

VAULT COPY

*agenda*  
*City of Brookings*  
*Work Session and Common Council Meeting*  
*City Hall Council Chambers*  
*898 Elk Drive*

*Brookings, OR 97415 - 6:00 PM*

~~*March 8, 1999*~~

*April 12, 1999*



*Brookings showers bring our winter flowers*



APRIL 1999

Council Chambers &amp; Fire Hall

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY										
				8:15am FH-CDD Staff mtg 9:00am CC-Crime Stoppers												
				Passover 1	Good Friday 2	3										
	9:00am CC-VIPS 7:00pm CC-TownHall/CoComms	8:00am CC-Arbitration (Frank Roberts, etc.) 1:45pm FH-ComDevBid Openg 7:00pm CC-Planning Comm reg mtg	8:00am CC-Arbitration (Frank Roberts, etc.) 12:00pm CC-Community Agencies mtg 1:00pm CC-Arbitration (Frank Roberts, etc.) 7:00pm FH-Reserves	8:00am CC-Arbitration (Frank Roberts, etc.) 8:15am FH-CDD Staff mtg												
Daylight Savings Begins 4	5	6	7	8	9	10										
	4:00pm CC-Inventry/PROUD 5:50pm CC-Goals Session /CC & Dept Hds 7:00pm CC-Council Mtg	1:30pm CC-SDC Rev Brd 4:00pm CC-OrdRev/PROUD 5:00pm CC-Infrstretr/PROUD 7:00pm CC-PROUD MTG	2:30pm FH-Safety Com.Mtg 7:00pm CC-Budget ComMtg	8:15am CC-CDD Staff mtg 6:30pm CC-Seatbelt Class-PD / B.Palicki												
11	12	13	14	15	16	17										
	9:00am CC-VIPS 2:00pm CC- Muni Court	6:45pm CC-Planning Comm Reg Mtg	7:00pm CC-#2Budget Com??	8:15am CC-CDD Staff mtg 7:00pm CC-Parks & Rec Comm												
18	19	20	21	22	23	24										
	7:00pm CC-Council Mtg		Secretaries Day	8:15am CC-CDD Staff mtg												
25	26	27	28	29	30											
			MARCH 1999			MAY 1999										
			S	M	T	W	T	F	S							
				1	2	3	4	5	6		1					
			7	8	9	10	11	12	13		8					
			14	15	16	17	18	19	20		15					
			21	22	23	24	25	26	27		22					
			28	29	30	31					29					
										23/30	24/31	25	26	27	28	29



MAY 1999

## COUNCIL CHAMBERS &amp; FIRE HALL

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY											
	9:00am CC-VIPS	7:00pm CC-Planning Commission regular meeting	12:00pm CC-Community Agencies mtg 7:00pm FH-Reserves	8:15am FH-CDD Staff mtg 9:00am CC-Crime Stoppers 4:45pm CC-Sr.Proj/MockMtg													
2	7:00pm CC-Council Mtg		2:30pm FH-Safety Com.Mtg	8:15am CC-CDD Staff mtg	9:45am CC-Law Enf Memrl - B/Palicki												
Mother's Day	9:00am CC-VIPS 2:00pm CC-Muni Court			8:15am CC-CDD Staff mtg 6:30pm CC-Seatbelt Class-PD / B.Palicki													
16	7:00pm CC-IncludeBdgtHg 7:00pm CC-Council Mtg			8:15am CC-CDD Staff mtg 7:00pm CC-Parks & Rec Comm	AZALEA FESTIVAL 6:00pm CC-Vietnam Vets RollCall	AZALEA FESTIVAL											
WhitSunday	AZALEA FESTIVAL 9:00am City Hall CLOSED		APRIL 1999		JUNE 1999												
			S	M	T	W	T	F	S	S	M	T	W	T	F	S	
							1	2	3				1	2	3	4	5
			4	5	6	7	8	9	10				6	7	8	9	10
			11	12	13	14	15	16	17				13	14	15	16	17
			18	19	20	21	22	23	24				20	21	22	23	24
30	Memorial Day	31	25	26	27	28	29	30					27	28	29	30	



COUNCIL CHAMBERS & FIRE HALL

MAY 1999							JULY 1999						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1					1	2	3
2	3	4	5	6	7	8	4	5	6	7	8	9	10
9	10	11	12	13	14	15	11	12	13	14	15	16	17
16	17	18	19	20	21	22	18	19	20	21	22	23	24
23 <sub>30</sub>	24 <sub>31</sub>	25	26	27	28	29	25	26	27	28	29	30	31



# agenda

CITY OF BROOKINGS

WORK SESSION AND COMMON COUNCIL MEETING

Brookings City Hall Council Chambers

898 Elk Drive, Brookings, Oregon

April 12, 1999

TIME: 6:00 PM

I. WORK SESSION ON 1999-2000 COUNCIL GOALS - cream

TIME: 7:00 PM

I. CALL TO ORDER - green

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS - blue

- A. Introduction of New Employee - Kim Swift, Accounting Clerk/Receivables
- B. Fifteen Years of Service - Michael Batty, Public Works/Utility Services Technician

V. PUBLIC HEARING

- A. In the matter of Planning Commission File No. CPZ-1-99, Application for a Comprehensive Plan/Zone Change from Commercial to Public Land and Zone Change from C-3 (General Commercial) to P/OS Public Open Space), on a 1.98 acre parcel of land located in the northeast corner of Fifth St., and Elk Drive.; Assessor's Map 41-13-6AC, Tax Lot 2901; C-3 (General Commercial); City initiated, applicant - yellow
  - 1. Final Order of File No. CPZ-1-99 - yellow
- B. In the matter of Planning Commission File No. LDC-3-99, Application for an amendment to the provision of the P/OS (Public Open Space) Zone to change Government structures including offices, fire stations and police stations, from a conditional use to a permitted use and to allow communication towers up to 150 feet in height, if operated by a public entity providing emergency services; City initiated, applicant - purple

VI. SCHEDULED PUBLIC APPEARANCES

- A. Curry Transfer and Recycling (CTR) Rate Increase-CTR Representative - gray



VII.

ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
  - 1. Chamber of Commerce
  - 2. Businesses for a Better Brookings
  - 3. Parks & Recreation Commission
  - 4. Council Liaisons
- B. Unscheduled

VIII.

STAFF REPORTS

- A. City Manager - salmon
  - 1. 1999-2000 Fiscal Year Council Goals Adoption
  - 2. Claveran Group - Salmon Run Golf & Resort Lease Changes
- B. Community Development Department - buff
  - 1. Easy Street: Emergency street repair
  - 2. Fern Street: Sewer main repair
  - 3. Pedestrian walkways on Ransom Avenue
  - 4. Sewer camera transporter

IX.

CONSENT CALENDAR - white

- A. Approval of Council Meeting Minutes
  - 1. Minutes of March 22, 1999, Regular Council Meeting
- B. Acceptance of Parks and Recreation Commission Minutes
  - 1. Minutes of March 25, 1999, Regular Commission Meeting
- C. Approval of Vouchers (\$179,884.32)

(end Consent Calendar)

X.

ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
  - 1. Approval of Ordinance No. 99-O-531, for amending the Comprehensive Plan and Zoning Map of the City of Brookings by redesignating from commercial to public land and rezoning from C-3 (General Commercial) to P/OS (Public Open Space) upon that certain real property in the northeast corner of Fifth Street and Elk Drive, more specifically 898 Elk Drive; City initiated - yellow
  - 2. Approval of Ordinance No. 99-O-446.EE, for amending Section 40, Public Open Space P/OS District, of Ordinance 89-O-446, an ordinance creating the Land Development Code; City initiated - purple
- B. Resolutions
  - 1. Approval of Resolution No. 99-R-653, for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings - gray
  - 2. Approval of Resolution No. 99-R-654, for authorizing granting of consent under lease agreement between the City of Brookings and Felix Claveran and The Claveran Group, LLC - salmon



3. *Approval of Resolution No. 99-4-655, for authorizing modification of lease agreement between the City of Brookings and Felix Claveran and The Claveran Group, LLC - salmon*

XI. EXECUTIVE SESSION - ORS192.660(1)(e) To conduct deliberations with persons designated to negotiate real property transactions

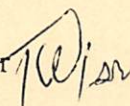
XI. REMARKS FROM MAYOR AND COUNCILORS

- A. Mayor
- B. Council

XII. ADJOURNMENT



TO: Mayor, City Council

FROM: Tom Weldon, City Manager 

DATE: April 7, 1999

City of Brookings



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ISSUE: 1999-2000 Fiscal Year Council Goals

BACKGROUND: Attached is a copy of suggested goals from all of you. My summary of your goals and my own views lead me to these suggested goals for you to consider (not in priority order:

New City Shop Property

Develop new Public Works property—fund and install fencing and required public improvements.

Fire Department Building and Truck

Obtain funding for and build 3-bay addition to Fire Hall—take bids and order new fire truck.

Water Management Study

Complete water management study and obtain grant funding for Ferry Creek Reservoir improvements.

Downtown Revitalization

Complete downtown revitalization study and begin implementing it.

Golf Course

Continue to work with the Claveran Group to finish development of the golf course.

U.S. 101 Couplet

Continue to work on the U.S. 101 Couplet.

Cover Swimming Pool

Form a committee to raise funds to cover the swimming pool.

Public Education

Expand efforts to educate the public on city issues.



**CITY OF BROOKINGS**  
**1999 - 2000 Suggested Council Goals**

*Mayor Nancy Brendlinger*

I would like the Council to consider the following for goals for next fiscal year.

1. New Goals as follows:
  - a. Hold yearly community wide **disaster drills**, rotating the type of disaster.
  - b. **Televis city meetings** - city council, planning commission, park & recreation commission.
  - c. Upgrade the **sound system** in the council chambers so that the attending public and our television viewers can easily hear the proceedings.
  - d. Develop a **city web site** that would give current updates and information on meeting agendas, city projects, etc. Also would contain all the "Let us help?" booklets.
  - e. Set a policy that all **street cuts** will have their **final repair**, (asphalt) completed within 60 days of the finished underground work unless there is extenuating circumstances (such as both asphalt plants being closed).
  - f. Form and give staff support to an Ad Hoc committee to review various ways to **cover the pool**. Committee would advise the city council on their preferred plan to cover the pool, estimated construction costs, funding availability and operation cost estimates.
2. **Finance Department Goal.** Wrap all their goals into one and implement. Exception - I would not want to charge for staff time if project research is directed by the city council, planning or park & recreation commissions. Research requests by their Ad Hoc or sub committees should be approved by their parent body before submitting to finance department.
3. **Community Development Goal.** Again, all good. Most, in some form, are already in other goals with the exception of finishing off our Periodic Review. That we must do. It is a good idea to start setting aside money for a new water reservoir (big green tank). We should lobby CTR to have another household hazardous material disposal event.
4. **Fire Department Goal.** The first two items are either in an existing goal or part of bond levy commitment. Reviewing and updating our fire protection contracts and mutual aid agreements should be done.



5. **Police Department Goal.** The city council has and should continue to support law enforcement. Our police chief should be able to reorganize his department to obtain the most efficient use of personnel. However, more information, budget wise, would be helpful when discussing adding new positions. I'm all for getting rid of vehicles we no longer need, not only in the police department but all departments. However, not sure if three new vehicles in one fiscal year will fit in the chief's budget.
6. I would also like to continue with the unfinished goals of 1998-1999 such as:
- a. Complete the work on the **Chetco Point Park**.
  - b. Continue to set aside funds to build the **new city shop** after the land as been acquired.
  - c. Fund the **Community Policing** position and continue to **support law enforcement**.
  - d. Seek funding to upgrade **Ferry Creek** and do it.
  - e. Build the additional three bays onto the **Fire Hall**.
  - f. Install needed **fire hydrants** in the developed parts of town.
  - g. Continue to monitor **golf course** development.
  - h. **Public education** needs to be always ongoing.
  - i. **Swimming pool** - see new goals.
  - j. Keep the **couplet** concept in everyone's mind.
  - k. Develop a **Vehicle/Equipment Replacement** policy and implement.
  - l. Continue to utilize **Volunteers**.
  - m. Set aside funding each year to do I & I work.
  - n. Follow through on the **Water Management Study** grant availability.
  - o. Continue with **City/Youth** involvement.



**CITY OF BROOKINGS**  
**1999 - 2000 Suggested Council Goals**

*Councilor Keith Pepper*

I would like the Council to consider the following for goals for next fiscal year.

*K. Pepper*      4/5/99  
Keith Pepper      (Date)

1. *Develop and adopt a master plan for all Brookings' parks*
2. *~~Complete the development of Chetco Point~~*
3. *Complete the revitalization plan for downtown business district.*
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_



**CITY OF BROOKINGS**  
**1999 - 2000 Suggested Council Goals**

*Councilor Frances Johns*

I would like the Council to consider the following for goals for next fiscal year.

*Frances Johns*  
Frances Johns

4/5/99  
(Date)

- 
1. Chetco Point Park
  2. City Shop
  3. Community Policing
  4. Swimming Pool, I have and still am  
Receiving Phone Calls on this Project???
  5. Towntown Core Study
  6. Fire Department
  7. Golf Course, Continue Development.
  8. Public Education, I feel it is Very  
Important that the public is aware of City Issues.
  9. Vehicle/Equipment Replacement.
  10. Waste Water System



# CITY OF BROOKINGS

## 1999 - 2000 Suggested Council Goals

Council President Bob Hagbom

I would like the Council to consider the following for goals for next fiscal year.

Bob Hagbom 4/6/99  
Bob Hagbom. (Date)

1. Youth Activities  
Ad hoc Committee to Prioritize - covering pool, youth center, etc.  
Students involved.
2. Water Management Plan  
Grant monies for Ferry Creek Res., another storage tank, etc.
3. 101 Corridor  
Although long range project, work on land procurement.
4. Fire Dept. -- establish hydrants where necessary  
Grant monies will be necessary to expand bldg. - continue funding program for equip.
5. Vehicle/Equipment Replacement Program  
develop city wide vehicle/equip. replacement funding schedule
6. Storage for Materials & space for City Shop.  
Use funds from PO land sale to obtain land for material storage
7. Police Dept. -- continue support.  
Continue training and request Grants for Community Policing. add manpower and equip. as needed.
8. Golf Course.  
Necessary for the economy of the community. I will continue work with various State agencies
9. City Parks  
Continue as volunteer efforts and maintenance
10. Continue Public Education



**CITY OF BROOKINGS**  
**1999 - 2000 Suggested Council Goals**

*Councilor Larry Curry*

I would like the Council to consider the following for goals for next fiscal year.

*Larry Curry* 4-7-99  
Larry Curry (Date)

1. Evaluate Present water supply, increase as necessary, assure an adequate supply for future
2. Formulate plans to upgrade sidewalks, curbs and gutters on all streets in Brookings
3. Take steps to plan and build public work shops of adequate size to house & repair city equipment
4. Evaluate possibility of contracting with county for Brookings to furnish police protection for harbor
5. Consider one extra police officer for school
6. Continue work on waste water lines for is until majority have been eliminated
7. Continue prospects for covering swimming pool.
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

**received**  
4/7/99  
@ 12:45



# *Certificate of Appreciation*

awarded to:

**MICHAEL BATTY**

for

*being a dedicated employee*

*from April 2<sup>nd</sup>, 1984*

*and honored as of the 12th day of April,*

*1999, for 15 years*

*of service*

*to the Citizens of the City of Brookings.*

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Tom Weldon  
City Manager

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Nancy Brendlinger  
Mayor



**CITY OF BROOKINGS CITY COUNCIL**  
**STAFF AGENDA REPORT**

SUBJECT: Comprehensive Plan/Zone Change  
FILE NO: CPZ-1-99  
HEARING DATE: April 12, 1999

REPORT DATE: February 18, 1999  
ITEM NO: 5.A

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**GENERAL INFORMATION**

APPLICANT: City initiated.

REPRESENTATIVE: City Staff.

REQUEST: A zone change from C-3 (General Commercial) to P/OS (Public Open Space) and a Comprehensive Plan designation change from Commercial to Public Land.

TOTAL LAND AREA: 1.98 acres.

LOCATION: In the northeast corner of Fifth St. and Elk Drive. More specifically 898 Elk Dr.

ASSESSOR'S NUMBER: 41-13-6AC, Tax Lot 2901.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: C-3 (General Commercial).

PROPOSED: P/OS (Public, Open Space).

SURROUNDING: North, West and South-C-3; Northwest-PO-1 (Professional Office); East-C-4 (Tourist Commercial).

COMP. PLAN: Commercial.

PROPOSED: Public Land.

**LAND USE INFORMATION**

EXISTING: Location of City Hall.

PROPOSED: Same.

SURROUNDING: West-Super Market; Northwest-Forest Service Offices; North-Vacant; East-Elks Lodge; South-Banks and Drug Store.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local news paper.



## BACKGROUND

At the regularly scheduled meeting of March 2, 1999, the Planning Commission considered the city initiated Comprehensive Plan and Zone change on the property under the City Hall from C-3 (General Commercial) to P/OS (Public Open Space). This application, along with textual changes to the P/OS zone, would allow the needed enhanced 911 communications tower in the northeast corner of the City Hall lot. The Planning Commission voted 6-0 to recommend approval of the Comprehensive Plan and Zone change.

A copy of the staff report, recommendations and exhibits prepared for the Commission are attached to this report.



**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Comprehensive Plan/Zone Change  
FILE NO: CPZ-1-99  
HEARING DATE: March 2, 1999

REPORT DATE: February 18, 1999  
ITEM NO: 8.3

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**GENERAL INFORMATION**

APPLICANT: City initiated.

REPRESENTATIVE: City Staff.

REQUEST: A zone change from C-3 (General Commercial) to P/OS (Public Open Space) and a Comprehensive Plan designation change from Commercial to Public Land.

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**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: C-3 (General Commercial).

PROPOSED: P/OS (Public, Open Space).

SURROUNDING: North, West and South-C-3; Northwest-PO-1 (Professional Office); East-C-4 (Tourist Commercial).

COMP. PLAN: Commercial.

PROPOSED: Public Land.

**LAND USE INFORMATION**

EXISTING: Location of City Hall.

