

City of Brookings

MEETING AGENDA

CITY COUNCIL

Monday, September 23, 2024, 7:00pm

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

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Ceremonies/Appointments/Announcements

1. Yard of the Month Awards

Residential: 830 Crestwood Place, owners Laurey & Mark Billings

Commercial: US Bank, 326 5th Street

E. Scheduled Public Appearances

(Informational presentations to Council on non-agenda items – 10 minute limit per person.)

1. Leslie Wilkinson – Nature's Coastal Holiday

F. Oral Requests and Communications from the audience

(*Public Comments on non-agenda items – five (5) minute limit per person, please submit Public Comment Form in advance)

G. Consent Calendar

1. Approve Council minutes for September 9, 2024 [Pg. 1]
2. Receive monthly financial report for August 2024 [Pg. 3]

H. Staff Reports/Public Hearings/Ordinances/Resolutions/Final Orders

1. Beach Camping [Pg. 9]
 - a. Council Agenda Report – Beach Camping – October 23, 2017 [Pg. 10]
 - b. OPRD Submitted Public Comments – September 3rd through 16th 2024 [Pg. 31]
2. Public Works Service Truck Purchase [Pg. 82]
 - a. Newberg Ford – Vehicle Purchase Order [Pg. 83]
3. Appoint City Recorder [Pg. 85]
 - a. BMC 2.15.030/Chapter III Section 11 [Pg. 86]

I. Remarks from Mayor, Councilors and City Manager

J. Adjournment

* Public Comment forms and the agenda packet are available on-line at www.brookings.or.us, and at Brookings City Hall. Return completed Public Comment forms to the City Recorder before the start of the meeting or during regular business hours. All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 541-469-1102 if you have any questions regarding this notice. You can view City Council meetings LIVE on television on Charter PEG Channel 181, or stream on the City's YouTube Channel <https://www.youtube.com/@cityofbrookingsoregon8039>.

City of Brookings
CITY COUNCIL MEETING MINUTES
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, September 9, 2024

Call to Order

Mayor Isaac Hodges called the meeting to order at 7:00 PM

Roll Call

Council Present: Mayor Isaac Hodges, Councilors Andy Martin, Kristi Fulton, Phoebe Pereda, and Clayton Malmberg; a quorum present

Staff present: City Manager Tim Rundel, Public Works and Development Services Director Tony Baron, and Deputy City Recorder Brooklyn Osterhage

Media Present: 1

Others Present: approximately 10 audience members and new Building Inspector Terry Konrady

Ceremonies/Appointments/Announcements

Mayor Hodges presented Proclamations to: Brookings Emblem Club for National Emblem Club Week, Cape Sebastian Chapter Daughters of the American Revolution for Constitution Week and Gordon Clay for Suicide Awareness and Prevention Month.

Tony Baron introduced the new Building Inspector, Terry Konrady.

Scheduled Public Appearances

County Commissioner Jay Trost spoke about the Oregon Wildfire Risk Assessment Map, Senate Bill 80.

Consent Calendar

1. Approve Council minutes for August 26, 2024

Councilor Martin moved, Mayor Hodges seconded, and Council voted unanimously to approve the Consent Calendar.

Staff Reports

1. Airport Runway Lighting Replacement Project

Staff Report provided by Tony Baron

Councilors Pereda and Malmberg had questions about the FAA grant which Tony Baron answered.

Councilor Martin moved, Councilor Malmberg seconded, and Council voted unanimously to authorize City Manager to execute an agreement with Century West Engineering in the amount of \$233,233 for engineering services for the Airport Runway Lighting Replacement Project at the Brookings Airport, contingent on FAA grant approval.

2. Ranney Collector Intake Pump Replacement

Staff Report provided by Tony Baron

Councilor Pereda questioned the sales tax on the Pump Tech LLC quote. Staff advised the quote would be corrected and contract amount adjusted.

Mayor Hodges moved, Councilor Pereda seconded, and Council voted unanimously to authorize City Manager to enter into an agreement with Pump Tech LLC in the amount of \$109,950 to replace the Ranney Collector Intake Pump #3, however work to remove the sales tax of \$8,070.36 and directly deal with them instead of through Jacobs in Colorado to avoid the sales tax.

3. Approval of settlement agreement with St. Timothy's Episcopal Church

Staff Report provided by Tim Rundel

Councilors Malmberg and Martin provided comments regarding the lawsuit and settlement agreement.

Councilor Pereda moved, Councilor Fulton seconded, and Council voted unanimously to approve the settlement agreement with St. Timothy's Episcopal Church in the matter of St. Timothy's Episcopal Church et al. v. City of Brookings, Case No. 1:22-cv-00156-CL.

Remarks from Mayor and Councilors

Councilor Malmberg recognized and remembered those who died on September 11.

Mayor Hodges added comments on the settlement agreement with St. Timothy's Episcopal Church.

Adjournment

Mayor Isaac Hodges adjourned the meeting at 8:02 PM.

Respectfully submitted:

ATTESTED:

this 23rd day of September, 2024:

Isaac Hodges, Mayor

Brooklyn Osterhage, Deputy City Recorder

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	4,410,740.00	175,623.07	302,785.91	4,107,954.09	6.9
LICENSES AND PERMITS	307,000.00	32,973.40	55,330.36	251,669.64	18.0
INTERGOVERNMENTAL	298,500.00	31,367.69	48,627.61	249,872.39	16.3
CHARGES FOR SERVICES	1,058,500.00	8,317.75	99,951.88	958,548.12	9.4
OTHER REVENUE	140,500.00	87,983.83	179,499.70	(38,999.70)	127.8
TRANSFERS IN	732,236.00	.00	732,236.00	.00	100.0
	6,947,476.00	336,265.74	1,418,431.46	5,529,044.54	20.4
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	38,866.00	3,671.03	7,553.89	31,312.11	19.4
MATERIAL AND SERVICES	12,850.00	702.16	1,062.76	11,787.24	8.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	51,716.00	4,373.19	8,616.65	43,099.35	16.7
FINANCE AND ADMINISTRATION:					
PERSONAL SERVICES	453,018.00	32,305.46	63,904.52	389,113.48	14.1
MATERIAL AND SERVICES	241,300.00	33,997.83	41,934.13	199,365.87	17.4
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	694,318.00	66,303.29	105,838.65	588,479.35	15.2
POLICE:					
PERSONAL SERVICES	3,642,146.00	288,066.87	585,906.29	3,056,239.71	16.1
MATERIAL AND SERVICES	244,000.00	53,506.59	77,063.16	166,936.84	31.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	99,496.00	.00	.00	99,496.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	3,985,642.00	341,573.46	662,969.45	3,322,672.55	16.6
FIRE:					
PERSONAL SERVICES	266,529.00	20,395.12	42,337.39	224,191.61	15.9
MATERIAL AND SERVICES	109,500.00	33,112.65	43,083.06	66,416.94	39.4
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	29,990.00	.00	.00	29,990.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	406,019.00	53,507.77	85,420.45	320,598.55	21.0

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PLANNING AND BUILDING:					
PERSONAL SERVICES	284,123.00	17,670.61	36,440.39	247,682.61	12.8
MATERIAL AND SERVICES	94,600.00	9,636.01	9,826.12	84,773.88	10.4
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	378,723.00	27,306.62	46,266.51	332,456.49	12.2
PARKS & RECREATION:					
PERSONAL SERVICES	319,181.00	19,279.35	39,570.85	279,610.15	12.4
MATERIAL AND SERVICES	143,500.00	17,425.23	21,986.58	121,513.42	15.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	9,981.00	.00	.00	9,981.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	472,662.00	36,704.58	61,557.43	411,104.57	13.0
GOLF COURSE:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	900,000.00	.00	.00	900,000.00	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	900,000.00	.00	.00	900,000.00	.0
SWIMMING POOL:					
PERSONAL SERVICES	.00	.02	.02	(.02)	.0
MATERIAL AND SERVICES	90,500.00	30,131.84	27,634.56	62,865.44	30.5
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	90,500.00	30,131.86	27,634.58	62,865.42	30.5
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	169,300.00	14,089.88	19,678.16	149,621.84	11.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	624,000.00	.00	624,000.00	.00	100.0
CONTINGENCIES AND RESERVES	774,596.00	.00	.00	774,596.00	.0
	1,567,896.00	14,089.88	643,678.16	924,217.84	41.1
	8,547,476.00	573,990.65	1,641,981.88	6,905,494.12	19.2
	(1,600,000.00)	(237,724.91)	(223,550.42)	(1,376,449.58)	(14.0)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	525,000.00	44,848.27	96,198.68	428,801.32	18.3
OTHER REVENUE	22,000.00	2,021.55	2,021.55	19,978.45	9.2
TRANSFER IN	100,000.00	.00	100,000.00	.00	100.0
	<u>647,000.00</u>	<u>46,869.82</u>	<u>198,220.23</u>	<u>448,779.77</u>	<u>30.6</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	261,092.00	19,190.29	38,261.73	222,830.27	14.7
MATERIAL AND SERVICES	326,700.00	47,689.82	51,271.17	275,428.83	15.7
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	1,073.00	367.38	734.78	338.22	68.5
TRANSFERS OUT	243,809.00	.00	243,809.00	.00	100.0
CONTINGENCIES AND RESERVES	144,326.00	.00	.00	144,326.00	.0
	<u>992,000.00</u>	<u>67,247.49</u>	<u>334,076.68</u>	<u>657,923.32</u>	<u>33.7</u>
	<u>992,000.00</u>	<u>67,247.49</u>	<u>334,076.68</u>	<u>657,923.32</u>	<u>33.7</u>
	<u>(345,000.00)</u>	<u>(20,377.67)</u>	<u>(135,856.45)</u>	<u>(209,143.55)</u>	<u>(39.4)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	2,025,000.00	195,395.40	440,839.06	1,584,160.94	21.8
OTHER INCOME	60,000.00	4,790.00	23,450.09	36,549.91	39.1
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>2,085,000.00</u>	<u>200,185.40</u>	<u>464,289.15</u>	<u>1,620,710.85</u>	<u>22.3</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	451,449.00	33,956.62	72,786.40	378,662.60	16.1
MATERIAL AND SERVICES	183,600.00	46,720.43	50,740.12	132,859.88	27.6
CAPITAL OUTLAY	50,000.00	7,745.67	7,745.67	42,254.33	15.5
DEBT SERVICE	22,434.00	2,147.40	4,294.78	18,139.22	19.1
TRANSFERS OUT	35,000.00	.00	35,000.00	.00	100.0
	<u>742,483.00</u>	<u>90,570.12</u>	<u>170,566.97</u>	<u>571,916.03</u>	<u>23.0</u>
WATER TREATMENT:					
PERSONAL SERVICES	37,757.00	1,838.73	3,430.87	34,326.13	9.1
MATERIAL AND SERVICES	613,523.00	86,724.88	86,822.80	526,700.20	14.2
CAPITAL OUTLAY	10,000.00	.00	.00	10,000.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	757,257.00	.00	757,257.00	.00	100.0
CONTINGENCIES AND RESERVES	173,980.00	.00	.00	173,980.00	.0
	<u>1,592,517.00</u>	<u>88,563.61</u>	<u>847,510.67</u>	<u>745,006.33</u>	<u>53.2</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>2,335,000.00</u>	<u>179,133.73</u>	<u>1,018,077.64</u>	<u>1,316,922.36</u>	<u>43.6</u>
	<u>(250,000.00)</u>	<u>21,051.67</u>	<u>(553,788.49)</u>	<u>303,788.49</u>	<u>(221.5)</u>

