing, sight distance, and principles of access management. Recommended standards for access that are contained in the Model Ordinances.
 - 7. Identify TDM opportunities.
- B. Develop a bicycle facility plan, including required on-street bike lanes, separated bike paths, and bicycle policies.

- C. Develop a pedestrian facility plan, including new sidewalks, trail facilities, and pedestrian policies.
- D. Develop a connectivity plan and/or standards for roadway, bike and pedestrian facilities to provide reasonably direct routes for bicycle and pedestrian traffic.
- E. Identify planned future improvements to air, rail, water, and pipeline transportation, as required by the TPR.
- F. Develop priorities for implementing transportation projects (including street, bikeway, and sidewalk improvements) over the next 20 years.
- G. Develop approximate costs estimates for construction and right-of-way for transportation projects over the next 20 years.
- H. Prepare a written description of the transportation plan detailing the elements of the plan as listed above.
- I. Prepare maps illustrating the transportation plan, including road functional classifications, number of lanes, traffic control at major intersections, designated truck routes, and parking, bicycle, and pedestrian facilities.
- J. Prepare a table and typical sections identifying design standards for different road classifications.
- K. Present the TSP to the City and County at community meetings to allow public input into the final plan.

VII. PREPARE OVERALL REPORT

Prepare a draft report documenting the transportation planning process. This report should incorporate the written descriptions from each section of the work program into a single document. This document should be available for review by the public before it is finalized and adopted.

VIII. IMPLEMENTATION

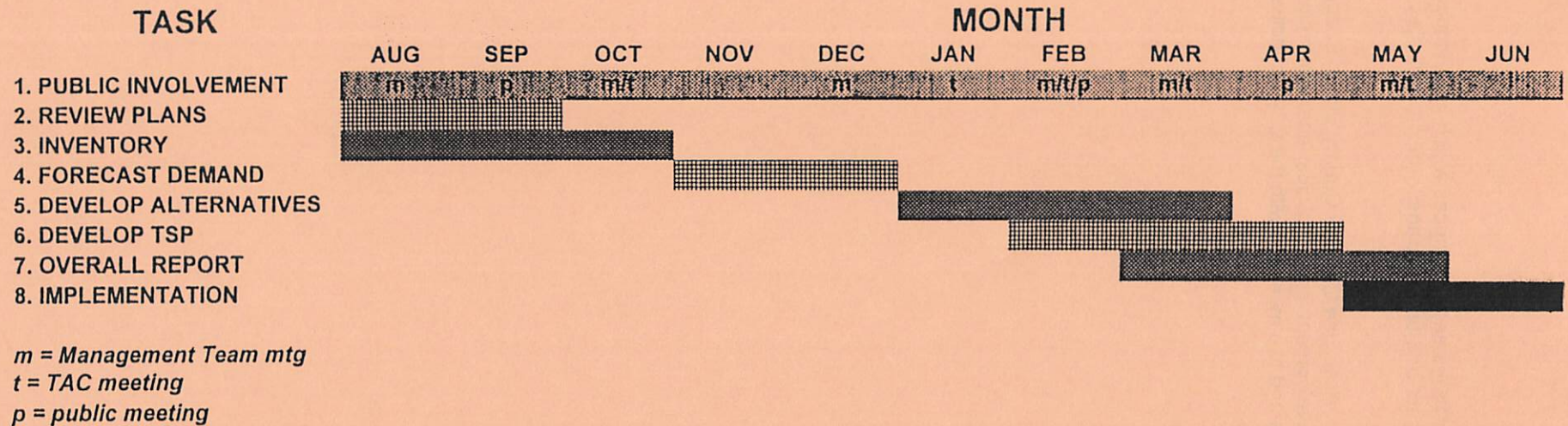
- A. Recommend revisions to existing transportation policies for the comprehensive plans and zoning and subdivision ordinances to comply with the TSP, the TPR, and ODOT plans and policies. *These recommendations will identify which policies and ordinances need to be changed, as well as recommending replacement language.*
- B. Develop policies and ordinances which support the transportation plans, including those assuring bike and pedestrian connectivity.
- C. Develop a policy for future public transit services to satisfy the requirements of the Oregon Transportation Planning Rule.
- D. Develop a policy for air and water transportation, as required by the Oregon Transportation Planning Rule.
- E. Develop ordinances that establish access management assignments consistent with the Oregon Highway Plan for all state highways (OAR 660-12-045).

