

City of Brookings
MEETING AGENDA

CITY COUNCIL/URBAN RENEWAL AGENCY

Monday, February 24, 2020, 7:00pm

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

CITY COUNCIL

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. Monarch Butterfly Proclamation [Pg. 3]
2. Leo Rainwater Introduction

E. Scheduled Public Appearances

(Informational presentations to Council on non-agenda items – 10 minute limit per person.)

1. Bruce Ellis – Bruce’s Bodacious Bazaar [Pg. 4]

F. Oral Requests and Communications from the audience

(*Public Comments on non-agenda items – five (5) minute limit per person, please submit Public Comment Form in advance)

G. Consent Calendar

1. Approve Council minutes for February 10, 2020 [Pg. 5]
2. Accept TPAC minutes for December 12, 2019 [Pg. 7]
3. Receive monthly financial report for January 2020 [Pg. 8]
4. Accept Planning Commission 2019 Annual Report [Pg. 14]
5. Approve Tropicalia Brazilian Cuisine Liquor License Application [Pg. 15]

H. Staff Reports/Public Hearings/Ordinances/Resolutions/Final Orders

1. Legislative public hearing, Ordinance 20-O-785, amending a subsection of Brookings Municipal Code, Chapter 17, Section 17.52.020 – Permitted Uses [PWDS, Pg. 17]
 - a. Draft Ordinance 20-O-785 [Pg. 18]
 - b. Draft Edits to BMC Chapter 17, Section 17.52.020 - Exhibit A [Pg. 19]
2. Legislative public hearing, Ordinance 20-O-786, amending a subsection of Brookings Municipal Code, Chapter 17, Section 17.180 – Workforce Housing [PWDS, Pg. 20]
 - a. Draft Ordinance 20-O-786 [Pg. 21]
 - b. Draft Edits to BMC Chapter 17, Section 17.180 - Exhibit A [Pg. 22]
 - c. HB 2001 Section by Section Summary [Pg. 23]
3. Legislative public hearing, Ordinance 20-O-788, amending a subsection of Brookings Municipal Code, Chapter 15, Section 15.05.010 – Adoption of Codes [PWDS, Pg. 27]
 - a. Draft Ordinance 20-O-788 [Pg. 28]
 - b. Draft Edits to BMC chapter 15, Section 15.05.010 - Exhibit A [Pg. 29]
4. Transient Occupancy Tax (TOT) Fund Allocation for Earth Day 2020 event [Pg. 31]
 - a. Earth Day 2020 Event Proposal [Pg. 32]

5. Capella Parking Lot Paving [Pg. 35]
 - a. Capella Parking Lot Plan [Pg. 36]

I. Informational Non-Action Items

J. Remarks from Mayor and Councilors

K. Adjournment

URBAN RENEWAL AGENCY

A. Call to Order

B. Roll Call

C. Consent Calendar

1. Approve URA minutes for January 27, 2020 [Pg. 37]

D. Public Comments

E. Staff Reports

1. Capella Parking Lot Paving [Pg. 38]
 - a. Capella Parking Lot Plan [Pg. 39]

F. Agency Remarks

G. Adjournment

*Public Comment forms and the agenda packet are available on-line at www.brookings.or.us, at Brookings City Hall, and Chetco Community Public Library. Return completed Public Comment forms to the City Recorder before the start of the meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.

City of Brookings *Proclamation*

WHEREAS, the monarch butterfly is an iconic North American species whose multi-generational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, the monarch is also extremely beneficial, pollinating many cultivated flowers and crops, and serves as an indicator species for the ecological health of large geographic areas; and

WHEREAS, the total population at over 200 Western monarch overwintering sites in California has been hovering at quasi-extinction levels (fewer than 30,000 butterflies in both 2018 and 2019) compared with millions during the 1980's; and

WHEREAS, in the summer of 2019, Brookings experienced a rare phenomenon with thousands of monarch eggs having been laid throughout the City resulting in a statewide rescue effort to foster more than 3000 eggs to trained volunteers in 12 different cities throughout Western Oregon; and

WHEREAS, the City of Brookings, assisted by the Brookings Oregon Monarch Advocates, has played a leadership role by becoming the first Monarch City USA in the State of Oregon in May 2017 and by supporting two successful Monarch Butterfly Festivals in 2018 and 2019 with the next to be held in September 2020; and

WHEREAS, with the unanimous consent of the Brookings City Council, Mayor Pieper has recently signed the National Wildlife Federation's Mayors' Monarch Pledge to encourage our residents to make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarchs and pollinators in locations where people live, work, learn, play and worship;

NOW BE IT RESOLVED, that I, Jake Pieper, Mayor of the City of Brookings, do hereby proclaim the month of March as;

Monarch Butterfly Awareness Month

BE IT FURTHER RESOLVED that all citizens are encouraged to plant milkweed and nectar sources, so that monarch butterflies have that resources necessary to produce successive generations and sustain their spectacular migration through the City of Brookings.

In Witness Whereof, I, Mayor Jake Pieper, do hereto set my hand and cause the official seal of the City of Brookings, Oregon, to be affixed this 24 day of February, 2020.

Mayor Jake Pieper



BRUCE'S BODACIOUS BAZAAR
At Azalea Park

I would like to propose utilizing Azalea Park for a Farmer's Market event the 1st. & 3rd Saturday of each month (on available weekends) beginning May 30, 2020 and running through Oct.10,2020. I will be using the Bandshell for an Open Mic and other musical guests, there will be Merchants, Food Vendors, Produce, Beer Garden and a variety of Kids Activities. I would like to see if I could get the City Council to be a part of event by suggesting that on all promos it would read "The Insider of S. Oregon & the City of Brookings present" and hopefully bring the fee for the Park down a bit. I am really looking forward to bringing another great event to the area and to Brookings in particular. I have always wanted to do something outside of the Port that would benefit the community and I am looking forward to addressing the council on bringing "Bruce's Bodacious Bazaar" to the town.
Thank you, Bruce Ellis

City of Brookings
CITY COUNCIL MEETING MINUTES
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, February 10, 2020

Call to Order

Mayor Pieper called the meeting to order at 7:00 PM

Roll Call

Council Present: Mayor Jake Pieper, Councilors Bill Hamilton, Brent Hodges, John McKinney, and Ron Hedenskog; a quorum present

Staff present: City Manager Janell Howard, Public Works and Development Services Director Anthony Baron, Planning Tech Lauri Ziemer and Deputy Recorder Amber Nalls

Media Present: None

Others Present: Approximately 9 audience members

Ceremonies

1. Patricia Brown recognition
 - a. Mayor Pieper and Tony Baron recognized Patt Brown for her years of service on the Parks and Recreation Commission and community service
2. National School Counseling Week Proclamation
 - b. Mayor Pieper presented the Proclamation to DeAnne Varitek and Kristi Folton.
3. Reappointment of Linda Matlock to Budget Committee

Councilor Hedenskog moved, Councilor Hamilton seconded, and Council voted unanimously to reappoint Linda Matlock to the Budget Committee in position #4 to expire February 1, 2023.

4. Reappointment of Sally Laasch to Budget Committee

Councilor Hedenskog moved, Councilor Hodges seconded, and Council voted unanimously to reappoint Sally Laasch to the Budget Committee in position #5 to expire February 1, 2023.

Oral Requests and Communications from the Audience

- Don Bemis, P. O. Box 608 Brookings, OR addressed Council regarding Wreaths across America.
- Marion Roberts, 700 Old County Rd #4 Brookings, OR addressed Council regarding 2020 Census

Consent Calendar

1. Approve Council minutes for January 27, 2020
2. Accept Parks and Recreation minutes for November 21, 2020
3. Accept Planning Commission minutes for November 5, 2019
4. Accept Planning Commission minutes for December 3, 2019

Councilor Hodges moved, Councilor Hedenskog seconded, and Council voted unanimously to approve the Consent Calendar.

Remarks from Mayor and Councilors

None

Adjournment

Councilor Hedenskog moved, Councilor hodge seconded and Council voted unanimously to adjourn the meeting at 7:22 PM.

Respectfully submitted:

ATTESTED:
this 24th day of February, 2020:

Jake Pieper, Mayor

Janell K. Howard, City Recorder

TOURISM PROMOTION ADVISORY COMMITTEE (TPAC) MINUTES
Thursday – December 12, 2019

CALL TO ORDER

Meeting called to order at 4:04 PM

1. ROLL CALL

Present: Committee members Tim Kennedy, Dane Tippman, Skip Watwood, Bob Pieper

Absent: Sonya Billington, Barbara Ciaramella, Matt Honeycutt

Also present: Staff Committee Liaison Lauri Ziemer, City Manager Janell Howard

2. APPROVAL OF MINUTES

Motion made by Dane Tippman to approve the minutes of November 14, 2019; motion seconded by Tim Kennedy. Committee voted and the motion carried 4-0.

