

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, April 12, 2021, 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. 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)

E. Consent Calendar

1. Approve Council minutes for March 22, 2021 [Pg. 1]
2. Approve Special Council minutes for April 5, 2021 [Pg. 3]
3. Approve Parks and Recreation minutes for March 2, 2021 [Pg. 4]

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

1. Underground Diesel Tank Removal and Replacement Project [PWDS, Pg. 5]
 - a) Dyer Task Order 94 [Pg. 6]
2. Hemlock Street Improvement Project [PWDS, Pg. 13]
3. Parks and Recreation District Formation [PWDS, Pg. 14]
 - a) Resolution 21-R-1197 [Pg. 16]
 - b) Draft Order for the Curry County Commissioners [Pg. 17]
 - c) Exhibit A [Pg. 19]
 - d) Exhibit B [Pg. 20]
4. Yard of the Month [City Manager, Pg. 21]
5. Discussion of Support of Project Turnkey [City Manager, Pg. 22]

G. Remarks from Mayor and Councilors

H. Adjournment

*The agenda packet is 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
CITY COUNCIL MEETING MINUTES
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, March 22, 2021

Call to Order

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

Roll Call

Council Present: Mayor Jake Pieper, Councilors Brad Alcorn, Ed Schreiber, and Ron Hedenskog; Councilor McKinney absent; a quorum present.

Staff present: City Manager Janell Howard, Police Lieutenant Donnie Dotson, Deputy Recorder Natasha Tippetts.

Media Present: None

Others Present: 13 audience members

Oral Requests and Communications from the Audience

1. Connie Hunter, 1310 English Court, Brookings; Provided information about mental health and homelessness.
2. Tiffanie Joiner, No address provided; Spoke in favor of Project Turnkey.
3. Julie Gates, 19921 Whaleshead – Spc T5; Spoke in favor of Project Turnkey.

Consent Calendar

1. Approve Council Minutes for March 8, 2021
2. Reappoint Gerald Wulkowicz – Planning Commission
3. Receive monthly financial reports for February

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

Staff Reports

1. Emergency Broadcasting

Donny Dotson presented the staff report

Councilor Hedenskog moved, Councilor Alcorn seconded and Council voted unanimously to approve purchase of AM radio broadcasting equipment in staff report plus signage cost and a permanent antenna.

2. Mayors Monarch Pledge

Janell Howard presented the staff report

Councilor Hedenskog moved, Mayor Pieper seconded, and with a three to one vote; Councilor Schreiber voting nay; Council voted to authorize the Mayor to take the Mayor's Monarch Pledge.

3. Project Turnkey Update

Janell Howard presented the staff report

Diana Cooper and Beth Barker-Hidalgo gave updated information to the Mayor and Council on this ongoing project.

Remarks from Mayor and Councilors

None

Adjournment

Councilor Hedenskog moved, Councilor Schreiber seconded and Council voted unanimously to adjourn the meeting at 8:52 PM.

Respectfully submitted:

Jake Pieper, Mayor

ATTESTED:
this 12th day of April, 2021:

Janell K. Howard, City Recorder

City of Brookings SPECIAL MEETING MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, April 5, 2021

Call to Order

Mayor Pieper called the meeting to order at 4:00 PM

Roll Call

Council Present: Mayor Jake Pieper, Councilors Brad Alcorn, Ed Schreiber, Ron Hedenskog, and Councilor John McKinney; a quorum present.

Staff present: City Manager Janell Howard, Deputy Recorder Natasha Tippetts.

Media Present: None

Others Present: 3 audience members

Staff Reports

1. Tropicalia Liquor License

Janell Howard presented the staff report

Councilor Schreiber moved, Councilor Alcorn seconded and Council voted unanimously to authorize City Manager to sign liquor license for Tropicalia Brazilian Cuisine.

Adjournment

Councilor Hedenskog moved, Councilor McKinney seconded and Council voted unanimously to adjourn the meeting at 4:04 PM.