F. Develop policies and ordinances which apply conditions to development proposals that minimize impact and protect transportation facilities, corridors or sites (OAR 660-2-045 (2)(e)).

G. Adoption: Assist the City and County with the adoption of appropriate comprehensive plan and development code policies and ordinance (two meetings with the planning commissions and two meetings with the City Council and County Commission).

ATTACHMENT B

BROOKINGS & SOUTH CURRY COUNTY TSP WORK SCHEDULE AUGUST 1997-JUNE 1998



City of Brookings Memorandum

TO: Mayor, City Council
FROM: Jack McDonald, Chief of Police
THROUGH: Tom Weldon, City Manager
DATE: October 16, 1997



Issue:

Should Council appoint a member to a short-term, community-based action team designed to resolve regulation concerns about skateboarding?

Synopsis:

During early CY/1997 we established a department goal of developing a broad based approach to skateboarding concerns we had encountered in the community. Subsequent to those initial goals we have experienced a number of complaints from members of our community and have begun the formation of a multi-disciplined group of stakeholders to evaluate and implement a team orientated long-term solution focused on skateboarder regulations.

Recommendation:

Since this team may recommend modification of our ordinance and other potential Council-level actions we are recommending a member of the Council be appointed to assist this team effort.

Rationale:

Council participation should help in finding and implementing a long-term solution to this community issue. Appointing a Council member to this group will also assist in fulfilling Council's goal as it relates to youth services involvement.

Background:

We are developing a community-based approach involving a wide range of stakeholders to encourage a long-term multifaceted solution to skateboarding regulation concerns.

Options/Alternatives considered but not recommended:

Seek a short-term strictly single-focused regulatory approach and risk a partial solution.

Jack McDonald
Chief of Police

POLICE DEPARTMENT

City of Brookings

898 Elk Drive
Brookings, Oregon 97415
(541) 469-3118 - Fax (541) 412-0253



TO: Mayor
City Council

THROUGH: Tom Weldon, City Manager

FROM: Jack McDonald, Chief of Police

SUBJECT: LIQUOR LICENSE

DATE: October 23, 1997

Tom
[Signature]
10/27

Attached for your consideration are copies of a liquor license from:

Trade name: City Grill
703 Chetco Ave, Brookings

The Police Department has reviewed the request and has no objections to the granting of the license.

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSIONReturn To: 1860 Oregon Ave #10
N. Bend, OR 97149

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)

Application is being made for:

- ☐ DISPENSER, CLASS A
☐ DISPENSER, CLASS B
☒ DISPENSER, CLASS C
☐ PACKAGE STORE
☐ RESTAURANT
☐ RETAIL MALT BEVERAGE
☐ SEASONAL DISPENSER
☐ WHOLESALE MALT BEVERAGE & WINE
☐ WINERY
 OTHER: _____
- ☐ Add Partner
☐ Additional Privilege
☐ Change Location
☐ Change Ownership
☐ Change of Privilege
☐ Greater Privilege
☐ Lesser Privilege
☒ New Outlet
☐ Other

(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF _____
(Name of City or County)

RECOMMENDS THAT THIS LICENSE BE: GRANTED _____

DENIED _____

DATE _____

BY _____
(Signature)

TITLE _____

AUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:

- 1) Dollar + Dollar Inc 2) _____
 3) _____ 4) _____
 5) _____ 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

