

CITY OF LINCOLN CITY
LINCOLN CITY COUNCIL AGENDA
MONDAY JANUARY 10, 2022 6:00 PM

6:00 PM - The Lincoln City Council meeting for January 10, 2022 will be held via Zoom. The City Council Chambers will be open and the meeting will be broadcast live in the Council Chambers. It will also be live on Channel 4 and through streaming on the web at www.lincolncity.org.

Public comments can be submitted to publiccomment@lincolncity.org, by attending the City Council meeting, or by attending through Zoom invitation.

Public comments submitted by email to publiccomment@lincolncity.org will be entered into the official record, distributed to the governing body, and summarized; however, due to personal privacy issues they are not generally published in the online Agenda packet.

Citizens present in the Council Chambers will be given the opportunity to comment via Zoom. Laptops will be set up for those comments. Citizens present in the Council Chambers will be required wear a face covering and must observe social distancing. A member of the Information Technology staff will be present during the meeting to assist with any technical issues.

Citizens requesting to give public comment via Zoom must email publiccomment@lincolncity.org no later than noon on the meeting day. The request must include the person's name, the subject the person wishes to address and the Zoom screen name the person intends to use for the meeting. A Zoom invitation will be sent to the person requesting prior to the meeting. Persons who will give public comment via Zoom will be placed in a Zoom waiting room upon entering the meeting until the public comment portion of the meeting at which time they will be admitted into the meeting through Zoom.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing-impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder, 541-996-1203.

The Lincoln City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

All information for this meeting is available at www.lincolncity.org under "Public Meeting Calendar". This meeting will be televised on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Work Session – December 13, 2021, 3:00 PM
2. Regular Meeting – Minutes of Regular Meeting – December 13, 2021, 6:00 PM
3. Regular Meeting – Minutes of Special Meeting – December 15, 2021, 11:45 AM
4. Initiation of Amendments
5. Order to Approve and Execute Short Term Lease of Culinary Center to Pelican Brewing Company
6. Oregon Liquor Control Commission - Request for Limited On-Premises Sales License- The Hilltop Inn
7. Personnel Appointment for Council Consent

E. COUNCIL DELIBERATIONS

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

G. PRESENTATIONS

8. LC Parks & Recreation Board: Taft Park presentation

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Comment: Resolution 2022-01 Parking Fee
2. Public Comment on City Manager Recruitment Information

J. ORDINANCES

3. ORDINANCE 2022-01 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING TITLE 1 (GENERAL PROVISIONS), CHAPTER 1.16 (VIOLATIONS), AMENDING SECTION 1.16.070 (FINE AND ASSESSMENT AMOUNTS), PARAGRAPH D., TO ADD FLEXIBILITY FOR FEES IN NEGOTIATED PLEA AGREEMENTS
4. ORDINANCE NO. 2022-02 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.14, ADDING A NEW SECTION 15.14.090 (APPEALS) TO THE ADOPTED FIRE CODE OF THE CITY OF LINCOLN CITY

K. RESOLUTIONS

5. RESOLUTION NO. 2022-01 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF METERED OVERNIGHT PARKING SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS
6. RESOLUTION NO. 2022-02 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF OVERNIGHT CAMPING / RESTING IN-VEHICLE SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS

L. SPECIAL ORDER OF BUSINESS

7. Outside City Committee and City Committee Appointments

8. Re-Appointment & Appointment to the Budget Committee - Multiple Applicants
9. Request for Appointment to Driftwood Public Library Board - Brittany Anderson & Lenny Folino
10. Re-Appointment & Appointment to Parks and Recreation Board - Multiple Applicants
11. Re-Appointment/Appointment to the Planning Commission - Multiple Applicants
12. Proposed Joint Annual Meeting Dates
13. City Economic Development Toolbox: Childcare Business Assistance Tool
14. Contract Award for Advanced Metering Infrastructure

M. CITY MANAGER/CITY ATTORNEY REPORTS

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Q. ADJOURNMENT

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF WORK SESSION MEETING

December 13, 2021, 3:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE: _____

1. CALL TO ORDER

Mayor Wahlke called the meeting to order at 3:01 PM.

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	3:00 PM
Elaine Starmer	Councilor Ward 1	Present	3:00 PM
Sydney Kasner	Councilor Ward 2	Absent	3:00 PM
Judy Casper	Councilor Ward 3	Present	3:00 PM
Riley Hoagland	Councilor Ward 2	Present	3:00 PM
Rick Mark	Councilor Ward 3	Present	3:00 PM
Mitch Parsons	Councilor Ward 1	Present	3:00 PM

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Anne Marie Skinner, Planning and Community Development Director; Tony LaSoya, I.T. Director; David Twigg, IT Support Specialist; Jamie Young, City Recorder.

2. DISCUSSION ITEMS

A. Manager Reports

Ms. Bradley said there are no applicants for the Finance Director position. Ms. Bradley said that she is working with Rob Moody to hire a Finance Director and get assistance with the Finance Department. Mr. Moody is also helping with the oversight of the Finance Department.

B. Update on Logan Creek Drainage

Ms. Reid gave a presentation regarding the Logan Creek culvert. Councilor Hoagland asked if there were any grant opportunities. Ms. Reid said there are very few grant opportunities. Councilor Hoagland asked about the short session being focused on the groundwater and fish if that is a possibility. Ms. Reid will check. Councilor Mark asked about having the County pay for the project. Ms. Bradley said that is not possible. Councilor Starmer said it sounds like this is something that has to be done is that accurate. Ms. Reid said there was a tort claim with previous owners through the county, and then the home was sold. Ms. Reid said the new owner verbally threaten a lawsuit, but yes, this does need taking care of. Councilor Hoagland asked if this would be a bridge-type situation. Ms. Reid said this would be a culvert close to the beach. Councilor Mark asked if fish currently use the culvert. Ms. Reid said there are resident fish.

C. Long Term Water Commitment Request

Ms. Bradley spoke about the long-term water commitment from Rocky Creek, she would like to take a look at this in the future with the master plan. Ms. Reid said this is Depoe Bay's primary water source and it is pretty bold to speak of another person's water source without them.

D. Sustainability Committee

Ms. Bradley spoke about the Sustainability Committee meeting and not having staff present. Ms. Bradley said they are not using staff. Mr. Appicello said state law the video could be used in place of minutes if chapter 2.06 is amended. Mr. Appicello said there is a concern with the scope of what they should be doing. Councilor Mark said concerned about the committee feeling disenfranchised with a Staff member not present. Ms. Bradley said we are not giving much input and she is trying to simplify. Councilor Casper said she believes they have not been provided with direction on what they should be doing. Ms. Skinner said that is the main problem, what does City Council want from this committee. Ms. Skinner said that all of the ideas they come up with were already being implemented with one of the master plans. Mr. Appicello said that his direction to the previous Planning Director is to update the Sustainability plan and have Council approve. Mr. Appicello said one that is implemented and gives the committee direction. Mayor Wahlke said she has been in favor of Councilors being connected to the committees. Mayor Wahlke said she would like to have reports from the committees yearly or more often.

E. Water Outside Urban Growth Boundary Change in Ordinance

Mr. Appicello said Ms. Bradley could direct him to fix the ordinance.

F. Comments/Concerns From November 8, 2021

1. RESPONSE TO PUBLIC COMMENT

Mr. Appicello went through the list of items and feels the false alarm fees could be looked at. Mayor Wahlke said that she appreciated being told what has been done. Ms. Bradley said the information has been given repeatedly to the same citizen.

G. Council Questions On Agenda Items For Regular Meeting

Councilor Starmer asked if any of Ms. Sherman's comments tie in with the previous discussion. Ms. Bradley said her culvert is undersized and affects her driveway.

H. Other Questions From Council

Mayor Wahlke said at the November meeting there were discussions about revenue options, fees, and licenses. Mayor Wahlke said Council was discouraged with no Finance Director to make changes and wondered how Council felt about moving forward. Councilor Starmer said it needs to be considered. Councilor Starmer asked about the fireworks. Ms. Bradley said it would be discussed by the Chief at 6 PM.

3. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 4:03 PM.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

December 13, 2021, 6:00 PM

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APPROVED BY CITY COUNCIL

DATE: _____

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:01 PM. Mayor Wahlke advised the public that there are now three ways to provide public comment.

1. Comments can be made through email to publiccomment@lincolncity.org;
2. Comments can be made via Zoom if a request is emailed to publiccomment@lincolncity.org by noon on the meeting day;
3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken).

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	6:00 PM
Elaine Starmer	Councilor Ward 1	Present	6:00 PM
Sydney Kasner	Councilor Ward 2	Present	6:00 PM
Judy Casper	Councilor Ward 3	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Present	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer and Lt. Broderick, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Alison Robertson, Economic Development and Urban Renewal Director; Ed Dreistadt, ELC Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director, David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

D. CONSENT AGENDA ITEMS 1, 2, & 3

Councilor Hoagland removed items 4, 5, and 6 for discussion.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

1. Regular Meeting – Minutes of Regular Meeting – November 8, 2021, 6:00 PM
2. Regular Meeting – Minutes of Special Meeting – November 8, 2021, 5:00 PM
3. Regular Meeting – Minutes of Work Session – November 8, 2021, 3:00 PM
4. Oregon Liquor Control Commission - Request for New Outlet Off-Premises Sales Liquor License for US Market.

MOTION:	Oregon Liquor Control Commission - Request for Off-Premises Sales Liquor License
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

Councilor Hoagland asked if they already had two markets with licenses. The City Recorder said this is a third location at the Space Age gas station.

5. Report on Emergency Declaration on November 19, 2021

MOTION:	Report on Emergency Declaration on November 19, 2021
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

Ms. Bradley said there was a leak near the Water Treatment Plant on November 19, 2021. Ms. Bradley explained the detail of the repair. Ms. Bradley said the same water source was used continually. Ms. Bradley said that it was a very long night for the crews.

6. Proposed Annual Meeting Dates 2022

MOTION:	Proposed Annual Meeting Dates 2022
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

Councilor Hoagland inquired about the dates and if they would be locked in upon approval. It was confirmed the dates could be changed.

E. COUNCIL DELIBERATIONS

NONE

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

Ms. Bradley said there were three public comments for the Griff Ford Memorial Park, Fran Lonnon commented regarding cab companies, Joyce Sherman commented regarding Logan Creek culvert, Megan Sorenson commented regarding VRD's (vacation rental dwellings).

Frank Boyden spoke regarding the Cascade Head Biosphere Collaborative.

Paul Robertson spoke regarding the Cascade Head Biosphere Collaborative.

Miles Schlesinger spoke regarding selecting Lila Bradley as City Manager.

Joyce Sherman spoke regarding the Logan Creek culvert.

Leanna Rios spoke regarding climate change.

G. PRESENTATIONS

NONE

H. PUBLIC HEARING / ORDINANCE

NONE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

Mr. Appicello said there is a resolution on the agenda for a parking fee. Mayor Wahlke asked if the public has any comments on the fee, there were no comments. Councilor Mark was concerned about the procedure. Mr. Appicello said there is no requirement for notice but the City is required to ask for comment.

J. ORDINANCES

- 1. ORDINANCE NO. 2021-25 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.12 (GENERAL REGULATIONS) SECTION 10.12.020 (PROHIBITED PARKING OR STANDING), PARAGRAPH E, AND AMENDING SECTION 10.12.040 (PROHIBITED STORAGE ON CITY PROPERTY, CITY STREETS, OR CITY RIGHTS-OF-WAY), PARAGRAPH D (EXCEPTIONS), TO RECOGNIZE PERMIT EXCEPTIONS.

MOTION:	Motion to Approve First Reading of Ordinance 2021-25 Amendments Related to Overnight Parking
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

- 2.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2021-25 Amendments Related to Overnight Parking
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Councilor Hoagland asked for "meter" to be defined further. Mr. Appicello said that would be administered at City Hall until parking machines were purchased. Mr. Appicello said this is overnight parking in a designated spot in a City Parking Lot.

K. RESOLUTIONS

3. RESOLUTION NO. 2021-45 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2021-38 PROVIDING FOR EXTENSION OF THE STREET CLOSURE OF A PORTION OF NW 34TH COURT

MOTION:	Motion to Approve Resolution 2021-45 A RESOLUTION AMENDING RESOLUTION 2021-38 Traffic Control - 34th Court
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

4. RESOLUTION NO. 2021-46 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF METERED OVERNIGHT PARKING SPACES AND OVERNIGHT CAMPING / RESTING SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS

MOTION:	Motion to Continue the Discussion to the First Meeting of January and Direct the City Attorney to Notice an Executive Session for Resolution 2021-46 Traffic and Parking Control Resolution - Overnight Parking to Discuss Legal
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Motion to Continue - Passed

Mr. Appicello explained the resolution. Councilor Parsons asked about getting the information to the people that need it. Mr. Appicello said there would be a sign with language for direction. Councilor Starmer said she like the intent but needs more discussion. Mr. Appicello explained that overnight resting and overnight parking are different. Councilor Hoagland said there are multiple perspectives on this one subject and he is opposed to the metered parking. Councilor Hoagland said this needs further discussion. Councilor Casper said that she would like a better example of the meters and continue for further discussion.

L. SPECIAL ORDER OF BUSINESS

5. Planning Commission Interview – M. Smith

Council interviewed Mr. Smith for a position on the Planning Commission.

6. Planning Commission Interview - Folz

Withdrew from the Planning Commission at 7:21 PM.

7. Planning Commission Interview - Folino

Council interviewed Mr. Folino for a position on the Planning Commission.

8. Budget Committee Interview – Folz

Council interviewed Mr. Folz for a position on the Budget Committee

9. Budget Committee Interview - R. Smith

Council interviewed Mr. Smith for a position on the Budget Committee

10. Community Center Gym Roof Project

MOTION:	To Award the Best Value Contract for the Community Center Gym Roof to Roof Toppers Inc. in the Amount of \$361,900.
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Ms. Sprague gave a presentation about the Community Center Gym Roof Project. Ms. Sprague thanked the staff at the Public Works Department and Jim Starmer for their help with this project. Ms. Sprague correct the Council communication to read Roof Toppers Inc. Councilor Parsons asked if there was more confidence in this contractor than the previous contractor. Councilor Starmer said that Jim Starmer is her husband and not paid for his services. Councilor Hoagland asked why Mr. Starmer was involved. Ms. Sprague said that City staff did not have the expertise. Councilor Hoagland asked about the bids that came in. Ms. Sprague said the company that had the same bid, did not change after the additions.

11. 2022 4th of July Fireworks Show

MOTION:	Motion to Approve the City Manager to Enter into a Contract with Western Display Fireworks for 2022 4th of July Fireworks Show
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
NAYS:	Starmer
RESULT:	Passed by Roll Call Vote

Mr. Dreistadt gave a presentation regarding the 2022 fireworks show. Mr. Dreistadt said Depoe Bay Fire and North Lincoln Fire gave their support for the fireworks show. Chief Palmer said there would need to be a thought before banning fireworks. Councilor Parsons said he is for making the deposit and he would echo what Chief Palmer said. Council had a lengthy discussion about the fireworks.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Bradley thanked the Parks Department and the Supervisor for the lighting project at the Taft dock. Mr. Dreistadt thanked Streets and Parks for the wrapping of the Taft Dock. Mr. Dreistadt especially thanked the Parks Supervisor Monte for all of the work. Mr. Dreistadt showed a video of the lighting of the Taft dock.

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

12.

MOTION:	Motion to Reject the Property Owners Limited Offer For Grant of Sewer Easement and Direct Legal Counsel to Make a Counter Offer to Obtain Easements for all Alleged Encroachments by the City Reserving Property Owner Encroachment for Prosecution
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Councilor Starmer requested that fees be looked at during a future meeting. Ms. Bradley said she would like to see that the second meeting in January.

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

NONE

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Parsons wished everyone a happy holiday and a Happy New Year.

Councilor Hoagland wished everyone a happy holiday. Councilor Hoagland said the Library is hosting a Winter Solstice event. Kirsten Brodbeck-Kenney explained the event deadline as Sunday. Councilor Hoagland said that he and Councilor Parsons both have Children in the Elf play and tickets are still available. Councilor Hoagland said that he has been recently working with the League of Oregon Cities and the Persons of Color Caucus. Councilor Hoagland said he has been nominated to two additional committees; The Energy and Environment Committee and a Policy Committee. Councilor Hoagland is also on the Oregon Trail GAP and they have one more meeting. Councilor Hoagland said the 45th Parallel is exactly north of the North Beach Access at Chinook Winds Casino. Councilor Hoagland spoke about the Cascade Oregon Governments meeting. Councilor Hoagland gave a big thank you to Staff and Council.

Councilor Kasner wished everyone a happy holiday.

Councilor Starmer said she would like to have the five-year-old ordinance reviewed on vacation rentals in the next quarter. Councilor Starmer wished all a Merry Christmas.

Councilor Casper spoke about a flyer she received in the mail about the conservation and restoration of the Central Oregon Coast, she learned so much. Councilor Casper spoke about the two warming shelters available this year. Councilor Casper spoke about having Coastal Support Services speak to Council. Councilor Casper wished everyone a happy holiday.

Councilor Mark thanked staff for making it through another year. Councilor Mark said he would like to visit fees and taxes in the future. Councilor Mark is looking forward to the Helping Hands facility getting open. Councilor Mark wished everyone a Merry Christmas and Happy New Year.

Councilor Hoagland spoke about Mr. Boyden asking Council for consideration with the Cascade Head Biosphere Collaborative.

Mayor Wahlke said we did not get to Councilor Hoagland's emails at the work session and that could be addressed at the next work session. Mayor Wahlke congratulated Councilor Parsons; he was voted "Volunteer of the Year". Mayor Wahlke also mentioned that Kiwanis Club was voted "Service Club of the Year", which she is the Secretary. Mayor Wahlke would like to pursue the suggestion of Mr. Boyden.

Councilor Starmer thanked Ms. Bradley for sticking around as the Interim City Manager.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 9:12 PM

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

**CITY OF LINCOLN CITY
CITY COUNCIL
MINUTES OF SPECIAL MEETING**

December 15, 2021, 11:45 AM

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APPROVED BY CITY COUNCIL

DATE: _____

A. CALL TO ORDER

Mayor Wahlke called the special meeting to order at 11:47 AM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	11:45 AM
Elaine Starmer	Councilor Ward 1	Present	11:45 AM
Sydney Kasner	Councilor Ward 2	Present	11:45 AM
Judy Casper	Councilor Ward 3	Present	11:45 AM
Riley Hoagland	Councilor Ward 2	Present	11:45 AM
Rick Mark	Councilor Ward 3	Present	11:45 AM
Mitch Parsons	Councilor Ward 1	Present	11:45 AM

Staff Present: Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Jeanne Sprague, Parks and Recreation Director; Anne Marie Skinner, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director; David Twigg, I.T. Support Specialist; Tony LaSoya, IT Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

D. CONSENT AGENDA - NONE

- E. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS-NONE
- F. PUBLIC HEARINGS/PUBLIC COMMENT-NONE
- G. ORDINANCES - NONE
- H. RESOLUTIONS - NONE
- I. SPECIAL ORDER OF BUSINESS-NONE
- J. CITY MANAGER/CITY ATTORNEY REPORTS-NONE
- K. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

1.

