

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, September 28, 2020, 7:00pm

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

The City Council will meet in Executive Session at 6:30 PM, in the EOC, under the authority of ORS 192.660(2)(e) "To conduct deliberations with persons designated by the governing body to negotiate real property transactions" ORS 192.660 (2)(f) "To consider information or records that are exempt by law from public inspection." ORS 192.660 (2)(h) "To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed."

CITY COUNCIL

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. Judge Harper's Recognition
2. Swear in Gary Milliman as Municipal Court Judge [Pg. 3]
3. Nation Emblem Club Proclamation [Pg. 4]
4. Accept Alonzo Nalls Resignation from Parks & Rec Commission [Pg. 5]
5. Appoint Jesus Zamora to the Parks & Rec Commission [Pg. 7]
6. Appoint Michael Worthey to the Parks & Rec Commission [Pg. 11]

E. Scheduled Public Appearances

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

1. Leslie Wilkinson – Natures Coastal Holiday

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 September 14, 2020 [Pg. 15]
2. Receive monthly financial report for August 2020 [Pg. 17]

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

1. Ranney Collector Intake Pump Replacement [PWDS Pg. 23]
2. Adopting Ordinance Amending the City Limits and to Apply a Zoning Designation [PWDS Pg. 24]
 - a. Draft Ordinance 20-O-791 [Pg. 25]
 1. Annexation Zone Designations Maps and Legal Descriptions- Attachment A [Pg. 27]
 2. Ordinance 20-O-790 – Attachment B [Pg. 38]
3. KCIW Memorandum of Understanding (MOU) [City Manager Pg. 40]
 - a. Draft Proposed MOU [Pg. 42]
 - b. Current MOU [Pg. 44]

I. Remarks from Mayor and Councilors 1

J. Adjournment

*Public Comment forms and the agenda packet are available on-line at www.brookings.or.us, at Brookings City Hall and at 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.

Due to the COVID-19 virus, meeting participants in the council chambers will be limited and social distancing of six (6) feet will be required and maintained. If you would like to view the City Council Meeting live, you can via:

- Television – Charter Channel 181

- Internet – Go to the City of Brookings website at <http://www.brookings.or.us>

Watch Meeting Live instructions: 1. Visit the City of Brookings website home page. 2. Click on Government (top page). 3. Click on City Council (right side). 4. Under Agenda & Meetings click Watch Meeting Live. 5. You will need to download the VLC Media Player. Follow directions and links for your device.

On computers, it is possible to stream the meetings LIVE by copying and pasting the following link inside your web browser: <mms://68.185.2.46:8080>

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: City Manager

Signature (submitted by)


City Manager Approval

Subject:

Oath of Office

Recommended Motion:

Judge Richard Harper will swear in Gary Milliman as Municipal Court Judge.

Financial Impact:

None

Background/Discussion:

Municipal Court Judge Richard Harper submitted his resignation on August 10, 2020, effective October 1, 2020. Council accepted Judge Harper's resignation on September 14, 2020. At that same meeting, Council appointed Judge Gary Milliman as the new Municipal Court Judge, effective October 2, 2020.

It is recommended that Judge Harper swear in Judge Milliman as his successor, effective October 2, 2020.

City of Brookings *Proclamation*

WHEREAS, the members of the Supreme Emblem Club of the United States of America, in promulgating community service, have actively engaged in seeking out the worthy and needy in every community; and

WHEREAS, their assistance and guidance to young men and women is evidenced by great numbers of scholarships, assuring the advanced education of the deserving; and

WHEREAS, the requirements of those who have special needs are considered and fulfilled insofar as can be; and

WHEREAS, the members are vitally concerned with the immediate and permanent needs of those placed in stress by reason of flood, quake, hurricane, and other disasters of nature; and

WHEREAS, these are dedicated to the principle of philanthropic endeavor; and

WHEREAS, be it resolved that the deeds of dedicated, charitable members of the Supreme Emblem Club of the United States of America be recognized;

NOW, THEREFORE , I, Jake Pieper, Mayor of the City of Brookings, do hereby proclaim the week of September 14, 2020, as

National Emblem Club Week

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 28 day of September, 2020.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: City Manager

Signature (submitted by)


City Manager Approval

Subject:

Accept Alonzo Nalls resignation from the Parks & Recreation Commission

Recommended Motion:

Move to accept Alonzo Nalls resignation from the Parks & Recreation Commission.

Financial Impact:

None

Background/Discussion:

Alonzo Nalls has served on the Parks & Recreation Commission since June 2019. Alonzo Nalls gave his resignation letter on September 22, 2020.

Attachment(s):

a. Resignation letter

To whom It may concern,

I am writing this letter to inform you that as of today, I am resigning from my position on the Brookings Parks and Rec Commission. It has been a pleasure serving the community in this capacity and its endeavors to improve the facilities and recreational areas.

Sincerely,

A handwritten signature in black ink, appearing to read "Alonzo Nalls", written over the printed name.

Alonzo Nalls

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: City Manager

Signature (submitted by)


City Manager Approval

Subject:

Appoint Jesus “Zeus” Zamora to the Parks and Recreation Commission

Recommended Motion:

Move to appoint Jesus “Zeus” Zamora to the Parks and Recreation Commission in Position 2 to expire February 1, 2023.

Financial Impact:

None

Background/Discussion:

Jesus “Zeus” Zamora has submitted an application for appointment to the Parks and Recreation Commission; the Mayor has reviewed his application for consideration of appointment

Attachment:

- a. Volunteer Committee Application



City of Brookings

898 Elk Drive, Brookings, OR 97415

Phone: 541-469-2163 Fax: 541-469-3650

www.brookings.or.us

APPLICATION TO SERVE ON A COMMISSION OR COMMITTEE

PART I Contact Information:

Applicant Name: Jesús B. Zamora
Physical Address: 403 MILL BEACH RD. BROOKINGS, OR 97415
Mailing Address: PO BOX 1731
Email Address: ZeusZamora16@yahoo.com Phone: 541 661-3229

PART II Position Selection, Requirements and Restrictions: (Please answer all that apply)

- | 1. Commission/Committee applying for: | <u>Composition (i)</u> | <u>Term (ii)</u> |
|---|--------------------------|------------------|
| <input type="checkbox"/> Planning Commission/Commission for Citizen Involvement (iii) | 5 Electors, 2 UGB | 4 years |
| <input type="checkbox"/> Budget Committee | 5 Electors | 3 years |
| <input checked="" type="checkbox"/> Parks and Recreation Commission | 4 Residents, 1 UGB | 2 years |
| <input type="checkbox"/> Tourism Promotion Advisory Committee (TPAC) (iii) | 4 Residents, 3 Curry Co. | 3 years |
| <input type="checkbox"/> Other (please specify): _____ | | |
2. City residents: How long have you lived in the City of Brookings? 24 years _____ months
Planning & Budget Applicants Only: Are you a City elector (registered voter)? ☐ Yes ☒ No
3. UGB residents: How long have you lived in the UGB? _____ years _____ months
4. What is your current occupation? BARBER

NOTES:

(i) *Membership requirements:*

- Residents must reside inside City limits; resident/UGB status determined by physical address.
- Electors are registered voters of the City of Brookings (verified by County Elections Office).
- UGB members must reside within the Brookings Urban Growth Boundary (contact the Planning Department at 541-469-1137 for assistance in determining UGB status).

(ii) *Term:* Appointments to fill mid-term vacancies will be for the remainder of that term.

(iii) *Other restrictions:*

- Planning Commission: No more than two (2) Commissioners may be principally involved, as individuals, members or partners, in the buying, selling or development of real estate for profit. No two (2) members shall be involved in the same kind of business or profession.
- TPAC: The three (3) Curry Co. members must own property, own a business or be employed in the City.

PART III Background Information: (Attach additional pages if needed)

1. List your related experience and/or background to the position you are applying for:

I HAVE BEEN A BOARD MEMBER OF OUR FORMER YOUTH FOOTBALL LEAGUE AS WELL AS PART OF OUR LOCAL SOFTBALL LEAGUE OVER TWENTY YEARS. MY PAST EMPLOYMENT HAD ME IN MANAGEMENT AND PART ~~OF~~ OF VARIOUS COUNCILS THAT REQUIRED AN ABILITY TO LISTEN, LEARN, COMPROMISE & PROBLEM SOLVE

2. List any unrelated work history, educational background, and volunteer experience you may have:

I HAVE VOLUNTEERED SINCE 1998 IN DIFFERENT POSITIONS THROUGHOUT. I HAVE BEEN ASSISTANT BASKETBALL & FOOTBALL COACH AT AZALEA MIDDLE SCHOOL AS WELL AS ASSISTANT VARSITY BASEBALL AT HIGH SCHOOL.

I HAVE BEEN A COACH & UMPIRE OVER TWELVE YEARS WITH LOCAL LITTLE LEAGUE BASEBALL. BEEN A SOCCER COACH & BASKETBALL COACH FOR LOCAL YOUTH LEAGUES SINCE 2008.

