

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
OCTOBER 11, 1979

Meeting was reconvened at 11:07 a.m. and was called to order by Mayor protem Ray Lockman.

I. ROLL CALL

Members present were: Councilmen Darrell Allsup, Ralph Cheney and Jack Lowrie. Mayor Elmer Hitchcock was absent.

Staff present were: City Manager Frank Freeman, City Recorder Marge McKernan and Parks Director Pat Clancy.

II. PROPOSED URBAN GROWTH BOUNDARY

Bob Higbie, County Planning Director, presented the Council with the Urban Growth Area and Sphere of Influence Management Agreement. Copy of this proposal is attached.

Mr. Higbie explained the entire proposal and brought to the attention of the Council as a special concern was the Municipal watershed in the Ferry Creek watershed area. Mr. Higbie ask of the Council what was their desire as to the size of lots in this area? MOTION was made by Councilman Allsup, seconded by Councilman Lowrie and carried that all future development in the Ferry Creek watershed area is limited to 5 acres per lot. Council were in agreement with the balance of the proposal.

Mr. Higbie then informed the Council that this proposal will go back to the County with the changes proposed by the City of Brookings, then it will be forwarded to LCDC for their approval. If it is not approved by LCDC as presented then it will be returned to the County for further study.

III. BUD CROSS PARK REST ROOM CONSTRUCTION

Mr. Clancy advised that it appears at this time that the cost of construction of the restroom facilities will exceed the original amount received with Grants No. 1366 by approximately \$5,000. This is due to the delay in starting construction by previous administrations and the rising costs of materials and labor in the past eighteen months.

He suggested the following two alternatives:

1. Proceed with the construction, obligate the funds and submit an amendment to the original proposal upon completion.
2. Submit an amendment request now and wait for approval.

Construction has already started and if the weather holds out there should be no problems meeting the completion date of December, 1979. From the conversation with Curt Baker on October 9, 1979, there appears to be no problem with obtaining additional funds as long as the scope and the intent of the original proposal hasn't changed.

MOTION was made by Councilman Allsup, seconded by Councilman Lowrie and carried that the two aboe mentioned alternatives be approved concurrently.

Mr. Clancy also mentioned that he had gone through the files left by his predecessor and cannot come up with an accounting of funds expended for the three outstanding projects.

City Recorder explained to the Council the procedure of the first grant that was received by the City for Park Improvements. This grant was for the Easy Manor Park and it was prepared by Elmer Lee and the Recorder. You must keep time cards explaining specifically what was done on the project by City employees for the in-kind service on each project. This grant had been audited both by the City Auditor and the State Auditor and approved. On the future grants she was advised to put them all in the line item Tennis Court & Park Facilities, consequently they were to be all combined, which did present a problem for it did not specify what project the grants were to be credited to. She has a list of all the grant amounts received and the dates received, also a list and copy of every invoice that was listed for the expenditures. City Recorder is pleased to know that the grants are now being properly taken care of, as they will all be audited by the City and the State.

IV. PAYMENT OF VOUCHERS

MOTION by Councilman Cheney, seconded by Councilman Allsup and carried that the following bills be paid.

Coastal Petroleum Sales	\$ 1,534.13
Cantel of Medford	214.00
Ritz Repair	101.10
National Sheriff's Assoc. Ins.	4,111.00
Total	<u>\$ 5,960.23</u>

City Recorder advised the Council that there are still two outstanding bills on the High-Level Water Project which have not been paid, and there is no money available to pay them, which are as follows:

Cromm Prestressing	\$ 7,700.00
Horton Bros.	25,634.74
Total	<u>\$33,334.74</u>

City Manager advised that the City had a large cash carry forward in some of the funds and the City could pass a supplemental budget and pay off these bills, then return the money.

City Recorder advised that yes there is a large cash carry forward in the General Fund, and it has taken a number of years to build this up. The City must have a large cash carry forward in the General Fund especially, for it does not receive any considerable amount of money until November and December of each year when the property taxes are received. It takes


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the amount of \$28,000.00 for payroll alone for each month. So if there is not a large cash carry forward, the City would not be able to pay the payroll for the months of July, August, September and October. She suggested using caution when you pass a supplemental budget and depleting the working capital.

V. ADJOURNMENT

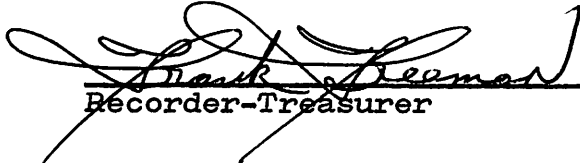
MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that the meeting be adjourned. The meeting then adjourned at 12:35 p.m.

This meeting was recorded on tape and is on file in the Recorder's Office.



Mayor

ATTEST:



Recorder-Treasurer

URBAN GROWTH AREA AND SPHERE OF INFLUENCE
MANAGEMENT AGREEMENT

OCTOBER, 1979

This joint management agreement is made this _____ day of _____, 1979, by and between Curry County, a political subdivision of the State of Oregon, hereinafter County, and the City of Brookings, a municipal corporation, hereinafter City.

The terms of this Agreement are applicable to the City's urban growth area, outside the City Limits, and/or its sphere of influence area. The urban growth area is defined as that area of land extending from the City's corporate limits to the City's urban growth boundary as referenced and mapped in both the City's and County's Comprehensive Plans incorporated herein by reference (See Attachment A).

This Agreement is made pursuant to ORS Chapter 190 and 197 and the Oregon State Planning Goals for the purposes of facilitating the orderly transition from rural to urban land uses within the City's urban growth area.

