

This meeting is a public meeting which you may attend in person. This meeting can also be watched electronically via the City's YouTube and Facebook Pages. Public comments must be submitted by 5 p.m. on the day of the meeting and can be emailed to publiccomment@cityofseaside.us. Comments received electronically after that time will move to the next meeting's packet. Public comment can also be made in-person during the public comment period of the City Council meeting or during the public hearing for a specific agenda item.

**AGENDA SEASIDE CITY COUNCIL MEETING
JULY 12, 2021 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION – PARK AND RECREATIONAL MONTH, Skylar Archibald
SEASIDE PROMENADE 100TH ANNIVERSARY CELEBRATION,
City Council
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 - \$228,769.16
 - b) APPROVAL OF MINUTES – June 28, 2021
9. REPORTS AND PRESENTATIONS: NONE
10. UNFINISHED BUSINESS:
 - a) VACANCY - COMMUNITY CENTER COMMISSION
PLANNING COMMISSION
CITY TREE BOARD
11. NEW BUSINESS
 - a) BUSINESS LICENSE APPLICATION NON-PROFIT STATUS – DELIVER
LIGHT FOUNDATION, Michelle Trott
 - b) AGREEMENT – BRONZE SCULPTURE “ARRIVAL” LOANED TO THE
CITY OF SEASIDE FROM STEPHEN BIEHL WILLIAMS AND LINDA
PESCIALLO WILLIAMS
 - c) ORDINANCE #2021-03 – AN ORDINANCE OF THE CITY OF SEASIDE,
OREGON, AMENDING CODE OF ORDINANCE CHAPTER 31: BOARDS,
COMMISSIONS, AND COMMITTEES, REGARDING 31.050 COMMUNITY
CENTER COMMISSION MEMBERSHIP (First Reading)
 - OPEN PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – 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.*

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.



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

PROCLAMATION

Whereas, parks and recreation programs are an integral part of communities throughout this country, including the City of Seaside, Oregon; and

Whereas, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

Whereas, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

Whereas, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

Whereas, parks and recreation areas are fundamental to the environmental well-being of our community; and

Whereas, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

Whereas, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

Whereas, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

Whereas, the City of Seaside recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, I, JAY BARBER, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim the month of July, 2021, as

PARK AND RECREATION MONTH

In the City of Seaside.

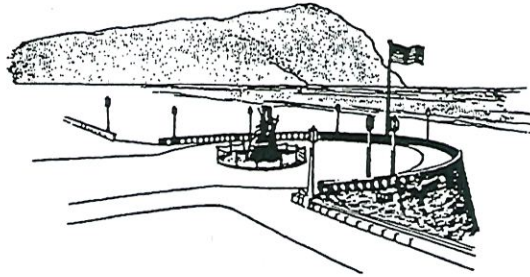
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 12TH day of July, 2021.



JAY BARBER, MAYOR

CITY OF SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT



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

PROCLAMATION 2021 CITY COUNCIL OF SEASIDE, OREGON July 28, 2021

Whereas, August 7, 1921, marked a turning point in the civic and cultural history of the State of Oregon; and

Whereas, on that day, dignitaries and thousands of visitors from around the state joined Governor Ben W. Olcott in Seaside, Oregon, at the dedication ceremony for a new sea wall and promenade that was 1.5 miles long; and

Whereas, the "Prom," as it is affectionately known, was officially christened by eight-year-old Martha Hagmeier, who broke a bottle of sea-water on the concrete; and

Whereas, tourism exploded after construction of the Seaside Promenade, and millions of visitors from around the world have experienced the distinctive pleasures of a stroll, run or bicycle ride on the Prom; and

Whereas, the Seaside Promenade allows visitors to take in spectacular and panoramic views of the Pacific Ocean, beachgrass-covered dunes and soaring Tillamook Head; and

Whereas, the Seaside Promenade, with its famous automobile turnaround, has become one of the most iconic coastal landmarks in the Pacific Northwest and the nation; and

Whereas, the Seaside Promenade is an Oregon nod to the great boardwalks and promenades of the world such as Brighton Pier in England and San Sebastian in Spain; and

Whereas, the Seaside Promenade is home to a bronze monument that designates the official end of the Lewis and Clark Trail, commemorating the historic arrival of the Corps of Discovery at the Pacific Ocean; and