Respectfully submitted:

ATTESTED:
this 12th day of April, 2021:

Jake Pieper, Mayor

Janell K. Howard, City Recorder

BROOKINGS PLANNING COMMISSION MINUTES

March 2, 2021

CALL TO ORDER

The regular meeting of the Brookings Planning Commission was called to order by Chair Wulkowicz at 7:02 pm in the Council Chambers at Brookings City Hall followed by the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Cody Coons, Skip Hunter (telephone), Clayton Malmberg, Michelle Morosky, Skip Watwood, Chair Gerry Wulkowicz - Commissioners Absent: Tim Hartzell

Staff Present: PWDS Director Tony Baron, Planning Tech Lauri Ziemer

Others Present: 2 audience members

PLANNING COMMISSION CHAIR PERSON ANNOUNCEMENTS

3.1 Annual Report – 2020

Chair Wulkowicz reviewed the annual report. **Motion made by Chair Wulkowicz to approve the Planning Commission Annual Report for 2020; motion seconded, by a 6-0 vote the motion carried.**

3.2 Urban Renewal Agency Design Review Committee

Tony Baron reviewed the URA Design Review Committee's function. Michelle Morosky and Cody Coons volunteered with Clayton Malmberg and Gerry Wulkowicz agreeing to be alternates as needed.

PUBLIC HEARINGS

4.1 In the matter of the File No. CUP-1-21, a request for approval of a Conditional Use Permit to operate a Short Term Rental facility at 1525 Beach Avenue.

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:10 pm. PWDS Director Tony Baron reviewed the staff report.

The applicant was present and available for questions. No members of the public spoke in opposition and no participant requested additional time to submit materials. The public hearing was closed at 7:16 pm.

The Commission deliberated on the matter. **Motion made by Commissioner Malmberg to approve File No. CUP-1-21 a request for a Conditional Use Permit to operate a short term rental at 1525 Beach Avenue based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

Motion made Chair Wulkowicz to approve the Final Order regarding file CUP-1-21, based on the findings and conclusions stated in the staff report and subject to the conditions of approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.

MINUTES FOR APPROVAL

5.1 Minutes of regular Planning Commission meeting of December 1, 2020.

Motion made by Chair Wulkowicz to approve the Planning Commission minutes of December 1, 2020; motion seconded and with no further discussion by a 6-0 vote the motion carried.

UNSCHEDULED PUBLIC APPEARANCES - None

REPORT FROM THE PLANNING STAFF - None

ADJOURNMENT

Chair Wulkowicz adjourned the meeting at 7:20 pm.

Respectfully submitted,



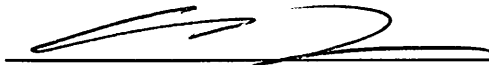
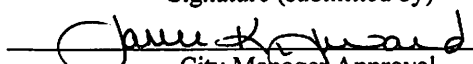
Gerald Wulkowicz, Brookings Planning Commission
Approved at the April 6, 2021 meeting

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 12, 2021

Originating Dept: PWDS


Signature (submitted by)

City Manager Approval

Subject:

Underground Diesel Tank Removal & Replacement Project.

Recommended Motion:

Authorize City Manager to proceed with the Dyer Partnership Task Order 94 to provide engineering services for the removal and replacement of underground diesel tanks located at Pump Stations 4 and 5 in the Dawson & Deer Park area.

Financial Impact:

\$34,000 from the Wastewater SRF Fund.

Background/Discussion:

The 2016 Wastewater Master Plan identifies Dawson Tract Pump Stations Nos. 4 and 5 as both having fuel tanks located underground, which can be an issue. If an underground tank leaks, it could be considered harmful to the general public by potentially contaminating the surrounding groundwater and soil. Additionally, both tanks are located directly adjacent to streams. For this reason DEQ's goal is to remove most underground tanks in the State of Oregon. Oregon's Underground Storage Tank Program handles issues related to tank registration, operating certificates, cleanup of soil and groundwater contamination, financial liability protection for future leaks, and enforcement of Oregon's Underground Storage Tank rules.

The project includes the development of design and construction documents with specifications for the removal of the underground tanks and replacement with above ground tanks. In addition, Dyer will develop and administer a Request For Qualifications (RFQ) during the contractor selection process as this type of work requires special certification. The total construction cost for the project, identified in the Wastewater Master Plan, is estimated at \$239,600.

Attachment(s):

- a. Dyer Task Order 94

TASK ORDER # 94
City of Brookings
PS #1 & PS #4 Fuel Tank Replacement

SCOPE OF WORK:

Provide engineering services for the removal of underground diesel fuel tanks located at Pump Station #1 and Pump Station #4 and replacement with aboveground diesel fuel tanks.

