

**AGENDA SEASIDE CITY COUNCIL MEETING
NOVEMBER 14, 2016 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. INTRODUCTION - SWEARING IN SEASIDE PATROL OFFICER, William (BJ) Quicke
6. COMMENTS FROM STUDENT REPRESENTATIVE, Lizzy Barnes
7. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
8. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
9. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS – \$1,075,916.71
 - b) APPROVAL OF MINUTES – October 24, 2016
10. UNFINISHED BUSINESS:
 - a) VACANCY - SEASIDE CIVIC AND CONVENTION CENTER COMMISSION
 - b) ORDINANCE 2016-05 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CODE OF SEASIDE ORDINANCE CHAPTER 110.04: UNLAWFUL, ILLEGAL OR PROHIBITED BUSINESSES NOT AUTHORIZED AND AMENDING CHAPTER 119 MEDICAL MARIJUANA GROW SITES TO INCLUDE RECREATIONAL - Third and Final Reading
 - OPEN PUBLIC COMMENTS
 - CLOSE PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
11. NEW BUSINESS:
 - a) LIQUOR LICENSE - THREE LITTLE BIRDS BAKERY, 8 N. HOLLADAY
 - b) ORDINANCE 2016-06 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 32 OF THE SEASIDE CODE OF ORDINANCE REGARDING TRANSIENT ROOM TAX
 - OPEN PUBLIC COMMENTS
 - CLOSE PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION FOR SECOND READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED

- c) **RESOLUTION #3884 - A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING THE IDENTIFICATION OF A PUBLIC FACILITY NOMENCLATURE**
 - **PUBLIC COMMENTS**
 - **COUNCIL COMMENTS**
 - **MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED**
 - **MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED**

- d) **INTERGOVERNMENTAL CO-LOCATION AGREEMENT CITY OF SEASIDE POLICE AND FIRE TILLAMOOK HEAD - OREGON DEPARTMENT OF TRANSPORTATION (ODOT) SHELTER**

- e) **VACANCY - SEASIDE COMMUNITY CENTER AND SENIOR COMMISSION SEASIDE PLANNING COMMISSION**

- f) **UPDATE - NORTH HOLLADAY DRIVE IMPROVEMENT PROJECT, Dale McDowell**

- g) **DISCUSSION - CITY COUNCIL MEETINGS: NOVEMBER 28, 2016
DECEMBER 26, 2016**

12. **COMMENTS FROM THE CITY STAFF**

13. **COMMENTS FROM THE COUNCIL**

14. **COMMENTS FROM THE MAYOR**

15. **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.*

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 CIVIC AND CONVENTION CENTER COMMISSION

The purpose of the Seaside Convention Center Commission is to be an advisory body to make recommendations to the City Council on matters concerning the Civic and Convention Center. The Commission shall make recommendations concerning policy matters related to the Civic Convention Center. The Civic and Convention Center Commission shall advise the Convention Center Manager, City Manager and City Council on all items relating to the operation of the Civic and Convention Center including but not limited to: Contracts; Building Improvements; Employment of Civic and Convention Center Manager; Rentals; and Budget.

The commission consists of seven members who are not employees of the city and shall be residents, or owners or employees of businesses within the city limits of Seaside.

Each year, at the first Commission meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. The center manager shall serve as Secretary to the Civic and Convention Center Commission.

The Commission 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:** August 22, 2016
Name: Chuck Minor
Commission/Committee: Convention Center Commission
Resignation Date: August 11, 2016
Term Expiration Date: October 25, 2017
Wants to be considered again: No

2. **Applicants:**
Alisa Dunlap

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 Dunlap Alisa PHONE 971/219-6698
Last First

ADDRESS 2946 Pine Ct. Gearhart OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) P.O. Box 2327 Gearhart, OR 97138

EMAIL ADDRESS alisa.dunlap@pacificorp.com

LENGTH OF TIME IN SEASIDE 2 months ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION Regional Business Manager, Pacific Power

PAST OCCUPATIONS government relations

Gearhart

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

List committee/commissions you are currently appointed to: None w/city of Seaside ->
GEDR
Astoria Regatta
SOLVE

List fields in which you have interest or ability:

List employment and volunteer activities, which may relate to service on committee/commissions:

List skills and special knowledge that you may have acquired from these activities:

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? _____ 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>Cheryl Carter</u>	<u>CO-WORKER</u>	<u>825 NE Multnomah</u>	<u>503-813-5149</u>
<u>Sarah Dailly</u>	<u>colleague</u>	<u>39 N. Holladay</u>	<u>503-717-1914</u>
<u>Jim Gossett</u>	<u>supervisor</u>	<u>825 NE Multnomah</u>	<u>503-813-5110</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 8.30.16 SIGNATURE Alisa M. Dunlap



CITY of SEASIDE

OREGON'S
F A M O U S
A L L - Y E A R
R E S O R T

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

CONVENTION CENTER COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
ROGER SCHULTZ	2481 VENICE BLVD.	738-5641	10/25/2016
KAARINA VERA	170 SW BIRCH AVENUE WARRENTON,	717-2282	10/25/2016
JEFF KILDAY*	PO BOX 1031	738-3018	10/25/2017
VACANCY			10/25/2017
PATRICK DUHACHEK	89736 SEALS RD.	858-774-4678	10/25/2017
NANCY MCCUNE	PO Box 315	503-260-8905	10/25/2018
TIM TOLAN	PO BOX 911	738-3802	10/25/2018

*CHAIR

**VICE CHAIR

ORDINANCE NO. 2016-05

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CODE OF SEASIDE ORDINANCE CHAPTER 110.04: UNLAWFUL, ILLEGAL OR PROHIBITED BUSINESSES NOT AUTHORIZED AND AMENDING CHAPTER 119 MEDICAL MARIJUANA GROW SITES TO INCLUDE RECREATIONAL .

