City Council Meeting Agenda - URA Meeting to Immediately Follow

Monday, May 23, 2016, 7:00 PM

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

1. Call To Order
2. Pledge Of Allegiance
3. Ceremonies/Appointments/Announcements
   a. Appoint Jay Trost To Parks And Recreation Committee

      Documents: PRC.APP.TROST.PDF
4. Staff Reports
   a. Transportation And Growth Management Grant, Parkview Drive And Airport Area.

      Documents: TGM GRANT CAR.PDF, TGM GRANT.ATT.A.PDF, TGM GRANT.ATT.B.PDF

   b. Customer Complaint Regarding Marine Drive Slope Repair Project

      Documents: BERG COMPLAINT CAR.PDF, BERG COMPLAINT.ATT.A.PDF, BERG COMPLAINT.ATT.B.PDF, BERG COMPLAINT.ATT.C.PDF

   c. Bid Award For Wastewater Treatment Plant (WWTP) Rust Removal And Painting Contract

      Documents: WWTP RUST REMOVAL CAR.PDF, WWTP RUST REMOVAL.ATT.A.PDF

   d. City Council Compensation

      Documents: CC COMPENSATION.CAR.PDF, CC COMPENSATION.ATT.A.EXCERPTS FROM SURVEY.PDF, CC COMPENSATION.ATT.B.CHARTER SECT 24.PDF, CC COMPENSATION.ATT.C.CITIES COMPARISON.PDF
5. Public Hearings/Final Orders/Ordinances/Resolutions
   a. Ordinance 16-O-758, Adding Sub Sections E And F To Section 10.10.070, Prohibited Parking, Title 10, Vehicle And Traffic Of The Brookings Municipal Code.
      See ADVANCE PACKET

   b. Ordinance 16-O-759, Amending Brookings Municipal Code Section 12.25.020 Public Parks And Recreational Areas, Exceptions, Adding An Exemption To Park Operating Hours For The Mill Beach Access.
      See ADVANCE PACKET

   c. Resolution 16-R-1075, Updating The Brookings Master Fee Schedule, And Repealing Resolution 14-R-1026, Effective March 1, 2014 And 14-R-1029, Amending 14-R-1026, Effective March 24, 2014.

      Documents: MASTER FEE. CAR.PDF, MASTER FEE.ATT.A.RES 16-R-1075.PDF, MASTER FEE.ATT.B.REVISIONS.PDF, MASTER FEE.ATT.C.MEMO.PDF

   d. Resolution 16-R-1076, Authorizing A Collection Agency, Acting On Behalf Of The City Of Brookings To Collect Delinquent Court Fees, To Charge An Additional Fee Of Up To Fifty Percent Of The Original Fine/Fee Payable By The Debtor To The Collection Agency.

Documents: COURT COLLECTIONS. CAR.PDF, COURT COLLECTION.ATT.A.RES 16-R-1076.PDF

e. Public Hearing And Approval Of Appropriations For The 2016-17, Fiscal Year Budget

Documents: BUDGET. CAR.PDF, BUDGET.ATT.A.16-R-1078.PDF, BUDGET.ATT.B.16-R-1079.PDF

f. Approval Of Water And Sewer Rates And System Replacement Fees For Fiscal Year 2016-17.

Documents: UTILITY RATES. CAR.PDF, UTILITY RATES.ATT.A.16-R-1080.PDF, UTILITY RATES.ATT.B.16-R-1081.PDF, UTILITY RATES.ATT.C.16-R-1082.PDF

6. Oral Requests And Communications From The Audience

7. Consent Calendar
   1. Approve Council minutes for May 9, 2016
   2. Accept Planning Commission minutes for April 5, 2016
   3. Receive monthly financial report for April 2016
   4. Reschedule July Workshop meeting to Tuesday, July 5, 2016 at 4 p.m.

   Documents: 1.5-9-16 CC MINUTES.PDF, 2.4-5-16 PC MINUTES FINAL.PDF, 3.APRIL FINANCIALS.PDF

8. Remarks From Mayor And Councilors

9. Adjournment

*Obtain Public Comment Forms and view the agenda and packet information on-line at www.brookings.or.us, at City Hall and at the local library. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

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

CITY OF BROOKINGS

APR 26 2016

RECEIVED..TM

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 CITY OF BROOKINGS COMMISSION, COMMITTEE OR BOARD

PART I. Contact Information:

Name: Jay Trost Date: 4/20/16

Physical Address: 17160 Ocean Park Ct Brookings OR 97415

Mailing Address: Same as above

Email Address: ~~JTrost@b~~ JTrost0731@gmail.com Phone: 541-254-4278

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

1. Commission/Committee applying for:	Composition **(i)**	Term **(ii)**
☐ Planning Commission/Commission for Citizen Involvement **(iii)**	5 Electors, 2 UGB	4 yrs
☐ Budget Committee	5 Electors	3 yrs
☑ Parks and Recreation Commission	4 Residents, 1 UGB	2 yrs
☐ Public Art Committee (PAC) **(iii)**	3 Residents, 2 UGB	3 yrs
☐ Traffic Safety Committee	2 Residents	2 yrs
☐ Tourism Promotion Advisory Committee (TPAC) **(iii)**	4 Residents, 3 Curry	3 yrs
☐ Other (please specify):		

2. **City residents:** How long have you lived in the City of Brookings? 1yr 7mths (yrs/mths)
   Planning & Budget Applicants Only: Are you a City elector (registered voter)? ☐ Yes ☐ No
3. **UGB residents:** How long have you lived in the UGB?: _____ (yrs/mths)
4. **What is your *current* occupation?** Curry County Juvenile Justice Director
   Curry County Parks Director

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 Officer)
- UGB members must reside within the Brookings Urban Growth Boundary or Area. (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 Curry members must own property, own a business or be employed in the City.
- PAC: Three (3) members must have an art background.

PART III. Background Information : *Attach additional pages if needed:*

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

My experience as the Curry County Parks Director has allowed me to better understand Park planning, maintenance, growth and development, recreational opportunities, grant writing and many of the obsticals that can be in the way.

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

I am the current Juvenile Justice Director, in my past I have supervised as many as 300 employees and a 12 million dollar budget. My degree is in Psychology.

Volunteer Experience: Presently -

Chairman of the Board of Directors for Curry Community Health

Chairman of the Curry County mental health advisory board

Vice chairman of the Local Public Safety Coordinating Counsil

Member of the Oregon Juvenile Department Directors Association (OJDDA)

Vice chair of the OJDDA Training Committee

Member of the Grace Action Team for foster Parents

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

I am interested in this position because I would like to provide my knowledge and skills regarding the Park System and hope to also learn a lot along the way.

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.

Jay Trost
Applicant (print name)

Applicant's Signature

4/22/16
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 (OGEC). You may view a sample form at http://www.oregon.gov/OGEC/forms_publications.shtml. Official forms are provided by OGEC.

Submit completed applications by mail or in person to the City Recorder, 898 Elk Drive, Brookings, OR 97415. Regular City business hours are 9:00am – 4:30pm, Monday–Friday.

Commission and Committee contact information:

Planning Commission: 541-469-1137 dcolbyhanks@brookings.or.us

Budget Committee: 541-469-1123 jhoward@brookings.or.us

Parks and Recreation Commission, Public Art Committee, Tourism Promotion Advisory Committee and Traffic Safety Committee: 541-469-1103 lziemer@brookings.or.us

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: PW/DS

Chrissy Bevens
Management Analyst

City Manager Approval

Subject: Transportation and Growth Management grant, Parkview Drive and Airport Area.

Recommended Motions: Motion to authorize a City Council letter of support and staff submittal of an application for a Transportation and Growth Management grant of up to $100,000 to develop an Area Plan for the Parkview Drive and Airport Area.

Financial Impact: The grant program requires a local match of 12% of total project costs.

Background /Discussion:
Jointly, the Oregon Department of Transportation and the Oregon Department of Land Conservation & Development are accepting applications under the Transportation and Growth Management (TGM) Planning Grant program. The TGM program supports planning efforts that coordinate transportation and land use issues, with a goal of providing transportation choices and supporting economic vitality.

During the development of the City's airport infrastructure project, currently in progress, the U.S. Federal Aviation Administration (FAA) identified access restrictions related to the airport's Runway Protection Zone (RPZ). Part of the alignment of Parkview Drive is within the RPZ. The FAA has asserted that the County would be out of compliance if it allows uses on the road beyond those needed for aviation-related airport access. This puts at risk current and historical uses of the road, including access for timber harvest and management activities in adjacent lands, as well as the development of other planned land uses.

The proposed plan would further develop and consider alternatives identified during the Transportation System Plan update process for airport access as well as other transportation deficiencies for the area. These include the Parkview and Harris Beach State Park intersections with Highway 101 and pedestrian facilities on and adjacent to Parkview Drive. The plan would also address the future development of the County-owned property adjacent to the airport, zoned Industrial Park. An additional section of the plan would identify potential funding strategies and sources.

Curry County has expressed its support in the attached letter. Grant applications are due in June and awards will be announced in August of this year.

Attachment(s):
a. Curry County support letter
b. Draft support letter

Curry County
Board of Commissioners

Thomas Huxley, *Chair*
Susan Brown, *Vice Chair*
David Brock Smith, *Commissioner*

94235 Moore Street/Suite #122
Gold Beach, OR 97444
541-247-3296, 541-247-2718 Fax
800-243-1996 *www.co.curry.or.us*

April 6, 2016

Cindy Lesmeister, TGM Grants & Contracts Program Manager
Transportation and Growth Management Program
555 13th St., NE, Suite 2
Salem, Oregon 97301

Re: Brookings TGM Application

Dear Ms. Lesmeister:

This letter is to express Curry County's support for the City of Brookings TGM Program Grant to fund a Feasibility Study for the Brookings Airport Ground Access and Area Plan. At a regular meeting on April 6, 2016, the Curry County Board of Commissioners expressed concurrence that there are community wide advantages to improving access and providing protective elements for traffic in the area adjacent to the airport.

Better access to the airport encourages economic development as well as provides a greater margin of community safety by adding additional protections for vehicle and pedestrian traffic in the area. FAA concerns regarding proximity of traffic to the runway safety zone should be eliminated by construction of an access tunnel as well as providing for a slight increase in runway length.

The airport is essential to life safety in our community as it is the only fully operational airport in the County located outside the tsunami zone. It is understood that in a major seismic event or tsunami, access to the hospital in Gold Beach will be lost due to road and bridge failures. This leaves a significant number of citizens in Curry County without access to advanced medical care. The Airport is used extensively by the local air ambulance company.

We acknowledge this project as important to the community and wish to facilitate it in any way possible.

Sincerely,

4/7/16

Thomas Huxley, Chair

Copy: City of Brookings, Att. Gary Milliman
WH Pacific, Peter Murphy

City of Brookings

898 Elk Drive, Brookings, OR 97415
(541) 469-1104, Fax (541) 469-3650, TTY (800) 735-1232

Mayor Ron Hedenskog

May 23, 2016

Cindy Lesmeister, Grants/Contracts Coordinator
Oregon Department of Transportation
555 13th Street, N.E.
Salem, OR 97301

Re: City of Brookings TGM application

The Brookings City Council fully supports the Transportation and Growth Management planning grant application for an Area Plan for the Parkview Drive and Airport area.

Parkview Drive intersects with Highway 101 just north of commercial areas and adjacent to Harris Beach State Park. Parkview provides access for residential areas and the Brookings Airport. Beyond the Airport is an undeveloped parcel, zoned Industrial Park. The Airport and Industrial Park parcel are owned by Curry County, but are within the Brookings City Limits.

The City's Transportation System Plan update, in progress, has identified several transportation deficiencies in the area. These include intersections with Highway 101 as well as needed pedestrian improvements in the area. The most complex project, however, addresses access to and around the Brookings Airport.

The City is currently expanding water and sewer services to the Brookings Airport and is committed to working with the County to further develop the airport. It is the only functioning airport in the region that is located outside of the tsunami zone. For our community, which lacks a hospital, the airport is a lifeline. Additionally, the City's Economic Development Strategy and Action Plan (adopted 03/2016) identifies the further planning and development of both the Airport and the adjacent Industrial Park land as high on the list among twelve economic development strategies.

A plan that addresses transportation and land use challenges and opportunities for the Parkview Drive and Airport area will help Brookings and the surrounding community to realize not only land use and transportation goals, but additional community priorities such as economic development, healthcare access, and disaster preparedness. Thank you for your close consideration of this important project and for the opportunity to express our full support.

Respectfully,

Ron Hedenskog
Mayor

CITY OF BROOKINGS

Council Agenda Report

Meeting Date: May 23, 2016

Originating Dept: PWDS

LL Snook
Public Works and Development Director

City Manager Approval

Subject: Customer Complaint regarding Marine Drive Slope Repair project

Recommendation: Informational only

Financial Impact: $1,200

Background/Discussion:
A project to rebuild Marine Drive was conducted in July of 2015 to repair the road after a slide. At the request of Tiffany Berg, 241 Marine Drive, additional work was added to the project in order to provide for a wider driveway approach at her residence.

The Bergs were not satisfied with the project and would not pay for the work. They appeared at the December 14, 2015 Council Meeting and voiced their dissatisfaction. The Council agreed to reduce the bill for the work at that time.

The Bergs were billed for the reduced amount and have not arranged for payment. The Finance Department has placed a lien on their property for the outstanding bill.

Robert and Tiffany Berg have submitted a letter dated April 1, 2016 requesting the Council revisit their decision made at the December 14, 2015 Council Meeting. The Bergs are requesting that the City make additional modifications to the drainage system at their driveway and authorize them to proceed with grading adjacent to their driveway without securing a Hillside Development Permit or providing engineered plans.

