AGENDA SEASIDE CITY COUNCIL MEETING
FEBRUARY 8, 2010 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. COMMENTS – PUBLIC

6. DECLARATION OF POTENTIAL CONFLICT OF INTEREST

7. CONSENT AGENDA

   a) PAYMENT OF THE BILLS - $866,295.56

   b) APPROVAL OF MINUTES – JANUARY 25, 2010 REGULAR MINUTES

8. PUBLIC HEARING – RESOLUTION #3694 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, APPROVING A BALLOT TITLE TO BE SUBMITTED TO THE VOTERS AT THE NEXT SPECIAL ELECTION; REGARDING FUNDING FOR THE PURCHASE OF POLICE VEHICLES AND FUNDING A PATROL OFFICER POSITION

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

9. UNFINISHED BUSINESS:

   a) VACANCY – BUDGET COMMITTEE

10. NEW BUSINESS:

   a) LIQUOR LICENSE APPLICATION – THE HARBOR BITE, 220 AVENUE 'U'

   b) PRESENTATION – TEN YEAR TREE CITY USA AWARD, CITY TREE BOARD

   c) APPROVAL – AUDIT CONTRACT FOR ~~2010-2011~~ 2009 - 2010

   d) BID RESULTS – DOWNTOWN LITTER REMOVAL

11. COMMENTS FROM THE STUDENT REPRESENTATIVE

12. COMMENTS FROM THE COUNCIL

13. COMMENTS FROM THE CITY STAFF

14. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall.*

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.

CALL TO ORDER

The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.

ATTENDANCE

Present: Mayor Don Larson, Council President Tim Tolan, Councilors Stubby Lyons, Don Johnson, Dave Moore, Larry Haller, and Jay Barber.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Dale Kamrath, Seaside Fire Chief; Reita Fackerell, Library Director; Bob Gross, Seaside Police Chief; Max Milander, Seaside High School Representative; Rebecca Herren, The Coast Times; Nancy McCarthy, Daily Astorian; and Jeremy Ruark, Seaside Signal.

AGENDA

Motion to approve the January 25, 2010, agenda; carried unanimously. (Lyons/Moore)

COMMENTS – PUBLIC

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated the good news was the Holladay Improvement Project had been started. The bad news was the traffic was being diverted to 25th Avenue and that was lousy. The area had been graded and cleaned up but was still very bad and something should have been done with the street before the project was started.

Kevin O'Keane, 2525 Pine, Seaside, stated he had lived in his home on Pine Street for sixteen years and the street had never been as bad as it was at this time. The City graded 25th Avenue but did not grade pine which was not a good street for that much traffic to be driving on. The grading was good but the street was already getting bad again. Mr. O'Keane further stated his wife had turned in a petition from nearly all the residents of the area two years ago to have the road paved. There was feedback received from Neal Wallace, Public Works Director, who had said there would be an update for the residents but nothing had happened.

Mayor Larson stated there was a Local Improvement District being formed in that area and sometimes they moved slowly but Staff would speak with Mr. Wallace.

Deloris Tommaso, 2505 Pine St., Seaside, stated she walked with a stick and with all the holes in the road trying to walk was very difficult.

CONFLICT

Mayor Larson asked whether any Councilor wished to declare a conflict of interest.

No one declared a conflict of interest.

CONSENT AGENDA

Motion to approve payment of the bills in the amount of $210,768.79, and approve the January 11, 2010, minutes; carried unanimously. (Lyons/Moore)

VACANCY – LIBRARY BOARD

Mayor Larson stated there was one vacancy for the Library Board with two applications received from Mary Peterson, and MaryJean Walker. Interviews were conducted by Council prior to the City Council meeting. Mayor Larson asked Council what they wished to do.

Motion to nominate Mary Peterson and MaryJean Walker for the Library Board; carried unanimously. (Haller/Johnson)

Mayor Larson asked for a roll call vote:

LARSON	WALKER
HALLER	PETERSON
LYONS	PETERSON
JOHNSON	WALKER
MOORE	WALKER
BARBER	PETERSON
TOLAN	PETERSON

Mayor Larson stated Mary Peterson was appointed to serve on the Library Board.

Term expiration for Mary Peterson would be December 31, 2013.