MOTION:	Motion to Invite Candidate 'B' for an In-Person Interview and Visit for the City Manager Position
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Wyman, Starmer, Kasner, Casper, Hoagland, Parsons
NAYS:	Mark
RESULT:	Passed by Roll Call Vote

Councilor Mark made a motion and Councilor Kasner seconded to start the process over and open for applications. Councilor Mark then withdrew the motion.

- L. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS-NONE
- M. ANNOUNCEMENTS FROM COUNCIL-NONE
- N. ADJOURNMENT
Mayor Wahlke adjourned the meeting at 12:01 PM

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Initiation of Amendments

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Administration	Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Should the City Council initiate amendments to the Lincoln City Municipal Code, Title 17, (*Zoning Code*) concerning: (1) annexation; (2) electronic message centers; and (3) bluff average not maximum fix; and (4) duplex changes based on HB2001?

Staff Recommendation:

Staff recommends Council initiate all three amendments to LCMC Title17.

Authority:

LCMC 17.76.060 Type IV (Legislative).

LCMC 17.76.080 Initiation of an Application. (Type IV applications may be initiated by the City).

LCMC 17.77.130 Text Amendment.

- A. Purpose. The text amendment process shall be used for legislative amendments to this title, Title 16, or the comprehensive plan. Such amendments are necessary to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in state law.*
- B. Procedure. Text amendments are subject to the Type IV procedure, as described in LCMC 17.76.060. However, the director is authorized to make typographical, grammatical and cross-referencing corrections as needed without initiating the text amendment process.*
- C. Submittal Requirements. Type IV application submittal requirements are set forth in LCMC 17.76.060.*
- D. Approval Criteria. In order to approve a text amendment, the review authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:*

- 1. *The text amendment is consistent with relevant goals and policies of the comprehensive plan and any applicable adopted master plans; and*
- 2. *The text amendment is consistent with relevant provisions of the Statewide Planning Goals, the Oregon Administrative Rules, and State statutes.*

E. *Appeal of a Decision. Refer to LCMC 17.76.180.*

F. *Expiration of a Decision. Text amendments are not subject to expiration.*

G. *Extension of a Decision. Text amendments are not subject to extension.*

Background:

Planning staff has shortened a previously drafted amendment concerning annexation standards for inclusion in the code. While DLCDC notice has been provided for this housekeeping amendment, Council had not yet formally authorized it.

Planning staff has discussed with the Manager the possibility of amending the code to allow electronic message centers. The use would be limited, either by the conditional use process or as accessory to specific uses. While DLCDC notice has been provided for this amendment, Council had not yet formally authorized it.

Planning staff has discussed with the City Attorney an error in the Natural Hazards Section of the Code as follows:

*The footprint of any other new structure or any horizontal addition requiring at least one footing in ocean bluff areas must be set back from the bluff a distance of at least 60 times the **average maximum** annual erosion rate (determined by the geotechnical analysis) plus five feet.*

While DLCDC notice has been provided for this amendment, Council had not yet formally authorized it.

Recently Portland State informed the Planning Director that the City's population had reached 10,067. This over 10,000 population, triggers changes to the code per HB2001. While DLCDC notice has been provided for this amendment, Council had not yet formally authorized it.

Council Options:

The City Council may:

- 1. Initiate all of the proposed amendments;
- 2. Initiate only the following amendments: _____;

3. Do not initiate the proposed amendments
4. Continue discussion on the proposed amendments to January 24, 2022.

Potential Motions:

Council:

1. Motion to initiate proposed amendments to Title 17.
2. Motion to initiate the following proposed amendments to Title 17:
_____.
3. Motion to continue consideration of the proposed amendments to a date certain January 24, 2022

Council Communication

Short Term Lease for use of the Culinary Center

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	

Question:

Should the City Council approve and execute a lease agreement between The City of Lincoln City and Pelican Brewing Company for the temporary use of the Culinary Center space for recruitment and training of potential new staff for their Siletz Bay, Lincoln City location.

Staff Recommendation:

Staff recommends that Council approve and execution the lease.

Authority: (*emphasis added*)

271.310 Transfer or lease of real property owned or controlled by political subdivision; procedure in case of qualified title; notice; rules. (1) Except as provided in subsection (2) of this section and subject to subsection (3) of this section, whenever any political subdivision possesses or controls real property not needed for public use, or whenever the public interest may be furthered, a political subdivision may sell, exchange, convey ***or lease for any period not exceeding 99 years all or any part of the political subdivision's interest in the property to a governmental body or private individual or corporation. The consideration for the transfer or lease may be cash or real property, or both.***

* * *

(4) Unless the governing body of a political subdivision determines ***under subsection (1)*** of this section that ***the public interest may be furthered***, real property needed for public use by any political subdivision owning or controlling the property may not be sold, exchanged, conveyed or leased under the authority of ORS 271.300 to 271.360, except that it may be exchanged for property that is of equal or superior useful value for public use. Any such property not immediately needed for public use may be leased if,

in the discretion of the governing body having control of the property, the property will not be needed for public use within the period of the lease.

271.360 Lease requirements. Every lease entered into pursuant to ORS 271.310 shall be authorized by ordinance or order of the body executing the same and shall provide terms and conditions as may be fixed and determined by the governing body executing the lease. The lease may provide that the lessee shall pay ad valorem taxes assessable against the leased property, or that the political subdivision shall pay these taxes, in which latter event the anticipated amount of taxes shall be taken into consideration in fixing the rental charge.

A public hearing under ORS 221.725 is not required as the lease does not include a purchase option.

Background:

Pelican Brewing Company is constructing a new Brewpub in the Cutler City District that will open in spring 2022. This redevelopment project will create a new attraction in the south part of town, add family/living wage jobs, be open 7-days per week, and bring increased tax revenue to the City. Pelican Brewing Company approached Lincoln City asking for assistance in locating a commercial kitchen and meeting room space to conduct hiring and training prior to the opening of the new Cutler City Pelican Pub.

The request was reviewed by the City Manager, ELC and Economic Development staff. The City responded with a suggestion that Pelican Brewing Company use the now-vacant Lincoln City Culinary Center as a temporary recruitment center and training facility.

Staff believes the short-term lease to a private corporation to use the facility and equipment furthers the public interest as required by ORS 271.310(1). The lease / license will facilitate economic development and job creation by facilitating recruitment and training for the creation of +/- 105 new, living wage (\$15/hr. min) jobs (65 FTE) in Lincoln City. The tenant will need to pay for all utility and servicing costs for use of the space. Finally, as ORS 271.310(1) requires "cash or real property" as consideration for the lease, the City requests that Pelican extend the previously offered \$50,000 boardwalk grant (expired in December), for another year.

The anticipated duration of the agreement will be for approximately six months – February through July 2022. Temporary use of the space will not delay issuance of a

Request for Expressions of Interest (RFEI) for a longer-term operating tenant/programming for the culinary center.

Financial Impact

The Lincoln City Culinary Center is currently vacant. Associated costs (utilities, etc.) will be paid by Pelican Brewing Company. The \$50,000 Pelican grant extension for one year will facilitate construction of the Siletz Bay boardwalk project. No other costs are anticipated.

Council Options:

- 1) Approve the request to approve and execute a lease agreement between the City of Lincoln City and Pelican Brewing Company for use of the culinary center based on the consideration and on the terms noted.
- 2) Do not Approve the request to approve and execute the lease agreement.
- 3) Do not Approve the terms of the lease as specified in this memo, but add the following terms: _____.

Council Motion:

Motion to approve an Order to approve and execute a short-term lease with Pelican Brewing Company for the use of the City Culinary Center for training and recruitment purposes.

Attachments:

Pelican Lease 1-4-2022 (DOC)
Culinary Space with SF Measurements (PDF)

LEASE AGREEMENT LINCOLN CITY CULINARY CENTER

Date: February 1, 2022

Between: City of Lincoln City (“Landlord”)
801 SW Highway 101
P.O. Box 50
Lincoln City, Oregon 97367

And: Pelican Brewing Company (“Tenant”)
9005 Nestucca Ridge Rd
Pacific City, Oregon 97135

Landlord leases to Tenant and Tenant leases from Landlord the real and personal property described in the following Section 1.4 (the “Premises”) on the terms and conditions stated below:

Article 1

LEASE TERMS

1.1 Date of Lease: January 24, 2022

1.2 Tenant: Pelican Brewing Company

Premises Address: [Culinary Center portion of] 801 SW Hwy 101, Lincoln City, Oregon 97367

Notice Address: Registered Agent Jeffrey E. Schons 9005 Nestucca Ridge Rd Pacific City, Oregon 97135

1.3 Landlord: City of Lincoln City

Notice Address: 801 SW Highway 101 [P.O. Box 50] Lincoln City, Oregon 97367

Address for Payment of Rent:

Attn: Lincoln City Finance Department P.O. Box 50, Lincoln City, Oregon 97367

1.4 Premises: Lincoln City Culinary Center, containing approximately 7,173 square feet and being part of the Land, the Lincoln City Complex (aka “Lincoln Square,” 801 SW Hwy

101, Lincoln City, Oregon 97367; the leased Premises – including real and personal property, is described and shown in Exhibit A attached hereto and made a part hereof by this reference.

1.5 Permitted Use of Premises: Office and Restaurant uses are permitted uses under the General Commercial Zoning District.

1.6. Common Areas: All exterior areas of the Land including parking areas under the Lincoln City city offices and the parking areas located on the roof of the leased supermarket building.

1.7. Initial Term of Lease: three (3) months.

Lease Commencement Date: February 1, 2022
Lease Expiration Date: April 30, 2022
Rent Commencement Date: February 1, 2022

1.8. Initial Base (Guaranteed Minimum) Rent:

7,173 square feet at \$2 per square foot for \$14,346 per month, plus flat rate utilities and common area maintenance fee of \$350.

[or]

Alternate cash consideration in the form of a one year extension (to December 31, 2022) of the lump sum grant offer of \$50,000.00 from Pelican toward the City’s Siletz Bay boardwalk improvement project (which expired on December 31, 2021), plus a flat rate utilities and common area maintenance fee of \$350.

1.9 Adjustment of Base Rent: N/A.

10 Additional Rent: N/A

1.11 Security Deposit: None required

1.12 Base Year:

Real Property Taxes: Landlord is exempt. Tenant has sole responsibility for taxes for leased Premises and proportionate share of taxes, if any, for common areas.

1.13 Parking: Non-exclusive shared spaces only.

1.14 Exhibits: Exhibit A –Description of real and personal property (Premises) being leases/ licensed to Tenant also referred to as “Premises”.

THIS LEASE is made and entered into between Landlord and Tenant on the Date of Lease set forth in Section 1.1. The defined terms used in this Lease ("Lease Terms") have the meanings and definitions given them in Article 1. The Lease Terms, the Exhibits, and this Lease agreement are and will be construed as a single instrument and are hereinafter referred to as the "Lease."

Now, therefore, for valuable consideration, Landlord and Tenant covenant and agree as follows:

Article 2 LEASE OF PREMISES

2.1 Lease. Subject to the terms and conditions of this Lease, Landlord hereby leases to Tenant and Tenant hereby leases from Landlord the Premises.

2.2 Term. The Initial Term of this Lease is set forth in Section 1.7.

2.3 Delivery of Possession and Commencement. Landlord is the owner of the leased Premises and has the right to lease the Premises, free from all encumbrances, except those of record. Landlord will deliver the Premises to Tenant and Tenant will accept the Premises under the terms of this lease on February 1, 2022. The Lease will commence on the date specified in Section 1.7. Landlord and Tenant may agree to supervised entry prior to the beginning of the Lease term for delivery of materials, authorized repairs, if any, and set up. Operations shall not occur before **February 1, 2021**. Tenant acknowledges (i) that Tenant accepts the Premises "AS IS, WHERE IS" and as suitable for Tenant's intended use, in good and sanitary operating order, condition, and repair, and without representation or warranty by Landlord of the condition, use, or occupancy that may be made thereof; and (ii) that the area of the Premises is as set forth in Section 1.4 and 1.14.

2.4 Common Areas. Tenant will have the nonexclusive right (in common with the other tenants of the Building, Landlord, and any other person granted use by Landlord) to use the specified Common Areas.

2.5 Parking. Parking at the ground level of the leased Premises is available for employees and patrons of the Landlord and Tenant. City Employees are directed to park on the second floor roof lot; no parking use is granted to Tenant to the second floor roof parking lot.

2.6 Extension/Renewal Option. As long as Tenant is not in default under this Lease beyond the applicable cure period, if any, at the time of exercise, Landlord hereby grants Tenant one option to extend the initial term of this Lease for an additional period of three (3) months. The option will be on the same terms, covenants, and conditions of this Lease. Tenant will Option, if at all, by giving Landlord written notice (the "Option Notice") at least 30 days before the expiration of the Initial Term then in effect. The renewal term shall commence the day following the date of termination of the preceding term.

Article 3

RENT PAYMENT

3.1 Rent. Tenant will pay to Landlord all Rent for the Premises without demand, deduction, or offset. The term "Rent" as used in this Lease includes Base Rent as set forth in Section 1.8, and all other sums due under the Lease. Rent is payable by Tenant in advance on the first day of each month commencing on the Rent Commencement Date. Rent for any partial calendar month will be prorated based on a 30-day month for the number of days during that partial month the Premises are occupied by Tenant.

3.2 Rent Escalation. N/A.

3.3 Additional Rent. See Section 5.2.

3.3.1 Operating Expenses. N/A

3.3.2 Taxes / Insurances. Landlord is a tax exempt legal entity. Tenant shall pay, before delinquency, if any, all taxes, assessments, license fees and public charges levied, assessed or imposed and which become payable during the term upon Tenant's fixtures, furniture, appliances, equipment and personal property installed or located in the leased premises. Tenant shall be solely responsible for and shall pay its taxes for the leased Premises and its proportionate share of common areas, assessed or levied by any lawful public authority against Lincoln Square during the term of this Lease or any renewal thereof. Landlord shall separately bill Tenant for its proportionate share of the operating expenses (e.g. insurance costs and property taxes for the leased premises), including shared common areas. Tenant -agrees to pay Landlord insurance and taxes when due, but in no case later than 30 days after demand. The term "Taxes" includes (a) all ad valorem and other real-property taxes and assessments and personal-property taxes, charges, rates, user fees, duties, and assessments rated, levied, or imposed by any governmental authority with respect to the Land, the Building, and any improvements, fixtures, and equipment located therein or thereon, and with respect to all other property of Landlord, real or personal, located in or on the Land or the Building and used in connection with the operation of the Building; (b) any tax in lieu of a real-property tax; (c) any tax or excise levied or assessed by any governmental authority on the rentals payable under this Lease or rentals accruing from the use of the Land or the Building; and (d) any tax or excise imposed or assessed by or against Landlord that is measured or based in whole or in part on the capital employed by Landlord to improve the Land and construct the Building. Taxes do not include federal or state, corporate- or personal-income taxes. In addition to the foregoing, Tenant will pay before delinquency all taxes, assessments, licenses, fees, and charges assessed, imposed, or levied on (i) Tenant's business operations, (ii) all trade fixtures, (iii) leasehold improvements, (iv) merchandise, and (v) other personal property in or about the Premises.

3.3.3 Operating Year. N/A

3.3.4 Tenant's Proportionate Share. Tenant is responsible for payment of its proportionate share of taxes and insurance, including leasehold and shared common areas as assessed by the taxing entity and all leasehold areas insured by the City.

3.4 Late Charge; Interest. Rent not paid when due will bear interest until paid at the lesser of nine percent (9%) per annum. Landlord may impose a late charge of the greater of (i) nine (9%) percent of Rent then due or (ii) \$50 for each payment of Rent made more than 10 days late (the "Late Charge"). Tenant agrees that late payment by Tenant to Landlord of any Rent or other sums due hereunder will cause Landlord to incur costs not contemplated by this Lease, that the exact amount of such costs are extremely difficult and impracticable to ascertain, and that the Late Charge is not a penalty but represents a fair and reasonable estimate of the costs that Landlord will incur by reason of any such late payment.

3.5 Prepaid Rent. Not Applicable.

3.6 Security Deposit. None required.

Article 4 USE OF PREMISES

4.1 Permitted Use. Tenant may use the Premises for Tenant's Permitted Use (Office/Restaurant recruitment and training) consistent with zoning and for no other purpose without Landlord's written consent. Tenant will not use the Premises in a manner that obstructs, annoys, or interferes with the rights of other occupants of the Building. Tenant will not cause any nuisance nor permit any objectionable fumes, electromagnetic waves, vibration, noise, light, or radiation to be emitted from the Premises. Tenant will strictly comply with Landlord's security measures.

4.2 Equipment. Tenant will install only such equipment in the Premises as is customary for the Permitted Use and will not overload the floors or electrical circuits of the Premises or Building. Tenant shall not change the wiring or plumbing of the Building or Premises without Landlord's prior written consent. Any equipment, cables, wiring, conduit, additional dedicated circuits, and any additional air conditioning required because of any such equipment installed by Tenant will be installed, maintained, and operated at Tenant's sole expense and in accordance with Landlord's requirements.

4.2.1 Use of Standby Generator. N/A

4.3 Compliance with Laws. Both parties will give prompt notice to the other of any notice it receives of the violation of any law or requirement of any public authority with respect to the Premises or the use or occupancy thereof. Tenant will, at Tenant's expense, comply with all laws and requirements of any public authorities ("Laws") that, in respect of the Premises or the use and occupancy thereof, or the abatement of any nuisance in, on, or about the Premises,

impose any violation, order, or duty on Landlord or Tenant, arising from (a) Tenant's use of the Premises; (b) the manner of conduct of Tenant's business or operation of its installations, equipment, or other property therein; (c) any cause or condition created by or at the instance of Tenant; or (d) breach of any of Tenant's obligations hereunder.

