

**REMINDER: CITY COUNCIL MEETING AUDITOR DECEMBER 9, 2019, 6:00 PM**

**AGENDA SEASIDE CITY COUNCIL MEETING  
DECEMBER 9, 2019 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS FROM STUDENT REPRESENTATIVE, Tristyn McFadden
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 - \$1,096,265.85
  - b) APPROVAL OF MINUTES – November 25, 2019
9. REPORTS AND PRESENTATIONS:
  - a) COMMUNITY PRESENTATION – GREENHEART EXCHANGE, FOREIGN EXCHANGE STUDENT MAX FROM UKRAINE, Teresa Petersen
  - b) PRESENTATION – KERN AND THOMPSON LLC 2018-2019 AUDIT, Rick Proulx
10. UNFINISHED BUSINESS: NONE
11. NEW BUSINESS
  - a) APPROVAL – CITY OF SEASIDE AUDIT CONTRACT WITH KERN AND THOMPSON, LLC.
  - b) LIQUOR LICENSE APPLICATION – THE SEA, 1480 S. ROOSEVELT (Owner Pattaraporn Lovwatcharasophon)
  - c) PROPOSAL – SUNSET EMPIRE PARK AND RECREATION DISTRICT PROPOSED INDOOR TRAINING FACILITY PROJECT AT BROADWAY PARK, Chris Corder and Skylar Archibald
  - d) SEASIDE LIBRARY RADIO FREQUENCY IDENTIFICATION (RFID), Esther Moberg
  - e) SEASIDE CIVIC AND CONVENTION CENTER INCREASE IN SERVICE AND GRATUITY CHARGES FROM 15% TO 18%, Russ Vandenberg

- f) SEASIDE CIVIC AND CONVENTION CENTER EXPANSION/RENOVATION  
CHANGE ORDER, Russ Vandenberg
- g) UPDATE - SEASIDE CIVIC AND CONVENTION CENTER  
EXPANSION/RENOVATION, Russ Vandenberg
- h) VACANCY – LIBRARY BOARD

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.

**CONTRACT**

**THIS CONTRACT**, made the 9th day of December, 2019, in accordance with the requirements of Oregon Revised Statutes 297.405 through 297.555 between **KERN & THOMPSON, LLC**, Portland, Oregon, Certified Public Accountants (Auditor), and the **CITY OF SEASIDE**, Seaside, Oregon (the "City"), provides as follows:

It hereby is agreed that Auditor shall conduct an audit of the accounts and fiscal affairs of the City for the period beginning July 1, 2019, and ending June 30, 2020, in accordance with the Minimum Standards for Audits of Municipal Corporations as prescribed by law. The audit shall be undertaken in order to express an opinion upon the financial statements of the City, and the separate financial statements of the Seaside Urban Revenue Agency (a component unit of the City of Seaside, collectively the "City"), and to determine if the City has complied substantially with appropriate legal provisions.

Auditor agrees that the services contracted to perform under this contract shall be rendered by or under personal supervision and that the work will be faithfully performed with care and diligence.

It is understood and agreed that, should unusual conditions arise or be encountered during the course of the audit whereby the services of Auditor are necessary beyond the extent of the work contemplated, written notification of such unusual conditions shall be delivered to the City, who shall instruct in writing Auditor concerning such additional services, and that a signed copy of each such notification and instruction shall be delivered immediately to the Secretary of State by the party issuing the same.

The audit shall be started as soon after this contract is executed as is agreeable to the parties hereto and shall be completed and a written report thereon delivered within a reasonable time, but not later than six months, after the close of the audit period covered by this contract. Adequate copies of such report shall be delivered to the City, and its form and content shall be in accordance with and not less than that required by the Minimum Standards for Audits of Oregon Municipal Corporations.

It is understood and agreed that the City is responsible for such financial statements as may be necessary to fully disclose and fairly present the results of operations for the period under audit and the financial condition at the end of that period. Should such financial statements not be prepared and presented within a reasonable period of time, it is understood that Auditor shall draft them for the City. The cost of preparing such financial statements shall be included in the fee for conducting the audit as set forth below.

**It is understood and agreed** that either party may cancel this Contract by giving notice in writing to the other party at least ninety (90) days prior to July 1 of any year.

In consideration of the faithful performance of the conditions, covenants, and undertakings herein set forth, the City hereby agrees to pay Auditor the sum of \$43,000, and the City hereby affirms that proper provision for the payment of such fee has been or will be duly made and that funds for the payment thereof are or will be made legally available.