VACANCY – AIRPORT COMMITTEE

Mayor Larson stated there was one vacancy for the Airport Committee. Dianne Widdop wished to be appointed as the Gearhart City Council representative for the Airport Committee.

Motion to appoint Dianne Widdop to the Airport Committee; carried unanimously. (Haller/Lyons)

Term expiration for Dianne Widdop would be June 30, 2012.

PRESENTATION – 2008-2009 AUDIT

Al Peinhardt, Finance Director, introduced Mike Croy, retired partner with DeLap LLP, and Jason Kirkpatrick, manager of DeLap LLP.

Mr. Croy stated he had attended the meeting to inform Council and the public regarding the results of the audit with the City of Seaside for June 30, 2009. Prior to the Council meeting Mr. Croy and Mr. Kirkpatrick spent time with the Council going over the Audit Report. Mr. Croy stated the report on the City was clean and was an unqualified report. The City government was working well with the County Department and was functioning very well. The audit report was the best that Mr. Croy had ever seen since being associated with the City of Seaside which had been seven to eight years. Mr. Croy further stated the City would have copies of the Audit Report on file.

Motion approving the June 30, 2009, Audit Report; carried unanimously. (Barber/Lyons)

PRESENTATION – LIBRARY ANNUAL REPORT

Reita Fackerell, Seaside Library Director, introduced Don McKay, Library Board Chair, and Sharon Ward, Library Board member. Ms. Fackerell stated the Seaside Public Library services increased remarkably over the previous fiscal year due to the new facility and the opportunities that the larger space provided. Overall checkouts increased by 23%, and library visits doubled since opening the new library. While the number of programs expanded by 35%, attendance at these programs increased 92%. Library computer workstation sessions expanded by 400%. Public Library computers were logged into 1,060 times a week. But more than statistics, the library was about people. Excellent customer service and the mission to provide unlimited access to information were the top priorities of the library. Being located close to town, near the Bob Chisholm Center, the Sunset Park and Recreation facility and Broadway School allowed the library to be an integral part of a very vital community. As libraries change their focus and services through the years to meet the demands of their users, Seaside was very proud to have kept up with the changes. Incorporating such services as free Wi-Fi, public access computer stations, downloadable audios and videos, online 24 hour reference service, and access to full text periodicals were just some of the ways that the Seaside Public Library had met the demands and set the standard to which other Oregon libraries hoped to achieve. Staff was proud and honored that the city and the community had supported the library so well and allowed the library to become one of the most popular libraries in Oregon. Ms. Fackerell further stated Circulation for the year showed a 23% increase which included the three months before the relocation to the new facility and a three week closure in September. As soon as the library opened the increase was more substantial, with some months showing as much as a 75% gain. In the months since the library opened, there had been a 33% total rise in circulation which averaged out to 18.66 checkouts per capita, one of the highest rates for a library of our size in the state. Comparatively, on the north coast, Tillamook County circulated at 12.35 per capita and Astoria at 4.71. The state median is 7.40. At the end of the year, 22,699 more items were checked out than the previous twelve months. Six months into the fiscal year, there was a 15% increase over last year's circulation. Ms. Fackerell further stated the library had twenty public computer workstations. There were fourteen adult terminals and six terminals for young adults. The stations allowed access to the Internet, Microsoft Word, Publisher, PowerPoint and Excel programs. There were four computers in the children's area and do not allow Internet access, but were pre-loaded with educational software. Last year staff monitored 32,430 computer work sessions, compared with 14,550 from the previous fiscal year. Patrons were allowed one hour per day on the public workstations. Patrons and visitors who accessed a public Internet workstation used an average of 53 minutes of their one hour allocation. The Library provided free wireless service to those who brought their own notebook computer or hand-held wireless device. The library network could support up to eighteen wireless online patrons at a time. Ms. Fackerell further stated visitor counts had doubled since the new facility opened. In the old building, the average was approximately 58,500 patrons per year. Although the total for the last fiscal year was 99,277, this included three months in the old facility, including a three week closure in September. This year, the projection was to have 145,225 visits, which was 150% higher than the attendance in the old facility. Ms. Fackerell further stated programming had proven to be one of the more popular features of the new library. There were a few programs for children in the old building, but there were no program activities for teens and adults. With the new space, staff had tried to reach out to the community and offer programs for all ages. During the 2008-2009 fiscal year, the library offered 217 programs with an attendance of 4,232. The previous year, the attendance figures were 2,030. There were several programs offered for young children, young adults, and for other adults. Ms. Fackerell further stated the library had a total of 4,459 active patrons last year, up 30% from the year before. Out-of town patrons accounted for 20% of the figure. The patron database was weeded every six months to keep it current. Patrons who had not used the library in two years were deleted. The library also served the homebound with the Words-on-Wheels service that delivered books, movies, audios and magazines to their residence twice a month. This year 22 homebound patrons were served and there were a total of 1,722 items delivered. Ms. Fackerell further stated the library completed the previous fiscal year with a collection of 39,504 items, including books, audio books, DVDs, videos, microfilm, periodicals and CD-ROMs. The value of the collection was $917, 353. There was an ongoing inventory system that monitored lost, out-of-date, and "beyond repair" items, to keep the collection current. In addition, to keeping up with what patrons wanted, there was a new genres added, such as manga, graphic novels, and Blu-Ray DVDs. The library was currently phasing out all audio cassettes in favor of CDs and all VHS in favor of DVDs. Books and printed materials accounted for 60% of the circulation, DVD/videos account for 34%, and audios make up 6%. The digital library, which was not included in the libraries collection, had over 5,400 books and 1,200 movies to choose from. E-books would be available to download spring of 2010.