4.3.1 ADA Compliance. Landlord and Tenant acknowledge that the provisions of the Americans with Disabilities Act (the "ADA") allow allocation of responsibility for compliance with the terms and conditions of the ADA in this Lease. Responsibility for compliance with the ADA is allocated as set forth in this Section 4.3.1. Tenant is responsible for compliance with the applicable provisions of the ADA with respect to all improvements within the leased Premises, except that Landlord represents that any improvements designed by Landlord's Public Works Department and installed by Landlord or its contractors under this Lease will conform to the requirements of the ADA Standards for Accessible Design in effect as of the date of substantial completion of the work. Landlord is responsible for compliance with the provisions of Title III of the ADA with respect to the Lincoln Square Building and the Land, except the leased premises, including sidewalks and walkways and the like, together with all entrances, lobbies, elevators, common restrooms, and the other common areas of the Lincoln Square Building. Neither Landlord nor Tenant is obligated to supervise, monitor, or otherwise review the compliance activities of the other. References in this Lease to "Laws" are deemed to include the ADA.

4.3.2 Environmental Law Compliance. For purposes of this Section 4.3.2, the term "Hazardous Substances" means and includes all hazardous and toxic substances, waste, or materials; and any pollutant or contaminant, including, without limitation, PCBs, asbestos, asbestos-containing materials, and raw materials that are included under or regulated by any Environmental Laws. For purposes of this Lease, the term "Environmental Laws" means and includes all federal, state, and local statutes, ordinances, regulations, and rules presently in force or hereafter enacted relating to environmental quality, contamination, and clean-up of Hazardous Substances. References in this Lease to "Laws" are deemed to include Environmental Laws. Landlord represents that to the best of its current actual knowledge, the Building is in compliance with all Environmental Laws respecting Hazardous Substances, and that Landlord has received no notice of any pending or threatened lien, action, or proceeding respecting any alleged violation of Environmental Laws affecting the Building.

4.3.3 Indemnity Regarding Legal Violations. Tenant will indemnify and hold harmless Landlord and its and their respective partners, directors, officers, agents, and employees from and against any and all claims arising from or in connection with the violation of Laws including but not limited to the ADA and Environmental Laws, occurring in, at, or about the Building and the Land due to the acts or omissions of Tenant or its partners, directors, officers, agents, and employees, together with all costs, expenses, and liabilities incurred or in connection with each such claim, action, proceeding, or appeal, including, without limitation, all attorney fees and expenses. Landlord will indemnify and hold harmless Tenant and its partners, directors, officers, agents, and employees from and against any and all claims arising from or in connection with the violation of Laws, including but not limited to the ADA and Environmental Laws, occurring in, at, or about the Building and the Land due to the acts or omissions of

Landlord or its partners, directors, officers, agents, and employees, together with all costs, expenses, and liabilities incurred or in connection with each such claim, action, proceeding, or appeal, including, without limitation, all attorney fees and expenses.

Article 5 MAINTENANCE AND REPAIR

5.1 Landlord Repairs. Landlord will repair, maintain, and replace, when necessary, the roof, foundation, exterior walls, door, windows, all structural components, and all systems such as mechanical, electrical, HVAC, and plumbing of the Premises and shall further perform all repair, maintenance, and replacement of all Common Area improvements. Tenant expressly waives the benefits of any statute now or later in effect that would otherwise give Tenant the right to make repairs at Landlord's expense and deduct that cost from Rent owing to Landlord.

5.2 Tenant's Repairs. Except for Landlord Repairs set forth in Section 5.1, Tenant will:

- (a) Maintain all portions of the Premises and fixtures situated within the Premises in good order and repair;
- (b) Maintain, repair, and replace, if necessary, all special equipment and decorative treatments installed by or at Tenant's request and that serve the Premises only;
- (c) make all necessary repairs and replacements to all portions of the Premises, including without limitation equipment listed in Exhibit A, and pay Landlord for the repairs or replacements to the Building if any such repairs or replacements are needed because of Tenant's misuse or primary negligence; and
- (d) Not commit waste to the Premises, Building, Common Areas, or Property. If Tenant fails to perform Tenant's obligations under this Section 5.2 or under any other section of this Lease, after 10 business days' written notice to Tenant, except in an emergency when no notice will be required, Landlord may enter the Premises, perform the obligations on Tenant's behalf, and recover the cost of performance, together with interest at the rate of 9 percent per year, as Additional Rent payable by Tenant with the next installment of Base Rent, as long as that rate does not exceed the maximum rate then allowed by Law.

5.3 Costs of Repair. Tenant will reimburse Landlord on demand for the cost of repair incurred by Landlord for damage caused by the negligent or intentional acts or caused by any breach of this Lease by Tenant, its employees, contractors, agents, or invitees.

Article 6 ALTERATIONS

6.1 Alterations by Landlord. As long as the modification, alteration, or change does not materially interfere with the operation by Tenant of its business in the Premises, Landlord may modify, alter, or change any improvements in the Building, the parking area, and other Common Areas.

6.2 Alterations by Tenant. Tenant will not make any alterations, additions, or improvements to the Premises that require a local government building permit, nor modify the color of the interior of the Premises, nor install any wall or floor covering therein without obtaining Landlord's prior written consent, which consent Landlord shall not unreasonably withhold. If Landlord consents in writing to any proposed alteration of the Premises, Tenant will (a) contract only with a state and city licensed and bonded contractor for the performance of the alterations, (b) obtain all necessary governmental permits and approvals and deliver copies thereof to Landlord, and (c) cause all alterations to be completed in compliance with approved plans and specifications with all due diligence. All alterations will be performed in a manner that minimizes any interference with the quiet enjoyment of other occupants of the Lincoln Square Building. Except for removable machinery and unattached movable trade fixtures, all improvements, alterations, wiring, cables, or conduit installed by Tenant will immediately become part of the Premises, with title vested in Landlord. Landlord may require that Tenant remove any such improvements, alterations, wiring, cables, or conduit installed by or for Tenant and restore the Premises to good condition and repair upon expiration or earlier termination of this Lease. Any contractor used by Tenant for any work in the Premises will be subject to review (for appropriate state and local licensure) by Landlord, and Landlord may post notices of non-responsibility in connection with any work being performed in the Premises by or at the request of Tenant. All work in the Premises by or at Tenant's request must comply with all applicable Laws. Tenant will not permit any liens to attach to the Building or Tenant's interest in the Premises as a result of any work performed by or at Tenant's request.

Article 7 UTILITIES AND SERVICES

7.1 General. Tenant will pay the flat rate identified above for basic utilities. Tenant agrees to supply at its sole cost and expense, its own janitorial service, telephone service and internet service as well as every other convenience and service for the leased premises. Interruption of any service or utility will not render Landlord liable to Tenant for damages, relieve Tenant from performance of Tenant's obligations under this Lease, or be deemed an eviction or disturbance of Tenant's use and possession of the Premises.

7.2 Minimum Maintenance of Services. Tenant shall be required to maintain appropriate heat to the premises to guarantee the premises is not subjected to waste or damage due to lack of utilities.

7.3 Security. Tenant shall abide by all reasonable security measures adopted by Landlord.

Article 8 SIGNS AND OTHER INSTALLATIONS

No signs, awnings, or other apparatuses will be painted on or attached to the Premises or anything placed on any glass or woodwork of the Premises or positioned to be visible from outside the Premises, including any window covering (e.g., shades, blinds, curtains, drapes, screens, or tinting materials) without Landlord's written consent, and Landlord's approval of design, size, location, and color. All signs installed by Tenant will comply with Landlord's standards for signs and all applicable codes. All signs and sign hardware will be removed by Tenant, at Tenant's sole cost and expense, upon termination of this Lease, with the sign location restored to its former state unless Landlord elects to retain all or any portion thereof.

Article 9 INSURANCE

Tenant, at its expense, will maintain at all times during the Term of this Lease, commercial general liability insurance on the Premises and the conduct or operation of business therein, naming Landlord as additional insureds, with a combined single limit of not less than \$2,000,000. All such insurance will insure the performance by Tenant of the indemnity agreement with regard to liability for bodily injury to, illness of, or death of persons and damage to property set forth in this Lease. Tenant will deliver to Landlord and any additional insured the fully paid-for policies or certificates of insurance, in form reasonably satisfactory to Landlord, issued by the insurance company or its authorized agent, at least 5 days before the Lease Commencement Date. Tenant will procure and pay for renewals of the insurance from time to time before the expiration thereof, and Tenant will deliver to Landlord and any additional insured the renewal policy at least 30 days before the expiration of any existing policy. All the policies will contain a provision prohibiting cancellation or modification unless Landlord and any additional insured are given at least 30 days' prior written notice of the cancellation or modification. All insurance policies required to be carried by Tenant hereunder will be issued by responsible insurance companies authorized to issue insurance in the State of Oregon and rated B+ VIII or higher by A.M. Best's insurance rating service.

Article 10 INDEMNITY

10.1 By Tenant. Tenant will indemnify, defend, and hold harmless Landlord, its officers and employees from any claim, liability, damage, or loss, or any cost or expense in connection therewith (including reasonable attorney fees), whether suffered directly or from a third-party claim arising out of (a) any damage to any person or property occurring in, on, or about the Premises; (b) use by Tenant or its agents, invitees, or contractors of the Common Area and the Premises; or (c) Tenant's breach or violation of any term of this Lease.

10.2 Survival. The provisions of this Article 10 will survive the termination of this Lease.

Article 11 EMINENT DOMAIN

If the entire Premises or any portion of the Premises is permanently taken under any right of eminent domain, or any transfer in lieu thereof, and the taking renders the Premises unsuitable for Tenant's use, then either party may terminate this Lease by giving 30 days' prior written notice to the other party, and the termination will be effective on the date possession of the Premises is delivered to the condemning authority. If this Lease is not so terminated, Landlord will repair and restore the Premises, and this Lease will continue, but, commencing with the date on which Tenant is deprived of the use of any portion of the Premises or of any rights under this Lease, Base Rent will be proportionately abated or reduced, based on the extent to which Tenant's use of the Premises is impaired. Any and all awards payable by the condemning authority in connection with a taking will be the sole property of Landlord; however, nothing contained herein will prevent Tenant from prosecuting a separate claim for the value of its interest, as long as that award does not diminish the award that Landlord would otherwise be entitled to as a result of the taking.

Article 12 FIRE OR CASUALTY

12.1 Major Damage. In case of Major Damage, Landlord or Tenant may elect to terminate this Lease by notice in writing to the other party within 30 days after the date of the Major Damage. "Major Damage" means damage by fire or other casualty to the Premises (a) that causes the Premises or any substantial portion of the Premises to be unusable, (b) the repair of which will cost more than 25 percent of the replacement value of the Premises, or (c) that is not required under this Lease to be covered by insurance. If neither Landlord nor Tenant terminates this Lease after any Major Damage, or if damage occurs to the Premises that is not Major Damage, Landlord will promptly restore the Premises to the condition existing immediately before the damage, and this Lease will continue in full force and effect. In the event of any damage to the Premises from a fire or other casualty, Tenant will promptly repair and restore all tenant improvements or alterations installed or paid for by Tenant or pay the cost of the restoration to Landlord if Landlord performs the restoration. If the Premises are damaged by any casualty, Rent will be reduced in proportion to the unusable portion of the Premises from the date of damage until the date restoration work to the Premises is substantially complete.

12.2 Waiver of Subrogation. Both parties will secure an appropriate clause in, or an endorsement on, each property insurance policy obtained by it and covering or applicable to the Premises or the personal property, fixtures, and equipment located therein or thereon, under which the insurance company waives subrogation or permits the insured, before any loss, to agree with a third party to waive any claim it might have against the third party without invalidating the coverage under the insurance policy. The waiver of subrogation or permission for waiver of any claim will extend to the parties and their respective agents and employees. Each party releases the other and its agents and employees in respect of any claim (including a claim for negligence) that it might otherwise have against the other party or its agents or employees for loss, damage, or other casualty (including rental value or business interest, as the case may be) occurring during the Term of this Lease and normally covered under a special form property insurance policy in the form normally used for similar property in Portland, Oregon.

Article 13
ASSIGNMENT AND SUBLETTING

Tenant shall not assign, transfer, or encumber its interest under this Lease or sublet all or any portion of the Premises.

Article 14
DEFAULT

14.1 Events of Default. Each of the following is an Event of Default by Tenant under this Lease:

14.1.1 Failure by Tenant to pay Rent or any other charge due under this Lease within five days after receipt of written notice from Landlord that the same is then due.

14.1.2 Failure by Tenant to comply with any other obligation of this Lease within 20 days following written notice from Landlord specifying the failure; however, if the nature of Tenant's default requires more than 20 days to correct, Tenant will not be deemed in default of this Lease as long as Tenant commences the cure of the failure within the 20-day period and thereafter proceeds in good faith and with all diligence to complete the cure as soon as possible but in no event later than 90 days after the date of Landlord's notice of default.

14.1.3 Tenant's abandonment of the Premises or failure by Tenant to occupy the Premises within 20 days after notice from Landlord.

14.1.4 Assignment or subletting by Tenant in violation of Article 13.

14.1.5 Tenant's failure to timely execute and deliver to Landlord the documents described in Article 18 or Article 22 within 10 days of written notice from Landlord.

14.1.6 Tenant's insolvency, business failure, or assignment for the benefit of its creditors. Tenant's commencement of proceedings under any provision of any bankruptcy or insolvency law or failure to obtain dismissal of any petition filed against it under such laws within the time required to answer, or the appointment of a receiver for all or any portion of Tenant's properties or financial records, also constitutes an Event of Default.

14.2 Remedies for Default. Upon the occurrence of an Event of Default described in section 14.1, Landlord may exercise the following remedies as well as any other remedies at law or in equity, by statute or as set forth in this Lease:

14.2.1 Landlord may terminate this Lease, reserving all rights to damages resulting from Tenant's breach. Whether or not Landlord terminates this Lease, Landlord may retake possession of the Premises by any legal means including self-help, and any relet or use of the Premises by Landlord will not be deemed a surrender or waiver of Landlord's right to damages.

If Landlord retakes possession of the Premises, Landlord's mitigation efforts will be deemed sufficient if Landlord follows standard procedures otherwise used by Landlord for locating tenants for the Premises and otherwise complies with Law.

14.2.2 Tenant will be liable to Landlord for all damages caused by Tenant's default, including, but not limited to, an amount equal to all unpaid and future Rent, lease commissions incurred for this Lease, and the unamortized cost of all improvements to the Premises installed or paid for by Landlord. Landlord may periodically sue Tenant to recover damages as they accrue, and no action therefor will bar a later action for damages accruing thereafter. Landlord may elect in any one action to recover both accrued damages as well as damages attributable to the remaining term of the Lease. Any damages attributable to the remaining term of the Lease will be equal to the difference between the Rent under this Lease and reasonable rental value of the Premises (including Additional Rent) for the remainder of the term, discounted at the prevailing interest rate on judgments to the date of the judgment.

14.3 Landlord's Right to Cure Default. Landlord may, but will not be obligated to, make any payment or perform any obligation under this Lease that Tenant has failed to perform, as and when required hereunder. Tenant will pay Landlord for all expenditures and costs incurred by Landlord in performing any obligation of Tenant, upon demand, with interest thereon at nine percent (9%), but in no event at a rate in excess of that allowed by Law. Landlord's right to cure any Tenant default is for the sole protection of Landlord, and in no event will Tenant be released from any obligation to perform all of Tenant's obligations and covenants under this Lease. The contents of this Section 14.3 will not be deemed a waiver by Landlord of any other right that Landlord may have arising from any default of this Lease by Tenant, whether or not Landlord exercises its rights under this Section.

14.4 Landlord's Default. Landlord will not be deemed to be in default of the performance of any obligation required to be performed by Landlord hereunder unless and until Landlord fails to perform the obligation within 20 days after written notice by Tenant to Landlord specifying the nature of Landlord's alleged default; however, if the nature of Landlord's alleged default is such that more than 20 days are required for its cure, then Landlord will not be deemed to be in default if Landlord commences performance within the 20-day period and thereafter diligently prosecutes the same to completion. In the event of any default by Landlord, Tenant may exercise any and all rights and remedies available at law or in equity.

14.5 Dispute Resolution.

14.5.1 Disputes Subject to Mediation and Arbitration. Any dispute between the parties relating to the interpretation of their rights and obligations under this Lease or in which the amount in controversy is a liquidated sum of less than \$10,000 will be resolved solely by mediation and arbitration in accordance with the provisions of this Section 14.5.

14.5.2 Initial Mediation. With respect to any dispute between the parties that is to be resolved by arbitration as provided in Section 14.5.3 in which the amount in controversy is

less than \$10,000.00 the parties will attempt in good faith first to mediate the dispute and use their best efforts to reach agreement on the matters in dispute. If the parties are unable to resolve the dispute or controversy within 30 days of the date a controversy arises, either party may, by delivering five days' written request to the other party, employ the services of a third person mutually acceptable to the parties to conduct and commence mediation within 15 days of the employment. If the parties are unable to agree on such a third person, or, if on completion of such mediation, the parties are unable to agree and settle the dispute, then the dispute will be referred to arbitration in accordance with Section 14.5.3.

14.5.3 Arbitration. Any dispute between the parties that is to be resolved by arbitration as provided in this Section 14.5.3 will be settled and decided by arbitration conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association as then in effect (the "Arbitration Rules"), except as provided below. Any such arbitration will be held and conducted in the city or county in which the Building is located, before one arbitrator who will be selected by mutual agreement of the parties; if agreement is not reached on the selection of an arbitrator within 15 days of receipt of a written demand for arbitration as set forth in Section 14.5.3.1, then an arbitrator will be appointed by the presiding judge of the Circuit Court of the County in Oregon in which the Premises is located. The provisions of the Arbitration Rules will apply and govern the arbitration subject, however, to the following:

14.5.3.1 Any demand for arbitration must be in writing and must be made within 90 days after the claim, dispute, or other matter in question has arisen. The arbitration proceeding must commence within 30 days of appointment of the arbitrator, and all document exchange and other discovery of evidence must be completed within 20 days of the appointment.

14.5.3.2 The arbitrator appointed must be a former or retired judge or practicing attorney with at least 10 years' experience in real property and commercial matters.

14.5.3.3 The arbitrator will resolve the controversy in accordance with the Arbitration Rules, applicable Law, and the terms and conditions of this Lease. Thereafter, the arbitrator will prepare in writing and provide to the parties his or her decision, including factual findings and reasons on which the decision is based.

14.5.3.4 The arbitration proceeding must be conducted and completed within five days after its commencement, and the decision of the arbitrator must be made within 60 days from the date of receipt of the written demand for arbitration.

14.5.3.5 The prevailing party will be awarded reasonable attorney fees, expert and non-expert witness costs and expenses, and other costs and expenses incurred in connection with the arbitration, unless the arbitrator, for good cause, determines otherwise.

14.5.3.6 Costs and fees of the arbitrator will be borne by the non-prevailing party.

14.5.3.7 The decision of the arbitrator, which may include equitable relief, will be final, and judgment may be entered on the decision in accordance with applicable Law in any court having jurisdiction over the matter.