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
SOURCE 03	(4,500.00)	.00	.00	(4,500.00)	.0
CHARGES FOR SERVICES	3,650,300.00	326,223.80	660,861.57	2,989,438.43	18.1
OTHER REVENUE	25,000.00	.00	459.00	24,541.00	1.8
TRANSFER IN	.00	.00	.00	.00	.0
	3,670,800.00	326,223.80	661,320.57	3,009,479.43	18.0

EXPENDITURES

WASTEWATER COLLECTION:

PERSONAL SERVICES	682,000.00	52,503.26	105,737.82	576,262.18	15.5
MATERIAL AND SERVICES	395,800.00	52,579.71	57,202.31	338,597.69	14.5
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	22,434.00	2,147.22	4,294.44	18,139.56	19.1
TRANSFERS OUT	264,204.00	.00	264,204.00	.00	100.0
	1,379,438.00	107,230.19	431,438.57	947,999.43	31.3

WASTEWATER TREATMENT:

PERSONAL SERVICES	51,243.00	2,757.98	5,146.06	46,096.94	10.0
MATERIAL AND SERVICES	1,294,047.00	149,506.37	149,643.17	1,144,403.83	11.6
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	1,382,517.00	.00	1,382,517.00	.00	100.0
CONTINGENCIES AND RESERVES	393,055.00	.00	.00	393,055.00	.0
	3,135,862.00	152,264.35	1,537,306.23	1,598,555.77	49.0
	4,515,300.00	259,494.54	1,968,744.80	2,546,555.20	43.6
	(844,500.00)	66,729.26	(1,307,424.23)	462,924.23	(154.8)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 2 MONTHS ENDING AUGUST 31, 2024

URBAN RENEWAL AGENCY FUND


	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	781,400.00	2,707.19	6,547.63	774,852.37	.8
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	25,000.00	.00	.00	25,000.00	.0
TRANSFERS IN	.00	.00	.00	.00	.0
	806,400.00	2,707.19	6,547.63	799,852.37	.8
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	185,256.00	.00	.00	185,256.00	.0
CAPITAL OUTLAY	2,021,144.00	.00	49,265.00	1,971,879.00	2.4
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	2,206,400.00	.00	49,265.00	2,157,135.00	2.2
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	2,206,400.00	.00	49,265.00	2,157,135.00	2.2
	(1,400,000.00)	2,707.19	(42,717.37)	(1,357,282.63)	(3.1)

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 23, 2024

Originating Dept: PW/DS


Signature (submitted by)


City Manager Approval

Subject: Beach Camping

Recommended Motion:

Discussion and direction to staff.

Background/Discussion:

State of Oregon Parks and Recreation Department (OPRD) received a petition from local citizens (as allowed under ORS 183.390) requesting the department open rulemaking to add Brookings to the list of cities where overnight camping is prohibited, within the city limits, along the ocean shore. Oregon State Parks and Recreation Commission approved opening the rulemaking process and has opened the public comment period until October 15, 2024. Public comment can be made on the State of Oregon OPRD website link below.

<https://www.oregon.gov/oprd/PRP/Pages/PRP-Rule-2024-BrookingsOceanShores.aspx>

The City has received complaints from residents of the MacLynn Cove development in the past, concerning transient camping on Mill Beach. This matter has been discussed numerous times over the past several years. This matter was the subject of a review by the City Council and the Parks and Recreation Commission in 2009 and again in 2017. During those review periods, council did not want to restrict camping on beaches in the City of Brookings.

Under Oregon Law, it is legal to camp overnight along the ocean shore to accommodate recreational hikers on the Oregon Coast Trail. The exception to this is beach areas fronting those cities that have requested no camping adjacent to the boundaries of their city. City governments and individual petitioners can request, under Oregon Administrative Regulation (OAR) 736-030-0020 to be included on a list of cities where overnight camping is prohibited. The Cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita currently prohibit overnight camping on the beach under this provision.

Staff is seeking direction from council regarding support or opposition to the prohibition of camping on beaches in the city limits of Brookings.

Attachment(s):

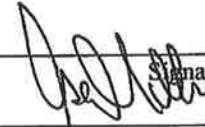
- a. Council Agenda Report – Beach Camping - October 23 2017
- b. OPRD Submitted Public Comments – September 3rd thru 16th 2024

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Beach Camping

Recommended Motion: Motion to direct the City Manager to contact the Oregon Department of Parks and Recreation to craft appropriate language for an Oregon Administrative Regulation (OAR) to prohibit campfires after midnight on the shoreline adjacent to the City of Brookings between Harris Beach State Park and the Chetco River.

Background/Discussion:

The City has received correspondence from Corrine Gist Sills and June Podesta, residents of the MacLynn Cove development, concerning transient camping on Mill Beach. They made a presentation at the City Council meeting of August 14 at which time the matter was referred to a workshop. The City Council conducted a workshop concerning this matter on October 2 at which time they directed staff to return to the City Council with a recommendation. Participating in the workshop were representatives of the Brookings Public Safety Department (police and fire), Oregon State Police, Coos Forest Protective Association, Oregon State Parks, and the City Parks and Recreation Department.

This matter has been discussed numerous times over the past several years. This matter was the subject of a review by the City Council and the Parks and Recreation Commission in 2009. Under Oregon Law, it is legal to camp overnight along the ocean shore to accommodate recreational hikers on the Oregon Coast Trail. The exception to this is beach areas fronting those cities that have requested no camping adjacent to the boundaries of their city. City governments can request, under Oregon Administrative Regulation (OAR) 736-030-0020 to be included on a list of cities where overnight camping is prohibited. The Cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita currently prohibit overnight camping on the beach under this provision.

In order to enact this prohibition, the City must adopt an ordinance prohibiting overnight camping on the beach, and must request that the Oregon Department of Parks and Recreation amend the OAR to include Brookings on the list of cities as indicated above. In 2009 the City Council declined to request a camping restriction on beaches adjacent to Brookings.

The City Manager contacted the City Managers of the cities listed above and posed the following questions:

1. Has this been effective in controlling transients camping on the beach? (This is the reason it is being considered here)
2. What is your enforcement policy? By complaint?

3. Who enforces the restriction? Police?
4. Have you encountered any problems with enforcement?
5. Has this required increased staffing?
6. If you know, what prompted the City to enact this regulation?

Three cities responded to the inquiry. The reasons cited for enacting the restriction varied, but did not include controlling transients. Gold Beach enacted the regulation specifically due to fire concern as the beach vegetation and driftwood is in close proximity to many buildings. Generally, enforcement is by the local Police Department and is handled by complaint...usually a fire complaint. None of the cities reported an impact on staffing. Enforcement action is typically a warning. As to encounters with transients (and not tourists) City Managers report that the parties simply move when contacted and establish a camp somewhere else in the community.

At the meeting of August 14 it was mentioned that the beach camping problem seemed to have abated with the enactment of seasonal fire restrictions. Apparently, the beach is not a desirable place to camp with no campfire. Thus, one approach might be to prohibit fires on the beach year-round after a certain time of day, perhaps midnight when the Mill Beach access is officially closed. Signs would be posted. The Brookings Police Department would be the enforcement agency.

With respect to beach restrictions, the OAR process is handled by the Oregon Department of Parks and Recreation.