Ms. Fackerell further stated the Library continued to strive for partnerships within the county to strengthen and enhance the community. Head Start had been a partner with the Library for many years. Staff visited the Seaside facility twice a week for story time. Head Start visited the library for field trips several times during the year. This year the library partnered with Seaside Heights for a summer literacy program. A Vietnam Memorial project between the Library and the American Legion Post 99 resulted in a spaghetti dinner fundraiser sponsored by the Legion which raised over $1500 for the Library. The Library provided space for Clatsop County W.I.C. to allow a place for south county children to obtain needed health services. Ms. Fackerell further stated the Library Board acted as an advisor to the Library Director and gave direction to fulfilling the mission of the library. Over the last year, the board had consulted with security system vendors and contractors for future upgrades to the facility. The board had supervised the revision of the policy manual, overseen the selection and installation of the exterior art, and advocated for the Freedom to Read and View by considering and ruling on requests to reclassify or remove items from the collection. Ms. Fackerell further stated the Friends of the Seaside Library were a 501(c) (3) corporation that raised money to support the library functions. There were over 100 Friends, and each year, through book sales and fundraisers, they contributed an average of $6,000.00 to the library. Last year, the funds were used to pay for visiting authors, speakers, and performers at the library. The Friends also generously gave funds for books, art shows, receptions and children's events. Ms. Fackerell further stated the Art Committee was one of the most active committees that served the Library. The group was formed prior to moving into the new building. The committee was instrumental in obtaining the Arakawa Hanging Art system on which art shows could be professionally displayed. The committee met monthly and were responsible for all the art shows, displays, and accompanying receptions. Ms. Fackerell further stated the volunteers reflected the spirit and heart of the community. The library was proud of the volunteers and appreciated their tireless service. During the last fiscal year, there were over 75 volunteers who donated 3,715 hours of their time. During the move to the new facility, there were 50 people on site for three days to help move the libraries entire collection. Currently, there had been over twenty volunteers who came into the library weekly to shelve, repair, wrap and sort books. The volunteers call with gentle reminders to those who had overdue items and checked shelves for lost and missing items, organize craft time to augment story hour, and assist at the front desk.

Councilor Lyons stated in the next day or two he would finish the ninth Janet Evanovich book. Councilor Lyons asked how many more books he would need to read to get caught up.

Ms. Fackerell stated Ms. Evanovich was on book fourteen in the series.

Councilor Barber stated he had lived in Seaside for two years and when friends and family visited they would show them the new library. The library was a great pride for the City of Seaside and not many Cities's the size of Seaside had a library facility like Seaside with the resources available. The most remarkable thing in the report had to do with the programs that were offered. Mr. Barber asked how the staff at the library was covering this greatly expanded demand of services.