PROPOSED: Same.

SURROUNDING: West-Super Market; Northwest-Forest Service Offices; North-Vacant; East-Elks Lodge; South-Banks and Drug Store.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local news paper.



## BACKGROUND INFORMATION

The subject property is a, flat, rectangular shaped 1.98 acre parcel of land located in the northeast corner of Fifth St. and Elk Dr. The parcel has 270 feet of frontage on Fifth St. and 370 feet of frontage on Elk Dr. The easterly boundary is 220 feet and has a small jog to the east at the northeast corner. The northerly boundary is 380 feet.

The property is currently the site of the Brookings City Hall and is zoned C-3 (General Commercial). The area to the east of the subject property is zoned C-4 (Tourist Commercial) and is the site of the Elks Lodge. The area to the south and southeast of the subject property is also zoned C-3 and is developed with two banks, drug store, insurance office and a mortuary. The area directly west of the subject property is zone C-3 and contains a super market and the area to the northwest is zone PO-1 (Professional Office) and is the site of the Forest Service Office and a medical office. The area directly north is zoned C-3 and is vacant.

Elk Dr. is a paved travel way within a 50 foot right-of-way with full improvements on both sides. Fifth St. is a paved travel way with in a 50 foot right-of-way with full improvements on the west side and curb gutter and sidewalk on a portion of the frontage of the subject parcel. The remaining Fifth St. frontage consists of a driveway and the apron for the City Fire Department truck bays. The City Hall is currently being served both water and sewer from existing mains.

## PROPOSED PLAN/ZONE CHANGE

The city is requesting a change of zone on the subject property from C-3 to P/OS (Public Open Space) and a corresponding Comprehensive Plan designation change from Commercial to Public on the subject property. The purpose of this zone change is that although the it does allow public buildings, the primary function of the C-3 Zone is for commercial uses and the reference in the Land Development Code is to public buildings "....appropriate to the C-3 District". The proposed zone change will place the City Hall into a zone specifically for public buildings and, with the associated proposed change to the P/OS Zone, allow the ability to use the city to place a communications tower up to 150 feet on the City Hall property without having to amend the C-3 Zone which is more extensive in area, to allow such a tower.

## ANALYSIS

The Land Development Code does not contain specific criteria to be considered when deciding a change of zone or Comprehensive Plan amendment. However, in the process of making such a decision the Commission must consider the different uses allowed as permitted in the requested new zone and the compatibility of those uses with, and the impact they may have on, existing uses in the surrounding area. The Commission must also consider how the requested change affects the goals and policies of the City's Comprehensive Plan. The requested plan/zone change presents three areas that must be analyzed - compatibility with existing uses, traffic impact on existing uses and the highway and consistency with the goals and policies of the Comprehensive Plan. The following is staff's analysis.

Compatibility. Since the City Hall currently occupies the subject property, the issue of compatibility with the surrounding uses in moot. The use of the City Hall will not change except for the addition of the communications tower which is necessary for the enhanced 911 system the city is installing. If the City Hall were to be moved from the site, the other permitted uses in the P/OS Zone that would



fit on the subject parcel are less intensive than the permitted uses in the C-3 Zone and thus would generate less traffic and associated noise. Permitted uses in the P/OS Zone are parks, swimming pools, tennis courts, playgrounds, campgrounds, picnic areas, community centers, public schools, public golf courses, museums, art galleries, libraries, and information centers.

If the City Hall were to be moved from the site after the zone is changed the land would become somewhat of a spot zone in that it would be a single parcel of P/OS surrounded by commercial land. In this case the city could either rezone the land back to the commercial use, create a small downtown park area or place another appropriate use allowed by the P/OS Zone on the property. All of these uses are compatible with commercial uses and could actually be a benefit to the commercial community.

Traffic Impacts. As stated earlier the City Hall will remain on the subject site and the activities on the site will be no different than they were under the C-3 Zone and thus the traffic generated from the use will be no different. In the section above was discussion of what may happen if City Hall were to be moved to a different site. In all likely hood, assuming site would still be in the C-3 Zone, the possible permitted commercial uses would generate significantly more traffic than that generated by City Hall. If, assuming the zoned to be changed to P/OS, the permitted uses that the subject site would lend itself to, such as a park or playground, museum, art gallery or library would not generate as much traffic as some of the permitted commercial uses would.

Goals and Policies of the Comprehensive Plan. The Comprehensive Plan does not make particular mention of Public Lands other than in Goal 5 which speaks to the goals and policies of preserving open space and scenic areas. Goal 11, Public Facilities and Services does make brief mention of City Hall being located at the northeast corner of Fifth St. and Elk Dr. but does not apply specific zone in which City Hall must be located. If the City Hall were to be moved a Comprehensive Plan change would be necessary for consistency and accuracy. The proposed zone change would place the land on which the City Hall sits in a more appropriate zone for this use.

## FINDINGS

1. The city has initiated a zone change on a city owned, 1.98 acre, parcel from C-3 (General Commercial) to P/OS (Public Open Space) and a corresponding Comprehensive Plan amendment from a Commercial designation to a Public Land designation.
2. The City Hall is located on the subject parcel of land.
3. The subject site is surrounded on three sides with commercial uses ranging from a super market, to professional offices, to the Elks Lodge. The area to the north is zoned C-3 but is vacant.
4. There is an associated proposed amendment to the P/OS Zoning ordinance to allow a communication tower, up to 150 feet in height, operated by a public entity providing emergency services.
6. The tower is needed as a part of the enhanced 911 system the city is installing at this time.
7. No other zone within the city, including the current C-3 Zone on the subject property, allows a tower greater than 60 feet in height.



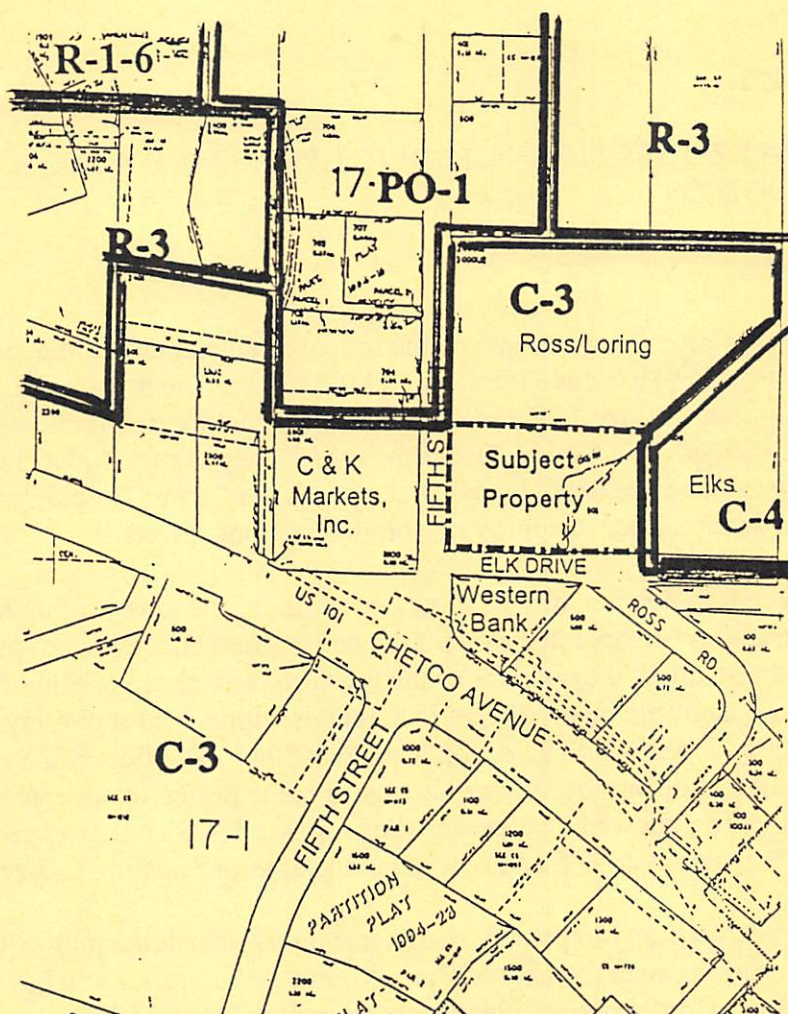
## CONCLUSIONS

1. The proposed change of zone will not impact the commercial uses surrounding the subject property because it is the current site of the City Hall and this condition will not change. Conditions on the site will not change because of the proposed zone change.
2. The proposed P/OS (Public Open Space) Zone is a more appropriate zone for the City Hall since it is specifically for public buildings and open space areas. If the City Hall should be moved at some time in the future the permitted uses in the P/OS Zone, particularly those for which the subject site is suited, are less intensive than most of the permitted commercial uses allowed by the existing C-3 (General Commercial) Zone.
3. By changing the zone underlaying the City Hall and also changing the provisions of the P/OS Zone to allow a communications tower up to 150 feet, the city will be allowed to place the needed tower for the enhanced-911 system on the City Hall property. By allowing such towers this in the P/OS Zone, the area subject to the use of such towers is very limited compared to changing the C-3 Zone to allow such towers and thus a lesser impact on the city as a whole.
4. The Comprehensive Plan does not make particular mention of Public Lands other than in Goal 5 which speaks to the goals and policies of preserving open space and scenic areas. Goal 11, Public Facilities and Services does make brief mention of City Hall being located at the northeast corner of Fifth St. and Elk Dr. but does not apply specific zone in which City Hall must be located. If the City Hall were to be moved a Comprehensive Plan change would be necessary for consistency and accuracy.

## RECOMMENDATION

Staff recommends **APPROVAL** of Case File No. CPZ-1-99, based on the findings and conclusions stated in the staff report.





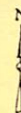
APPLICANT: City initiated

ASSESSOR'S NO: 41-13-6AC Tax Lot 2901

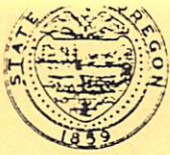
LOCATION: northeast corner of Fifth Street and Elk Drive, more specifically 898 Elk Drive

SIZE: 1.98 acres

ZONE: C-3 (General Commercial)







# Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Region 3

3500 NW Stewart Parkway

Roseburg, OR 97470

(541) 957-3500

FAX (541) 957-3547

February 22, 1999

FILE CODE:

JOHN C. BISCHOFF, PLANNING DIRECTOR  
CITY OF BROOKINGS  
898 ELK DRIVE  
BROOKINGS, OR 97415

**RE: AMENDMENT TO SECTION 40, PUBLIC OPEN SPACE & ZONE CHANGE  
FROM C-3 TO P/OS**

Dear Mr. Bischoff,

This correspondence is to provide comments on the proposed amendment to Section 40, Public Open Space (P/OS) of the land use code (Ord. No. 89-0-446), and the proposed Zone Change from C-3 (General Commercial) to P/OS for a 1.98 acre of parcel located in the northeast corner of Elk Drive and Fifth Street. The Oregon Department of Transportation (ODOT) has no objection to the proposed land use amendments, but advises the City of Brookings to contact ODOT's Aeronautics Section prior to approving communications towers.

The proposed amendment to Section 40 will allow communications towers of up to 150 feet in height in P/OS zones, if they are operated by a public entity emergency services provider. The new provisions would also allow the operator of the tower to lease space to other operators. Any proposed communications towers over 100 feet in height or within airport overlay zones should be coordinated with ODOT Aeronautics Section located at 3040 25<sup>th</sup> Street SE, Salem, OR 97302-1124. Additionally, the proposed Zone Change is not expected to adversely affect the State Highway System. The allowed land uses in the proposed P/OS zone is expected to generate less peak average daily trips than allowed land uses in the existing C-3 zone.

ODOT appreciates the opportunity to provide comments on the scheduled public hearing items, and looks forward to working with the City of Brookings in the future. If you have any questions or need additional information, please contact me at (541) 957-3692.

Sincerely,

**THOMAS GUEVARA**  
Short Range Planner

Cc: Tom E. Highland, ODOT Aviation Planner  
Haregu Nemariam - Access/Development Review Coordinator  
Jeff Waddington - Permit Specialist



**BEFORE THE PLANNING COMMISSION  
CITY OF BROOKINGS, COUNTY OF CURRY  
STATE OF OREGON**

In the matter of Planning Commission File No.     ) Final ORDER  
CPZ-1-99; application for approval of a     ) and Findings of  
Comprehensive Plan/Zone Change; City initiated,     ) Fact  
applicant.     )

**ORDER** approving an application for a Comprehensive Plan from Commercial to Public Land and Zone Change from C-3 (General Commercial) to P/OS (Public Open Space), on a 1.98 acre parcel of land located in the northeast corner of Fifth St. and Elk Dr.; Assessor's Map 41-13-6AC, Tax Lot 2901; C-3 (General Commercial)

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with Section 144, Amendments, of the Land Development Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its regularly scheduled public hearing on March 8, 1999; and
3. Recommendations were presented by the Planning Director in the form of a written Staff Agenda Report dated March 2, 1999, and by oral presentation, and evidence and testimony was presented by the applicant and the public at the public hearing; and,
4. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Agenda Report and recommended that the City Council approved the request, and
5. The Brookings City Council duly considered the above described application in a public hearing at a regularly scheduled public meeting held on April 12, 1999, and is a matter of record; and
6. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the City Council, upon a motion duly seconded, accepted the Planning Commissions recommendation; and

**THEREFORE, LET IT BE HEREBY ORDERED** that the application for an amendment on the subject parcel is approved. This approval is supported by the following findings and conclusions:

**FINDINGS**

1. The city has initiated a zone change on a city owned, 1.98 acre, parcel from C-3 (General Commercial) to P/OS (Public Open Space) and a corresponding Comprehensive Plan amendment from a Commercial designation to a Public Land designation.
2. The City Hall is located on the subject parcel of land.



3. The subject site is surrounded on three sides with commercial uses ranging from a super market, to professional offices, to the Elks Lodge. The area to the north is zoned C-3 but is vacant.
4. There is an associated proposed amendment to the P/OS Zoning ordinance to allow a communication tower, up to 150 feet in height, operated by a public entity providing emergency services.
6. The tower is needed as a part of the enhanced 911 system the city is installing at this time.
7. No other zone within the city, including the current C-3 Zone on the subject property, allows a tower greater than 60 feet in height.

## CONCLUSIONS

1. The proposed change of zone will not impact the commercial uses surrounding the subject property because it is the current site of the City Hall and this condition will not change. Conditions on the site will not change because of the proposed zone change.
2. The proposed P/OS (Public Open Space) Zone is a more appropriate zone for the City Hall since it is specifically for public buildings and open space areas. If the City Hall should be moved at some time in the future the permitted uses in the P/OS Zone, particularly those for which the subject site is suited, are less intensive than most of the permitted commercial uses allowed by the existing C-3 (General Commercial) Zone.
3. By changing the zone underlying the City Hall and also changing the provisions of the P/OS Zone to allow a communications tower up to 150 feet, the city will be allowed to place the needed tower for the enhanced-911 system on the City Hall property. By allowing such towers this in the P/OS Zone, the area subject to the use of such towers is very limited compared to changing the C-3 Zone to allow such towers and thus a lesser impact on the city as a whole.
4. The Comprehensive Plan does not make particular mention of Public Lands other than in Goal 5 which speaks to the goals and policies of preserving open space and scenic areas. Goal 11, Public Facilities and Services does make brief mention of City Hall being located at the northeast corner of Fifth St. and Elk Dr. but does not apply specific zone in which City Hall must be located. If the City Hall were to be moved a Comprehensive Plan change would be necessary for consistency and accuracy.

Dated this **12th** day of **APRIL**, 1999.

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Nancy A Brendlinger, Mayor

ATTEST:

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John C. Bischoff, Planning Director



**CITY OF BROOKINGS CITY COUNCIL**  
**STAFF AGENDA REPORT**

SUBJECT: Land Development Code Amendment  
FILE NO: LDC-3-99  
HEARING DATE: April 12, 1999

REPORT DATE: February 22, 1999  
ITEM NO: V.B

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**GENERAL INFORMATION**

APPLICANT: City initiated.

REPRESENTATIVE: City staff.

REQUEST: An amendment to the provisions of the P/OS (Public Open Space) Zone to change Government structures including offices, fire stations and police stations, from a conditional use to a permitted use and to allow communication towers up to 150 feet in height if operated by a public entity providing emergency services. Also will allow the operator of such a tower to rent or lease space on the tower to commercial firms.

TOTAL LAND AREA: City Wide in the P/OS (Public Open Space Zone).

PUBLIC NOTICE: Published in local news paper.

**BACKGROUND**

At their regularly scheduled meeting of March 2, 1999, the Planning Commission considered the city initiated changes to the P/OS (Public Open Space) Zone to change government structures including offices, fire stations and police stations, from a conditional use to a permitted use and to allow communications towers up to 150 feet in height as a permitted use if operated by a public entity providing emergency services. The changes would also give the operator of such a tower the ability to rent space on the tower to commercial firms.

The Planning Commission discussed the recommended changes and expressed concern that the tower would be a permitted use rather than a conditional use which would provide a mechanism for public input when a tower was constructed. The Commission also discussed the ethics and legality of the city offering space to other firms on the tower and the resulting competition with other private tower operators. At the end of their discussion the Commission split their vote into two parts.

The first vote addressed the change allowing public buildings as a permitted use rather than a conditional use. **The Commission voted 6-0 to recommend approval of this change.**

The second vote addressed the issue of the tower being a permitted or conditional use and whether the ability to rent the tower to other commercial operators should remain in the language. **The Commission voted 4-2 to recommend that the tower be a conditional use within the P/OS Zone and to provide the ability to rent space on the tower.** The two opposing vote were due to the rental language and not that the tower would be a conditional use.



**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Land Development Code Amendment  
FILE NO: LDC-3-99  
HEARING DATE: March 2, 1999

REPORT DATE: February 22, 1999  
ITEM NO: 8.2

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**GENERAL INFORMATION**

APPLICANT: City initiated.

REPRESENTATIVE: City staff.

REQUEST: An amendment to the provisions of the P/OS (Public Open Space) Zone to change Government structures including offices, fire stations and police stations, from a conditional use to a permitted use and to allow communications towers up to 150 feet in height if operated by a public entity providing emergency services. Also will allow the operator of such a tower to rent or lease space on the tower to commercial firms.