The City would be the responsible party for enforcement, even though the beach is not within the City Limits. The Oregon Department of Parks and Recreation has entered into cooperative agreements with local governments to authorize them to enforce local regulations on State lands. This would also be the case in this instance. Additionally, OAR 736-030-0000 states as follows and purports to grant enforcement jurisdiction to cities:

"Regulations in this division apply to ocean shores adjacent to the coastal cities specified in each rule. The named cities may adopt parallel ordinances to regulate activities on the ocean shores and may enforce such ordinances to the extent they are consistent with the rules in this division. Cities will notify the department of all actions taken under these regulations."

The regulations within Division 30 include prohibition of horses, dogs off leash, camping, alcoholic beverages, windsailing, fireworks, playing golf, rock climbing, etc.

City Attorney Martha Rice advises that federal and state courts have generally held that government cannot "criminalize" being homeless under both state and federal constitutions. She advises that what this means is that if there is no place for transients to go such as adequate shelter spaces, then the transients cannot be arrested or cited for sleeping on public property. The City Attorney should be consulted as a part of the discussion at the Council meeting.

Attachment(s):

- a. Correspondence from Corrine Gist Sills and June Podesta
- b. Memo dated May 5, 2005 from City Manager Leroy Blodgett
- c. OAR 736-030-0020

August 6, 2017

Mayor Pieper, Gary Milliman and City Council Members
VIA EMAIL

To The Honorable Jake Pieper, Mayor of the City of Brookings, Gary Milliman, City Manager and City Council Members:

Please find the topics we will be addressing at the City Council meeting on August 14, 2017 at 7:00 p.m.
Thank you for allowing us the opportunity to speak.

- 1) Increasing Transient Problems on Mill Beach
- 2) Picture Presentation/Discussion
- 3) Brookings Police Log / Fire Department
- 4) South Coast Lumber Involvement
- 5) Harris Beach State Park Ranger's and Ocean Beach Specialist's Input
- 6) Families on the Beach
- 7) Police Department Support
- 8) Purposing Solutions

Respectfully submitted,

June Podesta ^{cgs}

June Podesta

Corrine Gist Sills

Corrine Gist Sills









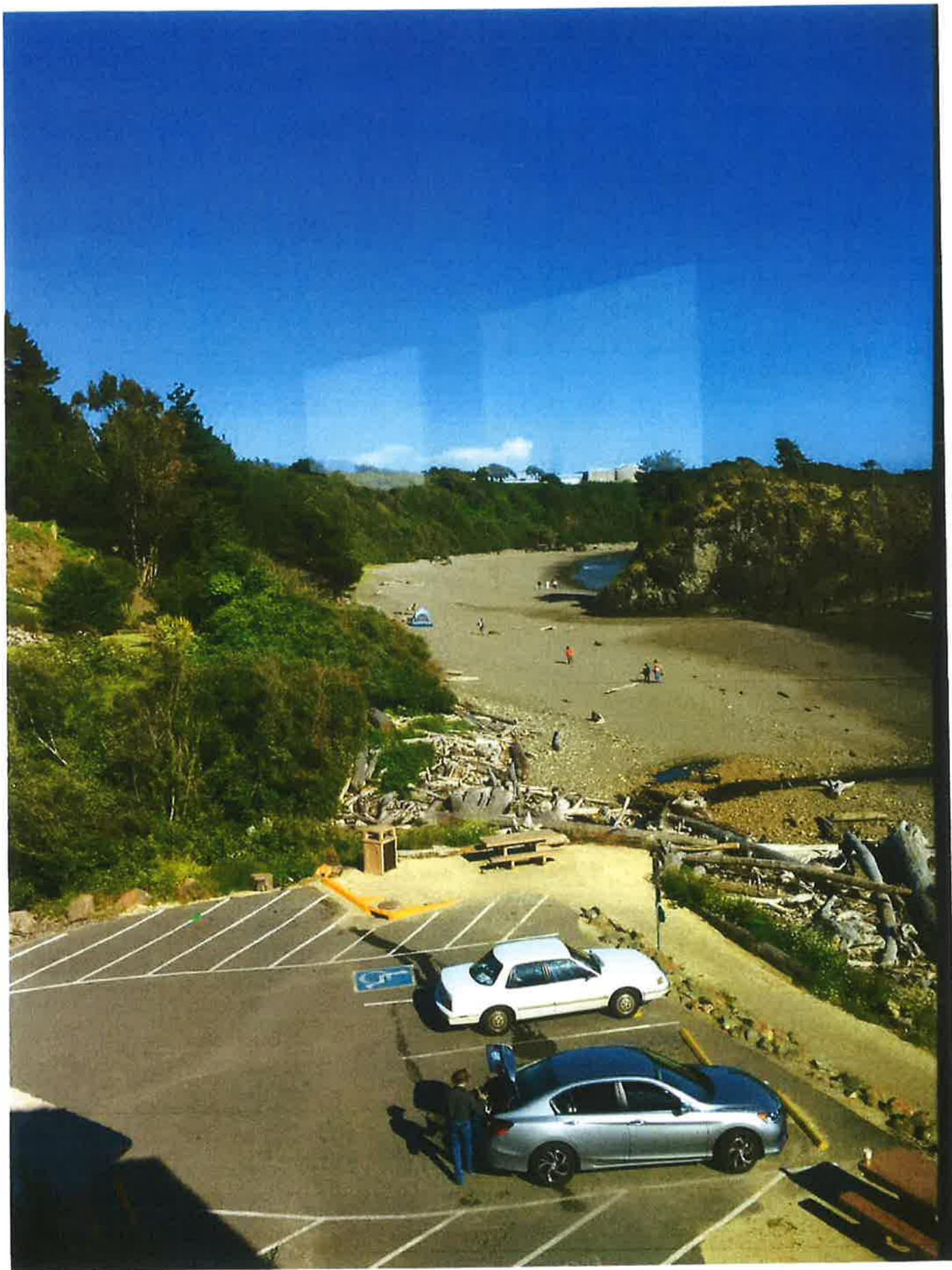




















tree root stump removed from fire
(active fire)

No persons present

CITY OF BROOKINGS



STAFF REPORT

Date: May 5, 2005
To: Mayor Sherman & City Councilors
From: Leroy Blodgett, City Manager
Subject: Mill Beach camping

REPORT

At the last City Council meeting there was a request to have the issue of camping on and/or near Mill Beach. Camping on the beach is allowed by State Park rules. However, there is a process which the City could adopt rules by ordinance to prohibit camping and/or other activities on the beach. For example the cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon and Gold Beach prohibit overnight camping, including overnight sleeping in tents, driftwood shelters, sleeping bags, recreational vehicles, trailers, or automobiles on the ocean shore within the city limits. The city of Cannon Beach also prohibits dogs except on a maximum 6 foot leash and the city of Seaside prohibits fireworks, playing golf and consumption of alcoholic beverages exceeding 14% alcohol on the ocean shore.

Most of the camping and offensive activity is actually within the vegetation area, which is private property. Even though the property owner posts "no trespassing" signs they still need to file a complaint with the City or grant the City authority to enforce the "no trespassing" at the discretion of the police department.

The other issue is access to the beach. Staff is currently researching ownership of the access road to the beach which may require a survey.

STAFF RECOMMENDATION

At this time this is only a discussion item.

► The Oregon Administrative Rules contain OARs filed through June 15, 2017 ◄

QUESTIONS ABOUT THE CONTENT OR MEANING OF THIS AGENCY'S RULES?
CLICK HERE TO ACCESS RULES COORDINATOR CONTACT INFORMATION

PARKS AND RECREATION DEPARTMENT

DIVISION 30

SPECIAL REGULATIONS AFFECTING OCEAN SHORES ADJACENT TO COASTAL CITIES

736-030-0000

Purpose of Rules in Division 30

Regulations in this division apply to ocean shores adjacent to the coastal cities specified in each rule. The named cities may adopt parallel ordinances to regulate activities on the ocean shores and may enforce such ordinances to the extent they are consistent with the rules in this division. Cities will notify the department of all actions taken under these regulations.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 153.110, ORS 390.050, ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0005

Prohibition of Horses and Other Livestock

Horses and other livestock are prohibited on the ocean shore between the south city limits of Rockaway and northward to the mouth of the Nehalem River in Tillamook County.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: 1 OTC 9, f. 11-21-73, ef. 12-12-73; PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0010

Prohibition of Dogs Off Leash

Dogs are prohibited except on a leash or under voice or signal command on the ocean shore within the city limits of Cannon Beach, Seaside and Rockaway Beach. The owner is responsible for the animal's behavior and physical control while on the beach.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94; PR 3-1997, f. 11-5-97, cert. ef. 11-10-97; PRD 7-2003, f. & cert. ef. 10-3-03

736-030-0020

Prohibition of Camping

Overnight camping, including overnight sleeping in tents, driftwood shelters, sleeping bags, recreational vehicles, trailers or automobiles, on the ocean shore within the city limits of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita is prohibited.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94; PR 3-1997, f. 11-5-97, cert. ef. 11-10-97

736-030-0030

Prohibition of Windsailing

No person shall windsail on any beach within the city limits of Cannon Beach and Seaside except by permit from the city. A windsail is a sail propelled 3 or 4 wheeled cart.

Stat. Auth.: ORS 390.660
Stats. Implemented: ORS 390.124 & ORS 390.660
Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0040

Prohibition of Alcoholic Beverages

Consumption of alcoholic beverages exceeding 14% alcoholic content is prohibited on the ocean shore within the city limits of Seaside except when under OLCC license and State Parks and Recreation Department permit. The consumption of all alcoholic beverages is prohibited on the ocean shore within the city limits of Seaside during Oregon schools spring break.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0050

Prohibition of Fireworks

There shall be no fireworks permitted on the ocean shore within the city limits of Seaside, except by joint permit from the respective city and the Area One Park Manager. The definition of fireworks is found in OAR 837-012-0072(19).