It is important to note that the slope failure that severely impacted the roadway at this location, resulting in an $83,000 repair cost paid by the City, can be attributed to drainage systems that may not have been adequately engineered when properties in this area were developed in the early 1990s.

Policy Considerations: none

Attachment(s):

a. April 1, 2016 letter from the Bergs
b. December 14, 2015 CAR
c. Minutes from December 14, 2015 Council Meeting

April 1,2016

From: Robert and Tiffany Berg

Subject: Dispute on work done on easement in front of our property.

Location: 241 Brookings, Oregon

To: Brooking City Council

This letter is an attempt to meet with the City council to try and solve a dispute with the City on work done that permanently altered our driveway and put our safety at risk.

In December my husband and I came to the city council to try and explain the situation and resolve the problem. I don't think there were clear expectations in the resolve of this situation. So I am asking for your time once again to try and explain with more clarity. I have attached pictures to this email.

This situation is confusing but very simple. The city authorized work to be done in front of our property which clearly was going to be a burden on our access for the time of construction, but i was assured that our access would not be altered and we would have the same access. This did not happen. The access to our property did change and has reduced the ability for us to get to our property.

A

I will try and make this informational as to take out the feeling i have for the horrible situation.

We purchased the property. Several weeks after, Richard (city employee) came to our house and asked us if the city could put a road bump on our driveway so as to divert the water from the failed embankment until so construction could be completed. We complied and had no problem with it. At the time Richard was explaining what work was going to be done, we asked if we could get a small extension of the covert that the city was already planning on tearing out and replacing and Richard said he didn't see a problem with it and said he would discuss with the construction company. He did say that the cost would be our responsibility because there plans do not change the road, and would probably cost approximately 1200 dollars, but was not exactly sure and would get back to us. Months went by and the bump in our road kept breaking down and debri from the bump was making it difficult to get up our driveway because as you would drive up the steep driveway our tires would peel out on the bump and break it down, We ask Richard to please clean up the debri. He send a crew to do it. As time went on I did not here from Richard so we called several times with no reply. Finally after about the fourth phone call he called us back and said that the original plans have been changed and the City could not afford to do all the working and they cut the project out that would

replace the covert underneath our driveway. As i understand how things change, I asked if the plans were going to limit our access, he said no, it will not change anything and the road would be put back the same. We then also wanted to make it very clear as to not to block our driveway as it is the only access we have and Robert (my husband) is a heart patient and that is a concern. Unfortunately that did not happen it changed and did end up not only restricting our access from what it was but caused some other issues that put our safety in jeopardy. Approximately two weeks before the big construction started, Tidewater came out and put a covert in on the Northern side of our driveway (the opposite side) as to make sure there was access to the properties beyond our property while they did there construction. NOTE: If the same regard for our access and safety would of been taken into consideration this situation would have never happened. **With NO notice to when the construction was going to start, we drive down our driveway and find construction started. No communication to us, as this is directly in front of our driveway and would without a doubt alter our access greatly. Coming down the driveway one of the first things i notice is our mailbox laying on the ground which stayed there through the entire project. There has to be some law stating you can't just come and take someones mailbox down through on the ground and not let the owners know they will not be able to receive there mail. I let it go and notified the us mail service that we would be picking up our mail for the**

time being. About four days into the construction, we leave the house in the am with our boat to go tuna fishing, when we come back on Friday afternoon at approximately 5ish, more than half the road is gone leaving less than ten feet of road left. Mind you we are at a 90 degree angle with a very steep driveway to get up. To say the least i was extremely upset. I called Tidewater and said this is unacceptable. This is a safety issue and you can't just leave it like this. He basically said i am sorry nothing i can do and we will not put a covert in (like they did to the other side for access for others). Richard came to the site and apologized and said there was nothing they could do but offered to store our boat in there gated storage over the weekend. With approximately 25 tuna in our boat to process that was not an options for us. Again, all could of been avoided if due diligence would of been taken for our safety as it was for the home owners that lived on the other side of the construction. Yes, I admit i was not a very pleasant person at this point. I left a message with the city manager on Friday. Come Monday morning Laura Lee called and came to the house. She was very sweet and very appologetic. We walked down to the road and she could clearly see that access would have never been made with a fire truck or an ambulance, so she tried to accommodate us by dealing with Tidewater since they refused to try and resolve the problem. There solution was to ignore there blatant disregard for our safety and our mailbox for that matter was still laying on the ground. Laura Lee assured us at this

point that construction would be done in about two to three more days and the road would be put back the same as it was. Again i want to stress it was not. Laura Lee did everything she could to try and make a big wrong a right, and said that because the city will put the road back the way it was that an extension of the covert would not lie on there shoulders because it would not limit our access. BUT, that because of the big burden this put us under she would ask Tidewater to put the covert in with it being our expense. At this point, I was very doubtful that this project would not alter our driveway and under extreme duress and pressure not being sure what was really going to happen because of the past history, I agreed to pay for the covert out of fear we wouldn't have access and this would end up in a battle. At this point Laura Lee contacted Tidewater(who BTW would not even talk to us) said they would do it but would not work for us but would do it for the city. Laura Lee asked me to go down to the driveway and take a can of spray paint and mark the area i wanted taken out and where i wanted the covert. I did that.(FYI, The paint is still there). Laura Lee then called me again leaving a message on my phone which i have saved and said that Tidewater would be able to put a ten foot piece of colvert in, cover it with dirt and pave it when they paved the rest of the road and the cost would not be over 1500 dollars, but Tidewater would not dig into the embankment because there was not a survey done on the embankment., and said that the city normally does not do this but under the circumstances would

do it. I returned her call and said the only way that the culvert would be beneficial to use is that part that i marked off with paint was taken out so i asked her if we could take that out and tie it into the pavement when they are done. She said yes. So i said ok then go ahead. Tidewater finished the project. About two weeks later another construction crew comes up and puts in a curb which clearly makes our access even WORSE and reduces the use of the road.

We understand that things change, plans change, your engineer wanted a curb put up as to not wash out the embankment again. But again it alters our access greatly. Throughout the start of this project, we never heard a word from tidewater, no note on the door, no alert of start of construction, no phone call to say hey BTW we took down your mailbox you will need to find another way to get your mail. NOTHING. I find that very hard to believe that that is proper much less legal. Being a retired Officer for the state of California i know how important it is to follow rules, laws and procedures because this is what happens when they are not followed. The peoples safety gets jeapordised.

Not only is this a very unfortunate situation, but has now put a bad taste in not only our mouths but Tidewaters as well. I do not want to sit here and point fingers. I do not want to take this to court, but i also don't want to be walked on and bullied around. My rights and safety is just as important as our neighbors

or everyone else in this town for that matter. Just because we are new to town doesn't give them the right to blow over us.

Because the road was not put back the same as it was before the construction and our access has clearly been restricted i propose that the city obsorb the cost of the covert clearly needed to be put in to have somewhat of the same access as before the construction and that we are able to finish digging out the portion of the small hillside so we can use the covert that was put in. Yes we agreed to pay the 1200 dollars but that was before we realized that the road was not put back the same way it was and our access is not the same as it was before the project. If better planning would of been considered i think it would of been put into your plan initially and non of this would of happened. Laura Lee has stated that the engineer had verified that the road is the same size. Well i would like her to provide the before pictures of the project and i can clearly show you that it is not.
The City Made a verbal contract with us. This verbal contract was that the covert be put it because the road will not change and when it is put in we would be able to dig out the corner and make it more usable for us. Well Basically the City wants us to fulfill our end of the verbal contract but they do not want to fulfill there end and allow us the permission granted verbally to make it work for us. This is not going to happen. I am not going to fulfill my end of the verbal agreement and then not have the city fulfill there obligation.

I would also like to add that i called Mr. Milliman to find out what the outcome of the last meeting was because it was not clear to me that we could dig out t he portion that Laura Lee initially said we could. He said no, you can not dig anything without a permit. I then said i would like to try and talk to the city council again because this was not a subject that came up and was not clear to the city council. He then proceeded to send me a letter stating i needed to profide written description of the work to the planning commission and go through Laura Lee and Richard, who quit frankly this is where the whole problem originated and i am sure they are not going to be very please. This is borderline harassment. He also said that if i didnt pay the 1200 dollars that the city was going to put a lean on my house. I said wait, you want me to fulfill my end of our verbal contract, but you don't want to fulfill your end? I then told him that a verbal contract is just as binding as a written one and he couldn't do that. He said well i don't know what to tell you.

Please forward this to the Commissioners.

CITY OF BROOKINGS

Council Agenda Report

Meeting Date: December 14, 2015

Originating Dept: PWDS

LL Snook
Public Works and Development Director

City Manager Approval

Subject: Customer Complaint regarding Marine Drive Slope Repair project

Recommendation: Informational only

Financial Impact: $1,700 added to project cost to facilitate widening driveway approach as requested by property owner at 241 Marine Drive.

Background/Discussion:
On Friday evening, July 24, 2015 the resident at 241 Marine Drive, Tiffany Berg was unable to access her driveway with her boat and trailer due to construction activity related to the slide repair on Marine Drive being conducted by Tidewater Inc. (TW) under contract with the City. This caused understandable frustration and resulted in a complaint to the City Manager as the Contractor had left the jobsite. City Staff met with Berg and offered to provide a secure temporary location to house the boat and trailer which was not accepted.

The following Monday the Public Works Director called Berg and offered to meet her on the job site. The incident was discussed and Berg was assured her that access would be maintained to her property. Berg was also upset that her driveway was not going to be widened as part of the project. Staff explained that the project scope had to be limited to work in the right of way (ROW) due to budget limitations. She stated that she was willing to pay for the work but that Tidewater (TW) would not return her calls or talk to her. Staff offered to intercede with TW and she accepted my offer.

TW was not willing to work for her; they would however be willing to include work on her driveway in the City project under a change order. They marked out the area that they would clear and asphalt and proposed a culvert extension, estimated project cost $1,500. Staff met with Berg again to go over the scope of what TW would do and the cost. Berg agreed to the estimate and stated that she wanted the work done. As TW was finished with the City phase of the project and ready to move their equipment offsite Staff accepted her verbal agreement.

After excavation of the area by TW Staff met with Berg again, there was an additional small area that she wanted removed, TW was unwilling to do so as it was on a slope and they were concerned about destabilizing the hillside. Berg stated that she would remove that area herself.

TW completed the work, due to the additional paving required to mitigate the removal of vegetation on the slope the final price for the Berg driveway was $1,700. Staff called and left a message for the Berg's the day the billing went out, September 15, to let them know the final price. They did not respond to the billing, nor did they at any time advice Staff that they were

unhappy with the work. The Berg's were sent a past due notice on October 15 and informed the Finance Department Staff that they would not pay until the matter was reviewed by the City Council.

Berg contacted the City Manager on October 13 to request that the mater by on the City Council Agenda stating that the roadwork was unsatisfactory. The matter was scheduled for the City Council meeting of October 26 but rescheduled to November 9 at Bergs request.

The Berg's also contend that the road width has been reduced. The useable road width is essentially unchanged and is the maximum width that could be obtained without constructing a large retaining structure.

Policy Considerations: none

Attachment(s):

a. Billing to Berg
b. Past due notice
c. E-mail complaint from Berg
d. PWDS Director response to Bert
e. E-mail from Project Engineer Chris Ell and Surveyor Rich Roberts verifying road width
f. photos

City of Brookings
City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, December 14, 2015

The City Council met in Executive Session at 6:00 PM in the City Manager's office, under the authority of 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," under ORS 192.660(2)(f), "to consider information or records that are exempt by law," under ORS 192.660 (2)(e), "to conduct deliberations with persons designated by the governing body to negotiate real property transactions," and under ORS 192.660.(2)(i) "to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing."

Call to Order

Mayor Hedenskog called the meeting to order at 7:00 PM.

Roll Call

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Brent Hodges and Bill Hamilton; a quorum present. Also present was Ex Officio Nastassia Carrasco.

Staff present: City Manager Gary Milliman, Finance & Human Resources Director Janell Howard, Public Works & Development Director LauraLee Snook, City Attorney Martha Rice and City Recorder Joyce Heffington. Planning Manager Donna Colby-Hanks and Public Works Supervisor Richard Christensen were in the audience.

Others Present: Curry Coastal Pilot Report Jane Stebbins and approximately 13 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog moved, a second followed and Council voted unanimously to accept Kelly McClain's resignation from Council Position #4 and declared the position vacant.

Public Comments *on non-agenda items.*

Carolyn Milliman provided an update on her cancer treatment and thanked everyone for their prayers, hopes and kind words.

Staff Reports

Discussion regarding a complaint received from Tiffany Berg relating to construction activity during the Marine Drive Slope Repair project.

Director Snook gave the staff report.

Complainants, Tiffany Berg and Robert Berg, described the substance of their complaint which included limited access to their property for four days during the project, lack of notification about the limited access, receiving an invoice for an additional $500 over the $1,200 invoice they'd already received, and the limited driveway access created by the angle of the road after the project was completed.

Mayor Hedenskog said he was not surprised that there were inconveniences during the project, but, other than parking their boat, the Bergs were never really blocked from

C.

accessing their property. The additional billing, he said, was due to required changes based upon an engineering analysis.

Councilor Hodges said Marine Drive had needed repairs for some time; without the repairs, the Bergs would likely have had major problems. He said sharing the plans with homeowners and getting their input was not typical practice and the City had to follow the engineer's recommendations.

Mr. Berg asked if they'd still be able to do the work they'd originally planned to do themselves, and Mayor Hedenskog said that work would require a permit.

The Bergs said the project made no sense as it was, and made it difficult to get their boat in and out of their driveway.