**KERN & THOMPSON, LLC**

**CITY OF SEASIDE, OREGON**

By: \_\_\_\_\_



By: \_\_\_\_\_

## LIQUOR LICENSE APPLICATION

Pattaraporn Lovwatcharasophon

**The Sea**

1480 S. Roosevelt Drive

Seaside

This business has applied for a Full On-Premises Commercial Sales Liquor License. This is a change of ownership for this property.

**Full On-Premises Sales License – allows the sale of distilled spirits, malt beverages, wine, and cider for consumption at the licensed business. This license also allows private catering if the applicant receives pre-approval from OLCC.**

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

## 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*

December 04, 2019

## **MEMORANDUM**

**TO:** Mayor and City Council  
**FROM:** Guy Knight, Detective Sergeant  
**SUBJECT:** The Sea

The Seaside Police Department has reviewed the liquor application for The Sea, located at 1480 S. Roosevelt Dr., Seaside, OR. This is a request for a Full on-premises, commercial sale license.

The owner of The Sea also owns Thai Me Up which is located at 1575 S. Roosevelt Dr, Seaside, OR and currently has a liquor license at that location. The inspection and review did not find any disqualifying information or reason to deny this application.

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

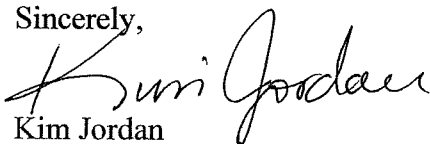
December 4, 2019

Pattaraporn Lovwatcharasophon  
**The Sea**  
1480 S. Roosevelt Drive  
Seaside

Dear Pattaraporn:

This letter is to confirm that the Oregon Liquor License application that was submitted to the City of Seaside is scheduled to appear on the agenda for the City Council meeting Monday, December 9, 2019, at 7:00 PM. City Council requests applicants attend the Council meeting as they will be discussing comments as stated on the liquor license application and may have questions to ask. Attached with this letter is the Seaside Police Department memorandum that is submitted to City Council for review.

Sincerely,



Kim Jordan  
Administrative Assistant

**Indoor Training  
Facility  
@ Broadway Park  
Project**

**Winter 2020**





## **Project Summary:**

This project, named the **Broadway Park Indoor Training Facility(BTF)** is designed to support the local Seaside baseball and softball programs. It will also be an additional support area for the Sunset Empire youth program as an indoor play area.

This building is proposed as a 56x86 footprint on the city of Seaside land to the north of the sunset empire building and to the west of the softball corner of Broadway park where the current batting cages are. This building is proposed as an engineered pole building with steel roofing and siding that aesthetically matches the green buildings that are in the park now. There will be a Seaside Kids/Seaside Athletics sign on the building with a dedication of sponsors sign as well. The interior will be a low impact turf type flooring, plywood walls (painted school colors), 4 net systems (2 - 55' & 2 - 70'), a players lounge area/storage and will be heated with radiant floor heat. We plan to get natural gas to the building along with power, water and sewer. All of the shed water will be diverted into the storm drain system nearby.

It is the goal and purpose of this group to provide an indoor facility that supports the Seaside baseball and softball programs throughout the year, rain or shine. Included in the proposed facility are two ADA bathrooms, a concession stand to be used for football, soccer, baseball and softball events as well as a storage area for the Broadway park/field maintenance equipment.

**Access** to the facility will be from Broadway street. The building will have a perimeter sidewalk for ADA access and that access will be continued to the Sunset Empire facility with no breaks in hard/solid surface access. Use of the facility will be provided by permitted Seaside kids/Seaside High coaches and SEPRD staff only.

**Proposed budget & Cost Analysis** - see attached spreadsheet

**Completion goals:** The completion date goal for the facility is June 1, 2020.











Clatsop County GIS Help VAP

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Basemap Photo Taxmap

Map Layers Search Taxlots Results

**Search Taxlots**

Search By:  
Account Number

That:  
Contains

FOR HELP: SEE EXAMPLES BELOW

Account Number: 22587  
Taxlot: 80908CC00800  
Map Number: 8.9.8CC  
Owner: (Last Name First) No Comma  
Address: If 123 Main St, enter 123 Main or 123 for best results

Cancel Go!