FOUNDATION:

The existing 500-gallon underground fiberglass diesel fuel tanks located at Pump Station #1 and Pump Station #4 have been identified in the Wastewater Facilities Plan to be removed and replaced with above ground diesel fuel storage tanks.

The new above ground fuel tanks will be constructed and put into service prior to removal of the underground fuel tanks which maintains constant fuel supply for backup power. The new above ground fuel storage tank system will trigger site improvements as required by the National Fire Protection Act building codes and the Oregon adopted 2018 International Fire Code. There may be additional permitting or approvals required from local State Fire Marshal and the EPA Spill Prevention, Control, and Countermeasure program. Code requirements and approvals will be determined prior to design and discussed with the City.

The removal of the existing underground fuel tanks is regulated by DEQ and requires a permit process. The DEQ permit process requires several notification documents, soil sampling, conceptual removal plan, and application. A Contractor licensed to handle and remove underground fuel tanks will obtain all necessary DEQ permits and perform the underground tank removal aspect of the project. The removal and replacement of the underground fuel tank will be advertised as the same project with two schedules. The first schedule will be construction of the new above ground fuel tank at both pump stations and the second schedule will be removal of the underground fuel tanks at both pump stations.

SCOPE OF ENGINEERING SERVICES:

The Engineer will be responsible for the following:

Coordination

- Coordinate with City staff, DEQ, local State Fire Marshal, and EPA.
- Conduct a design review meeting with City staff.

Aboveground Fuel Storage Tank Code & Permit Review

- Review and identify pertinent building codes, fire codes, and approvals required for the new aboveground fuel storage tanks.
- Conduct a code and approval review meeting with City staff.

Above Ground Fuel Storage Tank Approval

- Review of DEQ, local State Fire Marshal, and EPA requirements pertinent to constructing above ground fuel storage systems.
- Obtain necessary approvals from DEQ, local State Fire Marshal, and EPA.

Construction Documents

- Field measurements to verify record drawing pump station layout, fuel tank location, conflicts, and other site features.
- Provide a conceptual mechanical layout of new above ground fuel storage tank system for City to review.
- Prepare technical specifications, construction plans, and contract documents.
- Identify preferred underground fuel storage tank removal Contractors.
- Provide final estimated costs for construction and an estimated time line for construction.

Bidding and Contracts

- Prepare bidding documents including bidding requirements and contract documents in accordance with City Standards.
- Prepare advertisement for bids and send to City-approved publications (City to pay advertising expense).
- Reproduce bidding documents and distribute to approved plan exchanges and interested bidders.
- Respond to bidder questions and prepare necessary addendums, if needed.
- Attend bid opening.
- Review bids and recommend contract award based on public contracting rules.
- Prepare construction contracts for execution.
- Issue Notice of Intent to Award, Notice of Award, and Notice to Proceed.

Contract Administration

- Provide Construction Management – Administer Construction Contract between City and Contractor.
- Attend and administer a Pre-Construction job meeting.
- Review submittals.
- Review and process requests for information, change orders, and pay requests.
- Attend meetings with City and Contractor as required.
- Project manager to make two site visits during construction.

Inspection Services

- Provide up to 40 hours of part-time onsite observation of construction activities.

Project Closeout

- Perform Substantial and Final Completion walk-through with City and Contractor.
- Provide record drawings to the City.

Schedule (anticipated)

- Field Reconnaissance: April, 2021
- Code Review Meeting: April, 2021
- Finalize Technical Specifications, Construction Plans, and Contract Documents: May, 2021
- Advertise: June, 2021
- Bid Opening: July, 2021
- Award Contract: August, 2021
- Notice to Proceed: September, 2022
- Substantial Completion: December, 2021

Assumptions/Exclusions:

- The City will complete building improvements as required by new building and fire codes.
- No generator, electrical, or building modifications are associated with this project.
- New tanks to fit within the existing lots, no easement required.
- No contaminated soils. If contaminated soils are encountered Dyer will provide a task order amendment for soil remediation.
- General City Funding is to be used
- All permit fees will be paid by the City
- No funding application or coordination required
- City to pay advertising expense
- No contaminated soils present
- No environmental permitting required (DSL/USACE/ODFW/NMFS/Wetlands)
- No survey required

Proposed Fee

Services will be performed and billed on a time and materials basis, in accordance with the conditions of the Professional Services Agreement and fee listed herein. The fee for these services is not to exceed a maximum \$34,000 including all professional services and reimbursable expenses.