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0060

Prohibition of Playing Golf

Playing golf on the ocean shore within the city limits of Seaside is prohibited except by permit from the city.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0070

Prohibition of Launching Boats, Watercraft

The launching of any rigid watercraft such as metal or fiberglass canoes and boats and jet skis on the ocean shore within the city limits of Seaside and Cannon Beach is prohibited except by permit from the city. This does not apply to inflatable rafts and boats, inner tubes or swimmer safety devices. The launching of surfboards from Avenue "U" north in Seaside is also prohibited.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 11-1994, f. 11-29-94, cert. ef. 12-1-94

736-030-0080

Prohibition of Rock Climbing

Climbing on Haystack Rock in Cannon Beach is prohibited except by written permission from the U.S. Fish and Wildlife Service.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PR 3-1997, f. 11-5-97, cert. ef. 11-10-97

736-030-0090

Beach Lifeguard Authority

Within the city limits of Cannon Beach, city lifeguards shall have the authority to restrict the launching of inflatable devices by individuals, on a case-by-case basis, when necessary for public safety or the safety of an individual. No person shall disregard a city lifeguard's instructions relating to the launching of inflatable devices within the city limits of Cannon Beach.

Stat. Auth.: ORS 390.660

Stats. Implemented: ORS 390.124 & ORS 390.660

Hist.: PRD 11-1998, f. 7-30-98, cert. ef. 7-31-98

736-030-0095

Prohibition of Camping on Beaches in Clatsop County

Camping on the ocean shore between the Necanicum River and the South Jetty of the Columbia River is prohibited. For the purposes of this rule, camping includes, but is not limited to, erecting a tent or temporary shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle in such a manner as will permit remaining overnight, or for other extended periods.

Stat. Auth.: ORS 390.635 & ORS 390.660
Stats. Implemented: ORS
Hist.: PRD 3-1999, f. & cert. ef. 5-11-99

736-030-0100**Prohibition of Camping on Beaches in Tillamook County**

Camping on the ocean shore between the north boundary of the City of Manzanita and the Neahkahnie Mountain headland is prohibited until such time as the adoption of a comprehensive ocean shore management plan may allow camping in the above area. For purposes of this rule, camping includes, but is not limited to, erecting a tent or temporary shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle in such a manner as will permit remaining overnight, or for other extended periods.

Stat. Auth.: ORS 390.124
Stats. Implemented: ORS 390.365 & ORS 390.660
Hist.: PRD 11-2000, f. & cert. ef. 9-27-00

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Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Josh Hopkins

Date comment received:

September 3, 2024 11:45 AM

Commenter email (if provided):

josh-21@live.com

Location (if provided): Grants Pass, OR

Public comment:

Hello,

I remember about 6 years ago the then park manager and park district manager presented this option to the Brookings City Council. The City Council at the time declined to do it and has been a continual issue ever since. I lived in Brookings at the time and we did not feel safe taking our children to Mill Beach due to the rampant camping that was occurring in finding all sorts of trash, feces, burnt foil, and needles. The campers also heavily damaged the vegetation with hatchets and machetes all of which is still within the Nearshore ocean environment. We moved away from Brookings but still visit several times a year and still do not go back to Mill Beach. The time of allowing the public to have free access to camp on the Oregon beaches is over, we have lost this right due to our inability to manage the negligence folks causing these problems, and it should be banned. ODOT/OSP also needs to clean up the right ways along the Oregon coast, the no overnight camping signs mean nothing without enforcement.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Deane Roppe

Date comment received:

September 3, 2024 03:25 PM

Commenter email (if provided):

deaneror@gmail.com

Location (if provided): Brookings, OR

Public comment:

This camping ban should have been initiated 35 years ago. City fathers were apprehensive about offending people with a ban. I know this because I discussed it with them many times over the last 40 years.

Please apply the no camping band to all Brookings City beaches as soon as possible. Countless heartaches and headaches could have been avoided had this been done at my urging in the past.

I have frequented that beach hundreds of times over the years and could tell you many various stories of questionable behavior from folks attempting to live on that beach. Not just camp, live. Trash, feces, unattended fires within the driftwood and fires in the driftwood areas in general have been a constant for that poor beach.

The ocean beaches south of Brookings along the harbor bench area should also carry that ban. If you don't ban camping on those southern beaches also, the problem will just shift down there. It is already a problem in that southern area and this will just drive all the folks that do their dirty deeds on the Brookings beaches to the harbor bench beach area. If not banned now we will be revisiting this issue.

Please heed my advice because I am talking from many years of experience in those areas. Thank you.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Linda Puzas

Date comment received:

September 3, 2024 03:40 PM

Commenter email (if provided):

lpuzas@icloud.com

Location (if provided): Brookings, OR

Public comment:

I wholeheartedly agree that Brookings should be added to the list of cities which prohibits overnight camping within its city limits. It is a safety and health issue. Brookings has wonderful, expertly maintained RV parks for those wishing overnight stays. Let's keep our town safe, clean and a pleasure to visit.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Judi Irving

Date comment received:

September 3, 2024 05:40 PM

Commenter email (if provided):

3334judi@gmail.com

Location (if provided): Seal Rock, OR

Public comment:

I fully support this proposal. It works well in Newport, the city I am most familiar with. Thank you.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Debbie Jones

Date comment received:

September 3, 2024 05:54 PM

Commenter email (if provided):

debsaving@gmail.com

Location (if provided): Brookings, OR

Public comment:

I have been a resident of Brookings for 25 years. When my children were little, Mill Beach was one of our favorite "locals" beach to take the kids too.

Shortly after the City of Brookings expanded the parking lot and installed bathroom facilities vagrants started spending more time on Mill Beach. The plumbing to the public restrooms became so damaged due to drug paraphernalia (needles) being flushed that the bathrooms had to be shuttered.

I have not been back to Mill Beach since then, even though I live within walking distance because I am concerned about needles and human waste in the sand.

Although I am aware that drug using vagrants have been frequenting Mill Beach, I had NO IDEA that they have routinely been spending the night on Mill Beach, and there is no ordinance that prohibits this behavior.

PLEASE PASS AN ORDINANCE THAT PROHIBITS OVERNIGHT CAMPING ON MILL BEACH.

It is disgraceful that one of the City's public places has become "Skid Row on the Sand." The City of Brookings has an obligation to pass ordinances that INCREASE protections for the health and safety of its residents and DECREASE blight and misuse.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Blair Elliot

Date comment received:

September 3, 2024 07:55 PM

Commenter email (if provided):

bfireaspen@gmail.com

Location (if provided): Brookings, OR

Public comment:

Yes please only allow camping in campgrounds or designated camping areas. I sorry, but allowing people to camp for months on a time is not right. This beautiful coast line is being ruined! Sanitation and garbage is a blight, unhealthy and an environmental problem. The homeless problem can not be solved by allowing people to camp anywhere they want. This goes for Harbour also.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Marc Lipman

Date comment received:

September 4, 2024 07:24 AM

Commenter email (if provided):

siskiyous@outlook.com

Location (if provided): Brookings, OR

Public comment:

Our coastline has become a home for transients in RV's and tents. These are not tourists, particularly the RV's, some have been here for years. People work all their lives to live here. When they leave, we are left with the mess to clean up. Please stop this nonsense



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

M J Basti

Date comment received:

September 4, 2024 08:53 AM

Commenter email (if provided):

unicycledog2@gmail.com

Location (if provided): , OR

Public comment:

I recommend Brookings Oregon coastal areas be added to the list prohibiting camping. Human waste and garbage buried in the sand or left behind are a major public health hazard.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Fred Hrusa

Date comment received:

September 4, 2024 09:05 AM

Commenter email (if provided):

lonemtn@gmail.com

Location (if provided): Brookings, OR

Public comment:

In my opinion this is straightforward. Urinating and defecating on the public beach is unacceptable. Without facilities and means to keep them clean, the beaches will become like our back roads-home to bums in every public place.