3. Briefly describe your interest in this position and what you hope to accomplish:

TO LEARN HOW THINGS WORK AND CONTINUE BEING PART OF THE PROCESS I HAVE SEEN HAPPENING THROUGH OUR CITY.

PART IV Volunteer Agreement: Please read and check off the following before signing:

- ☒ I acknowledge that I will not be under the direct supervision and control of the City in connection with the voluntary services for which I have applied.
- ☒ I acknowledge that I will receive no compensation or expense reimbursement from the City in connection with any volunteer services for which I have applied.
- ☒ I understand and agree that my volunteer service will be donated to the City at times other than my regular work hours.
- ☒ I understand that if the position I applied for requires me to be an elector of the City of Brookings, that the City has permission to verify my status as a registered voter.
- ☒ I agree to release the City from all matters relating to the voluntary service for which I have applied, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from the voluntary service described herein. (*Planning Commission applicants, see ** below*)
- ☒ I agree to release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of the voluntary service set forth herein.
- ☒ By signing this application voluntarily, I, the Applicant, do hereby acknowledge that I have read and agree to the terms stated above and that I understand and acknowledge that this document will become public information and may be distributed to the public and news media as part of a City Council Agenda Packet.

JESUS B. ZAMORA
Applicant (print name)


Applicant's Signature

9/12/2020
Date

****Planning Commissioners holding office on April 1st of each year are required to file an Annual Statement of Economic Interest with the Oregon Government Ethics Commission (OGE). You may view a sample form at [http://www.oregon.gov/ogec/docs/sei/sei-11 form sample only for website.pdf](http://www.oregon.gov/ogec/docs/sei/sei-11_form_sample_only_for_website.pdf). Official forms provided by OGE.**

Submit completed applications by mail or in person to the City Recorder, 898 Elk Drive, Brookings, OR 97415. Regular business hours are 9 am to 4:30 pm, Monday – Friday.

Commission and Committee contact information:

- Planning Commission: 541-469-1103 - lziemer@brookings.or.us
 - Budget Committee: 541-469-1123 - jhoward@brookings.or.us
 - Parks and Recreation Commission: 541-469-1103 - lziemer@brookings.or.us
- Tourism Promotion Advisory Committee: 541-469-1103 - lziemer@brookings.or.us

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: City Manager

Signature (submitted by)


City Manager Approval

Subject:

Appoint Michael Worthey to the Parks and Recreation Commission

Recommended Motion:

Move to appoint Michael Worthey to the Parks and Recreation Commission in Position 5 to expire February 1, 2023.

Financial Impact:

None

Background/Discussion:

Michael Worthey has submitted an application for appointment to the Parks and Recreation Commission; the Mayor has reviewed his application for consideration of appointment

Attachment:

- a. Volunteer Committee Application



City of Brookings

898 Elk Drive, Brookings, OR 97415
Phone: 541-469-2163 Fax: 541-469-3650
www.brookings.or.us

APPLICATION TO SERVE ON A COMMISSION OR COMMITTEE

PART I Contact Information:

Applicant Name: MICHAEL E. WORTHLEY
Physical Address: 328 MAPLE ST BROOKINGS OR 97415
Mailing Address: SAME AS ABOVE
Email Address: worthles@charter.net Phone: 541 6661 9465

PART II Position Selection, Requirements and Restrictions: (Please answer all that apply)

- | 1. Commission/Committee applying for: | <u>Composition (i)</u> | <u>Term (ii)</u> |
|---|--------------------------|------------------|
| <input type="checkbox"/> Planning Commission/Commission for Citizen Involvement (iii) | 5 Electors, 2 UGB | 4 years |
| <input type="checkbox"/> Budget Committee | 5 Electors | 3 years |
| <input checked="" type="checkbox"/> Parks and Recreation Commission | 4 Residents, 1 UGB | 2 years |
| <input type="checkbox"/> Tourism Promotion Advisory Committee (TPAC) (iii) | 4 Residents, 3 Curry Co. | 3 years |
| <input type="checkbox"/> Other (please specify): _____ | | |
2. City residents: How long have you lived in the City of Brookings? 23 years 4 months
Planning & Budget Applicants Only: Are you a City elector (registered voter)? ☐ Yes ☐ No
3. UGB residents: How long have you lived in the UGB? _____ years _____ months
4. What is your current occupation? PHYSICAL THERAPIST

NOTES:

(i) *Membership requirements:*

- Residents must reside inside City limits; resident/UGB status determined by physical address.
- Electors are registered voters of the City of Brookings (verified by County Elections Office).
- UGB members must reside within the Brookings Urban Growth Boundary (contact the Planning Department at 541-469-1137 for assistance in determining UGB status).

(ii) *Term:* Appointments to fill mid-term vacancies will be for the remainder of that term.

(iii) *Other restrictions:*

- Planning Commission: No more than two (2) Commissioners may be principally involved, as individuals, members or partners, in the buying, selling or development of real estate for profit. No two (2) members shall be involved in the same kind of business or profession.
- TPAC: The three (3) Curry Co. members must own property, own a business or be employed in the City.

PART III Background Information: (Attach additional pages if needed)

1. List your related experience and/or background to the position you are applying for:

BOARD MEMBER BROOKINGS-HARBOR LITTLE LEAGUE
CAPTAIN COORDINATOR BROOKINGS-HARBOR LITTLE LEAGUE
ASSISTANT COACH BROOKINGS-HARBOR HS (VARSITY) BASE-BALL

2. List any unrelated work history, educational background, and volunteer experience you may have:

OUTPATIENT PHYSICAL THERAPY (18 YRS)
HOME HEALTH PHYSICAL THERAPY (6 YRS)
FIRST AID/CPR CERTIFIED

3. Briefly describe your interest in this position and what you hope to accomplish:

MY HOPE IS TO CONTRIBUTE TO THE
DEVELOPMENT AND MAINTENANCE OF THE
PARKS AND RECREATIONAL FACILITIES
IN OUR COMMUNITY. I HAVE BENEFITTED
FROM THESE FACILITIES (AS HAVE MY
CHILDREN), AND WOULD LIKE TO
CONTRIBUTE TO ONGOING DEVELOPMENT.

PART IV Volunteer Agreement: Please read and check off the following before signing:

- ☒ I acknowledge that I will not be under the direct supervision and control of the City in connection with the voluntary services for which I have applied.
- ☒ I acknowledge that I will receive no compensation or expense reimbursement from the City in connection with any volunteer services for which I have applied.
- ☒ I understand and agree that my volunteer service will be donated to the City at times other than my regular work hours.
- ☒ I understand that if the position I applied for requires me to be an elector of the City of Brookings, that the City has permission to verify my status as a registered voter.
- ☒ I agree to release the City from all matters relating to the voluntary service for which I have applied, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from the voluntary service described herein. (*Planning Commission applicants, see ** below*)
- ☒ I agree to release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of the voluntary service set forth herein.
- ☒ By signing this application voluntarily, I, the Applicant, do hereby acknowledge that I have read and agree to the terms stated above and that I understand and acknowledge that this document will become public information and may be distributed to the public and news media as part of a City Council Agenda Packet.

MICHAEL E. WORTHLEY

Applicant (print name)

Michael E. Worthley

Applicant's Signature

9/3/2020

Date

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Tourism Promotion Advisory Committee: 541-469-1103 - lziemer@brookings.or.us

City of Brookings
CITY COUNCIL MEETING MINUTES
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, September 14, 2020

Call to Order

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

Roll Call

Council Present: Mayor Jake Pieper, Councilors Brad Alcorn, Brent Hodges by phone until 7:31 p.m., John McKinney and Ron Hedenskog; a quorum present

Staff present: City Manager Janell Howard, Works and Development Services Deputy Director Jay Trost and Deputy Recorder Amber Nalls

Media Present: None

Others Present: Approximately 20 audience members

Ceremonies

1. Gotcha Covered Curry County Mask Making Project Proclamation
2. Appoint Staci Barr to Budget Committee

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted unanimously to appoint Staci Barr to the Budget Committee in position number 3 to expire February 1, 2022.

3. Accept William Dundom's resignation from Planning Commission

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted unanimously to accept William Dundom's Resignation from the Planning Commission.

4. Appoint George B "Skip" Watwood III to the Planning Commission

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted unanimously to appoint George "Skip" Watwood III to the Planning Commission in position number 5 to the Planning Commission in position number 5 to expire April 1, 2022 .

Oral Requests and Communications from the Audience

1. Don Bemis – P.O. Box 608, Brookings, OR addressed Council regarding Wreaths Across America.
2. Diana Cooper – 805 Paradise Lane, Brookings, OR addressed Council with an update on Brookings Homeless Task Force

Consent Calendar

1. Approve Council minutes for August 24, 2020
2. Accept Council minutes for August 31, 2020

Councilor Hedenskog moved, Councilor McKinney seconded, and Council voted unanimously to approve the Consent Calendar with changes to August 24, 2020 Meeting Minutes.

Staff Reports

1. Azalea Park and Bud Cross Park Ball Field User Memorandum of Understandings (MOU)

Jay Trost presented the staff report.

Councilor McKinney moved, Councilor Hedenskog seconded and Council voted unanimously to authorize the Mayor to execute Memorandum of Understandings with the Brookings Harbor Baseball Club and Wild Rivers Soccer Club.