Ms. Fackerell stated most of the programs were done with the volunteers and staff member Susan Park. There were times in the old library that one person was at the front desk and now there had to be at least two people at all times and sometimes three. The library was very busy which was good.

Council President Tolan stated Ms. Fackerell was doing a wonderful job and gave a wonderful report. Council President Tolan further stated he was most impressed with the use of the computers and if the library were to receive more computers would there be a location for them.

Ms. Fackerell stated there would be a location for them at the library. No matter how many internet computers there were, three more were always needed.

Mayor Larson asked the audience if there were any questions they wanted to ask Ms. Fackerell.

Mr. Humpal stated Ms. Fackerell did a wonderful job with the library and hoped she could keep going.

Mark Winstanley, City Manager, thanked the Library Board which had a big part in the library and the board was a very dedicated group concerning the library. Without volunteers a City the size of Seaside could not accomplish all the things that were done. Ms. Fackerell did a marvelous job running the library and handled everything in a great way. The City was very lucky to have all the volunteers and staff at the library.

FIRE DEPARTMENT FURNITURE DONATION

Dale Kamrath, Seaside Fire Chief, stated the Fire Department had changed the upstairs meeting room into a meeting area and removed the stuffed couches and chairs. There were new tables added and chairs that were received from the Convention Center. The City departments were not interested in the furniture for their facilities and Staff recommended Council consider donating the furniture to the Gearhart Fire Department for the building.

Motion to approve the donation of furniture from the Fire Department to the Gearhart Fire Department; carried unanimously. (Haller/Johnson)

VACANCY – BUDGET COMMITTEE

Mayor Larson stated there was one vacancy on the Budget Committee. Pam Hayes had to resign from the committee. Mayor Larson asked the press to advertise the vacancy.

COMMENTS - STUDENT REPRESENTATIVE

Max Milander, Seaside Student Representative, stated the Sno-ball dance was Saturday, January 23, 2010, and the students had a great time. Mr. Milander further stated his Pacifica Project which was a concert at the Coaster Theatre raised $750.00 for a couple of non-profit organizations in Cannon Beach.

COMMENTS – COUNCIL

Councilor Lyons stated he had received more information in regards to the Census Bus that would come to Seaside and set up at the turnaround. The bus was traveling to fifty areas in the United States and would visit Seaside February 18, 2010, 2:00 pm to 4:00 pm. Councilor Lyons further stated he would have additional information on the event in the future.

Mayor Larson stated Chief Gross and Mr. Winstanley needed more information about the Census Bus parking at the turnaround and would need to approve the bus setting up in that area of Seaside.

Councilor Moore complimented Ms. Fackerell, her staff, volunteers, and Library Board.

Councilor Johnson asked Mr. Winstanley if there was a grading plan for 25th Avenue and Pine Street during the construction period.

Mr. Winstanley stated the contractor had requirements to take care of that area during construction. The neighborhood would not be left with the roads deteriorating and the City was aware there was a problem in that area. The good news was the contractor for the North Holladay Project was working in the area on 24th Avenue and would be moving along. The neighborhood would be one of the first neighborhoods to be alleviated once the contractor moved farther along in the process.

Councilor Moore asked the residents of the area to inform the City or Council if the area was not taken care of during the project.

Councilor Barber welcomed Melissa Cadwallader, from the Cannon Beach City Council.

Mayor Larson stated the Sweet Affair which was sponsored by the American Association of University Woman (AAUW) and Sunset Parks and Recreation was a wonderful event to attend and would be held at the Convention Center on Sunday, February 14, 2010. Mayor Larson further stated there was a Transportation System Plan workshop on Thursday, January 21, 2010, and the attendance was very good.

COMMENTS – STAFF

Robert Gross, Seaside Police Chief, stated the graffiti folks were caught this last weekend thanks to the good work of a Reserve Officer and Officers on duty. There was a shooting at the Bridge Tender on Sunday evening and Officers were quick to locate the suspect and bring him into custody.

Chief Kamrath stated the new engine was coming along very nicely and would be completed around March 1, 2010.

Mayor Larson read an editorial that was in the Daily Astorian that gave tribute to Seaside.