2. Present Trade Name City Grill3. New Trade Name City GrillYear filed _____
with Corporation Commissioner4. Premises address 703 Chetco Brookings Curry OR
(Number, Street, Rural Route) (City) (County) (State) (Zip)5. Business mailing address P.O. Box 2444 HARBOR, OR 97415
(P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)6. Was premises previously licensed by OLCC? Yes ☒ No _____ Year 19977. If yes, to whom: Shell Lent Type of license: _____8. Will you have a manager: Yes _____ No _____ Name _____
(Manager must fill out Individual History)9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No ☒0. What is the local governing body where your premises is located? Brookings/Curry
(Name of City or County)1. OLCC representative making investigation may contact: Michael Dollar
(Name)

324 Spruce Brookings, OR (Address) (541) 469-1967 (Tel. No. home, business, message)

AUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

Applicant(s) Signature
 (In case of corporation, duly
 authorized officer thereof)

- 1) Michael B. Dollar
 2) Rosa J. Dollar
 3) _____
 4) _____
 5) _____
 6) _____

**CITY OF BROOKINGS
COUNCIL MEETING MINUTES
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
October 13, 1997
7:00 p.m.**

I. CALL TO ORDER

Mayor Brendlinger called the meeting to order at 7:08 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Staff Present: City Manager Tom Weldon, Community Development Director Leo Lightle, Planning Director John Bischoff, Accounting Clerk Denise Bottoms

Media Present: Martin Kelly, KCRE; Chuck Hayward, Curry Coastal Pilot

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

John Bischoff was recognized as Employee of the Season and Mayor Brendlinger read a memo outlining the many projects he is involved in on behalf of the city.

Leo Lightle introduced Mark Haglund as the new Wastewater Treatment Plant Operator for the city.

Mayor Brendlinger proclaimed Thursday, October 16, 1997 as "International Credit Union Day in Brookings" and read a proclamation.

V. PUBLIC HEARINGS

None

VI. SCHEDULED PUBLIC APPEARANCES

None

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and Liaison Reports

1. Planning Commission

Chair George Ciapusci thanked the Council for the joint meeting held earlier this evening. He also reported that Planning issues are

slowing down at this time and he updated the Council on Nature Based Tourism/Canopy project.

2. Parks and Recreation Commission - None
3. Chamber of Commerce - None
4. Councilors

Councilor Curry reported that he attended the last Tri-Cities meeting where they discussed the Savage Rapids Dam removal and that the County has now contracted Dial-A-Ride services with the Chetco Senior Center.

Councilor Hagbom has attended a few Watershed Council meetings and reported that the new water gauging system should be in operation within the next few months.

B. Unscheduled

Heather Weckler of the Brookings Harbor Youth Association reported that their goal is to establish a better working relationship with the city and they have 14 volunteers to help with resealing Kidtown Saturday, October 18, 1997. She also invited the Council to a meeting of the Association on October 20, 1997 at the library to discuss a skateboard park. Sessions Surf Shop has a video available for viewing on building skateboard parks.

VIII. STAFF REPORTS

A. City Manager

1. LOC Voting delegate

Councilor Ham moved, Councilor Curry seconded and the Council voted unanimously to appoint Mayor Brendlinger as the voting delegate to LOC at the Annual Business Meeting and Councilor Hagbom as the alternate.

2. City Hall Painting bids

Councilor Curry moved, Councilor Ham seconded and the Council voted unanimously to reject the City Hall Painting Bid received and to go out for bid at a later date.

3. Pacific Coast Scenic Byway

Curt Warber of Parametrix explained the Plan for the Pacific Coast Scenic Byway, both state and federal designations. Terry Cole with ODOT further explained the biannual pull out regulations should an entity desire to terminate association with this project.

Comments or concerns regarding the Scenic Byway were heard from the following people:

Dave Scott	331 Mill Beach Rd., Brookings
Keith Pepper	516 Redwood, Brookings
Peter Spratt	15480 Oceanview Dr., Brookings

Councilor Cartwright moved, Councilor Hagbom seconded and the Council voted 4-1 to table this item until the meeting of October 27, 1997.