2. Accept Judge Harper's Resignation and appoint new Municipal Court Judge and approve new agreement.

Janell Howard presented the staff report.

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted to accept Judge Harper's resignation. Councilor Hodges was unavailable by phone for vote.

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted to appoint Judge Gary Milliman to Municipal Court Judge, effective October 2, 2020, updating status from Judge Pro Tem. Councilor Hodges was unavailable by phone for vote.

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted to authorize Mayor to sign new agreement with Gary Milliman for Municipal Court Judge services. Councilor Hodges was unavailable by phone for vote.

Remarks from Mayor and Councilors

None

Adjournment

Councilor Hedenskog moved, Councilor McKinney seconded and Council voted unanimously to adjourn the meeting at 7:33 PM.

Respectfully submitted:

ATTESTED:
this day of , 2020:

Jake Pieper, Mayor

Janell K. Howard, City Recorder

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2020

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	3,367,786.00	99,569.15	168,974.22	3,198,811.78	5.0
LICENSES AND PERMITS	265,000.00	26,887.00	52,053.43	212,946.57	19.6
INTERGOVERNMENTAL	291,800.00	28,275.59	41,572.26	250,227.74	14.3
CHARGES FOR SERVICES	317,000.00	21,850.29	54,434.86	262,565.14	17.2
OTHER REVENUE	163,883.00	209,081.99	286,382.57	(122,499.57)	174.8
TRANSFERS IN	579,943.00	.00	.00	579,943.00	.0
	4,985,412.00	385,664.02	603,417.34	4,381,994.66	12.1
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	32,738.00	2,854.09	6,001.49	26,736.51	18.3
MATERIAL AND SERVICES	12,850.00	487.40	914.64	11,935.36	7.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	45,588.00	3,341.49	6,916.13	38,671.87	15.2
FINANCE AND ADMINISTRATION:					
PERSONAL SERVICES	367,668.00	28,874.10	59,288.14	308,379.86	16.1
MATERIAL AND SERVICES	153,000.00	10,798.10	24,348.48	128,651.52	15.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	520,668.00	39,672.20	83,636.62	437,031.38	16.1
POLICE:					
PERSONAL SERVICES	2,614,605.00	194,524.15	421,256.89	2,193,348.11	16.1
MATERIAL AND SERVICES	184,000.00	21,464.57	34,052.88	149,947.12	18.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	67,867.00	4,452.31	8,904.62	58,962.38	13.1
TRANSFERS OUT	.00	.00	.00	.00	.0
	2,866,472.00	220,441.03	464,214.39	2,402,257.61	16.2
FIRE:					
PERSONAL SERVICES	218,421.00	18,078.21	36,975.82	181,445.18	16.9
MATERIAL AND SERVICES	101,000.00	14,414.74	17,218.17	83,781.83	17.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	30,580.00	.00	.00	30,580.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	350,001.00	32,492.95	54,193.99	295,807.01	15.5

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2020

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PLANNING AND BUILDING:					
PERSONAL SERVICES	248,233.00	19,657.03	42,004.18	206,228.82	16.9
MATERIAL AND SERVICES	91,100.00	4,807.49	6,139.17	84,960.83	6.7
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	339,333.00	24,464.52	48,143.35	291,189.65	14.2
PARKS & RECREATION:					
PERSONAL SERVICES	272,611.00	23,917.16	48,720.32	223,890.68	17.9
MATERIAL AND SERVICES	110,600.00	12,250.54	17,394.94	93,205.06	15.7
CAPITAL OUTLAY	.00	1,373.00	1,373.00	(1,373.00)	.0
DEBT SERVICE	58,330.00	4,031.88	8,063.76	50,266.24	13.8
TRANSFERS OUT	.00	.00	.00	.00	.0
	441,541.00	41,572.58	75,552.02	365,988.98	17.1
FINANCE AND HUMAN RESOURCES:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
SWIMMING POOL:					
PERSONAL SERVICES	72,764.00	23,901.64	49,447.95	23,316.05	68.0
MATERIAL AND SERVICES	40,300.00	10,236.95	13,447.66	26,852.34	33.4
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	113,064.00	34,138.59	62,895.61	50,168.39	55.6
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	162,600.00	3,897.26	9,983.12	152,616.88	6.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	555,500.00	.00	.00	555,500.00	.0
CONTINGENCIES AND RESERVES	640,645.00	.00	.00	640,645.00	.0
	1,358,745.00	3,897.26	9,983.12	1,348,761.88	.7
	6,035,412.00	400,020.62	805,535.23	5,229,876.77	13.4
	(1,050,000.00)	(14,356.60)	(202,117.89)	(847,882.11)	(19.3)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2020

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	636,000.00	27,448.47	55,433.91	580,566.09	8.7
OTHER REVENUE	14,450.00	.00	237.54	14,212.46	1.6
TRANSFER IN	17,940.00	.00	.00	17,940.00	.0
	<u>668,390.00</u>	<u>27,448.47</u>	<u>55,671.45</u>	<u>612,718.55</u>	<u>8.3</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	214,589.00	16,151.78	34,345.31	180,243.69	16.0
MATERIAL AND SERVICES	209,000.00	16,656.38	17,800.16	191,199.84	8.5
CAPITAL OUTLAY	178,940.00	8,120.65	8,120.65	170,819.35	4.5
DEBT SERVICE	21,084.00	1,356.89	2,713.78	18,370.22	12.9
TRANSFERS OUT	61,775.00	.00	.00	61,775.00	.0
CONTINGENCIES AND RESERVES	158,002.00	.00	.00	158,002.00	.0
	<u>843,390.00</u>	<u>42,285.70</u>	<u>62,979.90</u>	<u>780,410.10</u>	<u>7.5</u>
	<u>843,390.00</u>	<u>42,285.70</u>	<u>62,979.90</u>	<u>780,410.10</u>	<u>7.5</u>
	<u>(175,000.00)</u>	<u>(14,837.23)</u>	<u>(7,308.45)</u>	<u>(167,691.55)</u>	<u>(4.2)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 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	1,765,000.00	206,320.56	394,535.81	1,370,464.19	22.4
OTHER INCOME	53,000.00	3,245.00	6,758.69	46,241.31	12.8
TRANSFERS IN	17,940.00	.00	.00	17,940.00	.0
	<u>1,835,940.00</u>	<u>209,565.56</u>	<u>401,294.50</u>	<u>1,434,645.50</u>	<u>21.9</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	378,604.00	30,389.76	65,245.40	313,358.60	17.2
MATERIAL AND SERVICES	186,300.00	36,802.70	42,220.17	144,079.83	22.7
CAPITAL OUTLAY	67,940.00	8,372.65	8,372.65	59,567.35	12.3
DEBT SERVICE	7,186.00	.00	.00	7,186.00	.0
TRANSFERS OUT	24,000.00	.00	.00	24,000.00	.0
	<u>664,030.00</u>	<u>75,565.11</u>	<u>115,838.22</u>	<u>548,191.78</u>	<u>17.4</u>
WATER TREATMENT:					
PERSONAL SERVICES	26,182.00	2,072.00	4,303.48	21,878.52	16.4
MATERIAL AND SERVICES	491,562.00	22,137.20	26,235.12	465,326.88	5.3
CAPITAL OUTLAY	10,000.00	.00	.00	10,000.00	.0
DEBT SERVICE	2,386.00	.00	.00	2,386.00	.0
TRANSFERS OUT	814,903.00	.00	.00	814,903.00	.0
CONTINGENCIES AND RESERVES	186,877.00	.00	.00	186,877.00	.0
	<u>1,531,910.00</u>	<u>24,209.20</u>	<u>30,538.60</u>	<u>1,501,371.40</u>	<u>2.0</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>2,195,940.00</u>	<u>99,774.31</u>	<u>146,376.82</u>	<u>2,049,563.18</u>	<u>6.7</u>
	<u>(360,000.00)</u>	<u>109,791.25</u>	<u>254,917.68</u>	<u>(614,917.68)</u>	<u>70.8</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2020

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
SOURCE 03	(4,500.00)	.00	.00	(4,500.00)	.0
CHARGES FOR SERVICES	3,219,300.00	279,207.79	561,722.78	2,657,577.22	17.5
OTHER REVENUE	20,000.00	.00	1,490.91	18,509.09	7.5
TRANSFER IN	17,940.00	.00	.00	17,940.00	.0
	3,252,740.00	279,207.79	563,213.69	2,689,526.31	17.3

EXPENDITURES

WASTEWATER COLLECTION:

PERSONAL SERVICES	581,033.00	42,374.78	89,245.77	491,787.23	15.4
MATERIAL AND SERVICES	224,500.00	29,023.30	35,216.86	189,283.14	15.7
CAPITAL OUTLAY	32,940.00	8,120.65	8,120.65	24,819.35	24.7
DEBT SERVICE	7,186.00	.00	.00	7,186.00	.0
TRANSFERS OUT	193,811.00	.00	.00	193,811.00	.0
	1,039,470.00	79,518.73	132,583.28	906,886.72	12.8