Considerable discussion followed regarding the completed project and the project proposed by the Bergs.

In particular Snook said the project Ms. Berg had originally described would be "moving a few shovels of dirt." However, she said, the project now being proposed sounded much larger that in scope. Snook further pointed out that the Bergs had agreed to pay $1,500 towards the work done. She said the initial bill was for $1,200; the other $500 was billed for the additional work required by the engineer.

Mayor Hedenskog pointed out that the Bergs would have paid far more to do the work themselves, and Mr. Berg said if they'd known about the issues beforehand, they would not have asked for the expansion.

Councilor Hodges asked Snook if there was adequate access to the property and Snook said the driveway portion of the project was exactly as she'd described it to the Bergs. She said there had been no other way to complete the project and added that she'd made it clear to the Bergs that $1,500 was an estimate.

Councilor Hodges proposed lowering the Berg's bill to $1,200 and leaving it up to them to come up with a plan that staff could agree on to fix the issue.

Snook said staff would accept a permit application and Milliman added that the City couldn't agree to a plan without first reviewing the proposed project.

Councilor Hodges moved, a second followed and Council voted unanimously, with Ex Officio Carrasco abstaining from casting an advisory vote, to reduce the total bill to $1,200, as it sits now on Marine Drive, for the project costs of widening their driveway.

Discussion regarding the complaint lodged against Planning Commissioner Ray "Skip" Hunter by Catherine Wiley.

Mayor Hedenskog provided some background regarding the event that precipitated Hunter's comments, and said he felt Hunter's criticisms were tastefully made. He said the hospital issue had nothing to do with the Planning Commission and Hunter had not been speaking as a Planning Commissioner. He said he was not willing to remove Hunter from the Commission.

Councilors Pieper said this had nothing to do with the City as Hunter wasn't speaking on behalf of the Planning Commission. He said he was not inclined to entertain Wiley's request.

Councilor Hamilton said he agreed with Pieper and did not feel it warranted a dismissal.

CITY OF BROOKINGS

Council Agenda Report

Meeting Date: May 23, 2016

Originating Dept: PW/DS

LL Snook
PWDS Director

City Manager Approval

Subject: Bid award for Wastewater Treatment Plant (WWTP) Rust Removal and Painting Contract

Recommendation: Make a motion to authorize the City Manager to execute a contract with Western Partition, Inc for the Wastewater Treatment Plant Rust Removal and Painting Contract in the amount of $73,372.

Financial Impact: This project was a CIP project to be funded with Systems Replacement Funds in the 2015-16 budget in the amount of $25,000 and was rolled over to the current budget year. Upon receiving the first round of bids it was determined that the in-house Engineers cost estimate was not viable and $95,000 was added to the budget for the project.

Background/Discussion:
A regular inspection by Department of Environmental Quality (DEQ) representatives in 2015 resulted in an unfavorable report related to maintenance of equipment at the Plant. Rusting piping and valves were mentioned specifically as needs to be addressed.

The project was originally put out to bid in November 2015. Bids were received from out of town Contractors with experience in this type of work. The bid amounts ranged from $54,000 - $108,000. As the bids were substantially over the amount budgeted they were rejected.

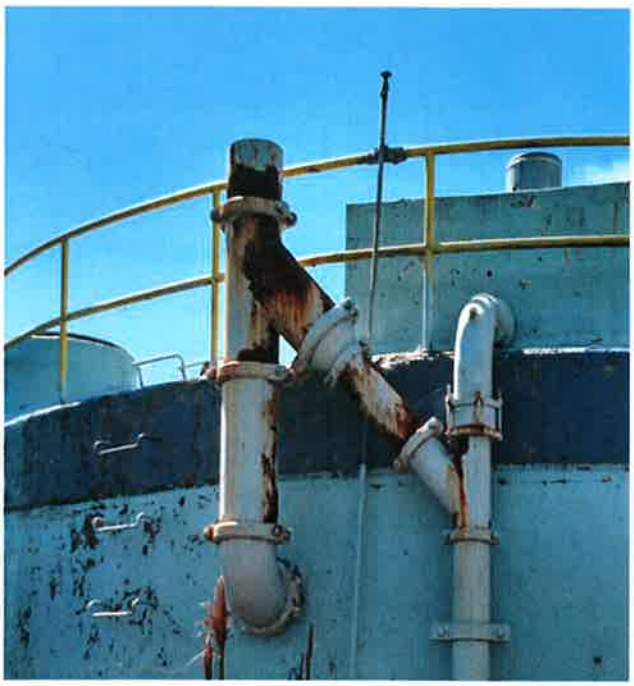
The project was re-advertised in the Curry Coastal Pilot in an effort to attract local contractors; no bids were submitted in response to the advertisement.

The project was advertised again in April 2016 through the Curry Coastal Pilot as well as Media Group out of Portland Oregon. One bid was received from Western Partition, Inc of Tigard Oregon.

Attachment(s):

a. Photo, example of work needed

OTHER - PHOTOS



CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: Mayor

Signature (submitted by)

City Manager Approval

Subject: City Council Compensation

Recommended Motion:
If the City Council desires to establish compensation for the Mayor and Councilors, provide direction to staff.

Financial Impact:
Undetermined at this time.

Background/Discussion:
During the Budget Committee deliberations, Mayor Hedenskog raised the matter of Mayor and City Council compensation. The Mayor and City Council currently serve without compensation.

The last survey of Council compensation available from the League of Oregon Cities is from 2006. According to that survey, 46 of the 137 respondent cities offer stipends or salaries to Mayors or Councilors. Looking at a subset of cities in the 5,000-10,000 population range, six cities offer compensation ranging from $75 to 2,500 annually. There are 13 cities within this population range that offer no compensation. Crescent City, California, provides an annual stipend of $7,332.

The Brookings Charter provides that the City Council may set compensation for the Mayor and Councilors. However, such compensation may only be established or increased in even-number years and may only take effect after January 1 of the following odd-numbered year. See Section 24 of the Charter.

Attachment(s):

a. Excerpts from League Survey.
b. Charter Section 24.
c. Spreadsheet on like cities.

INTRODUCTION

In May 2006, LOC conducted a survey to update its 2004 data on mayor and councilor stipends, or other benefits. The survey was sent out to All 240 LOC member cities, and 137 cities responded (57 percent).

The other benefits included in the survey are the following: travel reimbursements; cell phones; PERS/retirement; workers' compensation; professional/civic memberships; health insurance; utility billing credits; training/conferences; city credit cards. The survey instrument used to collect the data for this report can be found in Appendix A on page 19.

LOC would like to the thank the responding cities for their time and efforts.

ELECTED OFFICIAL STIPENDS

Stipend Analysis

Of the 137 respondents, only 46 cities (34 percent) offer stipends or salaries to the mayors and/or councilors. Larger cities are more likely to have stipends than smaller cities.

Of cities with elected official stipends, 70 percent have populations over 5,000. Of the cities without elected official stipends, only 21 percent have populations over, 5,000. The smallest city to have a stipend (for the mayor only), is Halfway, population 350. The largest city without stipends is Gresham, the fourth largest city with a population of 95,900. Chart 1 illustrates the population analysis for the stipend survey data. Information on stipend and salary amounts are located on p. 2. The list of cities without stipends is located on p. 4.

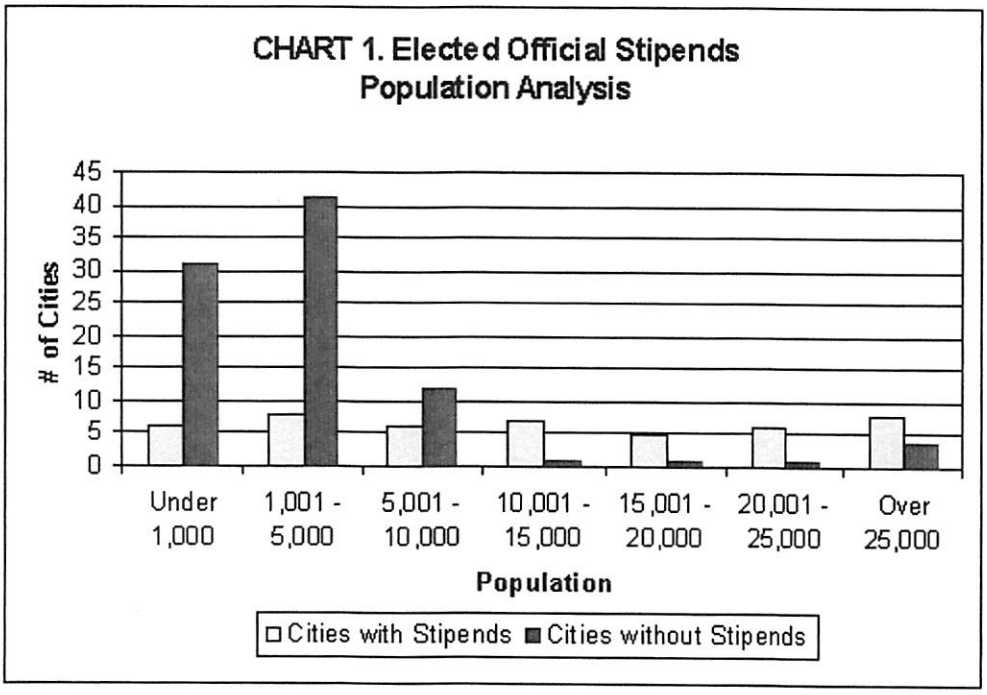


TABLE 1. City Mayor and Councilor Stipends: General Information

City	2005 Population	Stipend Information		
		Mayor (total per year)	Councilor (total per year)	Stipends Paid
Albany	45,360	$1,980	$1,320	Monthly
Ashland	20,880	$500	$300	Once per year
Astoria	9,910	$1,200	$720	Monthly
Aumsville	3,130	$1,320	$1,080	Monthly
Baker City	9,960	$150	$150	Quarterly
Bandon	3,065	$2,400	$1,200	Monthly
Banks	1,430	$600	$300	Twice per year
Beaverton*	83,095	$134,244 + $4,200 car allow.	$14,400	Mayor - Biweekly Council - Monthly
Bend	70,330	$2,400	$2,400	Monthly
Canby	14,385	$2,400	$1,200	Monthly
Central Point	15,640	$3,000	$1,800	Monthly
Condon	770	$600	$250	Twice per year
Cornelius	10,585	$600	$600	Monthly
Corvallis	53,165	$1,200	$0	Monthly
Dallas	14,040	$1,500	$0	Monthly
Eugene	146,160	$19,329	$12,886	Biweekly
Forest Grove	19,565	$1,800	$1,200	Monthly
Glendale	915	$900	$0	Monthly
Gold Beach	1,930	$1,500	$1,140	Monthly
Haines	440	$600	$600	Monthly
Halfway	350	$3,600	$0	Monthly
Harrisburg	3,275	≈ $345	≈ $345	$15/meeting
Hermiston	15,025	$3,000	$1,200	Monthly
Hillsboro	82,025	$3,000	$1,500	Monthly

* Beaverton has a strong mayor, who serves as the full-time administrative head for the city.

TABLE 1. City Mayor and Councilor Stipends: General Information (continued)

City	2005 Population	Stipend Information		
		Mayor (total per year)	Councilor (total per year)	Stipends Paid
Island City	955	$9,566	≈ $300	See Below*
Klamath Falls	20,400	$2,400	$600	Monthly
Lebanon	13,940	$3,600	$2,400	Monthly
Mill City	1,555	$960	$540	Monthly
Milton-Freewater	6,540	$2,500	$1,200	Quarterly
Milwaukie	20,655	$2,400	$1,800	Monthly
Newberg	20,565	≈ $3,792	≈ $192	See Below**
North Powder	490	$2,400	$0	Monthly
Ontario	11,245	$2,400	$1,500	Monthly
Pendleton	17,025	$1,800	$1,200	$75 & $50/mtg.
Rockaway Beach	1,345	$1,200	$600	Monthly
Sheridan	5,785	$100	$75	Once per year
St. Helens	11,795	$1,600	$640	Quarterly
Sublimity	2,225	$240	$120	Monthly
Sweet Home	8,500	$1,020	$900	Quarterly
Talent	6,255	$1,800	$1,500	Biweekly
Tigard	45,500	$5,700	$4,200	Quarterly
Troutdale	14,880	$6,000	N/A	Monthly
Tualatin	25,465	N/A	$3,774***	Biweekly
West Linn	24,075	$6,400	$4,000	Quarterly
Wilsonville****	16,510	$9,936	$5,000	Monthly
Woodburn	22,110	$600	$300	Monthly

* The mayor receives $797 per month. Councilors receive $25 per meeting.