WHEREAS, the Oregon Legislature enacted the Control and Regulation of Marijuana Act (ORS 475B.010 to 475B.395) directing the Oregon Liquor Control Commission to administrate and govern the licensing requirements and procedures for recreational marijuana within the State of Oregon; and

WHEREAS, the voters of Seaside and the State of Oregon passed Ballot Measure 91 allowing the growing, processing, and other activities associated with the sale and use of recreational marijuana; and

WHEREAS, Chapter 118 in the Code of Seaside established a license procedure for the sale of medical marijuana and recreational marijuana; and

WHEREAS, Chapter 119 in the Code of Seaside established a license procedure that was limited to medical marijuana grow sites responsible for the production & processing of usable marijuana products but it did not address recreational; and

WHEREAS, to receive state revenue share, a city may not adopt an ordinance that prohibits the establishment of a premises for which a license is required under state law for a recreational marijuana producer, processor, wholesaler, or retailer; and

WHEREAS, the City of Seaside allows for production, wholesale & processing within the M1 industrial zone in accordance with the City of Seaside Zoning Ordinance, Code of Seaside Chapter 158; and

WHEREAS, the City of Seaside believes it is in the best interest of the health, safety and welfare of the citizens of the city to adopt reasonable regulations for this new industry in addition to the administrative rules adopted by the Oregon Liquor Control Commission.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1: Chapter 110 of the Code of Seaside is amended to read:

110.04 UNLAWFUL, ILLEGAL OR PROHIBITED BUSINESSES NOT AUTHORIZED.

The levy or collection of a license fee upon any business shall not be construed to be a license or permit of the city, to the person engaged therein, in the event such business shall be unlawful, illegal, or prohibited by the laws of the state or the United States or ordinances of the city. Notwithstanding the aforementioned provisions, a license can be issued for medical marijuana dispensaries and recreational marijuana retailers that comply with the additional licensing requirements in Chapter 118 or medical and recreational marijuana production & processing facilities that comply with the additional licensing requirements in Chapter 119. .

SECTION 2: Chapter 119 is hereby amended in the Code of Seaside to read:

Chapter 119 MEDICAL & RECREATIONAL MARIJUANA PRODUCTION, WHOLESALE, & PROCESSING FACILITIES

119.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the content clearly indicates or requires a different meaning:

Marijuana. All parts of the plant Cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the

sterilized seed of the plant which is incapable of germination, or industrial hemp, as defined in ORS 571.300, or industrial hemp commodities or products.

Medical Marijuana grow site. A location registered under ORS 475B.420 by the Oregon Health Authority where marijuana is produced for use by a registry identification cardholder.

Medical Marijuana processing site. A marijuana processing site registered under ORS 475B.435 or a site for which an applicant has submitted an application for registration under ORS 475B.435 by the Oregon Health Authority.

~~Marijuana grow site. A location registered under ORS 475.304 where marijuana is produced or processed for use by a registry identification cardholder that may be transferred to a medical marijuana facility registered by the Oregon Health Authority under ORS 475.314.~~

License. A medical or recreational marijuana production, wholesale or processing grow site license issued pursuant to this Chapter.

Recreational marijuana processing. A premises where marijuana items are processed and licensed under ORS 475B.090 by the Oregon Liquor Control Commission.

Recreational marijuana production. A premises where marijuana is produced and licensed under ORS 475B.070 by the Oregon Liquor Control Commission

Recreational marijuana wholesale. A premises where marijuana items are received, stored, or delivered; and licensed under ORS 475B.100 by the Oregon Liquor Control Commission

119.02 PURPOSE OF REGULATION.

To protect the public health, safety, and welfare from unlawful production, wholesale, & processing of marijuana, these uses must all be licensed ~~or all medical marijuana grow sites shall be registered in accordance with ORS Chapter 475B.304 and the applicable Oregon Administrative Rules (OAR 333-008).~~

Registration by the Oregon Health Authority or licensing by the Oregon Liquor Control Commission is not a guarantee that a ~~medical marijuana use will be~~ grow site is permitted to operate under applicable local municipal regulations. All said uses ~~grow sites~~ shall comply with the regulations set forth in the *Code of Seaside*.

The regulations set forth by the City of Seaside in this chapter provide reasonable regulations that supplement the Oregon Medical Marijuana Act and the Control and Regulation of Marijuana Act. ~~Oregon Health Authority's Medical Marijuana Program.~~ These regulations are intended to solely address the issue of medical marijuana and recreational marijuana grow site production, wholesale, and processing facilities. These regulations do not address and shall not be applied to medical marijuana dispensaries or any recreational marijuana retailers ~~or other use of marijuana that does not relate to the authorized use under Oregon's existing Medical Marijuana Act.~~

119.03 LICENSE REQUIRED.

(A) No person shall establish, maintain or operate a medical or recreational marijuana grow site ~~production, wholesale, or processing facility~~ within the city unless an annual license is obtained from the city. Every premises ~~place~~ or building where a facility ~~medical marijuana grow site~~ is established shall be ~~deemed a grow site~~ subject to the provisions of this chapter. Each licensee shall also obtain a General Business License in accordance with Chapter 110 of the Code of Seaside.

(B) No license will be issued without proof of registration or license to operate a medical or recreational marijuana facility from the appropriate state agency ~~grow site issued by the State of Oregon.~~ The applicant for the license must also provide copies of electrical permits obtained in order to facilitate the production and processing of ~~medical marijuana~~ and written documentation of the security measures in place to prevent unauthorized entry into any the facility.