WASTEWATER TREATMENT:

PERSONAL SERVICES	39,578.00	3,107.86	6,454.92	33,123.08	16.3
MATERIAL AND SERVICES	938,591.00	30,944.90	31,081.70	907,509.30	3.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	2,386.00	.00	.00	2,386.00	.0
TRANSFERS OUT	1,357,636.00	.00	.00	1,357,636.00	.0
CONTINGENCIES AND RESERVES	324,579.00	.00	.00	324,579.00	.0
	2,662,770.00	34,052.76	37,536.62	2,625,233.38	1.4
	3,702,240.00	113,571.49	170,119.90	3,532,120.10	4.6
	(449,500.00)	165,636.30	393,093.79	(842,593.79)	87.5

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2020

URBAN RENEWAL AGENCY FUND

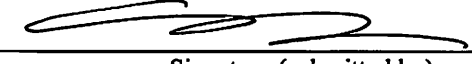
	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	582,539.00	2,324.49	6,290.11	576,248.89	1.1
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	2,000.00	.05	783.01	1,216.99	39.2
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>584,539.00</u>	<u>2,324.54</u>	<u>7,073.12</u>	<u>577,465.88</u>	<u>1.2</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	60,000.00	.00	.00	60,000.00	.0
CAPITAL OUTLAY	864,539.00	.00	.00	864,539.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	130,000.00	.00	.00	130,000.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>1,054,539.00</u>	<u>.00</u>	<u>.00</u>	<u>1,054,539.00</u>	<u>.0</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>1,054,539.00</u>	<u>.00</u>	<u>.00</u>	<u>1,054,539.00</u>	<u>.0</u>
	<u>(470,000.00)</u>	<u>2,324.54</u>	<u>7,073.12</u>	<u>(477,073.12)</u>	<u>1.5</u>

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: PW/DS


Signature (submitted by)


City Manager Approval

Subject: Ranney Collector Intake Pump Replacement

Recommended Motion: Authorize City Manager to enter into an agreement with Siskiyou Pump in the amount of \$65,813 to replace the Ranney Collector Intake Pump #1.

Financial Impact: \$65,813 to be funded from the Water SRF Fund.

Background/Discussion:

During a routine annual inspection performed on the intake pumps at the Ranney Collector in August of 2019 it was discovered that intake Pump #1 was cavitating during operation. Staff performed the annual maintenance but it did not reduce the cavitation. The pump was taken out of service and divers were employed to inspect the condition of the intake structure and pumps. Divers indicated that there is damage to Pump #1 impellers and bowls.

Due to the condition of the Raw Water Intake Pump #1 and column, Jacobs recommended the replacement of the existing pump, pump column and discharge head.

Jacobs initiated a request for proposal (RFP) process in order to obtain three qualified bids to do the work. Three separate contractors submitted bids on the project, one of which was disqualified because they did not include the installation. Siskiyou Pump was the low bidding contractor. The proposed plan for a partial rebuild of Pump #3 and a full replacement of Pump #1 motor, pump, pump column and discharge head.

Bidder	Bid
Stettler Supply Co. (Supply only, no install)	\$76,750
Siskiyou Pump Service Inc.	\$65,813
Triangle Pump & Equipment (supply only, no install)	Disqualified

After the work has been completed, dive inspections by qualified divers will be scheduled periodically for the ongoing monitoring of the intake structure and pump condition.

It is also our recommendation, due to the age of the structure and pumps, that additional pump and motor replacements be planned for in upcoming years.

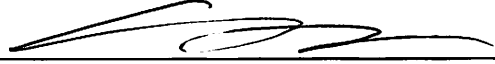
Attachments: None.


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 28, 2020

Originating Dept: PWDS – Planning



Signature (submitted by)


City Manager Approval

Subject:

Adopting Ordinance amending the City limits and to apply a zoning designation of R-1-6 to seven properties annexed into the City in File ANX-1-20.

Recommended Motion:

Motion to approve Ordinance 20-O-791

Financial Impact:

None

Background/Discussion: This annexation application was reviewed and approved at the August 1, 2020 City Council meeting.

Attachment:

a. Ordinance 20-O-791

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

ORDINANCE #20-O-791

**IN THE MATTER OF ORDINANCE 20-O-791, AN ORDINANCE AMENDING THE CITY
LIMITS AND TO APPLY A ZONING DESIGNATION OF R-1-6 TO SEVEN PROPERTIES
LOCATED AT ASSESSOR'S MAPS AND TAX LOTS: 40-13-31B, LOTS 00404, 01800, 01320,
01315, AND 01500; MAP 40-13-31CB LOT 1301; AND MAP 40-14-36A, LOT 00900**

Sections:

Introduction.

- Section 1. Declaration of Annexation.
- Section 2. Declaration of Withdrawal from the Brookings Rural Fire Protection.
- Section 3. Uncollected Taxes.
- Section 4. Submittal to Secretary of State.
- Section 5. Rezoning.

WHEREAS, applicants, Denton and Melissa Fraizer, Howard and Howard Investments, Eric and Shameen Nelson, Mary Layne and Kevin and Sandy Short, own and submitted a land use application request to annex, and subsequent zone change, of certain real properties to the City of Brookings on May 24, 2018, February 20, 2020, March 1, 2020, March 6, 2020, and March 17, 2020. Said real properties being described as follows:

40-13-31B-01500; 40-13-31B-01320; 40-13-31B-01315; 40-13-31B-00404; 40-13-31B-01800; 40-13-31CB-01301; 40-14-36A-00900 shown on **Attachment A** (vicinity maps and legal descriptions); and

WHEREAS, the annexation and rezoning requests were submitted in accordance with Oregon law and all City of Brookings adopted laws; and

The City of Brookings ordained as follows:

Section 1. Declaration of Annexation. That the properties annexed and depicted in **Attachment A**, attached hereto and by this reference made a part hereof, which said real properties are situated in Curry County, Oregon and are contiguous to the City of Brookings, and the same were annexed to the City of Brookings by adoption of Ordinance 20-O-790 on August 10, 2020, hereby attached as **Attachment B**.

Section 2. Declaration of Withdrawal from the Brookings Rural Fire Protection District. That the properties depicted on map Attachment A and described in Attachment B attached hereto is hereby withdrawn from the Brookings Rural Fire Protection District upon annexation of the aforementioned property to the City of Brookings.

Section 3. Uncollected Taxes. The rezoning of the recently annexed properties will not impact any taxation of the subject properties.

Section 4. Submittal of the Zoning Ordinance. That the City Recorder or his or her designee (i.e. Lane Council of Governments), is hereby authorized and directed to make and submit a copy of this ordinance as required.

Section 5. Rezoning. Concurrent with the annexation requests, the properties annexed in Ordinance 20-O-790 are hereby rezoned from Residential One, Residential Two, or Residential Three, respectively, to a City of Brookings Zoning designation of Single-Family Residential R-1-6 (6,000 square foot minimum lot size).

First Reading: _____

Passage: _____

Second Reading: _____

Effective Date: _____

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

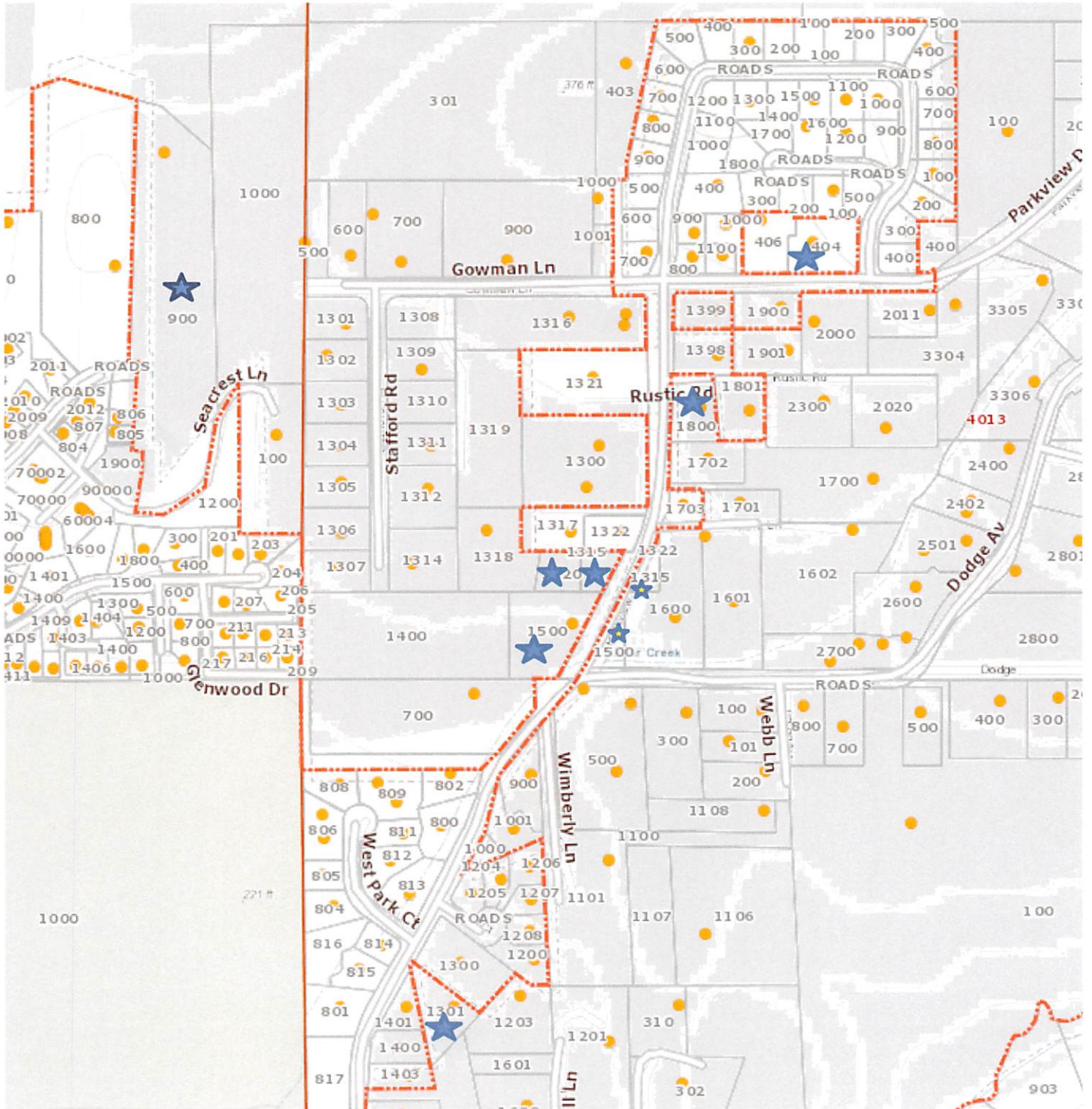
ATTEST:

Mayor Jake Pieper

City Recorder Janell K. Howard

ANNEXATION – ZONE DESIGNATIONS R-1-6

ANX-1-20 – Parkview Drive and Seacrest Lane



★ Parcel 1500 and Parcel 1315 have a portion located on both sides of Parkview Drive

EXHIBIT A-1
Map T40S R13W S31B Tax Lot 404
Property Owners: Kevin D. and Sandra S. Short

A parcel of land lying in the NW ¼ S31 T40S R13W WM, Curry County, Oregon, more particularly described as follows:

Beg at a 5/8 in ir rd at a pt being N 1,222.82 ft m/l and W 1,311.90 ft m/l (scales 1,360.00 ft m/l) fr a brass cap set in an ir pipe at the cen of S31;

Th N89°20'03"E 170.38 ft m/l to a 5/8 in ir rd;

Th S00°04'27"W 155.00 ft m/l to the Nly li of Airport County Road No. 768 (aka Parkview Drive, 50 ft r/w at this pt);

Th alg sd r/w li S89°57'08"W 190.40 ft m/l to a pt;

Th N00°01'17"W 100.00 ft m/l to a 5/8 in ir rd;

Th S88°59'32"E 20.00 ft m/l to a 5/8 in ir rd;

Th N00°08'18"W 55.36 ft m/l to the POB, all in Curry County, Oregon.

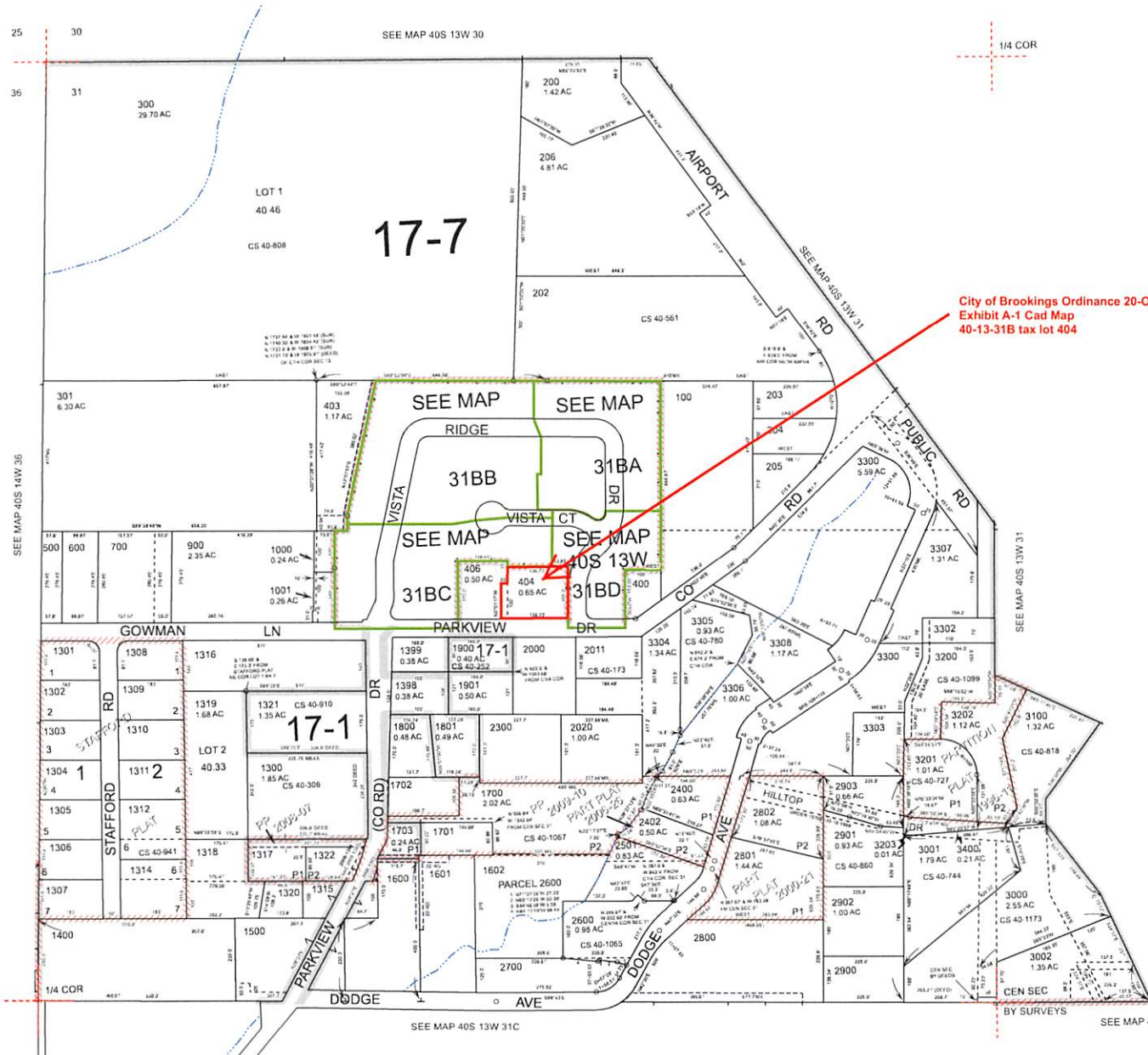
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 100 200 400 Feet
1" = 200'

N.W. 1/4 SEC. 31 T. 40S. R. 13W. W.M.
CURRY COUNTY
1" = 200'

40S13W31B
BROOKINGS

Cancelled
201
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1002
1009
1100
1101
1200
1313
1603
2010
2100
2200
2401
2500
2502
3003 THRU 3007
3301



SEE MAP 40 13 31B Revised: RAA
03/06/2019

BROOKINGS
40S13W31B

EXHIBIT A-2
Map T40S R13W S31B Tax Lots 1315, 1320, and 1500
Property Owners: C. Denton and Melissa M. Fraizer

Commencing at an ir pipe located at the SW cor of the Stafford Subdivision Block 2, Lot 7 S31 T40S R13W WM;

Th Ely 202.20 ft m/l to the TPOB;

Th N14°28'E 108.30 ft m/l to a pt;

Th Ely 96.40 ft m/l to a pt;

Th contg Ely 210.00 ft m/l to a pt;

Th Sly 105.00 ft m/l to a pt;

Th Wly 94.70 ft m/l to a pt on the Ely r/w of Parkview Drive (50 ft r/w m/l at this pt);

Th leaving sd Ely r/w of Parkview Drive Sly 200.00 ft m/l to the N r/w of Dodge Ave (50 ft r/w at this pt);

Th Wly alg sd r/w 160.00 ft m/l to the W r/w of Parkview Dr (Co Rd, 50 ft r/w at this pt);

