

**This meeting is to take care of city business and 25 people are allowed in the building at any given time as long as there is social distancing. The city recommends only those having business on the agenda attend the meeting. We highly recommend all others stay home and watch the meeting electronically. Public Comments can be emailed to [publiccomment@cityofseaside.us](mailto:publiccomment@cityofseaside.us). Thank You for your patience.**

**PARKS ADVISORY COMMITTEE INTERVIEW:**

6:10 PM - Daffne Mejia Alvarez

**CITY TREE BOARD INTERVIEWS:**

6:20 PM – Julia Weinberg

6:30 PM – Dan Stark

**AGENDA SEASIDE CITY COUNCIL MEETING  
NOVEMBER 9, 2020 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. RECOGNITION – BRUCE HOLT, SEASIDE POLICE LIEUTENANT 37 YEARS
6. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
  - a) PAYMENT OF THE BILLS - \$237,057.60
  - b) APPROVAL OF MINUTES – October 26, 2020
9. REPORTS AND PRESENTATIONS: None
10. UNFINISHED BUSINESS:
  - a) VACANCY - PARKS ADVISORY COMMITTEE (Interview)  
CITY TREE BOARD (Interviews)  
TRANSPORTATION ADVISORY COMMISSION  
PLANNING COMMISSION
11. NEW BUSINESS
  - a) RESOLUTION #3971 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON,  
AUTHORIZING REFUNDING OF AN INTERIM LOAN FROM THE SPECIAL  
PUBLIC WORKS FUND (WATER FUND) WITH THE OREGON  
INFRASTRUCTURE FINANCE AUTHORITY
    - PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND  
OPPOSED
    - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED

**b) RESOLUTION #3972 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ESTABLISHING CRIMINAL HISTORY RECORD CHECK POLICY REGARDING APPLICANTS FOR POTENTIAL EMPLOYEES, LIQUOR LICENSE APPLICANTS, MARIJUANA LICENSE APPLICANTS, TAXI LICENSE APPLICANTS AND CERTAIN VOLUNTEERS IN THE CITY OF SEASIDE**

- **PUBLIC COMMENTS**
- **COUNCIL COMMENTS**
- **MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED**
- **MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED**

**12. COMMENTS FROM THE CITY STAFF**

**13. COMMENTS FROM THE COUNCIL**

**14. ADJOURNMENT**

**Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall. The Agendas and Minutes can be viewed on our website at [www.cityofseaside.us](http://www.cityofseaside.us).***

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.

## **SEASIDE PARKS ADVISORY COMMITTEE**

**(Meetings are scheduled the first Thursday of every month at 6:00 PM)**

The purpose of the Seaside Parks Advisory Committee is to act as an advisory body to the City Council, the City Manager, and the Public Works Director regarding issues concerning the Seaside Parks.

The committee shall consist of seven members who are not officials or employees of the City and who will be appointed by the City Council. A minimum of six members shall reside within the city limits, and a maximum of one member may reside within the Urban Growth Boundary, or be an owner or employee of a business located in the city limits. No more than two members shall be engaged in the same kind of occupation, business, trade, or profession. The Mayor shall appoint one member of the City Council as Council liaison, and the City Manager or his designee, shall be the Staff liaison to the Committee.

The members shall serve without salary or compensation of any nature.

All members shall be appointed by the City Council and shall serve for a term of three years. The initial terms will be: two members shall be appointed for a term of one year, two members for two years, and three members for three years. As those terms expire, all vacancies will be filled for three year terms.

Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed by the City Council to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **October 26, 2020**

**Name:** Daffne Mejia Alvarez

**Commission/Committee:** **Parks Advisory Committee**

**Resignation Date:** **July 17, 2020 - Boyd**

**Term Expiration Date:** **March 31, 2020**

**Wants to be considered again:** **No - Boyd**

2. **Applicants:**  
Daffne Mejia Alvarez

3. **Nominations:**

4. **Appointment:**

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

### CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: \_\_\_\_\_

NAME Mejia Alvarez Daffne Y PHONE 503,739-0926

ADDRESS 1610 Spruce Dr. Apt F Seaside OR. 97138

LENGTH OF TIME IN SEASIDE 26 years

ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION Instructional Assistant for Seaside School District

PAST OCCUPATIONS Front Desk at the Inn at Cannon Beach

List committee/commissions you are currently appointed to: None

List committee/commissions on which you would like to serve: Seaside Parks Committee

List fields in which you have interest or ability:  
I have interest in helping/represent the Latinx Community.

List employment and volunteer activities, which may relate to service on committee/commissions:  
I have translated for Assemblies and parent/teacher Conferences for the Seaside School District.

List skills and special knowledge that you may have acquired from these activities:  
I have learned and continue to learn how to minimize the communication gap between Spanish speaking parents and the school.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No (  ) If yes, what offense? \_\_\_\_\_

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Juli Wosniak</u>	<u>Supervisor</u>		<u>(208) 739-6196</u>
<u>Linda Villaseñor</u>	<u>Friend</u>		<u>(503) 739-1450</u>
<u>Beth Catt</u>	<u>Colleague</u>		<u>(503) 781-2178</u>

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 10/14/2020 SIGNATURE Daffne Y MK



# CITY of SEASIDE

OREGON'S  
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RESORT

989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## PARKS ADVISORY COMMITTEE

Term of Office: 3 years  
Number of Members: 7

Chairperson\*  
Vice Chairperson\*\*  
Secretary\*\*\*

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
<b>VACANCY (BOYD)</b>			3/31/2020
MICHAEL HINTON	1015 S. IRVINE PL.	738-5748	3/31/2021
NANCY HOLMES*	1520 COOPER ST.	717-1614	3/31/2021
PAM BIERLY***	120 12TH AVENUE	738-8107	3/31/2022
MATTHEW STOLBERG**	870 Avenue T Unit 2	739-2593	3/31/2022
MARY BLAKE	1668 Whispering Pines	717-3810	3/31/2023
WILLIAM MONTERO	2471 SUNSET BLVD.	206-250-5919	3/31/2023
TOM HORNING	808 26TH AVENUE	738-5770	<a href="mailto:horning@pacifier.com">horning@pacifier.com</a>
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	<a href="mailto:dmcdowell@cityofseaside.us">dmcdowell@cityofseaside.us</a>

## **SEASIDE CITY TREE BOARD**

**(Meetings are scheduled every other month on the third Wednesday at 4:00 PM)**

The purpose of the City Tree Board is to study, investigate, and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets, and in other public areas. The Tree Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities,

- (1) Develop criteria for city staff and/or contractors to apply in making decisions entrusted to staff and/or contractor discretion,
- (2) Designate Heritage Trees on public and private lands within the city,
- (3) Promote the planting and proper maintenance of trees through special events including an annual local celebration of Arbor Day, and
- (4) Obtain the annual Tree City USA designation by the National Arbor Day Foundation.

The Board consists of five members, appointed by the City Council for a three-year term, and who are residents, or owners or employees of businesses within the city limit.

The City Tree Board shall schedule meetings as needed and elect a chairperson and a vice-chairperson. No more than 3 unexcused absences allowed in a calendar year.

Tree Board members serve without salary or compensation of any nature.