Councilor Cartwright left the meeting at 9:04 pm. and Mayor Brendlinger announced a 15 minute break. The meeting reconvened at 9:13 pm.

B. Community Development

1. Hillside development standards committee

Councilor Ham moved, Councilor Hagbom seconded and the Council voted unanimously to establish an ad hoc committee to review the existing hillside development standards and recommend possible changes.

2. Acceptance of Dedication Deed for Minor Partition on Hampton Lane by Hodges

Councilor Ham moved, Councilor Hagbom seconded and the Council voted unanimously to accept the Dedication Deed for Minor Partition on Hampton Lane by Hodges.

3. Bridge Street vacation

Councilor Curry moved, Councilor Hagbom seconded and the Council voted unanimously to accept Ordinance No. 97-O-524 by first reading.

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to accept Ordinance No. 97-O-524 by second reading.

Councilor Ham moved, Councilor Hagbom seconded and the Council voted unanimously to accept the Final Order and Findings of Fact for Planning Commission File No. VAC-1-97.

Councilor Ham moved, Councilor Hagbom seconded and the Council voted unanimously to accept the Quit Claim Deed transferring the title back to the State.

4. "No Parking" sign request near 1515 Seacrest Lane

Comments or concerns were heard concerning conditions on Seacrest Lane by the following people:

Bill Halbert
Kathy Halbert

President of Homeowners Assn.
Seacrest Lane, Brookings

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to have the Police Department look further into this situation and make a recommendation at the October 27, 1997 meeting.

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to add the item of a Sewer Line, collapse adjacent to Ray's Food Place to the agenda and address it at this time.

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to determine that an emergency existed and authorize the repair work to the sewer line adjacent to the west side of Ray's Food Place.

C. Police Department

1. Pizza Hut liquor License

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to approve the liquor license application of Pizza Hut.

2. Eddy Eagle Grant application

Councilor Hagbom moved, Councilor Ham seconded and the Council voted 3 to 1 to authorize the proposal to submit a grant application totaling \$3,533.75 for an "Eddie Eagle" costume and accessories.

IX.

CONSENT CALENDAR

A. Approval of Council Meeting Minutes

1. Minutes of September 22, 1997 Regular Council Meeting

- B. Acceptance of Commission/Committee Minutes
 - 1. Minutes of September 17, 1997 Regular Systems Development Charge Review Board Meeting
- C. Approval of Vouchers (\$142,947.70)

(end Consent Calendar)

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to approve the consent calendar as amended.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
 - 1. Ordinance No. 97-O-524 - An ordinance vacating a 0.94 acre portion of the Bridge Street right-of-way located on the South side of Bridge Street
 - a. Final Order and Findings of Fact for VAC-1-97
 - b. Acceptance of Quit Claim Deed transferring title back to State

The items shown above were addressed earlier in the meeting.

- B. Resolutions
 - 1. Resolution No. 97-R-625 - A resolution accepting the abstract of votes for the Special Election held September 16, 1997

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to accept Resolution No. 97-R-625.

- 2. Resolution No. 97-R-626 - A resolution accepting the abstract of votes for the Recall Election held August 26, 1997 for City Councilors Bob Hagbom and Larry Curry

Councilor Curry moved, Councilor Hagbom seconded and the Council voted unanimously to accept Resolution No. 97-R-626.

- 3. Resolution No. 97-R-627 - A resolution authorizing the City Finance Director/Recorder to reappropriate \$5,313.54 from the General Fund Contingency to Legislative/Administrative contract services budgeted line item for the purpose of payment for election expenses resulting from the August 26, 1997 recall election
Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to accept Resolution No. 97-R-627.

XII.

REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

Councilor Hagbom moved, Councilor Ham seconded and the Council voted unanimously to appoint Mayor Brendlinger as the Council liaison to SCERT and the City Manager as the alternate.

Mayor Brendlinger reported that the next meeting of SCERT will be held on October 28, 1997 at 9:00 am in Gold Beach.