(C) The City may deny a license if any owner, manager, operator, employee, agent, or volunteer:

- (1) Has been convicted for the manufacture or delivery of a controlled substance in Schedule I or Schedule II within five years from the date the application for a license was received by the City; or
- (2) Has been Convicted more than once for the manufacture or delivery of a controlled substance in Schedule I or Schedule II; or
- (3) Is prohibited by a court from participating in activities associated with the Oregon Medical Marijuana Act Program (OMMP).

(D) Application for a license must include the information necessary for criminal record background checks for any owner, manager, operator, employee, agent, or volunteer. The City of Seaside police department will conduct all necessary background checks.

(E) No license shall be issued until after a criminal record background check has been completed for the applicant and all individuals employed or volunteering at any facility~~the grow site~~.

(F) No license shall be issued until after the facility~~grow site~~ has been inspected by the City of Seaside Building Official and approved for the proposed occupancy in accordance with the State of Oregon Structural Specialty Code, Fire and Life Safety Regulations, and the Uniform Building Code adopted by the City of Seaside.

(G) Once the facility~~grow site~~ is licensed, the licensee must notify the city and submit necessary information for criminal record background checks of any new owner, manager, operator, employee, agent, or volunteer.

(H) Each licensee shall be required to pay the applicable license fee as set by Resolution of the Seaside City Council.

119.04 OPERATIONAL REQUIREMENTS.

(A) Medical or recreational marijuana production, wholesale, or processing facilities~~marijuana grow sites~~ are not allowed to operate within 1,000 feet of the real property comprising a public or private elementary, secondary or career school.

(B) Grow sites must remain in compliance with all of the applicable provision of ORS Chapter 475B, and the applicable Oregon Administrative Rules, OAR 333-008~~and they are specifically subject to the monitoring and investigation provisions of OAR 333-008-0060.~~

(C) All facilities~~Grow sites~~ are subject to periodic inspection by the Seaside Fire Marshal to ensure they remain in compliance with applicable Fire and Life Safety Regulations.

119.05 LICENSE VALIDITY & ANNUAL REVIEW FOR RENEWAL.

A license will be valid for one calendar year and a new application for a license must be submitted each year. A previously licensed facility~~grow site~~ may continue to operate during the next calendar year until the status of their new application is determined, provided a complete renewal application is submitted in December.

119.06 REVOCATION OF LICENSE

(A) A license is subject to revocation at any time for violation of this chapter or any of the provisions of state law or the applicable Oregon Administrative Rule.

(B) If at any time facts arise or become known to the City Manager that are sufficient to show violation of this chapter, state law, or Oregon Administrative Rule; the City Manager shall notify the licensee, in writing, that the license is to be revoked and that all regulated grow site activities under the license must cease within 15 days.

(C) The violations need not lead to a conviction, but must establish a reasonable doubt about the licensee's ability to perform the licensed activity without danger to property, public health or safety.

119.07 SUSPENSION OF LICENSE.

- (A) Upon determining that a licensed activity presents an immediate danger to person or property, the City Manager may suspend the license for the activity.
- (B) The suspension shall take effect immediately on notice being received by the licensee, or being delivered to the licensee's address, as stated on the licensee's application for the license that is being suspended.
- (C) The notice shall be mailed to the licensee and state the reason for the suspension, and inform the licensee of the procedures for filing an appeal.
- (D) The City Manager may continue the suspension for as long as the reason for the suspension exists, or until a decision by the appellate authority on an appeal regarding the suspension concludes the matter.

119.99 PENALTY.

- (A) Any person violating any of the provisions of this chapter shall, upon conviction thereof in the municipal court of the city, be punishable by a fine not to exceed \$700.
- (B) Each day a violation of a provision of this chapter constitutes a separate violation.
- (C) Revocation or suspension of a license is not a penalty for violation of this chapter and it does not relieve a person of any fine for the violation.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2016, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Community Development Department
Date: October 24, 2016
Subject: Recreational Marijuana Production, Wholesale & Processing to Code of Seaside Chapter 119 by Ord. 2016-05

Request Summary:

The Oregon Liquor Control Commission (OLCC) has established administrative rules that regulate four different types of recreational marijuana facilities (retail, production, wholesale, & processing). Although the City's business license ordinance currently allows recreational retail facilities, it does not allow the other three recreational use types. The Oregon Liquor Control Commission (OLCC) has indicated they do not believe our current regulations are sufficient to be considered an opt out that would prohibit the other three types of facilities.

Staff is concerned the limiting provision of our business license ordinance could lead to legal challenges if OLCC approves one of these facilities even if we have stated our ordinance restricts the activity. Furthermore, prohibiting these other use types could prevent the City from receiving any state revenue share collected for any licensed facility.

In an attempt to regulate the recreational production, wholesale, & processing; in addition to the current regulation of medical marijuana production and processing facilities, staff has prepared an amendment to Ordinance Chapter 119 (attached).

A resolution addressing a potential fee schedule has not been prepared at this point; however, that can be reviewed at a future date if the ordinance is acceptable to the Council.

As with any new ordinance, adoption is at the discretion of Council and the proposed text can be modified in order to address any additional concerns.

Recommended City Council Action:

Following public testimony, review the proposed ordinance and consider beginning the adoption process for the new regulations intended to establish new licensing requirements for recreational marijuana production, wholesale, & processing within the industrial (M-1) zone.

Motion to read Ordinance 2016-05 by title only.