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **October 26, 2020**  
  
**Name:** Julia Weinberg  
Dan Stark  
  
**Commission/Committee:** **City Tree Board Committee**  
  
**Resignation Date:** **Vineeta Lower – June 30, 2020**  
  
**Term Expiration Date:**  
  
**Wants to be considered again:** **Lower – No**
2. **Applicants:**  
Julia Weinberg  
Dan Stark
3. **Nominations:**
4. **Appointment:**



**Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.**

**CITY OF SEASIDE**  
Interest Form for Committee/Commission/Board Vacancies

NAME Weinberg Julia PHONE 503 / 717-5284  
Last First

ADDRESS 431 Avenue J

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS juliaweinberg@live.com

LENGTH OF TIME IN SEASIDE 6 years ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION Licensed Professional Counselor

PAST OCCUPATIONS Teacher

List committee/commissions on which you would like to serve: Tree Board

List committee/commissions you are currently appointed to: Bob Chisholm Center Advisory Committee

List employment and volunteer activities, which may relate to service on committee/commissions:  
Mental Health Therapist - Ecotherapy

List skills and special knowledge that you may have acquired from these activities:  
Nature walker, committment to protecting natural resources

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No (  ) If yes, what offense? \_\_\_\_\_

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
Liz Bartell	Past co-worker		503-200-8605
Sara Wirkkala	Friend		503-440-0161

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 10/13/20 SIGNATURE Julia Weinberg

**Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.**

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

NAME Stark Dan PHONE 503/440-0415

Last First

ADDRESS 802 25th Ave, Seaside, OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) Same as above

BUSINESS ADDRESS (IF APPLICABLE) 2001 Marine Dr., Suite 210, Astoria, OR 97103

EMAIL ADDRESS dan.stark@oregonstate.edu

LENGTH OF TIME IN SEASIDE 16 mos ARE YOU A REGISTERED VOTER IN SEASIDE: X Yes No

OCCUPATION Assistant Professor of Practice and Forestry and Natural Resources Extension Agent, OSU

PAST OCCUPATIONS Forest Health Research Associate, University of California Agriculture and Natural Resources

List committee/commissions on which you would like to serve: Tree Board

List committee/commissions you are currently appointed to: N/A

List employment and volunteer activities, which may relate to service on committee/commissions:  
forestry and forest health educator forest health assessments for individuals and communities  
tree health diagnoses trained facilitator

List skills and special knowledge that you may have acquired from these activities:  
Expertise in north coast trees and tree health; strong people skills; GIS mapping, forest mensuration, forest research, including establishing plots for long-term monitoring strategies, grant and other writing skills

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No ( X ) If yes, what offense?

When? N/A Please explain:

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
Lauren Grand	FNR Extension colleague	Lane County Extension	(541) 579-2150
Wiley Thompson	OSU Ext Coastal Regional Director	OSU Ext Service	845-608-2227
Norma Kline	FNR Extension colleague	Coos/Curry Extension	(541) 572-5263 x25294

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 10/23/2020 SIGNATURE Dan Stark



# CITY of SEASIDE

OREGON'S  
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989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
ARNIE OLSEN	PO BOX 645	717-5745	6/30/2021
WILLIAM BARNES	2070 COOPER ST.	503-739-2118	6/30/2021
JOHN CARTER	PO BOX 679	738-4387	6/30/2022
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2023
<b>VACANCY (LOWER)</b>			6/30/2023
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE

## **TRANSPORTATION ADVISORY COMMISSION**

**(Meetings are scheduled the third Thursday of every month at 6:00 PM)**

The purpose of the Transportation Advisory Commission is an advisory body to make recommendations to the City Council on matters concerning transportation and proposed transportation projects. The Transportation Advisory Commission shall have the powers and duties which are now or may hereafter be assigned to it by Charter, ordinance, resolution or order of this city and in addition it will:

- Assist the City Council in recognizing community priorities by advising on transportation policies and goals;
- Increasing communications between the City, the public, the Oregon Department of Transportation (ODOT), the County, and all interested parties;
- Reduce misunderstandings concerning transportation planning, design, and construction;
- Review current transportation related ordinances and recommend amendments;
- Review proposed transportation projects planned for the City of Seaside and make recommendations;
- Review the City of Seaside Transportation Systems Plan every five years and report to the City Council;
- Complete other projects, as they relate to transportation, as directed by the City Council.

The Commission shall consist of five members who are not employees of the City of Seaside and who will be appointed by the City Council. A minimum of four members shall reside within the city limits; and one member may live outside the city limits in order to represent concerns of neighboring properties and jurisdictions.