RECESSED INTO EXECUTIVE SESSION

Council recessed into Executive Session at 7:43 PM in accordance with ORS 192.610 (l) (i) regarding the annual evaluation of the City Manager, Mark Winstanley.

RECONVENED FROM EXECUTIVE SESSION

Council reconvened from Executive Session at 8:23 PM. Mayor Larson read a summary of the Councils evaluation on City Manager, Mark Winstanley.

Mayor Larson stated Councilors all agreed Mr. Winstanley was well respected in the City and also by his colleagues, both in the County and around the State. Council gave Mr. Winstanley a one hundred percent rating on financial matters, which was obvious when Council saw the work being accomplished to make Seaside a better place to live and visit. The Council had constantly set the bar higher and Mr. Winstanley and his staff continued to reach new heights, and Mr. Winstanley surrounded himself with great Department Heads. Mayor Larson further stated Mr. Winstanley was extremely ethical and led his employees and Council with a strong example. Mr. Winstanley spent a great amount of time working with each Councilor and sometimes it "takes a while" to convince him to change his thoughts to a different way of thinking but he does give Council the opportunity to share their thoughts and suggestions. Mr. Winstanley was aware Council set the policy, and he was to enforce the policy. Information flow sometimes could be an item "tell us more," especially about incidents that may become public. However Mr. Winstanley did his best to keep Council informed and Council was fortunate to have Mr. Winstanley as the City Manager and thanked him for all he did.

ADJOURNMENT

The regular meeting adjourned at 8:24 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR

City of Seaside

Memo

To: Mayor and City Council

From: City Managers Office

CC: Kim Jordan

Date: February 4, 2010

Re: Election Resolution

Attached you will find Resolution #3694 regarding a special election. The funds for the Public Safety levy will be used to:

1) Purchase seven police vehicles over five years. These vehicles will replace three vehicles with over 100,000 miles, two vehicles with over 90,000 miles, and provide for a replacement schedule over the five year period. Cost of $330,000.00.

2) Funding the salary plus benefits for the Police Officer position that was frozen in the 2009-2010 budget. Cost of $395,000.00.

RESOLUTION #3694

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, APPROVING A BALLOT TITLE TO BE SUBMITTED TO THE VOTERS AT THE NEXT SPECIAL ELECTION; REGARDING FUNDING FOR THE PURCHASE OF POLICE VEHICLES AND FUNDING A PATROL OFFICER POSITION

WHEREAS, the Council of the City of Seaside finds it essential to rotate police vehicles in a deliberate manner to avoid undue hardship and risk to its officers, and

WHEREAS, the Council of the City of Seaside believes maintaining full and adequate staffing is imperative to the health and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. The following Ballot Title shall be submitted to the voters of the City of Seaside at the May 18, 2010, special election.

LOCAL OPTION TAX MEASURE FOR POLICE VEHICLES AND PERSONNEL

Question: Shall the City levy $145,000 annually outside the permanent rate for police vehicles and personnel for five years beginning 2010? This measure may cause property taxes to increase more than three percent.

Explanation: These funds will be used to purchase seven police vehicles over the five years of the measure. In addition, this measure will provide for a patrol officer position currently left unfunded due to budget constraints. If this measure is approved, the total amount of money raised over the five-year period will be $725,000.00, which will be levied in equal amounts of $145,000.00 in each of the five years. It is estimated this measure will add $0.15 cents per thousand to the tax rate in 2010/2011. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of the estimate.

SECTION 2. Polling places, form of election, judges, and times, shall be the same as established by the County for special elections.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2010.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2010.

_____
DON LARSON, MAYOR

ATTEST:

_____
Mark J. Winstanley, City Manager

SEASIDE BUDGET COMMITTEE

The Seaside Budget Committee meets publicly to review the budget documents as proposed by the budget officer. The budget committee receives the budget and budget message and provides an opportunity for the public to ask questions about and comment on the budget. The committee also approves a budget, and, if ad valorem property taxes are required, approves an amount or rate of tax for all funds that receive property taxes.

The budget committee is composed of the governing body and an equal number of electors appointed by the governing body. All members of the budget committee have equal authority. An elector is a qualified voter who has the right to vote for the adoption of any measure. If the governing body cannot find a sufficient number of electors who are willing to serve, those who are willing and the governing body become the budget committee.