They're moving up the South Bank Rd these days, occupying every pullout- above where parking is now blocked further down.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

R. Kathryn Bernhardt

Date comment received:

September 4, 2024 10:07 AM

Commenter email (if provided):

crowlady@aol.com

Location (if provided): Brookings, OR

Public comment:

I support the ban on prohibiting overnight parking along the state-owned Boardman Scenic Corridor and other state owned scenic pullouts along Highway 101. These pullouts and parking areas offer gorgeous views and hiking trail entrances of our unparalleled coastline and are a major tourist attraction. The presence of campers, RV's, tents, along with their inevitable trash, sewage disposal, cooking fires and dogs is a detriment to the enjoyment of these spaces. If overnight camping is allowed, there is no proven means to prevent the campers from staying on as long as they wish. This last summer dozens of such campers have used the Rainbow Rock, Brookings Welcome Sign and other areas for weeks at a time. Currently Rainbow Rock pullout has cones deployed preventing even sightseers from stopping there. There are plenty of legitimate camping areas along the coast to accommodate those needing an overnight - or weeks long - stay. Public access areas should not be used as anyone's private campground.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Leah Warner

Date comment received:

September 4, 2024 11:04 AM

Commenter email (if provided):

skyturtle92894@gmail.com

Location (if provided): Brookings Harbor , OR

Public comment:

I understand the concern, but I would like to oppose this rule. Please do not make it illegal to camp on the beach in Brookings.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

K M

Date comment received:

September 4, 2024 12:32 PM

Commenter email (if provided):

kathleen.mistry@yahoo.com

Location (if provided): Portland , OR

Public comment:

I agree that camping should be banned from the beach within city limits.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Bobbie Snead

Date comment received:

September 4, 2024 12:54 PM

Commenter email (if provided):

bobbie.snead@gmail.com

Location (if provided): Keizer, OR

Public comment:

I am an Oregonian who loves to visit the beaches along the southern Oregon Coast. I frequently stay in Brookings to enjoy the nearby beaches. The spread of homeless folks camping on the beach, particularly at Mill Beach, has caused me to stop going there. I will take my tourist dollars and go elsewhere, where I can feel safe walking on the beach.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Brian Winkler

Date comment received:

September 4, 2024 01:02 PM

Commenter email (if provided):

winkler1949@msn.com

Location (if provided): Medford , OR

Public comment:

Absolutely no "camping" (living on) a public beach should be allowed anywhere in Oregon with the exception of approved and sanctioned camping facilities. Ever! Maintaining public health and safety are paramount. No one, and I mean no one wants to see the filth and garbage left behind by the meth/heroin/fentanyl zombies that abuse the beautiful Oregon outdoors. If camping is allowed anywhere, say good bye to the Brookings tourism industry, expect the local economy to take a massive hit, and prepare for the inevitable lawsuits from needle sticks to kids (and adults) enjoying the beaches. Sometimes the answer is just NO.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Austin Cottam

Date comment received:

September 4, 2024 02:50 PM

Commenter email (if provided):

kiester123@hotmail.com

Location (if provided): , OR

Public comment:

Hello, I would like to contribute to the possible camping ban in Southern Oregon. 1st I would point out there are rules to enforce, when enforced this will solve all of the current issues stated. There are few areas to camp on beaches already, banning one will lead to banning another, this will lead to further issues with over crowding. Rather than banning it altogether there needs to be ideas given on how to enforce the laws. Also what keeps these people off of other camping beaches? Will we let them ruin the tourist dollars at work and feeding Oregonian families?



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Alex Wardzala

Date comment received:

September 4, 2024 03:06 PM

Commenter email (if provided):

flyingwench1@gmail.com

Location (if provided): Brookings , OR

Public comment:

I wholeheartedly support a ban on beach camping in Brookings. It is often an eyesore, unsanitary, potentially a hazard, and definitely a source of clutter. Unlawful camping has desecrated sites dedicated to public enjoyment to the extent that has necessitated blocking shoulder access from the highway to beautiful Pacific vistas. Once again the law-abiding (and tax-paying) public are punished for the actions of the inconsiderate selfish few. Beach camping is yet another infringement of the rights of the lawful public and yet another, even more important, contribution to the damage of an already fragile environment.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Jeanette Rinde

Date comment received:

September 4, 2024 03:38 PM

Commenter email (if provided):

jarinde45@gmail.com

Location (if provided): Brookings , OR

Public comment:

I would not like to see people camping on our beaches, mainly because people do not respect nature. They interfere with the ocean inhabitants, birds seals, etc. Plus, nobody cleans up after themselves and our beaches will be trashed.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Hotel Whiskey

Date comment received:

September 4, 2024 06:25 PM

Commenter email (if provided):

heather.rose.williams@gmail.com

Location (if provided): , OR

Public comment:

"The Beach Bill declares that all "wet sand" within sixteen vertical feet of the low tide line belongs to the state of Oregon.^[5] In addition, it recognizes public easements of all beach areas up to the line of vegetation, regardless of underlying property rights. The public has "free and uninterrupted use of the beaches," and property owners are required to seek state permits for building and other uses of the ocean shore.^[6] While some parts of the beach remain privately owned, state and federal courts have upheld Oregon's right to regulate development of those lands and preserve public access.^{[1][7]}" -Wikipedia



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Lisa Anderson

Date comment received:

September 4, 2024 07:04 PM

Commenter email (if provided):

islandmama25@gmail.com

Location (if provided): Brookings, OR

Public comment:

I am a resident at Mill Beach. Please add Brookings to the list of cities where overnight camping is prohibited, within the city limits, along the ocean shore .

Thank you



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Jim Hauge

Date comment received:

September 5, 2024 12:10 PM

Commenter email (if provided):

jimrhauge@hotmail.com

Location (if provided): Salem , OR

Public comment:

I support the petition below to ban camping in the proposed area of Brookings beach due to negative impacts.

ORS 183.390 PETITION TO THE OREGON PARKS AND RECREATION COMMISSION TO PROTECT MILL BEACH IN CURRY COUNTY



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Brooklyn Ringer

Date comment received:

September 6, 2024 07:17 AM

Commenter email (if provided):

brooklyn_ringer@yahoo.com

Location (if provided): Grants Pass, OR

Public comment:

No overnight camping unless it's a paid service that's closely monitored by park rangers.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Matti Tuffey

Date comment received:

September 7, 2024 10:45 AM

Commenter email (if provided):

mrtuffey@ymail.com

Location (if provided): brookings, OR

Public comment:

In the past few years we have had homeless camps on the beach, near our home. We and a few neighbors had to clean up one of those "nests". It had gone on a long time. We found needles, personal belongings, coolers full of molded rotten food, tents, soaking wet sleeping bags and bedding. Once bedding and sleeping bags get wet, they weigh a lot more. If they get buried under sand, it's not easy to pull them up or move them. Finally, we got the help of Harris Beach State Park, who got in touch with the state beach security. They are very short staffed and cover a huge area. We dragged as much debris as we could up to the local street, days later someone from the parks came and hauled it away.

Since then as soon as we see a tent we call Harris Beach. Soon after that the tent will be gone. I appreciate the job they do for us, but I question if this is what they were trained to do. Clean up after homeless?



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Kristine Smith

Date comment received:

September 7, 2024 07:40 PM

Commenter email (if provided):

kristinesmith80234@gmail.com

Location (if provided): Brookings, OR

Public comment:

I support this ban completely. I have just moved to Brookings and am so disappointed with the amount of trash and human waste I have noted on the beaches. I also do not feel safe walking early morning on any beach in the area due to the camping going on. Please put this ban into place!



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Skip Wilder

Date comment received:

September 9, 2024 12:36 PM

Commenter email (if provided):

styrbjornulfhamr@gmail.com

Location (if provided): Brookings, OR**Public comment:**

The Overnight Camping Ban is essential not just in town and around housing areas but also along beaches. People with campfires on windy beaches pose an imminent threat of fire to the vegetation at the edge of the beach, which will certainly be quickly spread to the houses above the beaches. This is not just a threat to property, but lives are being endangered by people who start fires and often drink alcohol or take drugs. Such beach fires should be completely banned, especially on beaches near homes.

Brookings resident and homeowner



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Thomas Wynne

Date comment received:

September 9, 2024 12:37 PM

Commenter email (if provided):

thomaswynne242@gmail.com

Location (if provided): Brookings, OR

Public comment:

Hello,

I am in full support of a beach camping ban in Brookings. We live near North Jetty Beach and take a walk on it almost every day. We are experiencing many of the same problems that prompted the people living near Mill Beach to file the petition, and many more unique to our beach. There are many reasons for my support of this ban, from the impact to our tourism industry to public health concerns, but the biggest is safety. Not only the safety of the general community but the safety of the homeless people living on the beach.

A lot of the people who are living on the beaches are not in possession of or have the capacity for rational thought. This is a huge problem at North Jetty Beach, especially with winter swells coming. During high tides the areas that are being used are cut off from the main beach so medical help would not be able to reach them for many hours and they would be unable to leave if they needed to. The highest tides here completely cover the sand up to the vegetation/property lines. Add winter swells into this mix and being stranded in a cove would be deadly. There's a reason those big logs are up against the vegetation line and they are moved quite easily every year.

I have been in contact with the ORPD several times about problems at North Jetty Beach and I am copying one of the last emails that I sent on August 27th:

"This is in regards to North Jetty Beach 195A in Brookings: I have been in communication with ORPD in regards to several individuals who have been or are living on the beach. There is nothing being done to remove, educate or dissuade their activities. One person in particular has been living on this beach for almost a month. During this time, visitors and residents have been cussed at and have had large rocks thrown near them by these people. The fire department has had to respond because of a fire that was burning under the tree canopy below houses built on the bluff. Last week my wife and I came across two hypodermic needles while walking our dogs near the tent belonging to the most persistent tenant. This last incident has prompted my wife to say that we will no longer make our almost daily trips to the beach that is just down the street from our home. How sad is that? I am in the process of letting the owners of the many vacation rentals in the area know of the situation at North Jetty Beach 195A so they can advise their tenants to be careful

when using this beach. Since ORPD is either unwilling or unable to take care of this problem, would it be possible to transfer jurisdiction over to the City of Brookings? We might get a better outcome."

If the camping ban is enacted and enforced it would help give ORPD, State Police and the City of Brookings the teeth that they need to be able to take care of these problems before they become even worse.

Thank you for the opportunity to comment of this matter,



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

June Podesta

Date comment received:

September 9, 2024 12:39 PM

Commenter email (if provided):

junepodesta@yahoo.com

Location (if provided): , OR

Public comment:

I, June & Steven Podesta strongly support a prohibition of camping on the ocean shore within the city limits of Brookings, OR to include Mill Beach & support the rule making by the Oregon State Parks & Recreation Commission to protect our ocean environment and the Safety of the Public & State Park Employees.