TOTAL LAND AREA: City Wide in the P/OS (Public Open Space Zone).

PUBLIC NOTICE: Published in local news paper.

**BACKGROUND INFORMATION**

The city is just completing an upgrade of the 911 system. As a part of the enhanced 911 system a new communications tower is needed and the existing tower site on the ridge off of Marina Heights Rd. is no longer suitable for this purpose. The best alternate location available to the city is the northeast corner of the City Hall parking lot. A tower in this location must be 150 feet in height to provide the best coverage for emergency police and fire radio communication. City Hall is located in the C-3 (General Commercial) Zone, however the city has initiated a zone change on the property underlying City Hall from the existing C-3 to the P/OS (Public Open Space) Zone.

Section 40, Public Open Space (P/OS) District, of the Land Development Code, currently allows publicly owned parks and recreational facilities, community centers, public schools, public golf courses, public museums, and libraries as permitted uses. The zone allows governmental structures or uses, including offices, fire and police stations as a conditional use.

To allow the change of zone underlying the City Hall from the existing C-3 Zone to the P/OS zone, the city must first amend the provisions of the P/OS Zone to allow the City Hall as a permitted use. To do this staff is recommending that Section 40.020, Permitted uses, be amended to read as follows:

40.020

G. Government structures including offices, fire stations, police stations.

Section 40.040, Conditional Uses, would be amended to remove "A. Governmental structures....."



Staff does not know why government buildings were not originally a permitted use the P/OS Zone while public schools and community centers were. The City Hall is a much less intensive use than a public school, particularly when in the center of a commercial area and public land is a more appropriate place for government buildings.

Section 40.20, must also be amended to allow communication towers up to 150 feet in height as a permitted use and to allow space on such a tower to rented or leased to a commercial provider. The City's Communications Supervisor (Police Sargent) has submitted the following reasons for a communications tower at the City Hall location:

- Based on coverage maps generated by the Motorola Corp. we would have much better radio coverage over a larger area.
- We would save at least \$869 a year on phone line costs with the City Hall site compared to the current site on Marina Heights and on any future cost if additional radios were installed.
- Better security for the tower site.
- Eliminates the possibility of losing dispatch capabilities due to storm damage to telephone and transmission lines between a remote site and the E-911 dispatch center.
- Eliminates the existing poor quality of radio transmissions due to number of times the transmission lines between the Marina Heights location and the dispatch center have been repaired. This would be an eventual factor in any remote site unless the telephone and transmission lines were placed underground which is very expensive.
- Space on a tower at City Hall could be rented to commercial and other public communication firms which would generate some revenue. This would also reduce the need for more towers in the city. The city has already received serious interest from commercial providers.
- The Police Department has investigated the possibility of a microwave connection between a remote tower site and the dispatch center. The cost of providing a microwave link is unknown without a study by an engineer, however, the best estimate at this time is more than \$100,000. A microwave link between the current Marina Heights location and the dispatch center would still require a tower at City Hall. Another possible site that a microwave link would make available is the Palmer Butte tower complex. This is still a possibility but will take more time to investigate.

Staff is recommending that Section 40 of the Land Development Code be amended to allow communication towers operated by a public entity providing emergency service, of no more than 150 feet in height as a permitted use. The following wording is suggested:

40.020

- H. Communication towers not to exceed 150 feet in height and only when operated by a public entity providing emergency services. The operator of a tower may lease or rent space on the tower to other public or commercial entities provided all applicable FCC regulations are satisfied.



The City's Communications Supervisor (Police Sargent) has submitted the following reasons for a communications tower at the City Hall location:

- Based on coverage maps generated by the Motorola Corp. we would have much better radio coverage over a larger area.
- We would save at least \$869 a year on phone line costs with the City Hall site compared to the current site on Marina Heights and on any future cost if additional radios were installed.
- Better security for the tower site.
- Eliminates the possibility of losing dispatch capabilities due to storm damage to telephone and transmission lines between a remote site and the E-911 dispatch center.
- Eliminates the existing poor quality of radio transmissions due to number of times the transmission lines between the Marina Heights location and the dispatch center have been repaired. This would be an eventual factor in any remote site unless the telephone and transmission lines were placed underground which is very expensive.
- Space on a tower at City Hall could be rented to commercial and other public communication firms which would generate some revenue. This would also reduce the need for more towers in the city. The city has already received serious interest from commercial providers.
- The Police Department has investigated the possibility of a microwave connection between a remote tower site and the dispatch center. The cost of providing a microwave link is unknown without a study by an engineer, however, the best estimate at this time is more than \$100,000. A microwave link between the current Marina Heights location and the dispatch center would still require a tower at City Hall. Another possible site that a microwave link would make available is the Palmer Butte tower complex. This is still a possibility but will take more time to investigate.

Staff is recommending that Section 52 of the Land Development Code be amended to allow communication towers operated by an emergency service agency, of no more than 150 feet in height as a conditional use. The following wording is suggested:

52.040

- J. Communication towers not to exceed 150 feet in height and only when operated by a provider of emergency services. The operator of a tower may lease or rent space on the tower to other public or commercial entities provided all applicable FCC regulations are satisfied.

## **RECOMMENDATION**

Staff recommends **Approval** of Case File No. LDC-3-99, based on the findings and conclusions stated in the staff report.



*Curry Transfer & Recycling, Inc.*  
17498 Carpenterville Road  
Post Office Box 4008  
Brookings, Oregon 97415  
(541) 469-2425

Petty H. Smart, Division Manager

FAX: (541) 469-1048

April 2, 1999

City of Brookings  
Attn: Mr. Tom Weldon, City Manager  
898 Elk Drive  
Brookings, Oregon 97415

Re: 1999 Rate Adjustment

Dear Mr. Weldon:

As you know from the documentation we recently provided you, the All-Cities CPI inflation adjustment was 1.6% in 1998. Pursuant to City's Solid Waste Ordinance 95-O-510, the City's residential and commercial rates should be adjusted accordingly on April 1, 1999. Due to the timing difficulty between receiving the CPI information and the April 1<sup>st</sup> effective date, we are using July 1, 1999, as the effective date.

Due to the offsetting adjustment of the Wridge Creek Landfill Post Closure Fund, the net rate schedule adjustment will be .8%. For example, the net adjustment will be 12 cents per month for a 1 can per week residential service.

We enclose the 1999 CPI adjusted (new) Exhibit "A" (the adjusted rate sheet) and the current rate sheets for your convenience.



Sincerely,

  
Pete Smart



EXHIBIT A

EFFECTIVE JULY 1 1999  
RATE SCHEDULE - CITY OF BROOKINGS

March 14, 1999

CANS/CARTS: SET OUT (CURB SIDE) SERVICE:

\$15.99	per month - one thirty (32) gallon can each week.
\$31.98	per month - one sixty (64) gallon cart each week.
\$47.97	per month - one ninety (96) gallon cart each week.
\$12.40	per month - one twenty (20) gallon When Available- Recycle Only.

Residential Compactor-In Excess Of 2 Bags-1.5 Times Can Rate.

CANS/CARTS: OTHER THAN SET OUT SERVICE:

\$0.95 per trip for each:Driveway, additional twenty five feet from truck access,  
long driveways- over 100 yards- for each additional 200 yards or portion . An  
additional charge for each gate, fence, hallway and/or stairs overweight limits of  
cans (32 gallon - 55 lbs), each unsecuring or securing of container.

COMMERCIAL/RENTAL SERVICES (Container/Carts/Cans)

32 Gallon Cart (Including Rentals Five and up.	\$18.25
Container Service - Per Loose Yard - Per Pick-Up.	\$19.60
Container Service - Per Loose Yard - Wood (Roll Off).	\$9.80
Container Service - Per Loose Yard - Metal (Roll Off).	\$9.80
Container Service - Gate Fee (Each Gate) - Extra.	\$5.30
Container Rental - One-Eight Yards - Per Month.	\$11.54
Customer Requested - Other Than Wkly-Each Trip Minimum.	\$11.73
Customer Requested - Customized Pick Up (Times)-Minimum.	\$14.86
Customer Service -Special events,Construction, Clean-up, etc. per trip	\$14.86
Customer Service -Special events,Construction, Clean-up, etc. per Yard	\$19.91
Container Service _ Roll Out Service - Extra.	10%
Container Service - Ramp Roll Out Service - Extra.	20%
Customer Requested After Hour, Saturday or Sunday - Extra.	50%
Mechanically Compacted Waste 2.75 Times Yard Or Can Rate.	

RECYCLING CREDITS (Commercial When Service Available):

Container Service - Newsprint (Properly Prepared) of Commercial Rate.	50%
Container Service - Waste Paper/Office Paper/Cans/Bottles/ Plasitcs/Glass (Properly Prepared) of Commercial Rate.	25%

OTHER RESIDENTIAL & COMMERCIAL CHARGES:

(1) Occasional Extra In Route Pickup - Each.	\$4.30
(2) Customer Requested Special Pickup-Minimum.	\$6.55
(3) Initial One Time Set Up Charge.	\$5.30
(4) Monitored Inactive Status - Each Time.	\$5.30
(5) Rental Property Owners Responsible For Sanitation Charges.	
(6) Extra Heavy Roofing/Demolition 2.75 Time Yd. Rate.	
(7) Waste In Excess Of 280 LBS Subject To The Approved Tonnage Rate.	
(8) Household Hazardous Waste.	(As Approved)



- - - - - July 1, 1998  
**RATE SCHEDULE - CITY OF BROOKINGS**

June 2, 1998

*For your  
Comparison*

**CANS/CARTS: SET OUT (CURB SIDE) SERVICE:**

\$15.87 per month - one thirty (32) gallon can each week.  
\$31.74 per month - one sixty (64) gallon cart each week.  
\$47.61 per month - one ninety (96) gallon cart each week.  
\$12.20 per month - one twenty (20) gallon When Available-  
Recycle Only.

Residential Compactor-In Excess Of 2 Bags-1.5 Times Can Rate.

**CANS/CARTS: OTHER THAN SET OUT SERVICE:**

\$0.93 per trip for each: Driveway, additional twenty five feet from truck access,  
long driveways- over 100 yards- for each additional 200 yards or portion . An  
additional charge for each gate, fence, hallway and/or stairs overweight limits of  
cans (32 gallon - 55 lbs), each unsecuring or securing of container.

**COMMERCIAL/RENTAL SERVICES (Container/Carts/Cans)**

32 Gallon Cart (Including Rentals Five and up.	\$18.11
Container Service - Per Loose Yard - Per Pick-Up.	\$19.41
Container Service - Per Loose Yard - Wood (Roll Off).	\$9.65
Container Service - Per Loose Yard - Metal (Roll Off).	\$9.65
Container Service - Gate Fee (Each Gate) - Extra.	\$5.20
Container Rental - One-Eight Yards - Per Month.	\$11.55
Customer Requested - Other Than Wkly-Each Trip Minimum.	\$14.63
Customer Requested - Customized Pick Up (Times)-Minimum.	\$14.63
Customer Service -Special events,Construction, Clean-up, etc. per trip.	\$14.63
Customer Service -Special events,Construction, Clean-up, etc. per Yard	\$19.60
Container Service _ Roll Out Service - Extra.	10%
Container Service - Ramp Roll Out Service - Extra.	20%
Customer Requested After Hour, Saturday or Sunday - Extra.	50%
Mechanically Compacted Waste 2.75 Times Yard Or Can Rate.	

**RECYCLING CREDITS (Commercial When Service Available):**

Container Service - Newsprint (Properly Prepared) of Commercial Rate.	50%
Container Service - Waste Paper/Office Paper/Cans/Bottles/ Plastics/Glass (Properly Prepared) of Commercial Rate.	25%

**OTHER RESIDENTIAL & COMMERCIAL CHARGES:**

(1) Occasional Extra In Route Pickup - Each.	\$4.22
(2) Customer Requested Special Pickup-Minimum.	\$6.45
(3) Initial One Time Set Up Charge.	\$5.20
(4) Monitored Inactive Status - Each Time.	\$5.20
(5) Rental Property Owners Responsible For Sanitation Charges.	
(6) Extra Heavy Roofing/Demolition 2.75 Time Yd. Rate.	
(7) Waste In Excess Of 280 LBS Subject To The Approved Tonnage Rate.	
(8) Household Hazardous Waste.	(As Approved)



TO: Mayor, City Council

FROM: Tom Weldon, City Manager TW/2

DATE: April 6, 1999

ISSUE: Claveran Group golf course lease changes

City of Brookings



BACKGROUND:

1. Our lease with the Claveran Group allows them to pledge their interest in the lease to a lender– with the city’s written consent.
2. The Claveran Group has borrowed short term financing and it now appears this will last longer than anticipated and the lender would like to have his loan officially protected.
3. Attached are letters from our city attorney and the lender’s attorney as well as the leasehold deed of trust that is between the Claverans and the lender—a Mr. Steve Muir.
4. Our lease with the Claveran Group calls for them to “complete construction” by August 1, 1999. Please see the attached letter explaining delays and asking for an extension of that date.

RECOMMENDATION: I recommend you approve the two requests of the Claveran Group.



JOHN B. TREW  
CAROL P. CYPHERS  
-----  
JOHN MEYNINK

## TREW & CYPHERS

ATTORNEYS AT LAW  
222 E. 2nd Street  
P.O. Box 158  
Coquille, Oregon 97423-0158

(541) 396-3171  
FAX (541) 396-5723

ESTABLISHED BY  
A. J. SHERWOOD  
IN 1885  
HARRY A. SLACK, SR.  
(1900-1988)  
HARRY A. SLACK, JR.  
(RETIRED 1991)

March 22, 1999

Tom Weldon  
City Manager  
City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Re: City of Brookings / The Claveran Group

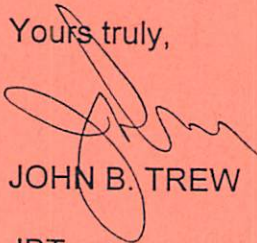
Dear Tom:

Enclosed please find a letter from attorney Guest along with a copy the Leasehold Deed of Trust with Assignment of Rents. Attorney Guest represents Mr. Steve Muir who has evidently provided the bridge financing to the Claveran Group. The deed appears to be a standard security document to protect Mr. Muir's loan to the Claveran Group for construction.

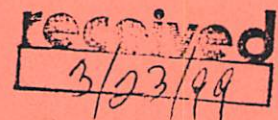
The City's Lease Agreement does allow the Claveran Group to "... pledge its interest in this lease agreement to a project lender, with prior written consent of Lessor ...". The Lease Agreement further provides that "Lessor shall not unreasonably withhold such consent."

The Council may want to review the documents prior to any discussion concerning the granting of consent.

Yours truly,

  
JOHN B. TREW

JBT:cmc  
Enclosures





KARL REED GUEST  
ATTORNEY AT LAW  
ONE POST STREET, SUITE 2100  
SAN FRANCISCO, CALIFORNIA 94104-5200  
(415) 398-7464

MAR 22 1999

FACSIMILE:  
(415) 989-1465

VIA FACSIMILE - HARD COPY TO FOLLOW

March 18, 1999

John Trew  
Attorney at Law  
P.O. Box 158  
Coquille, OR 97423

Re: Salmon Run - The Claveran Group  
Our File No. 301.100

---

Dear Mr. Trew:

As you know from our previous discussions, this office represents Steve Muir, a member of The Claveran Group which is developing the Salmon Run golf course project in Brookings. As you also now know, Mr. Muir has advanced funds to the project for which we are now seeking security.

I am enclosing a copy of the Leasehold Deed of Trust With Assignment of Rents which you and I have previously discussed. This is the format we would like to use to secure Mr. Muir's interest. We are aware that to simply enter into and record this deed of trust without the City of Brookings' prior approval would be a breach of the lease for the project property.

As a result, we are seeking the City's prior approval. The documents have been prepared and sent to the Claverans for execution as you and I discussed. Should the Claverans execute the deed of trust prior to formal approval by the City, it will be held by my office and not recorded until such approval is obtained.

It is anticipated that this will be a rather short term situation, as Mr. Muir will be repaid when the final bank financing is completed. I am certain you and the City can



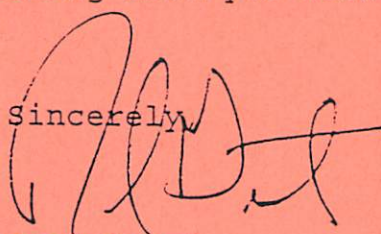
John Trew  
March 18, 1999  
Page 2

appreciate, however, the need for security for funds advanced by Mr. Muir.

Should you need any additional information and wish to discuss this further, please feel free to call me. We are, of course, anxious to work with the City to accomplish this in a manner acceptable to it.

I look forward to hearing from you with the City's decision.

Sincerely,



Reed Guest

KRG:ms  
Enclosure  
\\3011\trew.101



Recording requested by:

Steve Muir

When recorded mail to:

Steve Muir  
44180 Lakeside Drive  
Indian Wells, CA 92210

---

Space above this line for recorder's use

### LEASEHOLD DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS LEASEHOLD DEED OF TRUST WITH ASSIGNMENT OF RENTS ("Deed of Trust") is made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, between FELIX CLAVERAN, LORRAINE BERKOWITZ, and THE CLAVERAN GROUP, LLC (collectively the "Trustor"), whose address is 99040 South Bank Chetco River Road, Brookings, OR 97415, and STEVE MUIR (the "Beneficiary"), whose address is 44180 Lakeside Drive, Indian Wells, CA 92210, and \_\_\_\_\_, (the "Trustee") whose address is \_\_\_\_\_;

1. TRUSTOR HEREBY irrevocably and unconditionally grants, transfers, and assigns to Trustee, its successors and assigns, in trust, with power of sale and right of reentry and possession, all present and future right, title, interest and estate of Trustor in and to the following:

(a) The leasehold estate created by that certain Lease Agreement dated February 17, 1998, (the "Lease"), between The City of Brookings, Oregon, as Lessor, and Trustor as Lessee, in and to the real property affected thereby, said real property being that property in Curry County, State of Oregon, described on Exhibit A attached hereto and made a part hereof (the "Leased Premises").