All members shall serve for a term of four years. Any portion of a term exceeding one-half the period of the term shall be considered a term.

Each year in January, the first meeting of the Commission, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. City staff shall serve as Secretary to the Transportation Advisory Commission. Minutes of all meetings will be filed with the City Council.

The commission shall hold a regular meeting at least once each month of the calendar year. The meeting shall be open to the public and legally noticed.

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** September 14, 2020

**Name:** Bill Carpenter

**Commission/Committee:** Transportation Advisory Commission

**Resignation Date:** Carpenter - September 30, 2020

**Term Expiration Date:** October 1, 2020

**Wants to be considered again:** Carpenter - No

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**

# CITY of SEASIDE

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989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## TRANSPORTATION ADVISORY COMMISSION

Term of Office: 4 years  
Number of Members: 5

Chairperson\*  
Vice Chairperson\*\*

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
<b>VACANCY (CARPENTER)</b>			10/01/2020
BEN OLSON**	2025 MAPLE ST.	503-738-2956	10/01/2022
TERRY HARTILL*	85208 HWY 101	503-738-7108	10/01/2023
VINEETA LOWER	815 6TH AVENUE	503-621-6588	10/01/2023
MATTHEW STOLBERG	870 AVENUE I, UNIT 2	503-739-2539	10/01/2024
<b>DALE MCDOWELL</b>	<b>1387 AVENUE 'U'</b>	<b>503-738-5112</b>	<b>Public Works</b>

## SEASIDE PLANNING COMMISSION

**(Meetings are scheduled the first and third Tuesday of every month at 7:00 PM)**

The purpose of the Seaside Planning Commission is to recommend and make suggestions to the Council and to other public authorities concerning the laying out, widening, extending and locating of public thoroughfares, the parking of vehicles, the relief of traffic congestion, betterment of housing and sanitation conditions, and the establishment of districts for limiting the use, height, area, bulk and other characteristics of buildings and structures related to land development. The Planning Commission is to recommend to the Council and other public authorities plans for regulating the future growth, development and beautification of the city with respect to its public and private buildings and works, streets, parks, ground and vacant lots, and plans consistent with future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper service of public utilities, including appropriate public incentives for overall energy conservation, and plans for shipping and transportation facilities.

The commission consists of seven members who are not officials or employees of the city and who will be appointed by the Mayor, subject to the approval of the City Council. A minimum of five members shall reside within the city limits; a maximum of two members may reside within the urban growth boundary, but outside the city limits. All members shall serve for a term of four years. A Planning Commissioner's term of office shall commence on the first day of November of the first year of his or her term.

Each year, at the first Committee meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

No more than two members of the Commission may engage principally in the buying, selling or development of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, which engages principally in the buying, selling or developing of real estate for profit.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed to serve on this committee who misses three or more regularly scheduled meetings during a 12-month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12-month period is defined as beginning in January of each calendar year.)

The members shall serve without salary or compensation of any nature.

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **October 12, 2020**

**Name:** **Bill Carpenter**

**Commission/Committee:** **Planning Commission**

**Resignation Date:** **Carpenter – November 1, 2020**

**Term Expiration Date:**

**Wants to be considered again:** **No – Bill Carpenter**

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**





# CITY of SEASIDE

OREGON'S  
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RESORT

989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## PLANNING COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
<b>VACANCY</b> (CARPENTER)			11/01/2020
DAVID POSALSKI**	PO BOX 208	503-536-5396	11/01/2021
CHRIS HOTH*	420 AVENUE I	738-7861	11/01/2022
JON WICKERSHAM	780 6TH AVENUE	503-440-4816	11/01/2022
ROBIN MONTERO	2471 SUNSET BLVD.	206-852-1810	11/01/2023
LOUIS NEUBECKER	1859 BROADWAY	717-0153	11/01/2023
TERI CARPENTER	220 AVENUE 'U'	425-246-9962	11/01/2024