Whereas, the Seaside Promenade and the beach are the finish line for the annual Hood to Coast Relay and Portland to Coast Walk Relay, which is the largest and most popular running and walking relay event in the world; and

Whereas, the Seaside Promenade plays a vital role in the tourism industry that generates millions of dollars annually for the regional and state economy; and

Whereas, on August 7, 2021, the City of Seaside will host a rededication ceremony to commemorate the Prom's centennial milestone; and

Whereas, the Seaside Promenade is set to launch another century as a historic landmark that showcases the beauty, culture and spirit of adventure of the Oregon coast;

NOW, THEREFORE, the members of the 2021 SEASIDE CITY COUNCIL, of the City of Seaside, in the State of Oregon, do hereby commemorate the 100th anniversary of the iconic Seaside Promenade; and be it further Resolved, that we encourage all Oregonians to join us in celebrating this significant public milestone.

Mayor Jay Barber

Council President Steve Wright

Councilor Randy Frank

Council Tom Horning

Councilor Tita Montero

Councilor Dana Phillips

Councilor David Posalski



COMMUNITY CENTER COMMISSION

(Meetings are scheduled the first Tuesday of every month at 10:00 AM)

The purpose of the Community Center 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 its users. Receive direction from the Council concerning matters relating to the well being of the community center and its users.

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 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:** June 15, 2021

Name: Kristin Kabanuk
Jordan Virding

Commission/Committee: Community Center Commission

Resignation Date: Various

Term Expiration Date: Kristin Kabanuk – June 1, 2023
Jordan Virding – June 1, 2022

Wants to be considered again: NO
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

COMMUNITY CENTER COMMISSION

Term: 3 years

Number of Members: 9

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
(VACANCY) VIRDING			6/01/2022
PIPER O'BRIEN***	720 S. LINCOLN	738-3169	6/01/2022
MOLLY IRONS**	221 7 TH AVENUE	738-7005	6/01/2022
MALINDA AUSTIN	2062 CEDAR STREET	738-3926	6/01/2023
LOUIS NEUBECKER	1859 BROADWAY	717-0153	6/01/2023
(VACANCY) KABANUK			6/01/2023
JULIA WEINBERG*	431 AVENUE 'I'	503-717-5284	6/01/2024
TRACY MACDONALD	451 HILLSIDE LOOP	503-739-2162	6/01/2024
GRETCHEN DARNELL	2129 FOREST DRIVE	503-739-1781	6/01/2024
DANA PHILLIPS	1845 BROADWAY	738-9413	CITY COUNCIL

*CHAIR
**VICE CHAIR
***SECRETARY

SEASIDE PLANNING COMMISSION

(Meetings are scheduled the first and third Tuesday of every month at 6:00 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:** **June 16, 2021**

Name: **Chris Hoth**

Commission/Committee: **Planning Commission**

Resignation Date: **June 16, 2021**

Term Expiration Date: **November 1, 2022**

Wants to be considered again: **No**

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**

City of Seaside
Kim Jordan (City Recorder)
989 Broadway
Seaside, OR 97138

June 16, 2021

Dear Kim:

Please accept this letter as notification of my intent to resign my appointment to the Seaside City Planning Commission effective immediately. I appreciate the opportunity to have been able to participate in some aspect of the city's operations in this capacity. I also feel privileged to have been able to work closely with a hard-working and knowledgeable staff of the Planning Department who have been consistently helpful in guiding me through this process as well as current and former members of the Planning Commission. I have been on the commission for a while and it seems that now is the time to step down and allow someone else to carry on the work.

Thank you

Sincerely:



Chris Hoth
420 Avenue I
Seaside, OR 97138
503-738-7861
cold09@charter.net



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>
CHRISTOPHER ROSE	930 13 TH AVENUE	503-440-0764	11/01/2021
VACANCY (HOTH)			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
KATHY KLECZEK	2080 ALDERCREST	503-440-3232	11/01/2024

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

*CHAIR
**VICE CHAIR

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: March 17, 2021

Name: Arnold Olsen

Commission/Committee: City Tree Board Committee

Resignation Date: March 17, 2021

Term Expiration Date: June 30, 2021

Wants to be considered again: No

2. Applicants:

3. Nominations:

4. Appointment:

Kimberley Jordan

From: Arnold Olsen <deerelk@msn.com>
Sent: Wednesday, March 17, 2021 4:19 PM
To: Kimberley Jordan
Subject: RE: City Tree Board Meeting - Cancelled

Hello Kim – I have moved out of the area and can no longer serve on the board. Thank you for the opportunity to serve. Arnie Olsen

Sent from [Mail](#) for Windows 10

From: [Kimberley Jordan](#)
Sent: Wednesday, March 17, 2021 4:05 PM
To: [Arnie Olsen](#); [Bill Barnes](#); [Dale McDowell](#); [Dan Stark](#); [John Carter](#); [Pam Fleming](#)
Subject: City Tree Board Meeting - Cancelled

I apologize I did not send out the reminder notice for the City Tree Board.