PAYMENT METHOD: Monthly Billing

City of Brookings

Anthony Baron, Public Works Director

Date: _____

The Dyer Partnership
Engineers & Planners, Inc.


Steve Major, President

Date: 3-15-21

ESTIMATE OF MAN HOURS AND COSTS											
DATE:		03-12-21		PROJECT:		PS #1 & PS #4 Fuel Tank Replacement		Task 1:		Contract Documents	
TASK		PRINC. MGR	PROJ MGR	PROJ ENGR 2	MAN HOURS			SURVEY			
					ENG TECH 1	INSPECT	CREW	DRAFTER	CLERICAL		
1:	Coordination	1	4	6							
2:	Code Review	1	4	6							
3:	Meetings		4	4							
4:	Site Reconnaissance & Review		2	12							
5:	Design Meeting		4	4							
6:	Final Design		4	12	8				20		
7:	Specifications		4	6						2	
8:	Cost Estimates		2	4	2						
TOTAL ESTIMATED HOURS		2	28	54	10	0	0	0	20	2	
MATERIAL COSTS		DESCRIPTION OR UNIT							QUANTITY	UNIT COST	TOTAL COST
REPORT											0.00
PHOTOGRAPHS											0.00
COST ESTIMATE											0.00
PLANS AND PRINTS											0.00
SPECIFICATIONS											0.00
OTHER											0.00
TOTAL MATERIAL COSTS											\$0.00
TRAVEL AND PER DIEM		DETAIL									TOTAL COST
MILEAGE		400								\$0.56	224.00
COMMERCIAL PER DIEM											100.00
LOCAL TRANSPORTATION											250.00
LODGING											
TOTAL TRAVEL AND PER DIEM											\$574
OTHER SIGNIFICANT COSTS		DETAIL									TOTAL COST
GEOTECHNICAL ENGINEERING											
STRUCTURAL ENGINEERING											
SHIPPING											
REPRODUCTION											
OTHER											
TOTAL OTHER SIGNIFICANT COSTS											\$0

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ESTIMATE OF MAN HOURS AND COSTS									
DATE: 03-12-21		PROJECT: PS #1 & PS #4 Fuel Tank Replacement				Task 2: Bidding			
TASK		MAN HOURS							
		PRINC. MGR	PROJ MGR	PROJ ENGR 2	ENG TECH 1	INSPECT	SURVEY CREW	DRAFTER	
1:	Coordination	1	2	4					1
2:	Prepare Bid Package	1	6	4					8
3:	Prebid Meeting			8					
4:	Contractor Bid Questions/Addendums		4	8				2	4
5:	Bid Opening			8					
6:	Review Bids/Recommendation Letter		2	2					2
7:	Issue Contract Docs		1	2					4
8:									
9:									
10:									
11:									
12:									
13:									
14:									
15:									
16:									
TOTAL ESTIMATED HOURS		2	15	36	0	0	0	2	19

MATERIAL COSTS	DESCRIPTION OR UNIT	QUANTITY	UNIT COST	TOTAL COST
REPORT				0.00
PHOTOGRAPHS				0.00
COST ESTIMATE				0.00
PLANS AND PRINTS				0.00
SPECIFICATIONS				0.00
OTHER				0.00
TOTAL MATERIAL COSTS-----				\$0.00

TRAVEL AND PER DIEM	DETAIL	TOTAL COST
MILEAGE		0.00
COMMERCIAL		
PER DIEM		0.00
LOCAL TRANSPORTATION		
LODGING		
TOTAL TRAVEL AND PER DIEM-----		\$0

OTHER SIGNIFICANT COSTS	DETAIL	TOTAL COST
GEOTECHNICAL ENGINEERING		
STRUCTURAL ENGINEERING		
SHIPPING		
REPRODUCTION		
OTHER		
TOTAL OTHER SIGNIFICANT COSTS-----		\$0

