

VAULT COPY

Agenda
City of Brookings
Common Council Meeting
City Hall Council Chambers
898 Elk Drive
Brookings, OR 97415
November 22, 1999
7:00pm



for our bountiful rewards
by living in
Brookings, Oregon

Happy Thanksgiving

agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
November 22, 1999
7:00 p.m.

- I. CALL TO ORDER - blue
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS
 - A. Proclamations - buff
 1. World Wide Aids Day - C.C. Huxtable, Teen Rep. For Curry County HIV Task Force
 2. Civil Air Patrol Week - South Coast Squadron Cpt. Mike Rupert
 - B. Announcements - green
 1. Mayor's Certificate for the Oregon Governor's Council on Physical Fitness and Sports Leadership Award - Beverly Rose
- V. PUBLIC HEARING
- VI. SCHEDULED PUBLIC APPEARANCES
- VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE
 - A. Committee and Liaison reports
 1. Chamber of Commerce
 2. Businesses for a Better Brookings
 3. Port of Brookings Harbor
 4. Parks & Recreation Commission
 5. Planning Commission
 6. Council Liaisons
 - B. Unscheduled
- VIII. STAFF REPORTS
 - A. City Manager - salmon
 1. SCERT Projects - Authorization for grant applications
 - a. Fire Dept. building expansion
 - b. Restoration of Ferry Creek Reservoir

- c. Final phase of Oak Street reconstruction
 - d. Salmon Run Golf Course road improvements
 - e. Brookings Skate Park
 - f. Brookings swimming pool improvements
 - g. Water system expansion
- 2. Beach Avenue bike path view restoration project
- 3. Change in golf course lease with Claverans
- 4. Contract with Chamber of Commerce
- B. Community Development Department - tan
 - 1. Acceptance of easement for Parkview sewer main extension

IX. CONSENT CALENDAR - white

- A. Approval of Council Meeting Minutes
 - 1. Minutes of November 8, 1999, Regular Council Meeting
 - B. Acceptance of Parks and Recreation Commission Minutes
 - 1. Minutes of August 26, 1999, Regular Commission Meeting
 - 2. Minutes of October 28, 1999, Regular Commission Meeting
 - C. Acceptance of Systems Development Charge Review Board
 - 1. Minutes of October 12, 1999, Regular Board Meeting
- (end Consent Calendar)

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
- B. Resolutions

XI. REMARKS FROM MAYOR AND COUNCILORS

- A. Mayor
- B. Council

XII. ADJOURNMENT

*Council Chamber
and Fire Hall Use - as of 11-17-99*

NOVEMBER 1999

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	CC-10am to 3pm: ELECTIO 9:00am CC-VIPS/Volunteers in Police Service-BPalicki 7:00pm FH-FireTrng/ChShrp	9:00am CC-GaryMarconi/Tmsters 10:00am CC-10am to 8pm: ELECTIONS Drop Off Ballot Box VOTE!/CHiggins 247-7011 7:00pm CC-Planning Comm reg mtg/JBischoff	12:00pm CC-Community Agencies mtg 7:00pm CC-Soccer Mtg/Debbie 9-7417 7:00pm FH-PoliceReserves	8:15am FH-CmtDevDpt Staff mtg/LLightle 9:00am CC-Crime Stoppers/Police Dept 6:30pm CC-Brkgs Citzn Police Acadmy #7/Prison Sysms-SgtMcKnn/Pelican Bay Prsn	11:30am CC-HOPE Mtg/TWeldon	
	8:00am CC-TomW 7:00pm CC-Council Mtg 7:00pm FH-FireTrng/ChShrp		2:30pm FH-SafetyCom. Mtg/HThmpson	8:15am CC-CmtDevDpt Staff mtg/LLightle 6:30pm CC-Brkgs Citzn Police Acadmy #7/Schl Resrce Off, Hazmat-OfcsDtsn/Plcki		
				Veterans Day		
	9:00am CC-VIPS/Volunteers in Police Service-BPalicki 11:00am CC-Municipal Court/JdgHarper 7:00pm FH-FireTrng/ChShrp	6:30pm CC-Brkgs Citzn Police Acadmy #7/K-9Units, Ovrvw-SgtWllce,DetGrdner	9:00am CC-JBSchff Fmr Mtg 3:30pm CC-HOPE Mtg/TWldn 6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell 6:30pm CC-Seatbelt Class-PD /B.Palicki	8:15am CC-CmtDevDpt Staff mtg/LLightle 7:00pm CC-Parks & Rec Comm/CMickelson 7:00pm ChetcoSrCntr:SAY Comm/FJohns		
	9:00am CC-VIPS Cap Stun Trng/GStone 7:00pm CC-Council Mtg 7:00pm FH-FireTrng/ChShrp	6:30pm CC-Brkgs Citzn Police Acadmy #7/Cal/Or Ambnlce/EMT-KenWood		8:15am CC-CmtDevDpt Staff mtg/LLightle 8:00am City Hall CLOSED - Thanksgiving Holiday	8:00am City Hall CLOSED	
	1:30pm CC-PreConst Conf- Ocview2 Estates/LLightle 7:00pm FH-FireTrng/ChShrp					
			OCTOBER 1999		DECEMBER 1999	
			S M T W T F S		S M T W T F S	
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CC= Council Chambers or City Council
FH=Fire Hall
VIPS=Volunteers in Police Service
SAY=Swim All Year-Cover Pool Com

PC=Planning Comm
BPD=BrkgsPolice Dept
Muni=Municipal
PROUD=Pstive Revtlztm

SDC=Systems Devlpt
Charge Review Brd

PROUD=Positive Revitalization of Urban Downtown Community

Council Chambers and Fire Hall Use - as of 11-17-99

DECEMBER 1999

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			CIVIL AIR PATROL WEEK-Dec. 1st 11:00am CC-Hospitality Tour 200th B/D-TWeldon 12:00pm CC-Community Agencies mtg 7:00pm FH-PoliceReserves	8:15am FH-CmtyDevDpt Staff mtg/LLightle 9:00am CC-Crime Stoppers/Police Dept 1:30pm CC-AMF Mtg/TWeldon 6:30pm CC-Brkgs Ctn Police Acdmy #7/Ovrw& Gradtn-ChLewis/OfcPlcki	1	
	9:00am CC-VIPS/Volunteers in Police Service-BPalicki 7:00pm FH-FireTrng/ChShrp	7:00pm CC-Planning Comm reg mtg/JBischoff	2:30pm FH-SafetyCom. Mtg/HThmpson	8:15am CC-CmtyDevDpt Staff mtg/LLightle	2	3 Hanukkah 4
5	6	7	8	9	10	11
Azalea Park-Holiday Light Festival/Nature's Coastal Holiday - KPepper/9-5557						
	9:00am CC-VIPS/Volunteers in Police Service-BPalicki 7:00pm CC-Council Mtg 7:00pm FH-FireTrng/ChShrp		6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell 6:00pm CC-Victim's Impact Panel (247-2412)	8:15am CC-CmtyDevDpt Staff mtg/LLightle 3:30pm CC-HOPE Mtg/TWeldon		
12	13	14	15	16	17	18
Azalea Park-Holiday Light Festival/Nature's Coastal Holiday - KPepper/9-5557						
	11:00am CC-Municipal Court/JdgHarper 7:00pm FH-FireTrng/ChShrp			8:15am CC-CmtyDevDpt Staff mtg/LLightle	8:00am City Hall CLOSED - Christmas Day Holiday	
19	20	21	22	23	24	25
Azalea Park-Holiday Light Festival/Nature's Coastal Holiday - KPepper/9-5557						
	7:00pm CC-Council Mtg 7:00pm FH-FireTrng/ChShrp			8:15am CC-CmtyDevDpt Staff mtg/LLightle	8:00am City Hall CLOSED - New Year's Day Holiday	
26	27	28	29	30	31	
				NOVEMBER 1999		
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				30		
				JANUARY 2000		
				S	M	T
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Charge Review Brd

Council Chambers and Fire Hall Use - as of 11-17-99

JANUARY 2000

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						Azalea Park-Holiday Light Fes
						New Year's Day
Azalea Park-Holiday Light Fes	7:00pm FH-FireTrng/ChShrp	7:00pm CC-Planning Comm reg mtg/JBischoff	12:00pm CC-Community Agencies mtg 7:00pm FH-PoliceReserves	8:15am CC-CmtyDevDpt Staff mtg/LLightle		
2	3	4	5	6	7	8
	9:00am CC-VIPS/Volunteer in Police Service-BPalicki 7:00pm FH-FireTrng/ChShrp 7:00pm CC-Council Mtg	1:30pm CC-SDC Review Board/JCollis	2:30pm FH-SafetyCom. Mtg/HThmpson	8:15am CC-CmtyDevDpt Staff mtg/LLightle		5:30pm ANNUAL CITY VOLUNTEER DINNER @ ELKS
9	10	11	12	13	14	15
	7:00pm FH-FireTrng/ChShrp 11:00am CC-Municipal Court/JdgHarper		6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell	6:30pm CC-Seatbelt Class-PD / B.Palicki 8:15am CC-CmtyDevDpt Staff mtg/LLightle 3:30pm CC-HOPE Mtg/TWeldon		
16	17	18	19	20	21	22
	M.L. King Jr. Day 9:00am CC-VIPS/Volunteers in Police Service-BPalicki 7:00pm FH-FireTrng/ChShrp 7:00pm CC-Council Mtg			8:15am CC-CmtyDevDpt Staff mtg/LLightle		
23	24	25	26	27	28	29
	7:00pm FH-FireTrng/ChShrp					

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DECEMBER 1999

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		28	29	30	31	

FEBRUARY 2000

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29				

PROCLAMATION

WHEREAS, the global spread of the HIV infection and AIDS necessitates a worldwide effort to increase communication, education and action to stop the spread of HIV/AIDS; and

WHEREAS, the Joint United Nations Programme on HIV/AIDS (UNAIDS) observes December 1 of each year as World AIDS Day, a day to expand and strengthen the worldwide effort to stop the spread of HIV/AIDS; and

WHEREAS, UNAIDS now estimates that 33.4 million people are currently living with HIV/AIDS, with young people under the age of 25 accounting for at least half of all new infections; and

WHEREAS, the American Association for World Health is encouraging a better understanding of the challenge of HIV/AIDS nationally as it recognizes that the number of people diagnosed with HIV and AIDS in the United States continues to increase, with over 688,200 AIDS cases reported (as of December, 1998); and

WHEREAS, World AIDS Day provides an opportunity to focus on HIV infection and AIDS, caring for people with HIV infection and AIDS, and learning about HIV/AIDS; and

WHEREAS, the 1999 World AIDS Day theme, *AIDS - End the Silence. Listen, Learn, Live!*, encourages us to [a] listen to young people, hear their views and concerns, and engage them in conversation about issues concerning sex, sexuality, and HIV/AIDS; (b) learn from one another about respect, participation, support, and ways to prevent HIV infection; and (c) live in a world where fewer people are infected with HIV, where the rights of young people are protected, and where those living with HIV/AIDS are cared for and are free from discrimination.

NOW, THEREFORE, I, Bob Hagbom, Mayor of the City of Brookings, do hereby declare December 1, 1999, as

"WORLD AIDS DAY"

in Brookings and invite all citizens to take part in activities and observances designed to increase awareness and understanding of HIV/AIDS as a global challenge, to take part in HIV/AIDS prevention activities and programs, and to join the global effort to prevent the further spread of HIV/AIDS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be affixed this ____ day of November, 1999.

Bob Hagbom, MAYOR

Curry County A.I.D.S. Task Force.

November 10th. '99

Sirs:-

December 1st. '99 is World AIDS DAY.

