

# MINUTES

**CITY OF BROOKINGS  
SPECIAL COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
December 7, 1992  
6:30 p.m.**

**I. CALL TO ORDER**

Mayor Hummel called the meeting to order at 6:34 p.m.

**II. ROLL CALL**

**Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis**

**Staff Present: City Manager Dennis Cluff, Chief Treatment Plants Operator Paul Strader**

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

**III. COUNCIL BUSINESS**

**1. Request for assignment of golf lease - WJS Golf, Inc.**

**Council briefly discussed the request and it was consensus that the council had questions which should be answered by the city attorney.**

**Councilor Davis moved to continue the special council meeting to Wednesday, December 9, 1992 at 10:00 a.m., 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; special council meeting continued to  
Wednesday, December 9, 1992 at 10:00 a.m.**

**IV. RECESS**

**Mayor Hummel recessed the meeting at 6:52 p.m.**

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**I. CALL TO ORDER**

**Mayor Hummel reconvened the special council meeting at 10:02 a.m.,  
Wednesday, December 9, 1992.**

**II. ROLL CALL**

**Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary  
Jane Brimm, Larry Curry, Tom Davis**

**Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna  
Van Nest**

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

**III. COUNCIL BUSINESS**

**1. Request for assignment of golf lease - WJS Golf, Inc.**

**City Manager Dennis Cluff presented council with the Fourth  
Addendum to the original Golf Course Lease Agreement, which was  
drawn up by City Attorney Michael Gillespie. The Fourth Addendum  
adds Section 9.00 to Article 6 of the original lease agreement, as  
follows:**

**3.1 Lessor and Lessee agree to that Article 6 of  
the Lease shall be amended by the addition of Section  
9.00 to provide as follows:**

**SECTION 9.00 - GUARANTEE**

**WJS Golf, Inc., a California corporation and McCallister shall each personally guarantee the performance of Lessee of the terms and conditions of this Lease, which guarantee shall be executed and delivered to Lessor in the form provided on Exhibit "G".**

**3.2 Lessor hereby consents to the assignment of Lessee's interest in the Lease to Jack Creek Golf, Ltd., a California limited partnership.**

**3.3 All other terms of the Lease, including previous addendums remain unchanged.**

**The council had some questions pertaining to the Fourth Addendum and City Attorney Michael Gillespie was called and the speaker phone was turned on. Mr. Gillespie answered the questions and indicated that the Fourth Addendum would be appropriate to satisfy the request by the golf course developer for assignment of the lessee's interest in the Lease to Jack Creek Golf, Ltd., a California limited partnership.**

**Councilor Davis moved to authorize the mayor to sign the Fourth Addendum to the Golf Course Lease Agreement upon receipt of proof of filing in California of the California Limited Partnership and signing of such consent documents as are necessary with the title company in Oregon to evidence the assignment at such time as the city receives proof via facsimile of the execution of the Fourth Addendum by the current lessee, 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; mayor authorized to sign the Fourth Addendum to the Golf Course Lease Agreement upon receipt of proof of filing in California of the California Limited Partnership and signing of such consent documents as are necessary with the title company in Oregon to evidence the assignment at such time as the city receives proof via facsimile of the execution of the Fourth Addendum by the current lessee.**

**2. Acceptance of Deed from South Coast Lumber Company**

**Jim Cole, Golf Board Chairman, presented the city with a Bargain and Sale Deed from South Coast Lumber Company for the additional 65 acres at the Jack Creek Golf Course property.**

**Councilor Davis moved to accept the Bargain and Sale Deed from South Coast Lumber Company for the additional 65 acres at the Jack Creek Golf Course property, 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; the Bargain and Sale Deed from South Coast Lumber Company for the additional 65 acres at the Jack Creek Golf Course property accepted by the City of Brookings.**

**Councilor Brendlinger expressed dissatisfaction with the timeliness of transactions between the golf course developer and the city and moved to express to the golf course developer to please give staff and council ample time to review changes to the golf course lease agreement. The motion died for lack of a second.**

**IV.**

**ADJOURN**

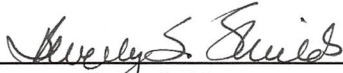
**Councilor Brimm moved to adjourn the special council meeting, which motion was seconded by Councilor Davis; motion carried unanimously.**

**Mayor Hummel adjourned the meeting at 10:45 a.m.**



**Fred Hummel**  
**Mayor**

**ATTEST:**



**Beverly S. Shields**  
**City Recorder**