PREPARED BY: BLA

ESTIMATE OF MAN HOURS AND COSTS									
DATE: 03-12-21		PROJECT: PS #1 & PS #4 Fuel Tank Replacement				PART 3: Construction Management			
TASK		MAN HOURS							
		PRINC. MGR	PROJ MGR	PROJ ENGR 2	ENG TECH 1	INSPECT	SURVEY CREW	DRAFTER	CLERICAL
1:	Preconstruction Mtg			8					1
2:	Submittals		1	4					1
3:	RFIs/Contractor Questions/CM	1	1	2					1
4:	Coordination/Const. Meetings	2	2	4					1
5:	Pay Requests/Change Orders	2	2	8					1
6:	Inspection Services			16		44			1
7:	Final Walkthrough /Closeout Documents		2	8					
8:	Asbuilt Drawings			2				6	
9:									
10:									
11:									
12:									
13:									
14:									
15:									
16:									
TOTAL ESTIMATED HOURS		5	8	52	0	44	0	6	6

MATERIAL COSTS	DESCRIPTION OR UNIT	QUANTITY	UNIT COST	TOTAL COST
REPORT				0.00
PHOTOGRAPHS				0.00
COST ESTIMATE				0.00
PLANS AND PRINTS				0.00
SPECIFICATIONS				0.00
OTHER				0.00
TOTAL MATERIAL COSTS-----				\$0.00

TRAVEL AND PER DIEM	DETAIL	TOTAL COST
MILEAGE	800	\$0.56
COMMERCIAL		
PER DIEM		200.00
LOCAL TRANSPORTATION		
LODGING		500.00
TOTAL TRAVEL AND PER DIEM-----		1,148.00

OTHER SIGNIFICANT COSTS	DETAIL	TOTAL COST
GEOTECHNICAL ENGINEERING		
STRUCTURAL ENGINEERING		
SHIPPING		
REPRODUCTION		
OTHER		
TOTAL OTHER SIGNIFICANT COSTS-----		\$0

PREPARED BY: BLA

SUMMARY							
BREAKDOWN OF PROPOSED FEE							
DATE: 03-12-21		PROJECT: PS #1 & PS #4 Fuel Tank Replacement					
	LABOR	PROJECT					
	RATE \$/HR.	-----1----- HRS. AMOUNT		-----2----- HRS. AMOUNT		-----3----- HRS. AMOUNT	
DIRECT LABOR COSTS:							
PRINCIPLE MANAGER-----	\$135	2	\$270	2	\$270	5	\$675
PROJECT MANAGER	\$125	28	\$3,500	15	\$1,875	8	\$1,000
PROJECT ENGINEER 2	\$115	54	\$6,210	36	\$4,140	52	\$5,980
ENGINEERING TECH 2	\$95	10	\$950	0	\$0	0	\$0
INSPECTOR	\$85	0	\$0	0	\$0	44	\$3,740
SURVEY CREW	\$130	0	\$0	0	\$0	0	\$0
DRAFTER-----	\$80	20	\$1,600	2	\$160	6	\$480
CLERICAL-----	\$52	2	\$104	19	\$988	6	\$312
TOTAL DIRECT LABOR COSTS:			\$12,634		\$7,433		\$12,187
DIRECT PROJECT EXPENSES							
A. MATERIAL COSTS (BREAKDOWN ATTACHED)			\$0		\$0		\$0
B. TRAVEL & PER DIEM (BREAKDOWN ATTACHED)			\$574		\$0		\$1,148
C. OTHER SIGNIFICANT COSTS (BREAKDN ATTACHED)			\$0		\$0		\$0
D. ADMINISTRATIVE FEE 10 % OF A,B.&C			\$0		\$0		\$0
TOTAL OF: A THROUGH D			\$574		\$0		\$1,148
TOTAL FEE (PER PHASE):			\$13,208		\$7,433		\$13,335
		1:	Contract Documents				\$13,208
		2:	Bidding				\$7,433
		3:	Construction Management				\$13,335

			TOTAL FEES				\$33,976
			TOTAL ROUNDED				\$34,000

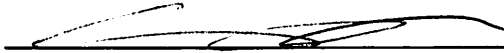
PREPARED BY: BLA

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 12, 2021

Originating Dept: PW/DS


Signature (submitted by)


City Manager Approval

Subject:

Hemlock Street Improvement Project.