The County A.I.D.S. Task Force is requesting that the City of Brookings to Proclaim this day as "World AIDS Day". to continue this tradition of the past five years.

Please find attached a sample Proclamation.

The representative of The County A.I.D.S. Task Force who will be accepting the proclamation from you will be Miss. CeCe Huxtable, a Senior from Brookings High School.

Most Sincerely

Janice Meades.

County A.I.D.S. Task Force
Co-Chair.

received
11-10-99

OK
T

If get no: Holly Hornbkle 469-3836

PROCLAMATION

WHEREAS, Civil Air patrol, a civilian auxiliary of the United States Air Force, is dedicated to volunteer public service in the interest of community, state, and the national welfare; and

WHEREAS, the members of South Coast Squadron are prepared to give of their time and resources for the benefit of their fellow Americans through aerial and ground search and rescue operations, through humanitarian and mercy flights, and many other unselfish acts in the time of emergency; and

WHEREAS, the members of the Oregon Wing of this organization were credited with savings the lives of 18 Oregonians in search and rescue operations in 1998, and

WHEREAS, this organization of volunteers is helping conduct an effective national program of aerospace education and training for its members and the general public; and

WHEREAS, this patriotic organization offers an outstanding program of leadership training and development and career motivation to its teenage cadet members; and

WHEREAS, December 1, 1999, marks the 58th anniversary of the founding of this unique organization, established to help America in its hour of need during the dark days of World War II and which today is dedicated to the service of humanity and to the non-combatant defense of this nation;

NOW THEREFORE, I, Bob Hagbom, Mayor of the City of Brookings, do hereby declare the week of November 28, 1999, to be

"CIVIL AIR PATROL WEEK"

in Brookings, Oregon and encourage the citizens of this fair city to observe this week with appropriate ceremonies honoring the men, women, and cadet members of Civil Air Patrol and the local units of this worthy organization.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be affixed this ____ day of November, 1999.

Bob Hagbom, MAYOR



The Mayor's Certificate

Is Presented To

Beverly Rose

***For Significant Contributions To Fitness
And Health Of Oregonians***

Presented by

The Honorable Bob Hagbom, Mayor

The City of Brookings, Oregon

And

The Oregon Governor's Council

On Physical Fitness And Sports

November 12, 1999





John A. Kitzhaber
Governor

July 30, 1999

COPY

Mayor Bob Hagbom
898 Elk Dr
Brookings OR 97415

Dear Mayor Hagbom:

It certainly is a pleasure to announce the Mayor's Certificate for Fitness Leadership. Your Governor's Council has been hard at work trying to reach the mission of raising fitness awareness for all Oregonians by encouraging physical activity, healthful nutrition, physical fitness activities, sports participation, and other health focussed behaviors. Enclosed is one more way that you can help us reach that mission. If you, Mayor Hagbom, could stop for just a moment and think of who contributes to the community in a very significant way. Maybe he is a teacher, exercise leader in the local senior center, fitness club employee. Maybe she is a recreation leader in the park system, coach, physical therapist. Perhaps, he or she is a volunteer little league manager, fun run organizer, or your own personal trainer. IT IS YOUR CHOICE!

We, the membership of the Governor's Council On Physical Fitness and Sports would like to honor your selection of these great people. Please take a little time to read the material on the next few pages to take part in this statewide effort. Also, take a moment to read a copy of the letter from The Honorable Ralph Brown, Mayor of Cornelius, Oregon for more encouragement and ideas.

We know that there are many that deserve your recognition. That's why you choose. This is your recognition; we just help you, and see that your recipient receives due honor. You also have the option of participating in an event linked to the League of Oregon Cities conference in Eugene this November. Additionally, if you would like to have one of our council participate in your city council meeting (after the November activity) to further enhance this recognition, we will try hard to make that connection too.

Please participate with us as we try to make fitness and healthy activity a priority for all Oregon. We hope you have a good day that includes healthful physical activity. For more information, call me at 503-378-3584 x 349.

Sincerely,

Robert Ritson, Ph.D.
Council Chair 98-99
(503) 378-3584 x 349
bob.ritson@state.or.us

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8/26/99 - Please
see our attached
Mayor's certificate
Official Nomination
form

pc: Paul Prevencas - 17C
Chris McKay - K School
Jim Phelps - Retired.
Mayor & City Council
Media
City Manager

4840 S.W. Western Avenue, Suite 900, Beaverton, OR 97005 Phone (503) 644-2818 Fax (503) 520-9747



John A. Kitzhaber
Governor

Oregon Governor's Council On Physical Fitness and Sports
Mayor's Certificate
Official Nomination Form

Mayor Bob Hagbom Representing (City) Brookings

Nominee's Full Name Beverly Rose Circle only one: Individual ☒ ~~Group~~

Mailing Address: P.O. Box 534
City & Zip: Brookings, OR 97415

Category (circle only one): ~~XXXXXX~~ Professional

Employer: Brookings-Harbor 17C School District Position/Title: Elementary P.E. Teacher

Business Address (including City & Zip): 564 Fern Brookings, OR 97415 Contact Phone #: (541) 469-7443
School Superintendant-Paul Preven

Program Name _____ Location _____

Years of Service to the program(circle one): 5 7 10 20+

NARRATIVE: A firm limit of up to six (6) lines of narrative may be attached to this nomination to describe a program and/or an individual to be used in the reception program.

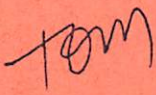
ev Rose is being nominated for this award because of her positive influence on our area's children. As a professional educator (elementary school P.E. teacher since 1971), she has shown she really cares for her students' physical fitness both during school hours and by the thousands of hours she has volunteered before and after school. She has developed a model elementary school developmental P.E. program at provides age appropriate activities, stresses life-time fitness and integrates P.E. with academic subjects. She is a positive role model for her students and other staff, was awarded the district's "Special Services Award" after being nominated by fellow employees, and her principal says, "here is a Fitness God in heaven, and he sent Bev Rose to our school as an angel to do his work".

Return this form and narrative to: Oregon Governor's Council, On Physical Fitness and Sports
Mayor's Certificate
Robert Ritson, Awards Committee Chair
4840 S.W. Western Ave.
Beaverton, Oregon 97005

FAXED
3-26-99

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon 

DATE: November 18, 1999



Issue: SCERT grant applications

Background:

- ▶ The State Community and Economic Revitalization Team (SCERT) funding program has been extended another year.
- ▶ There will not be enough money available for all the requested projects we submit, let alone projects from all of Curry County. There never is!
- ▶ However, it is important we apply for our most needed projects, so they get on the list. Sometimes, additional money becomes available and/or other funding agencies use this list to help make decisions.
- ▶ If a project gets a "priority rating" a "lead" (funding) agency would be assigned to that project and the applying agency then submits a formal application.
- ▶ Staff would like authorization to submit pre-applications for the projects shown below (not in priority ranking):

<u>PROJECT NAME</u>	<u>ESTIMATED LOCAL \$ REQUIRED</u>	<u>ESTIMATED STATE/FEDERAL \$ REQUESTED</u>	<u>ESTIMATED TOTAL PROJECT COSTS</u>
Fire Dept. Bldg Expansion	\$ 150,000.00	\$ 150,000.00	\$ 300,000.00
Restoration of Ferry Crk Res.	1,500,000.00	1,500,000.00	3,000,000.00
Final Phase Oak St. Rcnstrctn.	75,000.00	45,000.00	120,000.00
Salmon Run Golf Course Rd Imp.	300,000.00	300,000.00	600,000.00
Brookings Skate Park	30,000.00	30,000.00	60,000.00
Brookings Swimming Pool Imp.	1,023,000.00	1,023,000.00	2,046,000.00
Water System Expansion	<u>1,150,000.00</u>	<u>1,150,000.00</u>	<u>2,300,000.00</u>
TOTALS:	4,228,000.00	4,198,000.00	8,426,000.00

- ▶ These estimated project costs are very rough. Our local match for any of the projects would come from a variety of sources depending upon the project.
- ▶ Any grant (or low interest loan) offer on any of these projects would come back to the Council for official acceptance and authorization for local dollar share.

Recommendation:

Authorize submission of pre-applications and full applications, if requested, on the above projects.

Memorandum



TO: Mayor, City Council
FROM: City Manager Tom Weldon
DATE: November 17, 1999

Issue: Beach Avenue bike path view restoration project

Background:

- ▶ Last May you reviewed a request from Mr. Cliff Misener for the City to get a permit from ODOT to cut brush and trees along U.S.101 to reopen ocean views for people above the highway.
- ▶ At that time, ODOT was considering a request from a property owner on the ocean side of U.S.101, in this area, to purchase part of their right-of-way.
- ▶ You voted and we notified ODOT of this vote, to ask them not to sell this property because it might someday be needed to help alleviate traffic congestion in this area. ODOT has decided not to sell this property.
- ▶ You also voted to not allow thinning work until ODOT decided whether or not to sell this property.
- ▶ Attached is a copy of a study Cliff Misener recently had done on this area. This is also being considered as a request from Cliff to ODOT to allow the work proposed in the study.
- ▶ ODOT is asking us what we think of this thinning project. I have been told by an ODOT representative they will be issuing a permit for this work.
- ▶ ODOT's preliminary version of the 2000-2004 State Transportation Improvement Program (STIP) includes adding a left turn lane onto U.S.101 for traffic going south and wanting to turn onto Parkview.
- ▶ Our Community Development Director and I are in agreement that our staff does not have the time to be involved with this thinning project. We do not want the permit issued to the City and thus, we be responsible for the work of the volunteers. ODOT is willing to be the managers of this project.

Recommendation: I prepare a letter for the Mayor's signature to ODOT, saying we hope that if they allow this thinning, the work will meet these three goals:

1. Not create such great roadside ocean views that it causes traffic accidents.
2. Not remove so much of the lower underbrush that it allows an unreasonable amount of road noise to disturb the residents on the ocean side of U.S. 101 in this area.
3. Open up reasonable ocean views for these people living above U.S. 101.