Article 15 NOTICES

15.1 Notices. All notices, demands, consents, approvals, and other communications provided for herein will be invalid unless set forth in a writing and delivered by facsimile transmission, overnight courier, personal delivery, or registered or certified U.S. mail with return receipt requested to the appropriate party at its address as set forth in Section 1.2 for Tenant and Section 1.3 for Landlord.

15.2 Communication. Addresses for notices may be changed from time to time by written notice to all other parties. Any communication given by facsimile transmission must be confirmed within 48 hours by overnight courier. If any communication is given by mail, it will be effective on the earlier of (a) 48 hours after deposit in the U.S. mail, with postage prepaid; or (b) actual receipt, as indicated by the return receipt, if given by facsimile, when sent. If communication is given by personal delivery or by overnight courier, it will be effective when delivered.

Article 16 ACCESS; MOVING PROCEDURES

16.1 Access. Tenant will have access to the Premises during normal building hours, or hours as otherwise agreed. Landlord may require that Tenant's employees, officers, and invitees identify themselves or display Building passes to enter the Landlord's Building and may regulate elevator access. Subject to any federal or state security regulations, Landlord will not be liable to Tenant for permitting or refusing to permit access to the Premises by anyone. After reasonable notice to Tenant, Landlord may enter the Premises with its passkey or other reasonable means to assess compliance with this Lease; perform required or necessary services, maintenance, repairs, alterations, or services to the Premises; show the Premises to potential buyers of the Premises; post appropriate notices; and during the Lease Term, may show the Premises to any potential future tenant. Except in case of emergency, all entry to the Premises will be at times and in a manner that minimizes interference with Tenant's use of the Premises.

16.2 Moving Furniture and Bulky Articles. Following at least 24 hours' written notice to Landlord, Tenant may move furniture and bulky articles in and out of the Building and make independent use of any elevators in accordance with the Rules and at times approved by Landlord (which approval Landlord will not unreasonably withhold).

Article 17
NONRECOURSE LEASE

Tenant will look only to Landlord's estate and property in the Land and the Building (or the proceeds thereof) for the satisfaction of Tenant's remedies, including the collection of an arbitration award, a judgment, or another judicial process requiring the payment of money by Landlord in the event of any default by Landlord hereunder, and no other property or assets of Landlord or its partners or principals, disclosed or undisclosed, will be subject to levy, execution, or other enforcement procedure for the satisfaction of Tenant's remedies under or with respect to this Lease, the relationship of Landlord and Tenant hereunder, or Tenant's use or occupancy of the Premises.

Article 18
SUBORDINATION; NOTICE TO SUPERIOR LESSORS AND MORTGAGEES

18.1 Subordination. Any mortgage, deed of trust, or ground lease to which this Lease is, at the time referred to, subject and subordinate is called a "Superior Mortgage," and the holder of a Superior Mortgage, or its successor in interest, at the time referred to, is called a "Superior Mortgagee." This Lease, and all rights of Tenant, will be subject and subordinate to all mortgages that may now or hereafter affect the Land and the Building, whether or not the mortgages also cover other lands and buildings; to each and every advance under such mortgages; and to all renewals, modifications, replacements, and extensions of such mortgages. This Section 18.1 is self-operative, and no further instrument of subordination will be required. In confirmation of the subordination, Tenant will promptly execute, acknowledge, and deliver any instrument that Landlord or any Superior Mortgagee may reasonably request to evidence the subordination.

18.2 Notice. If any act or omission of Landlord would give Tenant the right, immediately or after lapse of a period of time, to cancel or terminate this Lease, or to claim a partial or total eviction, Tenant will not exercise the right: (a) until it has given written notice of the act or omission to Landlord and each Superior Mortgagee whose name and address previously has been furnished to Tenant, and (b) until a reasonable period of time for the parties to cure the condition has passed.

18.3 Attornment. For the purposes of this Section 18.3, the term "Successor Landlord" means the Superior Mortgagee if the same succeeds to the rights of Landlord under this Lease, whether through possession or foreclosure action or delivery of a new lease or deed, or any third party that succeeds to the rights of Landlord under this Lease by virtue of having purchased the Land and the Building at a foreclosure sale. The Successor Landlord will accept Tenant's attornment, assume Landlord's obligations under the Lease, and will agree in writing not to disturb Tenant's quiet possession of the Premises. Tenant will attain to and recognize the Successor Landlord as Tenant's Landlord under this Lease, and Tenant and the Successor Landlord will promptly execute and deliver an instrument reasonably acceptable to the parties to evidence the attornment and non-disturbance. Upon the attornment, this Lease will continue

in full force and effect as a direct lease between the Successor Landlord and Tenant on all of the terms, conditions, and covenants as are set forth in this Lease except that the Successor Landlord will not: (a) be liable for any previous act or omission of Landlord under this Lease; (b) be subject to any offset, deficiency, or defense that has accrued to Tenant against Landlord; (c) be bound by any previous modification of this Lease or by any previous prepayment of more than one month's Base Rent, unless the modification or prepayment has been expressly approved in writing by the Superior Mortgagee; or (d) be liable for the return of any security deposit that was not actually transferred to the Successor Landlord.

Article 19 SURRENDER; HOLDOVER

19.1 Surrender. Upon expiration or earlier termination of this Lease, Tenant will surrender the Premises and, at Landlord's option, all improvements and alterations therein, vacuumed, swept, and free of debris and in good and serviceable condition, subject to ordinary wear and tear. Tenant will remove all of its personal property and any conduits, wiring, cables, or alterations if required by this Lease and will repair all damage to the Premises and the Building resulting from that removal. If Tenant fails to remove any such personal property or alterations, those items will be deemed abandoned, and Landlord may remove or dispose of the items without liability to Tenant or others. Upon demand, Tenant will reimburse Landlord for the cost of such removal.

19.2 Failure to Surrender. If Tenant fails to surrender the Premises and remove all its personal property as set forth herein, Landlord may either: (a) recognize Tenant as a month-to-month tenant at sufferance, and such tenancy will be subject to all terms of this Lease, except that Rent will be one hundred twenty (120%) percent of the total Rent for the last month being charged, and all options or other rights regarding extension of the term or expansion of the Premises will automatically terminate; or (b) evict Tenant from the Premises and recover all damages resulting from Tenant's wrongful holdover.

Article 20 HAZARDOUS MATERIALS

20.1 Hazardous Materials. Neither Tenant nor Tenant's agents or employees will cause or permit any Hazardous Material, as hereinafter defined, to be brought, stored, used, generated, released into the environment, or disposed of on, in, under, or about the Premises, Building, or Common Areas, except reasonable quantities of cleaning supplies and Grocery Store supplies and inventory necessary to or required as part of Tenant's business that are generated, used, kept, stored, or disposed of in a manner that complies with all laws regulating any such Hazardous Materials and with good business practices. Tenant covenants to remove from the Premises (or the Building or Common Areas, if applicable), upon the expiration or sooner termination of this Lease and at Tenant's sole cost and expense, any and all Hazardous Materials brought, stored, used, generated, or released on, in, or into the environment by Tenant or its agents, employees, or invitees during the term of this Lease. To the fullest extent permitted by

law, Tenant hereby agrees to indemnify, defend, protect, and hold harmless Landlord, Landlord's managing agent, their respective agents and employees, and their respective successors and assigns, from any and all claims, judgments, damages, penalties, fines, costs, liabilities, and losses that arise during or after the term directly or indirectly from the use, storage, disposal, release, or presence of Hazardous Materials by Tenant or its agents, employees, or invitees on, in, or about the Premises, the Building, or the Common Areas that occurs during the term of this Lease.

20.2 Indemnify, Defend, Protect, Hold Harmless. To the fullest extent permitted by law, Landlord hereby agrees to indemnify, defend, protect, and hold harmless Tenant, Tenant's agents and employees, and Tenant's respective successors and assigns, from any and all claims, judgments, damages, penalties, fines, costs, liabilities, and losses that arise during or after the term directly or indirectly from the use, storage, disposal, release, or presence of Hazardous Materials by Landlord or its agents, employees, or contractors on, in, or about the Premises, the Building, or the Common Areas. Tenant will promptly notify Landlord of any release of Hazardous Materials in, on, or about the Premises, the Building, or Common Areas that Tenant, or Tenant's agents or employees, becomes aware of during the Term of this Lease, whether caused by Tenant, Tenant's agents or employees, or any other persons or entities.

20.3 Hazardous Materials. As used herein, the term "Hazardous Material" means any hazardous or toxic substance, material, or waste that is or becomes regulated by any local governmental authority, the state of Oregon, or the United States government. The term "Hazardous Material" includes, without limitation, (a) any material or substance that is defined as a "hazardous waste," "extremely hazardous waste," "restricted hazardous waste," "hazardous substance," "hazardous material," or "waste" under any federal, state, or local law; (b) petroleum; and (c) asbestos. The provisions of this Article 20, including, without limitation, the indemnification provisions set forth herein, will survive any termination of this Lease.

Article 21 ATTORNEY FEES

21.1 Fees. If suit or action is instituted in connection with any controversy arising out of this Lease, including any bankruptcy proceeding and arbitration proceeding, the prevailing party will be entitled to recover, in addition to costs, such sums as the court may adjudge reasonable as attorney fees at trial and on all appeals or petitions for review arising out of the suit or action. If Landlord engages a collection agency to pursue any delinquent amounts owed by Tenant, Tenant will pay all collection agency fees charged to Landlord, in addition to all other amounts payable under this Lease.

Article 22 ESTOPPEL

At any time and from time to time upon not less than 10 days' prior notice from either party, the other party will execute, acknowledge, and deliver to the requesting party a certificate certifying that this Lease is in full force and effect and unmodified or, if there are any modifica-

tions, that the Lease is in full force and effect as modified; that Tenant is in possession of the Premises; the dates to which Rent has been paid in advance and the amount of any Security Deposit or prepaid Rent; and such other matters as may be reasonably requested.

Article 23
QUIET ENJOYMENT

Landlord warrants that as long as Tenant complies with all terms of this Lease, Tenant will have quiet and peaceful possession of the Premises free of disturbance by Landlord or others claiming by or through Landlord.

Article 24
FORCE MAJEURE

If the performance by either party of any provision of this Lease (other than the payment of rent) is prevented or delayed by any strikes, lockouts, labor disputes, acts of God, government actions, civil commotions, fire or other casualty, or other causes beyond the reasonable control of the party from whom performance is required, the party will be excused from such performance for the period of time equal to the time of that prevention or delay up to a maximum of 180 days.

Article 25
BROKERS

[Deleted as Not Applicable]

Article 26
GOVERNING LAW

This Lease will be construed and interpreted and the rights of the parties determined in accordance with the laws of the state of Oregon (without reference to the choice-of-law provisions of Oregon law). Regarding matters of law concerning the internal corporate affairs of any corporate entity that is a party to or the subject of this Lease, the law of the jurisdiction under which the entity derives its powers will govern.

Article 27
NONWAIVER

No delay by either party in promptly enforcing any right or remedy set forth in this Lease will be deemed a waiver thereof, and that right or remedy may be asserted at any time after the delaying party becomes entitled to the benefit of the right or remedy notwithstanding the delay.

Article 28
CAPTIONS

The article and section headings of this Lease are for descriptive purposes only and in no way define, limit, or describe the scope, intent, or meaning of this Lease.

**Article 29
CONSENT**

Except when otherwise specifically provided in this Lease to the contrary, whenever a party's consent is required under this Lease, the party will not unreasonably withhold its consent.

**Article 30
TIME OF THE ESSENCE AND HOLIDAYS**

Time is of the essence of each and every provision hereof. If the final date of any period of time set forth herein occurs on a Saturday, Sunday, or legal holiday, then the expiration of the period of time will be postponed to the next day that is not a Saturday, Sunday, or legal holiday.

**Article 31
COMPLETE AGREEMENT; NO IMPLIED COVENANTS**

This Lease and the attached exhibits and schedules, if any, contain the entire agreement of Landlord and Tenant concerning the Premises, Building, Common Areas, and Land, and all prior written and oral agreements and representations between the parties are void. Landlord and Tenant agree that there are no implied covenants or other agreements between the parties except as expressly set forth in this Lease. Neither Landlord nor Tenant is relying on any representations of the other party except those expressly set forth herein.

**Article 32
SUCCESSORS**

This Lease will bind and inure to the benefit of the parties, their respective heirs, successors, and permitted assigns.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have executed this Lease:

LANDLORD:

TENANT:

By: Susan Wahlke
Title: Mayor
City of Lincoln City

By: Mary J. Jones
President
Pelican Brewing Company

Date: _____

Date: _____

Authorized by Order of the
City Council on January ____, 2022

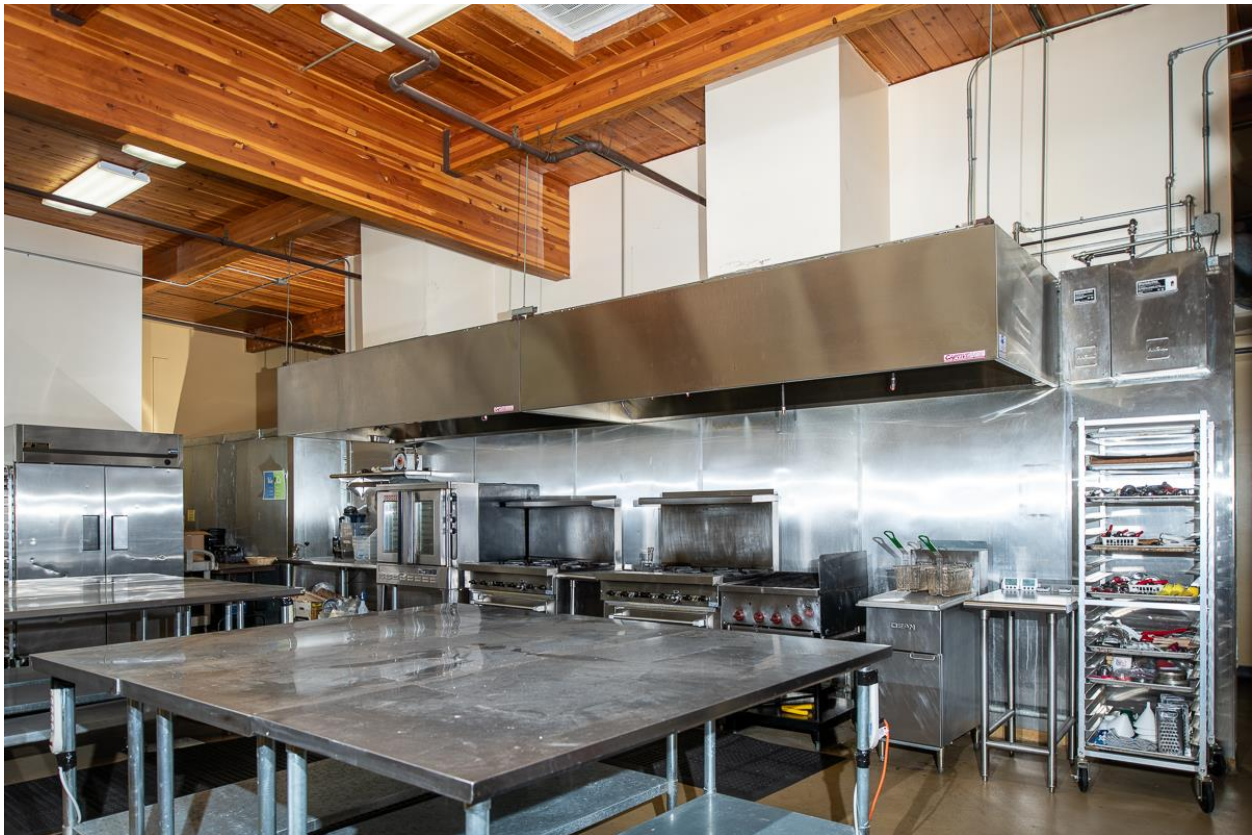
EXHIBIT A

The Lincoln City Culinary Center is located on the fourth floor of Lincoln City City Hall at 801 SW Hwy 101, Lincoln City, OR 97367. The Culinary Center boasts a panoramic view of the ocean and northern Lincoln City, a fully equipped commercial kitchen, demonstration stage, dining area, and plenty of storage. The entire space, including the outdoor deck, comes to approximately 6,180 square feet. The entire facility is well appointed as is or can be reconfigured to fit specific needs.

ZONING

The culinary center sits in the General Commercial zone. To see what types of businesses are allowed in this zone, refer to the Lincoln City Municipal Code 17.32.020.

COMMERCIAL KITCHEN



Currently, the kitchen includes a variety of commercial equipment including, but not limited to, walk-in and free-standing refrigeration, dishwash station, stove, grill,

convection oven, deep fryer, mixers, holding cabinets, prep tables, ice machine and coffee station.

A wide assortment of other kitchen tools and equipment are also available. These include pots, pans and other cookware, utensils, dishes and glassware, small appliances, gadgets, and other daily-use items. Most of these items were obtained when the culinary center was developed in 2006. There have been several upgrades and regular maintenance has been performed, however, depreciation of these items has reduced their value to zero.

