

MINUTES

**CITY OF BROOKINGS
SPECIAL COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
July 31, 1992
12:00 noon**

I. CALL TO ORDER

Mayor Hummel called the meeting to order at 12:00 noon.

II. ROLL CALL

Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis (Councilor Davis arrived at 12:04 p.m.)

Golf Board Present: Chairman Jim Cole, Board Members Marie Hansen, Bob Hummel

Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, Planning Director John Bischoff

Media Present: Bill Schlichting, Curry Coastal Pilot; Marge Barrett, KURY

III. COUNCIL AGENDA ITEMS

1. Golf Course Water Issue

Ellen Warring, representing the Audobon Society, read a letter into the record which she had written to the City of Brookings regarding the golf course water issue, which letter is hereby attached and made a part of these minutes.

Ms. Warring also read a letter into the record which she had drafted to the Curry County Planning Department, giving notice of an appeal of the Curry County Planning Commission decision in the Jack Creek Golf Course Conditional Use Permit process, which letter is hereby attached and made a part of these minutes.

Ann Ramp stated that she spoke to both Glenn Hale of DLCD and Curry County Planning Director Chuck Nordstrom, and they agree that the fastest way to solve the water problem at the proposed golf course is to apply for an exception to Goal 14, which would allow Harbor Water District to serve water to the Jack Creek site.

David Harris, ODF & W, spoke on the loss of habitat of three species of fish which live in Jack Creek.

Lloyd Whaley stated that he felt the Audobon Society was "holding a gun to the city's head".

Russell Thomas, retired commercial fisherman, stated that there are no fish in Jack Creek to protect.

Councilor Curry moved to direct staff to proceed with the application to Curry County for an exception to Land Use Goal 14, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; staff directed to proceed with the application to Curry County for an exception to Land Use Goal 14, which would allow the Jack Creek Golf Course to receive water from the Harbor Rural Water District.

Councilor Davis moved to direct the Brookings Golf Board to bring the different agencies involved together and obtain written support for the exception to Goal 14, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Brookings Golf Board directed to bring the different agencies involved together and obtain written support for the exception to Goal 14.

Mayor Hummel recessed the council meeting at 1:02 p.m. and convened an Executive Session under ORS 192.660 (1)(d) - Labor Negotiations, and ORS 192-660 (1)(h) - Legal Counsel Consultation Concerning Pending or Current Litigation.

Mayor Hummel reconvened the council meeting at 1:23 p.m.

Councilor Davis moved to acknowledge the grievance and pay the police department employees involved according to the Schedule in the Letter of Agreement, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; grievance acknowledged and police department employees involved in grievance to be paid according to the Schedule in the Letter of Agreement.

2. Proposed Draft Charter Revisions

Mayor Hummel explained the proposed changes in Section 31 of the proposed Charter.

Councilor Davis moved to direct staff to place the draft charter on the November election ballot for voter consideration, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

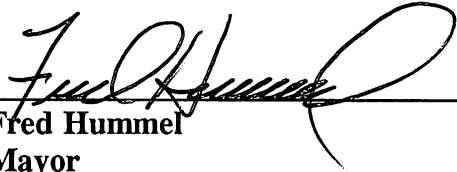
Nays: None

Motion carried; staff directed to place the draft charter on the November election ballot for voter consideration.

IV. ADJOURNMENT

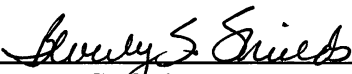
Councilor Davis moved to adjourn, which motion was seconded by Councilor Curry; motion carried unanimously.

Mayor Hummel adjourned the meeting at 1:31 p.m.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder

Kalmiopsis Audubon Society
of Curry County
P.O. Box 1265
Port Orford, Oregon 97465

July 31, 1992

City of Brookings
Mayor Fred Hummel
City Planning Department
John Bischoff, City Planner
Brookings, Oregon 97415

Re: City of Brookings
Golf Course Water Issue

Dear Sirs:

Kalmiopsis Audubon has been involved with the siting of a golf course in an EFU zone on Jack Creek, a tributary of the Chetco River and a important anadromous fish spawning stream.

We have supported the concept of a golf course on this stream, because of the degradation of the stream by logging and cattle grazing. We feel that the restoration of the riparian area along the stream will be very beneficial to the health and recovery of the fish runs on that stream. During the planning hearings we had two issues that we wanted addressed as part of the conditional use permit.

(1) We wanted monitoring of the water quality of the stream for pesticide/fertilizer contaminates with specific actions in case of deterioration of water quality below baseline levels. This issue was addressed to our satisfaction by the planning process and we feel that the City of Brookings is to be commended for that action.

(2) We were and are absolutely opposed to the use of water from the aquifer or stream bed of Jack Creek. The City has a water permit to store winter run-off from the Chetco River, in man made lakes on the golf course, to be used for irrigation purposes. We fully support this activity.

We are at this time very concerned about an application for potable water from the aquifer of Jack Creek. That permit has not been issued as of this date and we are actively opposing it.

The most expensive route for potable water is available to the golf course, by treating the stored water. This is a realistic option for getting the drinking water, however another way of obtaining potable water is from the Harbor Water District. The district has stated, in writing, that they are willing to provide potable water to the golf course for domestic use.

Page 2

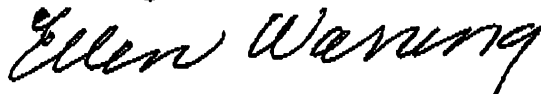
The problem is that the course is outside the Urban Growth Boundary of the City. The problem must be addressed via the county land use regulations. We urge you to explore with the county and the citizens of Brookings methods of addressing this problem.

Our concern with this water issue is not just limited to the cities land on Jack Creek but to the potential for development on the lands to the west of the golf course. If development occurs on those hills and everyone puts in a well, the water will be removed from the aquifer of Jack Creek. Any future development that impacts that aquifer must be placed on city water.

The creek is currently at or below the minimum flow rate of 3 cfs. The golf course potable water use is estimated at 11,000 to 13,000 gal/day. Jack Creek cannot withstand that withdrawal of water. As you are aware, Jack Creek is one of the major fish spawning tributaries of the Chetco River and must be protected.

We would be pleased to support your efforts to make the plan changes that would allow the extension of Harbor water to the course. We urge you to pursue this course.

Sincerely,



Ellen Warring, Conservation
Chairperson for Land Use
and Ocean Issues
332-0735
FAX 332-9775

cc: Richard Benner, Director DLCD
Glen Hale, DLCD
Chuck Nordstrom, Curry County Planning Director
South Coast Fishermen's Assoc.
Jim Cole, Golf Board Pres.

Kalmiopsis Audubon Society
of Curry County
P.O. Box 1265
Port Orford, Oregon 97465

July 31, 1992

Curry County Planning Department
Courthouse Annex
Gold Beach, Oregon

Re: Application #C-9205 City of Brookings

Dear Sirs:

Enclosed with this letter, is our Notice of Appeal. In order to retain our right to appeal we are submitting this notice today. However, we would request that you not set a date for the appeal at this time. We would like to give the City of Brookings additional time to address our concerns in the hope that the appeal can be withdrawn.

We understand that there is a time limit involved. We would request that no date be set until August 17, 1992. If at that time our concerns have not been met regarding the protection of the water in Jack Creek, then we will proceed with the appeal process.

Sincerely,

Ellen Warring
Chairperson for Land Use and
Ocean Issues.
332-0735
Fax 332-9775