Beach Avenue Bike Path View Restoration Plant Survey



Surveyed by:
Slade Sapore
August, 1999



Beach Avenue Bike Path View Restoration Survey: Table of Contents

Abstract/Introduction.....1

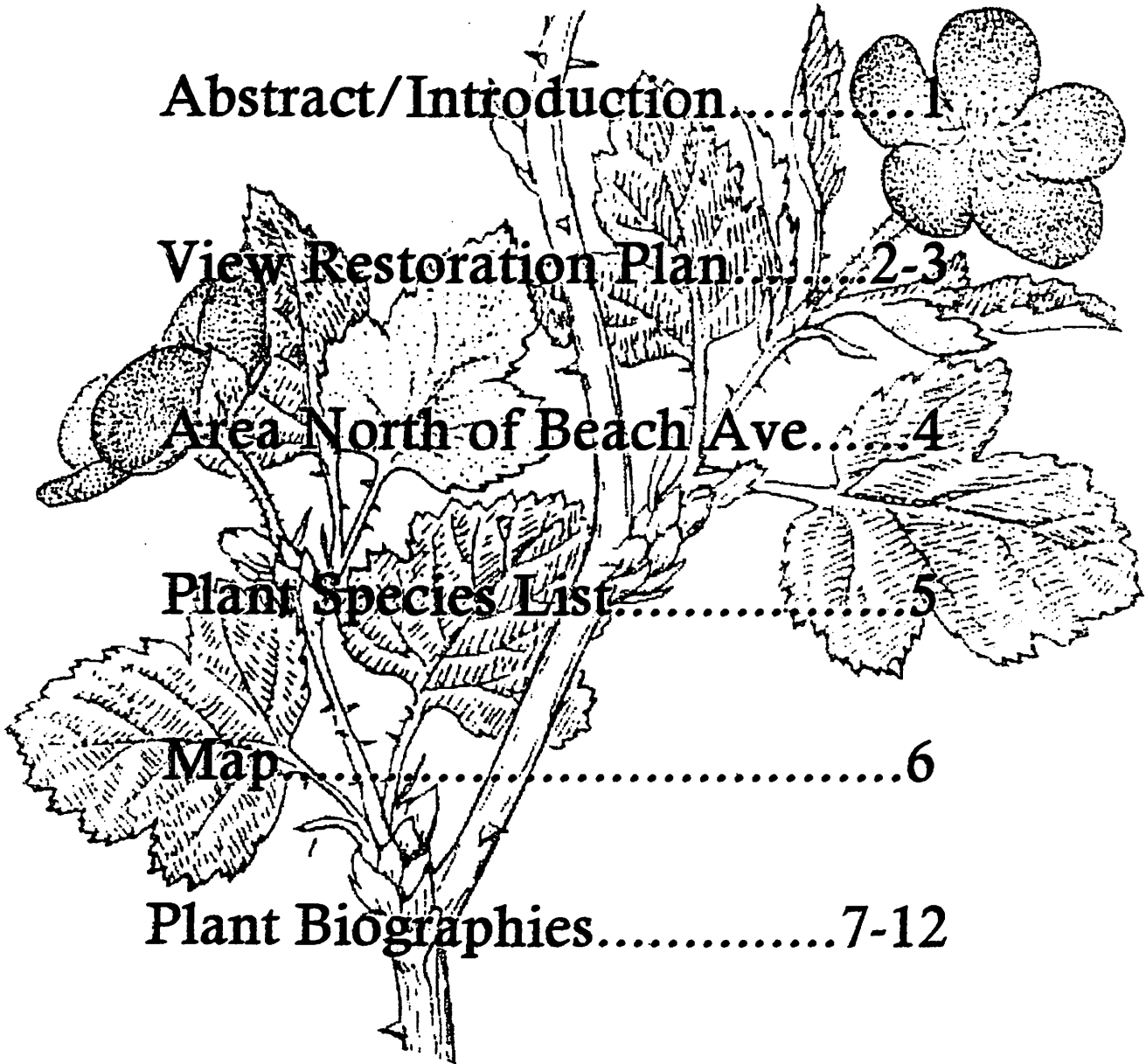
View Restoration Plan.....2-3

Area North of Beach Ave.....4

Plant Species List.....5

Map.....6

Plant Biographies.....7-12



Abstract

This document is a management plan for the naturalized area between Highway 101 and the bike path on the southern end of Beach Avenue. Plants indigenous to the Coastal Bluff plant communities of the southern Oregon coast largely populate the area. A few Red Alders, Cascaras, and Douglas-firs have grown up through this and are threatening to block the view from both the highway and the properties across from the highway. A management plan that both considers the needs of the property owners seeking the view, and that of this nice stretch of native flora, has thus been drawn up.

Pages 2 and 3 work hand in hand with the map I have drawn-up on page 6 of this document. These pages outline the tasks necessary to restore the view along the mapped section of the highway/bike path. Page 4 is an evaluation of the forested area that sits between Highway 101 and the bike path on the north side of Beach Avenue. Page 5 is the Species List. I have listed all of the plants for this site, excluding a few of the most common weeds. The trees, shrubs, and ferns have been numbered and these numbers can be referenced with the map on page 6. Wildflowers were not mapped due to sheer numbers. Wildflowers were listed though, and although I provide no pictures or write-ups on these, the listing should still make it easier for identification if not just through limiting the possibilities. The map on page 6 again lists only the trees, shrubs, and ferns found in the area. The sections A, B, and C on the map are detailed in writing on pages 2 and 3. Finally, Plant Biographies are given on pages 7 thru 12. These include a line drawing and written information on each particular plant's natural history, growth characteristics, and folklore. Not every shrub was written-up. I purposefully left out the more common ones that I presume most, if not everyone knows...such as Himalayan Blackberry and Cotoneaster. These plants are listed on the species list; I just did not include pictures or written histories of them.

It is my hope that this document proves itself useful in helping to both provide for enhancing this spectacular ocean view, while at the same time taking care to properly manage and support our native plant communities. Enjoy...

View Restoration Project Management Plan

This plan follows the three sections (A, B, and C) drawn out on the map located on page 6 of this document. References to numbers are references to trees or shrubs that can be found listed on the species list located on page 5 of this document. For identification of and information about any of the plants listed here refer to pages 7 thru 12.

Section A: This area consists of a stand of Red Alders (5) and is set in a seasonal drainage which runs in a northeast direction. Removal of these trees out of this particular area, due to its seasonally wet nature, would only result in the regeneration of even more trees (as any other plants growing here would drown during the rainy season). This site is the farthest north section out of the area in question, and if the trees are not infringing on any particular view, it would be advisable to just leave them. If removal is desired, selectively thinning the site would be the best possible option. There are very few branches down low on these trees, and the wall of Camellias situated directly behind them would indicate that thinning would not open up the view from the highway. It would only improve the view from the across the highway if the trees are infringing on any particular site.

Section B: This section requires the most work and labor in order to open up the view. It is also the section that has the most potential and seems most feasible. I will start on the northern end, nearest the end of the guardrail, and work my way down here (refer to map on page 6). Removing the three small Douglas-firs (1) would open the view here considerably. Some thinning nearest the road of the Alders (5) that grow below the Douglas-firs would ensure that this view remained open. Removing all of the Cotoneasters (10) from this entire strip is highly desirable (they can grow tall quickly, and they are weedy, non-native, and invasive). There is also some English Ivy along this northern unit of Section B. Pulling it would prevent it from taking over and looking like a weed patch from the highway.

The center area of Section B is relatively open. Removing the Cotoneaster (10) from this area would improve the view, and promote the spread of the lower growing native Coyote Bush. Removal of Coyote Bush is not recommended. Pruning or rounding the top of this bush with shears once a year would keep the view open and would not allow more aggressive taller growing trees to move in.

The southern portion of Section B is basically the large Monterey Cypress tree. Removal of this tree is really the best solution to open up the view in this area. Again, taking out the Cotoneaster from around it and possibly thinning a few of the Alders that sit downslope from the highway are recommended.

Section C: This section is located at the southern end of the unit, where Highway 101 and the bike path merge. A thicket of Himalayan Blackberries (13) covers a large portion of this area. This plant is a non-native species and is considered to be a noxious-weed. Pulling out this patch, or at least preventing its spread throughout the rest of the surrounding area would be desirable.

There is a small cluster of trees here consisting of Cascara (4), and Red Alder (5). Removal of these trees is not completely necessary unless they do infringe on someone's view from across the highway. The Cascaras do not promise to grow much taller, so removing the Red Alder, if it is deemed necessary, would be in order. On the bike path side of the trees there is a nice Silk Tassel bush (16) (refer to page 12 for picture). Care should be taken not to harm this shrub in the removal of any trees above it, as it is the only one in this whole unit.

General Comments: Other than removing the trees, which I listed above, this site needs very little work. Keeping the Blackberries back and taking out any and all of the Cotoneaster would help to keep this unit not only low growing and unobtrusive, but it would also be a nice ensemble of native flora that could be enjoyed either from the highway or along the bike path. There is a rather large portion of this area dominated by Red Alders (see *Alder Grove #5* on map). These trees pose no real threat and removal of any except those that grow higher up on the bank near the highway, would be energy wasted. These trees also act as a noise filter for the residences situated west of the highway off of Beach Avenue. The proposed tree removals would be minimal enough that it should not increase, for those living below this unit, the amount of noise coming down from the highway.

Area north of Beach Avenue between bike path and Highway 101

This area is comprised of a rather nice section of coastal forest. For its small size, narrow width, and location (directly alongside Highway 101), it is surprisingly well balanced. Introduction of weeds is minimal and almost entirely restricted to the edges of the stand. Along the bike paths edge, there is a surprisingly high number of native plant species. Wax Myrtle, Cow Parsnip, Bracken Fern, Giant Beach Pea, Wild Cucumber, Trailing Blackberry, Thimbleberry, and Red Elderberry are all present along the edges of this narrow band.

Douglas-fir, Red Alder, Wax Myrtle, and Cascara dominate the Forested area, which comprises the bulk of this strip. Directly across from the bench along the bike path there is a very large and presumably old Silk Tassel shrub. Sword Fern makes up the bulk of the understory/forest-floor vegetation here. Salal, Red Elderberry, Thimbleberry, Evergreen Huckleberry, Salmonberry, and Twisted Stalk make up the rest of the understory vegetation.

Any sort of activity in this small "island" forest would most likely result in the disruption of the balance here, and the introduction of invasive weeds. There is a wonderful representation of our areas native flora here, and from the bike path this is clearly visible. The removal of trees from this site, or even the lower in branches throughout it, would result in the introduction of sunlight and wind, and this would most likely result in a negative impact. This forest is a remnant of what the Brookings Terrace must have once looked like; it is an island worth preserving.

The issue that it may in some way infringe upon the ocean view from the highway is not, in my reasoning, strong enough to justify impacting this area. It is as much a part of Oregon as the ocean is. There are less sensitive areas, such as the one I have mapped, that can be opened up with little to no impact on the natural balance.

If this site does have trees removed from it, it would only be proper to relocate some of the native flora from the outlying area into this site. Shrubs like Coyote Bush, Black Twinberry, and Silk Tassel would be acceptable replacements if sunlight were introduced here.