(b) All options of any kind, rights of first refusal, privileges and other benefits of the Lessee under the Lease.

(c) All buildings, structures, improvements, appurtenances and fixtures of any kind now or hereafter located on the Leased Premises, including, without limitation, all appliances and other property, whether or not attached, affixed or installed thereon.

(d) All subleases, subtenancies or other agreements for the use of or occupancy of the Leased Premises, whether under the Lease or otherwise, and all rents, income and profits arising from any of the foregoing.



(e) All easements, rights of way and other rights or privileges relating to the Leased Premises, together with any present or future interest of the Lessee in the Leased Premises or in any other land or property arising by virtue of the Lease, including but not limited to access rights.

(f) All condemnation awards, insurance proceeds, or any causes of action, damages or recoveries relating to the Leased Premises.

(g) All rents, issues, profits, royalties, income and other proceeds of the Leased Premises. Trustor hereby gives to and confers upon Beneficiary the right, power, and authority during the continuance of this Deed of Trust, to collect the rents, issues, profits, royalties, income and other proceeds of the Leased Premises, but reserves the right, prior to any default by Trustor in payment of any indebtedness secured by this Deed of Trust or in the performance of any agreement under this Deed of Trust, to collect and retain such rents, issues, profits, royalties, income and other proceeds as they become due and payable. Upon any such default, Beneficiary may, without notice and without regard to the adequacy of the security for the indebtedness secured by this Deed of Trust, either personally or by agent or court-appointed receiver, do the following: enter upon and take possession of the Leased Premises or any part of the Leased Premises; sue for or otherwise collect all rents, issues, profits, royalties, income and other proceeds, including those past due and unpaid; and apply these rents, issues, profits, royalties, income and other proceeds, less costs and expenses of operation and collection (including reasonable attorneys' fees), upon any indebtedness secured by this Deed of Trust, in any order determined by Beneficiary. The exercise of the foregoing rights by Beneficiary shall not cure or waive any default or notice of default under this Deed of Trust or invalidate any act done pursuant to such a notice.

(h) All chattels, equipment, furniture, furnishings and other personal property of Trustor now or hereafter located upon the Leased Premises, or on any land or property adjacent thereto, or used in the operation or occupancy thereof, and all products and proceeds of the aforesaid property; provided, however, that if Trustor enters into a separate security agreement with Beneficiary relating to such personal property, the terms of such security agreement shall govern the rights and remedies of Beneficiary in the event of a default thereunder.

2. This Leasehold Deed of Trust With Assignment of Rents is for the purpose of securing:

(a) Payment of the indebtedness evidenced by a promissory note executed by Trustor on \_\_\_\_\_, 19\_\_\_\_, in the principal sum of \$\_\_\_\_\_, and any renewal, extension, or modification of the promissory note (the "Note");



(b) Any additional sums and interest that may hereafter be loaned to the then record holder of the Property by Beneficiary, when evidenced by another note or notes reciting that it or they are so secured;

(c) The performance of each agreement contained in this Deed of Trust; and,

(d) Payment of all sums to be made by Trustor pursuant to the terms of this Deed of Trust.

3. Trustor shall fully comply at all times with each of the following covenants:

(a) Trustor shall promptly pay when due all rents, charges and other sums or amounts required to be paid by the Lessee under the Lease, and, further, shall keep and perform all of the covenants, terms and provisions of the Lease that impose any obligations on the Lessee thereunder, and shall do all other things necessary to preserve and keep unimpaired the rights of the Lessee under the Lease.

(b) Trustor shall promptly notify Beneficiary in writing of any default on the part of either the Lessor or the Lessee under the Lease, and of the occurrence of any event which, with or without any notice or lapse of time or both, would constitute a default on the part of either the Lessor or the Lessee under the Lease.

(c) Trustor shall promptly send to Beneficiary a true copy of any notice of default served on Trustor relating to the Lease.

(d) Trustor shall not surrender the Lease or its leasehold estate, nor terminate or cancel the Lease, without first obtaining the prior written consent of Beneficiary; nor shall Trustor make or consent to any modification, change, supplement, amendment or alteration of any terms of the Lease without first obtaining Beneficiary's prior written consent. Trustor hereby irrevocably assigns to Beneficiary all rights which Trustor may have now or in the future to terminate, cancel, modify, change, supplement, amend or alter the Lease.

(e) Trustor agrees to exercise any option to renew or extend the Lease if at the time that option becomes exercisable any indebtedness secured by this Deed of Trust has not been fully paid. Trustor shall confirm exercise of that option to Beneficiary in writing within ten (10) days after the date on which the option first becomes exercisable. Trustor hereby irrevocably appoints Beneficiary as its attorney-in-fact, with full power of substitution, to exercise any such option on behalf of Trustor if Trustor for any reason fails or refuses to exercise that option at least twenty (20) days prior to the expiration of the period of time for its exercise.



(f) Trustor shall, within twenty (20) days after written request by Beneficiary and at no cost to Beneficiary, obtain and deliver to Beneficiary from the Lessor under the Lease a Lessor's estoppel certificate in form and substance satisfactory to Beneficiary.

(g) There shall be no merger of the Lease or the leasehold estate created by the Lease with the fee estate in the Leased Premises by reason of any of those interests coming into common ownership, unless Beneficiary consents in writing. Further, if Trustor acquires any interest in the fee estate to the Leased Premises, then the lien of this Deed of Trust shall simultaneously and without further action become extended to encumber Trustor's interest in the fee estate in addition to remaining a lien on the leasehold estate. Where the lien of this Deed of Trust has been extended to cover any interest of Trustor in the fee estate, then in the event of the exercise of any power of sale under this Deed of Trust, Beneficiary shall have the right to sell the leasehold estate and the fee interest of Trustor separately or together at the election of Beneficiary.

(h) Trustor must secure the prior written approval of Beneficiary prior to entering into any sublease under the Lease or otherwise transferring or assigning any interest therein.

(i) Upon Beneficiary's request, Trustor shall submit satisfactory evidence of payment of all its monetary obligations under the Lease (including but not limited to ground rent, taxes, assessments, insurance premiums and operating expenses.)

(j) If at any time Trustor fails to comply with any of its obligations under the Lease or under this instrument, then Beneficiary may, but is not obligated to, perform any of those obligations on behalf of Trustor or cure any of Trustor's defaults. Beneficiary may take such action without notice or demand upon Trustor and without releasing Trustor from any obligation under this Deed of Trust. Any and all costs and expenses (including but not limited to legal fees and disbursements) incurred by Beneficiary in connection with any such actions shall be secured by this Deed of Trust, shall be immediately due and payable by Trustor on demand and shall bear interest at the highest interest rate applicable to the indebtedness secured hereby, or the highest rate allowed by applicable law, whichever is lower.

(k) Beneficiary shall have the right to appear in and participate in all proceedings, including any arbitration proceedings, that could affect Beneficiary's security or the provisions of the Lease or which relate to the Leased Premises. Trustor agrees to pay promptly upon demand all reasonable costs and expenses of Beneficiary (including but not limited to legal fees and disbursements) incurred in any such proceedings.

(l) Any default of Trustor under the Lease shall be a default under this Deed of Trust.



4. Trustor hereby represents, covenants and warrants to Beneficiary as follows:

(a) That the Lease is in full force and effect and has not been modified, amended, supplemented, changed or altered in any respect;

(b) That all rents and charges reserved in the Lease have been paid to the extent they were payable prior to the date hereof;

(c) That Trustor shall defend the leasehold estate created under the Lease against any and all claims and demands with respect to all or any part thereof;

(d) That the Lease is not, nor shall it be, subordinate to any other lien, encumbrance or other interest, whether voluntary or involuntary; and

(e) That there is no existing default under the provisions of the Lease or in the performance of any of the terms, covenants, conditions or warranties thereof on the part of Trustor to be observed and/or performed.

5. To protect the security of this Leasehold Deed of Trust With Assignment of Rents, Trustor further agrees:

(a) To keep the Leased Premises in good condition and repair; not to remove or demolish any buildings on the Leased Premises; to complete or restore promptly and in good and workmanlike manner any building that may be constructed, damaged, or destroyed on the Leased Premises; to pay when due all claims for labor performed and materials furnished for the Leased Premises; to comply with all laws affecting the Leased Premises or requiring alterations or improvements to be made on the Leased Premises; not to commit or permit any waste of the Leased Premises; not to commit, suffer, or permit any act upon the Leased Premises in violation of law; and to cultivate, irrigate, fertilize, fumigate, prune, and do all other acts that from the character of the Leased Premises may be reasonably necessary.

(b) To appear in and defend any action or proceeding purporting to affect the security of this Deed of Trust or the rights or powers of Beneficiary, or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorneys' fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear and in any suit brought by Beneficiary to foreclose this Deed of Trust.

(c) To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to this Deed of Trust, with interest from date of expenditure at the amount allowed by law in effect at the date of this Deed of Trust, and to pay any amount demanded by Beneficiary (up to the maximum



allowed by law at the time of the demand) for any statement regarding the obligation secured by this Deed of Trust.

6. The parties further agree that:

(a) By accepting payment of any sum secured by this Deed of Trust after its due date, Beneficiary does not waive its right either to require prompt payment when due of all other sums so secured or to declare default for failure to pay any indebtedness secured by this Deed of Trust.

(b) Upon written request of Beneficiary stating that all sums secured by this Deed of Trust have been paid, surrender of this Deed of Trust, the Note, and any other notes secured by this Deed of Trust to the Trustee for cancellation and retention, and payment of Trustee's fees and charges, Trustee shall reconvey, without warranty, the Leased Premises then subject to this Deed of Trust. The recitals in the reconveyance shall be conclusive proof of the truthfulness of the recitals. The grantee in the reconveyance may be described as "the person or persons legally entitled thereto." Five years after issuance of the full reconveyance, Trustee may destroy the Note and this Deed of Trust, unless directed in the request to retain them.

(c) Upon default by Trustor in the payment of any indebtedness secured by this Deed of Trust or in the performance of any obligation under this Deed of Trust, Beneficiary may declare all sums secured by this Deed of Trust immediately due and payable by delivering to Trustee a written declaration of default and demand for sale and a written notice of default and election to sell the leasehold estate in the Leased Premises. Trustee shall cause the notice of default and election to sell to be recorded. Beneficiary also shall deposit with Trustee this Deed of Trust, the Note, and all documents evidencing any additional expenditures secured by this Deed of Trust.

After the required time period has lapsed following the recordation of the notice of default, and after notice of sale has been given as required by law, Trustee, without demand on Trustor, shall sell the leasehold estate in the Leased Premises at the time and place specified in the notice of sale at public auction to the highest bidder for cash in lawful money of the United States, payable at the time of sale. Trustee may postpone the sale by public announcement at the time and place of sale, and from time to time thereafter may postpone the sale by public announcement at the time fixed by the preceding postponement. Trustee shall deliver to the purchaser at the auction its assignment conveying the leasehold estate in the Leased Premises sold, but without any covenant or warranty, express or implied. The recital in the assignment of any matter of fact shall be conclusive proof of the truthfulness of the recital. Any person, including Trustor, Trustee, or Beneficiary, may purchase at the sale.



After deducting all costs, fees, and expenses of Trustee and Beneficiary under this paragraph, including costs of procuring evidence of title incurred in connection with sale, Trustee shall apply the proceeds of sale to payment of all sums expended under the terms of this Deed of Trust, not then repaid, with accrued interest at the amount allowed by law in effect at the date of this Deed of Trust; all other sums then secured by this Deed of Trust; and the remainder, if any, to the person or persons legally entitled to the remaining proceeds.

(d) This Deed of Trust applies to, inures to the benefit of, and binds all parties to this Deed of Trust and their heirs, legatees, devisees, administrators, executors, successors, and assigns. The term "Beneficiary" shall mean the holder and owner, including pledgee, of the Note secured by this Deed of Trust, whether or not named as a beneficiary in this Deed of Trust, and the heirs, legatees, devisees, administrators, executors, successors, and assigns of any such person. In this Deed of Trust, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

(e) Trustee accepts this Trust when this Deed of Trust, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obligated to notify any party to this Deed of Trust pending sale under any other deed of trust or of any action or proceeding in which Trustor, Beneficiary, or Trustee shall be a party unless brought by Trustee.

(f) Beneficiary, or any successor in ownership of any indebtedness secured by this Deed of Trust, may from time to time, by written instrument, substitute a successor or successors to any Trustee named in or acting under this Deed of Trust. The substitution instrument shall contain the name of the original Trustor, Trustee, and Beneficiary under this Deed of Trust, the book and page where this Deed is recorded, and the name and address of the new Trustee. When executed by Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where the Property is situated, the substitution instrument shall be conclusive proof of proper substitution of the successor Trustee or Trustees. Any successor Trustee or Trustees shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers, and duties.

(g) The powers and remedies conferred in this Deed of Trust are concurrent and cumulative to all other rights and remedies provided in this Deed of Trust or given by law. These powers and remedies may be exercised singly, successively, or together, and as often as deemed necessary.

(h) The recitals contained in any reconveyance, trustee's assignment, or any other instrument executed by the Trustee from time to time under the authority of this Deed of Trust or in the exercise of its powers or the performance of its



duties under this Deed of Trust, shall be conclusive evidence of their truth, whether stated as specific and particular facts, or in general statements or conclusions. Further, the recitals shall be binding and conclusive upon the Trustor, his or its heirs, executors, administrators, successors, and assigns and all other persons.

(i) If any action is brought for the foreclosure of this Deed of Trust or for the enforcement of any provision of this Deed of Trust (whether or not suit is filed), Trustor agrees to pay all costs and expenses of Beneficiary and Trustee, including reasonable attorneys' fees; and these sums shall be secured by this Deed of Trust.

(j) If two or more person are designated as Trustee in this Deed of Trust, any, or all, power granted in this Deed of Trust may be exercised by any of those persons, if the other person or persons are unable, for any reason, to act. Any recital of this inability in any instrument executed by any of those persons shall be conclusive against Trustor and Trustor's heirs and assigns.

(k) It is hereby acknowledged that this Deed of Trust and the interests created hereby shall specifically be subordinate to the interests of Lessor under the Lease in the underlying property described on Exhibit A attached hereto and made a part hereof.

TRUSTOR

\_\_\_\_\_  
FELIX CLAVERAN

\_\_\_\_\_  
LORRAINE BERKOWITZ

THE CLAVERAN GROUP, LLC

BY: \_\_\_\_\_  
PETER PAVICH, President



ACKNOWLEDGMENT

State of Oregon                    )  
  )  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, the undersigned Notary Public, personally appeared Felix Claveran, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacities, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

ACKNOWLEDGMENT

State of Oregon                    )  
  )  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, the undersigned Notary Public, personally appeared Lorraine Berkowitz, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacities, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_



ACKNOWLEDGMENT

State of Oregon                   )  
  )  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, the undersigned Notary Public, personally appeared Peter Pavich, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacities, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_



EXHIBIT A

LEGAL DESCRIPTION

A parcel of land lying within the southwest Quarter (SW 1/4) of Section 35, Township 40 South, Range 13 West, Willamette Meridian, Section 2 and the Northeast Quarter (NE 1/4 of Section 11, Township 41 South, Range 13 West Willamette Meridian, Curry County, Oregon, being more particularly described as follows: Beginning at a point described as being South 69.06 feet and East 446.92 feet from the northwest corner of said Section 2;

thence South	81°23'40"	East	512.76 feet;
thence North	43°01'27"	East	159.17 feet;
thence North	49°57'28"	East	292.07 feet;
thence North	77°19'41"	East	373.13 feet;
thence South	86°42'58"	East	131.41 feet;
thence South	36°11'57"	East	98.18 feet;
thence South	05°04'26"	East	149.57 feet;
thence South	13°47'19"	East	190.63 feet;
thence South	25°43'47"	West	454.53 feet;
thence South	14°31'34"	East	93.71 feet;
thence South	58°15'59"	East	263.48 feet;
thence South	88°12'41"	East	304.99 feet;
thence South	71°51'10"	East	344.73 feet;
thence South	23°58'03"	East	432.40 feet;
thence South	35°21'37"	East	126.51 feet;
thence North	65°29'12"	East	90.15 feet;
thence South	06°41'08"	East	473.33 feet;
thence South	40°38'16"	East	206.48 feet;
thence South	29°50'48"	East	114.34 feet;
thence South	01°54'27"	East	133.13 feet;
thence South	52°33'47"	East	106.16 feet;
thence South	63°59'56"	East	106.36 feet;
thence South	36°16'54"	East	90.63 feet;
thence South	83°47'57"	East	109.96 feet;
thence South	85°52'57"	East	110.09 feet;
thence North	71°47'24"	East	399.03 feet;
thence South	23°48'24"	East	242.67 feet;
thence South	85°30'22"	West	249.02 feet;
thence South	65°46'10"	West	143.47 feet;
thence North	80°36'30"	West	90.93 feet;
thence South	05°19'33"	West	288.10 feet;
thence South	03°37'17"	West	981.41 feet;
thence South	38°36'29"	East	393.55 feet;
thence South	29°57'47"	East	292.91 feet;
thence South	33°34'12"	East	249.01 feet;
thence South	48°32'52"	East	461.52 feet;
thence South	24°35'06"	East	138.52 feet;



thence South 30°53'25" East 388.72 feet;  
 thence South 34°32'00" East 181.81 feet;  
 thence South 02°04'40" East 234.26 feet;  
 thence South 17°25'16" East 241.17 feet;  
 thence South 00°09'59" West 82.94 feet;  
 thence South 30°47'32" West 196.47 feet;  
 thence South 77°36'23" West 72.03 feet;  
 thence North 66°51'26" West 206.57 feet;  
 thence North 82°30'08" West 239.76 feet;  
 thence North 29°00'56" West 125.11 feet;  
 thence North 12°23'39" West 237.97 feet;  
 thence North 28°46'53" West 407.03 feet;  
 thence North 50°32'55" West 245.18 feet;  
 thence North 30°54'34" West 783.81 feet;  
 thence North 26°48'11" West 211.27 feet;  
 thence North 65°08'02" West 397.18 feet;  
 thence North 85°44'07" West 245.88 feet;  
 thence North 07°33'46" East 202.18 feet;  
 thence North 23°02'55" East 501.32 feet;  
 thence North 01°01'40" East 273.70 feet;  
 thence North 05°13'49" West 185.89 feet;  
 thence North 06°12'57" West 393.39 feet;  
 thence North 16°50'33" West 692.41 feet;  
 thence North 28°11'14" West 398.94 feet;  
 thence North 24°59'15" West 411.45 feet;  
 thence North 71°39'36" West 434.91 feet;  
 thence North 63°55'36" West 572.67 feet;  
 thence North 05°50'56" East 447.16 feet;  
 thence North 02°29'51" East 175.06 feet;  
 thence North 52°18'40" West 85.50 feet;  
 thence North 72°58'12" West 61.44 feet;  
 thence South 59°14'38" West 100.67 feet;  
 thence South 77°18'49" West 117.98 feet;  
 thence North 83°02'14" West 406.98 feet;  
 thence North 37°14'23" West 300.00 feet;  
 thence North 30°41'39" West 133.25 feet to the Point of  
 Beginning.