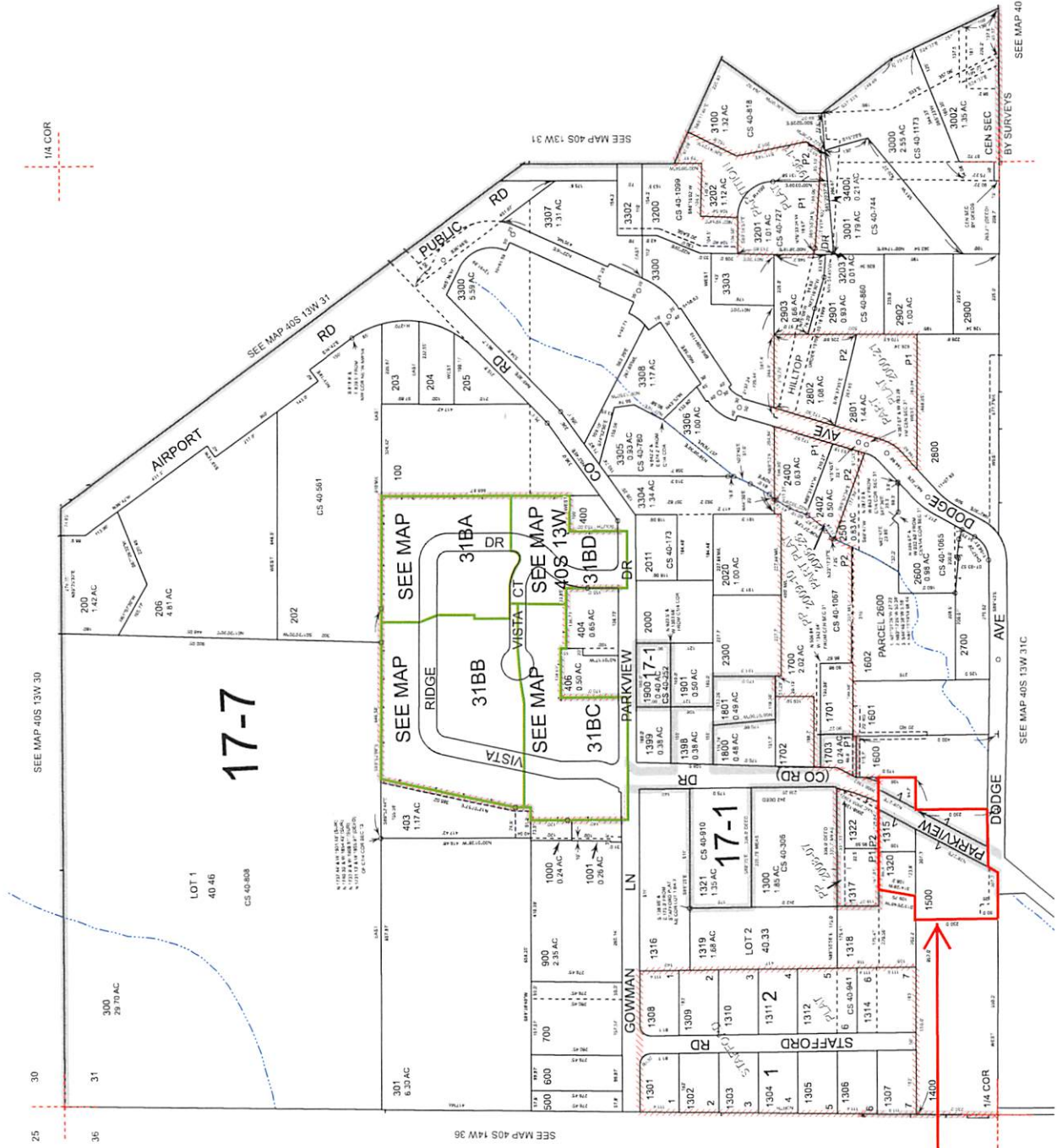
Th alg sd W r/w S28°27'W 30.00 ft m/l to a pt;

Th leaving sd W r/w 132.00 ft m/l to a pt;

Th Nly 230.00 ft m/l to a pt;

Th Ely 69.00 ft m/l to the TPOB, all in Curry County, Oregon

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2500
2502
3003 THR
3301



City of Brookings Ordinance 20-O-790
Exhibit A-2 Cad Map
40-13-31B tax lots 1315, 1320, 1500

SEE MAP 40 13 31B Revised: RAA
03/06/2019

BROOKINGS
40S13W31B

ATTACHMENT A - Page 5

EXHIBIT A-3
Map T40S R13W S31B Tax Lot 1800
Property Owner: Mary V. Layne

A track of land lying in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ S31 T40W R13W WM, Curry County, Oregon:

Beg at a pt wh is N 801.55 ft m/l and W 1,535.94 ft m/l (scales 1,568.00 ft m/l) of the cen $\frac{1}{4}$ cor of S31 T40S R13W WM, Curry County, Oregon, sd cen $\frac{1}{4}$ cor being that one marked by a brass capped iron pipe set by the Curry County Surveyor in 1970;

Th W 116.74 ft m/l (scales 108.74 ft m/l) to an ir rd and the E r/w of Parkview Dr (Co Rd, 60 ft r/w at this pt);

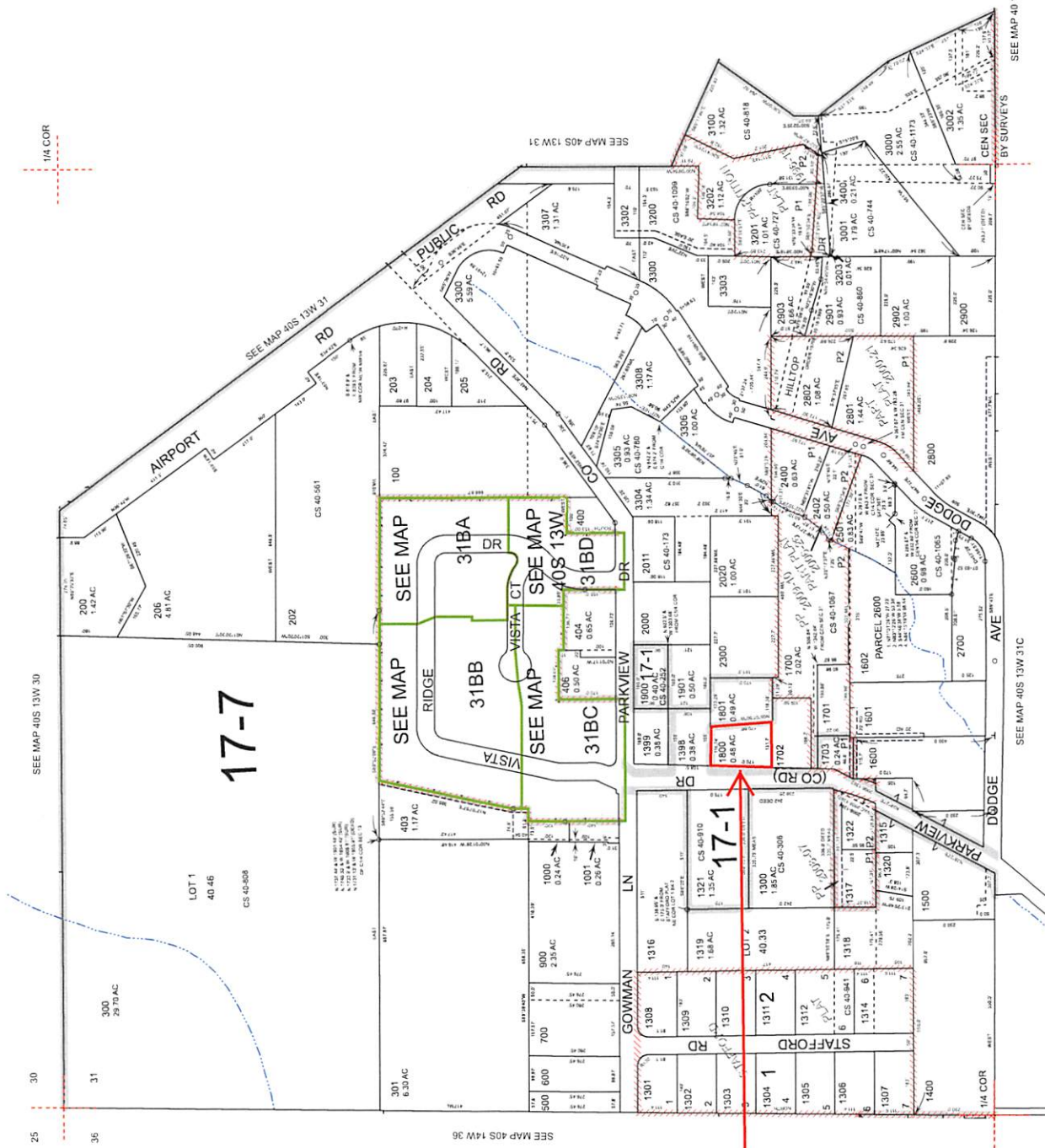
Th alg sd Co Rd Ely r/w S 170.00 ft m/l;

Th leaving sd E r/w E 131.70 ft m/l (scales 131.70 ft m/l) to an ir rd;

Th N05°01'50"W 170.66 ft to the POB, all in Curry County, Oregon.