Beach Ave. Bike Path to Highway 101: Plant Species List

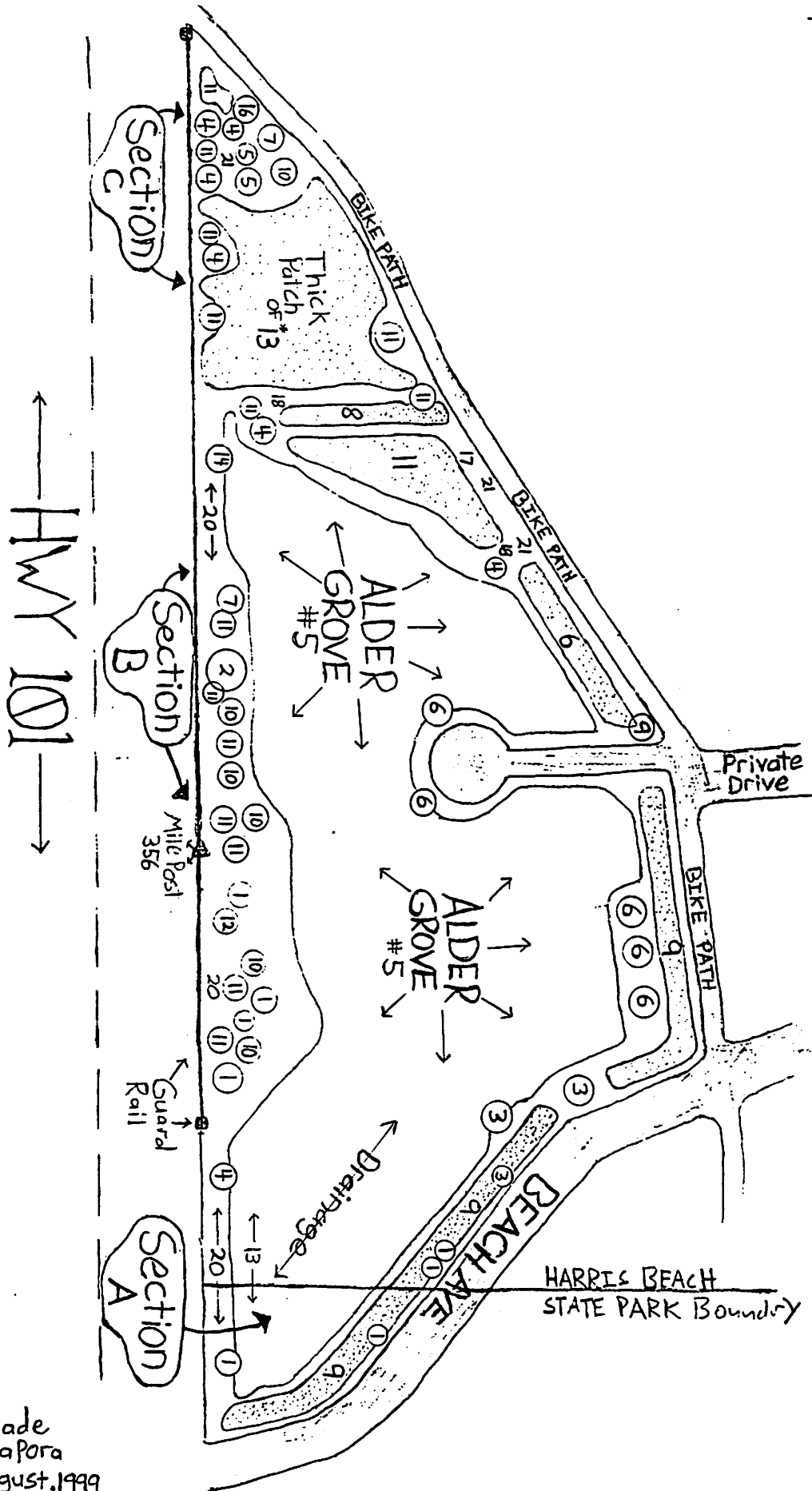


	<u>Common Name</u>	<u>Latin Name</u>
Trees: Conifers	1 Douglas-fir	<i>Pseudotsuga menziesii</i>
	2 Monterey Cypress	<i>Cupressus macrocarpa</i>
	3 Shore Pine	<i>Pinus contorta</i> var. <i>contorta</i>
Trees: Deciduous	4 Cascara	<i>Rhamnus purshiana</i>
	5 Red Alder	<i>Alnus rubra</i>
	6 Willow	<i>Salix</i> sp.
Shrubs	7 Black Twinberry	<i>Lonicera involucrata</i>
	8 Blue Blossom	<i>Ceanothus thyrsiflorus</i>
	9 Camellia	<i>Camellia japonica</i>
	10 Cotoneaster	<i>Cotoneaster pannosa</i> (introduced)
	11 Coyote Bush	<i>Baccharis pilularis</i>
	12 English Ivy	<i>Hedera helix</i> (introduced)
	13 Himalayan Blackberry	<i>Rubus discolor</i> (introduced)
	14 Poison Oak	<i>Toxicodendron diversilobum</i>
	15 Salmonberry	<i>Rubus spectabilis</i>
	16 Silk Tassel	<i>Garrya elliptica</i>
	17 Thimbleberry	<i>Rubus parviflorus</i>
	18 Trailing Blackberry	<i>Rubus ursinus</i>
	19 Wild Rose	<i>Rosa</i> sp.
Ferns & Horsetails	20 Common Horsetail	<i>Equisetum arvense</i>
	21 Sword Fern	<i>Polystichum munitum</i>
Wildflowers/Herbs		
Aster Family	Bull Thistle	<i>Cirsium vulgare</i> (Introduced)
	Common Dandelion	<i>Taraxacum officinale</i> (Introduced)
	English Daisy	<i>Bellis perennis</i> (Introduced)
	Hairy Cat's-Ear	<i>Hypochaeris radicata</i> (Introduced)
	Sow-Thistle	<i>Sonchus</i> sp. (introduced)
Buckwheat Family	Sheep Sorrel	<i>Rumex acetosella</i>
	Western Dock	<i>Rumex occidentalis</i>
Buttercup Family	Buttercup	<i>Ranunculus</i> sp.
Carrot Family	Cow-Parsnip	<i>Heracleum lanatum</i>
Cucumber Family	Queen Anne's Lace	<i>Daucus carota</i> (introduced)
Evening Primrose Fam.	Wild Cucumber	<i>Marah oreganus</i>
Figwort Family	California Figwort	<i>Scrophularia californica</i>
Iris Family	Purple-Leaved Willowherb	<i>Epilobium ciliatum</i>
Mint Family	Montbretia	<i>Crococoma masoniorum</i> (introduced)
Mustard Family	Self-Heal	<i>Prunella vulgaris</i>
Pea Family	Wild Radish	<i>Raphanus sativus</i> (introduced)
Rose Family	Seashore Lupin	<i>Lupinus littoralis</i>
St. John's Wort Family	Coastal Strawberry	<i>Fragaria chiloensis</i>
Stonecrop Family	St. John's Wort	<i>Hypericum perforatum</i> (introduced)
	Stonecrop	<i>Sedum</i> sp.



Vegetation Map of area between Highway 101 and Bike Path south of Beach Avenue

1 inch = 40 Feet North to South
* Width not to Scale



Slade
Sapora
August, 1999

Conifers

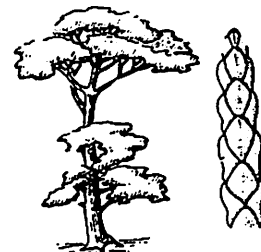
Douglas-fir, *Pseudotsuga menziesii*: A tree that naturally dominates on sunny, open, dry slopes and after a disturbance, such as fire, has opened up the forests canopy. Sprouts and grows in full light; not shade-tolerant like Western Hemlock. Seedling trees are a main winter food supply for deer and hares. The seeds of this tree are a favorite of small birds and rodents. Mounds of "shucked" cones can be found periodically in the forest and are evidence of squirrel activity. Bears also tear away at the bark to feed on the nutritious inner-bark in the early spring.



Douglas-fir can live to be over 1000 years old and can attain heights of up to and over 260 feet tall. Their bark is thick and acts as a shield against fire, protecting the inner bark from being scorched. The largest Douglas-fir ever recorded was found outside of Coos Bay, Oregon. It was discovered in 1975 and was measured at 302 feet tall and 13 feet thick.

Native Americans used the wood extensively to make everything from spears, fish hooks, dip-nets, to spoons and caskets. The pitch was also used medicinally as a topical salve for cuts, scrapes, or rashes. Place a dab of pitch over a splinter, let it dry, and then slowly peel it off...removing the splinter.

Monterey Cypress, *Cupressus macrocarpa*: Monterey Cypresses are known for their sprawling nature; their branches often jutting out at all angles. The needles of this conifer are not your typical needles, but rather, are scale-like. This puts the Cypress tree in the same family with Junipers and Cedars; the later, both having scale-like needles. Monterey Cypresses can be found growing most prolifically on the Monterey Peninsula in California. From there, it can be found growing here and there along the Pacific Coast, reaching its northern limits here in the Brookings area. The bark is similar to that of cedars, being brown and growing in linear, stringy strips up the trunk of the tree.



conifers

Shore Pine, *Pinus contorta*: Our only pine that grows directly along the coast. Will grow in the most inhospitable places...right on the sand and rock. Growing in the most inhospitable (exposed) places often lends to these trees twisted and contorted nature: wind-sculpted bonsai trees. Its needles easily identify the Shore Pine. All pines have bundled needles, either in groups of two, three, or five needles per bunch.

Shore Pine puts its needles in bundles of two, or there are two needles per bunch on this tree. Take a look and you will know what I mean. It is our only pine here along the southern Oregon coast that has needles in bundles of two, making it easy to spot in a crowd.



Hardwoods

Deciduous

Cascara Sagrada, *Rhamnus purshiana*: A small tree (30 feet at most) that is common as a “here and there” species. Also called Chittam, the bark from this tree was gathered heavily from the 1950’s up through the early 1980’s as a laxative. Large pharmaceutical companies were purchasing the bark by the truckload and this led to the rapid demise of this tree (people were peeling all the bark they could get off of each tree, killing the tree). Even today old trees are few and far between, yet young ones are coming back.

Native Americans also used the bark as a laxative, but curing the bark for at least a year was standard practice. Ingesting the raw bark is said to cause severe diarrhea and vomiting. Interestingly enough, some Native tribes used the raw bark just for this purpose in the case of food poisoning.

The berries of this tree are dark purple and edible, but considered unpalatable for unknown reasons. Birds on the other hand love the fruit, and an old Cascara full of berries is real sight.

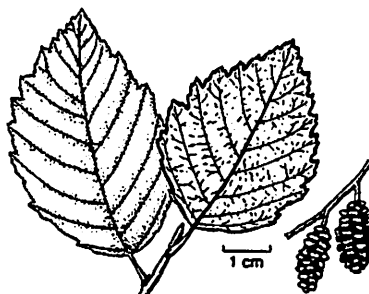


hardwood trees

Red Alder, *Alnus rubra*: Ecologically one of our most important trees!!! Popular opinion states that this tree is a “weed” tree, or a “trash” tree. This is so far from the truth though! Red Alder dominates along riparian areas (rivers) and on moisture rich forest slopes prone to disturbance and areas that have been disturbed by humans...logged over areas. Bacteria housed in the roots of Red Alder’s perform the essential task of fixing nitrogen from the atmosphere into a form usable to plants. Our regional soils are nitrogen poor, and although nitrogen is abundant in the atmosphere, it is not available to plants without a mediator. The nitrogen fixed by one stand of Alders will support a successional forest of conifers for up to 400 years after the Alders have gone. By this point, a coniferous forest is old enough that it has established its own means of nitrogen fixation, such as a build-up of lichens and decaying logs, which also host nitrogen fixers. Yet, it is not considered economically viable to allow this cycle to take place on land managed for timber purposes. Ignoring the importance of this process for the short-term profit will ultimately result in a serious nitrogen depletion within our forests. Alders also indicate ground moisture, and removing them lends to erosion and a loss in water quality...bad for the fish (and us)!!!

Red Alder gets its common name from the inner-bark of the tree, which upon being exposed to air for a few seconds turns wine-red. The bark was stripped by Native Americans (again carefully so as not to kill the tree) and used in making a red dye. This dye was used on baskets and on fishing line and nets. Apparently, fish do not see this shade of red so the nets or line would be made “invisible” by the dye. The wood was and still is the wood of choice when smoking fish.

A “tea” or broth made from the bark can be used as a topical wash for rashes and blisters. It will work as an astringent, which constricts the tissues and dries the skin out, pulling all the bad fluids out.



hardwood trees

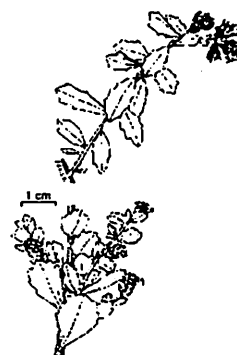
Willow, *Salix sp.*: Willows often look like giant sprawling shrubs. Clusters of thin, whip-like limbs often form dense thickets along streams or on moist soils. Willows have thin, linear leaves that cover the length of the stems. The seeds of the Willow have to germinate within three hours of leaving the tree. This is not much time at all to find a home and sprout! The main reason for this hasty germination is that Willows require a year round water supply, they cannot handle dry spells. So, if a seed hits a dry spot and stays viable until the next rain this does the future tree no good; there needs to be water when the seed gets there...Thus, their quick reflex. Willow bark has been used for centuries as a painkiller, or aspirin. It is very effective, and in recent times is still used for this purpose...Even Michael Jordan used it to help with his chronic knee-pains.