EX OFFICIO MEMBERS: MAYOR, CITY ATTORNEY, CITY MANAGER, CITY ENGINEER, CODE ENFORCEMENT OFFICER

\*CHAIR

\*\*VICE CHAIR

## RESOLUTION NO. 3971

### A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING REFUNDING OF AN INTERIM LOAN FROM THE SPECIAL PUBLIC WORKS FUND (WATER FUND) WITH THE OREGON INFRASTRUCTURE FINANCE AUTHORITY

The City of Seaside, Oregon, City Council (the "Governing Body") of the City of Seaside, (the "Recipient") Clatsop County, Oregon finds:

A. The recipient is a "municipality" within the meaning of Oregon Revised Statutes 285B.410(9).

B. Pursuant to Oregon Revised Statutes [SPWF: 285B.410 through 285B.482] [WW: 285B.560 through 285B.599] (the "Act"), the Recipient obtained a loan for interim financing (the "Interim Loan") in the principal amount of not in excess of \$5,000,000 from the State of Oregon, acting by and through its Oregon Infrastructure Finance Authority of the Business Development Department ("the Department") through the [Special Public Works] [Water] Fund for the financing of a ["development project"] ["water project"] within the meaning of the Act by entering into an Interim Financing Contract Project Number B19003 with the Department dated November 13, 2019.

C. The Interim Financing Contract contemplated the possibility of refunding the Interim Loan by including it in the issuance of Oregon Bond Bank Revenue Bonds (the "State Bonds") and passing the interest rates on the State Bonds through to a new permanent financing loan. The proceeds of any such State Bonds have been pledged as collateral in Exhibit B to the Interim Financing Contract and will be applied to repay the outstanding balance of the Interim Loan as provided in Section 4 D. (1) of the Interim Financing Contract.

D. Under current market conditions, including the Loan in an issuance of State Bonds may produce debt service savings for the borrowers whose loans are funded by the State Bonds, including the Recipient.

E. The Recipient desires to refinance the Loan and participate in the Department's refunding of the Loan by issuing State Bonds. Such participation will achieve debt service savings on the outstanding Loan by paying the Loan in full and replacing it with a permanent financing loan agreement.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Recipient as follows:

1. Refunding Authorized; Delegation Authorized. The Governing Body authorizes the City Manager, Mark J. Winstanley, or person designated to act on behalf of the Recipient (the "Authorized Officer"), to enter into a permanent financing loan agreement ("Loan Agreement") and Promissory Note, to be pledged as collateral for an issuance of State Bonds by executing such Loan Agreement and Promissory Note, and to enter into any agreements and to execute any other documents or certificates as may be required to refund the Loan to achieve debt service savings.

2. Security. Amounts due to the Department pursuant to the Loan Agreement and the Promissory Note shall continue to be secured by a pledge as provided in the Interim Financing Contract, including but not limited to the Recipient pledge of its full faith and taxing power within the limitations of Article XI, Sections 11 and 11b, and as will be provided in Section 7 of the new Loan Agreement.

3. Tax-Exempt Status. The Recipient covenants not to take any action or omit to take any action if the action or omission would cause interest paid by the Recipient pursuant to the Loan Agreement not to qualify for the exclusion from gross income provided by Section 103(a) of the Internal Revenue Code of 1986, as amended. The Authorized Officer may enter into covenants on behalf of the Recipient to protect the tax-exempt status of the interest paid by the Recipient pursuant to the Loan Agreement, and may execute any Tax Certificate, Internal Revenue Service forms or other documents as shall be required by the Department or their bond counsel to protect the tax-exempt status of such interest.

4. Resolution Effective Date. This Resolution shall be in force and effect from and after passage by the Governing Body.

PASSED by the Council of the City of Seaside this \_\_\_\_ day of \_\_\_\_\_, 2020.