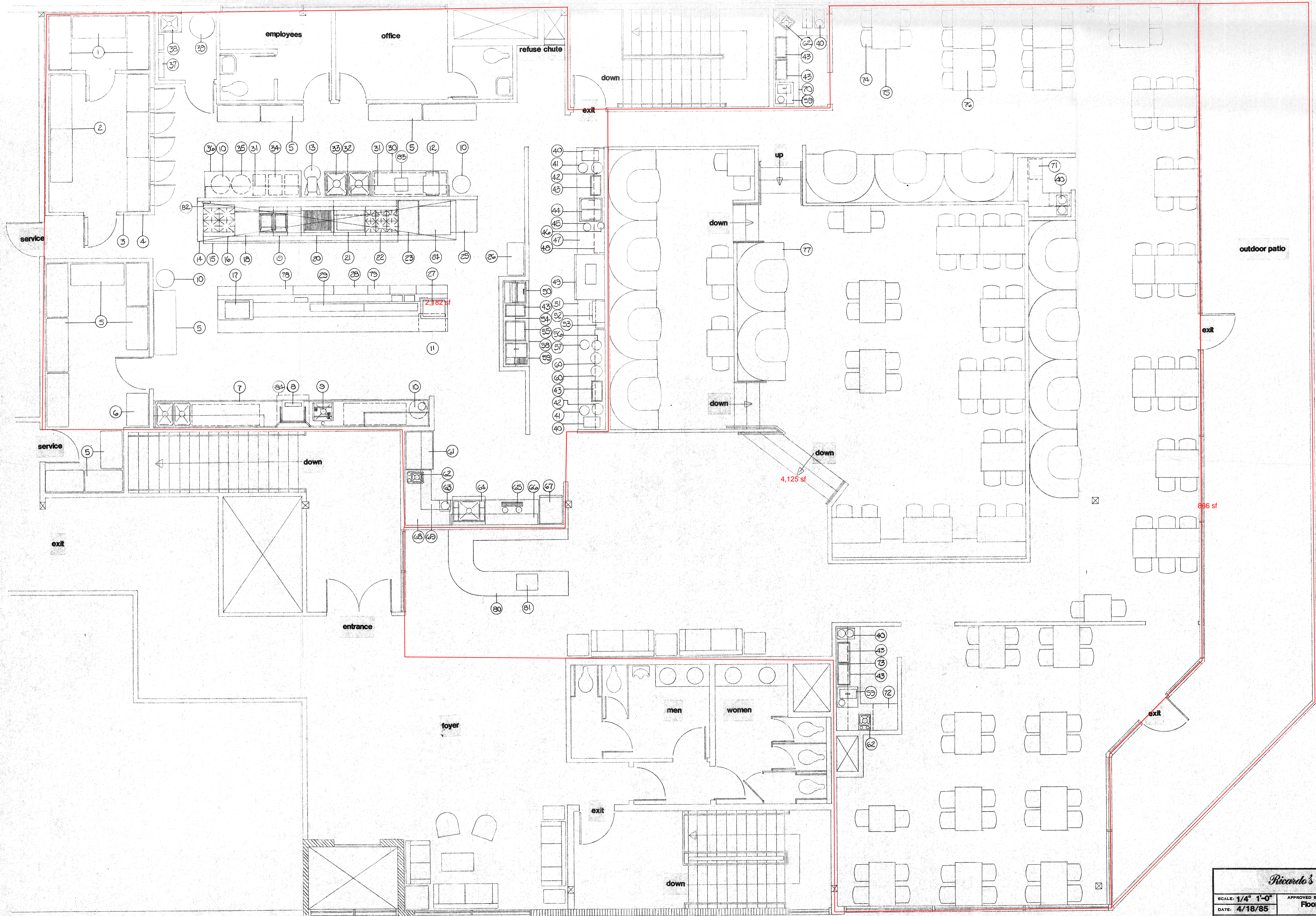
There are several storage areas located within the kitchen, which include racks, shelving and room for extra tables, chairs and food items. There is also an office off the kitchen with flex space for another, if desired. The kitchen houses two private restrooms in addition to nearby public facilities. The large space has two direct access points to the front of the house and multiple exits in the event of an emergency.

FRONT OF THE HOUSE

The public entry for the facility is located off of the City Hall 4th floor lobby and is accessible by stairs and elevator. This space is currently composed of a demonstration stage and dining areas. The demonstration stage includes a commercial stove and hood, kitchenette, prep tables, and viewing monitors. The dining area is spread out throughout the remainder of the facility and can be set up in a variety of configurations. The dining area has direct access to an outdoor deck and has two storage closets.

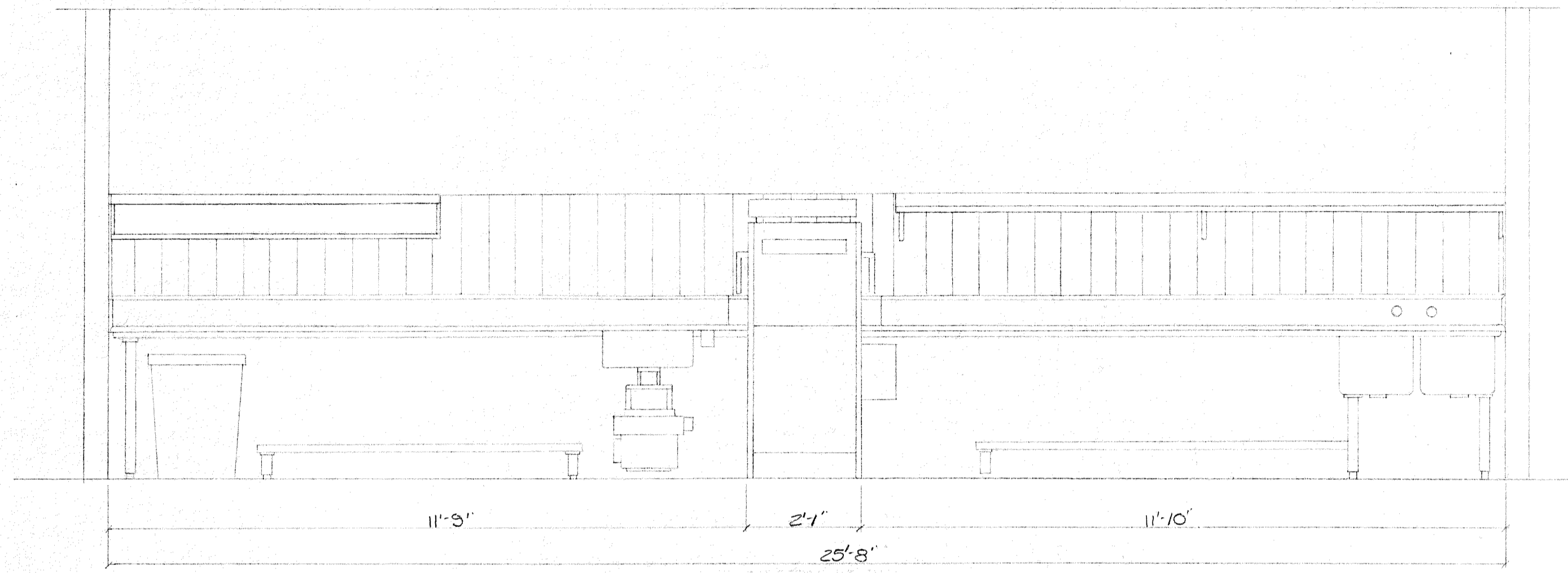
THE
VIEW



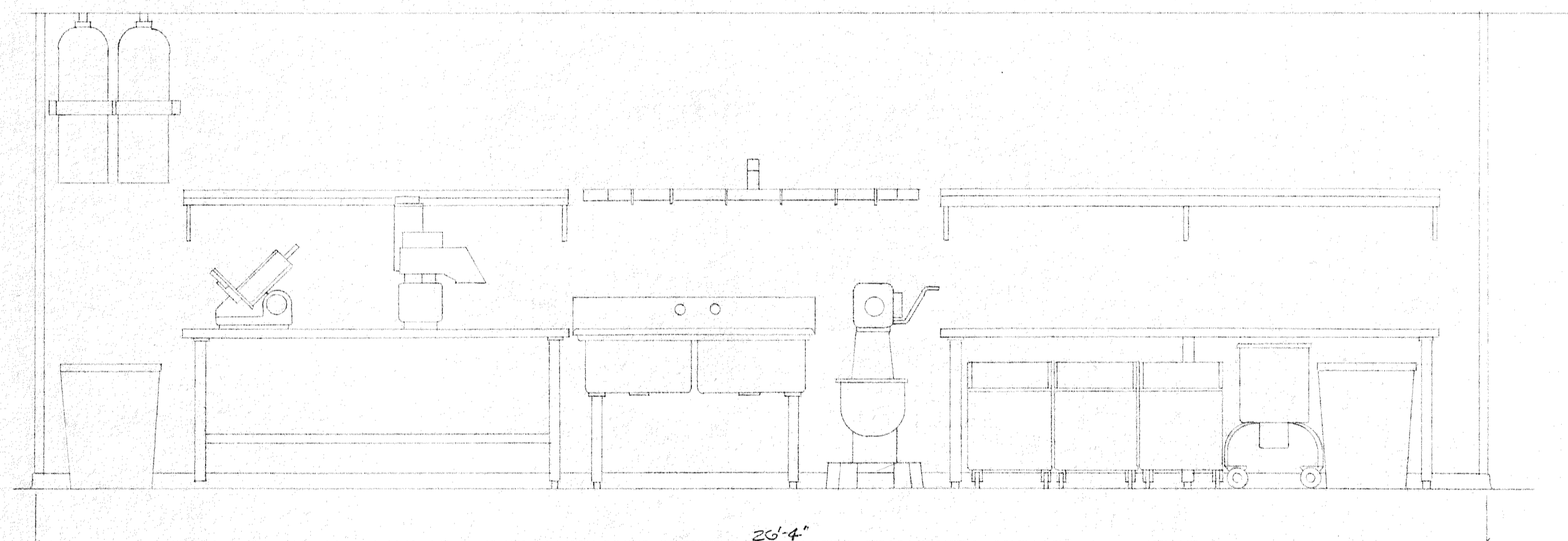


Ricardo's Fish House
Floor Plan

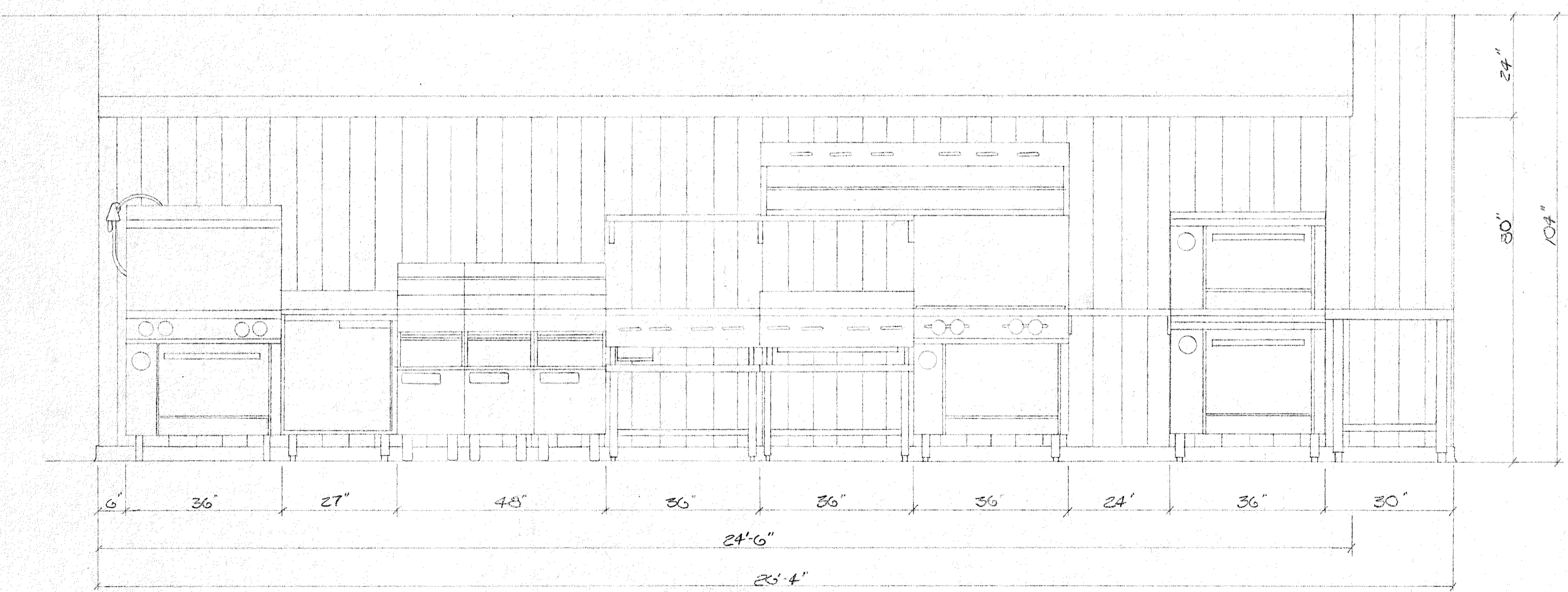
<i>Ricardo's Fish House</i>		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: c&d
DATE: 4/18/85	Floor Plan	REVISED
Boxer-Marcus Company		
Lincoln City, Oregon		DRAWING NUMBER: 1



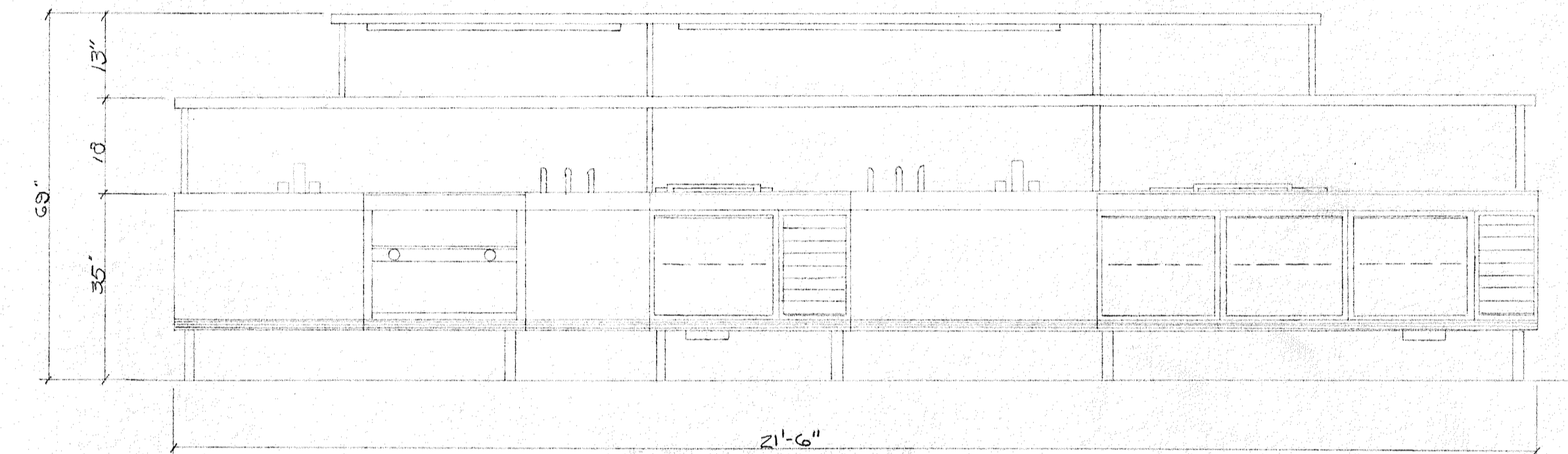
Dishwashing Area



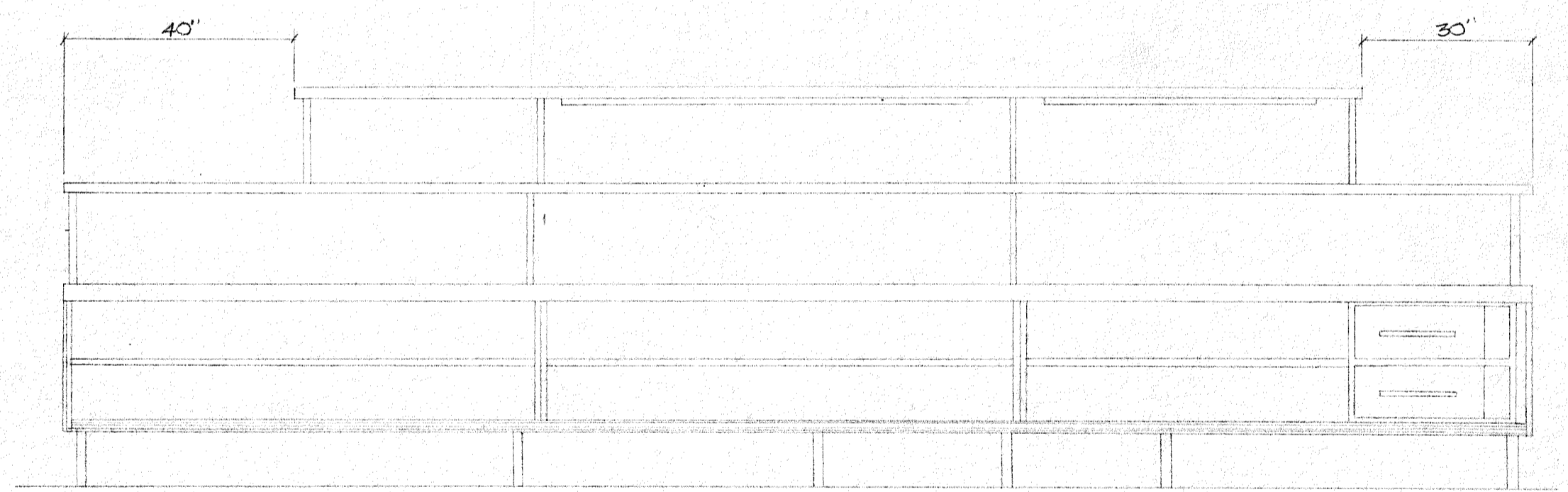
Preparation Area



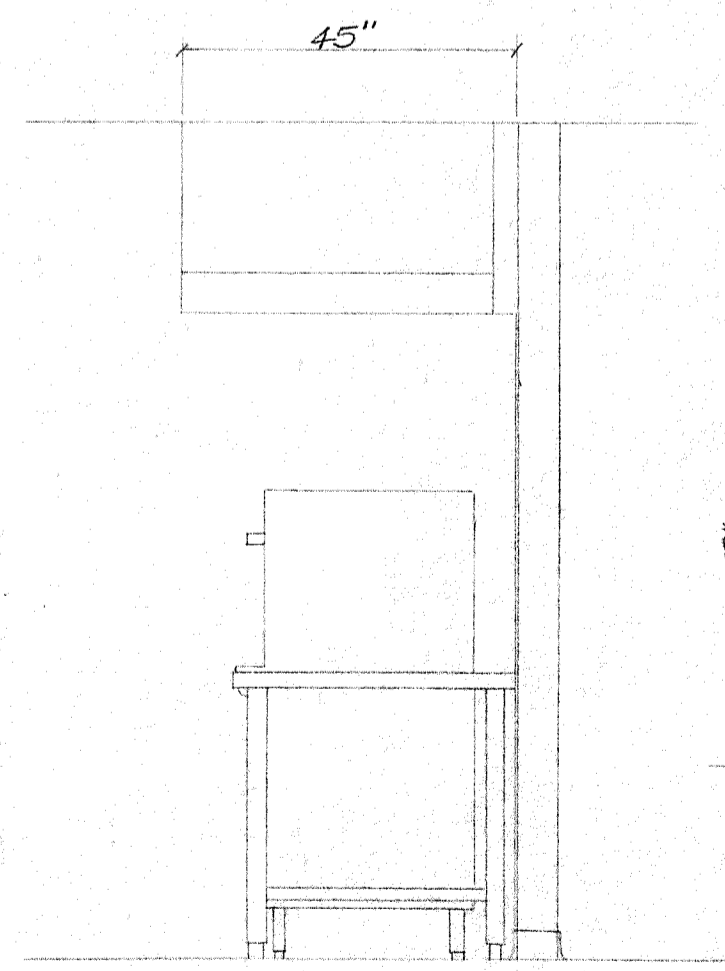
Cooking Line



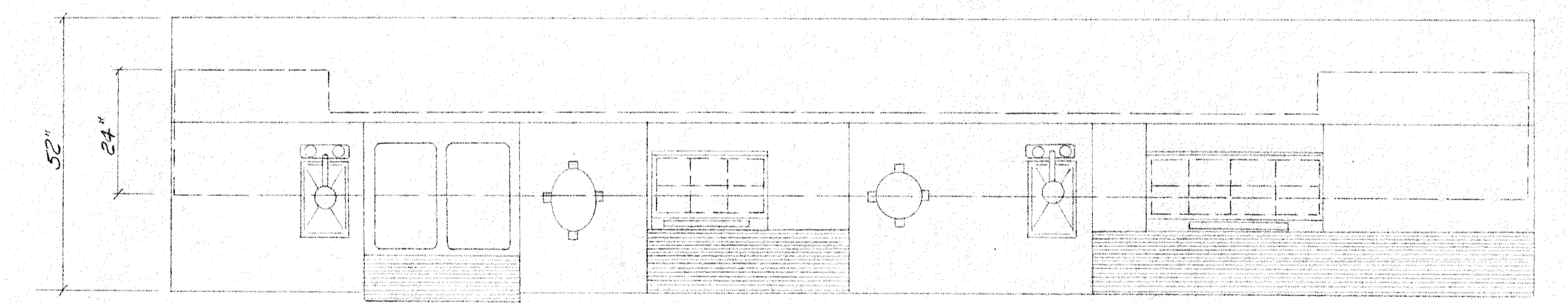
Chef's Table Cook's View



Chef's Table Waitress' View



Side Elevation



Chef's Table Top View

Ricardo's Fish House
Elevations

<i>Ricardo's Fish House</i>		
SCALE: 1/2" = 1'-0"	APPROVED BY: Elevations	DRAWN BY: c&d
DATE: 4/29/85		REVISED
Lincoln City Oregon		
Boxer-Marcus Company		DRAWING NUMBER 5

Council Communication

OLCC - Request for Limited On-Premises Sales License_ The Hilltop Inc.