** Councilors receive $8 per meeting. The Mayor receives $300 per month, plus $8 per meeting.

*** Grandfathered councilors may receive $157.25 biweekly. New councilors may only receive health care.

**** Mayor salary includes $300/mo. car allowance. Councilors may opt for stipends in lieu of health care.

TABLE 2. Cities without Mayor and Co

0 - 13 in B

City	2005 Pop.
Adair Village	905
Adams	330
Adrian	150
Amity	1,480
Arlington	570
Aurora	785
Barlow	140
Bay City	1,170
Boardman	3,175
Brookings	6,185
Brownsville	1,530
Butte Falls	445
Cannon Beach	1,650
Canyonville	1,530
Carlton	1,585
Cascade Locks	1,155
Cave Junction	1,500
Clatskanie	1,660
Columbia City	1,785
Coos Bay	15,850
Cove	620
Creswell	4,525
Culver	1,020
Damascus	9,670
Depoe Bay	1,275
Detroit	255
Drain	1,045
Dufur	610
Dundee	2,965
Dunes City	1,330
Echo	695

City	2005
Estacada	2,480
Falls City	960
Florence	8,185
Garibaldi	900
Gearhart	1,055
Gresham	95,900
Happy Valley	7,275
Huntington	520
Idanha	230
Imbler	290
Independence	7,515
Irrigon	1,790
Jefferson	2,515
John Day	1,845
Jordan Valley	240
Joseph	1,090
Junction City	4,945
Keizer	34,735
Lafayette	3,105
Lexington	260
Lyons	1,090
Madras	5,600
Malin	800
Manzanita	660
Medford	70,855
Millersburg	830
Monument	150
Mosier	420
Mt. Angel	3,630
Myrtle Point	2,510

City	2005 Pop.
[illegible]	680
[illegible]	4,400
[illegible] Rock	1,545
Port Orford	1,225
Prairie City	110
Prineville	9,080
Reedsport	4,240
Richland	150
Rivergrove	350
Roseburg	20,790
Rufus	270
Sandy	6,680
Scotts Mills	300
Seaside	6,165
Shady Cove	2,680
Siletz	1,130
Silverton	8,230
Springfield	55,855
Stayton	7,505
Tangent	955
The Dalles	12,505
Toledo	3,585
Veneta	3,955
Vernonia	2,275
Waldport	2,060
Wheeler	420
Winston	5,265
Wood Village	2,880
Yachats	730
Yoncalla	1,090

Increasing Stipends

Compared with the 2004 survey, only eight cities increased their mayor stipends, and only four cities increased their councilor stipends. Please note that not all cities responded to both the 2006 and 2004 surveys. Many of the cities responded that the stipend amounts had not changed for many years. This is due to the fact that 39 cities (85 percent) have no set schedule for when the stipends will increase. Only six cities stated that they increase the stipends annually: Beaverton (mayor only); Eugene; Sublimity; Tualatin; West Linn; Wilsonville. Pendleton increases the stipends every third year.

Of the cities with stipends, 32 cities (70 percent) can change the stipend amounts by council recommendation. Six cities - Albany, Bandon, Beaverton, Gold Beach, Halfway and Troutdale - can only increase the stipends if it first comes from the budget committee, and is then approved by the council. Six cities - Ashland, Astoria, Baker City, Bend, Klamath Falls and West Linn - must receive voter approval for a charter amendment or ordinance/resolution in order to increase stipends. Eugene increases its stipends annually using the CPI index, and Tualatin increases their stipends in lieu of insurance as health coverage costs increase.

TRAVEL REIMBURSEMENTS AND ALLOWANCES

Mileage Reimbursements

One hundred and fourteen of the responding cities (83 percent) provide mileage reimbursements to their mayors and councilors for city business-related travel. Only 23 cities do not offer this benefit. Of those cities providing reimbursements, 97 cities (85 percent) had mileage rates of $0.40 per mile or more, with the current IRS mileage rate being $0.485. Eight cities had mileage rates from $0.30 to $0.395, and 3 cities still have rates as low as $0.20 to $0.25. Gold Beach has a mileage rate of $0.10, but a gas card is also provided.

There were some cities that did not have mileage rates. Canyonville, Cave Junction (gas card), Halfway and Rufus (gas card) cover the actual cost of fuel. Cave Junction also provides the use of a city vehicle. The Mayor of Beaverton receives a $350 per month car allowance in-lieu-of any mileage reimbursements.

Meal Allowances & Reimbursements

Twenty-one of the responding cities (15 percent) stated that they do not provide allowances or reimbursements for meals while mayors and councilors are traveling. The remaining cities do provide meal reimbursements, but in different ways.

Of the cities with meal allowances, eighty cities (69 percent) reimburse meals at actual cost with no maximum rate. Thirty-two cities (28 percent) have meal allowances or reimbursement rates based on each meal, or a total per diem rate (See p. 6 for more details). Finally, four cities (3 percent) reimburse at rates set by either the U.S. General Services Administration (GSA) or the Internal Revenue Service (IRS).

(5) The qualifications of appointive officers of the city are whatever the council prescribes or authorizes.

Section 24. Compensation.

(1) The council shall prescribe the compensation of city officers. The council may prescribe a plan for reimbursing city personnel for expenses that they incur in serving the city.

(2) No establishment of compensation of the mayor or councilors, or increase in such compensation once established, may take effect, however, until the first of the odd-numbered year immediately following the first general election after the increase is authorized.

Section 25. Merit System. Subject to council approval and to all collective bargaining agreements between the city and one or more groups of its employees, the city manager shall prescribe rules governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of city employees, all of which shall be based on merit and fitness.

Section 26. Political Contributions. No person shall attempt to or actually coerce, command or require any appointed city official or employee to influence or give money, service or anything of value to promote or oppose any political committee, the nomination or election of a candidate, the adoption of a measure, or the recall of a member of the council.

Section 27. Oath. Before assuming city office, an officer shall take an oath or shall affirm that he or she will faithfully perform the duties of the office and support the constitution and laws of the United States and of the state of Oregon and the charter and ordinances of the city of Brookings.

CHAPTER VII

ELECTIONS

Section 28. State Law. Except as this charter or a city ordinance prescribes to the contrary, a city election shall conform to state law applicable to the election.

Section 29. Nominations. A qualified elector who shall have resided in the city during the 12 months immediately preceding the election or the appointment may be nominated for an elective city office. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by general ordinance. The custodian of city records shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filed.

CHAPTER VIII

ORDINANCES

Section 30. Ordaining Clause. The ordaining clause of an ordinance shall be "The city of Brookings ordains as follows:".

Section 31. Adoption by Council.

(1) An ordinance shall be fully and distinctly read in open council meeting on two different days before being adopted by the council, except that:

(a) The council may adopt an ordinance at a single meeting by the express unanimous votes of all council members present and entitled to vote, provided the ordinance is read first in full and then by title.

(b) Any reading of an ordinance may be by title only if no council member or member of the public present at the reading requests that the ordinance be read in full, and at least one week before the reading:

Mayor & Council Compensation Comparison

City	Population	Mayor (total per year)	Councilor (total per year)	Stipends Paid	Total Annual Budget
Astoria	9910	$1,200	$720	Monthly	$10,684,540
Baker City	9960	$150	$150	Quarterly	$13,894,054
Milton-Freewater	6540	$2,500	$1,200	Quarterly	$32,410,122
Sheridan	5785	$100	$75	Once per Year	$8,770,811
Sweet Home	8500	$1,020	$900	Quarterly	$20,303,749
Talent	6255	$1,800	$1,500	Bi-weekly	$10,704,725
Crescent City, CA	7188	$7,332	$7,332	Bi-weekly	$19,192,000

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Master Fee Schedule Update

Recommended Motion:
Adopt Resolution 16-R-1075, updating the Master Fee Schedule and repealing Resolution 14-R-1026 and 14-R-1029

Background/Discussion:
The City Council reviewed proposed updates to the Master Fee Schedule at its May 2, 2016 Workshop. One point of clarification was requested regarding Conditional Use Permits. Staff provided the requested clarification (see Attachment C). Staff seeks direction regarding the special pricing for Vacation Rentals/Bed and Breakfasts.
The Fee Schedule was last updated in March, 2014.

Following is a summary of proposed changes to the Master Fee Schedule:

Administrative/General

- Adds Note (18): Non-contiguous recurring events will be charged the base fee of $37 for the first event and $10 for each recurrence during a calendar year to Event Permit Fees.
- Adds Note (19): Barricade/cone fee for non-contiguous recurring events will be applied only once to Event Permit Fees.

Court

- Adds Courts as a new heading
- Adds five (5) fees under the new Court heading: Community Service Sign Up Fee at $50; Court Fee (Generally) at $50; Driver's License Sanctions at $15; Failure to Appear at $25; Payment Plan Fee at $25

Parks Use

- Park Use/Standard 0-200 was inadvertently missed in the 2014 revisions; the current price has been modified to show what it should have been raised to in 2014; the 2016 revision is also noted.
- Revises Note (4) to read: Park Use Fees will be waived for the Azalea Festival, American Music Festival, Natures Coastal Holiday and Festival of Art at Stout Park. Event organizers seeking fee waivers and City financial assistance through the Tourism Promotion Advisory Committee shall make such waiver part of their event request. The City Manager may waive Parks Use Fees for non-profit events when the total is less than $50.

Planning

- Revises Note (6) to read: Pre-application meeting fee will be applied to the application fee *if* the application is submitted within one (1) year of the pre-application meeting.
- Adds a Street Naming Fee of $100.
- Adds a special pricing guideline for Vacation Rentals/Bed and Breakfasts (*to be decided*)

Public Works

- Increases TV Inspection Fee from $50 per hour to $175 per hour with a two-hour minimum

Sewer & Water (new heading)

- Modifies 4" Sewer Tap-in to actual time & materials with a minimum of $3,756
- Modifies 6" Sewer Tap-in to actual time & materials with a minimum of $5,043
- Adds Hydrant Meter Installation (includes uninstall) fee of $100

CPI-U Adjustment

- The Master Fee resolution provides that Council may adjust fees based on the latest available Consumer Price Index (CPI) for the Brookings area. The updated schedule provides a separate column applying a combined 1.4% CPI-U, based on the February 2015 & 2016 to existing fees, rounded to the nearest dollar. The last CPI update was applied in February, 2014.

Attachment(s):

a. Resolution 16-R-1075
b. 2014 Master Fee Schedule with proposed 2016 revisions
c. Memo - Conditional Use Permit rationale

CITY OF BROOKINGS
State of Oregon

RESOLUTION 16-R-1075

A RESOLUTION OF THE CITY OF BROOKINGS UPDATING THE BROOKINGS MASTER FEE SCHEDULE, AND REPEALING RESOLUTION 14-R-1026, EFFECTIVE MARCH 1, 2014 AND 14-R-1029, AMENDING 14-R-1026, EFFECTIVE MARCH 24, 2014.

WHEREAS, the City Council adopted the Brookings Master Fee Schedule under Resolution 09-R-910; and

WHEREAS, Resolution 09-R-910 established the method of updating the Brookings Master Fee Schedule (Fee Schedule) by Resolution, recognizing that the establishment of certain fees from time to time is necessary to recover the true cost of providing services; and

WHEREAS, Resolution 09-R-910 also provides that the City Council may apply an annual CPI adjustment to the Fee Schedule; and

WHEREAS, the last update to the Fee Schedule was in March 2014;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brookings, Oregon that the 2016 Brookings Master Fee Schedule, attached herein as Exhibit A, is hereby adopted, and Resolution 14-R-1029 is repealed.

BE IT FURTHER RESOLVED, that the 2016 Brookings Master Fee Schedule will become effective on June 1, 2016.

Passed by the City Council _____, 2016.

Attest:

_____
Mayor Ron Hedenskog

_____
City Recorder Teri Davis

ADMINISTRATIVE - GENERAL	FEE	W/CPI-U
Building Code Violation Appeal Fee (16)	$152.00	154.00
Business Licenses		
Annual fee based on total number of employees reported on Form 132		
0-10	$62.00	63.00
11-25	$103.00	104.00
26-50	$154.00	156.00
51-75	$307.00	311.00
76-100	$607.00	616.00
101-200	$1,011.00	1,025.00
>200	$1,540.00	1,562.00
Annual fee for businesses located outside City limits	$77.00	78.00
Carnival and circus/per day	$36.00	37.00
Temporary 90-Day	$25.00 or 1/4 annual fee, whichever is greater	
Copying of City Records < 200 pages (based on 8-1/2 x 11 side) (1)	B&W $0.25 /Color $0.35	
Copying City Records using off-site services (when necessary)	Actual costs + staff time	
Certified copies of City records (for notarized copies – see Notary fee)		
First page + copy costs	B&W $1.00/Color $1.10	
Each additional page (per side) + copy costs	B&W $0.50/Color $0.60	
Duplication of City audio/video recordings to CD or DVD		
Personal Copy	$15.00	
Certified Copy	$20.00	
Electronic document preparation (10)		
Electronic documents or files copied to CD or DVD	$14.00	
Electronic documents, <10MB and 10 files, sent electronically	No additional cost	
Electronic documents, ≥10MB and/or 10 files, sent electronically	$12.00	
Paper to electronic conversion (per side) to PDF format, ≤ 11" x 17"	$0.15 per side	
Event Permit Request		
Event Permit (18)	$37 base/$10 per recurrence	38.00
Barricade and Cone Delivery (19)	Determined by permit	
Refundable Barricade/Cone Use	$308.00	312.00
Fax - per page (single sided – 8-1/2 x 14 max)	$1.00	

ADMINISTRATIVE - GENERAL *(Continued)*	FEE	
GIS		
8-1/2 x 11 Curry County Print (per single sided page)	B&W $0.25; Color $0.35	
11 x 17 Curry County Print (per single sided page)	B&W $2.40; Color $2.50	
Large Format Print (> 11x17; based on square footage)	B&W $0.50; Color $1.00	
Large Format Scanning (> 11 x 17, per single side sheet)	$20.00/sheet	
Digital Lidar Map	$35.00/hour	
Research/Analysis/Development	$35.00/hour	
Legal review of public records for exempt determination (2)	Actual legal costs	
Lien Search	$25.00	
Liquor License Application – New/Annual Renewal	$25.00	
Liquor License Application – Temporary/Annual	$25.00	
Meeting Room Rental – Council Chambers	$20.00/hour	
Meeting Room Rental – Fire Hall	$10.00/hour	
Monitoring of public review of City files	$36.00/hour	36.00
Notary Services – each signature	$10.00	
Payment Agreement- Set-up		
Set-Up Fee	$103.00	104.00
Late Fee	$36/month	35.00
Loan Rate	9%	
Records Search	$36.00/hour	37.00
Returned (NSF) Check	$36.00	37.00
Taxicab Driver's Permit/ Bi-Annual	$30.00	
Taxicab License/ Per Vehicle/Annual	$67.00	68.00
Taxicab Photo Update	$10.00	
Vacation – General (12)	$1,236.00	1,253.00