The City Tree Board is cancelled. The next meeting will be May 19, 2021.

Thanks

*Kim Jordan, City Recorder
City of Seaside
989 Broadway
Seaside, OR 97138
(503) 738-5511*





CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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>
(VACANCY) OLSEN			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
DAN STARK	802 25 TH AVENUE	440-0415	6/30/2023
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE

\$20.00 APPLICATION FEE DUE WITH EACH NEW BUSINESS LICENSE APPLICATION

CITY OF SEASIDE
989 BROADWAY
SEASIDE, OREGON 97138
503-738-5511
FAX 503-738-5514

APPLICATION FOR CITY BUSINESS LICENSE

New Business _____ Change of Ownership _____ Change of Address _____ Name Change _____

In accordance with the provision of Section 12, Ordinance #70-47, adopted December 28, 1970, the undersigned hereby makes application for a City Business License and submits the following information:

BUSINESS NAME: Deliver Light Foundation

OWNER NAME: Michelle Patopea Trott

BUSINESS ADDRESS: Po Box 1165 - Mobile Unit

MAILING ADDRESS: PO Box 1165

CITY: Seaside ST: OR ZIP: 97138 BUS. PHONE: 503-440-0591

EMAIL ADDRESS: deliverlightfoundation@gmail.com

BUSINESS DESCRIPTION: Mobile Homeless Outreach

NUMBER OF EMPLOYEES: 1

WILL CUSTOMERS BE COMING TO YOUR HOME? NO

EMERGENCY CONTACT PERSON: Michelle P Trott

EMERGENCY CONTACT PHONE: 970-556-3504

APPLICANT INFORMATION

HOME ADDRESS: 42585 Tweedle Ln CITY: Seaside ST: OR ZIP: 97138

HOME PHONE: 970-556-3504 DRIVERS LICENSE # 419963 ST: OR

APPLICANTS SIGNATURE: [Signature] DATE: 6-1-21

CONTRACTORS ONLY

CONTRACTORS STATE REGISTRATION # _____

NOTE: BUSINESS LICENSES ARE DUE JANUARY 1ST OF EACH YEAR. FEES LEFT UNPAID AS OF FEBRUARY 1ST ARE SUBJECT TO A PENALTY OF 50% OF THE SCHEDULED FEE.

ADMINISTRATION USE ONLY

CATEGORY: _____ APPLICATION FEE: \$20.00 LICENSE FEE: _____
ACCOUNT: _____ RECEIPT #: _____ TOTAL AMOUNT PAID: _____

ALL RESTAURANTS MUST BE INSPECTED & APPROVED BEFORE OPENING

§ 110.08 APPLICATION FOR LICENSE.

On or before January 1 of each and every license year, as herein provided, after the passage of this chapter, every person, as herein defined, engaged in business, as defined herein, in the city, which businesses are in this chapter scheduled and designated, shall make application to the Council upon suitable blanks furnished by the city for a license to carry on his business for the license year; and at the time of filing same, shall make payment of the license fee herein required. The application shall be filed with the Auditor for use of the Council and city officials.

(Ord. 70-47, passed 12-28-70; Am. Ord. 94-02, passed 1-24-94; Am. Ord. 97-15, passed 6-23-97)

§ 110.09 QUESTIONS BETWEEN LICENSEE AND AUDITOR TO BE REFERRED TO COUNCIL.

If a question arises between the applicant for a license and the Auditor as to classification, fee, or other question, the same shall be referred to the Council for its determination.

(Ord. 70-47, passed 12-28-70; Am. Ord. 97-15, passed 6-23-97)

§ 110.10 INCREASE OR DECREASE IN FEES; RECLASSIFICATION OF BUSINESSES.