Shrubs

Aster Family

Coyote Bush, *Baccharis pilularis*: Coyote Bush is one of those nondescript plants. In all of the books I have found it is simply listed as, Coyote Bush...nothing more, nothing less. What I am getting at here, is that I have found nothing on whether or not Native Americans used it for its wood or as medicine, what animals may use it, its ecological roles...anything. I have observed that dense stands of it make for excellent bird habitat, that it blooms in late August and has a small fuzzy, inconspicuous cream-colored bloom, and that it only grows on the coastal bluffs out in the open. Other than that, I only wish that I could help you with more information...(if you find anything call me toll-free).



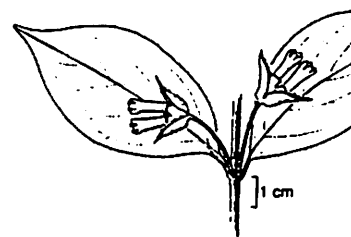
Shrubs

Honeysuckle Family

Black Twinberry, *Lonicera involucrata*: Twinberry is common shrub throughout the Pacific Northwest. It has the habit of showing up in a variety of habitats and places. From the Rocky Mountains to the Cascade Mountains and then along the Pacific coast, Black Twinberry can assume a variety of shapes and sizes...Ultimately though, it looks the same and is the same.

Here along the Oregon coast, you can find these shrubs growing along the coastal bluffs and on the edges of the Sitka Spruce forests. They can grow tall, up to 18 feet, and are easily identified by their opposite leaves and branches. Silk Tassel, another coastal bluff shrub, also has opposite leaves, but the undersides of its leaves are covered in short, dense white hairs. Twinberry leaves are elliptic in shape and may have a few fine hairs below, but nothing that would catch your attention like the Silk Tassel.

In the summer-time it produces shinny black berries in clusters of two (twinberries), and Native Americans referred to the fruits as “Monster Berries” or “Raven’s Food”. They are not palatable is the implication here.



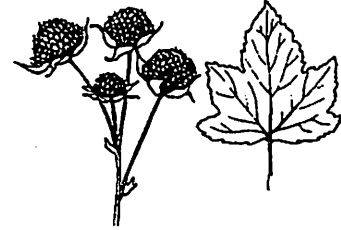
Rose Family

Salmonberry, *Rubus spectabilis*: Salmonberry is one of the first flowers of spring and one of the first fruits of the summer (May or June). Being one of the first fruits of the year, Salmonberry was one of the few things that Native Americans actually laid claim to in nature. Particular groups or families would often “own” a patch of these shrubs, coveting the first juicy, sweet fruit crop of the year. Patches of it were often burned to the ground every few years to promote new and more productive growth. The young green shoots of Salmonberry were also gathered in the spring, peeled, and eaten raw. Salmonberry will often reproduce itself via. cloning. This means that the plant will just spread itself out by an expansive root system.



Shrubs

Thimbleberry, *Rubus parviflorus*: There is no mistaking this plant with its large and spreading maple-like leaves. Thimbleberries produce small red berries technically considered to be a raspberry. Native American tribes all along the pacific coast ate the small berries and some tribes preferred them with smoked or dried meats. Thimbleberry has no thorns on it and is not an “invasive” plant; it does hold its own, but it will not take over like the dreaded introduced Himalayan Blackberry that many of us are all too familiar with.

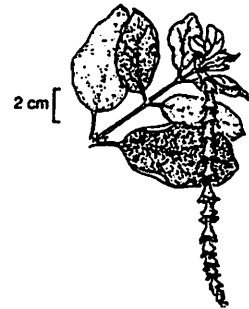


Silk Tassel Family

Silk Tassel, *Garrya elliptica*: This shrub is common along the southern Oregon and northern California coastlines, but is not found further north along the coast. It is characterized by having opposite leaves and branches, the leaves having densely hairy white undersides. The leaves are elliptic in shape and quite thick and leathery in texture.

Silk Tassel gets its name from its flowers. They appear in the spring attached to tiny gray tassels that dangle from the branches.

Medicinally, Silk Tassel has been used for centuries by Native Americans, and now by herbalists, as a smooth muscle relaxer. It has been found helpful in treating cramps, diarrhea, dysentery, gallbladder pain, urethral and bladder cramps.



Buckthorn Family

Blue Blossom, *Ceanothus thyrsiflorus*: This shrub has small, oily dark-green leaves with three prominent veins forking out like a bird's foot from the leaf base. In the spring, round balls of blue blossoms crowd about the bush. Members of this group of shrubs, the Ceanothus clan, play an important role in their environment. They are nitrogen fixers, which means that these shrubs take nitrogen from the air and convert it into a natural fertilizer that other plants around them can then use.



CURRY COUNTY ASSESSOR

COURTHOUSE
PO Box 746
GOLD BEACH, OREGON 97444

Jim Kolen
Assessor

MAC ARCH ON THE CURRY COAST

Phone (541) 247-7011
ext. 257

July 9, 1999

Clifford A. Misener
1343 Homestead Rd.
Brookings, OR 97415

469-6597

Dear Mr. Misener:

Recently you and I met and you asked several questions with regard to assessed values of ocean view lots and whether or not lots in the Bird Island and Kelly Subdivisions had ocean view values.

As we discussed, the reason for your questions is your request to the Department of Transportation through the City of Brookings to control vegetation on the highway right-of-way in the area of Ransom Avenue north to Park View Drive. In answering your questions I do not intend to make any value judgment as to whether the vegetation should be controlled. I am simply addressing the practical effect to property values and taxes should you and your neighbors not be allowed to control the vegetation which could obstruct your views.

Question: **Would a lot with an ocean view have a higher value than one without?**

The answer, generally speaking, is yes. All other things on the lots being equal we found, in our 1997-98 reappraisal of the Brookings area, that ocean view lots had basic sale prices of \$49,000 plus or minus for lesser views up to \$75,000 plus for better views. Non-view lots sold for around \$30,500 plus or minus depending upon size.

I checked our files and found 15 lots in the above mentioned subdivisions with base view lot values ranging from \$39,200 to \$90,000, the average lot value being \$61,000. These values do not include any adjustments for landscaping or water and sewer hookups on improved lots.

In these two subdivisions I found six non-view lots with an average basic lot value of \$31,000. It is easy to see that lots with a view are worth substantially more on the market.

Question: **If the lots lost their views would their values change?**

pc - Mayor, Council, City Mgr 7/29/99

In circumstances where property owners have no control over their loss of view, then this office does reduce values when we become aware of the problem. This could happen when somebody builds or allows vegetation to grow on nearby property which obstructs a view. If property owners do not cut their own trees or have a view easement which they fail to take advantage of then the value would not be reduced.

Question: If values are reduced, would tax bills be reduced?

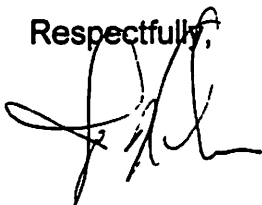
Any value reduction which would cause the Real Market Value(RMV) of a property to fall below the assessed value(AV) would cause a reduction in the property tax bill.

In the Measure 50 property tax environment reductions in value substantial enough to reduce the tax bill cause a direct loss of revenue to taxing districts. For instance: if your property, now assessed at \$205,800, were to lose its view, then its RMV might well be reduced to \$154,300. The \$51,500 loss times the tax rate for the City of Brookings (\$9.5530 / \$1,000) equates to a tax reduction of \$492 on your property. Of that amount schools lose \$226; the city loses \$194; the county's loss is \$30; and the Port, Library, Cemetery, and Extension districts would lose the rest.

Question: The vegetation to be controlled may act as a sound barrier for properties to the west of HWY 101, if the noise were to increase would it affect assessed values of those properties?

If it is possible to determine through the marketplace that the property values would change due to increased noise then this office would make the appropriate adjustments. During the 1997-98 reappraisal of the Brookings area our appraiser studied sales in your area to determine whether or not highway noise affected values. He found no indication that it did.

Respectfully,



Jim Kolen
Curry County Assessor

TOTALS - 15 LOTS
VIEW VALUE $15 \times 30,000 = \$450,000$

POTENTIAL TAX REDUCTION:

$450 \times 9.5530 = \$4,300 / \text{YR}$

SCHOOLS 1,977

CITY 1,693

COUNTY 259

OTHERS 371

11/19/99
10
58

November 19, 1999

Dear Mayor and City Counsel Persons:

Re: November 22, 1999 Agenda Item VIII A-2

Clifford Misener wants a better view of the ocean from his house east of Highway 101. To achieve this he wants to cut down the trees across Highway 101, next to Beach Avenue. So, first he asked people in the Beach Ave. Subdivision for permission. They said "NO". Next, he asked ODOT, the actual owners of the strip of land. ODOT essentially said they would leave that up to the neighboring Johnsons, who'd offered to buy the property, or to the City of Brookings. The Brookings Council requested the property not be sold to the Johnsons. So, now, the City Council will decide whether the trees will be cut down by Mr. Misener.

To assist the Council, Mr. Misener has presented a 16 page document titled Cliff's "View Restoration Project Management Plan". This "Plan" reminds me that prior to the clear-cutting on Carpenterville Rd, surrounding Andreason's Nursery it was called "Habitat enhancement".

In any case, I wish to point out that Mr. Misener originally said his intentions ran along lines of roadway "view enhancement" from border to border. Then he subsequently whittled that down to the area from Ransom to Parkview. And now we are down to the agenda, i.e. The trees next to Beach Avenue in "Section A + B" of his map.

There are several contradictions and obfuscations in these 16 pages. The map scale is disproportional and deceiving in aspect, more art than an accurate rendering. The Council would hopefully independently view the area in question before setting in motion the granting of carte blanche chain saw cutting permission to Clifford Misener. In Clifford's View "Restoration Project" he first is going to cut down the three "small" douglas fir trees (1) and the alders below the douglas firs. Also, Clifford wants to pull the "English ivy" to keep it from "looking like a weed patch". Clifford, in effect, becomes the "Selector" in "Selective Thinning". When I work in my yard on Beach Avenue, I find that any clearing or removal of even small plants invites an immediate invasion of a variety of vigorous weeds.

So, Cliff wants to impact the beautiful entrance to our subdivision and thus invite a weed patch - ensuring himself of a view. The fact is, this whole area is a delicate eco system that is esthetically perfect as an entrance to our homes. Any removal of trees, bushes and vines this close to the ocean effects factors such as erosion, as well as other plant life.

If Mr. Misener wants a view, why doesn't he do what the residents of Beach Avenue have done - help the local realty and buy a beach front home.

I just paid my taxes on my home. I noticed that some of the revenue goes towards protection: fire, police and government. I respectfully request that the City Council grant us protection from Clifford Misener's plan, where he benefits and we pay the price. Please advise ODOT that the City of Brookings would like to leave this area just as it is. Why set a precedent inviting in contagion of similar requests to cut down neighboring trees throughout the area.

Incidentally, putting the Latin names on the listing of the plants in this area only seems to imply scientific thoroughness and thus a dispassionate and fair procedure. No matter how one "spins" it "Selective" Clear Cutting is still extremely invasive, especially in a developed area.

Thank you for reading our letter.

Joseph, Mike and Nora Hohman
1565 Beach Avenue
Brookings
469-7743

To: Mayor, City Council and Tom Weldon,

Once again, Mr. Misener and his group have taken the initiative to further promote their obviously self-serving motive to improve their views by cutting down trees on property that does not belong to them.


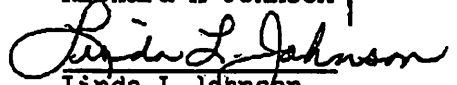
Recalling the City Council meeting of Monday, May 24, 1999: For a variety of reasons, the general sentiment of the council was that the proposal should be denied. Mayor Hagbom asked Mr. Pepper to suggest a motion to reflect that sentiment. Mr. Pepper did that and more. He added that: A detailed and specific explanation of the proposal be made. In essence, he suggested how the proposal would proceed if it had not just been denied. Why?