COURT	FEE
Community Service Sign Up Fee	$50.00
Court Fee (Generally)	$50.00
Driver's License Sanctions	$15.00
Failure to Appear	$25.00
Payment Plan Fee	$25.00

FIRE	FEE	W/CPI-U
Burn Permits	$10.00	
Burn to Learn	$1,500.00	1,521.00
Insurance Company Report	$25.00	
Copies of County Road Directory	$15.00	
Roadway Wash Down	$103.00	104.00

PARK FACILITY / DAILY USE FEES (3)(4)	FEE	W/CPI-U
Capella Use Fees		
Basic Use Fee	$102.00 /hour w/2 hour min	103.00
Musical Event Fee (non-profit only - minimum 3 event series)	$20.00/hour w/2 hour min	
Security Deposit	$205.00/event	208.00
Other Park Facilities		
Bandshell/Stage Use: *non-resident add 50%, non-profit subtract 50%*	$40.00	42.00
Concession Stand w/restrooms	$77.00	78.00
Concession Restrooms Only	$25.00	
Folding Picnic Table / each, per event (8)	$20.00	
Key replacement	$25.00	
Park Use/Commercial		
City Resident		
1-100	$41.00	42.00
>Each additional 100	$41.00	42.00
Non-City Resident		
1-5	$103.00	104.00
6-30	$154.00	156.00
31-60	$308.00	312.00
61-100	$411.00	417.00
>Each additional 100	$52.00	53.00
Park Use/Standard		
City Residents; *non-resident add 50%, non-profit subtract 50%*		
0-200	$41.00	42.00
201-400	$76.00	77.00
401-600	$152.00	154.00
601-1000	$253.00	257.00
> Each additional 100	$40.00	41.00

PLANNING	FEE	W/CPI-U
Annexation (5)	$5,102.00	5,173.00
Appeal to City Council (9)	Equal to Application Fee	
Appeal to Planning Commission	$154.00	156.00
Combined Preliminary/Final Plat Approval	$821.00	832.00
Comprehensive Plan Amendment (5)	$3,685.00	3,737.00
Conditional Use Permit (Generally)	$2,612.00	2,649.00
Conditional Use Permit Vacation Rental/Bed and Breakfast	$1,500.00	
Detailed Development Plan (5)	$7,317.00	7,419.00
Extension of Time SUB/CUP	$52.00	53.00
Home Occupation	$40.00	41.00
Lot Line Adjustment/Lot Line Vacation	$144.00	146.00
LU Compatibility Statements	$41.00	42.00
Master Plan Development (5)	$8,623.00	8,744.00
Minor Change	$1,006.00	1,020.00
Partition	$2,012.00	2,040.00
Mural Application	$77.00	78.00
Permit Clearance Review	$170.00	172.00
Planned Unit Development (5)	$4,494.00	4,557.00
Pre-Application Services (6)	$529.00	536.00
Re-Notification	$139.00	141.00
Sign Approval	$133.00	135.00
Street Naming	$100.00	
Subdivision (5)	$2,080.00	2,109.00
Subdivision Final Approval	$154.00	156.00
Subdivision Replat (5)	$2,053.00	2,082.00
Variance	$2,448.00	2,482.00
Vacation – Land Use (12)	$2,474.00	2,509.00
Workforce Housing Accessory Dwelling Registration Fee	$52.00	53.00
Zone Change (without Comp Plan Amendment)	$2,761.00	2,800.00

POLICE	FEE	W/CPI-U
Fingerprinting – per card	$10.00	
Intoxilizer	$5.00	
Police Reports/per report	$10.00	

Urinalysis	$5.00	

PUBLIC WORKS	FEE	W/CPI-U
Public Works / Right-of-Way Plan Review (5) (13)	$75.00/plan sheet	76.00
Public Works / Right-of-Way Permit and Inspection (7)(17)	$81.00 or 5% of project value, whichever is greater	82.00
Right to Use/Encroachment Permit (17)	$41.00	42.00
Hydrology report review (5)	$200.00	203.00
TV Inspection Fee	~~$50.00~~ $175/hour w/2 hour min	

SEWER & WATER	FEE	W/CPI-U
Sewer		
4” Sewer Tap-in (14)	Actual time & materials with ~~estimated deposit~~ minimum of $3,756	
6” Sewer Tap-in (w/o existing lateral to property line) (14)	Actual time & materials with ~~estimated deposit~~ minimum of $5,043	
BOD/SS Compiler (15)	$150.00/week	152.00
Flow Meter Data Logger (15)	$150.00/week	152.00
Water		
Annual Backflow Inspection	$100.00	101.00
Meter Drop-in Connection Fee		
5/8 x 3/4”	$245.00	248.00
3/4"	$275.00	279.00
1”	$400.00	406.00
1-1/2"	$1,579.00	1,601.00
2"	$1,879.00	1,905.00
4" (14)	Actual time & materials with estimated deposit	
Hydrant Meter Installation (includes uninstall)	$100	
Service Extension inside City limits		
1 inch single service	$3,736.00	3,788.00
2 inch single service	$5,066.00	5,137.00
2 inch dual service	$5,925.00	6,008.00

4” Service and larger	Contractor only	
SEWER & WATER (continued)	FEE	W/CPI-U
Service Extension Outside City Limits	Add 20% to inside City limit fees	
4” Service and larger	Contractor only	
SWIMMING POOL USE	Established annually by City Manager or designee.	

Notes:

(1) All copy charges are calculated based on a single-sided 8 ½ x 11 page. An 8-1/2 x 14 page will be charged at one and one-half (1-1/2) the cost of singled sided page, and 11 x 17 pages will be charged as two (2) single sided pages. Large copying projects (>200 single sided pages or >100 double sided) will be charged actual copying and labor costs, with prior notification to, and acknowledgement of the requestor.

(2) Determination of need for legal review must be made by the City Manager.

(3) A refundable deposit will be charged equaling the total daily use fee, per application.

(4) ~~Non-profit groups holding events in City Parks during~~ Park Use Fees will be waived for ~~-~~the Azalea Festival, American Music Festival, Natures Coastal Holiday and Festival of Art at Stout Park.~~-~~Event organizers seeking fee waivers and City financial assistance through the Tourism Promotion Advisory Committee shall make such waiver part of their event request. The City Manager may waive Parks Use Fees for non-profit events when the total is less than $50.

(5) Base fee. If the City cost for processing the application exceeds the base fee, the applicant will be liable for, and billed monthly, for staff and/or consultant’s time and other associated costs incurred with processing the application (including but not limited to planning, public works, engineering, City administration, legal and inspection services).

(6) ~~Fee for the first meeting is applied to the application fee.~~ Pre-application meeting fee will be applied to the application fee if the application is submitted within one (1) year of the pre-application meeting. Each pre-application meeting increases the application fee by $529.00

(7) Fee is collected at time of permit issuance.

(8) Tables may be rented at a reduced 50% rate with a minimum of 5 tables when both pick-up and delivery are handled by the applicant.

(9) Appeal fee will be equal to the applicable application fee and adjusted, up or down, based on final cost recovery.

(10) Fees noted are in addition to applicable records search fees. Any request requiring more than 1 hour of staff time for conversion, copying to disc, etc., will be charged the records search rate, in addition to standard fees, with prior notification to, and acknowledgement of the requestor. Sending and receiving of electronic files, and conversion of paper documents to PDF format, is limited to current available in-house technology.

(11) Fee to be determined per event; based on staff requirements for pick-up, delivery and placement of barricades and cones.

(12) Vacations requiring an additional hearing before the Planning Commission will be charged at twice the standard fee. (Standard fee includes a hearing before the City Council).

(13) One-time fee. Incomplete submittals will not be accepted.

(14) Deposit based on estimate to be applied to actual cost of time and materials. Any deposit amount exceeding actual costs will be refunded upon project completion. Amounts in excess of the deposit will be billed at the earliest known stage in the project, or upon project completion.

(15) Subject to availability.

(16) If appellant prevails, appeal fee will be refunded.

(17) Fee will be doubled for failure to obtain permit in advance of performing work.

(18) Non-contiguous recurring events will be charged the base fee for the first event and $10 for each recurrence during a calendar year.

(19) Barricade/cone fee for non-contiguous recurring events will be applied only once.

MEMORANDUM

DONNA COLBY-HANKS
Planning Manager

TO: Gary Milliman **DATE**: 5/9/16

SUBJECT: Conditional Use Permits i.e. Vacation Rentals/Bed and Breakfasts

The existing fee of $2,612 for an application for a Conditional Use Permit was the result of staff compiling the fees of cities of comparable size and arriving at an average. The actual cost of processing applications can vary widely.

Each application requires staff time to prepare newspaper and adjacent property notices and answer resulting questions. Staff reports are prepared and presented at Planning Commission meetings. This is followed by preparing and mailing out the decision notice.

A straight forward application for a short term rental, bed and breakfast, or other conditional use with a knowledgeable applicant and without controversy, costs approximately $1,500 to process. In the case of a controversial application or if continuances were requested, the costs could be much higher.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Resolution 16-R-1076 Authorizing a Collection Agency, acting on behalf of the City of Brookings to collect delinquent court fees, to charge an additional fee of up to fifty percent of the original fine/fee payable by the debtor directly to the collection agency.

Recommended Motion:
Move to authorize a Collection Agency, acting on behalf of the City of Brookings to collect delinquent court fines/fees, to charge an additional fee of up to fifty percent of the original fine/fee payable by the debtor directly to the collection agency.

Financial Impact:
Currently the Collection Agency is deducting its fee from the original fee collected and the City of Brookings is retaining only 50-75% of the amount due. This resolution will allow the City of Brookings to keep 100% of its fine/fee.

Background/Discussion:
Staff has investigated the requirements for allowing our Collection Agency to collect its fees by adding an additional fee of up to 50% to the original amount sent to collections instead of deducting its fees from the City's portion.

Oregon Revised Statutes Section 697.105 allows a public body which is utilizing a collection agency to collect a debt owed, to add a reasonable fee to the amount of the debt which is payable by the debtor to compensate the public body for the collection agency fee incurred or to be incurred.

In accordance with ORS 697.105, the City is required to notify the debtors of their financial responsibility for both the original fine/fee and the additional fee incurred from the Collection Agency. The Municipal Court Clerk, upon passage of this resolution, will modify all related court documents with a clause that reads as follows:

> *You are financially responsible for the timely payment of your outstanding bill per our payment policies. You will be responsible for any and all collection agency fees up to 50% of the amount placed with the collection agency. In the event we seek legal action for collection on your accounts, you will also be responsible for any and all fees associated with court costs, garnishment and/or attorney fees.*

Additionally, Brookings Municipal Code Section 2.25.090 Municipal Court, Municipal court rules, states that:

> The municipal judge shall have authority to form and adopt such reasonable rules for the conduct of the business of the municipal court for the city of Brookings; provided, however, that he/she shall not form or adopt any rule which is in contravention with the Constitution of the United States, the Constitution of the state of Oregon, the laws of the state of Oregon or any ordinance of the city of Brookings. [Ord. 51-O-008 § 10.]

Therefore, upon passage of this resolution, the Municipal Court Judge will amend Rule 4, Part 3 Collection of Unpaid Judgments, Use of Collection Agencies, adding language as follows:

> IT IS HEREBY ORDERED as provided by ORS 697.105 and 1.202, the court may add to any fine or judgment a fee for the cost of collection as follows:
>
> E. A collection agency may add up to 50% of the balance of the fine that the court places with the agency.
>
> F. The court will provide a collection fee clause to its IPA, Failure to Appear Notices and Collection letters that informs defendants of our payment policy and further fees and actions that they may incur.
>
> G. In the event the collection agency seek legal action on any Brookings Municipal Court Accounts the defendant will be responsible for fees associated with court costs, garnishments and/or attorney fees.

Attachment(s):

a. Resolution 16-R-1076

CITY OF BROOKINGS
STATE OF OREGON

RESOLUTION 16-R-1076

A RESOLUTION OF THE CITY OF BROOKINGS AUTHORIZING A COLLECTION AGENCY, ACTING ON BEHALF OF THE CITY OF BROOKINGS TO COLLECT DELINQUENT COURT FEES, TO CHARGE AN ADDITIONAL FEE OF UP TO FIFTY PERCENT OF THE ORIGINAL FINE/FEE PAYABLE BY THE DEBTOR TO THE COLLECTION AGENCY.

WHEREAS, the City of Brookings utilizes the services of a Collection Agency to collect delinquent Court fees; and

WHEREAS, Oregon Revised Statute Section 697.105 allows for a public body, if using a private collection agency to collect a debt owed, to add a reasonable fee to the amount of the debt, payable by the debtor, to compensate the public body, in whole or in part, for the collection agency fee incurred or to be incurred; and

WHEREAS, the public body must provide notice to the debtor that the debt exists, that the debt may be assigned to a private collection agency for collection, and that an amount of the fee may be added to the debt under this provision.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Brookings, Curry County, Oregon, as follows:

1. That authorization is given to any Collection Agency, acting on behalf of the City of Brookings to collect delinquent court fines/fees, to add up to fifty percent of the original fine/fee placed with the Collection Agency to compensate the said agency for its commissions, payable by the debtor.
2. The City of Brookings Municipal Court Clerk will notify all debtors of their financial responsibility to pay both the original fine/fee and the additional amount added to the debt by the Collection Agency.