40S13W31B
BROOKINGS

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City of Brookings Ordinance 20-O-790
Exhibit A-3 Cad Map
40-13-31B tax lot 1800

SEE MAP 40 13 31B Revised: RAA
03/06/2019

BROOKINGS
40S13W31B

ATTACHMENT A - Page 7

EXHIBIT A-4
Map T40S R13W S31CB Tax Lot 1301
Property Owners: Eric and Sharmeen Nelson

A parcel of land lying within Government Lot 3, being in the NW ¼ S31 T40S R13W WM, more particularly described as follows:

Beg at a pt lying on the Ely r/w li of Parkview Drive, a County Road, sd pt described as being N 1,914.20 ft and E 272.20 ft fr the SW cor of sd S31 T40S R13W WM;

Th N23°31'E 25.00 ft m/l to a pt;

Th S52°00'E 225.40 ft m/l to a pt;

Th S42°53'W 200.90 ft m/l to a pt;

Th N11°10'W 269.00 ft m/l all lying and being within Curry County, Oregon.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 50 100 150 200 Feet

N.W. 1/4 S.W. 1/4 SEC. 31 T. 40S. R. 13W. W.M.
CURRY COUNTY
1" = 100'

40S13W31CB
BROOKINGS

Cancelled
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301
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810
1102 THRU 1105
1402
1800

City of Brookings Ordinance 20-O-790
Exhibit A-4 Cad Map
40-13-31CB tax lot 1301

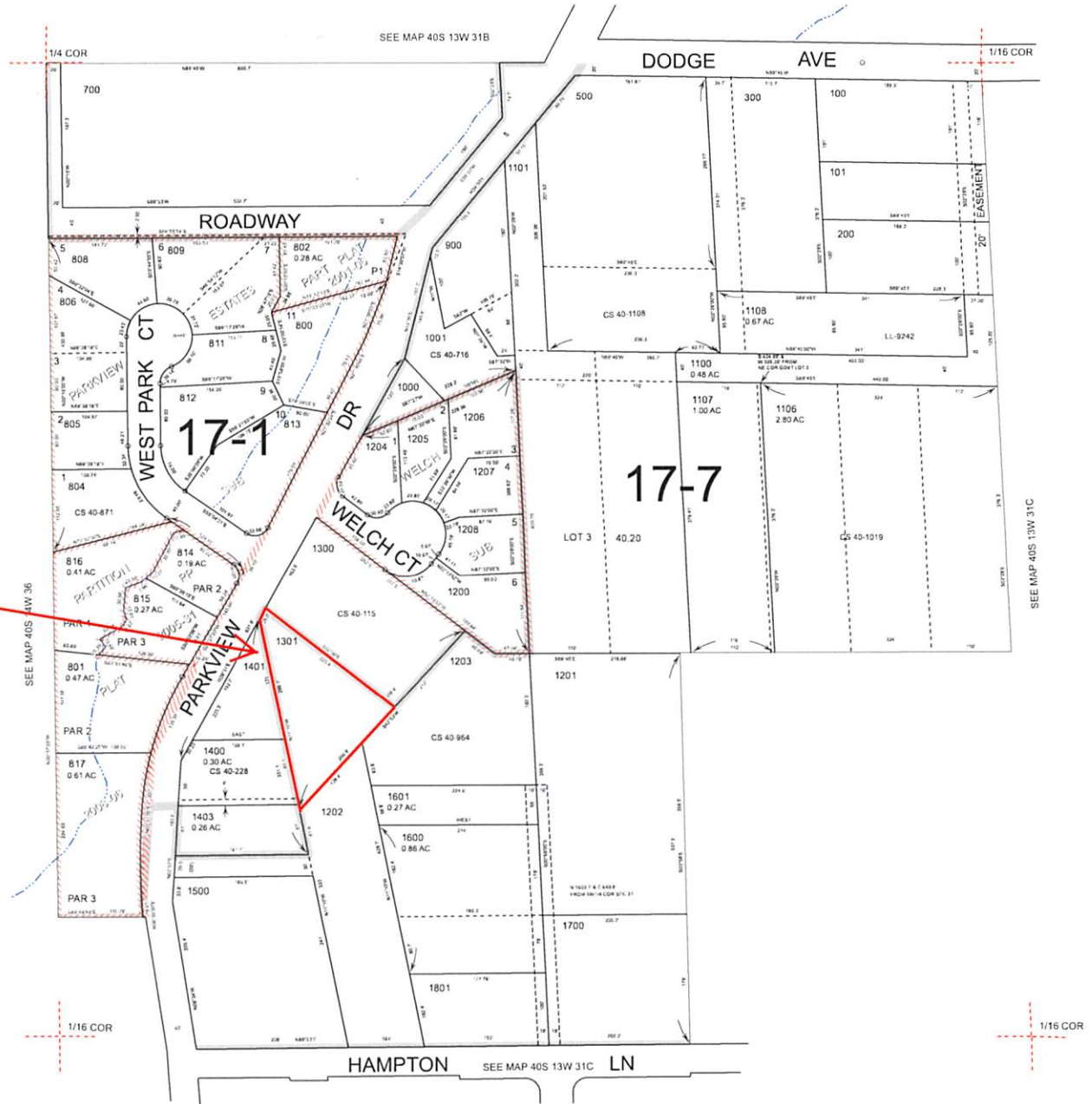


EXHIBIT A-5
Map T40S R14W S36A Tax Lot 900
Property Owners: Howard and Howard Group LLC

Beg at a pt wh is N 452.50 ft m/l and W 442.80 ft m/l fr the E ¼ S cor of S36 T40S R14W WM,
Curry County, Oregon;

Th N10°24'03"E 104.33 ft m/l to a pt;

Th N03°59'33"E 54.43 ft m/l to a pt;

Th N50°15'00"W 29.12 ft m/l to a pt;

Th N04°31'53"W 80.92 ft m/l to a pt;

Th N04°31'53"W 153.29 ft m/l to a pt;

Th S87°39'00"W 24.25 ft m/l to a pt;

Th N02°31'30"W 50.36 ft m/l to a pt;

Th S87°39'00"W 24.25 ft m/l to a pt;

Th N02°41'14"W 694.76 ft m/l to a pt;

Th S73°51'27"E 63.00 ft m/l to a pt;

Th S48°11'06"E 179.30 ft m/l to a pt;

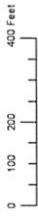
Th S02°41'14"W 717.14 ft m/l to a pt;

Th S10°51'30"W 175.30 ft m/l to a pt;

Th S57°22'20"W 132.49 pt m/l to a pt;

Th N83°14'16"W 74.38 ft m/l to the POB, all in Curry County, Oregon.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



N.E. 1/4 SEC. 36 T. 40S. R. 14W. W.M.
CURRY COUNTY

1" = 200'

40S14W36A
& INDEX
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IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 20-O-790

**IN THE MATTER OF ORDINANCE 20-O-790, AN ORDINANCE TO ANNEX SEVEN PROPERTIES
LOCATED AT ASSESSOR'S MAPS AND TAX LOTS: 40-13-31B, LOTS 00404, 01800, 01320, 01315,
AND 01500; MAP 40-13-31CB LOT 1301; AND MAP 40-14-36A, LOT 0900
(ATTACHMENT C)**

Sections:

Section 1.

WHEREAS, applicants, Denton and Melissa Fraizer, Howard and Howard Investments, Eric and Shameen Nelson, Mary Layne and Kevin and Sandy Short, own and submitted a land use application request to annex certain real property to the City of Brookings on May 24, 2018, February 20, 2020, March 1, 2020, March 6, 2020, and March 17, 2020. Said real property being described as follows:

40-13-31B-01500; 40-13-31B-01320; 40-13-31B-01315; 40-13-31B-00404; 40-13-31B-01800; 40-13-31CB-01301; 40-14-36A-00900 and more specifically described and shown in **Attachment A**.

WHEREAS, the City Council of Brookings is authorized by Brookings Municipal Code (BMC) Section 17.144 and ORS Chapter 222 to accept, process and act on annexations to the City; and,

WHEREAS, consistent with Section 17.144 and ORS 222.170(1), the written consents from the property owners constitute more than half the owners of land in the territory to be annexed, who also own more than half of the land in the contiguous territory, and of the real property therein representing more than half of the assessed value of all real property in the contiguous area; and,

WHEREAS, this annexation was initiated in accordance with ORS 222.170(1) and based on this method of initiation, an election on the question of annexation is not required; and,

WHEREAS, the territory is within the Brookings Comprehensive Land Use Plan and identified for residential uses in the Curry County and City of Brookings Comprehensive Plan Maps, and is within the Urban Growth Boundary of the City of Brookings, and the properties to be annexed are contiguous to the City Limits; and,

WHEREAS, the minimum level of key urban facilities and services can be provided in an orderly and efficient manner to the annexed properties, in a logical manner; and,

WHEREAS, a Staff Report (**Attachment A**) regarding annexation of the properties addressing all relevant criteria was presented to Planning Commission and City Council of the City of Brookings; and,

WHEREAS, on July 7, 2020, the Planning Commission of the City of Brookings conducted a public hearing and considered the request for annexation, and issued a recommendation for approval, based on the findings and conclusions included in the Staff Report, onto City Council for final action.

NOW THEREFORE, THE CITY OF BROOKINGS ORDAINS AS FOLLOWS,

Section 1. Based upon the findings above and **Attachments A through D and Exhibits A 1 through 5**, which are all incorporated herein by this reference as a basis for the Council decision, the City Council of the City of Brookings does hereby approve annexation of the properties into the City of Brookings as being described as follows:

40-13-31B-01500; 40-13-31B-01320; 40-13-31B-01315; 40-13-31B-00404; 40-13-31B-01800; 40-13-31CB-01301; 40-14-36A-00900.