RESERVING THEREFROM a 15.00 foot wide utility easement lying  
 Southerly and Westerly, parallel with, and adjacent to the  
 following described line:

Beginning at the point of beginning of the above described  
 parcel;

thence South 81°23'40" East 532.76 feet;  
 thence North 43°01'27" East 159.17 feet;  
 thence North 49°57'28" East 292.07 feet;  
 thence North 77°19'41" East 373.18 feet;  
 thence South 88°42'58" East 131.41 feet;  
 thence South 36°11'57" East 98.18 feet;



thence South 05°00'36" East 149.57 feet;  
 thence South 13°47'19" East 190.63 feet;  
 thence South 25°43'47" West 454.58 feet;  
 thence South 14°31'34" East 93.71 feet;  
 thence South 58°15'59" East 263.48 feet;  
 thence South 88°12'41" East 304.99 feet;  
 thence South 71°51'10" East 344.73 feet;  
 thence South 23°58'03" East 482.40 feet;  
 thence South 35°21'37" East 126.51 feet;  
 thence North 65°29'12" East 90.15 feet;  
 thence South 06°41'08" East 473.33 feet;  
 thence South 40°38'16" East 208.48 feet;  
 thence South 29°50'48" East 114.34 feet;  
 thence South 01°54'27" East 183.18 feet;  
 thence South 52°33'47" East 106.16 feet;  
 thence South 65°59'56" East 106.36 feet;  
 thence South 36°16'54" East 90.63 feet.

RESERVING THEREFROM a 50 foot wide roadway and utility easement,  
 being 25.00 feet each side of the following described centerline:  
 Beginning at a point described as being South 2533.14 feet and  
 East 3465.82 feet from the northwest corner of said Section 2;  
 thence South 20°45'07" East 129.01 feet to Point "A";  
 thence South 31°35'59" East 23.54 feet;  
 thence South 55°47'54" East 28.34 feet;  
 thence South 74°31'53" East 24.72 feet;  
 thence South 71°13'26" East 100.58 feet to a point lying on the  
 easterly boundary of the above described parcel.

Also, RESERVING THEREFROM a 50 foot wide roadway and utility  
 easement being 25 feet each side of the following described  
 centerline:

Beginning at Point "A" described above;  
 thence South 05°07'02" West 27.44 feet;  
 thence South 33°02'41" West 35.94 feet;  
 thence South 42°29'01" West 46.66 feet;  
 thence South 29°58'08" West 18.73 feet;  
 thence South 13°10'08" West 30.52 feet;  
 thence South 05°52'32" East 28.70 feet;  
 thence South 17°20'21" East 197.34 feet;  
 thence South 15°50'15" East 137.13 feet;  
 thence South 24°01'33" East 64.33 feet;  
 thence South 16°36'11" East 178.27 feet to a point lying on the  
 easterly boundary of the above described parcel.

THESE VARIOUS EASEMENTS DESCRIBED ABOVE RESERVED BY SOUTH COAST  
 LUMBER COMPANY ARE FOR THE BENEFIT OF ADJACENT LANDS OWNED BY  
 SOUTH COAST LUMBER COMPANY AND FOR ANY FUTURE LANDS ACQUIRED BY



SOUTH COAST LUMBER COMPANY THAT CAN UTILIZE THESE EASEMENTS. AND FOR ANY PARTITION OR DIVISION OF ADJACENT LANDS AND FOR THE BENEFIT OF SOUTH COAST LUMBER COMPANY'S SUCCESSORS AND ASSIGNS.

AND IN ADDITION THE FOLLOWING PARCELS:

Parcel I:

A parcel of land lying within Section 2, Township 41 South, Range 13 West, Willamette Meridian, Curry County, Oregon, being more particularly described as follows:  
Beginning at a point South 422.48 feet and East 696.49 feet from the northwest corner of said Section 2;  
thence along the westerly boundary of that property described in Book of Records 139, page 1025, Official Records of Curry County, the following courses: South 83°02'14" East 406.98 feet; North 77°18'49" East 117.98 feet; North 59°14'38" East 100.67 feet; South 72°58'12" East 61.44 feet; South 52°18'40" East 85.50 feet; South 02°29'51" West 175.06 feet; South 05°50'56" West 447.18 feet; South 60°41'03" East 189.87 feet; South 65°31'57" East 383.26 feet; South 71°39'36" East 434.91 feet; South 24°59'15" East 411.45 feet; South 28°11'14" East 398.94 feet; South 16°50'33" East 692.41 feet; South 06°12'57" East 393.39 feet; South 05°13'49" East 185.89 feet; South 01°01'40" West 273.70 feet; South 23°02'55" West 501.32 feet; South 07°33'46" West 202.18 feet; South 85°44'07" East 245.88 feet; South 65°08'02" East 397.18 feet; South 26°48'11" East 211.27 feet;  
Thence North 64°06'41" West, leaving said westerly boundary, 856.27 feet to a point lying on the north-south centerline of said Section 2; thence North 00°37'03" East, along said centerline, 1724.91 feet to the center one-quarter corner of said Section 2;  
thence North 00°23'15" East, along said centerline, 374.32 feet;  
thence North 42°40'54" West 1249.82 feet;  
thence North 63°58'37" West 557.46 feet;  
thence North 05°47'35" West 369.21 feet;  
thence North 45°11'05" West 265.32 feet;  
thence North 83°05'02" West 308.24 feet;  
thence North 37°14'23" West 119.84 feet to the Point of Beginning.



PARCEL II:

A parcel of land lying within Section 2, Township 41 South, Range 13 West Willamette Meridian, Curry County, Oregon, being more particularly described as follows:  
Beginning at a point South 83.25 feet and East 540.67 feet from the northwest corner of said Section 2;  
thence South 82°33'30" East, along the southerly right of way line of the South Bank Chetco River County Road, 229.33 feet to the beginning of a 300.00 foot radius curve to the left, having a central angle of 71°00'00";  
thence along said curve the arc length of 371.76 feet, the long chord of which bears North 61°56'30" East 348.42 feet, to the beginning of a 425.00 foot radius reverse curve to the right, having a central angle of 52°20'00";  
thence along said curve the arc length of 388.19 feet, the long chord of which bears North 52°36'30" East 374.84 feet, to the beginning of a 725.00 foot radius reverse curve to the left having a central angle of 49°00'00";  
thence along said curve the arc length of 620.03 feet, the long chord of which bears North 54°16'30" East 601.31 feet, to the beginning of a 250.00 foot radius reverse curve to the right, having a central angle of 12°56'19";  
thence along said curve the arc length of 56.46 feet, the long chord of which bears North 36°14'40" East 56.34 feet;  
thence South 08°50'34" East, leaving said right of way, 1362.38 feet;  
thence North 81°09'26" East 788.13 feet;  
thence South 18°35'37" East 2094.30 feet to a point lying on the easterly boundary of that property described in Book of Records 139, page 1025, Official Records of Curry County;  
thence along said boundary the following courses: North 88°47'57" West 109.96 feet; North 36°16'54" West 90.63 feet; North 65°59'56" West 106.36 feet; North 52°33'47" West 106.16 feet; North 01°54'27" West 183.18 feet; North 29°50'48" West 114.34 feet; North 40°38'16" West 208.48 feet; North 06°41'08" West 473.33 feet; South 65°29'12" West 90.15 feet; North 35°21'37" West 126.51 feet; North 23°58'03" West 482.40 feet; North 71°51'10" West 244.73 feet; North 88°12'41" West 304.99 feet; North 58°15'59" West 263.48 feet; North 14°31'34" West 93.71 feet; North 25°43'47" East 454.58 feet; North 13°47'19" West 190.63 feet; North 05°04'26" West 149.57 feet; North 36°11'57" West 98.18 feet; North 88°42'58" West 131.41 feet; South 77°19'41" West 373.18 feet; South 49°57'28" West 292.07 feet; South 43°01'27" West 159.17 feet; and North 81°23'40" West 437.95 feet to the Point of Beginning.



PARCEL III:

A parcel of land lying within Section 2, Township 41 South, Range 13 West, Willamette Meridian, Curry County, Oregon, being more particularly described as follows:

Beginning at a point South 2703.69 feet and East 3668.73 feet from the northwest corner of said Section 2;

thence South 11°59'58" East 1473.07 feet;

thence South 46°46'09" East 584.95 feet;

thence South 41°54'12" East 644.12 feet;

thence South 16°07'53" East 536.74 feet;

thence South 09°18'13" West 348.44 feet;

thence South 06°45'57" West 235.37 feet to a 5/8" iron rod capped PLS 1868 lying on the easterly boundary of that

property described in Book of Records 139, page 1025, Official Records of Curry County;

thence along said boundary the following courses: North 17°25'16" West 241.17 feet; North 02°04'40" West 234.26

feet; North 34°32'01" West 181.82 feet; North 30°53'25" West 388.72 feet; North 24°35'08" West 138.52 feet; North

43°32'52" West 461.52 feet; North 33°34'12" West 249.01

feet; North 29°57'47" West 292.91 feet; North 41°39'48" West 323.52 feet; North 01°43'29" East 1045.77 feet; and North

05°19'33" East 288.10 feet to the Point of Beginning.





April 7, 1999

Mr. Tom Weldon  
City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Dear Tom:

The Claveran Group would like to make three changes to the lease agreement with the City of Brookings.

1) We would like to extend the amount of time we have to complete construction to August 1, 2000.

We are currently up against issues out of our control that will have impact on our ability to resume construction. Examples of these issues are:

- State agency permitting process
- Poor weather

As you know, we want to open the course as soon as possible, but we would like to have a cushion to address these and any other unforeseen delays that may arise.

2) We would like to add Steven J. Muir to the lease as a lessee as outlined in article 1 of the lease. Attached is the executed Addendum to Lease.

3) We would like to obtain consent from the City on a Leasehold Deed Of Trust With Assignment Of Rents for Mr. Muir. This document has been reviewed and approved by John Trew.

Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Pavich". The signature is fluid and cursive.

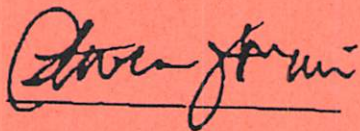
Pete Pavich



## The Claveran Group

## Addendum to Lease

I, Steve Muir, agree to be a guarantor of the construction debt and added as a lessee as described in the lease agreement between the City of Brookings and The Claveran Group dated February 17<sup>th</sup>, 1998.



Steve Muir

FEB 10, 1999

Date

TOTAL P.01



# City of Brookings Memorandum

**TO:** Mayor, City Council

**FROM:** Leo Lightle, *LLD*  
Community Development Director

**THROUGH:** Tom Weldon, City Manager *Tom*

**DATE:** April 7, 1999



**Issue:** Easy Street: Emergency Street Repair

**Recommendation:** The Council determine that an emergency existed and authorize payment for the repair work to the Easy Street right-of-way slope between Fifth Street and Hawthorne Street. The cost of the repairs is \$6,043.88.

**Background:**

1. During the heavy rains the land on the downstream side of Easy Street slid downstream leaving Easy Street in jeopardy of also sliding downstream. If the roadway slid it would break the waterline, which in turn would wash out the remaining road fill and it would also destroy the sewer main in this area.
2. We called for bids for the repair of the slide. We contacted:  
  
Freeman Rock Enterprises who bid:  
\$33.96 per ft for culvert  
\$32.21 per ton for rip rap  
  
Tidewater Contractor Inc. who bid:  
\$38.00 per ft. for culvert  
\$22.00 per ton for rip rap  
  
P&S construction Inc.—owner was out of town and left instructions that they would only do work at time plus materials with no list of materials cost available.  
  
B&B Excavation had no rock available so would not be able to do the job.

**Rationale:** The Public Works Supervisor and I determined an emergency existed. The majority of the work was placing rip rap. Tidewater Contractors was the lowest bidder therefore we had Tidewater Contractors Inc. do the emergency repair. The cost of the repairs total is \$6,043.88.



# City of Brookings Memorandum

TO: Mayor, City Council

FROM: Leo Lightle, *LBL*  
Community Development Director

THROUGH: Tom Weldon, City Manager *Tom*

DATE: April 7, 1999



Issue: Fern Street: Sewer main repair

Synopsis: During heavy flows the sewer main on Fern Street between Easy Street and Elk Drive collapsed. Dennis Barlow and I determined an emergency existed. We contacted P&S Construction, Freeman Rock Enterprises, B&B Excavation, and Tidewater Contractors for proposals. Emergency repairs were done on the sewer main on February 17 and 19. The cost of the repairs total \$8,602.50

Recommendation: The Council determine that a emergency exists and authorizes the repair work to the Fern Street sewer line between Easy Street and Elk Drive. The cost of the repairs total \$8,602.50

Background: During heavy flows the sewer main on Fern Street between Easy Street and Elk Drive collapsed. Emergency repairs were required on the sewer main.

We contacted the following parties for bids:

Tidewater Contractor Inc. \$46.50/ft.

Freeman Rock Enterprises \$81.35/ft.

B & B Excavation \$135.00/ft.

Obviously a complimentary bid: previous repairs were in the \$50.00/ft price range.

P & S Construction

Did not have the right type of ditch protection device available therefore did not bid.



**TO:** Mayor, City Council  
**FROM:** Leo Lightle, *LBL*  
Community Development Director  
**THROUGH:** Tom Weldon, City Manager *TW*  
**DATE:** April 7, 1999  
**ISSUE:** Pedestrian walkways on Ransom  
Avenue

Community Development Department



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**SYNOPSIS:**

In December, 1998, the City Council authorized having HGE, Inc. prepare plans and specifications for concrete pedestrian walkways on Ransom Avenue between Fifth Street and Crestwood Place. Those plans are complete and bids were accepted and opened on April 6. Three bids were received:

B & B Excavation	\$11,627.65
Tidewater Contractors, Inc.	\$10,000.00
Freeman Rock Enterprises	\$19,090.00

The engineer's estimate for this project was \$11,140.

**RECOMMENDATION:**

The City Council award the contract for the Ransom Avenue Pedestrian Walkway Project to Tidewater Contractors, Inc. in the amount of \$10,000.



**TO:** Mayor, City Council  
**FROM:** Leo Lightle, *LBL*  
Community Development Director  
**THROUGH:** Tom Weldon, City Manager *Tom*  
**DATE:** April 7, 1999  
**ISSUE:** Sewer camera transporter

Community Development Department



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**SYNOPSIS:**

The 1998-99 budget included \$8,000 to purchase a sewer camera transporter system for the Public Works Division. This self-propelled system attaches to a camera to televise the inside of sewer lines, both mains and laterals. (See attached feature sheet. Bids may be for different systems with similar features.) The addition of this transporter system will allow Public Works to locate sewerline plugs and areas where laterals branch off from the main. This transporter can also be used to televise pipes at the Ferry Creek Reservoir. At this time we must hire TSR to do our televising, waiting until their schedule allows them to come to Brookings. We will still rely on TSR to *clean* sewerlines and televise large portions of lines.

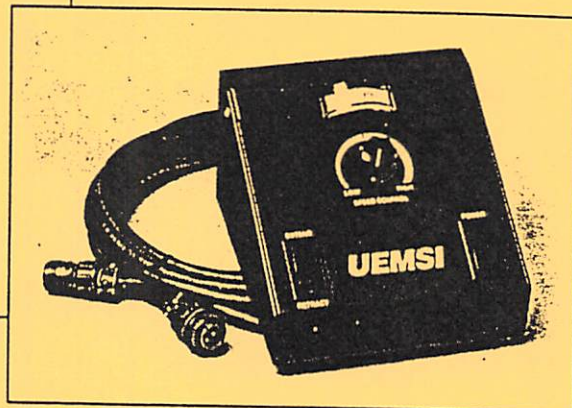
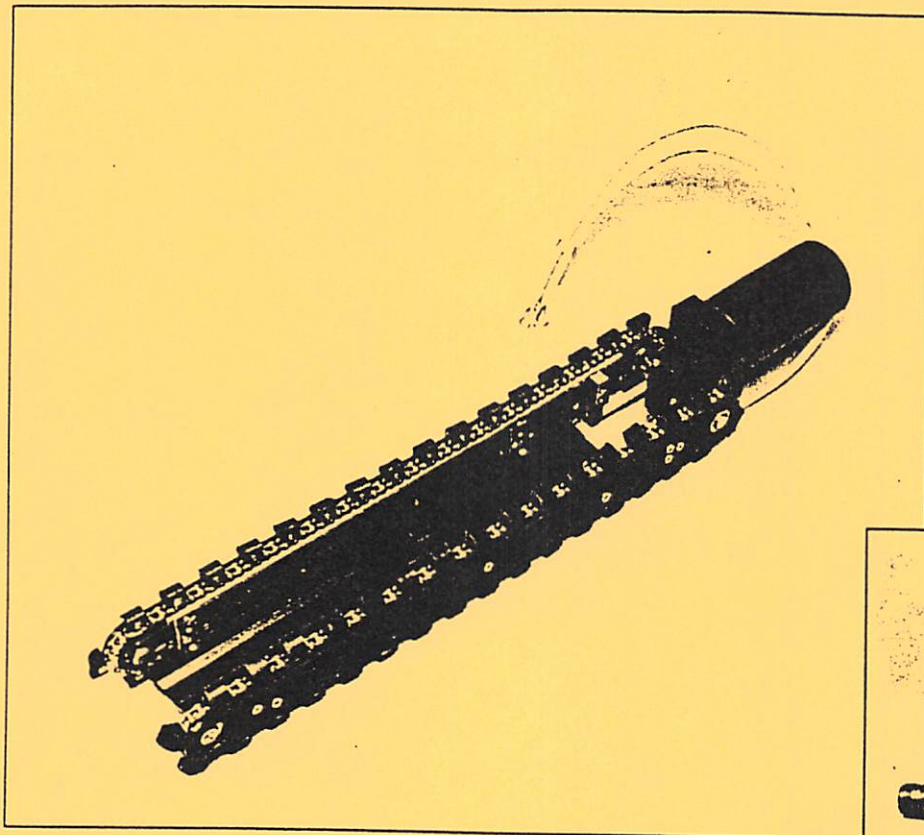
**RECOMMENDATION:**

The City Council authorize calling for bids for a sewer camera transporter system.