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Community Development Department
Date: October 24, 2016
Subject: Recreational Marijuana Production, Wholesale & Processing to Code of Seaside Chapter 119 by Ord. 2016-05

Request Summary:

The Oregon Liquor Control Commission (OLCC) has established administrative rules that regulate four different types of recreational marijuana facilities (retail, production, wholesale, & processing). Although the City's business license ordinance currently allows recreational retail facilities, it does not allow the other three recreational use types. The Oregon Liquor Control Commission (OLCC) has indicated they do not believe our current regulations are sufficient to be considered an opt out that would prohibit the other three types of facilities.

Staff is concerned the limiting provision of our business license ordinance could lead to legal challenges if OLCC approves one of these facilities even if we have stated our ordinance restricts the activity. Furthermore, prohibiting these other use types could prevent the City from receiving any state revenue share collected for any licensed facility.

In an attempt to regulate the recreational production, wholesale, & processing; in addition to the current regulation of medical marijuana production and processing facilities, staff has prepared an amendment to Ordinance Chapter 119 (attached).

A resolution addressing a potential fee schedule has not been prepared at this point; however, that can be reviewed at a future date if the ordinance is acceptable to the Council.

As with any new ordinance, adoption is at the discretion of Council and the proposed text can be modified in order to address any additional concerns.

Recommended City Council Action:

Following public testimony, review the proposed ordinance and consider beginning the adoption process for the new regulations intended to establish new licensing requirements for recreational marijuana production, wholesale, & processing within the industrial (M-1) zone.

Motion to read Ordinance 2016-05 by title only.

LIQUOR LICENSE APPLICATION

Michael Soprano
Three Little Birds Bakery
8 N. Holladay Dr.
Seaside

This business has applied for a Limited On-Premises Sales Liquor License (new outlet).

Limited On-premises sales license – allows the sale of malt beverages, wine, and cider for consumption at the licensed business, and the sale of kegs of malt beverages to go. Licensees can cater small scale and large-scale private events if they have pre-approval from OLCC.

The Police Department has reviewed the applicants and business applying for the liquor license and attached is the information received.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, child care facility, church, hospital, nursing or convalescent care facility, a park or child oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Seaside Police Department

November 04, 2016

MEMORANDUM

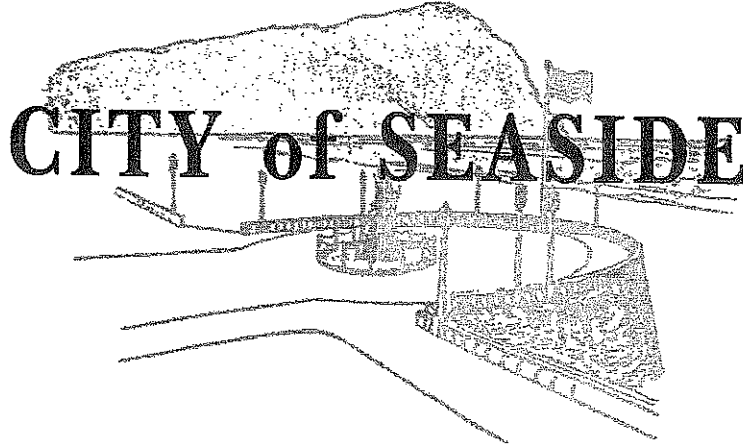
TO: Mayor and City Council
FROM: Guy Knight, Detective Sergeant
SUBJECT: **Three Little Birds Bakery**

The Seaside Police Department has reviewed the liquor application for Three Little Birds Bakery at 8 N. Holladay. This is a new outlet and the owner is requesting a "Limited On-Premises Sales" license.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license.

If you have any additional questions, please let me know.

Working Together We Can Make A Difference



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

November 9, 2016

Michael Soprano
8 N. Holladay
Seaside, OR 97138

Dear Michael:

This letter is to confirm the Oregon Liquor License application for Three Little Birds Bakery, 8 N. Holladay, which was submitted to the City of Seaside and is scheduled to appear on the agenda for the City Council meeting Monday, November 14, 2016 at 7:00 PM.

City Council requests the owner or a representative attend the Council meeting as they will be discussing the liquor license application and may have questions to ask. Attached is the Seaside Police Department memorandum that is submitted to City Council for review.

Sincerely,



Kim Jordan
Administrative Assistant

ORDINANCE NO. 2016-06

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 32 OF THE SEASIDE CODE OF ORDINANCES REGARDING TRANSIENT ROOM TAX

THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend **Chapter 32** ~~Section 32.02~~ of the Seaside Code of Ordinances to read:

32.01 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCRUAL ACCOUNTING. The operator enters the rent due from a transient on his records when the rent is earned, whether or not it is paid.

CASH ACCOUNTING. The operator does not enter the rent due from a transient on his records until rent is paid.

CITY COUNCIL. The City Council of the City of Seaside, Oregon.

HOTEL. Any structure, or any portion of any structure, which is occupied or intended or designed for transient occupancy for 30 days or less for dwelling, lodging or sleeping purposes; and includes any hotel, motel, inn, condominium, tourist home or house, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, public or private dormitory, fraternity, sorority, public or private club; and also means space in mobile home or trailer parks, or similar structures or spaces or portions thereof so occupied; provided such occupancy is for ~~less than a 30-day period~~ **30 days or less**.

OCCUPANCY. The use or possession, or the right to the use or possession, for lodging or sleeping purposes, of any room or rooms in a hotel; or ~~space in a mobile home or trailer park or portion thereof~~ **similar structure or space**.

OPERATOR. The person who is the proprietor of the hotel in any capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this subchapter and shall have the same duties and liabilities as his principal. Compliance with the provision of this subchapter by either the principal or the managing agent shall be considered to be compliance by both.

PERSON. Any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

RENT. The consideration charged, whether or not received by the operator, for the occupancy of space in a hotel, valued in money, goods, labor, credits, property, or other consideration value in money, without any deduction.

RENT PACKAGE PLAN.