Mayor Brendlinger and Councilors Hagbom, Curry and Ham will be attending the LOC Conference on November 7, 8 and 9.

Councilor Ham moved, Councilor Hagbom seconded and the Council voted unanimously to change the date of the first meeting in November to Tuesday, November 11, 1997.

The Mayor asked if the Council wished to have Dick Townsend of LOC attend the next Council meeting to present the services they offer and costs involved in recruiting a City Manager. It was agreed that the Council members attending the LOC Conference would arrange a meeting with Dick at that time to gather this information.

It was also mentioned that Falcon Cable is increasing rates and the Council decided to have this as an agenda item for the October 27, 1997 meeting.

Mayor Brendlinger asked if it was necessary to change the effective date of the Resolution regarding SDC's and sewer rate changes. The City Manager answered yes and that this will be on the agenda for the October 27, 1997 meeting.

B. Council

Councilor Hagbom reported that both golf companies interested in developing a golf course at Jack Creek will be here to meet with the Council and staff on October 27, 1997.

Councilor Ham moved, Councilor Curry seconded and the Council voted unanimously to authorize Councilor Hagbom to submit a 5 item proposed Resolution on recalls to the League of Oregon Cities on behalf of the Brookings City Council.

XIII.

ADJOURNMENT

Councilor Hagbom moved, Councilor Ham seconded and the council voted unanimously to adjourn at 10:15 pm.

ATTEST:

Nancy Brendlinger
Mayor

Beverly Adams
Finance Director/Recorder

**MINUTES
JOINT MEETING
BROOKINGS PLANNING COMMISSION/CITY COUNCIL
October 13, 1997**

A joint meeting of the Brookings Planning Commission and City Council was called to order at 6:09 p.m. by Council President Larry Curry in the Council Chambers at Brookings City Hall on the above date with the following Commission and Council members and staff in attendance.

Councilor Dave Ham
Councilor Larry Curry
Commission Chair George Ciapusci
Commissioner Rick Dentino
Commissioner Marv Lindsey
Commissioner Ted Freeman

Commissioner Keith Pepper
Community Development Director Leo Lightle
Planning Director John Bischoff
City Manager Tom Weldon
City Attorney Marty Stone

Mayor Nancy Brendlinger arrived at 6:12 p.m.. Commissioners Judi Krebs and Earl Breuer and Councilor Bob Hagbom were not in attendance. The press was represented by Chuck Hayward, Curry Coastal Pilot.

Tom Weldon, City Manager reviewed his memo on the parking situation at the two post offices in Brookings.

After John Bischoff, Planning Director recapped his memo on Deferred Improvement Agreement (DIA) options, discussion ensued concerning difficulties of calling in DIAs and forming Local Improvements Districts (LIDS). Cost of these types of projects was discussed including the fact that the city could put money "up front" and not get any of it back thru the LID process if the project was not completed.

Staff was directed to prepare an overlay of city streets showing what condition the streets are in and which streets could be improved. The consensus was to proceed under alternative #3, prioritizing through the Capital Improvements Plan. A committee will be formed of two City Councilors, two Planning Commissioners and staff to study this alternative.

The next joint meeting will be held in the Council Chambers at 6:00 p.m., December 8, 1997.

There being no further business before the joint body, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,



Tom Weldon, City Manager

RESOLUTION NO. 97-R-619A

A RESOLUTION EXTENDING THE EFFECTIVE DATE OF
RESOLUTION NO. 97-R-619.

WHEREAS, on _____, 1997 the Common
Council of the City of Brookings adopted Resolution No. 97-R-619
revising the Water Systems Development Charges and repealing
Resolution No. 91-R-519, with an effective date of November 1,
1997; and

WHEREAS, the Common Council believes it advisable to
extend the effective date of Resolution No. 97-R-619 to allow
further analysis of the proposed SDC revisions and to meet with
the representative of Brown and Caldwell and the governing body
of the Harbor Sanitary District.