3. PUBLIC COMMENT – Mike Carr-Fredericks advised that his business, Chetco Brewing Company had made the 100 Best “Fan Favorite” destinations in Oregon for 2020. Being on the list will bring additional exposure to Brookings and wanted TPAC to continue marketing efforts to encourage tourism in the area.

4. ACTION ITEMS –

- a. Mile x Mile Print Advertising – Alicia Spooner presented a print advertising campaign, offering a two page spread in the yearly magazine for the cost of \$2,243.19. The magazine is printed two times a year and distributed throughout the state and to tourism outlets. TPAC has allocated funds for print advertising in the Mile x Mile in the past and believe it to be beneficial marketing. **Motion made by Dane Tippman to allocate \$2,243.19 in TPAC funds for the 2020 Mile x Mile Print advertising campaign; motion seconded by Bob Pieper. Committee voted and the motion carried unanimously.**

5. INFORMATIONAL ITEMS

- a. TPAC Budget - Committee reviewed budget numbers, noting that event funds are not being requested.

6. Committee Comments on Non-Agenda Items – Dane and Bob attended the Azalea Festival planning meeting and were encouraged about the planning and coordination being done. Dane also wondered if the Port might be someone to partner up with for marketing/advertising, but it was not known if they have a specific budget for it.

7. SCHEDULE NEXT MEETING – Next meeting scheduled for January 9, 2020.

8. ADJOURNMENT – with no further business the meeting adjourned at 4:45 pm.

Respectfully submitted,



Skip Watwood, Chair
(approved at January 9, 2020 meeting)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 7 MONTHS ENDING JANUARY 31, 2020

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	3,236,390.00	91,561.18	2,858,886.57	377,503.43	88.3
LICENSES AND PERMITS	128,000.00	6,518.94	92,987.85	35,012.15	72.7
INTERGOVERNMENTAL	286,800.00	12,492.09	78,433.31	208,366.69	27.4
CHARGES FOR SERVICES	246,000.00	9,752.78	195,968.97	50,031.03	79.7
OTHER REVENUE	197,383.00	9,358.61	124,392.05	72,990.95	63.0
TRANSFERS IN	517,067.00	.00	.00	517,067.00	.0
	<u>4,611,640.00</u>	<u>129,683.60</u>	<u>3,350,668.75</u>	<u>1,260,971.25</u>	<u>72.7</u>
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	31,872.00	1,134.67	13,336.83	18,535.17	41.8
MATERIAL AND SERVICES	12,850.00	400.00	3,553.27	9,296.73	27.7
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>44,722.00</u>	<u>1,534.67</u>	<u>16,890.10</u>	<u>27,831.90</u>	<u>37.8</u>
FINANCE AND ADMINISTRATION:					
PERSONAL SERVICES	349,616.00	28,170.99	198,100.54	151,515.46	56.7
MATERIAL AND SERVICES	175,200.00	2,157.51	68,964.43	106,235.57	39.4
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>524,816.00</u>	<u>30,328.50</u>	<u>267,064.97</u>	<u>257,751.03</u>	<u>50.9</u>
POLICE:					
PERSONAL SERVICES	2,240,968.00	200,320.79	1,296,552.04	944,415.96	57.9
MATERIAL AND SERVICES	183,300.00	8,100.23	90,772.85	92,527.15	49.5
CAPITAL OUTLAY	.00	.00	13,000.00	(13,000.00)	.0
DEBT SERVICE	67,867.00	4,452.31	45,473.10	22,393.90	67.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>2,492,135.00</u>	<u>212,873.33</u>	<u>1,445,797.99</u>	<u>1,046,337.01</u>	<u>58.0</u>
FIRE:					
PERSONAL SERVICES	207,351.00	18,537.34	120,590.46	86,760.54	58.2
MATERIAL AND SERVICES	100,000.00	10,246.04	59,209.33	40,790.67	59.2
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	30,579.00	.00	30,579.01	(.01)	100.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>337,930.00</u>	<u>28,783.38</u>	<u>210,378.80</u>	<u>127,551.20</u>	<u>62.3</u>

CITY OF BROOKINGS
 FUND SUMMARY
 FOR THE 7 MONTHS ENDING JANUARY 31, 2020

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PLANNING AND BUILDING:					
PERSONAL SERVICES	228,662.00	17,792.47	120,617.33	108,044.67	52.8
MATERIAL AND SERVICES	90,800.00	2,805.35	14,607.37	76,192.63	16.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>319,462.00</u>	<u>20,597.82</u>	<u>135,224.70</u>	<u>184,237.30</u>	<u>42.3</u>
PARKS & RECREATION:					
PERSONAL SERVICES	270,876.00	19,083.02	142,210.68	128,665.32	52.5
MATERIAL AND SERVICES	105,500.00	7,809.33	65,392.75	40,107.25	62.0
CAPITAL OUTLAY	35,000.00	.00	24,068.82	10,931.18	68.8
DEBT SERVICE	74,384.00	4,031.88	28,223.16	46,160.84	37.9
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>485,760.00</u>	<u>30,924.23</u>	<u>259,895.41</u>	<u>225,864.59</u>	<u>53.5</u>
FINANCE AND HUMAN RESOURCES:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	.00 (162.27) (19.61)	19.61	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00 (</u>	<u>162.27) (</u>	<u>19.61)</u>	<u>19.61</u>	<u>.0</u>
SWIMMING POOL:					
PERSONAL SERVICES	71,087.00	.00	67,385.97	3,701.03	94.8
MATERIAL AND SERVICES	39,000.00	1,976.38	23,162.80	15,837.20	59.4
CAPITAL OUTLAY	.00	.00	919.97	(919.97)	.0
	<u>110,087.00</u>	<u>1,976.38</u>	<u>91,468.74</u>	<u>18,618.26</u>	<u>83.1</u>
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	161,600.00	7,693.48	52,636.48	108,963.52	32.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	622,239.00	.00	.00	622,239.00	.0
CONTINGENCIES AND RESERVES	632,889.00	.00	.00	632,889.00	.0
	<u>1,416,728.00</u>	<u>7,693.48</u>	<u>52,636.48</u>	<u>1,364,091.52</u>	<u>3.7</u>
	<u>5,731,640.00</u>	<u>334,549.52</u>	<u>2,479,337.58</u>	<u>3,252,302.42</u>	<u>43.3</u>
	<u>(1,120,000.00)</u>	<u>(204,865.92)</u>	<u>871,331.17</u>	<u>(1,991,331.17)</u>	<u>77.8</u>

CITY OF BROOKINGS
 FUND SUMMARY
 FOR THE 7 MONTHS ENDING JANUARY 31, 2020

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	795,000.00	41,487.72	244,238.81	550,761.19	30.7
OTHER REVENUE	14,650.00	86.00	9,121.24	5,528.76	62.3
TRANSFER IN	.00	.00	.00	.00	.0
	<u>809,650.00</u>	<u>41,573.72</u>	<u>253,360.05</u>	<u>556,289.95</u>	<u>31.3</u>
 <u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	208,899.00	17,503.12	115,487.60	93,411.40	55.3
MATERIAL AND SERVICES	208,000.00	10,085.99	56,518.82	151,481.18	27.2
CAPITAL OUTLAY	329,450.00	.00	1,586.00	327,864.00	.5
DEBT SERVICE	22,149.00	1,506.76	10,547.28	11,601.72	47.6
TRANSFERS OUT	156,747.00	.00	.00	156,747.00	.0
CONTINGENCIES AND RESERVES	119,405.00	.00	.00	119,405.00	.0
	<u>1,044,650.00</u>	<u>29,095.87</u>	<u>184,139.70</u>	<u>860,510.30</u>	<u>17.6</u>
	<u>1,044,650.00</u>	<u>29,095.87</u>	<u>184,139.70</u>	<u>860,510.30</u>	<u>17.6</u>
	<u>(235,000.00)</u>	<u>12,477.85</u>	<u>69,220.35</u>	<u>(304,220.35)</u>	<u>29.5</u>