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	1

Questions:

Should the City Council provide a recommendation to the Oregon Liquor Control Commission (OLCC) for a new outlet, limited on-premises sales liquor license for The Hilltop, Inc.?

Staff Recommendations:

A review was conducted by LT. Broderick who recommends that City Council provide a favorable recommendation to grant the license to the applicant.

Legal Background and Framework:

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendation to the OLCC.

Council Options:

1. Approve a favorable recommendation to new outlet, limited on-premises sales liquor license.
2. To not approve the license application.
3. To approve the license application.

Potential Motions:

Motion to approve the Oregon Liquor Control Commission (OLCC) new outlet limited on-premises sales liquor license for The Hilltop, Inc.

Attachments

Oregon Liquor Control Commission (OLCC) application for new outlet limited on-premises sales liquor license application for The Hilltop, Inc.

Attachments:

Hilltop Inc_ OLCC Limited on-presmise_Redacted.pdf (PDF)

FINANCE DEPARTMENT
RECEIVED
DEC 28 2021

Blumenshine



OREGON LIQUOR CONTROL COMMISSION

CITY OF LINCOLN CITY
LINCOLN CITY, OR

LIQUOR LICENSE APPLICATION

PRINT FORM

RESET FORM

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp: RECEIVED DEC 28 2021
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	Name of City or County: <u>City of Lincoln City</u>
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	Recommends this license be: <input checked="" type="checkbox"/> [redacted]
<input type="checkbox"/> Full On-Premises, Commercial	By: [redacted]
<input type="checkbox"/> Full On-Premises, Caterer	Date: <u>12/28/2021</u>
<input type="checkbox"/> Full On-Premises, Passenger Carrier	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	Date application received: <u>10/28/2021</u>
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	Date application accepted: <u>10/28/2021</u>
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	License Action(s): <u>N/O</u>
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input checked="" type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/> (4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)**¹ applying for the license(s):

THE HILLTOP, INC,

JESUS SANTUARIO

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See) HILLTOP INN FAMILY DINING		
4. Business Address (Number and Street Address of the Location that will have the liquor license) 1910 SE HWY 101		
City LINCOLN CITY	County LINCOLN	Zip Code 97367

¹ Read the instructions on page 1 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

FINANCE DEPARTMENT
RECEIVED
DEC 28 2021
CITY OF LINCOLN CITY
LINCOLN CITY, OR

5. Trade Name of the Business (Name Customers Will See)
HILLTOP INN FAMILY DINING

6. Does the business address currently have an OLCC liquor license? YES NO

7. Does the business address currently have an OLCC marijuana license? YES NO

8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in OAR 845-004-0065[1].)
1910 SE HWY 101

City LINCOLN CITY	State OR	Zip Code 97367
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9. Phone Number of the Business Location
541-614-1267

10. Email Contact for this Application and for the Business
[REDACTED]

11. Contact Person for this Application
JESUS SANTUARIO

Phone Number
[REDACTED]

Contact Person's Mailing Address (if different) 846 SW COAST HWY	City NEWPORT	State OR	Zip Code 97365
---	-----------------	-------------	-------------------

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

I understand that marijuana is prohibited on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

Applicant(s) Signature

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

THE HILLTOP, INC	[REDACTED]	10-28-21	
App. #1: (PRINT NAME)	App #1: (SIGNATURE)	App #1: Signature Date	Atty. Bar Information (if applicable)
JESUS SANTUARIO	[REDACTED]	10-28-21	
App. #2: (PRINT NAME)	App #2: (SIGNATURE)	App #2: Signature Date	Atty. Bar Information (if applicable)
App. #3: (PRINT NAME)	App #3: (SIGNATURE)	App #3: Signature Date	Atty. Bar Information (if applicable)
App. #4: (PRINT NAME)	App #4: (SIGNATURE)	App #4: Signature Date	Atty. Bar Information (if applicable)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

FINANCE DEPARTMENT
RECEIVED
DEC 28 2021
CITY OF LINCOLN CITY
LINCOLN CITY, OR

PRINT FORM
RESET FORM

1. Name (Print):	SANTUARIO <small>Last</small>	JESUS <small>First</small>	 <small>Middle</small>
2. Other names used (maiden, other):			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: [REDACTED]			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input checked="" type="checkbox"/>			
5. Date of Birth (DOB):	[REDACTED] <small>(mm)</small>	[REDACTED] <small>(dd)</small>	[REDACTED] <small>(yyyy)</small>
6. Driver License or State ID	[REDACTED]	7. State OR	
8. Contact Phone [REDACTED]			
9. E-mail Address [REDACTED]			
10. Mailing Address:	[REDACTED] <small>(Number and Street)</small>	[REDACTED] <small>(City)</small>	[REDACTED] <small>(State)</small> [REDACTED] <small>(Zip Code)</small>
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

FINANCE DEPARTMENT
RECEIVED
DEC 28 2021

CITY OF LINCOLN CITY
LINCOLN CITY, OR

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)
 No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?
 No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?
 No Yes Please list applications below Unsure Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, **may not** sign your form.

Affirmation
 Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	SANTUARIO Last	JESUS First	Middle
Signature:			Date: 10-28-21

This box for OLCC use ONLY
 _____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

FINANCE DEPARTMENT
RECEIVED
DEC 28 2021
CITY OF LINCOLN CITY
LINCOLN CITY, OR

Please Print or Type

Applicant Name: THE HILLTOP, INC. Phone: 541-614-1267

Trade Name (dba): HILLTOP INN FAMILY DINING

Business Location Address: 1910 SE HWY 101

City: LINCOLN CITY ZIP Code: 97367

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>6AM</u>	to	<u>9PM</u>
Monday	<u>6AM</u>	to	<u>9PM</u>
Tuesday	<u>6AM</u>	to	<u>9PM</u>
Wednesday	<u>6AM</u>	to	<u>9PM</u>
Thursday	<u>6AM</u>	to	<u>9PM</u>
Friday	<u>6AM</u>	to	<u>9PM</u>
Saturday	<u>6AM</u>	to	<u>9PM</u>

Outdoor Area Hours:

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

The outdoor area is used for:

- Food service Hours: _____ to _____
- Alcohol service Hours: _____ to _____
- Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

_____ (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: 161 Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: 161

OLCC USE ONLY

Investigator Verified Seating: ___(Y)___(N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: _____ Date: 10-28-21

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)

Council Communication

Personnel Appointment Consent

Meeting Date:	January 10, 2022	Primary Staff Contact:	Abigail Edwards
Department:	Human Resources	E-Mail:	ADonowho@lincolncity.org
Secondary Dept:		Secondary Contacts:	Abigail Edwards
Approval:	Lila Bradley	Estimated Time:	5 minutes

Background:

The attached memorandum presents several candidates for City employment.

Potential Motions:

A motion to approve the personnel appointments, upon successful completion of pre-employment conditions, as recommended by staff.

Attachments:

MEMORANDUM TO CC--Personnel Appointment 1.10.2022 (PDF)



MEMORANDUM

To: City of Lincoln City Mayor and Council
 From: Abigail Edwards, Human Resources Director
 Date: January 5, 2022
 Re: Council Consent to Ratify Employment Recommendation

To the Honorable Mayor and City Council:

As required by the City Charter, in the Lincoln City Municipal Code Chapter 5, Section 2.9, when an interim City Manager is in place, the appointment or removal of personnel must be approved by the Council.

Interviews were conducted, and the following recommendation has been reviewed and approved by the Interim City Manager. Thank you for considering the following personnel appointments for ratification upon successful completion of pre-employment conditions:

First Name	Last Name	Job Title	Pre-Employment Requirements
Andrea	Riner	Assistant Planner	Complete
Austin	Hull	Assistant Planner	Complete
Jake	Geist	Lifeguard in Training	Complete
Seth	Pringle	Lifeguard in Training	Complete
Lesley	Rodriguez-Lagunes	Lifeguard in Training	Complete
CJ	Young	Engineering Technician I	Complete
Sierra	Keepers	Lifeguard in Training	Pending
Ken	Sun	Lifeguard in Training	Pending
Carson	Kisor	WWTP Operator I	Pending
Mike	Davies	Recreation Manager	Pending
Raleigh	Bartholomew	Referee	Complete
Tammie	Berreth	Recreation Support	Pending
Elizabeth	Francis	Executive Administrative Legal Assistant— URA/Economic Development and City Attorney	Complete

It is quite a list after a large recruitment push. Thank you for your consideration.

Respectfully,

Abigail Edwards
 HR Director

Council Communication

LC Parks & Recreation Board: Taft Park presentation

Meeting Date: January 10, 2022 Primary Staff Contact: Jeanne Sprague
Department: Parks and Recreation E-Mail: JSprague@lincolncity.org
Secondary Dept: Administration Secondary Contacts:
Approval: Lila Bradley Estimated Time: 15 mins

The Lincoln City Parks & Recreation Board requested to present to City Council regarding the planning, construction and funding of 'Taft Park'. They will be presenting a Business Case, Community Case, and Funding Ideas. Board Chair David Jamieson and Board Member Jane Mulholland will be presenting. This attachment is their powerpoint presentation.

Attachments:

LC Parks and Rec Board Taft Park Presentation (PDF)

Lincoln City Parks and Recreation Board



David Jamieson - Chair

Jane Mulholland - Board Member

Location Reminder:



Agenda:

1. Business Case
2. Community Case
3. Capital Funding Ideas

Taft Park Business Case



“Lincoln City - Recreation Capital of the Oregon Coast”

“Lincoln City is the premier destination on the Oregon Coast for outdoor recreation and sports”

- Taft Park Sports Complex
- Community Center
- Open Spaces
- Parks
- Playgrounds
- Pickleball Courts
- Beaches
- Gardens
- Devils Lake
- Campgrounds
- B'nai B'rith Summer Camp

“Lincoln City - Recreation Capital of the Oregon Coast”

- Competitive Advantage for Lincoln City
- Economic Engine
 - Drives Sports/Recreation Tourism
 - Drives [remote worker relocation](#) (analysis by Emsi - a labor market data co.)
 - Drives supporting business development (e.g. soccer clothing store)

Table 1: Spending per Party Results from Gainesville, Florida

Event Type	Overnight Visitors			Day-Trippers				
	Total Spending per Party	Days	Daily Spending per Party	Party Size	Total Spending per Party	Days	Daily Spending per Party	Party Size
Adult Marathon	\$316.57	2	\$158.29	2	\$95.64	1	\$95.64	2
Senior Games	\$275.66	2	\$137.83	2	\$169.76	1	\$169.76	2
Adult Archery	\$560.43	3	\$186.81	3	\$123.13	1	\$123.13	2
Adult Average	-	-	\$160.98	-	-	-	\$129.51	-
Youth Soccer	\$649.87	3	\$216.62	2	\$206.45	1	\$206.45	2
Youth Softball	\$828.94	4	\$207.24	4	\$199.95	1	\$199.95	3
Youth Swimming	\$586.64	3	\$195.55	3	\$147.63	1	\$147.63	3
Youth Average	-	-	\$206.47	3	-	-	\$184.68	-

Note: Days and party size are median values for each event.

Source: Gibson et al. 2012

- Gibson, H. J., Kyriaki Kaplanidou and Sung Jin Kang. 2012. "Small-Scale Event Sport Tourism: A Case Study in Sustainable Tourism." *Sport Management Review*. doi:10.1016/j.smr.2011.08.013.

Imagine the Benefits of a Destination Sports Complex at Taft Park

- Soccer
 - Competition Field
 - Practice Field
- Multi-purpose Covered Area
 - Tennis
 - Pickleball
 - Basketball
 - Special Events
- Playground
 - Unique Taft branding
- Restrooms
- Food Carts and Restaurants nearby
- Taft Bayfront nearby
- 61 Public Parking Spots - pedestrian bridge

Hermiston, OR Regional Example - Playground with Site Specific Amenities



Sandusky, Ohio - Sports Force Parks at Cedar Point Sports Center
Example of a Destination Oriented Sports Complex

G.8.a



PROJECT DETAILS

\$24.5M

TOTAL COST

53

ACRES

1% TAX

FUNDING SOURCE

2017

GRAND OPENING

2019 ECONOMIC IMPACT

286,785

NEW MARKET
VISITS

59,718

ROOM NIGHTS

\$38.9M

DIRECT
SPENDING

\$54.3M

TOTAL ECONOMIC
IMPACT

Taft Park Community Case



Community Case

2016 Parks and Recreation System Plan (pg 32):

“Areas south of Devils Lake and east of Highway 101 have no neighborhood parks, mini-parks, or community parks representing a significant deficiency for the southern part of Lincoln City.”

Community Case

- 2016 Parks and Recreation System Plan
 - Short Term (1-5 years) (pg 56)
 - Develop master plan and secure funding for “Old school site community park in Taft”
 - Pg 32, Core Services and New Facilities Recommendations:
 - “Provide community park at former school site in Taft, including soccer fields, dog park (small dog and large dog), full size basketball courts, pickle ball courts, tennis courts. Consider multi-use covered courts. Provide typical community park amenities, picnic shelters, group shelters, playground, benches, trash cans, and restrooms. Consider allowing concessions. This was identified by project participants as the highest priority project in this Plan.”

2016 Parks and Recreation System Plan (pg 28):

TABLE 3 - FACILITIES COMPARISON: COMPARISON OF OPRD LEVEL OF SERVICE STANDARDS FOR FACILITIES FOR LINCOLN CITY'S CURRENT AND FUTURE POPULATION

Facility Type	Standard - facilities per 1,000 population	Facility recommendation for current population (8,400)	Lincoln City Facilities	Deficit or Surplus of Facilities for current population	Facility recommendation for future population (10,763)	Deficit of facilities for future population	Facility recommendation for 30,000 population	Deficit or surplus for 30,000 population
Baseball fields	0.20	1.68	2	+0.32	2.15	+0.15	6	-4.0
Softball fields	0.20	1.68	1	+0.68	2.15	-1.15	6	-5.0
Basketball courts/ multi-use	0.20	1.68	3 (1/2 courts) - 1 Full court	- .68	2.15	-1.15	6	-2.0
Soccer fields	0.20	1.68	0	-1.68	2.15	-2.15	6	6.0
Golf courses (holes)	0.60	5.04	1 - Eighteen-hole course provided by Chinook Winds	-4.44	.65	+0.35	1	0
Equestrian facilities	0.01	0.084	0	-0.084	0.10	-0.10	0 (0.3)	-0.3
Football fields	0.10	0.84	1 - provided at Taft High School	+1.6	1.07	-0.07	3	-2.0
Outdoor swimming pools	0.05	0.42	0	-0.42	0.54	-0.54	1.5	-1.5
Beach areas for swimming	0.10	0.84	30 Beach access points	+29.16	1.07	+28.93	-	-
Volleyball courts	0.20	1.68	0	-1.68	2.15	-2.15	6	-6.0
Tennis courts	0.35	2.94	2	-0.94	3.77	-1.76	10.5	-8.5
Picnic shelters	0.30	2.52	2	-0.52	3.22	-	9	-7.0
Day-use picnic tables	10.00	84.0	22	-62.0	107.63	-85.63	300	-278.0
Playgrounds	0.40	3.36	4	+0.64	4.30	-0.30	12	-8.0
Skateboard parks	0.04	0.336	1	+0.664	0.43	+0.57	1.2	-0.2
Off-leash dog parks	0.04	0.336	0	-0.336	0.43	-0.43	1.2	-1.2

TABLE 3 – Facility Level of Service Standards Comparison Notes:
 a) The quantitative standards used in this table are derived from the facility standards in the Oregon Parks and Recreation Department (OPRD) Statewide Comprehensive Outdoor Recreation Plan 2013-2017 (SCORP).
 b) Current and projected population are from the "Lincoln City Population and Demographic Data Memorandum" dated August 15, 2014 by Angelo Planning Group. Population projections for this comparison do not include city's visitor and tourist population and to not provide acreage projections for their needs.
 c) Acreage totals highlighted in green represent a surplus in the city's inventory according to SCORP 2013- 2017.
 d) Acreage totals highlighted in red represent a deficit in the city's inventory according to SCORP 2013- 2017.
 e) Beach areas are generally not for swimming.



Deficient in basketball courts

Deficient in soccer fields



Deficient in day-use picnic tables

Community Case

- No better time than now to embrace this project!
- Investment in the growth and development of children and youth
- Two equally important priorities: tourism and serving our residents--this project meets both
- Council's role--funders, planners, advocates
- Creating a legacy

Community Case

Turn This:



Into This:



Funding:



Where are we Now with Taft Park? Taft Park Construction (~\$3M - \$6M)

Spent:

- \$538,000 for environmental assessment, land acquisition

Committed:

- (~\$90,600):
 - Boundary and topo survey: \$17,600
 - Planning survey: \$23,000
 - Landscape Architect: beginning at \$50,000
 - Wetland delineation:?