Passed by the City Council _____, 2016 ; effective _____.

Attest:

_____
Mayor Ron Hedenskog

_____
City Recorder Teri Davis

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: Finance & HR

Signature (submitted by)

City Manager Approval

Subject:

Hold Public Hearing and Approval of Appropriations for FY 2016-17 Budget.

Recommended Motion:

1. Adopt Resolution 16-R-1078 declaring the City's election to receive state revenues for 2016-17 fiscal year.

2. Adopt Resolution 16-R-1079, adopting the City of Brookings' budget, declaring tax levied, making appropriations for the 2016-17 fiscal year, and to categorize the levy.

Financial Impact:

The total approved fiscal year 2016-17 budget, with recommended changes, for the City of Brookings is $24,992,398. The General Fund calls for operating expenditures totaling $4,122,297 with revenues projected at $3,719,651, with the Contingency projected to increase by $714.

Background /Discussion:

Oregon local budget law requires the city's governing body to enact a resolution adopting the budget for the next fiscal year, prior to June 30th. Before the City can implement the 2016-17 budget and receive tax money necessary for operations, these resolutions must be adopted by the City Council. The State of Oregon requires an opportunity for the public to comment on the use of State Revenue Sharing funds before the Budget Committee and City Council. The hearing before the Budget Committee was held on April 18, 2016.

Budget highlights include:

- $8.3 million in capital expenditures in water, sewer, storm drain, street, and parks improvements.
- A 1.7% rate increase in the water utility rate and a 1.0% increase in the sewer utility rate.

There is only one change proposed by staff to the Budget Committees' approved budget. This is for financing the golf carts for City-owned Salmon Run Golf Course, approved by City Council on May 19, 2016. This increases General Fund revenue by $49,000 and increases debt service by $49,000 in the General Fund, Parks.

Attachment(s):

a. Resolution 16-R-1078 State Revenue Sharing
b. Resolution 16-R-1079 Adopt Budget

CITY OF BROOKINGS

RESOLUTION 16-R-1078

A RESOLUTION DECLARING THE CITY OF BROOKINGS' ELECTION TO RECEIVE STATE REVENUES FOR THE 2016-17 FISCAL YEAR.

WHEREAS, Pursuant to ORS 221.770, the City of Brookings hereby elects to receive state revenues for fiscal year 2016-17, and

WHEREAS, the Budget Committee of the City of Brookings held a public hearing on April 18, 2016 and the City Council of the City of Brookings held a public hearing on May 23, 2016, giving citizens an opportunity to comment on the use of State Revenue Sharing;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Brookings, Curry County, Oregon, do hereby approve this resolution.

Adopted by Council and made effective on the 23th of May, 2016.

Dated and signed this _____ day of _____, 2016.

Attest:

_____

Mayor Ron Hedenskog

_____

City Recorder Teri Davis

I certify that a public hearing before the Budget Committee was held on April 18, 2016 and a public hearing before the City Council was held on May 23, 2016, giving citizens an opportunity to comment on the use of State Revenue Sharing.

_____

Janell K. Howard, Finance and Human Resources Director

CITY OF BROOKINGS

RESOLUTION 16-R-1079

A RESOLUTION ADOPTING THE CITY OF BROOKINGS BUDGET, DECLARING TAX LEVIED, and MAKING APPROPRIATIONS FOR THE 2016-17 FISCAL YEAR AND TO CATEGORIZE THE LEVY.

BE IT RESOLVED that the City Council of the City of Brookings hereby adopts the budget for fiscal year 2016-17 in the sum of $24,992,398 now on file at the Finance and Human Resources Department.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2016, and for the purposes shown below, are hereby appropriated as follows:

GENERAL FUND		
Judicial	$36,394	
Legislative/Administration	278,193	
Police	2,214,255	
Fire	277,617	
Planning & Building	291,791	
Parks & Recreation	243,705	
Finance & Human Resources	213,610	
Swimming Pool	94,563	
Non-Departmental	144,000	
Special Appropriations:		
Debt Service	149,669	
Transfers	227,500	
Contingency	612,354	
TOTAL GENERAL FUND APPROPRIATION		$4,783,651
STREET FUND		
Streets Maintenance	484,832	
Special Appropriations:		
Debt Service	11,300	
Transfers	49,954	
Contingencies	118,664	
TOTAL STREET FUND APPROPRIATION		664,750
WATER FUND		
Water Distribution	616,785	
Water Treatment	515,364	
Special Approriations:		
Debt Service	29,800	
Transfers	417,829	
Contingencies	179,222	
TOTAL WATER FUND APPROPRIATION		1,759,000
WASTEWATER FUND		
Wastewater Collection	776,142	
Wastewater Treatment	1,104,668	
Special Appropriations:		
Debt Service	29,800	
Transfers	1,591,503	
Contingencies	306,887	
TOTAL WASTEWATER FUND APPROPRIATION		3,809,000
9-1-1 FUND		
9-1-1 Division	111,400	
Special Appropriations:		
Debt Service	24,000	
Transfers	102,100	
Contigencies	100,000	
TOTAL 9-1-1 FUND APPROPRIATION		337,500
TOURISM FUND		
Tourism Division	64,245	
Special Appropriations:		
Transfers	3,755	
TOTAL TOURISM FUND APPROPRIATION		68,000

DAWSON BANCROFT BOND FUND		
Special Appropriation:		
Transfers		32,000
DEBT SERVICE BOND FUND		
Special Appropriation:		
Transfers		4,200
WATER LOAN FUND OECDD		
Debt Service		446,026
STORM LOAN FUND		
Debt Service		202,013
WASTEWATER LOAN FUND		
Debt Service		1,162,716
TECHNOLOGY RESERVE FUND		
Technology Program	96,000	
Special Appropriations:		
Transfers	39,500	
Contingencies	10,000	
TOTAL FUND APPROPRIATION		145,500
CAPITAL PROJECTS RESERVE FUND		
Park and Recreation Program	374,100	
Public Safety	50,000	
Special Appropriations:		
Capital Outlay	470,740	
TOTAL RESERVE FUND APPROPRIATION		894,840
STREET SYSTEM REPLACEMENT FUND		
Street Maintenance	485,586	
Special Appropriations:		
Transfers	4,914	
TOTAL STREET SRF FUND APPROPRIATIONS		490,500
WATER SYSTEM REPLACEMENT FUND		
Water System Maintenance	2,643,951	
Special Appropriations:		
Transfers	117,853	
TOTAL WATER SRF FUND APPROPRIATIONS		2,761,804
WASTEWATER SYSTEM REPLACEMENT FUND		
Wastewater System Maintenance	2,438,760	
Special Appropriations:		
Transfers	74,240	
TOTAL WASTEWATER SRF FUND APPROPRIATIONS		2,513,000
STORMWATER SYSTEM REPLACEMENT FUND		
Stormwater System Maintenance	1,014,494	
Special Appropriations:		
Transfers	160,006	
TOTAL STORMWATER SRF FUND APPROPRIATIONS		1,174,500
STREET SYSTEM DEVELOPMENT FUND		
Street Program		454,000
WATER SYSTEM DEVELOPMENT FUND		
Water System		231,500
WASTEWATER COLLECTIONS SYSTEM DEVELOPMENT FUND		
Wastewater System		648,500
PARKS & REC SYSTEM DEVELOPMENT FUND		
Parks and Recreation Program		133,800
STORMWATER SYSTEM DEVELOPMENT FUND		
Stormwater System		142,000

WASTEWATER TREATMENT SYSTEM DEVELOPMENT FUND		
Wastewater System		574,500
SPECIAL POLICE		
K-9	27,000	
Safety City	7,000	
Federal Restitution	4,166	
State Restitution	1,390	
Police Reserves	21,000	
Police VIPS	1,400	
Grants Program	15,600	
		77,556
HEALTH FAIR FUND		
Health Fair Program	2,500	
Special Appropriations:		
Contingency	1,300	
TOTAL HEALTH FAIR FUND		3,800
SPECIAL FIRE FUND		
Fire Program		9,000
TOTAL CITY OF BROOKINGS APPROPRIATIONS		23,523,656
RESERVED AMOUNTS		
Water Loan Fund	331,026	
Wastewater Loan Fund	1,122,716	
		1,453,742
UNAPPROPRIATED ENDING FUND BALANCE		
General Fund		15,000
TOTAL ADOPTED BUDGET		$24,992,398

BE IT FURTHER RESOLVED that the City Council of the City of Brookings hereby imposes the taxes provided for in the adopted budget at the rate of $3.7630 per $1,000 of assessed value for operations; and that these taxes are hereby imposed and categorized for tax year 2016-17 upon the assessed value of all taxable property within the district as follows:

CATEGORIZING THE TAX

	General Government	Excluded from Limitation
General Fund	$3.7630/1000	

ADOPTED by the City Council for the City of Brookings this 23rd day of May, 2016.

Mayor Ron Hedenskog

ATTEST by:

Teri Davis, City Recorder

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: Finance & HR

Signature (submitted by)

City Manager Approval

Subject: Approve Water and Sewer Rates, and System Replacement Fees for 2016-17

Recommended Motion:

1. Adopt Resolution 16-R-1080, adopting Water rates for 2016-17.
2. Adopt Resolution 16-R-1081, adopting Sewer rates for 2016-17.
3. Adopt Resolution 16-R-1082, adopting System Replacement Fees for 2016-17.

Financial Impact:

The above rates are necessary to balance the budget as approved by the Budget Committee.

Background /Discussion:

The rate increases included in the attached resolutions are as approved by the Budget Committee.

A rate increase of 1.7% for water was approved by the budget committee.

A rate increase of 1.0% for sewer was approved by the budget committee.

System Replacement Fees (SRF) are adjusted by the CPI-U, which increased 0.9%. As a reminder, there is currently no Streets SRF, as it was eliminated due to voters approving a local fuel tax, effective July 1, 2015.

Attachment(s):
Resolution 16-R-1080 Water Rates
Resolution 16-R-1081 Sewer Rates
Resolution 16-R-1082 System Replacement Fees

CITY OF BROOKINGS

Resolution 16-R-1080

In the Matter of a Resolution Adopting Rates, Fees and Charges to the Users of the City of Brookings Water Supply Services and Repealing Resolution 15-R-1057.

WHEREAS, Ordinance No 88-O-432 provides for adoption of rates, fees and charges to the users of the City of Brookings water supply services; *and*

WHEREAS, the collection of reasonable rates, fees and charges are necessary to sustain the water system and water service;

WHEREAS, the City Council desires to have the monthly user charges for City of Brookings water supply services increased or decreased annually at July 1, in accordance with the Consumer Price Index for all urban consumers (CPI-U), March to March;

WHEREAS, the City Council and Budget Committee understand that an increase of 1.7% is necessary to balance resources and requirements for 2016-17;

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that effective July 1, 2016, the following rates, fees and charges are hereby adopted:

Account setup/Administrative reconnect fee:		$20.00 Nonrefundable
Monthly User Charges	Inside City Limits	$11.83 Base Fee $2.55 per 100 cu.ft. of usage
	Outside City Limits	$23.66 Base Fee $5.10 per 100 cu.ft.of usage
Service Deposit		
High risk		$ 300.00
Medium risk		$ 200.00
Low Risk		$ 0.00
Temporary Construction Service		$ 90.00

(Up to six month service. Service terminates upon receipt of certificate of occupancy or the end of the six month term, whichever occurs first. May apply for additional six months for additional $90)

Non-occupant water usage	$ 40.00 (14 calendar day maximum)

Vacation Turn – On	$	35.00
-Outside City Limits	$	45.00
Vacation Turn – Off	$	35.00
-Outside City Limits	$	45.00
Late Fee	$	15.00
Shut off Fee	$	35.00
After Hours Call Out Fee	$	130.00
Meter Test	$	52.00

BE IT FURTHER RESOLVED that Resolution 15-R-1057 is repealed in its entirety.

Passed by the City Council May 23, 2016, and made effective July 1, 2016.

Attest:

Mayor Ron Hedenskog

City Recorder Teri Davis

CITY OF BROOKINGS

Resolution 16-R-1081

In the Matter of a Resolution Adopting Rates, Fees and Charges to the Users of the City of Brookings Sewer Services and Repealing Resolution 15-R-1058.

WHEREAS, Ordinance No. 91-O-477 provides for adoption of rates, fees and charges to the users of the City of Brookings sewer services;

WHEREAS, the collection of reasonable rates, fees and charges are necessary to sustain the sewer system and sewer service;

WHEREAS, the City Council desires to have the monthly user charges for City of Brookings Sewer Services increased or decreased annually at July 1, in accordance with the Consumer Price Index for all urban consumers (CPI-U), March to March;

WHEREAS, the City Council and Budget Committee understand that an increase of 1.0% is necessary to balance resources and requirements, primarily due to a reduction in Wastewater SDC revenues;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Brookings, Oregon, a municipal corporation, that the following rates, fees and charges are hereby adopted:

Account setup/Administrative reconnect fee:	Included with water fee
Service deposit	Included with water deposit
Monthly user charges for:	
Single family residential:	$60.06
Multi-family residential:	$60.06
Commercial	$3.38 monthly service charge plus $6.58/ccf of water use
Restaurants:	$3.38 monthly service charge plus $7.47/ccf of water use
Schools:	$3.38 monthly service charge plus $3.91/ccf of water use
Churches	$3.38 monthly service charge plus $3.80/ccf of water use

Industrial:	$3.38 monthly service charge plus $11.67/ccf of water use
Harbor Sanitary District:	As established by agreement

BE IT FURTHER RESOLVED that Resolution 15-R-1058 is repealed in its entirety.

Passed by the City Council May 23, 2016, and made effective July 1, 2016.