Recommended Motion:

Authorize City Manager to enter into an agreement with Tidewater Contractors, Inc. in the amount of \$181,410 for street improvements on Hemlock Street from Oak Street to Alder Street.

Financial Impact:

\$181,410 to be funded from local fuel tax revenues and/or Urban Renewal Agency funds.

Background/Discussion:

The Hemlock Street Improvement project includes full street improvements along Hemlock Street between Oak and Alder. The project is listed on the five year street improvement plan presented to Council in 2018. The City replaced the waterline under this section of Hemlock Street in September of 2019.

Bidders	Bid
Tidewater Contractors, Inc.	\$181,410
McLennan Excavation. Inc.	\$253,780

Attachments:

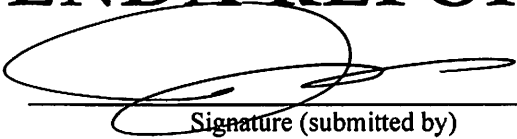
None.

CITY OF BROOKINGS

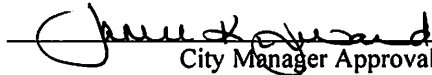
COUNCIL AGENDA REPORT

Meeting Date: April 12, 2021

Originating Dept: PWDS



Signature (submitted by)



City Manager Approval

Subject:

Resolution of the City of Brookings approving a proposed Curry County order initiating formation of a Parks and Recreation District.

Recommended Motion:

- Adopt Resolution 21-R-1197, approving Curry County order initiating the formation of the South Coast Parks and Recreation District.

AND

- In the event Curry County does not initiate the formation of South Coast Parks and Recreation District, The Brookings City Council authorizes the inclusion of the City of Brookings boundaries in the proposed South Coast Parks and Recreation District should the Community Recreation Center Task Force petition to form the special district.

Financial Impact:

No direct cost to the City.

Background/Discussion:

The Friends of the Brookings Harbor Aquatic Center (FBHAC) began meeting over 10 years ago. The City and FBHAC then formed the Community Recreation Center Task Force comprised of other community stakeholders; including All Care and Advanced Health.

The intention of the task force has been to identify the best and most reasonable routes to fund the development of a recreation center. The task force started by working to find grant opportunities to fund the construction of the Recreation Center and encountered many obstacles during that search. After several years of searching for possible grant opportunities, the task force shifted gears and began identifying alternate options and began researching the possibility of forming a special district. The forming of a special district has been identified as the most reasonable route to achieving this goal.

The Parks and Recreation district will then have the authority to propose a General Obligation (GO) bond that will fund the construction of the Recreation Center. In addition to proposing a GO bond, the South Coast Parks and Recreation District will also be the hub for recreational opportunities for the community. The South Coast Parks and Recreation District will provide robust recreational programs that will benefit the community as a whole.

The attached Draft Order for the Curry County Commissioners is scheduled for the County's April 14th regular board meeting. City staff is recommending adopting both motions, so that the task force has the appropriate approval in place, depending on how the County Commissioners vote.

Attachment:

- a. Resolution 21-R-1197
- b. Draft Order for the Curry County Commissioners to petition the formation of the Parks and Recreation district.
- c. Exhibit A - Boundaries of the South Coast Parks and Recreation Special District
- d. Exhibit B - Findings of Fact

CITY OF BROOKINGS

RESOLUTION 21-R-1197

A RESOLUTION OF THE CITY OF BROOKINGS APPROVING A PROPOSED CURRY COUNTY ORDER INITIATING FORMATION OF PARK AND RECREATION DISTRICT

WHEREAS, ORS 198.835(1) authorizes a county board to initiate formation of a special district within county boundaries by entering an order setting forth its intention to form a district, the principal act governing the district, the name and boundaries of the proposed district, and the date, time, and place of a public hearing on the formation proposal (the "Formation Order"); and

WHEREAS, if any territory included within a proposed special district is located within a city, ORS 198.835(3) requires the Formation Order to include a certified copy of a resolution from the affected city or cities approving the Formation Order; and

WHEREAS, the Curry County Board of Commissioners intends to form a park and recreation district organized under ORS Chapter 266 to build and operate a recreation center and provide parks and recreation-related services within Curry County; and