CITY OF BROOKINGS
 FUND SUMMARY
 FOR THE 7 MONTHS ENDING JANUARY 31, 2020

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,725,000.00	122,490.25	1,066,282.90	658,717.10	61.8
OTHER INCOME	53,000.00	2,355.00	38,101.34	14,898.66	71.9
TRANSFERS IN	.00	.00	.00	.00	.0
	1,778,000.00	124,845.25	1,104,384.24	673,615.76	62.1
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	372,792.00	32,787.54	208,786.54	164,005.46	56.0
MATERIAL AND SERVICES	173,900.00	7,217.16	88,520.38	85,379.62	50.9
CAPITAL OUTLAY	50,000.00	2,765.34	31,492.91	18,507.09	63.0
DEBT SERVICE	8,378.00	165.78	3,544.96	4,833.04	42.3
TRANSFERS OUT	24,000.00	.00	.00	24,000.00	.0
	629,070.00	42,935.82	332,344.79	296,725.21	52.8
WATER TREATMENT:					
PERSONAL SERVICES	25,442.00	2,142.80	14,389.70	11,052.30	56.6
MATERIAL AND SERVICES	470,608.00	38,004.99	245,335.89	225,272.11	52.1
CAPITAL OUTLAY	10,000.00	.00	.00	10,000.00	.0
DEBT SERVICE	3,712.00	165.78	3,544.96	167.04	95.5
TRANSFERS OUT	939,649.00	.00	.00	939,649.00	.0
CONTINGENCIES AND RESERVES	179,519.00	.00	.00	179,519.00	.0
	1,628,930.00	40,313.57	263,270.55	1,365,659.45	16.2
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	2,258,000.00	83,249.39	595,615.34	1,662,384.66	26.4
	(480,000.00)	41,595.86	508,768.90	(988,768.90)	106.0

CITY OF BROOKINGS
 FUND SUMMARY
 FOR THE 7 MONTHS ENDING JANUARY 31, 2020

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	(4,500.00)	.00	.00	(4,500.00)	.0
CHARGES FOR SERVICES	3,220,300.00	271,255.61	1,856,301.64	1,363,998.36	57.6
OTHER REVENUE	20,000.00	(725.00)	12,340.85	7,659.15	61.7
TRANSFER IN	.00	.00	.00	.00	.0
	<u>3,235,800.00</u>	<u>270,530.61</u>	<u>1,868,642.49</u>	<u>1,367,157.51</u>	<u>57.8</u>
 <u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	572,588.00	48,034.30	314,530.99	258,057.01	54.9
MATERIAL AND SERVICES	218,900.00	4,150.78	62,636.91	156,263.09	28.6
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	8,378.00	165.78	3,544.96	4,833.04	42.3
TRANSFERS OUT	189,319.00	.00	.00	189,319.00	.0
	<u>1,004,185.00</u>	<u>52,350.86</u>	<u>380,712.86</u>	<u>623,472.14</u>	<u>37.9</u>
 WASTEWATER TREATMENT:					
PERSONAL SERVICES	38,478.00	3,214.30	21,586.76	16,891.24	56.1
MATERIAL AND SERVICES	929,139.00	82,999.76	487,755.99	441,383.01	52.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	3,712.00	165.78	3,544.96	167.04	95.5
TRANSFERS OUT	1,446,118.00	.00	.00	1,446,118.00	.0
CONTINGENCIES AND RESERVES	318,668.00	.00	.00	318,668.00	.0
	<u>2,736,115.00</u>	<u>86,379.84</u>	<u>512,887.71</u>	<u>2,223,227.29</u>	<u>18.8</u>
	<u>3,740,300.00</u>	<u>138,730.70</u>	<u>893,600.57</u>	<u>2,846,699.43</u>	<u>23.9</u>
	<u>(504,500.00)</u>	<u>131,799.91</u>	<u>975,041.92</u>	<u>(1,479,541.92)</u>	<u>193.3</u>

CITY OF BROOKINGS
 FUND SUMMARY
 FOR THE 7 MONTHS ENDING JANUARY 31, 2020

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	608,795.00	10,319.98	520,032.64	88,762.36	85.4
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	2,000.00	.60	2,650.96	(650.96)	132.6
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>610,795.00</u>	<u>10,320.58</u>	<u>522,683.60</u>	<u>88,111.40</u>	<u>85.6</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	35,000.00	.00	3,009.32	31,990.68	8.6
CAPITAL OUTLAY	310,056.00	.00	.00	310,056.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	450,739.00	.00	.00	450,739.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>795,795.00</u>	<u>.00</u>	<u>3,009.32</u>	<u>792,785.68</u>	<u>.4</u>
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>795,795.00</u>	<u>.00</u>	<u>3,009.32</u>	<u>792,785.68</u>	<u>.4</u>
	<u>(185,000.00)</u>	<u>10,320.58</u>	<u>519,674.28</u>	<u>(704,674.28)</u>	<u>280.9</u>

BROOKINGS PLANNING COMMISSION

2019 YEAR IN REVIEW

The Brookings Planning Commission met in quorum ten times in 2019. The Commission is made up of seven members and currently has one vacancy. It is chaired by Gerald Wulkowicz with Tim Hartzell serving as Vice Chair. The other members of the Commission include: Skip Hunter, Clayton Malmberg, Cody Coons and Bill Dundom. Cheryl McMahan retired from the Commission in August after serving 11 years. Tony Baron serves as Public Works and Development Services Director and Lauri Ziemer as Planning Tech.

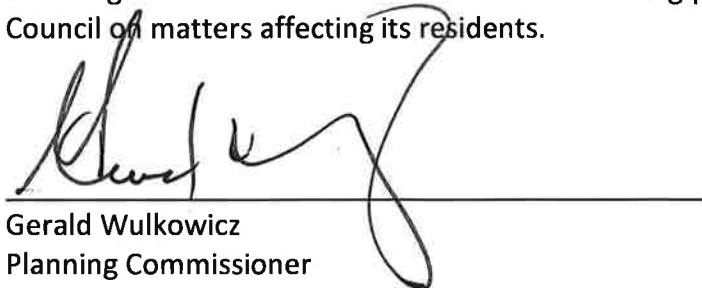
In 2019 the City engaged the services of Lane County of Governments (LCOG) who assisted staff with the Riparian Protection Overlay Zone Ordinance that was adopted by the City Council in April, 2019.

During the year the Planning Commission acted on the following matters:

- Approval of seven Conditional Use Permits as short term rentals.
- Approval of four Minor Changes. The Minor Changes included two for change of ownership in a Conditional Use Permit, one for a change of a Bed & Breakfast to a short term rental and one change reducing a 33 unit residential care facility to a ten bed medical office facility with parking lot changes and improvements.
- Approval of one Minor Partition splitting one parcel into three.
- Commission participated in two Joint City Council/Planning Commission workshops to add the Riparian Ordinance and in discussing future urban renewal district projects.

Upcoming 2020 Planning Commission agenda items include reviewing a temporary housing ordinance, Land Development Code Changes on C2 Zoning language and an annexation.

The Planning Commission looks forward to the upcoming year and serving the residents of Brookings with a fair and unbiased decision making process as well as advising the Brookings City Council on matters affecting its residents.



Gerald Wulkowicz
Planning Commissioner
February 4, 2020

CITY OF BROOKINGS POLICE DEPARTMENT

Kelby McCrae, Chief of Police



To: Brookings City Council through City Manager Janell Howard
From: Lieutenant Donny Dotson
Date: 02/19/2020
Subject: Liquor License Application

The Brookings Police Department found no **local** disqualifying information prohibiting **Samuel Athayde or Constance Athayde** with their attached **Limited On-Premises** liquor license application. The business "**Tropicalia Brazilian Cuisine, LLC**" is located at 777 Cottage St. Brookings, Oregon. It is the recommendation of the Brookings Police Department the above mentioned applicants be granted their request with final approval coming from the **Oregon Liquor Control Commission**.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Donny Dotson".

Lieutenant Donny Dotson
Brookings Police Department





LIQUOR LICENSE APPLICATION

1. Application: **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1st Location	Date application received and/or date stamp:
<input type="checkbox"/> Brewery 2nd Location	
<input type="checkbox"/> Brewery 3rd Location	Name of City or County:
<input type="checkbox"/> Brewery-Public House 1st Location	
<input type="checkbox"/> Brewery-Public House 2nd Location	Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Brewery-Public House 3rd Location	
<input type="checkbox"/> Distillery	By: _____
<input type="checkbox"/> Full On-Premises, Commercial	Date: _____
<input type="checkbox"/> Full On-Premises, Caterer	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	Date application received:
<input type="checkbox"/> Full On-Premises, For Profit Private Club	By: _____
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	License Action(s):
<input type="checkbox"/> Grower Sales Privilege 1st Location	
<input type="checkbox"/> Grower Sales Privilege 2nd Location	
<input type="checkbox"/> Grower Sales Privilege 3rd Location	
<input checked="" type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1st Location	
<input type="checkbox"/> Winery 2nd Location	
<input type="checkbox"/> Winery 3rd Location	
<input type="checkbox"/> Winery 4th Location	
<input type="checkbox"/> Winery 5th Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

[Signature]
(Applicant #1)

Constance Athayde
(Applicant #2)

(Applicant #3)

(Applicant #4)


3. Trade Name of the Business (Name Customers Will See) <u>Tropicalia Brazilian Cuisine, LLC</u>		
4. Business Address (Number and Street Address of the Location that will have the liquor license) <u>777 Cottage St</u>		
City <u>Brookings</u>	County <u>CURRY</u>	Zip Code <u>97415</u>


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 24, 2020

Originating Dept: PW/DS



Signature (submitted by)


City Manager Approval

Subject: Land Development Code Revisions – C2 in C3

Recommended Motion:

Move to approve file LDC-1-20 and adopt ordinance 20-O-785 amending the Brookings Municipal Code Chapter 17, Section 17.52.020 Permitted Uses.