June & Steven Podesta



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Jim Jollota

Date comment received:

September 9, 2024 12:40 PM

Commenter email (if provided):

jollota@gmail.com

Location (if provided): , OR

Public comment:

Hello,

I wanted to offer my opinion about this topic. I live on Mill Beach Rd in Brookings, and in my experience, all of the overnight camping (I have seen) is from homeless people. They tend to camp a few days, until (I think) there are enough resident complaints for the police to cause them to move.

It is too bad that this ordinance would prevent the occasional traveler from stopping for the night, but there is camping on the road outside the city limits, so I fully support the ordinance preventing overnight camping within Brookings.

Thanks,
Jim



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Melissa Stansberry

Date comment received:

September 9, 2024 12:41 PM

Commenter email (if provided):

roseiswilder1@gmail.com

Location (if provided): , OR

Public comment:

To Whom It Concerns,

I believe that a certain amount of public access to the beaches are nearly a 'God given right'.

I feel that it is critical for all who live near beaches, must protect that sanctity for current and future generations.

Condo associations are a threat to wild life and healthy living. Condo associations and human over encroachment and overpopulation are a threat to freedom and democracy.

It is imperative to protect and maintain the safety of the last vestiges of wild life.

If there are issues about some persons trashing out the restrooms and facilities then yes, that must be addressed. It requires residents in the community to have 'camp clerks' and/or local law enforcement community services to monitor the entrance points, restrooms, etc. Creating a few more much needed employment jobs.

Please insist on freedom, not closing public places. Beaches are our God given right.

Thank you

Sincerely

Melissa Stansberry



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Debra Ramirez

Date comment received:

September 9, 2024 12:42 PM

Commenter email (if provided):

ramirezdebra100@gmail.com

Location (if provided): , OR

Public comment:

Once again thanks to the piggy's that don't clean up after their selves and leave the beach as they found it so others can overnight camp!



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Lori & Todd Garrido

Date comment received:

September 9, 2024 12:43 PM

Commenter email (if provided):

lorigarrido@gmail.com

Location (if provided): , OR

Public comment:

Hello,

We would like to take this opportunity to share our concerns/comments on this issue.

We love our beaches and have always looked forward to our beach walks, seasonal whale watching, ocean tides and just enjoying the beauty of the oceans view.

But all this has changed in our beachy paradise due to these homeless encampments overnight camping enabling garbage filth everywhere, hints of drug use and human defecation.

We can no longer walk barefooted in the beautiful warm sand for fear of stepping on a dirty drug needle or human feces.

Our right to freely enjoy our beaches has been taken away and gifted to the homeless overnight campers with no consideration for the resident people it serves.

Homeless encampments overnight camping should be banned without any further "consideration".

So when "considering this ban", please also give great consideration for the resident people who want to enjoy our beaches without the nuisances of trashy tents, garbage, drugs and human waste.

We hope our concerns are considered with value in the decision for the proposed change.

Thank you in advance for your attention on this issue.

Cheers,

Lori & Todd Garrido☺



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Joan Englund

Date comment received:

September 9, 2024 12:44 PM

Commenter email (if provided):

j.jenglund@gmail.com

Location (if provided): , OR

Public comment:

NO. it is bad enough during the day with glass, cans, plastic bags. Overnite is destroying the beauty of our Oceans along the Coast.

Thank you.

Joan Englund



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Mary Ferree

Date comment received:

September 9, 2024 12:46 PM

Commenter email (if provided):

mary97504@gmail.com

Location (if provided): , OR

Public comment:

I wish to voice my opinion IN FAVOR of the proposed Ban on Camping on the beach in Brookings and Harbor Oregon.

I live in the Rogue Valley in southern Oregon and have been a very frequent visitor to the southern Oregon coast for 55 years. I am truly appalled at the total disregard for environmental and personal health and safety that I have been seeing, with increasing frequency by persons camping on the beach. I've seen open nudity, drug use, knives and guns, defecation, urination, extremely loud music, piles of trash left behind from campers, and pets running off lead and fighting. It has made many areas unsafe for family day use and near-by residents.

I've seen fires started in drift wood in clear view of signs clearly stating such fires are prohibited and have seen it spread in adjacent drift wood and left unattended.

Unfortunately, it seems we have come to a time in our state where the only way to protect our citizens and our environment is to prohibit camping on the beach in the Brookings/Harbor areas in southern Oregon.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Christine Hollinger

Date comment received:

September 9, 2024 12:47 PM

Commenter email (if provided):

myovix@yahoo.com

Location (if provided): , OR

Public comment:

Hello,

In the five years we lived at the very end of Warf street, the only people camping were of questionable charactor. Not once did we observe clean campers. We often picked up trash left behind. We often avoided long-term campers (more than 24 hours). We did call law enforcement on occasions, when loud campers or late partying was taking place. When the city put the public toilet down there, it increased the filth and was an invitation for more questionable visitors, for longer periods of time. We drove down there a few months ago and oh boy! We wouldn't want our kids anywhere around the people who were 'hanging out' there. Not just our kids but anyone respectable. We beat feat out of there and surely you would too! The camping goes on in the bushes, not just on the sands of the beach. The people coming out of the bushes can be pretty scary. Its like they hide in there.

Ban it!

Sincerely,

Christine Hollinger



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Daniel Effman

Date comment received:

September 9, 2024 12:48 PM

Commenter email (if provided):

effmand@gmail.com

Location (if provided): , OR

Public comment:

If the no camping is passed with that mean I can't stay in my motor home like I do every year ?



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Donna Tully

Date comment received:

September 9, 2024 12:49 PM

Commenter email (if provided):

donnatully@gmail.com

Location (if provided): , OR

Public comment:

I agree with a sunset curfew to prohibit beachgoers all along Brookings beaches.
Due to lack of bathroom facilities, these areas have become unhealthy for people, their dogs and all public citizens in daytime hours.
Please enforce this law when it is passed: we all deserve to enjoy safe, clean beaches in Oregon!
Donna Tully
Brookings resident



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

M Gibbons

Date comment received:

September 9, 2024 12:50 PM

Commenter email (if provided):

m3gibbons@gmail.com

Location (if provided): , OR

Public comment:

I agree to prohibit sleeping on the beaches and in town. The 'personalities" of many in these times can present danger to the general public It may enhance drinking of spirited beverages and drugs. a few decades ago, I would be stating different sentiment, but for safety, my perspective is to ban sleeping on beach Thank you



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Teresa Young

Date comment received:

September 9, 2024 12:51 PM

Commenter email (if provided):

kendallscrn@gmail.com

Location (if provided): , OR

Public comment:

In Rogue River the State Park people like to video me in my back yard illegally, the Shitiots next to me are trash tweekers and I am not but the state stalkers still illegally like to record my stuff and me. They even had the JCT stop picking up passengers there as a form of we don't want you around. Fuck off state stalkers



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

David Lee

Date comment received:

September 9, 2024 12:52 PM

Commenter email (if provided):

davidcfood@gmail.com

Location (if provided): , OR

Public comment:

There will always be good and bad actors in any situation, with the bad actors creating the contested situations.

There are alternatives to an outright ban, which would affect the good actors as well. Permits seems a reasonable compromise. A permit fee to defer the cost of enforcing compliance, and provide a reward structure for reporting bad actors (whether it is fires in driftwood piles, excess noise, public urination instead of using the provided facilities, littering, etc.).

In short, don't punish everyone for the misdeeds of the few.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Lorelei Vaughn

Date comment received:

September 9, 2024 12:54 PM

Commenter email (if provided):

loreleiwildcatphotography@gmail.com

Location (if provided): , OR

Public comment:

Would overnight parking be permitted? To me, there's a difference between parking and camping. Define overnight. Could a person stay till midnight then move on, do you call that overnight? Or if a person stayed from 12:01 a.m. to 6 a.m., do you call that overnight? Your description is too vague.

In any case, it's a shame because not everyone can afford your high priced campgrounds for a person who wants to sleep a bit and move on. And even if one could afford it, they are usually full, no vacancy.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Maureen & Paul Ter Beek

Date comment received:

September 9, 2024 12:55 PM

Commenter email (if provided):

terbeek.maureen@gmail.com

Location (if provided): , OR

Public comment:

We are not in favor of continuing to allow camping on Beach/shorelines in the City limits of Brookings for public health and safety reasons.

Thank you for asking for our input.