Well, that probably explains why Mr. Misener's group have spent more time, effort and money to pursue an already lost battle. At the May 24, 1999 council meeting they presented a general unacceptable idea. Now, no doubt, they have prepared a very detailed and specific unacceptable idea. They were sent mixed signals and given false hope. This was unfair to the Misener group and to the adjacent property owners.

In the event that the City Council approves the new proposal, it would set a precedent. In the future, how often will a new proposal be entertained? Can we all expect to be at another council meeting when a new leaf appears?

It would also set a precedent for every other "view problem" neighbor or group in the city. Some version of this issue could be at every council meeting for years. Is that what you want?

Most things are more difficult to stop than they are to start. No doubt, this is one of them. Just say NO!


Richard A Johnson

Linda L Johnson

received
11-19-99

3:20 pm

Peter C. Spratt

Attorney at Law

P.O. Box 1344, Brookings, Oregon 97415
(541) 469-5121 (541) 469-2996 (FAX)

November 16, 1999

VIA FACSIMILE (541) 396-5723

John B. Trew
City Attorney, City of Brookings
222 E. 2nd Street
PO Box 158
Coquille, OR

Re: The Claveran Group, LLC.

Dear John,

Following our conversation in which Tom Weldon participated, I send this letter, as representative of The Claveran Group, LLC (the "LLC"), requesting an amendment to the 1998 lease agreement between the City of Brookings, Lessor and Felix Claveran and Steve Muir, Lessee. The amendment would substitute the LLC for Felix Claveran and Steve Muir as Lessee. The substitution is necessary to protect Mr. Claveran and Mr. Muir from third-party liability. Also, since the LLC paid for the improvements, the substitution is necessary to maintain the proper chain of ownership. The owner of the improvements should also be the owner of the leasehold. Finally, we expect that ownership of the leasehold by the LLC will be a requirement of financing.

As I indicated, it is the intent of the LLC that the substitution be transparent to the City. In that regard, I attach a form Guarantee that would be entered into by Mr. Muir and Mr. Claveran. Please give me any comments you might have regarding this form.

I would like to get this on the agenda of the November 22, 1999 Council meeting. Please let me know if there is anything I can do to further this goal.

I look forward to hearing from you. Thank you for your prompt attention to this matter. In accordance with our conversation today, I am also sending a copy of this letter and the form to Tom Weldon, City Manager.

Very truly yours,



Peter C. Spratt

cc: Tom Weldon, City Manager w/enclosure
Pete Pavich, Manager, The Claveran Group, LLC w/enclosure

GUARANTY

THIS GUARANTY is made as of the _____ day of November, 1999, by _____, ("Guarantor") to and for the benefit of The City of Brookings, Oregon, a municipal corporation ("Beneficiary").

1. Guaranty. Guarantor jointly, severally, and irrevocably guarantees the performance of the obligations of The Claveran Group, LLC (the "LLC") under that certain LEASE AGREEMENT, dated February 17, 1998, as amended prior to this date, attached hereto as Exhibit A (the "Lease"). Beneficiary shall have all the rights against Guarantor as Beneficiary would have had in the event Guarantor was a signatory and "Lessee" under the Lease.

2. Bankruptcy and Assignment of Rights. Guarantor agrees that its obligation to make payment under the terms of this Guaranty shall not be impaired, modified, changed, released or limited in any manner by any impairment, modification, change, release, defense or limitation of the liability of LLC or of a receiver, trustee, debtor in possession or estate under any bankruptcy or receivership proceeding.

3. Attorneys' Fees and Collection Expenses. If there is any dispute between Guarantor and Beneficiary regarding enforcement of this Guaranty, the prevailing party in such action shall be entitled to recovery of its reasonable attorneys' fees and costs. These costs and attorney fees include those incurred in collection efforts, at trial, on appeal, and with respect to bankruptcy or receivership proceedings.

4. Payment of Obligations. This Guaranty shall terminate upon termination of the Lease.

5. Miscellaneous.

(a) Guarantor agrees that this Guaranty shall inure to the benefit of and may be enforced by Beneficiary and any subsequent holder of the Lease and related documents, and this Guaranty shall be binding upon and enforceable against Guarantor, his heirs, legal representatives, successors and assigns;

(b) This Guaranty shall be construed according to the laws of the State of Oregon as applied to agreements entered into and entirely to be performed within that State.

(c) Performance of Guarantor will be excused in case of act of God, war, riot, fire, explosion, floods, strikes, injunctions, or because performance is made impractical by the occurrence of any other unforeseen contingency.

6. Entire Agreement; Merger. This Guaranty, along with the Lease, constitutes the entire understanding between Beneficiary and Guarantor with respect to the subject matter hereof and no course of prior dealing between the parties, no usage of trade, and no parole or extrinsic evidence of any nature shall be used to supplement or modify any terms, nor are they any

conditions to the full effectiveness of this Guaranty. All prior, and contemporaneous negotiations, understandings and agreements between Guarantor and Beneficiary are merged in this Guaranty.

7. Invalid Provisions. If any provision of this Guaranty is invalid, illegal or unenforceable, such provision shall be considered severed from the rest of this Guaranty and the remaining provision shall continue in full force and effect as if the invalid provision had not been included. This Guaranty may be changed, modified or supplemented only through a writing signed by Guarantor and Beneficiary.

8. Waiver. Waiver of any term or condition of this Guaranty by any party shall not be construed as a waiver of a subsequent breach or failure of the same term or condition, or a waiver of any other term or condition of this Guaranty.

GUARANTOR

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) 396-5783

e-mail: trewcypers@harborside.com

ESTABLISHED BY
A. J. SHERWOOD
IN 1886
HARRY A. SLACK, SR.
(1900-1998)
HARRY A. SLACK, JR.
(RETIRED 1991)

TO: Brookings Common Council

FROM: John B. Trew 
City Attorney

DATE: November 15, 1999

RE: City of Brookings and the Brookings Harbor Chamber of Commerce

I have been asked to render an opinion regarding whether or not City Manager Tom Weldon's affiliation with the Brookings Harbor Chamber of Commerce violates the Oregon Government Standards and Practices statute or is otherwise unethical. I conclude that such affiliation is not a conflict of interest nor is it unethical.

Research of this issue included a review of ORS 244 et seq., Government Standards and Practices, A Guide for Public Officials, published by the Oregon Department Standards and Practices Commission, case law, legal education publications as well as "an informal answer" from a staff member of the Government Standards and Practices Commission.

The Oregon Government Standards and Practices law defines "potential conflict of interest" and "actual conflict of interest." Both relate to taking official action that may result in financial benefit or avoiding a negative financial effect of the public official, the official's relative or a business with which the official or the official's relative is associated. The City Manager has no financial interest and can have no financial gain from his association with the Chamber in a nonrenumerative capacity. Additionally the Chamber is a not-for-profit corporation which is excluded from the statute's definition of a "business."

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

TREW & CYPHERS

ATTORNEYS AT LAW

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ESTABLISHED BY
A. J. SHERWOOD
IN 1886

HARRY A. SLACK, SR.
(1900-1988)

HARRY A. SLACK, JR.
(RETIRED 1991)

TO: Brookings Common Council

FROM: John B. Trew 
City Attorney

DATE: November 15, 1999

RE: City of Brookings - Brookings Harbor Chamber of Commerce Agreement

I have been asked to render an opinion concerning the legality of the Agreement dated August 10, 1993, between the City of Brookings and the Brookings-Harbor Chamber of Commerce.

I do not believe the Agreement is illegal.


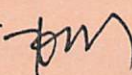
My research included a review of ORS 279 et seq; the Department of Administrative Services Rules, contained in the Oregon Administrative Rules; the Attorney General's Model Public Contract Rules Manual; Brookings Ordinance No. 85-0-389 as amended, establishing a Local Contract Review Board; Brookings Resolution No. 92-R-539, adopting a procurement policy for the City; Resolution No. 92-R-540 adopting a personal service contracting policy for the City, as well as Oregon case law and numerous other legal education publications.

ORS 279.011(6) defines a "public contract" as any purchase, lease or sale by a public agency of personal property, public improvements or services other than agreements which are for personal service. The Agreement is an effort by the City to promote tourism and thus the economy of the area and may not be a "public contract". Even if the Agreement is a "public contract" it is most akin to a "personal services" contract which is excluded from the Invitation to Bid process as established by public contracting rules. The agreement is also analogous to "advertising contracts" which are excepted from the Invitation to Bid requirements.

Informal discussions with officials of the League of Oregon Cities and several city attorneys lead me to believe that such agreements are not subject to the Invitations to Bid process.

A search of the files in my office did not reveal any historical information concerning this agreement. My firm was engaged as the Brookings City Attorney at the time of the agreement.

There are several processes that are available to the Common Council should it chose to address future such agreements in a different manner.

TO: Mayor, City Council
FROM: Leo Lightle, 
Community Development Director
THROUGH: Tom Weldon, City Manager 
DATE: November 15, 1999
ISSUE: Acceptance of easement for sewer
main adjacent to Parkview Drive and Highway 101

Community Development Department

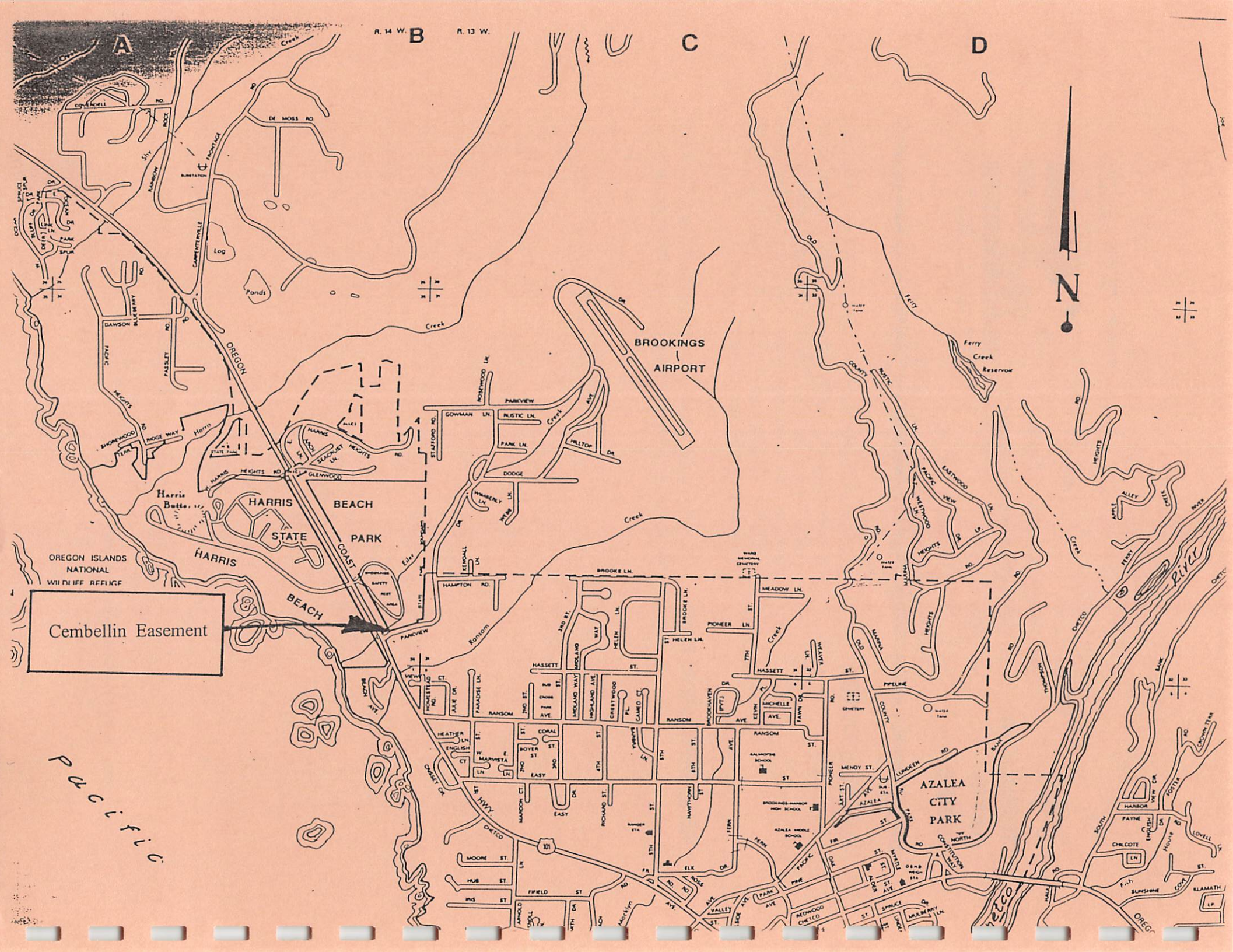


BACKGROUND:

The design engineer and the contractor for the sewer main extension up Parkview Drive from Highway 101 chose a route that crossed a sliver of Frank Cembellin's property. The engineer and contractor chose this route so they could minimize disrupting traffic and cutting asphalt during the construction of the sewer main extension.