(1) The consideration charged for both food and rent, where a single rate is made for the total of both. The amount applicable to rent for determination of transient room tax under this subchapter shall be the same charge made for rent, when consideration is not a part of a package plan.

(2) The amount applicable to rent for determination of transient room tax under this ordinance shall be that amount allocated to space rent, taking into consideration a reasonable value of other items in the rent package, and taking into consideration the charge for rent when the space is rented separately and not included in a package plan.

TAX ADMINISTRATOR. The City Manager.

TAX. Either the tax payable by the transient, or the aggregate amount of taxes due from an operator during the period for which he is required to report his collections.

TRANSIENT LODGINGS TAX REVIEW COMMITTEE. A committee composed of an attorney, an operator, and three laypersons appointed by the Mayor and approved by the Council.

TRANSIENT. Any individual who exercises occupancy or is entitled to occupancy in a hotel for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the 30-day period, if the transient is not charged rent for that day by the operator. Any such individual so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy, or the tenancy actually extends more than 30 consecutive days. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this subchapter may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient.

32.02 TAX IMPOSED

For the privilege of occupancy in any hotel, each transient shall pay a tax in the amount of ~~(8%)~~ (10%) of the rent charged by the operator. The tax constitutes a debt owed by the transient to the city, which is extinguished only by payment by the operator to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. The operator shall enter the tax on his records when rent is collected, if the operator keeps his records on the cash accounting basis, and when earned, if the operator keeps his records on the accrual basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the operator with each installment. In all cases, the rent paid or charged for occupancy shall exclude the sale of any goods, services, and commodities, other than the furnishings of rooms, accommodations, and space occupancy in mobile home parks or trailer parks.

32.06 REGISTRATION OF OPERATOR

(A) Every person engaging in or about to engage in business as an operator of a hotel in this city shall register with the Tax Administrator. ~~on a form provided by him. Operators starting business after this subchapter is adopted must register within 15 days after~~ **prior to** commencing business. The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment or collection of tax, regardless of registration. Registration sets forth the name under which the operator transacts or intends to transact business, the location of his place or places of business and such other information to facilitate the collection of the tax as the Tax Administrator may require. The registration shall be signed by the operator. ~~The Tax Administrator shall, within ten days after registration, issue without charge a certificate of authority to each registrant to collect the tax from the occupant, together with a duplicate thereof for each additional place of business of each registrant. Certificates~~ **Registration** shall be non-assignable and non-transferable, and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named or upon its sale or transfer. ~~Each certificate and duplicate shall state the place of business to which it is applicable, and shall be prominently displayed therein, so as to be seen and come to the notice readily of all occupants and persons seeking occupancy.~~

~~(B) The certificate shall, among other things, state the following:~~

- ~~(1) — The name of the operator.~~
- ~~(2) — The address of the hotel.~~
- ~~(3) — The date upon which the certificate was issued.~~

~~(1) (4) "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled~~ **fulfills** the requirements of the Transient Lodgings Tax Ordinance of the city, by registration with the Tax Administrator for the purpose of collecting from transients the lodgings tax imposed by the city and remitting the tax to the Tax Administrator. This ~~certificate~~ does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of the city. ~~This certificate~~ **Registration** does not constitute a permit."

32.07 DUE DATE; RETURNS AND PAYMENTS.

(A) The tax imposed by this subchapter shall be paid by the transient to the operator at the time that rent is paid. All amounts of such taxes collected by any operator are due and payable to the Tax Administrator on a quarterly basis on the fifteenth day of the following month for the preceding three months, and are delinquent on the 20th last day of the month in which they are due. The Tax Administrator has authority to classify and/or district the operators for determination of applicable tax periods, and shall notify each operator of the due and delinquent dates for the operator's returns. The initial return under this subchapter may be for less than the three months preceding the due date; thereafter, returns shall be made for the applicable quarterly period.

(B) On or before the fifteenth day of the month following each quarter of collection, a return for the preceding quarter's tax collections shall be filed with the Tax Administrator. The return shall be filed in such form as the Tax Administrator may prescribe by every operator liable for payment of tax.

(C) Returns shall show the amount of tax collected or otherwise due for the related period. The Tax Administrator may require returns to show the total rentals upon which tax was collected or otherwise due, gross receipts of operator for such period and an explanation in detail of any discrepancy between such amounts, and the amount of rents exempt, if any.

(D) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Tax Administrator at his office, either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.

(E) For good cause, the Tax Administrator may extend ~~for not to exceed one month~~ from the due date the time for making any return or payment of tax. ~~No further extension shall be granted, except by the transient lodgings tax committee.~~ Any operator to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due, without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this subchapter.

(F) The Tax Administrator, if he deems it necessary in order to insure payment or facilitate collection by the city of the amount of taxes in any individual case, may require returns and payment of the amount of taxes for other than quarterly periods.

32.08 PENALTIES AND INTEREST

(A) *Original delinquency.* Any operator who has not been granted an extension of time for remittance of tax due, and who fails to remit any tax imposed by this subchapter prior to delinquency, shall pay 10% of the amount of the tax due in addition to the amount of the tax.

(B) *Continued delinquency.* Any operator who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of 30 days following the date on which the remittance first became delinquent, shall pay a second delinquency penalty of 15 % of the amount of the tax due plus the amount of the tax and the 10% penalty first imposed.

(C) *Fraud.* If the Tax Administrator determines that the nonpayment of any remittance due under this subchapter is due to fraud or intent to evade the provisions thereof, a penalty of 25 % of the amount of the tax shall be added thereto in addition to the penalties stated in divisions (A) and (B) of this section.