NOW, THEREFORE, BE IT RESOLVED that the effective date
of Resolution No. 97-R-619 is extended to January 1, 1998.

Passed by the Council and signed by the Mayor this
_____ day of October, 1997.

Nancy Brendlinger
Mayor

ATTEST:

Beverly S. Adams
City Recorder

RESOLUTION NO. 97-R-620A

A RESOLUTION EXTENDING THE EFFECTIVE DATE OF
RESOLUTION NO. 97-R-620.

WHEREAS, on _____, 1997 the Common
Council of the City of Brookings adopted Resolution No. 97-R-620
adopting rates, fees and changes to the users of the City of
Brookings sewer services and repealing Resolution No. 91-R-517,
with an effective date of November 1, 1997; and

WHEREAS, the Common Council deems it advisable to
extend the effective date of Resolution No. 97-R-620 to allow
further analysis of the proposed revisions in rates, fees and
charges and to meet with the representative of Brown and Caldwell
and the governing body of the Harbor Sanitary District.

NOW, THEREFORE, BE IT RESOLVED that the effective date
of Resolution No. 97-R-620 is extended to January 1, 1998.

Passed by the Council and signed by the Mayor this
_____ day of October, 1997.

Nancy Brendlinger
Mayor

ATTEST:

Beverly S. Adams
City Recorder

given out at Council
meeting of 10/27/97
TW

RESOLUTION NO. 97-R-629

Timmy "A RESOLUTION EXEMPTING THE PURCHASE OF A USED 1996 GMC ~~BLAZER~~, TO BE USED FOR DRUG INVESTIGATION AND PURCHASED WITH DRUG ASSET FORFEITURE FUNDS, FROM COMPETITIVE BIDDING UNDER ORS 279.015.

WHEREAS, the City of Brookings Police Department drug enforcement division needs to purchase a vehicle for drug investigation use; and

WHEREAS, the City of Brookings has drug asset forfeiture funds available for this purchase; and

Timmy WHEREAS, a used 1996 GMC ~~Blazer~~ in excellent condition has become available for a limited time, and the dealer of said vehicle is willing to take as trade two older vehicles currently being used for drug investigations; and

WHEREAS, the Common Council of the City of Brookings finds as follows:

1. That the City of Brookings has investigated the availability of like vehicles by requesting quotes, and the quotes have been recorded per Resolution No. 92-R-539 (A) (2).
2. That substantial cost savings can be realized by purchasing the used 1996 GMC ~~Blazer~~ as allowed under ORS 279.015 (2) (b) at a cost of \$18,000 plus the trade of two older vehicles.
3. That pursuant to Resolution No. 92-R-539 (D), the City is making an award of a contract in excess of \$10,000 outside of the competitive bidding process, and a written report with justification for the lack of competition has been given to the City Council.
4. That it is unlikely that an exemption from competitive bidding in this instance would encourage favoritism in the awarding of contracts or diminish competition.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT:

The purchase of a 1996 GMC ~~Blaze~~^{Jimmy} for Police Department drug enforcement use by the City of Brookings, as identified above, is exempted from competitive bidding requirements set out in ORS Chapter 279 and City of Brookings Resolution No. 92-R-539.

Passed by the Council and signed by the Mayor effective the 27th day of October, 1997.

Nancy Brendlinger
Mayor

ATTEST:

Beverly Adams
Finance Director/Recorder

Memorandum

TO: Mayor, City Council
FROM: Detective Ron Plaster
THROUGH: Jack McDonald, Police Chief
DATE: 10-23-97



Issue:

1995 Unmarked Narcotics Vehicle for the City of Brookings.

Synopsis:

We have found a vehicle that meets the needs of the criminal division. After looking at several different places we are requesting permission to buy from a single source.

Background:

Because of the age of one of the vehicles assigned to the Criminal Division, the police department has been looking to replace the 1987 Cougar that has more than 130,000 miles, and to get rid of the Dare vehicle since the cost of operating the vehicle is too high.