Sincerely,



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Nancy McDonough

Date comment received:

September 9, 2024 12:56 PM

Commenter email (if provided):

nancy.mcdonough@gmail.com

Location (if provided): , OR

Public comment:

I agree with the petitioners that camping overnight on the beach in our beautiful town should not be allowed. Too much harm can come from it, and often times people are not respectful of the area or any of these concerns. We had such a big problem with the homeless living along 101 that I fear this will also happen on our beaches. This is a matter of public safety and health. You may get in touch with me if you have any further questions.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Judith Seyle

Date comment received:

September 11, 2024 08:51 AM

Commenter email (if provided):

jaseyle@hotmail.com

Location (if provided): Brookings, OR

Public comment:

We have lived in the Mill Beach area for the past 18 years and have seen what was intended to be upgrades to the beach access area by the city - paved roadway, restrooms, picnic table, stable path to the beach, trimmed shrubbery - become defaced and the restroom facility ultimately closed. The short walk from our home to Mill Beach used to be an enjoyable one - no longer the case. We support the proposed rules and ban on beach camping in the hope we can once again enjoy walks down to Mill Beach without worry of what we may encounter.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Daniel Raymond

Date comment received:

September 11, 2024 09:21 AM

Commenter email (if provided):

dpsurfsalot@gmail.com

Location (if provided): Gold Beach , OR

Public comment:

To whom it may concern, I would like to see Brookings and specifically, Mill Beach added to the state list restricting camping. As a frequent beach visitor, I have seen fist hand the trash, debris and unsanitary conditions stemming from overnight camping folks. The negative environmental impacts have increased with the forced closure of bathroom facilities.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Bruce Hedge

Date comment received:

September 12, 2024 08:24 AM

Commenter email (if provided):

brucehedge@icloud.com

Location (if provided): , OR

Public comment:

My name is Bruce Hedge and I live on Barclay Lane that has a view over looking Mill Beach. I and many of my neighbors share concerns that are brought about by the homeless camping out on Mill Beach, evidence of drug use and their trash as well as syringes are troubling along with human waste. I in particular am concerned that campfires are recklessly attended, my hillside is covered in brush, which if ignited would put me and my neighbors in great jeopardy.

Please keep in mind that these hazards must be dealt with, and any help by the state would be much appreciated.

Thank you for your consideration



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Faye Bryning

Date comment received:

September 12, 2024 08:27 AM

Commenter email (if provided):

fbryning1672@gmail.com

Location (if provided): , OR**Public comment:**

Okay, the reason they don't want overnight camping on the beaches. Because we have a homeless property, it's not gonna get better but try to push them out of here them. Nowhere to go. Have you ever been on rock bottom? Have you ever get your lowest well? I have, it's hard to come up. How do you get personalized by this rent when you have Nothing see people around here are rich. A lot of they don't know The Troubles of not having money. I've been homeless. Let me need a car with my son. It was hard, but we managed, is it really about overnight? Camping, or they're just trying to push out the homeless people, We got billions of dollars to help fund places for homeless people. Where did it go to the police department? Where they got 28 new cops and that's hoping the home is out. I don't know what's going on on this down, but nothing's gonna change. Until we make a difference, start caring and have compassion for people, not everybody That Thomas wants to be a homeless add jobs, but they just don't have enough money to get first. And last month's rent, there's families with kids living in trailers along the sides of the roads, yet you barricading them to the Avenue, where to go, I'm not sure what to do or how to approach this problem. But there's gonna be help somewhere, buy a big piece of property and put them on there. Come on, people. It's not about the ocean or any of that is about getting the homeless people out someday. Carmen will come back on you guys, and maybe that might be you. Living on the streets, maybe you invested the wrong thing. I lose everything you can lose it. As fast as you blink, it's hard to get back. It's hard to get back on your feet. When you have nothing, no one to help you. People are constantly putting you down because you're homeless word, they think you're dirty and you're thinking, you're druggie, how far is that? Do I think we should be allowed to camp on the beaches? Hell, yeah, as long as you clean it up after yourself.

Not everybody's dirty. The ones that are make it hard for the people that are clean, clean up their message after they're done somewhere, we're human beings trying to survive this world just as much as everybody else. I have a home now. I was right down the road from mill beach and there's so many people that judge me cause I don't. I'm not good neverthene, it doesn't matter. I have a heart, and I care about people and to throw 'em out and just step on him and not help is wrong. There's millions of dollars everywhere. People have thousands and thousands of dollars in the savings account. Are they gonna spend it by the time they're dead? Hell? No, most of them won't do shit with it. Let's tell people, stop worrying about the homeless album



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Jenny Petri

Date comment received:

September 12, 2024 08:28 AM

Commenter email (if provided):

jenipetri@gmail.com

Location (if provided): , OR

Public comment:

I am in favor of the camping ban.

Drug use is rampant. Disease and waste is a huge concern. Mental illness is so poorly treated in this community and enabling addicts is not the solution.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Rick Sanders

Date comment received:

September 14, 2024 11:51 AM

Commenter email (if provided):

hdhideaway@protonmail.com

Location (if provided): White City, OR

Public comment:

I've been a resident of Oregon since 1976. I've traveled thruout Oregon extensively. Oregon is a very beautiful state. Oregons Beaches are also Dramatically Beautiful. Come for the day spend your time visiting,enjoying, taking in the breathtaking beauty Oregon beaches have to offer. Under No, circumstances do I want to see Any camping of any sort occurring on the scenic coastline of this Beautiful State, Period! The implications of such a policy will eventually unravel into self destructive atmosphere, and the Grandeur of the Beauty of Our Beaches will be lost with a irreversible state nearly impossible to recover. Only some type of state run park reserve with oversight, with fees and limitations on stays would keep the beaches from turning into irresponsible encampments with all of the dredges of humanity tend to leave behind for someone else to clean up. No,no absolutely NOT. Keep th scenery and pristine beauty of Oregon's Beaches clean, clear of the camping clutter. Stay, visit, play, surf, take what you brought with you, then LEAVE the Oregon Beach Beauty as you found it Pristine, and Clear of any human visit as so the next visitors can enjoy Our Beautiful Oregon Coast.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Mary Lou LoPreste

Date comment received:

September 16, 2024 08:16 AM

Commenter email (if provided):

marylou@lopreste.com

Location (if provided): , OR

Public comment:

I have a home on Sandy Cove Lane and Mill Beach, Macklyn Cove is the beach I frequent. The camping is a really big problem as is the safety on this beach. I often find hypodermic needles and syringes and various other trash. The open use of drugs is everywhere. Last year I had to call the police because an unhoused man was defecating in front of my grandson and I.

Please do something for those of us paying really high taxes and insurance to assure our safety and to preserve a really gorgeous beach. Just yesterday there were two folks laying on top of each other,.

I would also like to know where I can find immediate help if the occasion arises.

Thank you



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Arun Kochar

Date comment received:

September 16, 2024 08:18 AM

Commenter email (if provided):

akocharar@yahoo.com

Location (if provided): , OR

Public comment:

Dear Oregon Parks and Recreation Department:

We are strongly in favor of prohibiting camping on the ocean shore within Brookings. Camping by **ANYONE** on the ocean beach in Brookings restricts **EVERYONE ELSE'S** access to recreation on that portion of the beach that has been appropriated for the private use of campers that camp on the beach. The public easement for every member of the general public to recreate on the beach is taken away and impaired for the personal use of campers pitching tents and literally drawing the boundaries of their campsites in the sand. These are boundaries that the rest of the public (my wife, myself, and all others) cannot cross in order to fly kites, walk along the beach, collect driftwood, play and build sandcastles with my grandchildren, sit and meditate while listening to the waves crash onto the beach, whale watch to name a few of our beach activities.

Thank you for posting on the OPRD website the petition to amend OAR 736-030-0020 to add Brookings to the list of cities and counties all along the Oregon Coast from the northern to the southern border where camping is prohibited on the ocean shore. Virtually every government authority has uniformly prohibited camping on Oregon's beaches. It makes no sense to draw an exception just in Brookings. Any such exception limits our rights as the public to have free access to recreate on the beach.

We urge the OPRD to enact the proposed amendment to prohibit camping on the ocean in Brookings for all the reasons contained in the petition as well as this letter.



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Geoff Morneau

Date comment received:

September 16, 2024 08:21 AM

Commenter email (if provided):

76750.3110@compuserve.com

Location (if provided): , OR

Public comment:

I favor a camping prohibition on beaches in Brookings.


Any prohibition on beach fires isn't being enforced and is being ignored. The danger and risk of a catastrophic wildfire is even a greater threat now than it was when I wrote five years ago:


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 23, 2024

Originating Dept: PW/DS



Signature (submitted by)

City Manager Approval

Subject: Public Works Service Truck Purchase

Recommended Motion:

Authorize City Manager to purchase a new public works service truck from Newberg Ford in the amount of \$88,849.75

Financial Impact:

\$88,849.75 from Capital Projects Fund allocated through the 2024-25 fiscal year budget process.

Background Discussion:

The City purchased our existing public works service truck in 2006 and it currently has 36,738 miles. The service truck is used daily for repairing water, sewer and storm water infrastructure. In 2021 the City's Public Works Department identified a new service truck replacement as a high priority equipment need within the next few years and we have been saving money for this purchase for the past few years. The existing service truck is seeing signs of wear and is undersized for the equipment the crew uses on site repairs.

The City intends to transfer the existing public works service truck to Jacobs for use on off-site pump station repairs which occur less frequently. The service truck that Jacobs is currently using will be surplussed through an auction on GovDeals.

The city operates a new vehicle purchase program on a five-year rotation. We recently paid off two public works vehicles in FY 2023-24.

Staff reached out to several vehicle dealerships in search of a service truck that met specific requirements and there were very few that could. Newberg Ford currently has the vehicle that meets our specifications in stock and is part of the Oregon Buys Procurement System which guarantees the lowest price for the vehicle purchased through them.

Attachments:

- a. Newberg Ford – Vehicle Purchase Order



VEHICLE PURCHASE ORDER

BUYER'S NAME <u>CITY OF BROOKINGS</u>		DATE <u>09/19/2024</u>	
ADDRESS <u>N/A</u>		CITY/STATE/ZIP _____	HOME PHONE <u>N/A</u> WORK PHONE <u>N/A</u>
EMAIL <u>N/A</u>		SALESMAN <u>CASEY DYCK</u>	

VEHICLE INFORMATION

<input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED <input type="checkbox"/> DEMO		VIN <u>1FD0X4HT7REC98821</u>	STOCK NO. <u>242278</u>	TO BE DELIVERED ON OR ABOUT <u>08/29/2024</u>
YEAR <u>2024</u>	MAKE <u>FORD</u>	MODEL <u>SUPER DUTY F-450 DRW</u>	TYPE <u>XL 4WD SUPERCAB 1</u>	TRIM <u>AS</u> COLOR <u>OXFORD WHITE</u>

TRADE-IN INFORMATION

YEAR	MAKE	MODEL	TYPE	COLOR
VIN	STOCK NO.	TITLE NO.	LICENSE NO.	