Nothing herein contained shall be taken or construed as vesting any right in any licensee as a contract obligation on the part of the city as to the amount or character of license hereunder. The license fee may be increased or decreased in any or all instances at any time by the city. Any trade, business, profession, or occupation herein scheduled may be reclassified or subclassified at any time. All license fees herein levied shall be due and payable in advance. Before an amendment is made to this chapter changing the amount of the license fee or fees, notice thereof shall be published in the city official newspaper at least once a week for two weeks, and the public shall be given an opportunity to be heard before the proposed amendment is adopted.

(Ord. 70-47, passed 12-28-70)

§ 110.11 SCHEDULE OF LICENSE FEES.

General business license fees for the city shall be divided into six categories as follows:

1. General
2. Lodging
3. Foodservice, Restaurant, Lounge, Tavern, Bar
4. Vending and Distributing
5. Arcades
6. Sole Proprietorship

(A) *General.*

(1) Definition: Retail, Services, Amusement, Entertainment, Professional, Contractors, Transient Business License.

(2) Schedule of License Fees:

<i>Number of Employees</i>	<i>Fee</i>
0 - 1	\$ 75
2 - 3	100
4 - 6	150
7 - 11	250
12 - 20	500
21 - 40	800
41 plus	1,200

Number of employees is determined by dividing the total hours worked for a one-year period by 2080. Hours worked by temporary or leased employees are included. Owners actively working in the business and salaried employees are considered to work 2080 hours during the one-year period.

(F) *Sole Proprietorship* operating on a part time basis at home with no employees.

Fee \$30

(G) *Businesses not otherwise classified.* Any person operating any trade, shop, business, profession, or calling of a business nature in the city, not otherwise classified herein or not licensed under any other ordinance of the city, shall pay as set out hereinabove a license fee as determined by the Council.

(Ord. 70-47, passed 12-28-70; Am. Ord. 87-29, passed 12-29-87; Am. Ord. 92-06, passed 2-10-92; Am. Ord. 97-15, passed 6-23-97; Am. Ord. 2000-04, passed 8-14-00; Am. Ord. 2019-06, passed 10-29-19)

§ 110.12 DISTRIBUTION OF LICENSE FEE REVENUE.

The City Finance Director is hereby authorized to receive such license fees and shall distribute the license fee revenue as follows.

(A) In a fiscal year:

(1) The first \$100,000 collected is designated for the city.

(2) Sixty percent of any money collected over the first \$100,000, up to a maximum of \$165,000, is designated for the Seaside Chamber of Commerce. At no time shall the Chamber of Commerce receive more than \$39,000.

(3) Forty percent of any money collected over the first \$100,000, up to a maximum of \$165,000, is designated for the Seaside Downtown Development Association. At no time shall the S.D.D.A. receive more than \$26,000.

(4) Any money collected in excess of \$165,000 is designated for capital improvements in the Convention Center Capital Improvement Fund.

(B) License fee revenue distribution will be reviewed by the City Council after the first year, and then every five years, of if revenue exceeds \$175,000, whichever comes first.

(C) Non-profit (501(c)(3)) local business groups whose goal is to improve the economic base of the city may apply to the City Council for consideration to be included in the distribution of license fee revenue.

(D) All funds distributed from the business license fee revenue to any other eligible organization must be accounted for by filing with the city an annual budget and quarterly expenditure reports.

(Ord. 70-47, passed 12-28-70; Am. Ord. 92-06, passed 2-10-92; Am. Ord. 96-23, passed 6-10-96; Am. Ord. 97-15, passed 6-23-97; Am. Ord. 97-21, passed 11-10-97; Am. Ord. 2000-04, passed 8-14-00; Am. Ord. 2005-04, passed 6-27-05; Am. Ord. 2009-07, passed 10-26-09)

§ 110.13 VIOLATIONS.

(A) It shall be unlawful for any person to wilfully make any false or misleading statement to the Auditor in his application for the purpose of determining the amount of any license fee herein provided to be paid by any such person, or to fail or refuse to comply with any of the provisions of this ordinance to be complied with or observed by such person, or to fail or refuse to pay before the same shall be delinquent any license fee or penalty hereby required to be paid by any such person.

(B) In the event any person hereby required to pay a license fee shall fail or neglect to pay the business licence fee within 60 days of the due date, the fee shall be considered delinquent and a penalty of 50% of the scheduled fee will be assessed.