Attest:

Mayor Ron Hedenskog

City Recorder Teri Davis

CITY OF BROOKINGS

RESOLUTION 16-R-1082

A RESOLUTION ADOPTING FEES AND CHARGES FOR SYSTEM REPLACEMENT FOR THE WATER SYSTEM, WASTEWATER SYSTEM, AND STORM WATER SYSTEM, AND ESTABLISHING AN ANNUAL INFLATIONARY ADJUSTMENT FOR REPLACEMENT CHARGES, REPEALING RESOLUTION 15-R-1059.

WHEREAS, Ordinance 87-O-419 provides for adoption of System Replacement Charges and Ordinance 06-O-574 provides for all future revisions to System Replacement Charges to be adopted by resolution of the City Council; and

WHEREAS, the collection of reasonable charges are necessary to finance capital replacement, non-capacity increasing extension, and non-capacity increasing expansion of municipal utility facilities, including the acquisition of land or rights-of-way thereto; and

WHEREAS, the City Council desires to have the monthly user charges for City of Brookings Utilities System Replacement be increased or decreased annually at July 1, in accordance with the Consumer Price Index for all urban consumers (CPI-U), March to March; and

WHEREAS, the CPI-U increased 0.9% from March 2015 to March 2016;

NOW, THEREFORE, BE IT RESOLVED: by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that effective July 1, 2016, the following Utilities System Replacement Charges are replacing the current Utilities System Replacement Charges:

CHARGE	RATE
Street System Replacement	$0.00
Water System Replacement	$2.97
Wastewater System Replacement	$3.80
Stormwater System Replacement	$4.15

BE IT FURTHER RESOLVED that Resolution 15-R-1059 is repealed in its entirety.

PASSED by the City Council May 23, 2016.

Attest:

Mayor Ron Hedenskog

City Recorder Teri Davis

City of Brookings

CITY COUNCIL MEETING MINUTES

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

Monday, May 9, 2016

The City Council met in Executive Session at 6:00 PM, in the City Manager's office, under the authority of 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," under ORS 192.660 (2)(e), "to conduct deliberations with persons designated by the governing body to negotiate real property transactions," and under ORS 192.660(2)(f), "to consider information or records that are exempt by law."

Call to Order

Mayor Hedenskog called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Brent Hodges and Bill Hamilton. Dennis Triglia was absent; a quorum present. Also present was Ex Officio Nastassia Carrasco was absent.

Staff present: City Manager Gary Milliman, City Attorney Martha Rice, Public Works and Development Director LauraLee Snook and City Recorder Teri Davis.

Others Present: Del Norte Regional Airport Representatives Susan Daugherty and Matthew Lightner, Curry Coastal Pilot Reporter Jane Stebbins and three others.

Ceremonies & Appointments

Mayor Hedenskog announced that the May Yard of the Month recipients were Best Commercial – The Library Annex at 402 Alder St. and Best Residential – Paul & Ruth McCloud at 935 3rd St.

Mayor Hedenskog moved, and a second followed and Council voted unanimously, with an advisory "Yes" vote from Ex Officio Carrasco, to appoint Mary Geyer to TPAC.

Ordinances

Ordinance 16-O-756 adding Chapter 1.15 regarding Citizen Citations to the Brookings Municipal Code.

City Manager Gary Milliman provided the staff report.

Mayor Hedenskog asked for an example of how a complaint would be handled if this ordinance is passed. City Milliman explained that the process would be handled through staff investigation.

Mayor Hedenskog read into record Councilor Triglia's comments regarding the Ordinance:

Councilor Triglia urged a “No” vote saying that passing this Ordinance is taking away legal rights from residents. He provided a examples of what type of complaints residents would no longer have access to generate.
Councilor Triglia recommended a penalty to hold the complainant liable if they did not follow through with the proceedings.

Councilor Hodges disagreed with Councilor Triglia. He said residents will still have the ability to make the complaint, but the process will now eliminate the “He said/she said” and it will be a smooth process to results.

Councilor Hamilton concurred with Councilor Hodges noting that the current process causes a lot of wasted time and money.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to do a first reading of Ordinance 16-O-756.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to do a second reading of Ordinance 16-O-756.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to adopt Ordinance 16-O-756 [adding Chapter 1.15 regarding Citizen Citations to the Brookings Municipal Code].

Ordinance 16-O-757 amending various sections of the Brookings Municipal Code to bring them into conformity with Chapter 1.05, General Penalty

City Manager Milliman provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to do a first reading of Ordinance 16-O-757.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to do a second reading of Ordinance 16-O-757.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory “Yes” vote from Ex Officio Carrasco, to adopt Ordinance 16-

O-757 [amending various sections of the Brookings Municipal Code to bring them into conformity with Chapter 1.05, General Penalty].

Oral Requests and Communications from the audience

There were no Public Comments on non-agenda items.

Staff Reports

Approval to enter into a contract with Tidewater Contractors for the Pacific Avenue Sewer Main Relocation project.

Public Works and Development Director Snook provided the staff report.

Councilor Hamilton moved, a second followed and Council voted unanimously, with an advisory "Yes" vote from Ex Officio Carrasco, to approve a contract with Tidewater Contractors for the Pacific Avenue Sewer Main Relocation project.

Approval to accept Brookings Annexation Project report as prepared and take no action on the recommendations

City Manager Milliman provided the staff report. The Portland State University study contains a lot of valuable data. Its conclusion is that annexation is not in the best interest of the City. This issue also carries a lot of political opposition.

Mayor Hedenskog said it was a great report that provides insight into many annexation questions, not just Harbor. It was noted that there is a state procedure in place for Harbor to self-incorporate.

Councilor Hodges recommended that the report be added to the city's website. It was a worthwhile read. He was surprised by the costs vs. benefits analysis.

Councilor Pieper moved, a second followed and Council voted unanimously, with an advisory "Yes" vote from Ex Officio Carrasco, to accept the Brookings Annexation Project as prepared and take no action on the recommendations.

Authorization to participate in the Del Norte County Regional Airport (DNCRA) Terminal Project

City Manager Milliman provided the staff report. Mr. Milliman explained the BCRAA's requests and the City of Brookings options for support.

Susan Daugherty and Matthew Lightner were invited to address Council. Ms. Daugherty outlined recent actions regarding construction and funding and reported on pending budgetary proceedings.

Mr. Lightner advised of an upcoming groundbreaking event. He also extended gratitude to the City of Brookings and Curry County for their assistance with the grant.

Mayor Hedenskog asked about the runway safety area.

Ms. Daugherty explained the $23 million environmental impact work that was required for runway extension. She explained the environmental requirements have all been met and now they can turn their attention back to the terminal.

Councilor Hodges said that he was concerned with factors such as the airport being in a tsunami zone, that the flights go to locations that are easily drivable and committing to a 20-year risky agreement.

City Manager Milliman added, and Ms. Daugherty confirmed, that the entrance of Pen Air as a provider gives the project additional security.

Councilor Hodges asked if other members had committed.

Ms. Daugherty reviewed the current funding stances.

Mayor Hedenskog asked what the prospects are for the ODOT Connect Oregon grant.

City Manager Milliman and Ms. Daugherty both indicated that the ranking is discouraging.

Mayor Hedenskog asked about the USDA loan. Ms. Daugherty said she is very optimistic about that funding.

Mayor Hedenskog read into record Councilor Triglia's comments regarding the measure:

Councilor Triglia urged a "No" vote saying that passing this measure is furthering the City's debt.
Councilor Triglia said that he would rather invest in Brookings' airport.

Councilor Pieper said that the consensus of the Budget Committee was not to commit and reminded Council that the city's original involvement in BRCAA was promised not to include any cost.

Councilor Hamilton agreed with the others that Brookings should not commit. He would rather spend the money on needed improvements inside the city.

Councilor Hodges noted that there is a lot of economic development potential, but he is not comfortable committing at this time and wants to see what other members decide. He would like to move cautiously. Mayor Hedenskog agreed with Councilor Hodges' assessment.

There was discussion about the procedure to table the measure.

Councilor Hodges moved, a second followed and Council voted unanimously, with an advisory "Yes" vote from Ex Officio Carrasco, to table the decision about supporting the DNCRA until the first Council meeting in June.

Authorization to direct staff to amend Chapter 12.25.010 of the Brooking Municipal Code regarding Mill Beach access area

City Manager Milliman provided the staff report. The access road is treated like all other City parks with regard to times of operation.

The Mayor and Councilors debated the issue of the access road being closed at dark. The beach has previously been determined to be usable at nighttime for camping, bonfires, etc. Having restrictions on the open times of the road diminishes the nighttime use of the beach. Several options were considered such as erecting a gate, creating a rules exception, etc. Staff will provide an Ordinance at a future meeting amending the Access Road's time of operation. No other Council action was taken.

Consent Calendar

1. Approve Council minutes for April 25, 2016
2. Accept April 2016 Vouchers in the amount of $259,235.23
3. Accept TPAC minutes for March 18, 2016

Mayor Hedenskog moved, a second followed and Council voted unanimously, with an advisory "Yes" vote from Ex Officio Carrasco, to approve the consent calendar.

Remarks from Mayor and Councilors

There were no remarks from the Mayor or Councilors.

Adjournment

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:50 p.m.

Respectfully submitted:

ATTESTED:
this _____ day of _____ 2016:

Ron Hedenskog, Mayor

Teri Davis, City Recorder

MINUTES
BROOKINGS PLANNING COMMISSION
April 5, 2016

The regular meeting of the Brookings Planning Commission was called to order by Chair Bryan Tillung at 7:00pm in the Council Chambers at the Brookings City Hall on the above date. The following Commission members and staff were in attendance:

Commissioners Present: Loren Rings, Ray Hunter, Gerry Wulkowicz, Timothy Hartzell, Cheryl McMahan, Bryan Tillung, Joseph Vogl
Staff Present: Planning Manager - Donna Colby-Hanks; Administrator - Lauri Ziemer
Others Present: 8 audience members

CHAIR PERSON ANNOUNCEMENT

Chair Tillung introduced Lauri Ziemer who will be operating the audio and video equipment for the meeting as well as polling the Commission. The Commissioners welcomed her.

PUBLIC HEARINGS

Public hearing procedures were addressed by Chair Tillung

- Chair Tillung opened the quasi-judicial hearing regarding File No. M3-1-16.

File Description: In the matter of File No. **M3-1-16**, a request for a partition to divide a 1.29 acre parcel into two parcels; located adjacent to the southern boundary of Memory Lane between Musser and Kindel Streets; Assessor's Map 41-13-08BA, tax lot 600; zoned Single-Family Residential (R-1-6). Owner/applicant is Savage; Representative is Roberts & Associates Land Surveying. Criteria used to decide this case can be found in Chapter 17.20 R-1-6, 17.172 Land Divisions, 17.168 Public Facilities Improvements Standards and Criteria for Utilities, and 17.170 Street Standards of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:04pm. Planning Manager Colby-Hanks reviewed the staff report and entered Exhibit B, a letter from K. Thompson expressing support, into the record. The co-applicant, Pam Savage, 313 Memory Lane, Brookings, asked some questions of staff regarding the criteria and the ability to build a home on Parcel 1.

Ken Thompson, 313.5A Memory Lane, Brookings, stated he owned the adjacent property and expressed support for the application. Nancy Owens, 16725 Thomspon Road, Brookings, OR stated she had no comments. There was no testimony in opposition of the application.

No participants requested additional time to present evidence and the public hearing portion of the meeting was closed at 7:18pm.

The Commission deliberated on the matter and agreed that this was a straight forward application. By a 7-0 vote (motion: Tillung, 2nd Wulkowicz) the Planning Commission approved File No. M3-1-16 requesting authorization to divide a 1.29 acre parcel into two parcels. Tillung made a motion to

approve the final order, which was seconded by McMahan. The final order was approved by unanimous vote.

- Chair Tillung opened the quasi-judicial hearing regarding File No. MC-1-16/MC-1-12/CUP-2-98.

File Description: In the matter of File No. **MC-1-16/MC-1-12/CUP-2-98,** a request for approval of a minor change to an approved Conditional Use Permit authorizing the expansion of a pre-school program, Headstart, with the remodel of the existing facility to accommodate approximately 60 students. The subject property is located adjacent to the eastern boundary of Redwood Spur; Assessor's map 41-13-05CB, tax lots 9700 & 9901. Owner is SWOCC, Applicant is Curry County, Representative is Lon Samuels. Criteria used to decide this case can be found in Section 17.124.010 Day Care or Nursery School, Section 17.20.040(E) Single Family Residential and Chapter 17.136 Conditional Use Permits of the BMC. This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:21pm. Planning Manager Colby-Hanks reviewed the staff report and entered Exhibit B-1, proposed conditions of approval omitted from packet and B-2, a letter from P. Broock, First Church of Christ, Scientist into the record. Broock clarified that the Church of Christ, Scientist is not willing to excute a parking agreement that cannot be revoked.

Lon Samuels, 960 Central, Coos Bay, reviewed the grant that is making this project possible and the future transfer of ownership from SWOCC to Curry County to Headstart. In response to the letter stating that a parking agreement would not be recorded, Samuels stated that he had walked the property and felt that the parking lot of the Brookings Presbyterian Church was a possibility for the needed spaces. He entered Exhibit C, a map of the area, into the record. Samuels stated that Curry County owns a single family dwelling in the area that may be near the end of its useful life and could provide an area for parking. Samuels discussed the desire of the applicant to level the play area to better accommodate small children. Samuels explained this component of the project was not necessary to meet any of the criteria for the application. The Commissioners asked numerous questions regarding the parking situation, the steepness of the play area, noise buffers, and the lighting requirements. Commissioners Wulkowicz, Tillung, and Hunter expressed concerns regarding the unresolved issues.