Words and phrases used in this Agreement shall be construed in accordance with ORS Chapters 92, 197, 215 and 227 and applicable Oregon State Planning Goals unless otherwise specified. In the event two or more definitions are provided for a single word or phrase, the most restrictive definition shall be used in construing this Agreement.

I. Introductory Information

- A. This Agreement is the culmination of a series of actions intended, in part, to facilitate the orderly and efficient transition from rural to urban land uses within the urban growth area. Such actions include the respective preparation of a City Comprehensive Plan, a County Comprehensive Plan, and the cooperative establishment of an urban growth area, (See attachment A).
- B. In the urban growth area and sphere of influence area the County shall apply the zoning and land development requirements of the City of Brookings, which most closely conform to the purpose and intent of the agreed upon types of future land use identified by the coordinated comprehensive plans of the two jurisdictions. For purposes of this agreement plans are coordinated when they are generally compatible or similar in the types of land uses they permit within geographically designated areas.

II. General Comprehensive Plan Provisions

- A. The County shall retain responsibility for land use decisions and actions affecting the City's urban growth area outside the City Limits.
- B. The City's urban growth area has been identified as urbanizable and is considered to be available over time for urban expansion. An area of special concern in the UGB is the municipal watershed. The Ferry Creek watershed area must remain rural.

C. The application of County Comprehensive Plan land use categories to the urban growth area shall be a joint effort of the interested citizens and planning commissions of both jurisdictions. The resulting proposal will be forwarded to the respective elected officials for formal review. The City Council and the County Board of Commissioners shall agree upon the County Comprehensive Plan land use categories which are most compatible with those proposed by the City for the total of the urban growth area. This shall constitute adequate coordination of the respective Comprehensive Plans and the Board of Commissioners shall proceed with formal adoption of the agreed upon land use categories.

D. In order to promote consistency between the City's planning effort and the County's land use decisions and actions affecting the urban growth area, land use regulation shall be governed by those City zoning designations that correspond with the coordinated County Comprehensive Plan land use categories. The City's subdivision ordinance and public improvement standards shall be applied by the County in the urban growth boundary.

E. It is the policy of the City and the County to maintain a rapid exchange of information relating to their respective land use decisions which affect the growth of the City's urban growth area.

III. Referred Applications/Situations

A. Early notification. The County Planning Department shall refer each request affecting the City's urban growth area to the City within 15 working days of the date the request is filed with the County Planning Department. This early warning will serve to notify the City that a request for a land use action has been initiated, and that a County Planning Department staff report will be forthcoming.

B. County Staff Report. The County Planning Department staff report will be forwarded to the City Manager for the City's review and comment. It shall be prepared and forwarded to the City so as to arrive not later than 15 days prior to the scheduled date of the County Public Hearing.

C. City Review. The City shall review the request and submit a written recommendation to the County Planning Department prior to the scheduled date of the County Public Hearing. The City reserves the right to assign the requests to its various departments and commissions for review.

D. Extension of Review Period. The established response time will be extended if the City requests an extension. In the event time is extended, the County Public Hearing on the affected application shall be tabled and continued to the date of the next scheduled County Public Hearing.

- E. Decision Authority. The County shall retain final decision making responsibility for all land use actions affecting the City's urban Growth area outside the City Limits. Such decisions shall be made only after the receipt and consideration of recommendations from the City but not exceed 60 days.

IV. City Services

The current policy of the City regarding sewer and water services will be applicable for the purpose of this agreement. As growth occurs, the City may extend services, at the discretion of the City Council, in accordance with Oregon Revised Statutes and City Resolutions, ordinances and policies, to any contiguous site located within the City's urban growth area at the affected property owner's request and expense.

V. Annexation

Annexation of sites within the City's urban growth area shall be in accordance with relevant annexation procedures contained in the Oregon Revised Statutes, Oregon case law, and any City Ordinances. Only areas contiguous to the City may be annexed. In the event of annexations by contract, city land development ordinances shall apply, and be administered by the City.

VI. Roads

The County and the City shall cooperatively develop an implementation policy regarding streets and roads within the City's urban growth area. This may include modification of the County's road standards for those streets and roads within the urban growth area in order to match the City's street standards.

VII. Appeals

- A. Since the County retains responsibility for land use decisions and actions affecting the urban growth area outside the City limits, appeals for such decisions and actions shall be in accordance with the appeals process specified in the County Zoning or Land Development Ordinances. The City shall have standing in all land use matters within the urban growth boundary.
- B. In the event that a land use decision is made that is contrary to the City's comment and recommendation as provided for in Section III, of this Agreement, the City shall have standing to appeal as provided in Subsection A, of this Section.

VIII. Harbor Urban Growth Boundary

The City recognizes the Harbor Urban Growth Boundary as a County Urban Growth Boundary which is separate and independent of the City Urban Growth Boundary.

IX. Automatic Review

This Agreement will automatically be reviewed by Brookings and Curry County upon completion of the City Plan development process.

X. Comprehensive Plan and Implementation Measure Review and Amendment

The City and County shall each periodically review their Comprehensive Plans, Zoning Ordinances, Subdivision or Land Development Ordinances other Plan implementing ordinances and this Agreement and notify the other if changes are deemed desirable or necessary and coordinate any action taken. This review may include comparison of each jurisdiction's conformity with:

1. the Oregon Revised Statues;
2. Oregon case law;
3. Oregon State Planning Goals;
4. requirements of the City;
5. requirements of the County; and
6. requirements of residents within the City's urban growth area.

IN WITNESS WHEREOF, this Urban Growth Area Joint Management Agreement is signed and executed on the day and year first mentioned above.

CURRY COUNTY BOARD OF COMMISSIONERS

CITY OF BROOKINGS CITY COUNCIL

Chairman

Commissioner

Commissioner