Date of this notice: 03-17-2021

Employer Identification Number:
86-2687982

Form: SS-4

Number of this notice: CP 575 E

DELIVER LIGHT FOUNDATION
% DELIVER LIGHT FOUNDATION
2202 THEA CT
MILTON, WA 98354

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 86-2687982. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

When you submitted your application for an EIN, you checked the box indicating you are a non-profit organization. Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, Tax-Exempt Status for Your Organization, has details on the application process, as well as information on returns you may need to file. To apply for recognition of tax-exempt status under Internal Revenue Code Section 501(c)(3), organizations must complete a Form 1023-series application for recognition. All other entities should file Form 1024 if they want to request recognition under Section 501(a).

Nearly all organizations claiming tax-exempt status must file a Form 990-series annual information return (Form 990, 990-EZ, or 990-PF) or notice (Form 990-N) beginning with the year they legally form, even if they have not yet applied for or received recognition of tax-exempt status.

Unless a filing exception applies to you (search www.irs.gov for Annual Exempt Organization Return: Who Must File), you will lose your tax-exempt status if you fail to file a required return or notice for three consecutive years. We start calculating this three-year period from the tax year we assigned the EIN to you. If that first tax year isn't a full twelve months, you're still responsible for submitting a return for that year. If you didn't legally form in the same tax year in which you obtained your EIN, contact us at the phone number or address listed at the top of this letter.

For the most current information on your filing requirements and other important information, visit www.irs.gov/charities.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.
- * Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is DELI. You will need to provide this information, along with your EIN, if you file your returns electronically.

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter. Thank you for your cooperation.

Keep this part for your records.

CP 575 E (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 E

9999999999

Your Telephone Number () - Best Time to Call

DATE OF THIS NOTICE: 03-17-2021
EMPLOYER IDENTIFICATION NUMBER: 86-2687982
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

DELIVER LIGHT FOUNDATION
% DELIVER LIGHT FOUNDATION
2202 THEA CT
MILTON, WA 98354

ARTICLES OF INCORPORATION



Corporation Division
www.filinginoregon.com

E-FILED
Mar 24, 2021
OREGON SECRETARY OF STATE

REGISTRY NUMBER

179768099

TYPE

DOMESTIC NONPROFIT CORPORATION

1. ENTITY NAME

DELIVER LIGHT FOUNDATION

2. MAILING ADDRESS

PO BOX 1165
SEASIDE OR 97138 USA

3. NAME & ADDRESS OF REGISTERED AGENT

MICHELLE PATOPEA TROTT

90531 EAST RD
WARRENTON OR 97146 USA

4. INCORPORATORS

DIEDRE RAE FEINAUER

2202 THEA CT
MILTON WA 98354 USA

5. INITIAL PRESIDENT

MICHELLE PATOPEA TROTT

PO BOX 1165
SEASIDE OR 97138 USA

6. INITIAL SECRETARY

BAILEY RAE FEINAUER

2202 THEA CT
MILTON WA 98354 USA

7. TYPE OF NONPROFIT CORPORATION

Public Benefit

8. MEMBERS?

Yes



9. DISTRIBUTION OF ASSETS

Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

8. OPTIONAL PROVISIONS

The corporation elects to indemnify its directors, officers, employees, agents for liability and related expenses under ORS 65.387 to 65.414.

I declare as an authorized signer, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

DIEDRE RAE FEINAUER

TITLE

INCORPORATOR

DATE SIGNED

03-23-2021

Dear Seaside Mayor and City Council Members,

On behalf of my father and mother, Chester and Joyce Williams, I would like to thank you for agreeing to display their Lewis and Clark bronze sculpture "Arrival" at City Hall. Since my wife and I now live in the Willamette Valley, we felt that keeping it in Seaside in memory of my parents was the right thing to do.

Although my mother was perhaps more well known in Seaside for her many civic contributions, including serving as Mayor from 1977-1990, my father was also a well-known Seaside businessman and civic contributor for over 25 years beginning in 1947 when they first came to Seaside, as owner and chief operator of Williams Cafe in downtown Seaside, the building where Doogers is located today.

Both my parents loved Seaside very much and so do I. My family and I plan to visit as often as we can for many more years to come. I am sorry that I could not be present tonight, but I thank you very much for this opportunity to honor their memory.