Section 2. The City Recorder, or designee, is hereby authorized to execute the annexation and is directed to send notice of this annexation by copy of this Ordinance and its exhibits to public utilities operating within the City, Secretary of State, Department of Revenue, Curry County Clerk, Curry County Assessor, affected districts and owners in the affected territory.

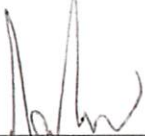
First Reading: August 10, 2020

Passage: August 10, 2020

Second Reading: _____

Effective Date: September 10, 2020

Signed by me in authentication of its passage this 10th, day of August, 2020



Mayor Jake Pieper

ATTEST:



City Recorder Janell K. Howard

CITY OF BROOKINGS

Originating Dept: Finance and Admin

City Manager Approval

KCIW had requested revisions to include no cost and a term that would start with a three-year term with the option to renew for two additional three-year terms. Also, they requested language to have the cost associated with enabling the emergency broadcast system be negotiated. As well as the following language for Section 1.4:

1.4 The City desires to support the efforts of KCIW, as described above, recognizing the value of this service to the Brookings Community. Consistent with the KCIW mission statement and suitable programming guidelines, KCIW programming will encourage differing perspectives that are representative of the Brookings community. KCIW will assist the City in the timely broadcasting of City requested public service and emergency related announcements/programming.

I added some of their language requests, but not the other terms. I believe that the attached Draft Proposed MOU represents the Council's consensus at the August Workshop.

Attachments:

- a. Draft Proposed MOU
- b. Current MOU

MEMORANDUM OF UNDERSTANDING
City of Brookings and Curry Coast Community Radio (KCIW)

This Memorandum of Understanding (MOU) is executed by and between the **CITY OF BROOKINGS** (City) and **CURRY COAST COMMUNITY RADIO, Inc. (KCIW)** a non-profit corporation, City and KCIW hereinafter collectively referred to as the "Parties."

1.0 RECITALS

1.1 WHEREAS, KCIW is a non-profit organization.

1.2 KCIW desires to develop and operate a broadcast antenna on the Emergency Communications Tower (Tower) owned and operated by the City of Brookings, at 898 Elk Drive, Brookings, Oregon.

1.3 Public radio services provided by KCIW will include:

1.3.1 Public service announcements provided by the City.

1.3.2 Community event and City meeting schedules.

1.3.3 Emergency notification and information broadcasts. In the event of a disaster or emergency impacting the Brookings-Harbor community, KCIW transmission resources and frequency shall be made available to the City. The local emergency override system will be installed, operational, and useable by the City of Brookings' personnel by February 1, 2021.

1.4 The City desires to support the efforts of KCIW, as described above, recognizing the value of this service to the Brookings community. KCIW programming will encourage differing perspectives that are representative of the Brookings community. KCIW will assist the City in the timely broadcasting of City requested public service and emergency related announcements/programming. KCIW also commits to allow all reasonably requested programming, including different perspectives than that of current and/or future programming. It is understood that requested programming would need to be reasonably scheduled.

NOW, THEREFORE, the Parties promise and agree as follows:

2.0 TERMS AND CONDITIONS

2.1 The above-recitals are hereby incorporated by reference as though fully set forth herein.

2.2 KCIW will retain the space rental for a broadcast antenna and all associated equipment on Tower. The specific location of all such facilities shall be as determined by the tower management contractor.

2.3 KCIW shall pay the City \$100 monthly (\$1,200 annually), effective November 1, 2020.

2.4 All costs associated with installing and maintaining an antenna and related equipment shall be borne by KCIW.

2.5 Use of Tower by KCIW shall be secondary to the City's primary use of Tower for emergency communications. All KCIW facilities shall be removed from Tower at the expense of KCIW upon reasonable written notice from City or tower management contractor.

2.6 All City facilities, within which KCIW facilities are located, are under the security control of the City of Brookings Police Department, which shall establish rules, policies and procedures for KCIW access to those areas.

2.7 Term: The term of this MOU shall be 12 months from effective date, November 1, 2020, with the option to renew for two separate one-year terms by August 1st of the year of renewal. Therefore, this agreement will expire October 31, 2023; if it is renewed for each term. Notwithstanding the foregoing, the parties may terminate this MOU upon ninety (90) days notice, with or without cause.

3.0 NOTICE:

3.1 Notice to either of the parties shall be (1) by personal delivery, (2) by facsimile and regular U.S. mail, (3) by U.S. Mail, registered receipt requested, or (4) e-mail. Notice shall be deemed effective upon personal delivery, email, or, in the case of a mailing, upon the depositing of the mail with the United States postal service. Notice shall be given as follows:

TO THE CITY: City of Brookings
 Attention: City Manager
 898 Elk Drive
 Brookings, OR 97415

TO KCIW: KCIW
 Attention: President
 PO Box 565
 Brookings, OR 97415

4.0 INSURANCE AND INDEMNITY

4.1 Insurance terms shall be contained in the tower lease agreement.

5.0 MISCELLANEOUS

5.1 MOU shall be deemed by the Parties to have been executed and delivered within the State of Oregon, and the rights and obligations of the Parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the State of Oregon.

NOW, THEREFORE, in agreement with the terms and conditions set forth herein, the duly authorized signatures for the respective parties hereto execute this MOU.

CITY OF BROOKINGS

CURRY COAST COMMUNITY RADIO, INC.

By: _____
 Janell K Howard, City Manager

By: _____
 Ray Gary, President

Date: _____

Date: _____

MEMORANDUM OF UNDERSTANDING
City of Brookings and Curry Coast Community Radio (KCIW)

This Memorandum of Understanding (MOU) is executed by and between the **CITY OF BROOKINGS** (City) and **CURRY COAST COMMUNITY RADIO, Inc. (KCIW)** a non-profit corporation, City and KCIW hereinafter collectively referred to as the "Parties."

1.0 RECITALS

1.1 WHEREAS, KCIW is a non-profit organization.

1.2 KCIW desires to develop and operate a broadcast antenna on the Emergency Communications Tower (Tower) owned and operated by the City of Brookings, at 898 Elk Drive, Brookings, Oregon.

1.3 Public radio services provided by KCIW will include:

1.3.1 Public service announcements provided by the City.

1.3.2 Community event and City meeting schedules.

1.3.3 Emergency notification and information broadcasts.

1.4 The City desires to support the efforts of KCIW, as described above, recognizing the value of this service to the Brookings community.

NOW, THEREFORE, the Parties promise and agree as follows:

2.0 TERMS AND CONDITIONS

2.1 The above-recitals are hereby incorporated by reference as though fully set forth herein.

2.2 KCIW will retain the space rental for a broadcast antenna and all associated equipment on Tower. The specific location of all such facilities shall be as determined by the tower management contractor.

2.3 KCIW shall pay the City \$100 monthly (\$1,200 annually), effective November 1, 2019.

2.4 All costs associated with installing and maintaining an antenna and related equipment shall be borne by KCIW.

2.5 Use of Tower by KCIW shall be secondary to the City's primary use of Tower for emergency communications. All KCIW facilities shall be removed from Tower at the expense of KCIW upon reasonable written notice from City or tower management contractor.

2.6 All City facilities, within which KCIW facilities are located, are under the security control of the City of Brookings Police Department, which shall establish rules, policies and procedures for KCIW access to those areas.

2.7 Term: The term of this MOU shall be 12 months from effective date, November 1, 2019. Therefore this agreement will expire October 31, 2020. Notwithstanding the foregoing, the parties may terminate this MOU upon ninety (90) days notice, with or without cause.

3.0 NOTICE:

3.1 Notice to either of the parties shall be (1) by personal delivery, (2) by facsimile and regular U.S. mail, (3) by U.S. Mail, registered receipt requested, or (4) e-mail. Notice shall be deemed effective upon personal delivery, email, or, in the case of a mailing, upon the depositing of the mail with the United States postal service. Notice shall be given as follows:

TO THE CITY: City of Brookings
 Attention: City Manager
 898 Elk Drive
 Brookings, OR 97415

TO KCIW: KCIW
 Attention: President
 PO Box 565
 Brookings, OR 97415


4.0 INSURANCE AND INDEMNITY

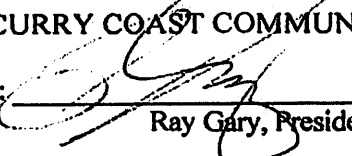
4.1 Insurance terms shall be contained in the tower lease agreement.

5.0 MISCELLANEAOUS

5.1 MOU shall be deemed by the Parties to have been executed and delivered within the State of Oregon, and the rights and obligations of the Parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the State of Oregon.

NOW, THEREFORE, in agreement with the terms and conditions set forth herein, the duly authorized signatures for the respective parties hereto execute this MOU.

CITY OF BROOKINGS
By: 
Jahell K Howard, City Manager
Date: 10-31-2019

CURRY COAST COMMUNITY RADIO, INC.
By: 
Ray Gary, President
Date: 10-31-19