Needed:

- Soccer Fields - \$1.5M - \$3M as envisioned by Landscape Architect
- Playground ~ \$1M
- Remainder ~\$2M

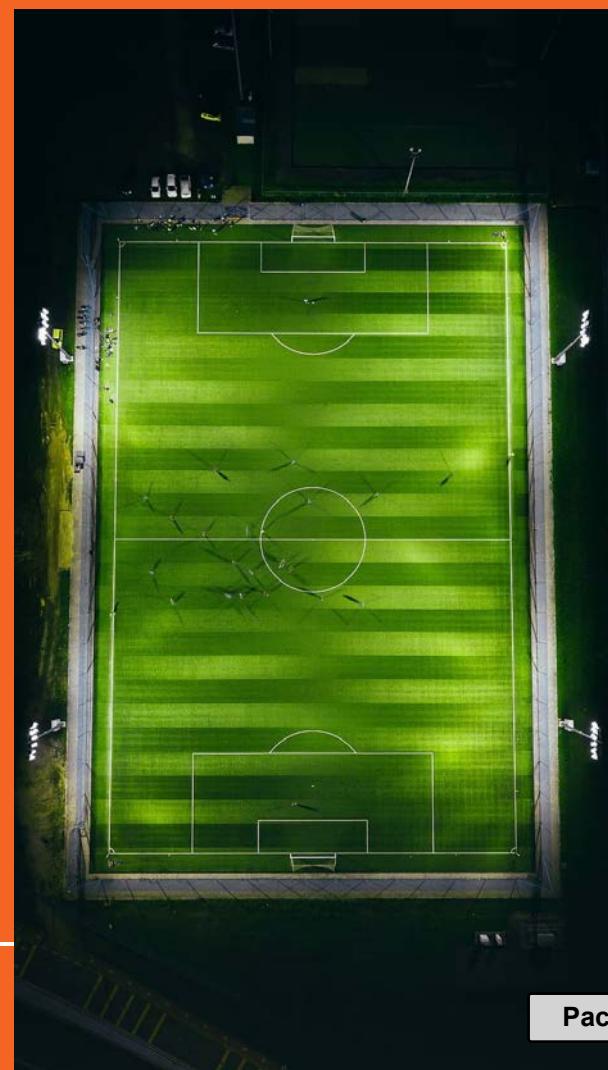
Reminder ~\$500K available from estate for multi-use covered court



Capital Funding for Taft Park

Ideas and Planning Needed!

- Issue Municipal Bonds - Parks
- Direct Unappropriated Monies ('21-'22)
 - Lincoln City - \$6.0M (34%)
 - Astoria - \$5.1M (32%)
 - Seaside - \$18.7M (26%)
 - Newberg - \$24M (18%)
 - Newport - \$6.7M (7.5%)
- Sell property (e.g. The Villages at Sitka Woods) and invest in Parks
- [Land and Water Conservation Fund](#) (National Park Service)
- Form a Parks and Recreation District
 - 1,338 memberships of which 34% are non-residents
- Work with Senator Anderson and Representative Gomberg for State, Federal monies



Build Taft Park

Council Communication

Public Comment: Resolution 2022-01 Parking Fee

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 Minutes

294.160 Opportunity for public comment on new fee or fee increase. (1) The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.

For further information, see initial fee for 48 HOUR PARKING PERMIT in Resolution 2022-01.

Council Communication

City Manager Hiring Criteria for Public Comment

Meeting Date:	January 10, 2022	Primary Staff Contact:	Abigail Edwards
Department:	Human Resources	E-Mail:	ADonowho@lincolncity.org
Secondary Dept:		Secondary Contacts:	Abigail Edwards
Approval:	Lila Bradley	Estimated Time:	5-10 minutes

The City Council may wish to amend the City Manager recruitment process to include:

- A. In-Person Department Head Interview of Semi-Finalist(s)—This is a confidential interview process, not a public meeting involving the City Council, and does not require special meeting notice or an Executive Session.
- B. In-Person City Council Interview of Semi-Finalist(s)—This is a confidential interview process held in an Executive Session.
- C. Adoption of additional set(s) of interview questions for in-person interview(s). Interview questions should remain confidential, as is the usual practice for recruitments.
- D. Optional public process, in-person or remote meeting or forum to allow boards, commissions, and members of the public to meet and greet the candidate(s) and provide comments for Council.

Background:

As part of the City Manager Recruitment Process, public comment is permitted on proposed hiring criteria.

Authority:

The process noted in ORS 192.660(7)(d)(D) must be met in order to retain Executive Session privileges for the hiring of the Chief Executive Officer (City Manager):

D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the

public has had the opportunity to comment on the standards, criteria and policy directives.

Council Communication

Ordinance 2022-01 Code Enforcement Fee

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question(s):

Should the City Council conduct and approve First and Second Reading of Ordinance 2022-01 entitled:

ORDINANCE 2022-01

AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING TITLE 1 (GENERAL PROVISIONS), CHAPTER 1.16 (VIOLATIONS), AMENDING SECTION 1.16.070 (FINE AND ASSESSMENT AMOUNTS), PARAGRAPH D., TO ADD FLEXIBILITY FOR FEES IN NEGOTIATED PLEA AGREEMENTS

Staff Recommendation:

Staff recommends Council conduct First Reading of Ordinance 2022-01 and, *if unanimous*, Conduct and approve Second Reading. Any changes must be read.

Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

Background:

This ordinance adds flexibility to permit waiver of the code enforcement fee as part of a negotiated settlement (plea bargain).

Council Options:

1. Conduct and approve First Reading. Read changes, if any. Conduct and Approve Second Reading and Adopt the Ordinance.
2. Conduct and approve First Reading. Read changes, if any. Continue Second Reading to January 24, 2022 [or]
3. Continue First Reading to January 24, 2022.

Potential Motions:

City Attorney: [Conduct First Reading of Ordinance by Title only]

ORDINANCE 2022-01

**AN ORDINANCE OF THE CITY OF LINCOLN CITY
AMENDING TITLE 1 (GENERAL PROVISIONS), CHAPTER 1.16 (VIOLATIONS),
AMENDING SECTION 1.16.070 (FINE AND ASSESSMENT AMOUNTS), PARAGRAPH
D., TO ADD FLEXIBILITY FOR FEES IN NEGOTIATED PLEA AGREEMENTS**

Motion to approve First Reading of Ordinance 2022-01.

If unanimous: City Attorney conducts Second Reading

City Attorney: [Conduct Second Reading of Ordinance by Title only]

Council:

1. Motion to approve Second Reading and adopt Ordinance 2022-01.

[or]

2. Motion to set Second Reading for January 24, 2022.

Attachments:

FINAL 2022-01 Code Enforcement Fee (DOC)

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ORDINANCE 2022-01

**AN ORDINANCE OF THE CITY OF LINCOLN CITY
AMENDING TITLE 1 (GENERAL PROVISIONS), CHAPTER 1.16 (VIOLATIONS),
AMENDING SECTION 1.16.070 (FINE AND ASSESSMENT AMOUNTS),
PARAGRAPH D., TO ADD FLEXIBILITY FOR FEES IN NEGOTIATED PLEA
AGREEMENTS**

WHEREAS, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provide:

2.1 Powers of the City

The city has all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

2.2 Construction of Charter

In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. *City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop*, 20 Or. App. 293; 531 P 2d 730, 734 (1975); *LaGrande/Astoria v. PERB*, 281 Or 137, 142 (1978), *aff'd on reh'g* 284 Or 173 (1978); and

WHEREAS, the City of Lincoln City desires to add flexibility to fees and charges when negotiated in a plea agreement; and

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

1 **SECTION 1.** Lincoln City Municipal Code, Title 1 (*General Provisions*), Chapter
2 1.16 (*Violations*), Section 1.16.070 (*Fine and Assessment Amounts*), Paragraph D., is
3 hereby amended to read as follows:
4

5 D. When a defendant is served with a violation citation for violation of a city
6 ordinance, the amount of the presumptive fine set forth in the citation and
7 complaint/summons shall not include the assessment imposed in subsection (C)
8 of this section. If the violator submits the presumptive fine with a guilty or no
9 contest plea prior to the date of appearance, the assessment in subsection (C) of
10 this section is deemed waived. The city municipal court shall impose the fee in all
11 other circumstances, and shall not waive or suspend any portion of the
12 mandatory assessment imposed in subsection (C) of this section.

13 **Notwithstanding the above, a negotiated plea agreement approved by the**
14 **Court may include a waiver or reduction of the code enforcement fee in**
15 **exchange for prompt payment of restitution or fines.**
16

17 **SECTION 2. Findings Adopted.** The findings in the Whereas Clauses and
18 otherwise in the record of this legislative proceeding are adopted and
19 incorporated herein by this reference.
20

21 **SECTION 3. Severability.** The sections, subsections, paragraphs and clauses of
22 this ordinance are severable. The invalidity of one section, subsection, paragraph,
23 or clause shall not affect the validity of the remaining sections, subsections,
24 paragraphs and clauses.
25

26 **SECTION 4. Effective Date.** Pursuant to Chapter IX, Section 9.3, this ordinance
27 takes effect 30 days after the date of its adoption.
28

29 **SECTION 5. Codification.**
30

31 Provisions of this Ordinance shall be incorporated in the City of Lincoln City Municipal
32 Code and the word "ordinance" may be changed to "code", "article", "section", "chapter"
33 or another word, and the sections of this Ordinance may be renumbered, or re-lettered,
34 provided that any Whereas clauses and boilerplate provisions (i.e. Sections 2-5) need not
35 be codified and the City Recorder is authorized to correct any cross-references and any
36 typographical errors.
37

38 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX,
39 Section 9.2 of the City of Lincoln City Charter on the 10th day of January, 2022 (First
40 Reading). The Ordinance was again read by title only on the 10th day of January, 2022
41 (Second Reading) and Council approved Second Reading and adoption of the Ordinance.

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PASSED AND ADOPTED by the City Council of the City of Lincoln City this
10th day of January, 2022.

SUSAN WAHLKE,
MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

RICHARD APPICELLO, CITY ATTORNEY

Council Communication

Ordinance 2022-02 Amendment to Fire Code

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question(s):

Should the City Council conduct and approve First and Second Reading of Ordinance 2022-02 entitled:

ORDINANCE NO. 2022-02

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.14, ADDING A NEW SECTION 15.14.090 (APPEALS) TO THE ADOPTED FIRE CODE OF THE CITY OF LINCOLN CITY

Staff Recommendation:

Staff recommends Council conduct First Reading of Ordinance 2022-02 and, *if unanimous*, conduct and approve Second Reading. Any changes must be read.

Authority:

City of Lincoln City Charter, Chapter IX. Section 9.2(1) provides that an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members voting when a quorum is present upon being read by title only. Adoption of an ordinance after second reading requires the express concurrence of a majority of the members present. Ordinances may be read by title only, after compliance with Charter procedures. A non-emergency ordinance takes effect on the thirtieth (30th) day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as it is adopted or on some other date specified in the ordinance.

Background:

The City previously adopted the 2019 Oregon Fire Code. The State Fire Marshal has recommended we add the appeal process. [An appeal process was included in the prior fire code adoption ordinance but was removed after comments on the draft ordinance were received.]

Financial Impact:

None.

Council Options:

1. Conduct and approve First Reading. Read changes, if any. Conduct and approve Second Reading and Adopt the Ordinance.
2. Conduct and approve First Reading. Read changes, if any. Continue Second Reading to January 24, 2022 [or]
3. Continue First Reading to January 24, 2022.

Potential Motions:

City Attorney: [Conduct First Reading of Ordinance by Title only]

ORDINANCE NO. 2022-02

**AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE,
TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.14, ADDING A NEW
SECTION 15.14.090 (APPEALS) TO THE ADOPTED FIRE CODE OF THE CITY OF
LINCOLN CITY**

Motion to approve First Reading of Ordinance 2022-02.

If unanimous: City Attorney conducts Second Reading

City Attorney: [Conduct Second Reading of Ordinance by Title only]

Council:

1. Motion to approve Second Reading and adopt Ordinance 2022-02.
- [or]**
2. Motion to set Second Reading for January 24, 2022.

Attachments:

Ordinance 2022-02 Jan 3 2022 (DOCX)

ORDINANCE NO. 2022-02

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.14, ADDING A NEW SECTION 15.14.090 (APPEALS) TO THE ADOPTED FIRE CODE OF THE CITY OF LINCOLN CITY

Annotated to show deletions and additions to the code sections being modified. Deletions are **lined through** and additions are **bold underlined**.

WHEREAS, Chapter 2, Section 2.1 and 2.2., of the City of Lincoln City Charter provides:

2.1 Powers of the City
The city has all powers which the constitutions, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of those powers.

2.2 Construction of Charter
In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state Constitution; and

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop, 20 Or. App. 293; 531 P 2d 730, 734 (1975); LaGrande/Astoria v. PERB, 281 Or 137, 142 (1978), aff'd on reh'g 284 Or 173 (1978); and

WHEREAS, Council desires to add an appeals process to the adopted Fire Code of the City of Lincoln City; and

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 15.14 (Fire Code), Section 15.14.090 (Reserved) is hereby amended to read as follows:

1 15.14.090 (~~Reserved~~) Appeals.

2
3 (1) When any person seeks relief from an order, decision or determination of a fire
4 official enforcing provisions of this code, including permits, waivers, alternative
5 materials or methods, approval of variances or matters of interpretation, he/she
6 may request reconsideration of the decision by first appealing to the fire marshal
7 in writing within 10 days of the receipt of the decision. The fire marshal may
8 affirm, modify, revoke or vacate the order under consideration in writing.

9
10 (2) After reconsideration by the fire marshal, any person seeking relief from the
11 decision of the fire marshal regarding the order may appeal to a board of appeals.
12 Such appeal shall be filed in writing with the Fire Marshal within 10 days of the fire
13 marshal’s decision. This requirement is jurisdictional. An appeal shall be in writing
14 and specifically identify how the intent of this code or rules have been incorrectly
15 interpreted, or that the provisions do not fully apply, or that an equivalent method
16 of protection or safety is proposed. This requirement is jurisdictional. The Board
17 does not have the authority to waive the requirements of the Code or rules. The
18 Board may, by majority vote, affirm, modify, or revoke the action of the Fire
19 Marshal. The appeals board referenced herein and specified in Section 109 of the
20 Fire Code shall be the Building Board of Appeals for the City, [LCMC Chapter 2.12]
21 with the addition of an architect or other personnel with appropriate training or
22 experience as recommended by the fire chief. Notwithstanding any other
23 provision of the Code, the Fire District with the concurrence of the City Council,
24 may appoint by resolution a different appeal body or hearings officer to hear
25 appeals under this code.

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28 **SECTION 2. Findings adopted.** Findings contained in the Whereas Clauses of this
29 ordinance, as well as the competent substantial evidence in the whole record of this
30 legislative proceeding are incorporated into this section by reference as if fully set forth
31 herein, and are adopted in support of this legislative action.

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33 **SECTION 3. Severability.** The sections, subsections, paragraphs and clauses of this
34 ordinance are severable. The invalidity of one section, subsection, paragraph, or clause
35 shall not affect the validity of the remaining sections, subsections, paragraphs and
36 clauses.

37
38 **SECTION 4. Savings.**

39
40 Notwithstanding the amendment to this Title, the existing Title remains valid and in full
41 force and effect for purposes of all criminal, civil or administrative code enforcement

1 cases or applications filed or commenced during the time said ordinances were
2 operative. Nothing in this Ordinance affects the validity of prosecutions commenced
3 and continued under the laws in effect at the time the matters were originally filed.

4
5 **SECTION 5. Ordinance Effective Date.** Pursuant to Chapter IX, Section 9.3, this
6 ordinance takes effect 30 days after the date of its adoption.

7
8 **SECTION 6. Codification.** Provisions of this Ordinance shall be incorporated in the City
9 of Lincoln City Municipal Code and the word "ordinance" may be changed to "code",
10 "article", "section", "chapter" or another word, and the sections of this Ordinance may be
11 renumbered, or re-lettered, provided that any Whereas clauses and boilerplate
12 provisions (i.e. Sections 2-6) need not be codified and the City Recorder is authorized to
13 correct any cross-references and any typographical errors.

14
15 The foregoing ordinance was distinctly read by title only in accordance with Chapter IX,
16 Section 9.2 of the City of Lincoln City Charter on the 10th day of January, 2022 (First
17 Reading) and on the 10th day of January, 2022 (Second Reading).

18
19 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 10th day of
20 January, 2022.

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24 _____
SUSAN WAHLKE, MAYOR

25 ATTEST:

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27 _____
28 JAMIE YOUNG, CITY RECORDER

29
30 APPROVED AS TO FORM:

31
32 _____
33 RICHARD APPICELLO, CITY ATTORNEY
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Council Communication

Resolution 2022-01 Traffic and Parking Control Resolution - Overnight Parking

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Lila Bradley
Approval:	Lila Bradley	Estimated Time:	

Resolution 2021-46 continued from December 13, 2021 has been divided into two Resolutions, 2022-01 and 2022-02 - one concerning overnight parking [01] and one concerning overnight in vehicle resting [02].

Question:

Does the Council wish to approve Resolution 2022-01 authorizing the City Manager to designate overnight metered parking spaces in certain City and URA parking lots?

Background:

For additional background please review the December 14, 2020 Council Communication item M.2.

The following motion passed on December 14, 2020:

Motion to direct staff to create overnight metered parking spaces in city parking lots and prepare appropriate traffic control / parking resolutions?

Excerpted Portions of the prior Council communications concerning overnight parking of vehicles are set forth below:

Allowing some overnight parking in City parking lots may alleviate some pressure on neighborhoods. Parking in a legal parking space on the street is free; staff recommends metered overnight parking be permitted in city parking lots, in designated parking spaces only. Council could choose not to require payment for such designated overnight spaces.

* * *

Overnight Use of Public Lots

Council was not adverse to considering language for a revocable permit or license to authorize some overnight use of public parking lots. *[Also in June, staff related that a prior Councilor had suggested use of City park lots for VRD overflow (for a fee) thereby getting such vehicles out of neighborhoods].* Overnight parking is parking between 2:30 a.m. and 5:00 a.m. Currently overnight parking in a city lot, including beach accesses is prohibited. **By contrast, overnight parking on a city street is not.**

This issue was initially raised by owners of units who stated they did not have on-site parking. How that came to be is unclear, but unimportant. Residential units in cities often do not have on-site parking. Residents have to “circle the block” so to speak, to find an available on-street parking space. Some residents store their vehicles in a for-profit parking garage or lot, others rely on on-street parking. In Lincoln City, such on-street parking spaces are currently free; Council certainly does have the legal authority to meter spaces in desirable locations. So while it may be more convenient (closer to their units) for some residents to park in a city lot or beach access – it is by no means a requirement that the City provide free parking to such unit owners. (There is no land use based vested right to use public property for private use).