SUBMITTED to the Mayor and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JAY BARBER, MAYOR

ATTEST:

\_\_\_\_\_  
Mark J. Winstanley, City Manager

RESOLUTION #3972

A RESOLUTION OF THE CITY OF SEASIDE, OREGON,  
ESTABLISHING A CRIMINAL HISTORY RECORD CHECK POLICY  
REGARDING APPLICANTS FOR POTENTIAL EMPLOYEES, LIQUOR LICENSE  
APPLICANTS, MARIJUANA LICENSE APPLICANTS, TAXI LICENSE APPLICANTS  
AND CERTAIN VOLUNTEERS IN THE CITY OF SEASIDE

WHEREAS, ORS 181A.230 and OAR 257-010-0025 establish procedures for access to criminal record information possessed by the Oregon State Police (OSP) through the Law Enforcement Data System (LEDS); and

WHEREAS, ORS 181A.230 (1) provides access to criminal offender information by criminal justice agencies and by other state and local agencies; and

WHEREAS, OAR 257-010-00250) (a) permits a criminal justice agency access to OSP criminal offender information required to implement a local ordinance; and

WHEREAS, OAR 166-200-0090 provides for retention of employment selection information for a period of three years; and

WHEREAS, the City Council of the City of Seaside finds for the reasons recited below that it is in the public interest to access OSP criminal offender information through the LEDS system, for all applicants for employment, public service volunteers with the City of Seaside, contracted taxi operators, liquor license applicants, and certain other non-profit volunteers.

NOW, THEREFORE, The City of Seaside ordains as follows:

- Section 1. In order for the City government to operate effectively, persons selected for employment or as a public service volunteer with the City of Seaside must have the highest degree of public trust and confidence.
- Section 2. All City employees and public service volunteers represent the City to its citizens. Many city employees and volunteers have responsibilities to regulate and maintain public health and safety. Some City employees have the ability and authority to bind the City contractually, have access to public funds and property, and possess access to privileged and proprietary information submitted to the City in confidence.
- Section 3. There is a need to protect youths from harmful or dangerous encounters and to that end a review of the criminal records of those who volunteer with youth in the City is necessary and appropriate.
- Section 4. Liquor license applicants are required to apply to the City for recommendation to the Oregon Liquor Control Commission (OLCC) in their licensing process. It is necessary and appropriate that such applicants' criminal record history is reviewed in the City's recommendation process.

- Section 5. Marijuana license applicants are required to apply to the City for approval by the City Council to the Oregon Liquor Control Commission (OLCC) in their licensing process. It is necessary and appropriate that such applicants' criminal record history is reviewed in the City's recommendation process.
- Section 6. All applicants for employment and appointed volunteers with the City will be required to authorize the City to conduct a criminal offender information check through the OSP LEDS system.
- Section 7. A member of the Police Department trained and authorized to perform criminal history checks through the LEDS system will conduct the check on the prospective employee or volunteer and orally report to the Human Resources department that the applicant's records indicates "no criminal record" or "criminal record." If the applicant's record is reported as "criminal record," the City will, under OAR 257-010-0025, request written criminal history report from the OSP Identification Services Section. Human Resources will make the written criminal history record available to the appropriate official for his or her consideration in making the selection.
- Section 8. The written criminal history record on persons that are not hired or appointed as a volunteer will be retained in accordance with the requirements of OAR 166-200-0090 for a period of three years and thereafter will be destroyed. The criminal history record of applicants and volunteers with a criminal history that are hired or appointed will become a part of the personnel files of that employee or volunteer and released according to law.
- Section 9. Criminal history checks of taxi license applicants and liquor license applicants shall be performed by the police department.
- Section 10. This resolution shall be in full force and effective immediately.

PASSED by the Council of the City of Seaside this \_\_\_ day of \_\_\_\_\_, 2020.

SUBMITTED to the Mayor and APPROVED by the Mayor this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JAY BARBER, MAYOR

ATTEST:

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Mark J. Winstanley, City Manager