Sincerely,

Stephen B. "Steve" Williams and family

LOAN AGREEMENT

Between

CITY OF SEASIDE, OREGON

And

STEPHEN BIEHL WILLIAMS AND LINDA L. PESCIALLO WILLIAMS

This Agreement is between the City of Seaside, Oregon (hereinafter referred to as City) and Stephen Biehl Williams and Linda L. Pesciallo Williams (hereinafter referred to as Owners).

The bronze sculpture "Arrival" by Stanley Glen Wanlass numbered seventy-eight (78) in a limited edition of three hundred (300) is hereby loaned to the City by the Owners for an indefinite period.

The City shall endeavor to display the sculpture in a City owned public facility, such as City Hall or the City Library, and protect and maintain the sculpture in a reasonable manner.

The City shall also have made and display with the sculpture a small plaque with the following engraving:

ON LOAN FROM THE CHESTER L. AND MAYOR JOYCE C. WILLIAMS FAMILY

At any time the City or the Owners (or their heirs) may require that the sculpture be returned to the Owners (or their heirs). This request shall be in writing and shall specify the approximate date of return. The Owners (or their heirs) and the City shall then jointly determine and agree to a timeline and process for the Owners (or their heirs) to retake physical possession of the sculpture.

SIGNATURES:

FOR THE CITY

Name/Position: _____

Signature

Date

FOR THE OWNERS

Stephen B. Williams Signature

Date

Linda L. Pesciallo Williams Signature

Date

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES REGARDING THE COMMUNITY CENTER COMMISSION MEMBERSHIP

WHEREAS, the City Council wishes to amend the membership of the Community Center Commission.

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

Section 31.050 Establishment. There is hereby established a Community Center Commission for the City of Seaside, Oregon.

Section 31.051 Membership. The Community Center Commission shall consist of **five (5)** ~~nine (9)~~ members who are not officials or employees of the city and who will be appointed by the City Council.

- a)(1) A minimum of **three (3)** ~~five (5)~~ members shall reside within the city limits; a maximum of **two (2)** ~~four (4)~~ members may reside within the urban growth boundary, but outside the city limits.
- (2) If a member moves his/her principal residence outside the city limits or urban growth boundary during his/her term, the position shall be vacated.
- b) A vacancy shall occur upon the death, resignation, or inability to serve of any member. Resignations, when made, shall be addressed to and accepted by the Council. The Council may remove a member for a cause deemed sufficient by the City Council. Successors shall be appointed by the Council for the unexpired term.
- c) The members shall serve without salary or compensation of any nature.

Section 31.052 Terms of Office. A Community Center Commissioner's term of office shall commence on the first day of June of the first year of his/her term. Original appointments shall be as follows: **Two (2)** ~~Three (3)~~ appointees for one year; **two (2)** ~~three (3)~~ appointees for two years; and **one (1)** ~~three (3)~~ appointees for three years. Thereafter, appointments shall be for a three-year period or until an incumbent's successor is appointed and qualified. Any portion of a term exceeding one-half the period of the term shall be considered a full term.

Section 31.053 Officers.

- a) Each year, at the first meeting of the Commission, the members shall appoint one of their members as Chairman and one as Vice-Chairman.
- b) One member of the Commission will serve as secretary. Minutes of all meetings will be filed with the Seaside City Council.

Section 31.054 Meetings; Removal of Members.

- a) The Community Center Commission shall hold a regular meeting at least once each month of the calendar year,
- b) Any person appointed by the City Council to serve on this commission who misses three (3) or more regularly scheduled meetings during a twelve-month period shall be notified by letter that the position must be vacated. The individual may appeal the decision; but if the absences are found not to have been for good cause, the position shall be vacated.

Section 31.055 Power and Duties. The Community Center 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:

- a) Recommend and make suggestions to the Council concerning matters relating to the well being of the Community Center and its users.
- b) Receive directions from the Council concerning matters relating to the well being of the Community Center and its users.

Section 31.056 Rules of Procedure. Except as otherwise established by the City, the Community Center Commission may adopt rules governing the conduct of its business.

The amendment in Ordinance No. 2021-03 will take effect on the thirtieth day after its adoption by the City Council of the City of Seaside, Oregon.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2021,
by the following roll call vote:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

SUBMITTED to and APPROVED by the Mayor on this ____ day of _____, 2021.