A vehicle has been found at Coast Auto and the cost of the vehicle is such that no other source could provide the same type of vehicle for the same price. (\$18,000.00) As part of the deal we would be trading in the 1987 Cougar and the 1978 Dare vehicle. (A Pontiac Firebird) The Brookings Police Department acquired both vehicles through Drug Forfeiture. We will buy the new vehicle with drug forfeiture funds and the taxpayer will not incur any expense. The Drug Forfeiture fund can only be used to help purchase equipment used in the battle against drugs in the local community.

Both the 1987 Cougar and the 1978 Dare vehicle are high mileage and cost the city a substantial amount in maintenance and repair costs. We feel that by trading these vehicles in and purchasing a newer model, the Brookings Police Department would go from five unmarked vehicles to four and the Criminal Division will have newer vehicles that will not have to be replaced for several years.

The vehicle to be purchased is a 1996 GMC Jimmy/Blazer utility vehicle with 36,000 miles. The Blazer is White in color, is a 4WD, 4 door, automatic transmission, and has a V-6 engine. The cost of the vehicle is \$18,000.00 including the two trade-ins. Again this will all be paid for out of the drug forfeiture fund at no cost to the city.

We have contacted three other dealers in the area and they advised that they did not have a similar vehicle that could be quoted with the same conditions as Coast Auto. (Refer to appendix 'A')

Recommendation:

Council authorize the purchase of the 1996 GMC Jimmy/Blazer from Coast Auto, located in Brookings, Oregon. The price of the vehicle would be \$18,000.00, and would include the trade-in of the 1987 Cougar, and the 1978 Dare vehicle.

Rationale:

The high cost of maintenance on the older vehicles makes the purchases of a new vehicles appropriate.

The Brookings Police Department has five un-marked vehicles. One is used by the Narcotics Detective, (63,000 miles) One is used by the Criminal Detective, (133,000 miles) one is used by the Chief of Police, (98,000) one is used by the newly formed V.I.P.s, (over 120,000) and the other vehicle was used by the Dare program until it became to expensive to repair.

Options listed below are options we have reviewed and are not recommending.

1. Leaving the vehicle situation as it is now, and continue to pay higher repair costs..
2. Continue to look for another vehicle, with a good chance that it will cost the city of Brookings more money out of the drug forfeiture account.
3. Buy the vehicle for \$15,073.00 from Bernie Bishop Mazda. (The vehicle is two years older, has a higher mileage, and is not in as good of over all shape as the vehicle of interest from Coast Auto).

APPENDIX 'A'

The following is quotes given by local automobile dealerships.

1. Coast Auto: (469-5321) On 10-23-97, at about 3:00pm, John Toth quoted a 1996 GMC Jimmy Blazer, white in color, with a V-6 engine, 4 door, 4wd, with 36,000 miles. The quote included two trade-ins from the Brookings Police Department. The total cost is **\$18,000.00**
2. Siegrist Ford: (469-2154) On 10-23-97, at about 4:00pm, Fred Siegrist was contacted. He stated that he did not have any vehicle that would match the type of vehicle, the price for the vehicle, and the trade-in value given by Coast Auto, so no quote was given.
3. Bernie Bishop Mazda: (469-3126) On 10-24-97, at about 10:30am, John Layne advised that he had a vehicle that was similar to the Coast Auto vehicle and he would give us a bid of \$15073.00. The vehicle is a 1994 (2 years older) Blazer with 39,000 miles. The vehicle is not in as good of shape as the Coast Auto vehicle.
4. Carpenter Auto: (469-6511) On 10-24-97, at about 9:30am, Dan Carpenter advised that he did not have any vehicle that would match the type of vehicle, the price for the vehicle, and the trade-in value given by Coast Auto, so no quote was given.