(D) *Interest.* In addition to the penalties imposed, any operator who fails to remit any tax imposed by this subchapter shall pay interest at the rate of 1% per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(E) *Penalties merged with tax.* Every penalty imposed and such interest as accrues under the provisions of this section shall be merged with and become a part of the tax herein required to be paid.

(F) *Petition for waiver.* Any operator who fails to remit the tax herein levied within the time herein stated shall pay the penalties herein stated; provided, however, the operator may petition the ~~Transient Lodgings Tax Review Committee~~ **tax administrator** for waiver and refund of the penalty or any portion thereof;

and the ~~Transient Lodgings Tax Review Committee~~ tax administrator may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

32.11 SECURITY FOR COLLECTION OF TAX

(A) The Tax Administrator, whenever he deems it necessary to insure the compliance with this subchapter, may require the operator subject thereto to deposit with him such security in the form of cash, bond or other security as the Tax Administrator may determine. The amount of the security shall be fixed by the Tax Administrator, but shall not be greater than twice the operator's estimated average quarterly liability as the Tax Administrator deems proper, ~~or \$5,000, whichever amount is lesser.~~

The amount of security may be increased or decreased by the Tax Administrator, subject to limitations herein provided. The operator has a right to appeal to the Transient Lodgings Tax Review Committee any decision of the Tax Administrator made pursuant to this section. The operator's right to appeal is pursuant to 32.17 herein.

(B) At any time within three years after any tax or any amount of tax required to be collected becomes due and payable, or at any time within three years after any determination becomes final, the Tax Administrator may bring any action in the courts of this state, or any other state, or of the United States, in the name of the city, to collect the amount delinquent together with penalties and interest.

32.13 REFUNDS

(A) Refunds by the city to the operator. Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this subchapter, it may be refunded; provided a verified claim in writing therefor, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within ~~three~~ two years from the date of payment. The claim shall be made on forms provided by the Tax Administrator. If the claim is approved by the Tax Administrator, the excess amount collected or paid may be refunded, or may be credited on any amount then due and payable from the operator from whom it was collected, or by whom paid; and the balance may be refunded to such operator, his administrators, executors or assignees.

(B) Refunds by city to transient. Whenever the tax required by this subchapter has been collected by an operator and deposited by the operator with the Tax Administrator, and it is later determined that the tax was erroneously or illegally collected or received by the Tax Administrator, it may be refunded by the Tax Administrator to the transient; provided a verified claim in writing therefor, stating the specific reason on which the claim is founded, is filed with the Tax Administrator within ~~three~~ two years from the date of payment.

(C) Refunds by operator to tenant. Whenever the tax required by this subchapter has been collected by the operator and it is later determined that the tenant occupies the hotel for a period exceeding 30 days without interruption, the operator shall refund to such tenant the tax previously collected by the operator from that tenant as a transient. The operator shall account for such collection and refund to the Tax Administrator. If the operator has remitted the tax prior to the refund or credit to the tenant, he shall be entitled to a corresponding refund under this section.

32.15 ADMINISTRATION.

(A) The Tax Administrator shall ~~distribute~~ **prioritize the distribution of** the transient room tax collected in the priority and for the purposes as follows:

~~(1) Payment of the principal and interest on the advanced refunding certificates of Participation dated October, 1995 and any future debt requirements;~~

~~(2) Maintaining, upgrading, and expansion of the Convention Center building, properties, and equipment shall be a priority second only to debt requirements. A division of one-half of one percent of the hotel/motel room tax rate to a Convention Center Capital Improvement Fund shall be made to insure adequate funding for future needs.~~

~~(3) Subject to division (1) above, the Tax Administrator shall deposit the transient room tax collected from vacation rentals in the general fund. The remaining revenue shall be allocated as follows:~~

~~(a) Twenty and one-tenth percent (20.1%) will be allocated to promote and advertise the city through the City Advertising Committee, and to operate the Seaside Visitors Bureau as designated by the City Council;~~

~~(b) Thirteen and one-half percent (13.5%) will be allocated to the Public Safety Fund for the general operation of the Police, Fire, Municipal Court, and Lifeguards;~~

~~(c) Fifty one and three-tenths percent (51.3%) will be allocated to the Convention Center Fund, first for payment of Certificates of Participation as described in division of this section, second for maintaining, upgrading, and expansion of the Convention Center building, properties, and equipment, and the remainder, if any, to the Convention Center Fund for the general operation of the Seaside Convention Center.~~

~~(d) Six and three-tenths percent (6.3%) will be allocated to the Convention Center Capital Improvement Fund for the maintenance, upgrade, and expansion of the Convention Center building, properties, and equipment.~~

~~(e) Three and one-tenth percent (3.1%) will be allocated to the Capital Improvement & Maintenance Fund (expenditures will be made with City Council approval);~~

~~(f) Three and one-tenth percent (3.1%) will be allocated to the Public Works Fund to be used for the maintenance and operation of tourist related facilities;~~

~~(g) Two and six-tenths percent (2.6%) will be allocated to a Prom Improvement Fund to be used for the maintenance, reconstruction, or expansion of the Prom system.~~

(1) The Tax Administrator shall assure the satisfaction of all debt requirements of the Convention Center

(2) The Tax Administrator shall distribute the transient room tax collected from vacation rentals to the General Fund.