JAY BARBER, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

Form submission from: City Council Public Comments

From: Seaside, OR via Seaside, OR <cmsmailer@civicplus.com>

To: publiccomment@cityofseaside.us

Date: 7/5/2021 4:27 PM

Submitted on Monday, July 5, 2021 - 4:27pm

Submitted by anonymous user: 50.39.185.201

Submitted values are:

First Name: Bill

Last Name: Stotts

Address: 6879 SW 204th Ave

E-mail Address: bill@stottsconstruction.net

Phone Number: 5033185366

Public Comments for City Council or City Staff:

We were in Seaside over the 4th of July weekend and I was pleasantly surprised by your emphasis on keeping the city clean. I did not expect to see garbage trucks emptying trash cans at 10:30 pm on the 4th of July and I was glad to see people on the beach cleaning up the mess people had left and filling in the holes dug in the beach. It appears you have learned that doing some of the little things lead to a cleaner safer community and wanted to extend my appreciation to you for that. To me it is a sign that you care about your community and it appeared many of the people cleaning the beach were volunteers who care about the community. Keep up the good work.

We live in Beaverton and I wish we could replace the Portland city council with your people so we can get Portland to recognize the importance of how doing the small things leads to pride in the City

If you would like to submit a photo or other documents along with your comment please upload them here:

Please select one of the following required options: I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

The results of this submission may be viewed at:

<https://www.cityofseaside.us/node/7906/submission/776>

Form submission from: City Council Public Comments

From: Seaside, OR via Seaside, OR <cmsmailer@civicplus.com>

To: publiccomment@cityofseaside.us

Date: 6/28/2021 5:33 PM

Submitted on Monday, June 28, 2021 - 5:33pm

Submitted by anonymous user: 64.106.129.114

Submitted values are:

First Name: Autumn

Last Name: Haile

Address: 737 Broadway Street, #2

E-mail Address: autumnhaile@gmail.com

Phone Number: 6465934980

Public Comments for City Council or City Staff:

Dear Mayor Jay Barber & The City Council,

I'm writing on behalf of myself and my family, fellow business owners, Delaree Reilly and Carissa Dice.

As you may know, my family opened The Vineside Wine Bar on April 1st, 2021. My mother is a property owner in Seaside, which is one of the many reasons we choose to open our business here. We were incredibly excited to be part of a growing community with so much opportunity for expansion.

Unfortunately, since our opening night, we've had several unfortunate and disturbing experiences with other business owners in the community. The first incident on April 1st, just hours after a successful opening party, in which we inquired about a missing key to lock up our building, set off a series of events that made it nearly impossible for us to continue our business Seaside safely and positively.

My mom and step-father have repeatedly been told to go back to Southern California by other bar owners and bartenders in town. I was physically threatened by the maintenance man in our building for coming to my mom's defense when he hung up on her and exhibited aggressive behavior with her several times. And one of our signs has been defaced by customers from the bar next door. Now, we are being blamed for situations that have been going on long before we rented space in our current building (homeless people bathing and sleeping upstairs in the bathroom, people treating the hallway as a walkway between businesses, trying to make the building inviting by putting flower pots outside, etc).

One thing is clear; there is a group of individuals that want to see us fail. Whether they're lying to others about us, including our landlord, Ron Hoxie, who now refuses to communicate with us, or attacking us for things that could have been a conversation rather than an altercation — it's become impossible for us to consider keeping our business here.

We came to Seaside with a mission to bring great wine and positive experiences to the coast. It breaks my heart that anyone else who might want to call Seaside home or open a business in the future will experience this same harassment we have — where something as simple as wanting to put a flag outside our shop gets us screamed at rather than welcomes a conversation.

We had hoped to be a place where wine was approachable and fun for anyone that wanted to experience it. We wanted our little shop to be one of the many new experiences Seaside might offer locals and visitors. While that may have been the case for some, as we've developed some great relationships and have supportive customers, it is clear that those in business around us do not want us here.

I do not know that there is much the city can or will do about these issues. But I'm writing because I think it's crucial that you know there is a severe problem for outsiders who want to open a successful business, or even live a quiet life, in Seaside. After what I've experienced in these short three months, I would never encourage minority or female-owned businesses to choose Seaside to live or work.

So much that is beautiful about life is opening ourselves up to new experiences. It is clear there are people in Seaside that would prefer the status quo over all else.