RECOMMENDATION:

The City Council accept the easement from Frank Cembellin for the sewer main line in or adjacent to Parkview Drive.



R. 14 W. B R. 13 W.

N

Cembellin Easement

Pacific

BROOKINGS
AIRPORT

HARRIS BEACH
STATE PARK

AZALEA
CITY PARK

Sanitary Sewer Line Easement

For value received the undersigned, hereafter referred to as Grantors, do hereby grant to the City of Brookings, the Grantee, a 15 foot wide permanent non-exclusive easement for a sanitary sewer line and all necessary appurtenances, the easement being 7.5 feet on either side of the existing sanitary sewer line across and upon the following described real property in Curry County, Oregon, to wit:

A tract of land lying in Government Lot 5 (the Southeast quarter of the Southeast quarter) of Section 36, Township 40 South, Range 14 West of the Willamette Meridian, in the City of Brookings, Curry County, Oregon described as follows: Beginning at a point which is North 503.50 feet and West 432.70 feet from the Southeast corner of a said Section 36, said point being on the South line of Park View Drive; thence South 74 32' West 72.0 feet; thence South 07 30' East 110.0 feet, thence Easterly to a point that bears South 32 55' East 100.0 feet from the Point of Beginning; thence North 32 55' West 100.0 feet to the Point of Beginning.

Including the right to clear said easement of brush, trees, and structures which might endanger such line.

Grantors reserve the right to use said easement for roads and other purposes not inconsistent with the easement hereby granted.

Dated this 12 day of November, 1999

Frank M. Cembellin
Frank M. Cembellin, Trustee

Gladys J. Cembellin
Gladys J. Cembellin, Trustee

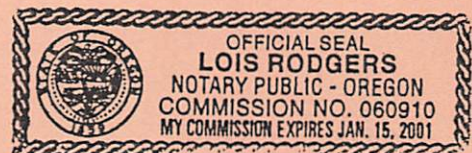
State of Oregon
County of Curry

On this 12 day of November, 1999, personally appeared before me a notary public in and for said State, the within named Frank m.cembellin/Glays J.Cembellin, Trustees
To me known to be the identical persons described therein and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF: I have hereunto set my hand and official seal the day and year above written.

Lois Rodgers
Notary Public of Oregon

My commission Expires: January 15, 2001



CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
November 8, 1999
7:00 pm

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:01 PM.

II. PLEDGE OF ALLEGIANCE

Led by Councilor Frances Johns

III. ROLL CALL

Council Present: Mayor Bob Hagbom, Councilors Larry Curry, Keith Pepper, Frances Johns, and George Ciapusci, a quorum present.

Council Absent: Ex-Officio Councilors Shiloh Thom and Cindi Peterson

Staff Present: City Manager Tom Weldon and Administrative Secretary Sharon Ridens

Media Present: Chuck Hayward, Curry Coastal Pilot, and Joyce Tromblee, KURY Radio

Other: Connie Wilson with the League of Women Voters, Chamber of Commerce Executive Director Les Cohen, Chamber of Commerce President Richard Gyuro, Vicki Nuss, President Businesses for a Better Brookings, Pete Pavich of the Salmon Run Golf & Wilderness Preserve, and approximately 14 other citizens, including former Mayor Nancy Brendlinger

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. Jim Collis - Thank you for service on Systems Development Charge Review Board

Mayor Hagbom recognized and thanked Jim Collis for his ten years of untold hours of dedication and service to the citizens of Brookings while serving on the Systems Development Charge Review Board.

V. **PUBLIC HEARING**

None

VI. **SCHEDULED PUBLIC APPEARANCES**

None

VII. **ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

A. *Committee and Liaison reports*

1. *Chamber of Commerce*

Executive Director Les Cohen provided a monthly report to the Council, which included announcing Police Chief Ken Lewis and Police Officer Barbara Palicki would be the speakers for the Chambers Monthly Forum to be held on Wednesday, November 10th. Cohen reported the visitors to Brookings had exceeded the "tourist seasonal projections" by 14% over last year this same time - just over 7,000 people.

2. *Businesses for a Better Brookings*

Vicki Nuss, President of the Businesses for a Better Brookings, reported there are more than 250 flags sponsored, which will be displayed this coming Veterans Day, November 11th. She thanked the City for it's continued support regarding the American Flags. Nuss also read a letter from a visitor regarding the signs for shopping locally.

3. *Port of Brookings-Harbor*

None

4. *Parks & Recreation Commission*

None

5. *Planning Commission*

None

6. *Council Liaisons*

Councilor Keith Pepper informed the council he would be attending the Harbor Sanitation District Meeting tomorrow.

Council President Larry Curry attended the quarterly meeting of the CCD last week, which presented four new members and the recent business survey completed by the organization. Curry also informed the Council of the excitement generated by the new

"Reedsport Renaissance- Revitalization of Downtown 101 Area" occurring in the City of Reedsport. He then asked the Council to support the National World War II Memorial attempting to be funded for placement on the Capitol Mall in Washington, D.C., by writing to our State Governor, Senator, and Representative.

Councilor Curry moved, Councilor Ciapusci seconded, and the Council voted unanimously to add to the agenda a request to send letters to our State Governor, Senator, and Representative indicating support of funding the World War II Memorial.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to send letters of support for the financial funding of the World War II Memorial to be placed on the Capitol Mall in Washington, D.C., to Governor Kitzhaber, State Representative Ken Messerle, and State Senator Veral Tarno, with Mayor Hagbom taking copies of those letters to the League of Oregon Cities Conference in Eugene on November 11, 1999.

B. Unscheduled

Tom Herrod of 1089 Parkview Drive, Brookings spoke to the Council regarding several issues including the contract between the City and the Chamber of Commerce. Herrod had still not submitted to the Council questions in writing, and therefore his questions were pulled from the minutes. Councilor Pepper questioned Mr. Herrod's allegations of controlling the media and expressed he resented the implications. A lengthy discussion ensued. After corrections by Mayor Hagbom, and clarification from the Council members, Chamber President Richard Gyuro, and Pilot Reporter Chuck Hayward, Mayor Hagbom stated the Council had requested an opinion from the City Attorney regarding the contract between the City and the Chambers, which had not yet been received. Therefore, he would place on the next meeting agenda that contract matter.

Yvonne Mailland of 15676 Oceanview Drive, Harbor, Oregon questioned why certain City meeting issues had not been covered in the newspaper. Mayor Hagbom advised her to contact The Curry Coastal Pilot.

Previous Mayor Nancy Brendlinger informed citizen Mailland the specific issues she questioned had in fact been in the newspaper.

Tim Patterson of 619 Chetco Avenue and a member of Businesses for a Better Brookings discussed the display of American Flags, private business flags, and the ordinances concerning those issues. City Manager Weldon and Council members responded with ordinance procedural directions for solutions to his questions and shared information acquired by the PROUD Committee meetings regarding these same issues.

Cindy Patterson of 621 Chetco Avenue, Brookings, asked for clarification on the procedures for ordinance changes.

Stan Funk, 95990 Eggers Road, Brookings, made comments regarding the contract with the Chamber and Weldon responded with corrections.

Councilor Ciapusci, prior Chair of the Planning Commission, responded on the business flags and ordinances in questions, by referencing the City's on file letters from Businesses for a Better Brookings and the City's very detailed response concerning the City's ordinances controlling those issues and how, if one were inclined, to procedurally go about changing those ordinances. Councilor Ciapusci recommended to those questioning the ordinances to touch back with the Business for a Better Brookings for referencing the City's prompt response to their original questions.

Linda Kelly, 654 Chetco Avenue, Brookings, spoke in favor of the business welcome flags. Councilor Pepper thanked her for her comments and for her continued open dialogue attitude.

Other discussion ensued from citizens Bob Pieper of 552 Chetco Avenue and Don & Vicki Nuss of 623 Chetco Avenue, regarding the positive appearance of the American Flags on display, the inconsistencies with the Chamber of Commerce contract, local purchasing, and the City Manager's control of appointments to the City Council and Commissions. Mayor Hagbom corrected the allegations of the City Manager's control of appointments, by referencing minutes of Council meetings votes by the Council, of which Weldon does not vote.

VIII.

STAFF REPORTS

A. City Manager

1. Alcohol on City Property - Salmon Run Golf and Wilderness Preserve

City Manager Tom Weldon presented a request from the Claveran Group, for serving alcohol on the City's property at the Salmon

Run Golf and Wilderness Reserve. Weldon noted he had verified the Claverans can provide Liquor Liability Insurance. Discussion ensued and Director Pete Pavich answered questions and comments from the Council and audience.

Councilor Ciapusci moved, Councilor Curry seconded, and the Council voted unanimously to authorize Claverans to sell alcohol on City owned golf course property as long as they provide liquor liability insurance with the City named as additional insured.

IX. CONSENT CALENDAR

- A. *Approval of Council Meeting Minutes*
 - 1. *Minutes of October 25, 1999, Regular Council Meeting*
- B. *Acceptance of Planning Commission Meeting Minutes*
 - 1. *Minutes of October 5, 1999, Regular Commission Meeting*
- C. *Approval of Vouchers (\$187,287.12)*
(end Consent Calendar)

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to approve the consent calendar.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. *Ordinances*
None
- B. *Resolutions*
None

XI. REMARKS FROM MAYOR AND COUNCILORS

- A. *Mayor*
Mayor Hagbom informed the council of meetings he would be attending, including the Board of Directors business meetings occurring early for the League of Oregon Cities Conference set for the end of this week, and the South Coast Economic Development Council progress. Discussion ensued regarding the desire to encourage high tech market place businesses for Brookings and the surrounding area and the results of those types of businesses to the City.

B. Council

Councilor Pepper provided an enthusiastic report on references made to Brookings in the recent Oregon Coast, including the Nature's Coastal Holiday Light Festival, "Jason's" walk down the Oregon Coast, and articles on the Japanese bombing in Brookings. He also mentioned the intricate display of Architect Maybeck's history and works at the Chive's Restaurant and the new class being prepared for the School of Architecture at the University of Oregon focusing on the City of Brookings and Architect Maybeck - Brookings being the only "city" designed by an architect.

Councilor Johns informed the Council the S.A.Y. Committee will meeting on November 18th, and they are anxious to hear a report from an architect in Medford.

Councilor Ciapusci reported he had been only able to attend the Port Commission meeting.