Motion to adopt ordinance 20-O-785 amending the Brookings Municipal Code Chapter 17, Section 17.52.020 Permitted Uses.

Financial Impact: None

Background/Discussion Staff recently reviewed a request from a local business to relocate their garden supply/florist store, which is an outright use in a Shopping Center Commercial C-2 zone, to a lot in a General Commercial C-3 zone. The Land Development Code (LDC) currently has provisions for C-2 zone but our zone map doesn't indicate any land for this use.

Staff is proposing to add a provision in a C-3 zone to allow any outright permitted use in the C-2 zone.

The same issue occurs for uses in a C-1 zone which is referenced as an outright permitted use in a C-2 zone.

The proposed addition has minimal impact as there are currently several businesses identified as an outright use in a C2 zone operating in a C3 zone.

The Planning Commission at its February 4, 2020 meeting approved a recommendation to Council for the approval of file LDC-1-20.

Staff recommends the approval of file LDC-1-20 and the adoption of Ordinance 20-O-785 amending the Brookings Municipal Code, Chapter 17.52.020 Permitted Uses.

Attachment(s):

- a. Ordinance 20-O-785
- b. Exhibit A

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 20-O-785

**IN THE MATTER OF ORDINANCE 20-O-785, AN ORDINANCE AMENDING A SUBSECTION OF
BROOKINGS MUNICIPAL CODE IN CHAPTER 17.52.020 PERMITTED USES**

Sections:

Section 1. Ordinances Identified.

Section 2. Amends Chapter 17.52.020 Permitted Uses

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends the Brookings Municipal Code Sections 17.52.020 Permitted Uses

Section 2. Amend Chapter 17.52.020 Permitted Uses, is hereby amended to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: _____ Passage: _____

Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2020

ATTEST:

Mayor Jake Pieper

City Recorder Janell K Howard

Exhibit A

General Commercial (C-3)

Changes to BMC:

(additions are bold and underlined, deletions are ~~bold and strikeout~~)

17.52.020 Permitted uses.

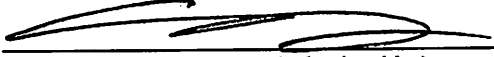

O. Any permitted use in the C-2 district, except residential uses;

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 24, 2020

Originating Dept: PW/DS


Signature (submitted by)

City Manager Approval

Subject: Land Development Code Revisions - Accessory Dwelling Unit

Recommended Motion:

Move to approve file LDC-2-20 and adopt ordinance 20-O-786 amending the Brookings Municipal Code Chapter 17, Section 17.180 Workforce Housing.

Move to adopt file LDC-2-20 and adopt ordinance 20-O-786 amending the Brookings Municipal Code Chapter 17, Section 17.180 Workforce Housing.

Financial Impact: None

Background/Discussion: On August 8, 2019, Governor Brown signed HB 2001, which established that off-street parking and owner-occupancy requirements are not “reasonable local regulations relating to siting and design.” This means that, even if a local development code requires off-street parking and owner-occupancy, effective January 1, 2020, local jurisdictions may not mandate off-street parking spaces for ADU’s nor require a property owner to live in either the primary or accessory dwelling. The law provides an exception for ADUs that are used as vacation rentals, which may be mandated to provide off-street parking or have owner occupancy requirements.

ADU requirements within HB 2001 affects cities with a population greater than 2,500 and counties with a population greater than 15,000 (and jurisdictions of any size that seek to allow more housing choices within urban growth boundaries).

The City of Brookings Land Development Code currently has provisions for ADU’s within Chapter 17.180 Workforce Housing. The code as it reads now requires revision.

Staff recommends the approval of file LDC-2-20 and the adoption of ordinance 20-O-786 amending the Brookings Municipal Code, Chapter 17.180 Workforce Housing.

Attachment(s):

- a. Ordinance 20-O-786
- b. Exhibit A
- c. HB 2001 Section by Section Summary

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 20-O-786

**IN THE MATTER OF ORDINANCE 20-O-786, AN ORDINANCE AMENDING A SUBSECTION OF
BROOKINGS MUNICIPAL CODE IN CHAPTER 17.180 WORKFORCE HOUSING**

Sections:

- Section 1. Ordinances Identified.
- Section 2. Amends Chapter 17.180 Workforce Housing

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends the Brookings Municipal Code Sections 17.180 Workforce Housing

Section 2. Amend Chapter 17.180 Workforce Housing, is hereby amended to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: _____ Passage: _____
Second Reading: _____ Effective Date: _____
Signed by me in authentication of its passage this _____, day of _____, 2020

ATTEST:

Mayor Jake Pieper

City Recorder Janell K Howard

Exhibit A

Work Force Housing

Changes to BMC:

(additions are **bold and underlined**, deletions are ~~bold and strikeout~~)

Chapter 17.180

WORKFORCE HOUSING

17.180.040 Accessory dwelling unit.

C. Only the property owner may apply for an ADU. ~~The property owner must occupy the primary dwelling as their primary residence. A "primary residence" shall be the residence where the owner is registered to vote, used as the primary residence for tax purposes, or with other proof that the residence is primary. The owner shall sign an affidavit before a notary affirming that the owner occupies the primary dwelling. A deed restriction shall be recorded and a copy provided to the city declaring the accessory dwelling unit status of the subject property.~~

F. ~~Deleted~~ One off-street parking space shall be provided for the ADU in addition to the two off-street parking spaces required for the primary dwelling pursuant to Chapter 17.92 BMC.

HB 2001 Section-by-Section Summary

SECTION 1: Placement of new requirement in statute

Places section 2 in ORS 197

SECTION 2: Middle housing inclusion mandate

Section 2(1) Definitions:

- "cottage cluster": 4 or more detached units per acre with a 900 sq. feet footprint and shared courtyard
- "Middle Housing": duplexes, triplexes, quadplexes, cottage clusters and townhouses
- "Townhouses": row of 2 or more attached units with at least one common wall between units, each on individual lots/parcels

Sections 2(2) - 2(4) Requirements:

- Section 2(2) Cities outside Metro with populations 25,000 or more and cities within Metro with populations of 1,000 (per section 2(4)) or more must allow development of:
 - All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings AND
 - A duplex on every lot or parcel zoned for residential use that allows single-family dwellings
- Section 2(3) Cities outside Metro with populations more than 10,000 and less than 25,000 shall allow the development of:
 - A duplex on each lot or parcel zoned for residential use that allow for development of detached single-family dwelling
 - These cities may also allow other middle housing types in these areas
- Section 2(4) The areas that are not impacts are:
 - Lands not in a UGB
 - Unincorporated lands without sufficient urban services (ORS 195.065)
 - Lands not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses OR
 - Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development

Section 2(5) Permitted regulatory options

- Can regulate siting & design
 - These regulations cannot individually or cumulatively discourage development of all middle housing types permitted in the area through unreasonable costs or delay
- Can regulate to comply with "protective measures adopted pursuant to statewide land use planning goals"
- Can permit middle housing in areas not included in requirement
- Can allow single-family dwelling units to be built

SECTION 3: Timing and Enforcement for compliance with mandates

Section 3(1) Timing

- Cities included under section 2(2) must complete their comprehensive plan revision implementing section 2 by June 30, 2022
- Cities included under section 2(3) must complete their comprehensive plan revision implementing section 2 by June 30, 2021

Section 3(2) DLCD Model

DLCD shall develop a model middle housing code by December 31, 2020

Section 3(3) Enforcement

If city does not update their comprehensive plan by the deadlines set in section 3(1), the model ordinance developed under section 3(2) shall be directly applied until revisions are adopted

Section 3(4) Incentives

Cities shall consider ways to increase the affordability of middle housing through ordinances/policies that include, but are not limited to:

- Waiving/deferring system development charges
- Adopting or amending criteria for property taxes AND
- Assessing a construction excise tax

Section 3(5) Transportation system plan update

Action taken under section 2 does not require the city to consider whether the amendments significantly affect an existing or planned transportation facility

SECTION 4: Extension for underserved areas

Sections 4(1) - 4(2) Extension

DLCD can grant an extension for completion of the requirements under Section 2 for specific areas within the city if:

the city has identified water, sewer, storm drainage or transportation service that are either significantly deficient or are expected to be significantly deficient before December 31, 2023

the city has a plan of action to remedy the deficiency in the services approved by the department extension cannot exceed the period of time by which the city plans for remedy

Section 4(3) Areas not under extension

Areas not provided an extension must apply the change in comp plan adopted under section 2 or the model code under section 3 if they do not have a local update in place

Section 4(4)-4(6) Process

Deadline for filing

- Cities included under section 2(2) must file by June 30, 2021
- Cities included under section 2(3) must file by December 3 2020

Deadline for decision

- DLCD must rule on an extension for cities under section 2(2) within 120 days of receipt of a complete application
- DLCD must rule on an extension for cities under section 2(3) within 90 days of receipt of a complete application

Form & Substance of application

- DLCD shall create an application for extension by rule and may include rules regarding:
 - Defining the affect areas
 - Calculating the deficiencies of water, sewer, storm drainage or transportation services
 - Service deficiency levels required to qualify
 - Components and timing of a remediation plan to qualify
 - Standards for evaluating applications AND
 - Establishing deadlines and components for approval of the plan of action

SECTION 5: Housing Capacity Calculations and Actions

Amendments to ORS 197.296 (Buildable lands capacity analysis for residential land in Metro and cities over 25,000 in population)

- Adds language to requirement of tasks the local government must complete during periodic review or legislative review of the comp plan/regional framework related to a UGB and applying the housing goal under ORS 197.296(3)(b):
 - cities/Metro conduct analysis of existing and projected housing need by type
 - in accordance with all factors under ORS 197.303
- Amends language related to the applicable data to be used to determine housing capacity under ORS 197.296(5):
 - Deletes application of section to determination of housing need
 - Amends reference from section (3) of ORS 197; 296-to-refer-to-section-(3)(a) of ORS 197.296
 - Changes the period of data to be consider to data collected since the last review or six years, whichever is greater
 - Adds data to be considered:
 - (C) Market factors that may substantially impact future urban residential development; and
 - Deletes the following data from consideration:
 - (C) Demographic and population trends
 - (D) Economic trends and cycles;
 - Changes the exception for using a wider geographic area or longer time period by deleting the reference to "for economic cycles and trends" under ORS 197.296(5)(b) and applies to all data considered
- Amends requirements for addressing a finding that need is greater than capacity under ORS 197.296(6)
 - Changes language under ORS 197.296(6) to allow a city to take action under one or both (instead of "more" in current statute)
 - Amends option related to updating its comprehensive plan, regional framework plan, functional plan or land use regulation under ORS 197.296(6)(b)
 - Deletes requirement that the local government *monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or*
 - Adds requirement that the local government adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local Jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has

been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

- o Deletes option of a combination of the actions under paragraphs (a) and (b) under ORS 197.269(c), which is allowed by the language change in the section (6) language
- o Defines "authorized density"
 - (c) As used in this subsection, "authorized density level" has the meaning given that term in ORS 227.175.
- Amends ORS 197.269(7) to use the housing need analysis conducted under ORS 197.296(3)(b)
- Amends ORS 197.269(8)(b) to require the monitoring of actions taken under ORS 197.296(6) and (7) following the adoption of these actions. (timing is currently not specified)
- Amends ORS 197.269(9) add requirement that the local government adoption actions under ORS 197.296(6) and (7) shall ensure that land zoned for needed housing is ... and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period.

SECTION 6: Needed housing definition

Amends ORS 197.303 (defining needed housing)

- Expands the sections of the ORS to which the definition applies to ORS 197.295 to 197.314
- Adds a new subsection (2)-(4):
 - o (2) For the purpose of estimating housing needs, as described in ORS 197.296(3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:
 - (a) Household sizes;
 - (b) Household demographics in terms of age, gender, race or other established demographic category;
 - (c) Household incomes;
 - (d) Vacancy rates; and
 - (e) Housing costs.
 - o (3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.
 - o (4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.
 - o Renumbers current subsections (2) & (3) to (5) & (6)

SECTION 7: ADU regulation amendment

Amends ORS 197.312 as amended in 2018 to require the inclusion of AOU's on lots that allow single-family dwellings

- Add a limits on "reasonable local regulations":
 - o (B) "Reasonable local regulations relating to siting and design" does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.
- Clarifies ability to regulate short term rentals:
 - o (6) Subsection (5) of this section does not prohibit local governments from regulating vacation occupancies, as defined in ORS 90.100, to require owner-occupancy or off-street parking.

SECTION 8: Severely rent burdened community requirements

Amends the laws adopted in 2018 related to requirements for cities with a population greater than 10,000 that are severely rent burdened for reporting and meeting requirements

- Deletes section (l)(c):
 - o (c) *A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.*
- Adds new units of housing required for reporting:
 - o (g) Accessory dwelling units.
 - o (h) Regulated affordable accessory dwelling units.
 - o Units of middle housing, as defined in section 2 of this 2019 Act.
 - o (j) Regulated affordable units of middle housing.

SECTION 9: Conversion building code process

Amends ORS 455.610 to allow for local options for conversion of single-family units into duplexes, triplexes or quadplexes

Adds the following requirements:

- (8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise

Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

- (9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.
 - (b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:
 - (A) A written explanation of the basis for the denial; and
 - (B) A statement that describes the applicant's appeal rights under subsection (10) of this section.
- (10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:
 - (A) Is other than a judicial proceeding in a court of law; and
 - (B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.
- (b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.
- (c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.
- (11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

SECTION 10: Report relating reducing costs

Adds requirement that the Department of Consumer and Business Services create a report on reducing the costs and administrative barriers to development

Adds the following reporting requirement

- It is the policy of the State of Oregon to reduce the extent practicable administrative and permitting costs and barriers to the construction of middle housing, as defined in section 2 of this 2019 Act, while maintaining safety, public health and the general welfare with respect to construction and occupancy.
- The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2016 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11: Technical placement of statute

Places section 12 in ORS 94.550 to 94.783 (Relating to planned communities and their governing documents)

SECTION 12: Planned Unit Development governing documents

Any provision in a governing document of a planned unit development created after this bill goes into effect that preempts the development of middle housing is unenforceable.

- Adds provision to ORS 94:
 - A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13: Deed Restrictions

Adds provisions to the law:

- A provision in a recorded instrument affecting real property is not enforceable if:
 - (1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:
 - (a) Middle housing, as defined in section 2 of this 2019 Act; or
 - (b) An accessory dwelling unit allowed under ORS 197.312(S); and
 - (2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14: Operative Date

Sets an operative date of January 1, 2020 for section 1, 5-9, and 12-13. Allows DLCD and DCBS to take action necessary to meet the duties assigned in the bill prior to January 1, 2020.

SECTION 15: Technical Assistance

Provides \$3.5 million for DLCD to provide as technical assistance to local jurisdictions subject to requirements of the bill. Prioritizes funds to cities with limited planning staff or that commit to early implementation.

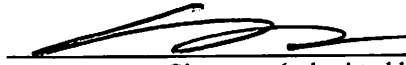
SECTION 16: Emergency Clause

The bill goes into effect upon passage and signing into law.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 24, 2020


Signature (submitted by)

Originating Dept: PW/DS


City Manager Approval

Subject: Building Code Amendments Ordinance

Recommended Motion:

Move to adopt Ordinance 20-O-788 amending the Brookings Municipal Code Chapter 15.05.010 Adoption of Codes.

Financial Impact: None

Background/Discussion:

The State of Oregon Building Codes Division has revised Chapter 1 (Scope and Administration), Section 101.2 Scope, of the Oregon Structural Specialty Code (OSSC) to exclude a list of 26 building activities from regulation under this code. A new list of 20 building activities has been established in Section 101.2 that are consistent with the purpose and scope of the code thereby granting municipalities the ability to enact local ordinances in order to regulate these building activities.

The City of Brookings has historically understood that the 26 building activities included in OSSC Section 101.2 Scope, were established to ensure that these building activities conformed to the health, safety, and energy efficiency standards contained in the code. Staff is proposing a local ordinance in order to subject the now exempt 20 building activities listed in OSSC Section 101.2, and believe that this best serves the health and welfare of the community.