**BERNIE BISHOP MAZDA
BISHOP AUTOMOTIVE, INC.**



365 WHARF ST. • PHONE (541) 469-3126 • FAX (541) 469-9090

P.O. BOX 1062, BROOKINGS, OREGON 97415

Bid on a 1994 chevrolet S10 Blazer Sport Utility 4 door.

A book out sheet follows.

Blazer Price	\$17,995.00
Trade Ins:	
#1) 1978 Pontiac Firebird	\$ 1,500.00
#2) 1987 Mercury Cougar	\$ 1,500.00
Price minus trade in value	<u>\$14,995.00</u>
Fees:	
Title	\$ 10.00
Registration	\$ 33.00
Document	\$ 35.00
Price plus fees	<u>\$15,073.00</u>

Please accept this bid for consideration and if there any further questions that you may have please contact me at the phone number listed above.

Sincerely;

John Layne
General Manager
10-24-97

given out at
Council meeting
of 10/27/97
TW

Nancy -

FOLLOWING ARE PETITIONS
AGAINST SCENIC BY-WAY.

WE STOPPED GETTING
SIGNATURES WHEN THE CITY
WAS FIRST IN OPPOSITION
TO THE DESIGNATION.

WE CAN GET MANY
MORE SIGNATURES IF IT
WILL HELP.

Nan Scott

April 7, 1997

PETITION

This petition addresses landowners and interested persons who would be effected by the proposed;
PACIFIC COAST SCENIC BYWAY

A 5 MILLION DOLLAR STUDY IS BEING CONDUCTED ON A 20% state of Oregon funds and 80% Federal highway funding under the IETEA Federal ACT. (See attached copy)

We the undersigned ^{are} ~~our~~ AGAINST land adjacent to Hwy 101 being included in this designation. The Federal Designation could limit the current access permits to property and also greatly inhibit use of land by the "CONTROL OF VIEWSHED." In other states where Federal Scenic Byways have been designated, the viewshed criteria has been up to two miles.

We do not believe land owners and private citizens have been made aware of this proposal. We are greatly concerned about the amount of land south of Brookings which could be controlled by the eventual land use criteria, in this Federal Scenic Byway Program. There is no guarantee that matched funding would be available for any projects proposed or outlined in study.

Commercial zoned lands and adjacent areas can be exempted from the designation IF requested.

Ren ~~Wimberly~~ Hwy 101 so. P.O. Box 3000 Harbor, Ore. 97415
 Franklin D. Christ 15520 Hwy 101 so. Brookings Or. 97415
 Carol A. Christ 15520 Hwy 101 so. Brookings, Or. 97415
 Deborah Hayes P.O. Box 6373 Brookings, Or. 97415
 Julie Kleese P.O. Box 7924 Brookings, OR 97415
 Peggy Rusch P.O. Box 3107 Harbor, OR. 97415
 David Dyer 15870 PELICAN BAY DR HARBOR
 Steve R. Hardy P.O. Box 2397 White City Oregon 97503
 Alan Murray 16825, 16800, 168500 Hwy 101 N. Smith River CA 95567
 Amy P. ~~Smith~~ 00366 Windmill Rd Brookings Or

Written by concerned Landowners who have attended meetings and spent numerous hours reading about this project.

April 7, 1997

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Cindy R. Tumber, P.O. Box 2308 Harbor, OR 97445

Rene L. Crockett P.O. Box 2065, Harbor

Wm. F. Jones 99440 W. FREEMAN LN

Margaret L. Jones 99440 W. Freeman Ln

Spencer M. Freeman Scott P.O. Box 2957 Harbor, OR 97445

David E. Scott P.O. Box 2957 Harbor, OR 97445

Written by concerned Landowners who have attended meetings and spent numerous hours reading about this project.

April 7, 1997

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Dale E. Coleman

Jim Coleman

Brad E. Coleman

Larry G. Trachsel

Mark Lawrence

Chris D. Coleman

Earl Byers

Dorothy Thorsen

Roger Moody

John K. Curry

Dwayne C. Reiche

Written by concerned Landowners who have attended meetings and spent numerous hours reading about this project.