# MULTI-CONDUCTOR TRANSPORTER



## FEATURES

### Transporter

- Adjustable From 6-15".
- Completely Waterproof O-Ring Sealed Transmission.
- Forward And Reverse Operation. & NEUTRAL
- Equipped With Heavy Duty Worm Gear Drive.
- Vulcanized Rubber Tracks For Extended Life.
- Travels Over 50 Feet Per Minute Depending On Cable And Pipe Conditions.
- Can Pull A 3" x 22" Sewer Camera Up To 1,000'.
- Adaptable to Various Size Cameras.
- Can Be Used With All Mainline System Manufacturers.

### Controller

- Variable Speed Drive Control.
- Spring-Loaded Directional Switch For Forward/Reverse Movement.
- Amp Meter To Monitor The Electrical Working Load Level.
- Power Indicator Light.
- 20' Quick Connect Cable Hook-up.

*One-Year Warranty On Electric And Mechanical Systems.*



**CITY OF BROOKINGS  
COMMON COUNCIL MEETING MINUTES  
City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
March 22, 1999  
7:00 pm**

***I.           CALL TO ORDER***

Mayor Nancy Brendlinger called the meeting to order at 7:05 PM.

***II.           PLEDGE OF ALLEGIANCE***

***III.          ROLL CALL***

Council Present: Mayor Nancy Brendlinger, Council President Bob Hagbom, Councilors Larry Curry, Frances Johns, and Keith Pepper

Council Absent: Ex-Officio Shiloh Thom

Staff Present: City Manager Tom Weldon, Finance Director/Recorder Gail Hedding, Community Development Director Leo Lightle, Fire Chief William Sharp, and Administrative Secretary Sharon Ridens

Media Present: Chuck Hayward, Curry Coastal Pilot; and William Dwinell from KURY Radio

Other: Connie Wilson, League of Women Voters; Chamber of Commerce Executive Director Les Cohen, Victoria Nuss-President Businesses for a Better Brookings, Dave Haygood - Gold Beach City Administrator

***IV.          CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS***

***A.          Appointment of three people to Planning Commission***

Mayor Nancy Brendlinger informed the Council four individuals had applied for the three open Planning Commission positions. She recommended the appointment of Rick Dentino, incumbent, for Position No. 7, a four year term expiring April 1, 2003; Ted Freeman, incumbent, for Position No. 1, a four year term expiring April 1, 2003; and Victoria Nuss for Position No. 4, to complete an unfinished term expiring April 1, 2001. The Mayor introduced Vicki Nuss to the Council and audience.

**Councilor Johns moved, Councilor Pepper seconded, and the Council unanimously voted to approve the appointments of Rick Dentino and Ted Freeman to the two vacant**



positions on the Planning Commission, each term expiring April 1, 2003, and to approve the appointment of Victoria Nuss to complete a vacant term on the Planning Commission expiring April 1, 2001.

B. *"April is Spring clean Up Month"*

Mayor Brendlinger read the proclamation announcing April '99 as the "Spring Clean-Up month in Brookings-Harbor", asking for all citizens to pitch-in and join the Brookings-Harbor Clean-Up Program to show pride in our community by cleaning up our act." She also took the opportunity to mention the Great Oregon Beach Clean-up set for the following Saturday, March 27<sup>th</sup> and introduced Patty Scantlin as a representative of the Community Pride Partnership, who accepted the proclamation.

C. *World Health Day Proclamation - Linda Morgan, 17C School District Nurse*

Mayor Brendlinger read aloud the World Health Day Proclamation, setting aside April 7<sup>th</sup> as an occasion to educate and inform, to encourage increased community involvement, and to focus on the unity of concerns for a better quality of life - Healthy Aging, Healthy Living - START NOW! Paul Shoenborn, Vice Principal of Kalmiopsis Elementary School, was present to receive the proclamation and spoke about the week long planned activities within the school district.

V. **PUBLIC HEARING**

None

VI. **SCHEDULED PUBLIC APPEARANCES**

- A. *MDA "Fill the Boot: fund raiser - Jeanie Nelson, MDA District Director*  
Maggie Groves, Field Representative for the Muscular Dystrophy Association was introduced by Fire Chief William Sharp. Groves explained to the Council the "Fill the Boot" fund raiser, a nationwide program put on by the association with the help of local fire departments. Chief Sharp stated his department was enthusiastic about the potential joint endeavor to be set for Labor Day weekend.

**Councilor Hagbom moved, Councilor Curry seconded, and the Council voted unanimously to approve the MDA "Fill the Boot" fund raiser to be set for the weekend of Labor Day, 1999.**



## VII.

### ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

#### A. *Committee and Liaison Reports*

##### 1. *Chamber of Commerce*

Chamber Executive Director Les Cohen advised the Council of a recent meeting with representatives from Trinidad and Klamath, regarding their joint efforts to promote tourism primarily from outside areas (Eureka, Coos Bay, and the Valley) for the Redwood Coast. This group plans on distributing materials by May 1, 1999, which would indicate the strategic partnership and maximize their resources. He also informed the Council Gold Beach did not meet with the group, however they have been meeting quarterly in the past. Particulars on the All Events Center project will be forthcoming, after field trip(s), by the end of April as to facility and feasibility.

##### 2. *Businesses for a Better Brookings*

Victoria Nuss, President, announced the officers of the organization: Augie Kofoet, Vice President, and Linda Kelly, Secretary. She mentioned various projects of the organization, including securing benches and waste receptacles of special design (crab pots) to be in place for the Azalea Festival weekend. Nuss also asked the Council to revisit the decision on where proceeds of the property sale to the Post Office were to be spent. Discussion ensued, including the liability of benches and trash cans on Chetco Avenue, aka: U.S. 101 for the City and ODOT. City Manager Tom Weldon indicated there were rules governing signs and street furniture on the right-of-ways next to state highways.

##### 3. *Parks & Recreation Commission*

None

##### 4. *Planning Commission*

None

##### 5. *Council Liaisons*

Councilor Keith Pepper reported on the status of the Canopy Project, which included a presentation planned for April 6, 1999 at 2:00 PM at the Gold Beach City Hall. A discussion ensued regarding the preliminary report and the detailing of additional job positions, the status of current jobs to full time, the additional revenue in tax and county receipts, and the spinoff of new businesses from the Canopy Project.

Councilor Frances Johns reported she had attended the Brookings-Harbor 17C School District meeting and that she would be attending the Pelican Bay State Prison Advisory Board meeting next week.



Councilor Larry Curry informed the council he had attended CCD meetings in Gold Beach, North Bend, and Roseburg for purposes of outsourcing, which is to begin in Curry County, then to Coos, and last to Douglas County. Each county will be represented by two people to serve on a steering committee. Councilor Curry also reported on the March 15<sup>th</sup> Curry County Commissioners and ODOT meeting regarding transportation issues.

Council President Bob Hagbom stated he had attended the CCD meeting with Councilor Curry, and asked Curry to further inform the Council of the purpose of the outsourcing. Councilor Curry explained the necessity of local county business concerns establishing contacts with those businesses manufacturing or needing manufactured goods being provided in the tri-county areas, who are for the most part shipping elsewhere or receiving goods from other counties, states, or countries. He clarified that CCD is in the business of loaning money to help local businesses.

*B.      Unscheduled*

City Manager Tom Weldon introduced Dave Haygood, City Administrator of Gold Beach.

**VIII.**

**STAFF REPORTS**

*A.      Finance Department*

*1.      ICMA Retirement Fund Investment Option*

Finance Director/Recorder Gail Hedding explained in detail the expansion of investment options for employees' deferred compensation plan, which are now available due to a recently released opinion by the Oregon Legislative Counsel. This opinion stated that investments of employees' monies held in a deferred compensation plan can now be expanded to include equity securities. After discussion and notation there would be no additional costs or liabilities to the City, Hedding and City Manager Weldon recommended the approval of a resolution to approve the City Manager signing any necessary document(s) instructing ICMA to make equity offerings available to all participating in the deferred compensation plan.

**Councilor Johns moved, Councilor Pepper seconded, and the Council voted unanimously to approve Resolution No. 99-R-652, authorizing City Manager, as coordinator of the program, to sign the necessary document offering ICMA Retirement Trust options to the City of Brookings employees participating in the 457 Deferred Compensation Plan.**



B. *City Manager*

1. *ODOT State Transportation System Improvements*

City Manager Tom Weldon informed the Council of the Oregon Department of Transportation's request from local communities to comment on expending state gas tax dollars on state highways and the need for the City of Brookings to act promptly in communicating our needs and priorities. It was noted that the Chamber of Commerce had already sent a letter of similar content to ODOT. Councilor Curry advised the Council he would be attending the next County Commissioners meeting, in which he would be asking them to list the City's Couplet as a number one priority, since ODOT had indicated the City, County and Chamber all needed to confirm their number one priority as the Brookings Couplet Project.

**Councilor Curry moved, Councilor Pepper seconded, and the Council voted unanimously to send a letter to the Oregon Department of Transportation stating Parkview Drive at U.S. 101 is a busy, dangerous, intersection that needs help and that the City's Modernization funds priorities also include building the "downtown couplet". Further, letter is to include that the City would like to see this project staged with \$100,000 per year being set aside to begin purchasing the small amount of right-of-way that will be needed to do the project, since this is such a high cost (\$10 Million) project and modernization dollars now are very limited.**

**Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to approve the downtown couplet project as the number one long range project for the City for ODOT modernization projects.**

C. *Police Department*

1. *Juvenile Grant funds to County Justice Department*

City Manager Weldon defined the City's Juvenile Accountability Incentive Block Grant Program eligibility and the request from Curry County Community Justice Department Director Ronald Mathis to waive to Curry County those available funds allocated (\$2,658) to the City of Brookings. By memo, Police Chief Ken Lewis concurred this would be a good step for the City, as the grant would be used for juvenile detention purposes. Gold Beach



City Manager Dave Haygood spoke to issue and informed the City Council of Gold Beach had also waived their right to the grant funds.

**Councilor Johns moved, Councilor Hagbom seconded, and the Council voted unanimously to waive to Curry County the City's portion of the allocated grant funds of \$2,658.00, eligible from the Juvenile Accountability Incentive Block Grant Program administrated by the Criminal Justice Services Division of the Department of State Police.**

*D. Community Development*

*1. Dawson Pump Station Rehab*

Community Development Director Leo Lightle familiarized the Council with the recent Dawson Pump Station Rehab bid advertised and recommended the contract be awarded to Jim McLennan for \$6,720.09. Discussion followed.

**Councilor Pepper moved, Councilor Johns seconded, and the Council unanimously voted to award the bid for the Dawson Pump Station #1 Remodel to Jim McLennan for \$6,720.09.**

**IX.**

**CONSENT CALENDAR**

*A. Approval of Council Meeting Minutes*

- 1. Minutes of March 8, 1999, Regular Council Meeting*  
Corrections were indicated by Councilor Bob Hagbom.

*B. Approval of Commission/Committee Minutes*

- 1. Minutes of February 25, 1999, Regular Planning Commission Meeting*

*(end Consent Calendar)*

**Councilor Pepper moved, Councilor Hagbom seconded, and the Council voted unanimously to approve the Consent Calendar as corrected, with the Mayor abstaining, as she was not at the March 8, 1999, Council meeting.**



**X.**

**ORDINANCES/RESOLUTIONS/FINAL ORDERS**

**A. Resolutions**

1. *Approval of Resolution No. 99-R-652 - Authorizing City Manager to sign necessary document offering ICMA Retirement Trust options to the City of Brookings employees participating in the 457 Deferred Compensation Plan*  
Addressed under Agenda Item No. VIII. A.(1).

The meeting was recessed at 8:26 PM to go into Executive Session, asking Community Development Director Leo Lightle and Finance Director/Recorder Gail Hedding to remain.

**XI.**

**EXECUTIVE SESSION - ORS 192.660(1)(e) To conduct deliberations with persons designated to negotiate real property transactions**

Executive Session was called to order at 8:28 PM.

Executive Session was adjourned at 8:48 PM.

The regular council meeting was reconvened at 8:49PM.

**XII.**

**REMARKS FROM MAYOR AND COUNCILORS**

- A. Mayor**  
None

**B. Council**

Councilor Frances Johns thanked Bob Hagbom for coming to Emblem Club recent conference and for being a designated escort.

City Manager Weldon shared notes from the last legislative weekly telephone conference, including special mention of the bill introduced by State Representative Ken Messerle to provide more funding for Southwestern Oregon Community College - up to \$1 Million with a plan for the majority of the monies to go for purchasing property and the building of same in Brookings. Weldon recommended the Council move to direct him to prepare a letter supporting this idea. Discussion was in agreement.

**Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to add to the agenda and item addressing the request for funding to Southwestern Oregon Community College under State Representative Ken Messerle's bill.**

- C. City Manager - Bill presented by State Representative Ken Messerle**

**Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to direct City Manager**



**Tom Weldon to write State Representative Ken Messerle and State Senator Veral Tarno regarding the City's support of authorizing additional funding for Southwestern Oregon Community College for constructing a campus in the City of Brookings.**

Mayor Brendlinger thanked Council President Bob Hagbom for filling in on her behalf during the last few weeks in her absence.

***XII.***

**ADJOURNMENT**

**Councilor Hagbom moved, Councilor Pepper seconded and the Council voted unanimously to adjourn the meeting at 8:53 PM.**

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Nancy Brendlinger  
Mayor

ATTEST:

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Gail Hedding  
Finance Director/Recorder



## **PARK AND RECREATION COMMITTEE MEETING**

March 25, 1999

### **ROLL CALL**

Present: Mickelson, Higginson, Abbott, Canfield, Kofoet, Babin. Excused: Weldon. Absent: Thom, Gallian, Prevanus.

### **MINUTES**

Minutes of 2/25/99 meeting approved.

### **STOUT PARK**

No change since 2/25/99.

### **CHETCO POINT PARK**

Craig Mickelson discussed the amount of gravel needed to finish path and trying to get pile of gravel in place by bridge before work on sewage plant begins. Craig also describe another possible approach to the cove which also could provide another viewing site. Members discussed what kind of benches would be best suited and "Augie" Kofoet express the idea that park benches should be similar to downtown benches. Craig reminded committee that budget still needed to be done. No action taken.

### **SOFTBALL/SOCCER FIELDS**

Since Paul Prevanus was absent no update.

### **PARKS MASTER PLAN**

Craig Mickelson is still trying to contact Mike Smith. City Councilman Keith Pepper asked the committee if they felt that a graduate student from OSU would be of any help to assist the committee in completing the Parks Master Plan. The committee thought it could. Nina Canfield stated that Greg Shinn's wife has her degree in park and recreation and could possibly be a source of help in finishing the Parks Master Plan. Craig Mickelson stated he would contact Bobbie Shinn.

### **COMMISSIONER COMMENTS**

City Councilman Keith Pepper ask if Tom Weldon had brought up budget goals and priorities for Parks and Recreation. Craig Mickelson stated that this issue had been addressed. The Parks Master Plan would help to define this.

Don Higginson asked if there was any update on the Vietnam Veterans Memorial project. Craig Mickelson stated that he was not aware of anything.

Motion to adjourn: passed.