WHEREAS, the Curry County Board of Commissioners intends to initiate formation of the proposed park and recreation district using the procedures of ORS 198.835 and proposes to include territory located within the City of Brookings in the proposed park and recreation district; and

WHEREAS, territory within the City of Brookings may only be included in the proposed park and recreation district if the City Council adopts a resolution approving the Formation Order attached as Exhibit A, incorporated herein by this reference; and

WHEREAS, the City Council believes that formation of the proposed park and recreation district is in the best interests of the citizens of the City and desires to approve the Formation Order.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brookings, Oregon that the City hereby approves the Formation Order attached as Exhibit A and consents to the inclusion of territory within the City in the boundaries of the proposed park and recreation district.

Passed by the City Council April 12, 2021, and made effective the same date.

Attest:

Jake Pieper, Mayor

Janell Howard, City Recorder

**DRAFT FOR COUNTY COUNSEL'S CONSIDERATION
BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY OREGON**

In the Matter of Forming a)
Park and Recreation District)
In Curry County) ORDER_____

WHEREAS, on April 8, 2021, the Curry County Board of Commissioners received a request from the Brookings Harbor Community Recreation Task Force to initiate formation of a Parks and Recreation District organized under ORS Chapter 266 to build and operate a recreation center and provide parks and recreation-related services within Curry County; and

WHEREAS, ORS 198.835(1) authorizes a county board to initiate formation of a special district within County boundaries by entering an order setting forth its intention to form a district, the principal act governing the district, the name and boundaries of the proposed district, and the date, time, and place of a public hearing on the formation proposal; and

WHEREAS, if any territory included within a proposed special district is located within a city, ORS 198.835(3) requires the county order initiating formation to include a certified copy of a resolution from the affected city or cities approving the formation order; and

WHEREAS, to form a special district, ORS 198.805(1) requires a county board to determine that the area could benefit from formation of the proposed district using the criteria prescribed by ORS 199.462; and

WHEREAS, the proposed territory for the Parks and Recreation District is wholly within Curry County boundaries; and

WHEREAS, the Curry County Board of Commissioners desires to initiate formation of a Parks and Recreation District organized under ORS Chapter 266 by order under the procedures of ORS 198.835.

**NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS
HEREBY ORDERS:**

Section 1. The Curry County Board of Commissioners hereby initiates the formation of a Parks and Recreation District organized under ORS Chapter 266.

Section 2. The name of the proposed district shall be South Coast Parks & Recreation District.

Section 3. The boundaries of the proposed district are identified in the legal description attached as Exhibit A, incorporated herein by this reference.

Section 4. The findings of fact attached as Exhibit B, incorporated herein by this reference, are hereby adopted to demonstrate that formation of the proposed district would benefit the area in accordance with ORS 198.805(1) and that formation of the proposed district would be consistent with the criteria contained in ORS 199.462.

Section 5. The copy of the resolution attached as Exhibit C, incorporated herein by this reference, is hereby adopted to demonstrate approval of the proposed formation by the City of Brookings in accordance with ORS 198.835(3).

Section 6. The Curry County Board of Commissioners will hold a public hearing (“Hearing”) on the formation of the proposed district at _____ a.m./p.m. on _____, 2021, at Curry County Annex Building, 94235 Moore Street, Gold Beach, OR 97444.

Section 7. Curry County shall hold an election on formation of the proposed district if the Curry County Board of Commissioners receives requests for an election from fifteen percent (15%) of electors or one-hundred (100) electors, whichever is lesser, by the close of the Hearing, if the proposed formation includes a permanent tax rate for operating taxes, or if the proposed formation includes a proposal for the district to incur bonded indebtedness.

This Order shall take effect at _____ a.m./p.m. on _____, 2021.

DATED THIS _____ day of _____, 2021.