OTHER CHARGES

TYPE OF INSURANCE	AMOUNT	TERM	COST
FIRE AND THEFT	<u>N/A</u>	<u>1</u>	
COLLISION	<u>N/A</u>	<u>1</u>	
PUBLIC LIABILITY	DED		
PROPERTY DAMAGE	<u>N/A</u>	<u>1</u>	

BUYER MAY CHOOSE THE PERSON THROUGH WHICH INSURANCE IS TO BE OBTAINED.
WARNING: THE INSURANCE AFFORDED HERE DOES NOT COVER LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY OF OTHERS UNLESS SO INDICATED

CREDITORS NAME N/A
YOU HAVE THE RIGHT TO RECEIVE AT THIS TIME AN ITEMIZATION OF THE AMOUNT FINANCED. ☐ I WANT AN ITEMIZATION ☐ I DO NOT WANT AN ITEMIZATION

PAYMENT SCHEDULE

NUMBER OF PAYMENTS	AMOUNT OF PAYMENTS	WHEN PAYMENTS ARE DUE
<u>1</u>	<u>88,849.75</u>	<u>09/19/2024</u>
<u>N/A</u>	<u>N/A</u>	<u>09/19/2024</u>

CREDIT INSURANCE

TYPE	PREMIUM	SIGNATURE
CREDIT LIFE	<u>N/A</u>	I WANT CREDIT LIFE INSURANCE. SIGNATURE _____
CREDIT DISABILITY	<u>N/A</u>	I WANT CREDIT DISABILITY INSURANCE. SIGNATURE _____
CREDIT LIFE & DISABILITY	<u>N/A</u>	I WANT CREDIT LIFE & DISABILITY INSURANCE. SIGNATURE _____

CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE ARE NOT REQUIRED TO OBTAIN CREDIT, AND WILL NOT BE PROVIDED UNLESS YOU SIGN AND AGREE TO PAY THE ADDITIONAL COST.

SECURITY ☐ THE GOODS OR PROPERTY BEING PURCHASED
YOU ARE GIVING A SECURITY INTEREST IN: ☐

FILES FEES \$ _____ NON-FILING INSURANCE _____

LATE CHARGE

IF A PAYMENT IS LATE, YOU WILL BE CHARGED \$ _____ / _____ % OF THE PAYMENT

PREPAYMENT ☐ MAY ☐ WILL NOT HAVE TO PAY A PENALTY
IF YOU PAY OFF EARLY: ☐ MAY ☐ WILL NOT BE ENTITLED TO A REFUND OF PART OF THE FINANCE CHARGE

SEE YOUR CONTRACT DOCUMENTS FOR ANY ADDITIONAL INFORMATION ABOUT NONPAYMENT, DEFAULT, ANY REQUIRED REPAYMENT IN FULL BEFORE THE SCHEDULED DATE, AND PREPAYMENT REFUNDS AND PENALTIES.

SIGNATURE _____ DATE 09/19/2024

Federal law and State law requires that you state the odometer mileage upon transfer of ownership. An inaccurate or untruthful statement may make you liable for damages to your transferee, for attorney fees, and for civil or criminal penalties, including fines and/or imprisonment, pursuant to sections 409, 412 and 413 of the Motor Vehicle Information and Cost Savings Act of 1972 (Pub. L. 92-513, as amended by Pub. L. 94-364).

Buyer agrees that this Order includes all of the terms and conditions on this face side hereof, that this Order cancels and supersedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby. IF THIS ORDER IS FOR A USED VEHICLE, THE INFORMATION YOU SEE ON THE (FEDERAL TRADE COMMISSION) WINDOW FORM IS PART OF THIS ORDER. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE. IN THE EVENT OF A TIME SALE, DEALER SHALL NOT BE OBLIGATED TO SELL UNTIL APPROVAL OF THE TERMS HEREOF IS GIVEN BY A BANK OR FINANCE COMPANY WILLING TO PURCHASE A RETAIL INSTALLMENT CONTRACT BETWEEN PARTIES HERE TO BASED ON SUCH TERMS. Buyer by signing this Order certifies that he is of legal age to execute binding contracts in this State and acknowledges that he has read its terms and conditions and has received a true copy of this Order and Odometer Statement.

BUYER'S SIGNATURE _____ DATE 09/19/2024
DEALER'S SIGNATURE _____ DATE 09/19/2024

CASH PRICE OF VEHICLE				87,700.00
PROCESSING FEE				200.00
EVR Fee				50.00
NEW VEHICLE PRIVILEGE TAX				438.50
CAT TAX SURCHARGE				219.25
TOTAL				88,607.75
TAX				
TITLE PROCESSING FEE				200.00
LICENSE	LICENSE TRANSFER	TITLE	REGISTRATION	
		106.00	136.00	242.00
TOTAL CASH PRICE DELIVERED				88,849.75
DEPOSIT ON ORDER				N/A
CASH ON DELIVERY				N/A
TRADE-IN ALLOWANCE				N/A
TRADE-IN BALANCE OWING TO				N/A
TOTAL DOWN PAYMENT				N/A
UNPAID BALANCE OF CASH PRICE				88,849.75
OTHER CHARGES				N/A
UNPAID BALANCE (AMOUNT FINANCED)				88,849.75
ANNUAL PERCENTAGE RATE (THE COST OF YOUR CREDIT AS A YEARLY RATE)				0.00
FINANCE CHARGE (THE DOLLAR AMOUNT THE CREDIT WILL COST YOU)				0.00
AMOUNT FINANCED (THE AMOUNT OF CREDIT PROVIDED TO YOU OR ON YOUR BEHALF)				88,849.75
TOTAL OF PAYMENTS (THE AMOUNT YOU WILL HAVE PAID AFTER YOU HAVE MADE ALL PAYMENTS AS SCHEDULED)				88,849.75
TOTAL SALE PRICE (THE TOTAL COST OF YOUR PURCHASE ON CREDIT, INCLUDING YOUR DOWN PAYMENT OF \$ <u>N/A</u>)				88,849.75

PURCHASED VEHICLE ODOMETER STATEMENT

I, N/A state that the odometer on the vehicle described above now reads 7 (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described above, unless one of the following statements is checked. (CHECK ONE BOX ONLY)
☐ I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
☐ I hereby certify that the odometer reading is NOT the actual mileage. WARNING ODOMETER DISCREPANCY.

09/19/2024
TRANSFEROR'S SIGNATURE DATE TRANSFeree'S SIGNATURE DATE

TRADE-IN VEHICLE ODOMETER STATEMENT

I, CITY OF BROOKINGS state that the odometer on the vehicle described above now reads N/A (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described above, unless one of the following statements is checked. (CHECK ONE BOX ONLY)
☐ I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
☐ I hereby certify that the odometer reading is NOT the actual mileage. WARNING ODOMETER DISCREPANCY.

09/19/2024
TRANSFEROR'S SIGNATURE DATE TRANSFeree'S SIGNATURE DATE

NWBF-BO (2/23)



Casey Dyck - Commercial Manager
Casey.Dyck@Newbergford.com 503-898-8663



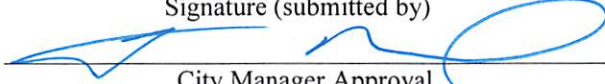
HARBOR SERVICE BODY

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: September 23, 2024

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject:

Appoint City Recorder

Recommended Motion:

Motion to appoint Brooklyn Osterhage as City Recorder

Background/Discussion:

The previous City Manager had been appointed as the City Recorder. Brooklyn Osterhage has been acting as the Brookings City Recorder since being hired by the preceding City Manager and Deputy City Recorder for a year.

The Charter requires that the Council make appointment for City Recorder and states “The city manager shall be the chief administrative officer and head of the administrative branch of the city and have control and general supervision over all city employees and all appointive city officer...” (BMC 2.15.030). I recommend that the Council appoint the Deputy City Recorder as City Recorder.

Attachment: BMC 2.15.030/ Chapter III Section 11

2.15.030 Duties, powers, responsibilities and authority of the city manager.

C. The city manager shall be the chief administrative officer and head of the administrative branch of the city and have control and general supervision over all city employees and all appointive city officers, except that the city manager shall not impinge on the city attorney's ethical obligations to the city council, shall have no control over the judicial activities of the municipal judge and shall have no power of appointment or removal of the municipal judge, city recorder or city attorney as such appointment and removal power is within the hands of the mayor and council pursuant to the City Charter. The city manager shall supervise the departments to the end of attaining the utmost efficiency in each of them and therefore shall have the power to employ, dismiss or transfer an employee from one department to another.

CHAPTER III

FORM OF GOVERNMENT

Section 11. Appointive Offices.

A majority of the council shall appoint and may remove a city manager, municipal judge, city attorney and city recorder. A majority of the council may:

- (1) Create, abolish, and combine additional appointive offices and,
- (2) Except as the majority prescribes otherwise, fill such offices by appointment and vacate them by removal.