Staff recommends Adoption of Ordinance 20-O-788 amending the Brookings Municipal Code, Chapter 15.05 Building Codes, Section 15.05.010 Adoption of Codes.

Attachment(s):

- a. Ordinance 20-O-788
- b. Exhibit A

IN AND FOR THE CITY OF BROOKINGS

STATE OF OREGON

ORDINANCE 20-O-788

IN THE MATTER OF ORDINANCE 20-O-788, AN ORDINANCE AMENDING SECTION 15.05.010, ADOPTION OF CODES, OF THE BROOKINGS MUNICIPAL CODE.

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amend Section 15.05.010, Adoption of Codes.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 15.05.010, Adoption of codes, and adds chapter 15.10, Non Habitable Structures, of Brookings Municipal Code.

Section 2. Amend Section 15.05.010. Section 15.05.010, Adoption of Codes, is hereby amended to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: _____ Passage: _____

Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2020

ATTEST:

Mayor Jake Pieper

City Recorder Janell K Howard

Exhibit A

Building Codes Adoption Ordinance

Changes to BMC:

[Additions are **bold and underlined**, Deletions are ~~bold and strikeout~~]

AMEND 15.05.010:

15.05.010 Adoption of codes.

From the effective date of the ordinance codified in this chapter, the construction, alteration, repair, demolition, moving, use or occupancy of a structure within the jurisdiction of the city of Brookings shall comply with the standards and requirements of the following codes, as now exist or as hereafter amended, each of which ~~are~~ **is** hereby adopted by this reference into the ordinances of the city of Brookings. Also by this reference the city adopts those provisions of the Oregon Administrative Rules which implement these codes. The building official shall enforce the regulations and provisions set forth in the codes and the Oregon Administrative Rules as if the same were set forth herein.

A. The currently adopted Oregon Structural Specialty Code, including the appendices adopted by the state of Oregon and specifically adopting Appendix J. **and Appendix H., except as hereinafter specifically modified.**

- 1. Those types of construction activities listed in Section 101.2 as outside of the authority of the Oregon Structural Specialty Code, but within the authority of municipalities to regulate by local ordinance. Such activities shall be subject to the relevant construction standards contained in the current Oregon Structural Specialty Code.**

B. The currently adopted Oregon Mechanical Specialty Code;

C. The currently adopted Oregon Plumbing Specialty Code;

D. The currently adopted Oregon Residential Specialty Code; provided, however, that ORS 455.320 shall not be applicable.

E. The currently adopted Oregon Fire Code and referenced NFPA standards;

F. The Uniform Code for the Abatement of Dangerous Buildings; 1997 Edition, published and copyrighted by the International Conference of Building Officials is hereby adopted in its entirety, except as hereinafter specifically modified, to by hereinafter referred to as the Dangerous Building Code.

(1) Section 203 is modified to read as follows: Citations for violations shall be issued in conformance with Brookings Municipal Code Section 8.15.090; General abatement procedure, 8.15.100; Summary abatement and 1.05; Penalties.

(2) Section 701.1 is modified by deleting the last sentence of the paragraph.

(3) Section 901 is modified by substituting the term "City Manager or designee" for the term "public services director" and "finance and human services director" for the term "clerk"

(4) Section 902 is modified by substituting the term "finance and human Services director" for the term "clerk"

(5) Section 903 is modified by substituting the term “finance and human services director” for the term “clerk”

(6) Section 905 is modified to read as follows:

“905. Assessment. After the proceedings described in Section 904 of this code, the Municipal Court Judge may order that the said charge be imposed as a special assessment against the real property involved and cause the same to be entered in the docket of City liens and thereafter the said assessment shall constitute a lien against said property.

(7) Sections 906, 908, 909, 910, 911 and 912 to be omitted.

G. The currently adopted Oregon Manufactured Dwelling Standards;

H. The currently adopted State of Oregon Parks and Camps Rules. [Ord. 14-O-733 § 2; Ord. 10-O-656 § 2; Ord. 07-O-588 § 2; Ord. 06-O-575; Ord. 96-O-349.D § 3; Ord. 93-O-349.C §§ 2 – 5; Ord. 90-O-349.B § 1; Ord. 90-O-349.A §§ 2, 3, 4; Ord. 86-O-408 § 2; Ord. 81-O-349 § 1.]

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 24, 2020

Originating Dept: City Manager

Signature (submitted by)



City Manager Approval

Subject:

Transient Occupancy Tax (TOT) Fund Allocation for the Earth Day 2020 event.

Recommended Motion:

As recommended by the Tourism Promotion Advisory Committee (TPAC), move to allocate \$500 to Southern Oregon Climate Action Now (SOCAN) for the Earth Day 2020 event.

Financial Impact:

\$500 allocated from TOT revenues set aside for tourism promotion.

Background/Discussion:

Bill Gorham and Karen Cunningham of SOCAN submitted a request for TPAC funding assistance in the amount of \$500 for an event celebrating the 50th anniversary of Earth Day scheduled April 18, 2020. The event will feature educational and informational speakers, Earth Day themed displays, projects for kids, demonstrations and music. Funds are requested to assist with advertising the event and encourage visitors from outside the area to attend.

This matter was considered by TPAC at their February 13, 2020 meeting. TPAC members discussed the type of tourists the event would draw, participating sponsors, the activities being conducted and event costs.

TPAC recommended by a unanimous vote of granting \$500 from TOT funding for the event.

Attachment:

Earth Day 2020 Event Proposal



Tourism Promotion Advisory Committee
City of Brookings
898 Elk Drive
Brookings, OR 97415

Dear TPAC Committee Members,

I am writing you to request \$500 in funding for our celebration of the 50th anniversary of the first Earth Day from 1970. The event will be held on Saturday, April 18, 2020 at the Curry Campus of the Southwestern Oregon Community College from noon until 5:00. The event is free to all interested participants.

As described in the attached flyer for our celebration, we will have educational/informational tables for organizations to explain what they do to protect and enhance our natural resources. Organizations range from the US Forest Service and Bureau of Land Management to the Audubon Society, the Curry Watershed Protection Councils, the Wild Rivers Permaculture Guild, and the Brookings Oregon Monarch Advocates. We will also have 20-minute talks by many of these organizations as well as experts in other areas such as forest management, waste recycling, energy efficiency, alternative energy sources, and climate change. The final presentation will be a five-person panel that will discuss what the next decade and beyond holds for Curry County and adjacent areas.

In addition to the information tables and speakers, we will have displays of Earth Day themed art from kids, teens, and adults, demonstration of electric cars owned by local residents, music and poetry from local artists, and locally grown foods. To encourage students interested in the natural environment, we will have counselors available to talk with students about potential job training and opportunities. To support that outreach, we will have a silent auction of prizes donated by local businesses and organizations with all proceeds going to a scholarship at SWOCC for a student pursuing a course of studies related to protection of the natural environment.

To maximize the turn out of this celebration and achieve the best results, we seek to publicize the event as widely as practical in an effort to bring in attendees from Curry County and beyond. We're pursuing all cost-free options but recognize the critical value of distributing and posting printed materials. We are asking TPAC for \$500 to cover the costs of this advertising and, in turn, would list the City of Brookings as a co-sponsor of this event..

If you have any questions or would like additional information, I would be happy to address your committee at the TPAC meeting at which our request for funds will be considered.

Thank you for your time and attention.

Sincerely, 

Bill Gorham, Ph.D.
Co-facilitator Coastal SOCAN (Southern Oregon Climate Action Now)
Gorham.bill@gmail.com
805-377-9336



Earth Day 2020

50th Anniversary Celebration

Southwestern Oregon Community College – Curry Campus
April 18, 2020 ❁ Noon to 5pm

All activities free and open to the public.

Sponsored by Coastal Southern Oregon Climate Action Now
and Southwestern Oregon Community College.

Activities:

TABLE FAIR: Meet the people who care for the rivers, forests and animals of the Curry & Del Norte coast. Learn about current local and global environmental issues and what our communities are doing to protect our abundant and beautiful region. College advisors will be present to talk with prospective students about how to jumpstart a career in science.

PRESENTATIONS: Listen to concise 20-minute presentations about environmental issues affecting Curry & Del Norte Counties now and in the future. Hear about local solutions for alternative energy, resiliency of the community in a time of severe weather, ocean acidification and other consequences of climate crisis.

FILMS & VIDEOS: Watch short films and videos on a variety of environmental topics.

FOOD & ENTERTAINMENT: Enjoy Earth Day art entrees ---- hear local poets -- -- listen to or even sing along with folk music ---- enjoy light refreshments.