City of Brookings  
CHECK REGISTER: CHECK # 33380 THRU 33586

For The Month Ending: March 31, 1999 \*\* CLOSED \*\*

PRINTED: April 1, 1999 10:58:04

PAGE 1

CHECK #	PAID TO	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOUNT
33380	Amazing Computers	Inv 1071	03/03/99	100-106.00	335.00	105-612.00	167.50
						109-614.00	167.50
33381	Anchor Lock & Key	Inv 8131 & 8135	03/03/99	100-106.00	219.84	251-612.00	219.84
33382	AWWA	Dues-Inqwerson	03/03/99	100-106.00	104.50	202-612.00	52.25
						252-612.00	52.25
33383	AWWA Water & WW Short School	Reg Fees	03/03/99	100-106.00	270.00	252-658.00	270.00
33384	Doug Bales	Reimbursement	03/03/99	100-106.00	87.78	105-606.00	87.78
33385	Dennis Barlow	Travel Advance	03/03/99	100-106.00	191.04	150-658.00	191.04
33386	Batteries Plus	Inv H6-27415	03/03/99	100-106.00	106.68	103-606.00	106.68
33387	Becco Inc	Inv 3030230	03/03/99	100-106.00	41.85	103-664.00	41.85
33388	John Bischoff	Reimbursement	03/03/99	100-106.00	130.26	105-658.00	130.26
33389	Brookings Harbor Chamber	Motel Tax	03/03/99	100-106.00	1,192.55	109-687.00	1,192.55
33390	Brookings Harbor Medical Ctr	Jan Statement	03/03/99	100-106.00	80.00	107-602.00	80.00
33391	Budge-McHugh Supply Co	Inv 1256276-01	03/03/99	100-106.00	161.21	251-612.00	161.21
33392	Ciba Specialty Chemicals	Inv 701271	03/03/99	100-106.00	2,447.55	252-652.00	2,447.55
33393	Chandler Heating	Inv 0007375	03/03/99	100-106.00	57.00	103-624.00	57.00
33394	Coastal Coffee Service	Inv 5045	03/03/99	100-106.00	41.00	109-614.00	41.00
33395	Colvin Oil Company	Misc Invoices	03/03/99	100-106.00	1,324.75	103-606.00	526.05
						104-606.00	80.47
						106-612.00	59.65
						150-606.00	82.12
						201-606.00	72.55
						202-606.00	35.13
						251-606.00	32.44
						252-606.00	35.14
						252-612.00	401.20
33396	Coos-Curry Electric	Jan Electric	03/03/99	100-106.00	10,205.95	106-662.00	234.50
						109-662.00	1,427.23
						150-662.00	67.76
						202-662.00	4,243.56
						251-662.00	398.96
						252-662.00	3,833.94
33397	Dan's Auto & Marine Electric	Jan Statement	03/03/99	100-106.00	339.99	104-606.00	42.00
						150-606.00	200.37
						150-612.00	37.39
						201-606.00	54.40
						251-612.00	5.83
33398	Dan's Photo & Cameras	Inv 13133	03/03/99	100-106.00	28.40	103-606.00	28.40
33399	Data Comm Warehouse	Inv E6062244	03/03/99	100-106.00	397.95	251-624.00	397.95
33400	DEQ-Business Office	Misc Invoices	03/03/99	100-106.00	225.00	252-612.00	225.00
33401	DHR Child Support Unit	Garnishment	03/03/99	100-106.00	333.97	100-220.70	333.97
33402	DHR Child Support Unit	Garnishment	03/03/99	100-106.00	243.69	100-220.70	243.69
33403	Dictaphone	Inv P256431	03/03/99	100-106.00	795.50	300-606.00	795.50
33404	Daryn Farmer	Park Use Refund	03/03/99	100-106.00	150.00	100-478.00	150.00
33405	Fastenal Company	Inv GPOR7496	03/03/99	100-106.00	104.00	251-612.00	104.00
33406	Marshal Ferg	Inspections	03/03/99	100-106.00	180.00	105-646.00	180.00
33407	Ferrellgas	Jan Statement	03/03/99	100-106.00	484.30	150-624.00	416.87
						251-612.00	67.43
33408	Freeman Rock Enterprises Inc	Misc Invoices	03/03/99	100-106.00	303.63	150-628.00	303.63
33409	Gable's Construction	911 Ctr Remodel	03/03/99	100-106.00	1,130.86	103-624.00	565.43
						300-624.00	565.43
33410	Hach Co	Inv 496180	03/03/99	100-106.00	280.90	252-612.00	114.00

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Hach Co. (Continued)							
33411	Harbor Logging Supply Inc	Inv 5793	03/03/99	100-106.00	5.35	252-652.00	166.90
33412	Richard Harper	March Services	03/03/99	100-106.00	250.00	252-606.00	5.35
33413	HGE Inc	Inv 13589	03/03/99	100-106.00	2,280.95	101-646.00	250.00
33414	ICMA-RT 457 c/o 1st Ntl Bnk MD	Deferred Comp	03/03/99	100-106.00	885.00	901-730.00	2,280.95
33415	Independent Business Forms Inc	Inv 0043334	03/03/99	100-106.00	317.40	100-220.70	885.00
33416	Kerr Hardware	Jan Stat	03/03/99	100-106.00	316.20	201-602.00	158.70
						251-602.00	158.70
						103-624.00	42.10
						150-612.00	44.52
						201-612.00	83.40
33417	Lane County Finance	Inv 24567/24568	03/03/99	100-106.00	13,045.00	251-606.00	13.75
						252-612.00	132.43
						103-664.00	8,103.00
						300-664.00	4,942.00
						109-624.00	750.00
33418	Bob Lewis Painting	Inv 1052	03/03/99	100-106.00	750.00	102-602.00	10.15
33419	Mory's	Feb Statement	03/03/99	100-106.00	20.54	106-612.00	10.39
33420	Natl Public Safety Info Bureau	Inv F991120	03/03/99	100-106.00	90.00	104-602.00	90.00
33421	Neely's Machine & Fabrication	Inv 8015	03/03/99	100-106.00	87.75	201-606.00	87.75
33422	Neilson Research Corp	Inv 43249	03/03/99	100-106.00	80.00	252-612.00	80.00
33423	DAMR	Dues-Hedding	03/03/99	100-106.00	35.00	107-660.00	35.00
33424	OMJ Association	99 Dues-Harper	03/03/99	100-106.00	75.00	101-658.00	75.00
33425	OR Teamster Employers Trust	March Premium	03/03/99	100-106.00	6,004.18	100-220.60	6,004.18
33426	OR Teamster Employers Trust	March Premium	03/03/99	100-106.00	11,579.49	100-220.60	11,579.49
33427	Water Resources Department	Reg Fee-Cowan	03/03/99	100-106.00	30.00	105-658.00	30.00
33428	Oregon Department of Revenue	State W/H Tax	03/03/99	100-106.00	3,585.42	100-220.30	3,585.42
33429	Oregonian Publishing Co	Ad #1-631414	03/03/99	100-106.00	755.88	202-612.00	377.94
33430	OVFA c/o Brenda Spence	Annual Dues	03/03/99	100-106.00	130.00	252-612.00	377.94
33431	Pacific Safety Supply Inc	Inv 80332	03/03/99	100-106.00	93.96	104-606.00	130.00
33432	Pacific Sales & Manufacturing	Inv 1367	03/03/99	100-106.00	790.00	150-608.00	93.96
33433	PERS - Retirement	3/5/99 Payroll	03/03/99	100-106.00	7,386.97	106-626.00	790.00
33434	VOID	Travel Advance	03/03/99	100-106.00	0.00	100-220.70	97.60
33435	Postmaster	Utility Permit	03/03/99	100-106.00	500.00	100-220.80	7,289.37
33436	Purchase Power	#1502-3845-88-4	03/03/99	100-106.00	1,767.50	103-684.00	0.00
						201-602.00	250.00
						251-602.00	250.00
						300-602.00	154.37
33437	Quality Fast Lube & Oil	Inv 17899	03/03/99	100-106.00	70.00	400-602.00	504.37
						420-602.00	1,004.38
						350-602.00	104.38
						104-606.00	70.00
33438	Sharon Ridens	Travel Advance	03/03/99	100-106.00	60.00	101-658.00	60.00
33439	VOID	Travel Advance	03/03/99	100-106.00	0.00	103-684.00	0.00
33440	Sheraton Hotel	Hotel - Ridens	03/03/99	100-106.00	198.38	101-658.00	198.38
33441	Teamsters Local Union 223	March Dues	03/03/99	100-106.00	527.00	100-220.70	527.00
33442	Trinity Carpet Brokers	Inv CG900525	03/03/99	100-106.00	624.36	103-730.00	624.36
33443	Umpqua Research Co	Inv 7483	03/03/99	100-106.00	724.50	252-612.00	724.50
33444	United Pipe & Supply Co Inc	Inv 4306320	03/03/99	100-106.00	288.22	251-612.00	288.22
33445	U S Filter/Pacific Water Works	Inv 2329372	03/03/99	100-106.00	79.84	201-612.00	79.84
33446	USI	#025093920001	03/03/99	100-106.00	82.27	103-614.00	82.27
33447	U.S. Notary	Reg Fee-Ridens	03/03/99	100-106.00	129.00	101-658.00	129.00

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33448	Viking Office Products	Inv 81746	03/03/99	100-106.00	171.98	300-602.00	171.98
33449	Mike Watson	Travel Advance	03/03/99	100-106.00	291.62	202-658.00	291.62
33450	Tom Weldon	Reimb/March Car	03/03/99	100-106.00	260.00	102-606.00	200.00
						102-658.00	60.00
33451	WW Grainger Inc	Misc Invoices	03/03/99	100-106.00	134.62	201-612.00	99.00
						252-612.00	35.62
33452	Brookings Vol Firefighters	March Contrib	03/03/99	100-106.00	1,666.67	104-682.00	1,666.67
33454	Catherine Bontadelli	Deposit Refund	03/12/99	100-106.00	19.61	200-134.00	19.61
33455	Dan & Elvira Stinnett	Deposit Refund	03/12/99	100-106.00	51.20	200-134.00	51.20
33456	Roxi Tippetts	Deposit Refund	03/12/99	100-106.00	20.10	200-134.00	20.10
33457	Nicole Newberry	Deposit Refund	03/12/99	100-106.00	50.82	200-134.00	50.82
33458	James Capon	Deposit Refund	03/12/99	100-106.00	38.24	200-134.00	38.24
33459	Richard & Lucia Robert	Deposit Refund	03/12/99	100-106.00	13.23	200-134.00	13.23
33460	Gordon Haikin	Deposit Refund	03/12/99	100-106.00	15.72	200-134.00	15.72
33461	Stefan & Alecia Elvstad	Deposit Refund	03/12/99	100-106.00	20.94	200-134.00	20.94
33462	Doug & Marcia Bouwman	Deposit Refund	03/12/99	100-106.00	19.79	200-134.00	19.79
33463	Stan Hobbs	Deposit Refund	03/12/99	100-106.00	41.61	200-134.00	41.61
33464	Lisa Borja	Deposit Refund	03/12/99	100-106.00	38.72	200-134.00	38.72
33465	Cori Moretti	Deposit Refund	03/12/99	100-106.00	24.00	200-134.00	24.00
33466	Donald & Janet Long	Deposit Refund	03/12/99	100-106.00	26.39	200-134.00	26.39
33467	Charles D Cooper	Deposit Refund	03/12/99	100-106.00	4.61	200-134.00	4.61
33468	Reeba Barrows & Larry Mason	Deposit Refund	03/12/99	100-106.00	62.23	200-134.00	62.23
33469	Tamela Foster	Deposit Refund	03/12/99	100-106.00	35.45	200-134.00	35.45
33470	Gene Allen	Deposit Refund	03/12/99	100-106.00	28.72	200-134.00	28.72
33471	Tammy Bottorff	Deposit Refund	03/12/99	100-106.00	42.49	200-134.00	42.49
33472	Jim & Peggy Boice	Deposit Refund	03/12/99	100-106.00	50.61	200-134.00	50.61
33473	George W Young	Deposit Refund	03/12/99	100-106.00	17.71	200-134.00	17.71
33474	R L & V H Nowlin	Deposit Refund	03/12/99	100-106.00	6.92	200-134.00	6.92
33475	Mark E Silver	Deposit Refund	03/12/99	100-106.00	23.82	200-134.00	23.82
33476	Rickey & Remy Crum	Deposit Refund	03/12/99	100-106.00	22.82	200-134.00	22.82
33477	David Wheless	Deposit Refund	03/12/99	100-106.00	14.56	200-134.00	14.56
33478	Amazing Computers	Inv 1072	03/12/99	100-106.00	2,376.25	103-646.00	360.00
						104-606.00	157.50
						105-646.00	326.25
						107-612.00	157.50
						109-602.00	( 200.00)
						109-646.00	990.00
						252-646.00	382.50
						300-606.00	202.50
33479	Anchor Lock & Key	Inv 8136	03/12/99	100-106.00	6.00	252-612.00	6.00
33480	Andreasons Nursery	Inv 5310	03/12/99	100-106.00	20.00	500-688.00	20.00
33481	The Bardy Company Inc	Inv 74185-00	03/12/99	100-106.00	275.25	104-606.00	275.25
33482	Dennis Barlow	Reimbursement	03/12/99	100-106.00	148.71	201-602.00	148.71
33483	Becco Inc	Misc Invoices	03/12/99	100-106.00	482.00	150-606.00	93.94
						201-606.00	93.95
						202-664.00	100.08
						251-606.00	93.95
						252-664.00	100.08
33484	Best Western Brookings Inn	Conf Room Rent	03/12/99	100-106.00	135.00	105-658.00	135.00
33485	Branom Instrument Co	Misc Invoices	03/12/99	100-106.00	302.95	252-612.00	302.95
33486	Brookings Auto Parts	Feb Stmt	03/12/99	100-106.00	89.00	104-606.00	14.50
						150-606.00	23.17

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Brookings Auto Parts, (Continued)							
						252-606.00	6.62
						252-612.00	44.71
33487	Brookings Vol Firefighters	Reimbursement	03/12/99	100-106.00	600.00	104-647.00	600.00
33488	Brookside Florist	Inv 100-2709	03/12/99	100-106.00	37.50	252-612.00	37.50
33489	Brown & Caldwell	Inv 13-3263	03/12/99	100-106.00	34,260.11	480-636.00	34,260.11
33490	Carpenter Auto Center	Feb Stmt	03/12/99	100-106.00	464.97	103-606.00	188.64
						109-606.00	276.33
33491	CIS	Inv BRK-9801W	03/12/99	100-106.00	6,577.50	100-220.50	6,577.50
33492	Clackamas Communications Inc	Misc Invoices	03/12/99	100-106.00	387.38	103-606.00	184.88
						300-606.00	202.50
33493	Coastal Coffee Service	Inv 5084	03/12/99	100-106.00	44.25	109-614.00	44.25
33494	Colvin Oil Company	End Feb Stmt	03/12/99	100-106.00	675.24	103-606.00	376.58
						104-606.00	61.38
						106-612.00	40.33
						109-606.00	12.15
						150-606.00	58.27
						201-606.00	30.28
						202-606.00	49.77
33495	Coos-Curry Electric Inc	Meter Base	03/12/99	100-106.00	485.00	252-606.00	46.48
33496	Coos-Curry Electric	Feb Electric	03/12/99	100-106.00	3,023.28	252-646.00	485.00
						106-662.00	24.72
						150-662.00	1,102.10
						201-662.00	1,287.95
						251-662.00	381.43
33497	CSUS Foundation Inc	Inv 030731	03/12/99	100-106.00	109.00	252-662.00	227.08
33498	CTR	Jan & Feb Chgs	03/12/99	100-106.00	38.84	252-658.00	109.00
33499	Curry Coastal Pilot	Ref #a5580510	03/12/99	100-106.00	33.20	109-614.00	38.84
33500	Curry Coastal Pilot	Feb Stmt	03/12/99	100-106.00	699.45	107-602.00	33.20
						102-602.00	305.70
						105-602.00	236.25
						201-602.00	31.50
						202-612.00	47.25
						251-602.00	31.50
33501	Dept of Administrative Service	Inv K30003	03/12/99	100-106.00	174.00	252-612.00	47.25
33502	Discount Sportswear & Uniform	Inv 8447	03/12/99	100-106.00	391.89	150-606.00	174.00
33503	EBS Trust	April Premium	03/12/99	100-106.00	50.00	104-606.00	391.89
						103-654.00	25.00
33504	Fastenal Company	Inv GPCR7733	03/12/99	100-106.00	121.04	104-654.00	25.00
33505	Gall's Inc	Inv 40158059	03/12/99	100-106.00	168.87	150-648.00	121.04
33506	Goldsmith Co	Inv 148000	03/12/99	100-106.00	261.17	104-606.00	168.87
33507	Grants Pass Water Lab	Feb Stmt	03/12/99	100-106.00	133.00	104-606.00	261.17
33508	GTE	Inv ME093444	03/12/99	100-106.00	1,375.08	201-612.00	133.00
33509	GTE Northwest	Feb Phone	03/12/99	100-106.00	1,667.36	109-606.00	1,375.08
33510	Bob Hagbom	Reimbursement	03/12/99	100-106.00	287.07	109-664.00	1,667.36
33511	Hagens Cleaners	Jan/Feb Stmt	03/12/99	100-106.00	116.15	102-658.00	287.07
						103-606.00	71.25
33512	Gail Hedding	Reimbursement	03/12/99	100-106.00	188.66	104-606.00	44.90
33513	Frances Johns	Reimbursement	03/12/99	100-106.00	114.70	107-658.00	188.66
33514	Les Schwab Tire Center	Inv 166412	03/12/99	100-106.00	61.07	102-658.00	114.70
33515	Lighthouse Communications	1/2 of Web Page	03/12/99	100-106.00	1,492.50	103-606.00	61.07
						109-646.00	1,492.50