Councilor Curry added comments on the World War II Memorial and earlier discussion in the meeting.

XII.

ADJOURNMENT

Councilor Johns moved, Councilor Ciapusci seconded, and the Council voted unanimously to adjourn the meeting at 8:45 PM.

Respectfully submitted:

Bob Hagbom
Mayor

ATTEST:

Gail L. Hedding
Finance Director/Recorder

PARK AND RECREATION COMMISSION MEETING

August 26, 1999

ROLL CALL

Present: Mickelson, Higginson, Canfield, Prevanus, Kofoet, Williams, Fritz, Weldon. Absent: Thom, Babin.

MINUTES

Minutes of April 22, 1999 read and Tom Weldon objected to the word "instructed" being used in the liaison report of Azalea Park and requested that the word "ask" be substituted in the minutes--minutes otherwise approved. Minutes of May 27, 1999 approved as read.

PUBLIC APPEARANCES

Elmo Williams handed out his report on Azalea Park and went over the report with the Park and Recreation committee. Don Higginson ask Elmo if the 2 new items in the report which had not been previously submitted to the Commission would be covered by grant money. Elmo stated that they would be covered by the grant. Auggie Kofoet ask what the length of fence along the Kid Town side of the new garden to the left of the main entrance would be. At this point there was a discussion of just where starting and ending points would be and precise measurement was not stated. Tom Weldon asked for clarification on new item 2. There was a discussion of item 2 and Elmo clarified just what he would like to see happen in the area at the foot of the Gazebo hill. There was a discussion regarding the floor of the Gazebo and making it level for ease of movement when walking. Also in doing something in regards to the floor, it was suggested that the steps be changed to a ramp. A motion to repair the Gazebo floor and change the steps to a ramp was made, seconded and passed 7 to 0. A motion was made to construct a length of fence along the Kid Town side of the new garden to the left of the main entrance, second and passed 7 to 0. Elmo and Keith Pepper to work with Mike Woudstra on the texture of the floor in the Gazebo. Elmo and Tom Weldon to work on the project of wording of signs to be placed in the park to prevent people from picking the flowers in the park.

STOUT PARK

Keith Pepper stated the city is to identify what it will do now. Volunteers to do weeding and plant and care for planters boxes. There has been a start on identifying the plants already growing the park. The city will provide wood chips and fertilizer. There has been a small group of volunteers forming and a few boy scouts have shown an interest in doing something in the park. There has been some discussion about possibly having a small area where weddings could be held.

CHETCO POINT PARK

Don Higginson reported that the trails have been grubbed out and are ready to have gravel spread. There needs to be some moisture present in order for the gravel to compact well. There may be a need to remove one of the handrails on the bridge in order to get the gravel wheeled out along the trail. Possibly a work party for weekend of 8/28/99.

SOFTBALL/SOCCER FIELDS

Paul Prevanus stated that he had met with Darrell Erb and fence is up and watering is taking place in the upper field. They are hoping to be playing on the field in September

PARK MASTER PLAN

Craig Mickelson stated that Bobby Shinn has volunteered to help get the Park Master Plan completed.

SKATE PARK

The Elks have been approached for their part of the land. Rotary has given \$6000. for concrete. The Rotary and Elks are to be on the skate board committee. Engineer has to be engaged to decide how much land will be needed from the Elks.

LIAISON REPORT

Don Higginson stated that Elmo Williams had already covered in his report to the committee what he was going to address.

HORSE SHOE PITS the city has leveled out the land where the pits are to be and Bill Sharp has promised that the project will be completed as soon as possible.

Motion to adjourn: passed.

Respected submitted N. Canfield

PARK AND RECREATION COMMISSION MEETING

October 28, 1999

ROLL CALL

Present: Mickelson, Higginson, Williams, Fritz, Canfield, Kofoet, Weldon, Nowlin. Excused absent: Prevanus.
New Ex-Officio member Lisa Nowlin was introduced.

MINUTES

Unable to approve minutes since they were not included in AGENDA packet. (August Minutes turned in to T. Weldon's office Monday 8/30/99)

COMMITTEE REPORTS

STOUT PARK No update given.

CHETCO POINT Don Higginson reported that rocking was being done and there has been a problem with bike riders putting ruts in the newly placed gravel. Don and Craig Mickelson to continue rocking this coming weekend and would welcome some help.

SOFTBALL/SOCCER FIELDS No update given.

PARK MASTER PLAN No update given.

SKATE PARK The official request has been made to the ELKS to donate their portion of the land for the skate park. T. Weldon stated that in an ELK'S official publication that the donation of the land for the skate board park had been made. Russ Fritz stated that he did not believe that the land has been official donated.

LIAISON REPORTS

AZALEA PARK FOUNDATION Construction work mostly completed. Walkway in front of band-shell will be poured. T. Weldon asked if the foundation had the funds to pay for this walkway. L. Williams stated that there was foundation money to pay for this project.

STAFF ANNOUNCEMENTS

SIGNING for all CITY PARKS Azalea Park has some signs for placement in Azalea Park. These signs would be acceptable for the other parks. L. Nowlin suggested that possibly the High School Industrial Arts class could become involved in helping to make signs for the parks. L. Nowlin appointed by committee to look into this matter.

COMMISSIONNERS COMMENTS

L. Williams questioned if there was a priority list for the park and recreation commission. T. Weldon stated that there was and will get copies to the committee at the the next Park and Recreation commission meeting.

D. Higginson wonder if the areas for plaques were used up if other smaller plaque holders could be placed in other areas of the park.

A. Kofoet remarked that Jackson Perkins has come out with a new commemorative rose the year 2000 and war veterans. Augie suggested that possibly one thes roses could be planted by Vietnam War memorial.

Motion to adjourn: passed.

Respectfully Submitted, M. Canfield

**SYSTEMS DEVELOPMENT CHARGE REVIEW BOARD
898 ELK DR.
BROOKINGS, OR 97415**

Jim Collis - Chairman - 469-3678 Bob Krebs - Vice Chairman -469-3017
Larry Smith - Member - 469-6577 Russ Fritz Member - 469-0244
Tim Adsit - Member - 469-3940/7443

MINUTES:

CALL TO ORDER

The Board met in the Council Chambers at 898 Elk Drive, Brookings, Oregon at 1:30 PM on October 12, 1999. Members present were Bob Krebs, Larry Smith, Russ Fritz, Tim Adsit and Jim Collis. Members present constituted a quorum. Community Development Director Leo Lightle and Finance Director Gail Hedding were also present.

REVIEW OF PRIOR MEETING MINUTES

Chair noted that minutes of the meeting of July 13, 1999 had been distributed and without objection the minutes would stand as presented.

REVIEW FINANCIAL REPORT

Finance Director Gail Hedding distributed and discussed a report on the current status of System Development Charge funds. The report provided detailed information on SDC revenues and expenditures from FY 96/97 to the present. Following the review of information in the report Mrs Hedding noted that subsequent reports will cover only transactions in the current fiscal year. In response to a question she stated that SDC funds are kept in the State Investment Pool and earn interest at slightly over 5%. Several Board members expressed appreciation for the excellent coverage of SDC finances contained in the report. The Chair noted that after many years of complaining, the Board had gotten a report that provides comprehensive coverage of SDC financial information. He extended the Board's gratitude to Mrs Hedding for her efforts.

Bob Krebs noted that building had been extremely slow in Harbor which explained the meager amount of Harbor SDC income.

Leo Lightle stated that he is monitoring the Waste Water fund to determine whether or not early sewer rate changes may be needed to insure adequate funds to cover the payments on the Wastewater Treatment Plant bond when they come due in the future.

Larry Smith inquired about the status of Harbor SDC funds that were deposited in prior years with the County. Bob Krebs said that the situation was still awaiting joint action by Harbor and the City Council. Mrs Hedding stated that the fund totals in her report did not include the specified Harbor funds.

OLD BUSINESS:

There was no Old Business remaining.

New Business:

The Chair stated that he had sent a letter to the Mayor stating that he planned to terminate his service on the Board when his current term ends on October 31, 1999 and therefore the Board should consider electing a new Chairman to take his place. Bob Krebs noted that his term ended on the same date but he would be willing to continue serving for the present though perhaps not for the full four years.

Russ Fritz nominated Bob Krebs to be Acting Chairman. Motion was seconded by Larry Smith, and passed

Russ Fritz nominated Tim Adsit to be Acting Vice Chairman. Motion seconded by Larry Smith and passed.

Jim Collis said he had accepted a position on the SDC Board 10 years ago assuming it would amount essentially to rubber stamping actions taken by the City staff. However, the job turned out to be far more exciting than he had

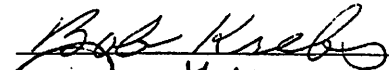
anticipated. He felt the Board had been instrumental in bringing the City into compliance with the State SDC regulations and in establishing the importance of SDC funds in the financial affairs of the City both at present and most certainly in years ahead when payments on the Sewer Bond become due and payable. He expressed his gratitude for the cooperation and support he had received from the several Mayors and City Managers he had served under. He particularly appreciated the help rendered by Leo Lightle over those many years.

After discussion the next meeting was scheduled for January 11, 2000 at 1:30 PM

The meeting was adjourned at about 2:10 PM.

Reviewed

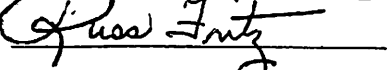
Bob Krebs



Larry Smith



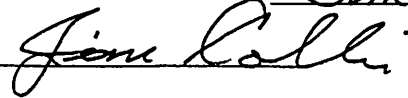
Russ Fritz



Tim Adsit



Minutes prepared and submitted by Jim Collis



BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of October, 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
2	Single Family Dwelling	\$877.00	\$570.05	\$0.00	\$8,934.00	\$205,651.40	26	\$3,537,285.22	28	\$4,011,487.38
1	Single Family Addition	\$62.50	\$40.13	\$4.38	\$0.00	\$6,359.00	39	\$467,677.08	40	\$435,482.00
0	Single Family Garage-Carport	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	11	\$106,255.56	15	\$120,713.08
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$88,775.00	1	\$210,000.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$1,225,823.00	1	\$2,521,998.00
0	Commercial New	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$42,020.00	6	\$925,979.66
4	Commercial Addition-Change	\$554.50	\$17.22	\$38.82	\$0.00	\$107,075.84	26	\$921,455.93	20	\$2,570,983.25
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	2	\$189,560.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$2,000.00	1	\$1,000.00
0	Building Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$500.00	0	\$0.00
0	Misc.-Retaining Wall-Fence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	2	\$2,700.00	0	\$0.00
7	Total Building Permits	\$1,494.00	\$627.40	\$104.58	\$8,934.00	\$319,086.24	109	\$6,394,491.79	114	\$10,987,203.37
3	Mechanical Permits	\$66.00	N/A	\$4.62		N/A	58	N/A	59	N/A
4	Plumbing Permits	\$190.40		\$13.33	\$4,467.00	N/A	37	N/A	38	N/A
0	Manufactured Home Permits	\$0.00		\$0.00	\$0.00	N/A	3	N/A	10	N/A
14	TOTAL PERMITS	\$1,750.40	\$627.40	\$122.53	\$13,401.00	\$319,086.24	207	\$6,394,491.79	221	\$10,987,203.37
	Total Year to Date Calculated Fees	\$29,437.14	\$14,589.93	\$1,618.36	\$166,591.00					
	1998 YTD Calculated Fees	\$42,801.95	\$26,088.00	\$1,905.23	\$365,391.00					

In September, 1999 Harbor issued permits for 1.0 EDUs.

During the Month of October, 1999, Brookings issued permits for 3.00 new sewer connections. The City of Brookings now has 323.94 EDU Units connected to the Brookings Wastewater System since the signing of the MAO.