(3) The Tax Administrator shall distribute all room tax (except vacation rental) as follows:

(a) Sixteen and eight hundredths percent (16.08%) will be allocated to promote and advertise the City through the City Tourism Advisory Committee, and to operate the Seaside Visitors Bureau as designated by the City Council;

(b) Fifteen and twelve hundredths percent (15.12%) will be allocated to the Public Safety Fund for the general operation of Police, Fire, Lifeguards, and the Municipal Court (0.8% is dedicated to the Lifeguard program);

(c) Fifty six and eight tenths percent (56.80%) will be allocated to the Convention Center Fund, first for payment of outstanding debt requirements, second for maintaining, upgrading, and expansion of the Convention Center building, properties, and equipment, and finally for the general operation of the Convention Center;

(d) Four and eight hundredths percent (4.08%) will be allocated to the Convention Center Capital Improvement Fund for the maintenance, upgrading, and expansion of the Convention Center building, properties, and equipment;

(e) Two and thirty two hundredths percent (2.32%) will be allocated to the Capital Improvement & Maintenance Fund (expenditures will be made with City Council approval);

(f) Two and forty eight hundredths percent (2.48%) will be allocated to the Public Works Fund to be used for the maintenance and operation of tourist related facilities;

(g) One and ninety two hundredths percent (1.92%) will be allocated to the Prom Improvement Fund to be used for the maintenance, reconstruction, and expansion of the Prom system;

(h) One and two tenths percent (1.20%) will be allocated to the Emergency Readiness Fund to be used for emergency preparedness education and supplies for the general population (both full time and seasonal).

32.16 TRANSIENT LODGINGS TAX REVIEW COMMITTEE

(A) A Transient Lodgings Tax Review Committee is hereby authorized to be composed of an attorney, who may be a city employee, an operator, as herein defined, and three lay members. The Committee shall select from its members a Chairperson, who shall serve at its pleasure. Three members of the Committee shall constitute a quorum. The Committee shall keep a record of its transactions. The Committee shall be deemed to be in the office of the Tax Administrator, and shall meet and keep its files in his office.

The members of the Committee shall not, at any time, receive any compensation as such members or acting members for their services on the Committee. The Committee shall be appointed by the City Council as needed. ~~and shall serve four-year terms.~~

(B) The Committee shall have power, and it shall be its duty:

(1) To hear and determine appeals of orders or decisions of the Tax Administrator made upon petitions for redetermination of tax. The Committee may affirm, modify or reverse such orders or decisions, or dismiss the appeals therefrom, as may be just; and shall prescribe such forms, rules and regulations relating to appeals as it may deem necessary. In the review of the Tax Administrator's decision or order, the Committee may take such evidence and make such investigation as it may deem necessary. It shall give notice of a Tax Administrator's decision, and shall file a copy of each such determination with the Tax Administrator with certification thereon of the date of service thereof. Such determination shall become final 20 days thereafter, and shall thereupon become due and payable subject to interest penalties, and enforceable by the Tax Administrator in like manner as an order or decision of the Tax Administrator.

(2) To approve, modify or disapprove all forms, rules and regulations prescribed by the Tax Administrator in the administration and enforcement of this subchapter; and such forms, rules and regulations adopted or promulgated after November 1, 1973, shall be subject to and become effective only on such approval.

(3) To hear and determine, in such manner as shall be just, any protest, which may be made by any person who may be interested, to any form, rule or regulation approved or prescribed by the Committee.

(4) To grant for good cause applications for extensions of time in excess of one month for making any return or payment of tax, and to prescribe rules therefor.

(5) To make such investigations as it deems advisable regarding the imposition and administration of the transient lodgings tax, and report its findings to the City Council; to act in an advisory capacity to the legislative body on matters pertaining to the transient lodgings tax and enforcement problems, and to recommend to the council the adoption, amendment or repeal of legislation pertaining thereto.

SECTION 2. The City of Seaside may phase in the room tax increase as required.

SECTION 3. The amendments in Ordinance No. 2016-05 will become effective January 1, 2017.

ADOPTED by the City Council of the City of Seaside on this ___ day of _____, 2016, by the following roll call vote:

- YEAS:
- NAYS:
- ABSTAIN:
- ABSENT:

SUBMITTED to and APPROVED by the Mayor on this ___ day of _____, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

RESOLUTION #3884

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
NAMING THE SEASIDE LIBRARY BUILDING THE
DON LARSON BUILDING**

WHEREAS, since retiring and moving to Seaside, Don Larson has been involved in city business in a variety of ways. He served on the Planning Commission four years, was on the Seaside City Council for three years, and was then elected Mayor January 1, 2003; and

WHEREAS, throughout Don Larson's years of public service, he has built a solid reputation for strong organizational skills, leadership, and resolve; and

WHEREAS, Don Larson was nominated by the City of Seaside and received a Small City Award at the Oregon Mayors Association Conference in 2009, that recognized his numerous and extraordinary contributions to local government leading to positive changes for the future of Oregon; and

WHEREAS, Don Larson was a major contributor to the new library project; from the first discussion of a new library, to construction, and finally the completion, which has resulted in the public using and enjoying the new facility.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEASIDE:

That in honor of Don Larson's extraordinary passion and visionary leadership to the City of Seaside, the Seaside City Council hereby proclaims, the Seaside Library Building located at 1131 Broadway as the Don Larson Building.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2016.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

Site Name: Tillamook Head
County: Clatsop
Site Number: F70410

INTERGOVERNMENTAL CO-LOCATION AGREEMENT

CITY OF SEASIDE POLICE AND FIRE

TILLAMOOK HEAD – ODOT SHELTER

This Agreement is between the State of Oregon acting by and through its Department of Transportation (“ODOT”) and City of Seaside Police Department and Fire Department, acting by and through its elected officials (“Local Government”), each a “Party” and together, the “Parties”.

SECTION 1: RECITALS

A. Authority. This Agreement is authorized by ORS 190.110.

Purpose.

ODOT and Local Government, each individually, have agreements with SBA Towers II LLC (SBA) and are tenants at the Tillamook Head Communications Site which consists of a tower, shelters and other ancillary improvements (SBA Compound). ODOT’s Agreement with SBA Towers II LLC is #OR11913-A-17. Local Government’s agreement with SBA Towers II LLC is #OR11913-A-09.