X,Y: 7333636.43173, 866891.33322 Lat, Lon: 45.994, -123.918 Scale: 1:721

# SITE PLAN

## BASEBALL/SOFTBALL HITTING FACILITY

TAX LOT 500 MAP 8 10 5DD & TAX LOT 901 MAP 8 10 8AA

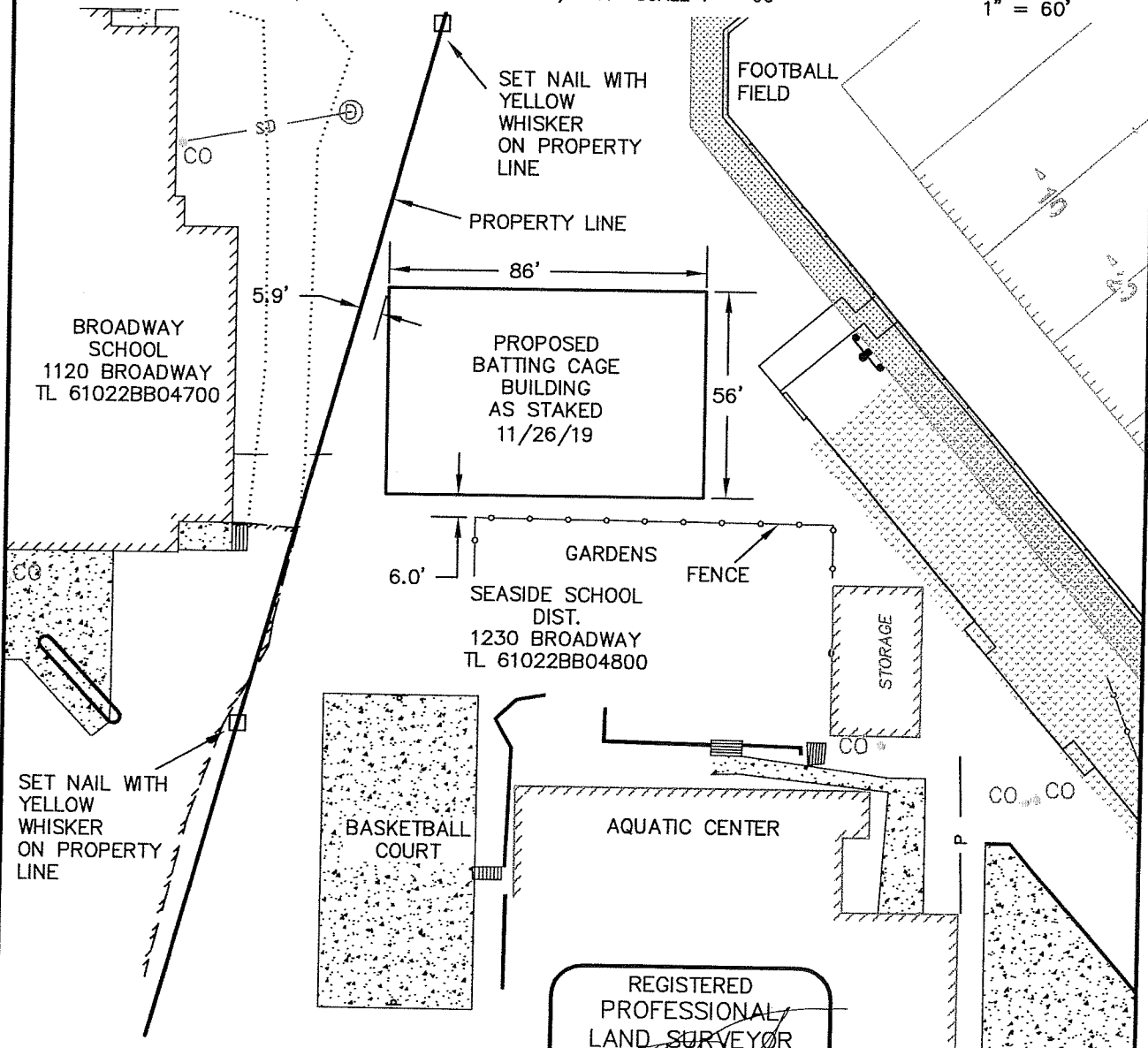
SE 1/4 OF SEC. 5 & NE 1/4 SEC. 8, T8N, R10W, W.M.