PRIZES: Compete for prizes from participating organizations, such as trees to plant suitable for plant Zone 9. Support local community efforts by trying your luck in a silent auction in which proceeds are dedicated to a scholarship for a student attending SWOCC and pursuing a path in environmental science. Win door prizes by getting stamps from each information table on a collectable Earth Day card.

Event Title: 50th Anniversary of Earth Day **Amount Requested** \$ 500.00

Organization: Coastal SOCAN (Southern Oregon Climate Action Now).

Event Description: A celebration of the 50th anniversary of the first Earth Day in 1970. We will have information/education tables for 15-20 organizations focusing on environmental activities including the Watershed Protection Councils, Audubon Society, Ocean Coastal Energy Alliance Network, Wild Rivers Permaculture Guild, and others. We will have 14 presentations on topics from Monarch Butterflies and Ocean Acidification to forest restoration and permaculture. We'll be showing short films, displaying electric cars, and have a panel about Curry County in the coming decades. We'll also have displays of art from local artists with the theme of environmental stewardship. Please see the attached flyer for our event.

Event Date/s: Saturday, April 18, 2020

Location: Curry Campus of Southwestern Oregon Community College (SWOCC) **Location secured?** Yes No

Event Goals: We seek to provide a stimulating educational event that will encourage active discussions and the sharing of information about the natural world. We wish to foster conversations across a range of ages and social groups about finding solutions to the environmental challenges that we'll face here in Curry County as our natural world changes. We want to engage as many people as possible so we can find solutions to the many challenges the future will bring. To support our educational efforts, we're holding a silent auction with all proceeds going to a scholarship to a SWOCC student at the Curry campus studying natural resources or a related field.

How will this event be sustained after the first year? We expect that with a good inaugural event, we will have good, on-going organizational support to staff information tables and present stimulating talks. Coastal SOCAN will also hold fundraising events throughout the year.

Sponsors/Investors: We are seeking local businesses to donate items for the silent auction and natural resources organizations to staff the information/education tables. We have not identified all our sponsors yet. There are no investors.

How will funds be used:

Event Budget

Income		Expenses	
Fees Collected	\$ 0.00	Facility/Venue Costs	\$ 0.00
Admissions	\$ 0.00	Insurance	\$ 0.00
Concessions	\$ 0.00	Advertising	\$ 450.00
	\$	Supplies	\$ 50.00
	\$		\$
TOTAL	\$ 0.00	TOTAL	\$ 500.00

How do you intend to evaluate the success of your event and determine the number of out of town visitors?
 As part of our educational tables, we will have participants fill out "passports" by getting a stamp from each table. Once their card is filled they will receive a small gift such as a coupon for a discounted beverage or free coffee. They will also deposit their card in a bowl for a drawing for a final larger prize. Each passport will have contact information to let them know if they won the prize so they won't have to be in attendance for the final drawing. We'll review that information to assess local residents verses out of town visitors.

Contact Person: Bill Gorham

Phone: 805-377-9336

Email: Gorham.bill@gmail.com


Mailing Address: 14834 Oceanview Drive, Brookings OR 97415

If more space is required please attach additional pages


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: February 24, 2020


Signature (submitted by)

Originating Dept: PWDS


City Manager Approval

Subject: Capella Parking Lot Paving

Recommended Motion: Motion to authorize City Manager to enter into an agreement with Tidewater Contracting in the amount of \$237,415 to complete upgrades to the Capella parking lot in Azalea Park

Financial Impact: The Capella parking lot project will be funded from Urban Renewal Funds, Capital Reserve Funds and Natures Coastal Holiday fundraising proceeds. Tidewater Contracting Inc. was the low bidder.

Bidders	Bid
Paradise Contracting	\$294,341
Tidewater Contracting Inc.	\$237,415

Council authorized City Manager in August of 2019 to enter into an agreement with the Dyer Partnership in the amount of \$54,502 to complete the design of the parking lot. The design was funded from the Capital Reserve Fund.

Background/Discussion: City Staff applied for a local government grant in 2019 offered by Oregon Parks and Recreation Department (OPRD) for the Azalea Park Ball Field Reconfiguration-Phase 4 project which included an upgrade of the Capella parking lot and the development of a picnic shelter near Kid Town. The grant application was denied. Phase 1, 2 and 3 of the Azalea Park Ball Field Reconfiguration project have been completed over the past five years funded by grants totaling \$870,323 and City required matching funds.

NCH initiated the process with a request to partner with the City to complete the Capella parking lot project. Available safe parking is difficult during the holiday event. It had been staff and NCH goal to have the parking lot constructed by the opening of the holiday event in 2019 but the unsuccessful attempt at the OPRD local government grant delayed the schedule. Natures Coastal Holiday in the past has also funded the installation of 8 light poles at a cost of approximately \$13,060. NCH has raised approximately \$50,000 to date for upgrades to the Capella parking lot.

On January 23rd the Parks and Recreation Commission voted to recommend Urban Renewal Agency approve the use of urban renewal funds for the development of the Capella parking lot at Azalea Park. Urban Renewal Agency approved the use of the funds for the project at its January 27, 2020 meeting.

Attachment(s):

- a. Capella Parking Lot Plan

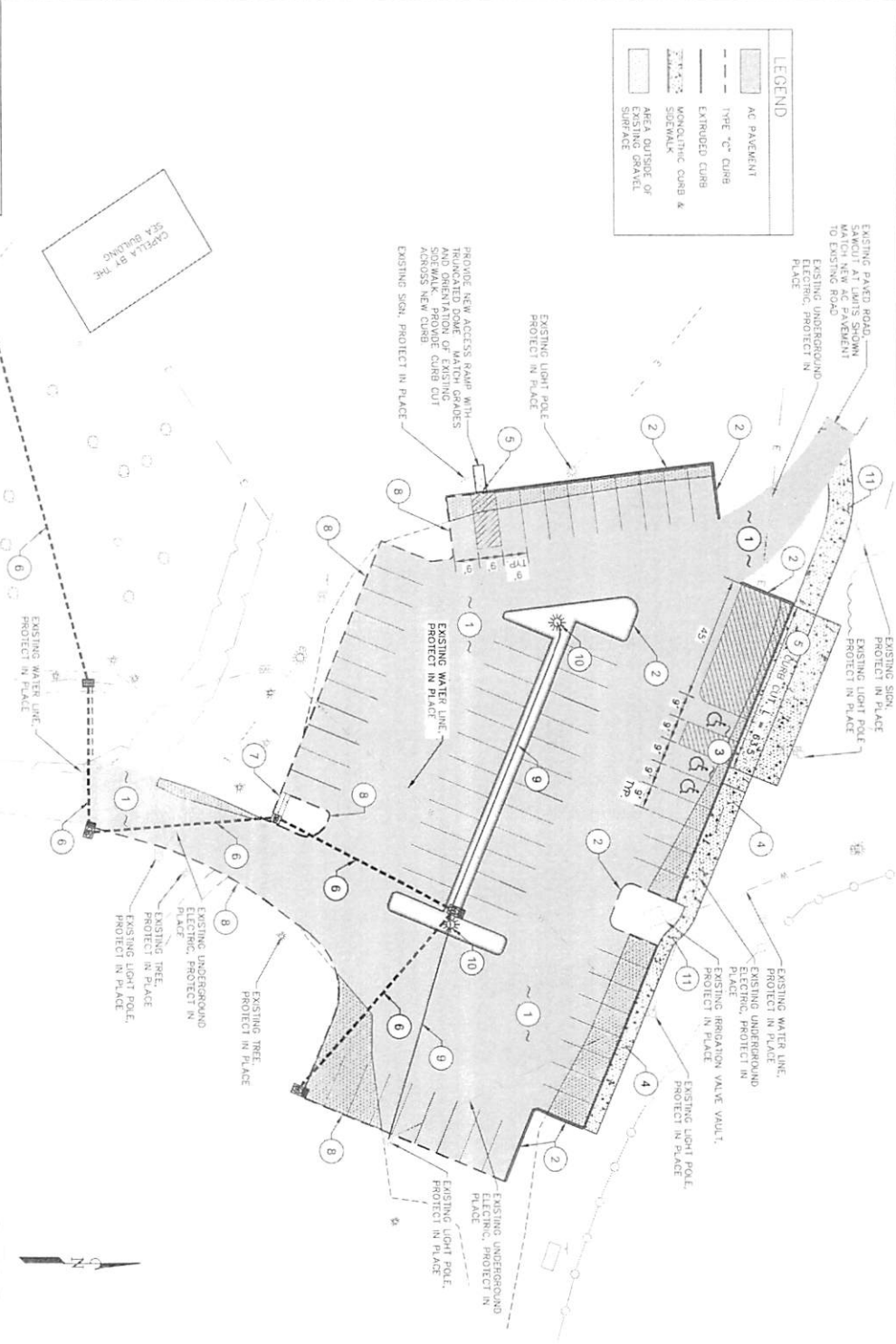
REGISTERED PROFESSIONAL ENGINEER
 82302PE
 ANDREW C. HALL
 OREGON MAY 29, 2013
 EXPIRES 08/30/22