Applicants for the Budget Committee need to be registered voters of the City of Seaside for at least one year prior to serving on the Committee. The appointive members of the budget committee cannot be officers, agents or employees of the local government. Spouses of officers, agents or employees of the local government are not barred from serving on the budget committee if they are qualified electors and not themselves officers, agents, or employees. Appointive members of the budget committee are appointed for three-year terms.

The committee shall elect a presiding officer from among the members at the first meeting. No member of the budget committee may receive any compensation for their services as a member of the committee.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** January 25, 2010

   Name: **Pamela Hayes**

   Commission/Committee: Budget Committee

   Resignation Date: January 14, 2010

   Term Expiration Date: **December 31, 2012**

   Wants to be considered again: No

2. **Applicants:**
   Linda Jaklich
   Leroy (Roy) Hackett

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 Appointment

PLEASE RETURN TO CITY HALL BY: FEBRUARY 3, 2010

NAME Jaklich (Last) Linda (First) PHONE 503 738-6811

ADDRESS 280 7th Avenue

LENGTH OF TIME IN SEASIDE 4 yrs

ARE YOU A REGISTERED VOTER IN SEASIDE: Yes ☒ No ☐

OCCUPATION Retired educator

PAST OCCUPATIONS Teacher, Retail clerk,

List committee/commissions you are currently appointed to: None

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

List fields in which you have interest or ability: Education, Record Keeping, financial accountability City of Seaside

List employment and volunteer activities, which may relate to service on committee/commissions: Educator - Seaside School Dist
" Forest Grove Schools
Washington County Library Board (@ Banks)

List skills and special knowledge that you may have acquired from these activities: Library financial planning, negotiation, fundraising, ELL facilitator for Seaside Elementary School, and Cornelius Elementary School

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
Dan Gaffney,	former Principal,	Seaside Hts Elem,	503 · 738-5161
DICK Frank	friend	312 7th Ave.	503 738-5652
Gayle Spear	friend,	50 7th Ave.,	503 738-7942

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 Feb. 2, 2010 SIGNATURE Linda Jaklich

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 Appointment

PLEASE RETURN TO CITY HALL BY: FEBRUARY 3, 2010

NAME HACKETT LeROY (ROY) PHONE 503/440-6744
Last First

ADDRESS 488 FAIRWAY CT, SEASIDE, OR 97138

LENGTH OF TIME IN SEASIDE 6 YRS

ARE YOU A REGISTERED VOTER IN SEASIDE: Yes ☒ No ☐

OCCUPATION RETIRED

PAST OCCUPATIONS SEMI CONDUCTOR PROCESS ENGINEER

List committee/commissions you are currently appointed to: TSUNAMI ADVISORY GROUP

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

List fields in which you have interest or ability: METAL FABRICATION, DISASTER PLANNING, HOUSE REFURBISHMENT

List employment and volunteer activities, which may relate to service on committee/commissions: TSUNAMI ADVISORY GROUP, CERT, USCG AUX - STAFF OFFICER, USCG AUX FABRICATION AND TRAINING

List skills and special knowledge that you may have acquired from these activities: DISASTER PLANNING AND LOGISTICS, COMMUNITY OUTREACH AND EDUCATION, RESOURCE ALLOCATION

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
DOUG CAMERON	SUPERVISOR - USCG	36077 TUCKER CR LN.	503 3250664
KIRK TERRY	FRIEND	PORTLAND,	503 440 9155
JACK RINEHART	FRIEND	NEHALEM ST. ELSE,	503 755 2269

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 2-5-2010 SIGNATURE LeRoy H Hackett

BUDGET COMMITTEE

Term of Office: 3 years

Number of Members: 14 (Includes City Council)

NAME	ADDRESS	PHONE	TERM EXPIRES
OLIVER VERNOR	764 3RD	738-4352	12/31/2010
LES MCNARY	1624 S. FRANKLIN	738-0759	12/31/2010
GUY WILLIAMS	1125 N. HOLLADAY DR.	738-5342	12/31/2011
REBECCA BUCK	P O BOX 1152	738-3045	12/31/2011
DANA PHILLIPS	217 BROADWAY	738-9413	12/31/2011
GAYLE SPEAR	50 7TH AVENUE	738-7942	12/31/2012
VACANCY			12/31/2012

LIQUOR LICENSE APPLICATION

Erik and Elizabeth Marston
The Harbor Bite
220 Avenue 'U'
Seaside

This business has applied for a Limited On-Premises Sales Liquor License (change of ownership).