ODOT and Local Government, along with other local agencies in the northwest coastal area (NW Partners), are parties to agreements which created a partnership between ODOT and the NW Partners for the joint construction and development of a microwave network in the northwest coastal region of the state of Oregon. The agreements between ODOT and the NW Partners, specific to the Tillamook Head Communications Site, are as follows:

1. Master Intergovernmental Agreement No. 27325
2. Site Specific Supplemental Agreement No. 28036 for the Tillamook Head Communications Site.
3. Site Supplemental No. 28246 for Bandwidth Sharing from Nicolai to Mt. Hebo Communications Sites.

Under the approval of SBA, ODOT constructed a shelter (ODOT Shelter) within the SBA Compound. The SBA Compound is located at 45.952806 Latitude, -123.938444 Longitude, Section 4, Township 5 North, Range 10 West, County of Clatsop, State of Oregon. Local Government desires to colocate certain of its equipment within the ODOT Shelter, and ODOT is willing to authorize Local Government to colocate such Local Government equipment in the ODOT Shelter subject to the terms of this Agreement and in accordance with the partnership formed between the Parties.

In consideration of the mutual obligations provided in this Agreement, the Parties hereby agree as follows:

SECTION 2: DEFINITIONS

- 2.1 “Colocate” or “Colocation” means the locating by Local Government of Communications Equipment on a common support structure or in an equipment building at a Site owned or leased by ODOT.
- 2.2 “Communications Equipment” means communications equipment, including but not limited to routers, antenna, other transmitting or receiving equipment for radio and microwave, and associated accessories and ancillary devices used to support Wireless Communications and other forms of communications.
- 2.3 “Premises” means the physical space within a Site granted to Local Government for Colocation pursuant to this Agreement.
- 2.4 “Site” means the physical location described on Exhibit A that is owned or controlled by ODOT where Colocation may occur.

COMMUNITY CENTER & SENIOR COMMISSION

The purpose of the Community Center and Senior Commission is to be an advisory body to recommend and make suggestions to the City Council concerning matters relating to the well being of the community center and seniors of the city. Receive direction from the Council concerning matters relating to the well being of the community center and seniors of the City.

The commission consists of nine members who are not officials or employees of the city and who shall be appointed by the City Council. A minimum of five members shall reside within the city limits; a maximum of four members may reside within the Urban Growth Boundary, but outside the City limits.

A Community Center and Senior Commissioner's term of office shall commence on June 1, of each year of his/her term. At the first Commission meeting in June, the Commission will appoint one of their members as Chairperson and one as Vice-Chairperson. One member of the Commission will serve as secretary and minutes will be filed with the City Council.

The Commission 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 from the Mayor 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. "The members shall serve without salary or compensation of any nature."

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 14, 2016
Name: Doris Snodgrass
Commission/Committee: Community Center & Senior Commission
Resignation Date: November 1, 2016
Term Expiration Date: June 1, 2017
Wants to be considered again: No

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**

Kimberley Jordan

Subject: FW: Commission Updates...

From: Darren Gooch [<mailto:dgooch@sunsetempire.com>]

Sent: Tuesday, November 01, 2016 11:14 AM

To: Kimberley Jordan

Subject: Commission Updates...

The Community Center Commission made a motion this morning to alleviate commission member Doris Snodgrass to Commission Member Emeritus (an honorary member) and appoint a new member to replace her in the coming months. Doris has served the commission for many years, but due to her health she is unable to attend the meetings.
Darren



Darren Gooch, IT + Marketing Manager

SUNSET EMPIRE PARK + RECREATION DISTRICT

dgooch@sunsetempire.com | 503.738.7393 x3

1225 Avenue A Seaside, OR 97138



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

COMMUNITY CENTER & SENIOR COMMISSION

Term: 3 years

Number of Members: 9

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
VACANCY			6/01/2017
JOE (FRED) FISHER	2533 OREGON	738-9897	6/01/2017
KRISTIN TSCHANNEN	2125 S. DOWNING #1	323-397-5116	6/01/2017
LOUIS NEUBECKER	1859 BROADWAY	717-0153	6/01/2018
HELEN MEINICKE	PO BOX 646	738-3185	6/01/2018
LEILA VERNOR	764 3 RD AVENUE	738-4352	6/01/2018
PIPER O'BRIEN	720 S. LINCOLN	738-3169	6/01/2019
GRETA PASSETTI*	2556 QUEEN ST. #1	738-6583	6/01/2019
MOLLY IRONS	221 7 TH AVENUE	738-7005	6/01/2019

SEASIDE PLANNING COMMISSION

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:** November 14, 2016

Name: Tom Horning
Bill Carpenter

Commission/Committee: Planning Commission

Resignation Date: N/A

Term Expiration Date: November 1, 2016

Wants to be considered again: Tom Horning – Yes
Bill Carpenter – Yes
2. **Applicants:**
Tom Horning
Bill Carpenter
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
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>
TOM HORNING	808 26 TH AVE.	738-3738/738-5770	11/01/2016
BILL CARPENTER**	PO BOX 797	738-5410	11/01/2016
ROBERT PERKEL	2039 HUCKLEBERRY DR.	971-320-0008	11/01/2017
RICHARD RIDOUT	860 BEACH DRIVE	738-8078	11/01/2018
CHRIS HOTH	420 AVENUE I	738-7861	11/01/2018
RAY ROMINE*	2170 SKYLINE DR.	440-9561	11/01/2019
STEVE WRIGHT	PO BOX 52	503-984-5324	11/01/2019

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

*CHAIR

**VICE CHAIR