CITY OF WARRENTON, CLATSOP COUNTY, OREGON

DATE: NOVEMBER 27, 2019 SCALE 1" = 60'



1" = 60'



MAP FOR: SEASIDE SCHOOLS  
 MAP BY: CKI  
 P.O. BOX 2699  
 GEARHART, OR 97138  
 503 738 4320 PHONE  
 19-117.DWG

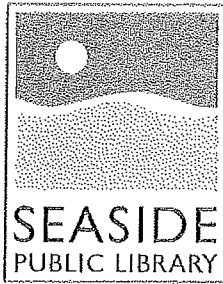
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JUNE 30, 1997  
 SCOTT S. COOTER  
 2829

RENEWS 12/31/09







# Seaside Public Library

1131 Broadway Seaside, OR 97138

## LIBRARY MEMORANDUM

To: The Mayor and City Council

From: Esther Moberg, Library Director

Date: December 3, 2019

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Dear Honorable Mayor and City Council,

Back in January of 2018 The Seaside Public Library brought to city council a proposal for a Radio Frequency Identification system (RFID) in the Library. This is something that was initially looked into 10 years ago by Director Reita Fackerell, but the cost was prohibitive at that time. We found a cost effective vendor in 2017. Thanks to the Friends of the Seaside Public Library, the Seaside Public Library Foundation, and an LSTA grant we were able to purchase all of the software, hardware, and supplies totaling over \$26,000 in 2018-2019.

I will be giving a brief final review of the installation of the RFID project. The main goals for our library will be to help deter theft of library items, decrease the amount of items that are not checked out properly/not scanned in properly, as well as aiding in inventory. I believe all three of these goals will be achieved with this new system at a higher competency level than we currently have.

Our goal with RFID was in the first stage to purchase the hardware, software, and tags for the Audiobook and DVD collections in the library by the end of 2018. In 2019 our goal was to tag the rest of the Library collection of books and other media.

Sincerely,

Esther Moberg

Library Director



## MEMORANDUM

TO: Honorable Mayor & City Council  
FROM: Russ Vandenberg, General Manager  
DATE: December 4, 2019  
RE: Service and Gratuity Fee Increase

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The Seaside Civic and Convention Center introduced the first ever 15% Service and Gratuity fee January 1, 2013. This fee generates revenue to supplement Oregon Fine Foods, Inc service employees' hourly wages and F&B related equipment.

This fee is distributed 60% to ORFF plus 5% Administrative and 35% SCCC.

Currently our 15% service and gratuity fee provide an additional hourly wage for Back of House an average of \$5.25/hr and Front of House average of \$8.30/hr. This is in addition to the base starting salary of \$12.00/hr.

We are recommending an increase of 3% for a total of 18% service and gratuity fee effective January 1, 2020. This additional 3% increase will continue to serve as a resource for recruiting and retaining service staff and for SCCC to purchase F&B equipment that best serves the needs of our clients.

The SCCC Commission unanimously approved this increase at their Sept 12 and Oct 10, 2019 meetings.

After making a detailed review of all changes, staff recommends approving this increase.



CIVIC AND CONVENTION CENTER

## MEMORANDUM

TO: Honorable Mayor & City Council  
FROM: Russ Vandenberg, General Manager  
DATE: December 4, 2019  
RE: SCCC Expansion/Renovation – Change Order #11

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We have received the following change orders for the SCCC Expansion/Renovation project:

1. Remove can lights in Sand Dollar Rm and replace with 2x2 LED fixtures	\$4,748.70
2. Install (1ea) S/S handrailing at west landscaping area to west landing	\$1,477.63
3. Install maple plywood on sound/lighting booth in Pacific room	<u>\$5,118.93</u>
Total Change Orders	<b>\$11,345.26</b>

Total of change order will increase our GMP contract with O'Brien & Company, LLC from \$12,449,593.26 to \$12,460,938.52.

SCCC Remaining Contingency:	\$67,371.00
O'Brien Construction Contingency:	<u>\$4,506.00</u>
Total Contingency Remaining:	\$71,877.00

After making a detailed review of all changes, staff recommends approving and increasing O'Brien & Company, LLC (GMP) construction contract accordingly.