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33516	NCL of Wisconsin Inc	Inv 88877	03/12/99	100-106.00	138.69	252-612.00	138.69
33517	Neely's Machine & Fabrication	Inv 8021	03/12/99	100-106.00	503.90	150-606.00	503.90
33518	Newman Traffic Signs	Inv TI-0022426	03/12/99	100-106.00	321.30	150-648.00	321.30
33519	Oregon Medical Laboratories	Inv 9812-0	03/12/99	100-106.00	37.50	107-612.00	37.50
33520	Our Designs Inc	Inv 784359	03/12/99	100-106.00	152.90	104-606.00	152.90
33521	Paramount Pest Control Inc	Inv 45531	03/12/99	100-106.00	31.00	103-624.00	31.00
33522	Paramount Supply Co	Inv 80411	03/12/99	100-106.00	158.98	252-606.00	158.98
33523	Pelican Bay Art Association	1999 Dues	03/12/99	100-106.00	25.00	102-660.00	25.00
33524	Pitney Bowes Inc - FAX	Inv X417880	03/12/99	100-106.00	65.00	109-606.00	65.00
33525	Prentice Hall Inc	Misc Invoices	03/12/99	100-106.00	82.28	252-612.00	35.64
						252-658.00	46.64
33526	Preston Gates & Ellis	Inv 462950	03/12/99	100-106.00	5,740.81	370-632.00	5,740.81
33527	Protective Technologies Inc	Inv 90035249	03/12/99	100-106.00	160.00	103-614.00	160.00
33528	Quality Fast Lube & Oil	Inv 18167/18197	03/12/99	100-106.00	53.90	201-606.00	53.90
33529	Ramcell of Oregon	Feb Stmt	03/12/99	100-106.00	190.59	103-664.00	169.84
						104-664.00	20.75
33530	Rays Food Place	Feb Stmt	03/12/99	100-106.00	144.31	102-658.00	23.94
						103-602.00	59.90
						103-606.00	14.58
						103-658.00	9.98
						104-606.00	25.94
						252-612.00	9.97
33531	Roto-Rooter	Feb Stmt	03/12/99	100-106.00	67.20	109-686.00	67.20
33532	Bill Sharp	Travel Advance	03/12/99	100-106.00	720.00	104-647.00	720.00
33533	Stadelman Electric	Inv 4458	03/12/99	100-106.00	388.00	106-624.00	388.00
33534	Sun Badge Company	Inv 105182	03/12/99	100-106.00	72.75	103-608.00	72.75
33535	Traffic Safety Supply	Inv 723012	03/12/99	100-106.00	451.05	150-648.00	451.05
33536	Transport Logic	Inv 217162	03/12/99	100-106.00	20.00	201-612.00	10.00
						252-612.00	10.00
33537	Trew & Cyphers	Feb Stmt	03/12/99	100-106.00	4,199.00	102-632.00	4,199.00
33538	United Communications	Feb Stmt	03/12/99	100-106.00	475.76	109-664.00	475.76
33539	United Pipe & Supply Co Inc	Misc Invoices	03/12/99	100-106.00	960.12	201-612.00	960.12
33540	United Systems Technology Inc	Inv 17849	03/12/99	100-106.00	116.00	107-606.00	116.00
33541	VWR Scientific Products	Inv 26458120	03/12/99	100-106.00	91.01	252-612.00	91.01
33542	Water Resources Department	Inv 2973	03/12/99	100-106.00	4,200.00	201-646.00	4,200.00
33543	Eugene Wellenbrock	Inv 3783	03/12/99	100-106.00	97.00	202-612.00	97.00
33544	Wildfire Pacific Inc	Misc Invoice	03/12/99	100-106.00	290.27	104-606.00	290.27
33545	WW Grainger Inc	Misc Invoices	03/12/99	100-106.00	175.30	252-612.00	175.30
33546	Xerox Corp	Inv 067063423	03/12/99	100-106.00	70.00	103-606.00	70.00
33548	Alpha Software Corporation	Inv ICS1113	03/19/99	100-106.00	405.00	103-612.00	239.40
						107-612.00	165.60
33549	Applied Industrial Technology	Inv 41029317	03/19/99	100-106.00	38.31	202-606.00	38.31
33550	Doug Bales	Reimbursement	03/19/99	100-106.00	255.40	105-606.00	140.40
						105-658.00	115.00
33551	Bankcard Services	Feb Statement	03/19/99	100-106.00	704.90	102-658.00	178.51
						103-658.00	461.91
						104-606.00	64.48
33552	Linda Barker	Reimbursement	03/19/99	100-106.00	190.00	105-658.00	190.00
33553	Bay West Supply Inc	Inv 21619	03/19/99	100-106.00	146.92	252-612.00	146.92
33554	Clackamas Communications Inc	Inv 3603913	03/19/99	100-106.00	32.50	300-606.00	32.50
33555	Coos-Curry Electric	Feb Electric	03/19/99	100-106.00	880.38	106-662.00	235.22
						150-662.00	32.94

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Coos-Curry Electric, (Continued)							
33556	Crystal Clear Industries	Inv 001750	03/19/99	100-106.00	84.70	201-662.00	612.22
33557	Larry Curry	Reimbursement	03/19/99	100-106.00	338.67	201-606.00	84.70
33558	DHR Child Support Unit	Garnishment	03/19/99	100-106.00	243.69	102-658.00	338.67
33559	DHR Child Support Unit	Garnishment	03/19/99	100-106.00	333.97	100-220.70	243.69
33560	EBS Trust	Reg Fees	03/19/99	100-106.00	100.00	100-220.70	333.97
						102-658.00	25.00
						103-658.00	25.00
						105-658.00	25.00
						107-658.00	25.00
33561	Edwards Roofing	Inv 7977	03/19/99	100-106.00	296.78	252-624.00	296.78
33562	First Impressions	Inv 6677	03/19/99	100-106.00	20.00	103-606.00	20.00
33563	Gall's Inc	Inv 52980401	03/19/99	100-106.00	35.94	103-681.00	35.94
33564	GFOA	Dues-Hedding	03/19/99	100-106.00	125.00	107-660.00	125.00
33565	Goldsmith Co	Inv 15140	03/19/99	100-106.00	135.78	104-606.00	135.78
33566	Great Western Chemical Co	Inv 385210	03/19/99	100-106.00	810.00	202-652.00	810.00
33567	HPS Electrical Apparatus	Inv 51035	03/19/99	100-106.00	1,930.11	202-606.00	1,930.11
33568	IC80	Inv 199657056	03/19/99	100-106.00	49.20	104-602.00	49.20
33569	ICMA-RT 457 c/o 1st Ntl Bnk MD	Deferred Comp	03/19/99	100-106.00	885.00	100-220.70	885.00
33570	Industrial Chem Labs Inc	Inv 4770	03/19/99	100-106.00	118.61	251-612.00	118.61
33571	Internet Technologies	Feb Statement	03/19/99	100-106.00	115.00	109-664.00	115.00
33572	Leo Lightle	Reimbursement	03/19/99	100-106.00	219.00	105-658.00	219.00
33573	Fred Meyer	Inv 697640	03/19/99	100-106.00	102.00	252-612.00	102.00
33574	Northwest Computer Accessories	Inv 9213778	03/19/99	100-106.00	134.00	300-664.00	134.00
33575	Oregon Department of Revenue	State W/H Tax	03/19/99	100-106.00	3,583.74	100-220.30	3,583.74
33576	OR State Health Division	Cert Renewal	03/19/99	100-106.00	40.00	104-614.00	40.00
33577	Oriental Trading Company	Bike Fair Items	03/19/99	100-106.00	75.65	103-686.00	75.65
33578	Pitney Bowes	Inv 3869393MR99	03/19/99	100-106.00	290.80	109-606.00	290.80
33579	PERS - Retirement	Admin Costs	03/19/99	100-106.00	22.00	109-602.00	22.00
33580	PERS - Retirement	3/19/99 Payroll	03/19/99	100-106.00	7,296.55	100-220.80	7,296.55
33581	Sharon A Ridens	Reimbursement	03/19/99	100-106.00	242.06	101-658.00	242.06
33582	Skill Path Seminars	Reg Fee-Barker	03/19/99	100-106.00	149.00	105-658.00	149.00
33583	Stadelman Electric	Inv 4491/4361	03/19/99	100-106.00	490.00	201-646.00	440.00
						251-646.00	50.00
33584	U S Filter/Pacific Water Works	Misc Invoices	03/19/99	100-106.00	1,371.80	201-612.00	1,371.80
33585	Western Burner Co	Inv 13526	03/19/99	100-106.00	330.94	252-606.00	330.94
33586	Xerox Corp	Misc Invoices	03/19/99	100-106.00	332.15	109-606.00	332.15
					179,884.32		179,884.32

\*\*\* END OF REPORT \*\*\*



ORDINANCE NO. 99-O-531

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP OF THE CITY OF BROOKINGS BY REDESIGNATING FROM COMMERCIAL TO PUBLIC LAND AND REZONING FROM C-3 (GENERAL COMMERCIAL) TO P/OS (PUBLIC OPEN SPACE) UPON THAT CERTAIN REAL PROPERTY, DESCRIBED BELOW.

Sections:

Introduction.

- |            |  |
|------------|--|
| Section 1. | Comprehensive Plan designation to Public Land. |
| Section 2. | Zoning Map amendment to Public Open Space.     |

WHEREAS, a public hearing was held on March 2, 1999 before the Brookings Planning Commission for the purpose of considering a request for a Comprehensive Plan change from a Commercial designation to a Public Land designation and a zone change from General Commercial (C-3) to Public Open Space (P/OS) on one parcel of land totaling 1.98 acres, located on the north side of Elk Dr. and the east side of Fifth St.; identified as Assessor's Map No. 41-13-6AC, Tax Lot 2901.

WHEREAS, following closure of the public hearing after considerable evidence and testimony was presented by proponents and opponents, the Planning Commission directed the Planning Director to prepare a recommendation, with findings, to the City Council, for approval of the request; and

WHEREAS, the Brookings City Council, at its regularly scheduled meeting of April 12, 1999 did conduct a public hearing on this matter, during which hearing considerable testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by the Planning Director; and

WHEREAS, at the conclusion of said public hearing, after consideration and discussion, the Brookings City Council, upon a motion duly seconded, did vote in the majority to grant the applicant's request and instructed staff to prepare a Final Order to that effect;



The city of Brookings ordains as follows:

Section 1. Amendment to the Comprehensive Plan to designate property Public Land. The Comprehensive Plan of the City of Brookings is amended to show that the following described property is designated as Public Land.

Section 2. Amendment to the Zoning Map to designate property Public Open Space (P/OS) The Zoning Map of the City of Brookings is amended to show that the following described property is zoned Public Open Space (P/OS).

(See Attachment A)

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_  
day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Nancy A. Brendlinger,  
Mayor

ATTEST:

\_\_\_\_\_  
Gail L. Hedding,  
Finance Director/Recorder



**ORDINANCE NO. 99-O-446.EE**

**AN ORDINANCE AMENDING SECTION 40, PUBLIC OPEN SPACE P/OS DISTRICT, OF ORDINANCE 89-O-446, AN ORDINANCE CREATING THE LAND DEVELOPMENT CODE.**

**Sections:**

**Section 1. Ordinance identified.**

**Section 2. Amendment to Section 40**

**The City of Brookings ordains as follows:**

**Section 1. Ordinance Identified. This ordinance amends Ordinance No. 89-O-446, enacted April 10, 1989 entitled, the Land Development Code.**

**Section 2. Amendment to Section 40. Section 40 of Ordinance No. 89-O-446 is hereby amended to read:**

**40.020 Permitted uses. The following uses are permitted:**

**A. Government structures including offices, fire stations, police stations.**

**A thru F Renumber accordingly.**

**40.040 Conditional uses. The following conditional uses may be permitted subject to a conditional use permit:**

**A. Communication towers not to exceed 150 feet in height and only when operated by a public entity providing emergency services. The operator of a tower may lease or rent space on the tower to other public or commercial entities provided all applicable FCC regulations are satisfied.**

**First Reading:\_\_\_\_\_**

**Second Reading:\_\_\_\_\_**

**Passage:\_\_\_\_\_**

**Effective Date:\_\_\_\_\_**



Signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Nancy A. Brendlinger,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Gail L. Hedding,  
Finance Director/Recorder



## **RESOLUTION NO. 99-R-653**

**A RESOLUTION APPROVING RATES FOR SANITATION SERVICES TO BE CHARGED BY CURRY TRANSFER AND RECYCLING TO CUSTOMERS IN THE CITY OF BROOKINGS.**

**WHEREAS, Ordinance No. 95-0-510, Section 7 states that rates for service shall be those currently approved for the franchisee by the City Council by resolution; and**

**WHEREAS, Ordinance No. 95-0-510, Section 7 states that the rates shall be attached to Ordinance No. 95-0-510 as Exhibit "A";**

**BE IT RESOLVED by the City Council of the City of Brookings that the following rates shall be approved, effective July 1, 1999, and shall remain in effect until such time as any change in rates shall be approved by the City Council:**

### **EXHIBIT "A"**

#### **CURRY TRANSFER AND RECYCLING EFFECTIVE JULY 1, 1999 RATE SCHEDULE - CITY OF BROOKINGS**

##### **CANS/CARTS: SET OUT (CURB SIDE) SERVICE**

**\$15.99 per month - one thirty-two (32) gallon can each week.  
\$31.98 per month - one sixt-four (64) gallon cart each week.  
\$47.97 per month - one ninety -six (96) gallon cart each week.  
\$12.40 per month - one twenty (20) gallon When Available-Recycle only.  
Residential Compactor - In Excess Of 2 Bags - 1.5 Times Can Rate**

##### **CANS/CARTS: OTHER THAN SET OUT SERVICE**

**\$.95 per trip for each: Driveway, additional twenty five feet from truck access, long driveways-over 100 yards-for each additional 200 yards or portion. An additional charge for each gate, fence, hallway and/or stairs overweight limits of cans (32 gallon - 55 lbs), each unsecuring or securing of container.**



**COMMERCIAL/RENTAL SERVICES (Container/Carts/Cans)**

32 Gallon Cart (Including Rentals Five and Up.)	\$18.25
Container Service - Per Loose Yard - Per Pick-up.	\$19.60
Container Service - Per Loose Yard - Wood (Roll Off).	\$ 9.80
Container Service - Per Loose Yard - Metal (Roll Off).	\$ 9.80
Container Service - Gate Fee (Each Gate) - Extra.	\$ 5.30
Container Rental - One-Eight Yards - Per Month.	\$11.54
Customer Requested - Other Than Wkly - Each Trip Minimum.	\$11.73
Customer Requested - Customized Pick-Up (Times) - Minimum.	\$14.86
Customer Service - Special Events, Construction, Clean-Up, etc. per trip.	\$14.86
Customer Service - Special Events, Construction, Clean-Up, etc. per Yard.	\$19.91
Container Service - Roll Out Service - Extra.	10%
Container Service - Ramp Roll Out Service - Extra.	20%
Customer Requested After Hour, Saturday or Sunday - Extra.	50%
Mechanically Compacted Waste 2.75 Times Yard or Can Rate.	

**RECYCLING CREDITS (Commercial When Service Available)**

1) Container Service - Newsprint (Properly Prepared) of Commercial Rate.	50%
2) Container Service - Waste Paper/Office Paper/Cans/Bottles/Plastic/Glass (Properly Prepared) of Commercial Rate.	25%

**OTHER RESIDENTIAL & COMMERCIAL CHARGES:**

1) Occasional Extra In Route Pick-Up - Each.	\$4.30
2) Customer Requested Special Pick-Up Minimum	\$ 6.55
3) Initial One Time Set Up Charge.	\$ 5.30
4) Monitored Inactive Status - Each Time.	\$ 5.30
5) Rental Property Owners Responsible For Sanitation Charges.	
6) Extra Heavy Roofing/Demolition 2.75 Time Yd. Rate.	
7) Waste In Excess of 280 Lbs. Subject To The Approved Tonnage Rate.	
8) Household Hazardous Waste. (As Approved)	

PASSED by the Council and signed by the Mayor this \_\_\_\_ day of April, 1999.

\_\_\_\_\_  
Nancy Brendlinger  
Mayor

ATTEST:

\_\_\_\_\_  
Gail Hedding  
Finance Director/ Recorder



## RESOLUTION NO. 99-R-654

### A RESOLUTION AUTHORIZING GRANTING OF CONSENT UNDER LEASE AGREEMENT.

WHEREAS, the City of Brookings, a municipal corporation, as Lessor, and Felix Claveran and The Claveran Group, LLC as Lessees, entered into a lease agreement for the development of a golf course in the City of Brookings on or about February 17, 1998, which mandates the Lessor's consent for Lessee to pledge its interest in the lease agreement for the sole purpose of security for the construction of the project contemplated by the lease; and

WHEREAS, Lessees have requested Lessor's consent to allow Lessees to execute a Leasehold Deed of Trust with Assignment of Rents to Mr. Steve Muir to secure construction funds;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT:

Mayor Nancy Brendlinger is authorized to execute and deliver a consent agreement on behalf of Lessor in accordance with the terms of the proposed consent agreement considered and approved by the Brookings Common Council on April 12, 1999.

PASSED by the Council and signed by the Mayor this \_\_\_\_ day of April, 1999.

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Nancy Brendlinger  
Mayor

ATTEST:

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Gail Hedding  
Finance Director/ Recorder



## RESOLUTION NO. 99-R-655

### A RESOLUTION AUTHORIZING MODIFICATION OF LEASE AGREEMENT.

WHEREAS, the City of Brookings, a municipal corporation, as Lessor, and Felix Claveran and The Claveran Group, LLC as Lessees, entered into a lease agreement for the development of a golf course in the City of Brookings on or about February 17, 1998, which calls for a construction completion date of August 1, 1999; and

WHEREAS, Lessees have requested a modification of the Lease Agreement to extend the construction completion date of August 1, 1999 to August 1, 2000;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT:

Mayor Nancy Brendlinger is authorized to execute and deliver a consent agreement on behalf of Lessor in accordance with the terms of the proposed modification considered and approved by the Brookings Common Council on April 12, 1999.

PASSED by the Council and signed by the Mayor this \_\_\_\_ day of April, 1999.

\_\_\_\_\_  
Nancy Brendlinger  
Mayor

ATTEST:

\_\_\_\_\_  
Gail Hedding  
Finance Director/ Recorder



## BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of March, 1999

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDF's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
3	Single Family Dwelling	\$1,617.00	\$818.00	\$80.85	\$8,934.00	\$428,175.72	10	\$1,343,082.72	12	\$1,945,550.82
3	Single Family Addition	\$136.03	\$25.00	\$6.80	\$0.00	\$11,000.00	10	\$165,301.28	5	\$54,476.00
1	Single Family Garage-Carport	\$56.50	\$36.73	\$2.83	\$0.00	\$5,857.00	1	\$5,857.00	2	\$77,282.00
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Commercial New	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
3	Commercial Addition-Change	\$123.00	\$50.00	\$6.15	\$0.00	\$10,420.09	5	\$17,220.09	4	\$8,300.00
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$4,000.00
0	Building Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$0.00
0	Misc.-Retaining Wall-Fence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$700.00	2	\$6,700.00
10	Total Building Permits	\$1,932.53	\$929.73	\$96.63	\$8,934.00	\$455,452.81	27	\$1,532,161.09	27	\$2,096,308.82
5	Mechanical Permits	\$107.00	N/A	\$5.35		N/A	18	N/A	16	N/A
3	Plumbing Permits	\$190.40		\$9.52	\$0.00	N/A	10	N/A	13	N/A
1	Manufactured Home Permits	\$105.00		\$5.25	\$0.00	N/A	1	N/A	0	N/A
19	TOTAL PERMITS	\$2,334.93	\$929.73	\$116.75	\$8,934.00	\$455,452.81	56	\$1,532,161.09	56	\$2,096,308.82
	Total Year to Date Calculated Fees	\$7,546.63	\$3,353.12	\$377.34	\$40,203.00					
	1998 YTD Calculated Fees	\$9,387.62	\$5,066.82	\$469.36	\$49,137.00					

In February, 1999 Harbor issued permits for 0.0 EDUs.

During the Month of March, 1999, Brookings issued permits for 2.00 new sewer connections. The City of Brookings now has 291.94 EDU Units connected to the Brookings Wastewater System since the signing of the MAO.