BOARD OF CURRY COUNTY COMMISSIONERS

Exhibit A
Boundaries of the South Coast Parks & Recreation Special District

Beginning at the point of intersection of the North line of Section 16, Township 39 South, Range 14 West, W.M., and the shore line of the Pacific Ocean;

Thence East, following the North lines of the Sections 16, 15, 14, and 13 in Township 39 South, Range 14 West to the Northeast corner of said Section 13;

Thence South to the Northwest corner of Section 18, Township 39 South Range 13 West;

Thence East, following the North lines of Sections 18, 17, 16, 15, 14 and 13 to a point on the Township line between Ranges 12 and 13 West;

Thence North, following said township line to the Northwest corner of fractional Township 37 ½ South, Range 12 West;

Thence East, following the north lines of fractional Township 37 ½ South, Ranges 12 and 11 West to a point on the Range line between Ranges 10 and 11 West;

Thence South, following said Range line to the Northwest corner of Township 38 South, Range 10 West;

Thence East, following the North line of said Township 38 South, Range 10 West to its intersection with the Easterly boundary line of Curry County;

Thence Southerly, following said Easterly county line to its intersection with the North line of Township 40 South, Range 10 West;

Thence West, following the North lines of Township 40 South, Ranges 10 and 11 West to the Northwest corner of Township 40 South, Range 11 West;

Thence South, following the Range line between Ranges 11 and 12 to the South Boundary line of Curry County this being also the Oregon and California boundary line;

Thence West, following said South line of Curry County to its intersection with the shore line of the Pacific Ocean;

Thence Northerly, following said shore line to the point of beginning.

The aforesaid district, so bounded, lying within the Precinct of Ferrelo, the Precinct of Chetco and the City of Brookings, in Curry County, State of Oregon.

Same entire area as the Chetco Community Library District, Order 4411.

Exhibit B Findings of Fact

WE FIND, the area within the proposed boundaries of the Parks & Recreation Special District is entirely within Curry County.

WE FIND, there is no other Parks & Recreation Special District within the area of the proposed Parks & Recreation Special District's boundaries.

WE FIND, the area within the proposed boundaries of the Parks & Recreation Special District will include the City of Brookings with consent from the Brookings City Council.

WE FIND, the entire area within the proposed boundaries would benefit from the formation of a Parks & Recreation Special District.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 12, 2021

Originating Dept: City Manager

Signature (submitted by)



City Manager Approval

Subject:

Annual Yard of the Month Program

Recommended Motion:

Approve the reinstatement of the annual Yard of the Month program for five months beginning May 2021.

Financial Impact:

\$500

Background/Discussion:

This will be the City's 19th year for recognizing residents and business owners for their beautification efforts through its annual Yard of Month Program.

The program includes the presentation of awards, May through September, in two categories: Best Residential Property and Best Commercial Property. Monthly winners receive a certificate and a \$50 rebate toward their City utility bill. Winners are also recognized with signage, local media coverage, and mention at a City Council meeting.


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 12, 2021

Originating Dept: Finance & Admin

Signature (submitted by)


Manager Approval

Subject:

Discussion regarding Council Support of Project Turnkey

Financial Impact:

No immediate financial impact

Background/Discussion:

Councilor Alcorn requested that an agenda item be added to discuss council support of Project Turnkey. Last week he learned that the Mayor had sent a support letter to the group applying for a Project Turnkey in Brookings, and was concerned that the Council had not discussed, nor voted on, as a whole.

The Mayor and/or Councilors can write a letter individually as long as they disclose that it is solely the opinion of the sender per BMC 2.05.230:

2.05.230 Council member communications.

Unless authorized by a majority vote of the city council to speak on their behalf, any written or oral communication by the mayor or any city council member which could be interpreted as being representative of a position of the city council in general, must contain a disclosure that the communication is solely that of the sender.

Last week Councilor Alcorn heard that “Mayor Pieper of the City of Brookings” had provided a letter of support for Project Turnkey. The Mayor has since stated that it was a personal letter with a disclaimer. That person apparently misunderstood that it was from Mayor Pieper of Brookings, instead of a personal letter from Jake Pieper. Since it was so easily misunderstood, Councilor Alcorn felt that a discussion was needed and requested this agenda item.

For additional background, The Oregon Legislature allocated a total of \$65 million (\$30 million to be awarded to communities impacted by the 2020 wildfires, and \$35 million for the remaining 28 counties), for Project Turnkey, for the purpose of acquiring motels/hotels for use as non-congregate shelter for people experiencing homelessness or at-risk homelessness. More details about the local application, process, and challenges were discussed at the March 22, 2021 council meeting.