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

February 1, 2010

MEMORANDUM

TO: Mark Winstanley, City Manager

FROM: Robert Gross, Chief of Police

SUBJECT: **The Harbor Bite OLCC Permit**

We have reviewed the liquor application for The Harbor Bite located at 220 Avenue U. This business formerly known as Goose Hollow did have a liquor license and was recently sold. The new owners are applying for a "limited on-premise" license as a new owner.

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.

CONTRACT

THIS CONTRACT, made this 2nd day of February, 2010, in accordance with the requirements of Oregon Revised Statutes 297.405 through 297.555 between Delap LLP, Certified Public Accountants of Lake Oswego, Oregon herein called "accountants" and the City of Seaside, Oregon a public corporation, herein called "The City", provides as follows:

1. It is hereby agreed that accountants shall conduct an audit and services of the accounts and fiscal affairs of the City of Seaside, and the Seaside Urban Renewal Agency, for the period beginning July 1, 2009 and ending June 30, 2010, in accordance with the **Minimum Standards for Audits of Oregon Municipal Corporations** as prescribed by law. The audit shall be undertaken in order to express an opinion on the financial statements of the City of Seaside and on the Seaside Urban Renewal Agency, and to determine if the City of Seaside, Oregon has complied substantially with appropriate legal provisions.

2. Accountants agree that the services they have contracted to perform under this contract shall be rendered by them or under their personal supervision and that the work will be faithfully performed with care and diligence.

3. It is understood and agreed that, should unusual conditions arise or be encountered during the course of the audit whereby the services of Delap LLP are necessary beyond the extent of the work contemplated, written notification of such unusual conditions shall be delivered to The City of Seaside, Oregon who shall instruct in writing to Delap LLP concerning 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.

4. The audit for the fiscal year ending June 30, 2010 shall be started as soon after this contract is executed as is agreeable to the Parties hereto. The audit 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 of Seaside, Oregon 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.**

5. It is understood and agreed that The City of Seaside, Oregon is responsible for such financial statements as may be necessary to fully disclose and fairly present the results of operations for

the fiscal year under audit and the financial condition at the end of fiscal year. Should such financial statements not be prepared within a reasonable period of time, it is understood that Delap LLP shall draft them for The City of Seaside, Oregon. The cost of preparing such financial statements shall be included in the fee for conducting the audit as set forth in Paragraph 7 below.

6. It is understood and agreed that either Party may cancel this contract by giving notice in writing to the other party at least thirty days prior to July 31, 2010.

7. In consideration of the faithful performance of the conditions, covenants, and undertakings herein set forth, The City of Seaside, Oregon hereby agrees to pay Delap LLP

	June 30, 2010
Audit of financial statements	$36,400
Urban Renewal Agency	$7,600
Travel time	$2,150
Estimated out-of-pocket	
(Meals, lodging, mileage, delivery)	$2,500
Single Audit if necessary	$6,800

Time for attendance at meetings, except for delivery of the annual audit report, will be billed separately at the accountants' standard hourly rates. The City of Seaside, Oregon hereby affirms that proper provisions 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.

In consideration of which the parties have hereunto set their hands on the day and year first above written.

Delap LLP

By: _____, CPA, Partner

Date: 2/7/10

The City of Seaside

By: _____

Date: _____

MEMO

To: The Honorable Mayor and Members of the City Council
From: Neal Wallace
Re: Downtown Maintenance District Litter Removal Project 2009-15

The City received one bid for the Downtown Maintenance District Litter Removal Project. Jay Paul, 'A' Affordable Cleaning Company presented a responsive bid in the amount of $29,700.00. A Affordable Cleaning Company has been in the cleaning industry since 1988 and has been cleaning for the City of Cannon Beach since July, 2002 which included street cleaning, parking lots, and flower beds. Staff recommends accepting the bid of $29,700.00 from A Affordable Cleaning Company.