And more than anything, I think that's sad and disappointing for the wonderful people here who have been supportive, loving, and excited by new people and businesses in their community.

Best,

Autumn Haile

Owner, The Vineside Wine Bar

If you would like to submit a photo or other documents along with your comment please upload them here:

Please select one of the following required options: I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

*Kim was not at work to give
you this email.
Sorry*

Form submission from: City Council Public Comments

From: Seaside, OR via Seaside, OR <cmsmailer@civicplus.com>

To: publiccomment@cityofseaside.us

Date: 6/28/2021 8:15 AM

Submitted on Monday, June 28, 2021 - 8:15am

Submitted by anonymous user: 47.7.26.213

Submitted values are:

First Name: Daniel

Last Name: Knutsen

Address: 1186 Ave D, Seaside, OR 97138

E-mail Address: danknutsenboise@gmail.com

Phone Number: 208.850.3387

Public Comments for City Council or City Staff:

My wife and I own property in Seaside at 1186 Ave D. The lot directly east of our house is an unpaved extension of the Bob Chisholm Community Center parking lot. This lot is used for that facility's overflow parking.

Officials at the Chisholm Community Center say that on Friday June 11 they gave permission for a motor home to park in this extended lot for a couple of days. This motor home, Oregon license plate HD 07275 tagged Dec 2017, has not moved and is still here on Monday morning, June 28.

Chisholm Community Center officials apparently have the authority to approve (Suggest? Facilitate?) access to the extended parking lot. However, Community Center officials explain that although they gave permission to park, there is nothing they can now do about the failure to remove this motor home. They say contact the Seaside Police. Seaside Police say there is nothing they can do, contact the Seaside City Council. So, this is my contact to the City Council.

I have questions. Why are drivers not directed to get their RVs on the road and move on, or directed to public campgrounds in or near Seaside, or at least are not given "permission" for free RV parking? By the way, are other parking areas considered when permission is given for free RV parking - like maybe the old Seaside High School or the old Broadway School?

I am concerned that the Community Center Extended Parking lot next to our house is becoming a commonly used and possibly a recommended place for free parking of RVs. For example, on Friday, June 25 officials at the Chisholm Community Center explained that a police officer gave permission for a travel trailer to park in this extended lot for one night. The man who parked the trailer said he had permission from the Community Center (?). This travel trailer, Oregon license plate CR 01181 tagged June 2017, was removed the next day. But what if the trailer had not been removed? This is an unacceptable situation, especially with no process for removing RVs.

The City Council website encourages online public comments. My comments are summarized above. My requests are summarized below. Please respond either by Email or in Council meeting minutes.

My requests of the Seaside City Council are

Require local public service organizations to stop giving "permission" for free parking of RVs in the Bob Chisholm Community Center extended parking lot.

Complete a process to prohibit overnight parking in the Bob Chisholm Community Center extended parking lot, including appropriate signage and enforcement.

If you would like to submit a photo or other documents along with your comment please upload them here:

Please select one of the following required options: I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

The results of this submission may be viewed at:

Kim not here to get
Public comments to you
Sorry

Form submission from: City Council Public Comments

From: Seaside, OR via Seaside, OR <cmsmailer@civicplus.com>
To: publiccomment@cityofseaside.us
Date: 6/28/2021 1:54 AM

Submitted on Monday, June 28, 2021 - 1:53am

Submitted by anonymous user: 66.115.149.15

Submitted values are:

First Name: stephen

Last Name: davis

Address: 2155 maple st., seaside, OR 97138

E-mail Address: skdwriter@yahoo.com

Phone Number: 503-738-6067

Public Comments for City Council or City Staff:

Although there has been some improvement, it seems the "please don't do that" method of fireworks control does not discourage the practice.

We still have large fireworks being used into the early morning hours. With fire season here, maybe it's time to enact and enforce a "no fireworks of any kind" policy such as Cannon Beach has done.

There are already local and state regulations in place, which are not being responded to.

And issuing business licenses to fireworks vendors who set up shop in the center of town certainly sends a mixed message. That does not make any sense at all.

Thank you for your time and consideration.

Sincerely,

Stephen Davis

Kim not here to
get public comments
to you
sorry
—

If you would like to submit a photo or other documents along with your comment please upload them here:

Please select one of the following required options: I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

The results of this submission may be viewed at:

<https://www.cityofseaside.us/node/7906/submission/686>