Several citizens spoke as interested parties. Jeff Holmes, 17350 Holmes Drive, Brookings, stated he felt they could reduce the number of staff or find someone else who would be willing to guarantee the parking spaces.

Paula Broock, First Church of Christ, Scientist, 825B Brookhaven Drive, Brookings, stated they were supportive of the Headstart program. The Church provided the letter is response to a request but were not aware the agreement would be irrevocable while Headstart operated at the Redwood Spur location. This agreement could prevent the Church from expanding in the future. The Church may want to relocate to a larger site in the future and the recorded agreement may limit who would buy the property.

Samuels provided rebuttal and clarified that the grant funds could not be spent off-site for the needed parking. He stated that he understood the Church's concerns but felt the Commission could revise condition #12 and approve the request.

Staff commented that existing condition #7 addresses lighting, the parking requirements are based on the number of employees, Public Works reviews and approves any work proposed to be conducted in the right-of-way, as well as advising the Curry County property is zoned residential. The Curry County property has not been a component of the request and there are no provisions in the code for the development of an unattached parcel as a parking lot in residential zones. Addition notice and consideration would be required for the property to be developed as a parking lot. Staff suggested either revising condition #12 to require the applicant to obtain 10 parking spaces in compliance with Section 17.92.080 or continue the matter to a future meeting to allow the applicant additional time to resolve the parking issue.

The Commission discussed the matter. By a 7-0 vote (motion: Wulkowicz, 2nd MaMahan) the Planning Commission voted to continue the matter to the May 3, 2016 meeting at 7:00 pm to allow the applicant additional time to resolve the issues. The hearing for the matter was closed at 8:18pm.

- Chair Tillung opened the quasi-judicial hearing regarding File No. VAR-1-16.

  File Description: In the matter of File No. **VAR-1-16,** a request for a variance to a side yard setback to allow a structure with a partial flat roof to be remodeled with a sloped roof. The subject property is located adjacent to the eastern boundary of Redwood Spur; Assessor's map 41-13-05CB, tax lot 9700. Owner is SWOCC, Applicant is Curry County, Representative is Lon Samuels. Criteria used to decide this case can be found in Section 17.20.060 Single Family Residential and Chapter 17.132 Variances of the BMC. This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 8:18pm. Planning Manager Colby-Hanks reviewed the staff report.

Lon Samuels, 960 Central, Coos Bay, described the methods of construction in detail and used the white board to better illustrate the construction needed to raise the roof and resolve the water issues.

There was no testimony from any participants regarding the application. No one requested additional time to present evidence and the public hearing portion of the meeting was closed at 8:36pm.

The Commission deliberated on the matter and discussed condition #3 regarding the two-roof system. Commission Wulkowicz moved to approve File No. MC-1-16/MC-1-12/CUP-2-98 with Condition of Approval #3 to read "A two-roof shall not be allowed. The lower roof must be removed to ensure firefighter safety." The motion was seconded by Commissioner Hunter and was unanimously approved.

By a 7-0 vote (motion: Tillung, 2nd Hartzell) the Planning Commission approved the final order with condition #3 revised.

APPROVAL of MINUTES

By a 6-0 vote (motion: McMahan, 2nd Rings) the Planning Commission approved the minutes of the March 1, 2016 Planning Commission meeting as presented. Commissioner Vogl abstained as he was absent from the meeting.

STAFF REPORT

The Planning Commission will be considering the storm water master plan and two requests for conditional use permits for short term rentals as well as continuation of the minor change request for Headstart at the May 3rd meeting. The Commission discussed have a second meeting but with several members unavailable suggested delaying until the June meeting the consideration of an additional application as well as a workshop to consider revisions to the criteria for short-term rentals.

ADJOURNMENT

Meeting adjourned at 8:47 pm.
Respectfully submitted,

Bryan Tilling, Chair of the Brookings Planning Commission
(Approved at the 5/3/16 meeting)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
TAXES	2,684,567.00	35,695.24	2,551,990.05	132,576.95	95.1
LICENSES AND PERMITS	97,000.00	6,054.74	91,613.09	5,386.91	94.5
INTERGOVERNMENTAL	278,700.00	7,229.56	111,062.70	167,637.30	39.9
CHARGES FOR SERVICES	150,500.00	7,641.51	129,650.00	20,850.00	86.2
OTHER REVENUE	141,100.00	5,731.11	79,638.01	61,461.99	56.4
TRANSFERS IN	362,986.00	.00	.00	362,986.00	.0
	3,714,853.00	62,352.16	2,963,953.85	750,899.15	79.8
EXPENDITURES					
JUDICIAL:					
PERSONAL SERVICES	20,918.00	1,797.78	16,214.45	4,703.55	77.5
MATERIAL AND SERVICES	11,700.00	400.00	5,826.36	5,873.64	49.8
CAPITAL OUTLAY	500.00	.00	.00	500.00	.0
	33,118.00	2,197.78	22,040.81	11,077.19	66.6
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	172,607.00	20,826.30	147,217.25	25,389.75	85.3
MATERIAL AND SERVICES	140,000.00	3,671.04	108,560.11	31,439.89	77.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	312,607.00	24,497.34	255,777.36	56,829.64	81.8
POLICE:					
PERSONAL SERVICES	1,976,334.00	161,463.30	1,628,238.08	348,095.92	82.4
MATERIAL AND SERVICES	161,200.00	10,098.23	119,027.76	42,172.24	73.8
CAPITAL OUTLAY	55,150.00	.00	34,681.39	20,468.61	62.9
TRANSFERS OUT	.00	.00	.00	.00	.0
	2,192,684.00	171,561.53	1,781,947.23	410,736.77	81.3
FIRE:					
PERSONAL SERVICES	163,906.00	13,782.04	137,210.15	26,695.85	83.7
MATERIAL AND SERVICES	103,000.00	6,506.57	61,839.40	41,160.60	60.0
CAPITAL OUTLAY	45,519.00	.00	38,047.96	7,471.04	83.6
TRANSFERS OUT	.00	.00	.00	.00	.0
	312,425.00	20,288.61	237,097.51	75,327.49	75.9
PLANNING AND BUILDING:					
PERSONAL SERVICES	190,597.00	14,441.54	138,052.78	52,544.22	72.4
MATERIAL AND SERVICES	70,400.00	609.98	14,203.34	56,196.66	20.2
CAPITAL OUTLAY	.00	.00	25.98	(25.98)	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	260,997.00	15,051.52	152,282.10	108,714.90	58.4

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PARKS & RECREATION:					
PERSONAL SERVICES	160,011.00	12,350.48	138,014.13	21,996.87	86.3
MATERIAL AND SERVICES	65,400.00	27,317.62	85,693.77	(20,293.77)	131.0
CAPITAL OUTLAY	17,300.00	.00	7,623.37	9,676.63	44.1
TRANSFERS OUT	.00	.00	.00	.00	.0
	242,711.00	39,668.10	231,331.27	11,379.73	95.3
FINANCE AND HUMAN RESOURCES:					
PERSONAL SERVICES	174,911.00	14,406.33	143,002.39	31,908.61	81.8
MATERIAL AND SERVICES	33,500.00	1,085.80	16,820.22	16,679.78	50.2
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	208,411.00	15,492.13	159,822.61	48,588.39	76.7
SWIMMING POOL:					
PERSONAL SERVICES	52,760.00	.00	38,227.88	14,532.12	72.5
MATERIAL AND SERVICES	46,800.00	220.11	16,012.34	30,787.66	34.2
CAPITAL OUTLAY	14,400.00	.00	4,117.00	10,283.00	28.6
	113,960.00	220.11	58,357.22	55,602.78	51.2
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	158,800.00	6,379.73	94,631.72	64,168.28	59.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	242,500.00	.00	.00	242,500.00	.0
CONTINGENCIES AND RESERVES	626,640.00	.00	.00	626,640.00	.0
	1,027,940.00	6,379.73	94,631.72	933,308.28	9.2
	4,704,853.00	295,356.85	2,993,287.83	1,711,565.17	63.6
	(990,000.00)	(233,004.69)	(29,333.98)	(960,666.02)	(3.0)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
INTERGOVERNMENTAL	926,000.00	69,774.52	590,940.14	335,059.86	63.8
OTHER REVENUE	12,450.00	81.00	13,586.82	(1,136.82)	109.1
TRANSFER IN	.00	.00	.00	.00	.0
	938,450.00	69,855.52	604,526.96	333,923.04	64.4
EXPENDITURES					
EXPENDITURES:					
PERSONAL SERVICES	182,974.00	16,155.23	154,892.02	28,081.98	84.7
MATERIAL AND SERVICES	186,700.00	21,061.62	148,026.53	38,673.47	79.3
CAPITAL OUTLAY	588,025.00	360.15	280,482.36	307,542.64	47.7
TRANSFERS OUT	113,640.00	.00	.00	113,640.00	.0
CONTINGENCIES AND RESERVES	101,111.00	.00	.00	101,111.00	.0
	1,172,450.00	37,577.00	583,400.91	589,049.09	49.8
	1,172,450.00	37,577.00	583,400.91	589,049.09	49.8
	(234,000.00)	32,278.52	21,126.05	(255,126.05)	9.0

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,510,200.00	112,617.24	1,283,630.49	226,569.51	85.0
OTHER INCOME	10,000.00	2,955.00	39,441.31	(29,441.31)	394.4
TRANSFERS IN	.00	.00	.00	.00	.0
	1,520,200.00	115,572.24	1,323,071.80	197,128.20	87.0
EXPENDITURES					
WATER DISTRIBUTION:					
PERSONAL SERVICES	375,694.00	31,263.50	304,472.17	71,221.83	81.0
MATERIAL AND SERVICES	192,400.00	19,244.80	136,654.57	55,745.43	71.0
CAPITAL OUTLAY	99,900.00	427.52	65,941.74	33,958.26	66.0
	667,994.00	50,935.82	507,068.48	160,925.52	75.9
WATER TREATMENT:					
PERSONAL SERVICES	288,072.00	22,949.38	223,816.07	64,255.93	77.7
MATERIAL AND SERVICES	187,800.00	11,247.38	194,565.35	(6,765.35)	103.6
CAPITAL OUTLAY	24,900.00	398.39	6,368.39	18,531.61	25.6
TRANSFERS OUT	765,395.00	.00	.00	765,395.00	.0
CONTINGENCIES AND RESERVES	186,039.00	.00	.00	186,039.00	.0
	1,452,206.00	34,595.15	424,749.81	1,027,456.19	29.3
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	2,120,200.00	85,530.97	931,818.29	1,188,381.71	44.0
	(600,000.00)	30,041.27	391,253.51	(991,253.51)	65.2

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	2,948,440.00	244,372.97	2,410,826.46	537,613.54	81.8
OTHER REVENUE	5,000.00	.00	5,624.68	(624.68)	112.5
TRANSFER IN	.00	.00	.00	.00	.0
	2,953,440.00	244,372.97	2,416,451.14	536,988.86	81.8
EXPENDITURES					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	535,440.00	43,530.75	416,366.36	119,073.64	77.8
MATERIAL AND SERVICES	225,900.00	7,050.31	187,526.57	38,373.43	83.0
CAPITAL OUTLAY	24,900.00	398.39	6,368.39	18,531.61	25.6
	786,240.00	50,979.45	610,261.32	175,978.68	77.6
WASTEWATER TREATMENT:					
PERSONAL SERVICES	489,455.00	38,145.30	375,964.39	113,490.61	76.8
MATERIAL AND SERVICES	532,100.00	25,187.75	440,893.04	91,206.96	82.9
CAPITAL OUTLAY	24,900.00	398.39	6,368.39	18,531.61	25.6
TRANSFERS OUT	1,600,370.00	.00	.00	1,600,370.00	.0
CONTINGENCIES AND RESERVES	310,375.00	.00	.00	310,375.00	.0
	2,957,200.00	63,731.44	823,225.82	2,133,974.18	27.8
	3,743,440.00	114,710.89	1,433,487.14	2,309,952.86	38.3
	(790,000.00)	129,662.08	982,964.00	(1,772,964.00)	124.4

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 10 MONTHS ENDING APRIL 30, 2016

URBAN RENEWAL AGENCY FUND

		BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
	REVENUE					
	TAXES	478,201.00	2,963.91	414,904.59	63,296.41	86.8
	INTERGOVERNMENTAL	.00	.00	.00	.00	.0
	OTHER REVENUE	500.00	.69	160.68	339.32	32.1
		478,701.00	2,964.60	415,065.27	63,635.73	86.7
	EXPENDITURES					
GENERAL:						
	PERSONAL SERVICES	.00	.00	.00	.00	.0
	MATERIAL AND SERVICES	70,000.00	.00	7,657.66	62,342.34	10.9
	CAPITAL OUTLAY	367,962.00	.00	5,844.00	362,118.00	1.6
	DEBT SERVICE	.00	.00	.00	.00	.0
	TRANSFERS OUT	380,739.00	.00	.00	380,739.00	.0
	CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
		818,701.00	.00	13,501.66	805,199.34	1.7
DEPARTMENT 20:						
	CAPITAL OUTLAY	.00	.00	.00	.00	.0
		.00	.00	.00	.00	.0
DEPARTMENT 22:						
	MATERIAL AND SERVICES	.00	.00	.00	.00	.0
	DEBT SERVICE	.00	.00	.00	.00	.0
		.00	.00	.00	.00	.0
DEPARTMENT 24:						
	CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
		.00	.00	.00	.00	.0
		818,701.00	.00	13,501.66	805,199.34	1.7
		(340,000.00)	2,964.60	401,563.61	(741,563.61)	118.1