# Change Order Request

O'Brien & Company, LLC  
 PO Box 4008  
 Wilsonville, OR 97070  
 Phone: 971-219-5422

**Owner:** City of Seaside  
 989 Broadway  
 Seaside, OR 97138

**Project:** 18-184- / Seaside Civic Center Construction  
 415 1st Ave  
 Seaside, OR 97138

PCOType: PR

Change Order Request # : 9 OCO #11

Item : 1 Remove Can Lights in Sand Dollar Room and Replace with LEDs

Cost Type	Estimated	Markup	Amount
3 Subcontractor	4,499.22	%0.00	4,499.22
<b>Subtotal Item</b>			<b>4,499.22</b>
Overhead and Profit		4.50%	202.46
General Liability		1.00%	47.02
<b>Requested Total For Item 1</b>			<b>4,748.70</b>

Item : 2 Fab and Install Handrailing at W Landscaping Area to W Landg

Cost Type	Estimated	Markup	Amount
2 Materials	1,400.00	%0.00	1,400.00
<b>Subtotal Item</b>			<b>1,400.00</b>
Overhead and Profit		4.50%	63.00
General Liability		1.00%	14.63
<b>Requested Total For Item 2</b>			<b>1,477.63</b>

Item : 3 Install Maple Plywood on Soundbooth in Pacific Room

Cost Type	Estimated	Markup	Amount
3 Subcontractor	4,850.00	%0.00	4,850.00
<b>Subtotal Item</b>			<b>4,850.00</b>
Overhead and Profit		4.50%	218.25
General Liability		1.00%	50.68
<b>Requested Total For Item 3</b>			<b>5,118.93</b>

**Total For Change Order 11,345.26**



# Change Order Request

O'Brien & Company, LLC  
PO Box 4008  
Wilsonville, OR 97070  
Phone: 971-219-5422

**Owner:** City of Seaside  
989 Broadway  
Seaside, OR 97138

**Project:** 18-184- / Seaside Civic Center Construction  
415 1st Ave  
Seaside, OR 97138

**PCOType: PR**

Not valid until signed by both the Owner and Architect. Signature of the Contractor indicates the Contractor's agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original Contract Sum was	11,113,180.96
The net change by previously authorized Change Orders was	1,336,412.30
The Contract Sum prior to this Change Order was	12,449,593.26
The Contract Sum will be increased by this Change Order	11,345.26
The new Contract Sum will be	12,460,938.52

**Authorized By Owner:**  
City of Seaside  
989 Broadway  
Seaside, OR 97138

**Accepted By Contractor:**  
O'Brien & Company, LLC  
PO Box 4008  
Wilsonville, OR 97070

**Architect/Engineer:**  
Holst Architects  
110 S.E 8th Ave.  
Portland, OR 97214

**By:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**By:**  Chris Sumpter  
Digitally signed by Chris Sumpter  
DN: C=US,  
E=chris.sumpter@obrien-co.com,  
O=O'Brien Construction, OU=Coast  
Area Manager, CN=Chris Sumpter  
Date: 2019.12.03 15:10:31 -0800  
**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**Date:** \_\_\_\_\_



## **SEASIDE LIBRARY BOARD**

**(Meetings are scheduled the first Tuesday of each month at 4:00 PM)**

The Seaside Public Library Board acts in an advisory capacity to the Library Director and Seaside Public Library on behalf of Seaside City Council regarding the operations of the City Library. The Seaside Public Library Board advises the Library Director on matters that relate to library services, policies, and funding. The Seaside Library Board shall approve bylaws, recommend library policies to the city council, follow Oregon's open meetings law and public records laws, build a good community support for the library's services, while actively listening and responding to the community requests for library services.

The board consists of five members appointed by the Mayor subject to City Council approval. The Seaside Public Library is advised by the library board. All terms of office shall be four years beginning on December 31<sup>st</sup>, and no member shall hold office for more than two full consecutive terms.

The board shall meet at least once a month in the library at a designated time and special sessions may be called by the chair of the board should the chair deem it necessary.

The board shall elect a chairman and vice-chair at the beginning of each serving year, and in the absence of the chairman, the vice chair shall assume the duties of the chairman. The board, should it so desire, may appoint the librarian as secretary to the board to take minutes and to keep a record of its actions.

The members shall serve without salary or compensation for services rendered.

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 25, 2019  
**Name:** Russ Taggard  
**Commission/Committee:** Library Board  
**Resignation Date:** Term Expiration - Served Two Terms  
**Term Expiration Date:** December 31, 2019  
**Wants to be considered again:** No - Served Two Terms
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

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

## LIBRARY BOARD

Term of Office: 4 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
<b>VACANCY</b> (TAGGARD)			12/31/2019
TESS RATTY	89637 LAKESIDE CT. WARRENTON	738-5055	12/31/2020
GLORIA LINKEY	561 BONNIE COURT	440-7142	12/31/2020
CATRIONA PENFIELD	PO BOX 366	738-6380	12/31/2021
EVE MARX	2356 S. DOWNING ST.	914-588-7051	12/31/2022

\*CHAIR