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THE D.P.R. PARTNERSHIP
 ENGINEERS, ARCHITECTS, PLANNERS, INC.
 1200 TILWORTH AVENUE
 SUITE 200
 PORTLAND, OREGON 97202
 WWW.DPRPARTNERSHIP.COM

AZALEA PARK - CAPELLA PARKING LOT IMPROVEMENTS
 CITY OF BROOKINGS
 CIVIL
 NEW SITE PLAN & STORM DRAIN

PROJECT NO. 145.88
 DRAWING NO. C100
 DATE JAN 2020
 SHEET NO. 9 OF 13



LEGEND

---	AC PAVEMENT
- - -	TYPE "C" CURB
---	EXTENDED CURB
---	MONOLITHIC CURB & SIDEWALK
---	AREA OUTSIDE OF EXISTING GRAVEL SURFACE

- GENERAL CONSTRUCTION NOTE**
 THIS CONSTRUCTION PLAN ILLUSTRATES CONSTRUCTION WORK REQUIRED FOR THE COMPLETION OF THIS PROJECT. THE NUMERICAL ORDER PRESENTED BELOW DOES NOT REPRESENT A SPECIFIC SEQUENCE OF WORK OR RELATED WORK. SPECIFICATIONS FOR INFORMATION REGARDING CONSTRAINTS REGARDING SITE CONSTRUCTION.
- CONSTRUCTION NOTES:**
- 1 NEW AC PAVEMENT. SEE DETAIL 1 (C10)
 - 2 NEW EXTENDED CURB. SEE DETAIL 4 (C1)
 - 3 NEW ADA PARKING. SEE DETAIL 1 (C1)
 - 4 NEW MONOLITHIC CURB AND SIDEWALK. SEE DETAIL 1 (C1)
 - 5 NEW STANDARD CURB CUT. SEE DETAIL 2 (C1)
 - 6 NEW STORM DRAIN SYSTEM. SEE DRAWING NO. 0102
 - 7 NEW VALLEY GUTTER. SEE DETAIL 4 (C1)
 - 8 NEW TYPE "C" CURB. SEE DETAIL 3 (C1)
 - 9 NEW ELECTRICAL CONDUIT AND WIRING BY OTHERS (MID) CONTRACTOR TO COORDINATE WITH CITY AND ALLOW ACCESS FOR THIS WORK.
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 - 11 NEW SIDEWALK WITHOUT CURB. SEE DETAIL 1 (C1)

City of Brookings

Urban Renewal Agency Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

Monday, January 27, 2020

A. Call to Order

Chair Pieper called the meeting to order at 8:01 PM, immediately following the City Council meeting.

B. Roll Call

Agency present: Chair Jake Pieper, Directors Bill Hamilton, Brent Hodges, Ron Hedenskog and John McKinney; a quorum present.

Staff present: City Manager Janell Howard, Public Works and Development Services Director Tony Baron Public Works and Development Services Deputy Director Jay Trost, Deputy Recorder Amber Nalls and Planning Tech. Lauri Ziemer

C. Consent Calendar

Urban Renewal Agency Minutes for December 9, 2019

Director Hedenskog moved, Director Hodges seconded and Council voted unanimously to approve the December 9, 2019 Agency minutes as written.

D. Public Comments - None

E. Staff Reports

Capella Parking Lot Paving Project

Public Works and Development Services Deputy Director Jay Trost Provide staff report. Council discussed timeline and use of URA funding for the project.

Director McKinney moved, Director Hedenskog seconded and the Agency voted unanimously to authorize the City Manager to proceed with the Capella parking lot project and solicit bids.

F. Agency Remarks

No agency comments.

Adjourn

Director Hedenskog moved, Director Hodges seconded and Council voted unanimously by voice to adjourn at 8:08 PM.

Respectfully submitted:

ATTESTED:
this ____ day of _____ 2020:

Jake Pieper, Chair

Janell K Howard, City Recorder

CITY OF BROOKINGS

URBAN RENEWAL AGENCY

AGENDA REPORT

Meeting Date: February 24, 2020

Signature (submitted by)

Originating Dept: PWDS

Executive Director Approval

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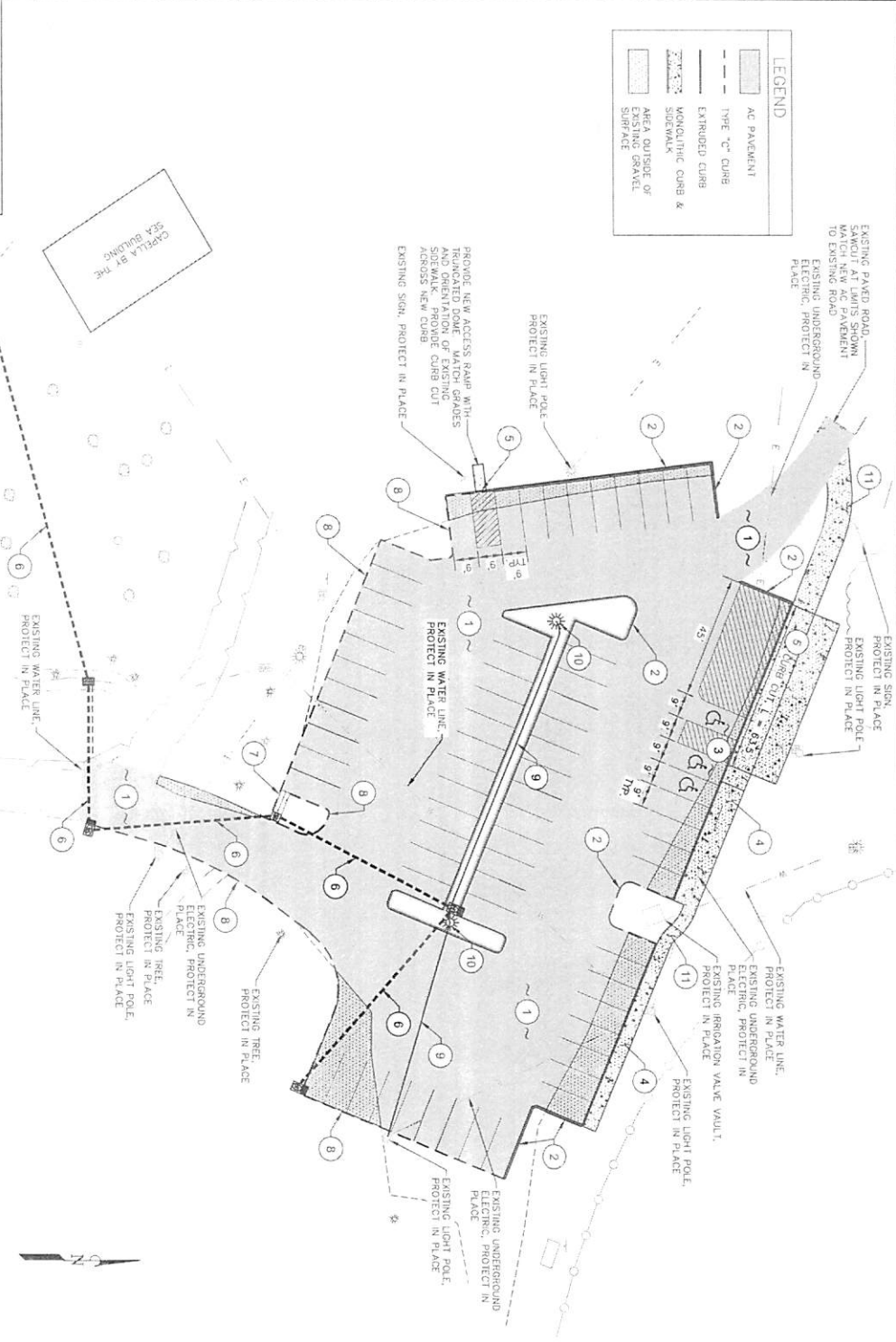
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THE GIER PARTNERSHIP
 1210 TEMWOOD AVENUE
 SUITE 200
 DENVER, CO 80202
 WWW.GIERP.COM

AZALEA PARK - CAPELLA PARKING LOT IMPROVEMENTS
 CITY OF BROOKINGS

CIVIL
NEW SITE PLAN & STORM DRAIN

PROJECT NO. 145.88
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