Accordingly, the first option here is - do not authorize such use of city parking lots in this way. The second option would be to authorize the manager to issue overnight 2:30-5:00 a.m. permitted placards for a set annual fee. The fee would likely be based on the yearly square footage fee used for encroachments – which is high. Such a placard program is more complicated, and would be best based only on a high fee. Other criteria for issuance of such a parking placard may invite criticism and legal challenge. [If this option is sought staff will attempt to come up with nondiscriminatory criteria for issuance of such placards]. *Another possible solution for these owners might be to request a vacation of a portion of the right-of-way for development of their own private parking.]* In lieu of the placard permit / license staff would recommend creating specifically designated metered “overnight parking permitted” spaces in all city lots. The draft code amendment above authorizing parking permits and metering (although metering was already authorized), is proposed for your consideration.

The recommended alternative would be to install a limited number of clearly marked “metered” overnight parking spaces in certain city lots. These spaces would be available to anyone. Meters would be the credit card swipe variety that issue a sticker to be placed in the window for parking in specifically designated marked overnight parking spaces. VRD overflow could be directed to these pay parking spaces. The City storage

ordinance (prohibiting storage of personal property or vehicles on city property or right-of-ways would still apply – that is you cannot use the space for more than 24 hours.

[Note: Ordinance 2021-25 authorized more than 24 hours with a permit]

Alternatively, you could designate a few spaces in city lots “Overnight Parking 2:30 a.m. – 5:00 a.m. authorized” and not meter the spaces. The spaces would be available to anyone. Staff is not recommending this, as overnight parking is permitted, for free, in legal parking spaces in the city right-of-way.

If this option is pursued, a fee/meter rate will be brought forward in a Resolution before the effective date of the ordinance and such fee/rate structure would be somewhat consistent with square footage based encroachment permits for use of public right of way.

Threshold VRD Issue:

* * *

Based on comments at the November 9, 2020 City Council meeting, clearly some councilors are interested in amending the land use or license codes regarding VRDs to require VRD businesses in residential areas to park all vehicles associated with the VRD use on the VRD property. Currently the law requires the VRD to have one on-site parking space for each bedroom in the VRD. Prior City Councils have discussed this issue as part of the City’s land use standards, and the current law reflects the decision to base parking on the number of bedrooms, not the expected number of vehicles anticipated to visit the rental during the rental term. For example, if five families rent a large VRD, five parking spaces on-site should be adequate to accommodate the vehicles used by the renters. If a relative from Newport drives up for the day to visit with the five families, they would park in an available legal parking space. There is no special rule prohibiting VRD use of a legal on-street parking space.

The problem may be that in Roads End, many VRDs are nonconforming in relation to City of Lincoln City land use parking requirements. That is, the VRD use was legally established under County regulations that did not require the on-site parking the City code requires. While license ordinance requirements concerning health and safety standards, (e.g numeric occupancy limits) are not protected by nonconformity issues, on-site parking is land use, and enjoys nonconforming status.

In an August 2020 memo to the City Manager, Richard Townsend explained the issue as follows:

Issue 2: Parking. *Parking is one of the areas that receives the most complaints. Typically these complaints center on an excessive number of vehicles at a VRD and on VRD renters or their guests using on-street parking. The ordinance sets out a requirement for VRDs to have a certain number of off-street parking spaces and limits the number of vehicles that may be parked on the property to the number of designated off-street parking spaces. It is silent regarding the use of on-street parking by VRD occupants or their guests. It also is silent on whether the residents' or guests' violations of on-street parking rules set out in LCMC Title 10 amount to VRD violations.*

Additionally, almost all Roads End VRDs were approved under the county's rules, which did not have parking standards. This means in Roads End things like excessive parking are not VRD violations. We have informed people of this over and over, but we still get numerous complaints about VRD parking in Roads End, often repeatedly from the same people.

Complicating the parking issue is that it is difficult or impossible to link cars that may be parked in violation of LCMC Title 10, or, if made applicable, VRD parking rules, to a specific VRD. The fact that a car is parked in front of or near a VRD does not amount to proof that the cars come from that VRD. There also is the philosophical issue of whether a VRD owner should be cited for a parking violation by their renters or their renters' guests.

Some things we can do about parking issues include the following:

- 1. Increase public education efforts regarding parking issues in Roads End;*
- 2. Clarify the parking provisions in LCMC 17.80.050 to specify whether VRD renters or guests are allowed to use on-street parking;*
- 3. Clarify the parking provisions in LCMC 17.80.050 to specify whether VRD residents' or guests' parking illegally on the street amount to VRD violations or just LCMC Title 10 violations.*
- 4. Once these clarifications are undertaken, we will need to establish a clear procedure for how parking violations are handled between the Police Department and the Planning Department.*
- 5. Decide whether to establish one or more residential parking permit programs, and if established, clearly post the streets with signs at frequent intervals and educate VRD owners and managers of the rules.*

6. *Clearly mark areas of legal or prohibited parking in highly concentrated VRD areas, or other areas where parking is a consistent problem.*

There is no special prohibition on use of public on-street parking spaces which is applicable only to persons renting or visiting a vacation rental. While residents may be annoyed by persons parking in the right-of-way in front of their homes, if such parking spaces are legal parking spaces, such use is legal and we do not discriminate based on who uses such spaces. Such on-street spaces are subject to the ordinance prohibiting use of the right-of-way for storage of personal property, vehicles, campers, trailers and the like. Residents and visitors alike who exceed 24 hours of use of on-street parking are subject to citation. Residents who move their cars to the street to prevent others from parking in front of their house may be risking citation. Similarly, residents who erect signs in city right-of-way (regardless of content but including signs which purport to prohibit parking) also risk citation.

The suggested delineation and marking of spaces, particularly in congested areas like Roads End, in conjunction with posting appropriate prohibitions on parking on one or both sides of the street, where right-of-way is inadequate – from an engineering perspective – should go a long way toward reducing conflict caused by inadequate parking land use standards used by the County in Roads End. The City can also develop off-street city lots for parking and other on-street parking where road/shoulder base is inadequate but can be improved. In addition, metered overnight spaces in city lots can be used by VRD overflow when legal parking is inadequate.

In sum, staff requests that the Council by motion, make a decision on this issue. Either direct staff to explore a code amendment to limit on-street parking for VRDs (which will require extensive work and outreach to VRD owners -owing to the Roads End nonconformities issues) or reject the often-repeated misstatement that VRD renters and visitors are not permitted to park in legal on-street parking spaces and further direct staff to add language to the Code to clarify this issue as suggested by Mr. Townsend.

Attachments:

Resolution 2022-01 Overnight Parking (DOC)
 RESOLUTION 2022-01 attachment (DOCX)
 Resolution 2021-46 ra12-7-21 (DOC)
 SysPark Pay Parking Stations (PDF)

RESOLUTION NO. 2022-01

A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF METERED OVERNIGHT PARKING SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS

RECITALS

Pursuant to LCMC 10.08.010, the City Council may exercise Traffic Control and Parking Control authority by Resolution of the Council; and

The establishment of parking limitations is expressly listed as within the authority of the City Council; and

In December 2020 Council passed a series of motions concerning traffic control studies and actions; one of those motions concerned metered overnight parking; and

For purposes of parking and camping, the term "overnight" is defined as between 2:30 a.m. and 5:00 a.m. Currently overnight parking is permitted in legal parking spaces of sufficient length and width located in the City street right-of-way, subject only to posted time limits and the 24 hour (Prohibited Storage) limit in LCMC 10.12.040; and

In December 2021, Council amended LCMC 10.12.040 to permit the 24 hour prohibited storage limitation to be exceeded with a valid parking permit; and

Overnight parking is prohibited in all city parks and city and urban renewal owned parking lots, and on any ocean shore; beach access lots have additional time limitations. LCMC 10.12.020. D. and 10.12.020.E. provide:

D. No person shall park a vehicle on a city beach access between the hours of 10:00 p.m. and 6:00 a.m.

E. No person shall park a vehicle overnight on a public park, public parking lot, or any ocean shore area under the jurisdiction of the Oregon Parks and Recreation Division.

The development of the city has not always required on-site parking such that there are some areas of the city where residents or their guests do not have available overnight off-street parking.

In such areas, residents must resort to searching for free on-street parking; a limited number of first come, first serve "metered" parking spaces, located in City and URA parking lots can relieve on-street parking congestion and provide an alternative to illegal parking; and

1 The City Council finds and determines that there is a public benefit to establishment of
2 parking controls (metered overnight parking) to alleviate street parking congestion in certain
3 public parking locations owned or controlled by the City and Urban Renewal Agency.

4
5 **NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN**
6 **CITY, AS FOLLOWS:**

7 **SECTION 1. RECITALS.** The above recitals are true and correct and are incorporated
8 herein by this reference.

9
10 **SECTION 2. IMPOSING TRAFFIC AND PARKING CONTROL – OVERNIGHT**
11 **PARKING.**

12
13 A. Effective upon posting of required signage, described below, "Overnight Parking with
14 a Permit" spaces are hereby authorized and approved in the city and URA owned or
15 controlled lots listed on Attachment 1. The Manager, after consultation with the City
16 Engineer, shall be solely responsible for designation of spaces, not to exceed two
17 spaces per lot.

18
19 1. The lot shall be signed:

20
21 **No Overnight Parking**
22 **Except in authorized spaces**
23 **with a valid 48 hour permit.**
24 **Class C Violation.**

25
26 **Any parking use of this lot**
27 **for more than 24 hours, without a**
28 **permit, is Prohibited Storage.**
29 **Class B Violation.**

30
31 2. The Overnight Space shall be signed or marked:

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34 **This space designated**
35 **for Overnight Parking.**
36 **Vehicle must be unoccupied.**
37 **A valid 48 hour permit**
38 **must be displayed.**

39
40 3. Overnight Permits may be obtained through an authorized City vending
41 machine or from the City Hall Finance Department upon payment of the
42 appropriate permit fee [Initially the fee for a permit issued by the Finance
43 Department for one 48 hour period shall be \$50.00]. Possession of a permit

1 does not assign or reserve an overnight space – all designated overnight
2 spaces are available to permit holders on a first- come first- serve basis.
3 Permits must be clearly displayed.

4
5 4. Overnight Parking is a Class C violation, not an overtime parking violation. Overnight
6 Parking in a designated overnight space without a permit, is a Class B violation.
7 Exceeding the permit time (over 48 hours) is Prohibited Storage, a Class B violation.
8 Moving to another public parking space in the City does not avoid the storage
9 violation. Overnight Parking is at the vehicle owner’s own risk; the City does not
10 provide security for vehicles parked overnight in city or urban renewal lots.

11
12 5. The City Manager is hereby directed to cause appropriate signage for the designated
13 metered spaces to be installed and further to install meters or permit issuance
14 machines or alternatively implement an annual permit process. The Manager may
15 use alternate wording on the signage.

16
17 **SECTION 3. THIS RESOLUTION DOES NOT AUTHORIZE OVERNIGHT PARKING OR**
18 **CAMPING IN BEACH ACCESS LOTS OR ON THE OCEAN SHORE.**

19 **SECTION 4. EFFECTIVE DATE.** This Resolution is effective as of the date of its
20 adoption.

21
22 **PASSED AND APPROVED** by the City Council of the City of Lincoln City, Oregon, this
23 10th day of January 2022.

24
25 _____
26 SUSAN WAHLKE, COUNCIL PRESIDENT

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28 ATTEST:

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32 JAMIE YOUNG, CITY RECORDER

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34 APPROVED AS TO FORM:

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37 _____
38 RICHARD APPICELLO, CITY ATTORNEY

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RESOLUTION 2022-01 ATTACHMENT 1.
LIST OF LOTS ELIGIBLE FOR OVERNIGHT PARKING

OVERNIGHT PARKING

NE 15th Street

NW 15th and 16th Street

NW 17th Street

SE 3rd Street

SE Inlet Avenue

SW 29th Street @ 101

SW 50th and 51st Street

SW 50th Street

RESOLUTION NO. 2021-46

A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF METERED OVERNIGHT PARKING SPACES AND OVERNIGHT CAMPING / RESTING SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS

RECITALS

Pursuant to LCMC 10.08.010, the City Council may exercise Traffic Control and Parking Control authority by Resolution of the Council; and

The establishment of parking limitations is expressly listed as within the authority of the City Council; and

In December 2020 Council passed a series of motions concerning traffic control studies and actions; one of those motions concerned overnight parking, another concerned overnight camping; and

For purposes of parking and camping, the term "overnight" is defined as between 2:30 a.m. and 5:00 a.m. Currently overnight parking is permitted in legal parking spaces of sufficient length and width located in the City street right-of-way, subject only to posted time limits and the 24 hour (Prohibited Storage) limit in LCMC 10.12.040; and

Overnight parking is prohibited in all city parks and city and urban renewal owned parking lots, and on any ocean shore; beach access lots have additional time limitations. LCMC 10.12.020. D. and 10.12.020.E. provide:

D. No person shall park a vehicle on a city beach access between the hours of 10:00 p.m. and 6:00 a.m.

E. No person shall park a vehicle overnight on a public park, public parking lot, or any ocean shore area under the jurisdiction of the Oregon Parks and Recreation Division.

The development of the city has not always required on-site parking such that there are some areas of the city where residents or their guests do not have available overnight off-street parking.

In such areas, residents must resort to on-street parking; a limited number of first come, first serve "metered" parking spaces, located in City and URA parking lots can relieve on-street parking congestion and provide an alternative to illegal parking; and

Similarly, overnight camping or resting (in your vehicle) is prohibited in City and URA parking lots, parks and in city street right-of-way; and

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Given court cases, to provide additional legal places for persons to rest, Council recently amended the overnight camping prohibition to expand the permitted camping exception to include in-vehicle camping / resting on lots owned by not-for profit entities under certain specified conditions (expanding the previous allowance under state law which was restricted to religious institutions). (See LCMC 9.08.055)

As an additional option, Council would like to designate certain public parking spaces for emergency in-vehicle overnight camping / resting, subject to conditions, including but not limited to time limitations and a permit requirement; and

The City Council finds and determines that there is a public benefit to establishment of parking controls (metered overnight parking) to alleviate street parking congestion and (limited overnight camping / resting) in certain public parking locations owned or controlled by the City and Urban Renewal Agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. IMPOSING TRAFFIC AND PARKING CONTROL – OVERNIGHT PARKING.

A. Effective upon posting of required signage, described below, “Overnight Parking with a Permit” spaces are hereby authorized and approved in the city and URA owned or controlled lots listed on Attachment 1. The Manager, after consultation with the City Engineer, shall be solely responsible for designation of spaces, not to exceed two spaces per lot.

1. The lot shall be signed:

**No Overnight Parking
Except in authorized spaces
with a valid 48 hour permit.
Class C Violation.**

**Any parking use of this lot
for more than 24 hours, without a
permit, is Prohibited Storage.
Class B Violation.**

2. The Overnight Space shall be signed or marked:

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**This space designated
for Overnight Parking.
A valid 48 hour permit
must be displayed.**

- 3. Overnight Permits may be obtained through an authorized City vending machine or from the City Hall Finance Department upon payment of the appropriate permit fee [Initially the fee for a permit issued by the Finance Department for one 48 hour period shall be \$50.00]. Possession of a permit does not assign or reserve an overnight space – all designated overnight spaces are available to permit holders on a first- come first- serve basis. Permits must be clearly displayed.
- 4. Overnight Parking is a Class C violation, not an overtime parking violation. Overnight Parking in a designated overnight space without a permit, is a Class B violation. Exceeding the permit time (over 48 hours) is Prohibited Storage, a Class B violation. Moving to another public parking space in the City does not avoid the storage violation. Overnight Parking is at the vehicle owner’s own risk; the City does not provide security for vehicles parked overnight in city or urban renewal lots.
- 5. The City Manager is hereby directed to cause appropriate signage for the designated metered spaces to be installed and further to install meters or permit issuance machines or alternatively implement an annual permit process. The Manager may use alternate wording on the signage.

SECTION 3. IMPOSING TRAFFIC AND PARKING CONTROL – OVERNIGHT RESTING / IN-VEHICLE CAMPING.

- B. Effective upon posting of required signage, described below, “Overnight Camping / Resting with Permit” spaces are hereby authorized and approved in the City and URA owned or controlled lots listed on Attachment 1. The Manager, after consultation with the City Engineer, shall be solely responsible for designation of spaces, not to exceed one space per lot.
- 1. The Lot shall be signed:

**No Overnight Camping / Resting in vehicle
Except in authorized space
with a valid permit.**

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**Any use of this lot
for more than 24 hours
is Prohibited Storage.
Class B Violation.**

2. The overnight Space shall be signed or marked:

**THIS SPACE ONLY Designated for
Emergency Overnight [2:30 am -5:00 am]
Resting In-Vehicle with a
Permit from the Police Department.
Vacate space by 9:00 A.M.**

**Any use of this lot
for more than 24 hours
is Prohibited Storage.
Class B Violation.**

**Contact Police Department
for Permit 541-994-3636.**

3. LCMC 9.08.055.A.3 expressly authorizes overnight camping in-vehicle resting if set forth in an approved traffic & parking control resolution. Overnight Camping / Resting in a designated overnight space without a permit, is a Class C violation. Failure to vacate an Overnight Camping / Resting space by 9:00 a.m. after permitted overnight use is a Class B violation.

4. The City Manager is hereby directed to cause appropriate signage for the designated spaces to be installed and further to implement a permit process at the appropriate city department. The Manager may use alternate wording on the signage.

SECTION 4. THIS RESOLUTION DOES NOT AUTHORIZE OVERNIGHT PARKING OR CAMPING IN BEACH ACCESS LOTS OR ON THE OCEAN SHORE.

SECTION 5. EFFECTIVE DATE. This Resolution is effective as of the date of its adoption.

PASSED AND APPROVED by the City Council of the City of Lincoln City, Oregon, this 13th day of December 2021.

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SUSAN WAHLKE, COUNCIL PRESIDENT

ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

RICHARD APPICELLO, CITY ATTORNEY

Call Us: (855) 290-4631 | Mon-Fri - 8:30am - 7pm EST



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SysParc Pay Parking Station (Model PS-2020) | SYS-PS2020

SYSPARC SKU: SYS-PS2020



From Price: **\$17,952.00**

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Model XP2020N Express Exit Pay Station | SYS-XP2020NEW

SYSPARC SKU: SYS-XP2020NEW



From Price: **\$10,500.00**

[Request Quote](#)

- ✓ Pickup available at 6929 NW 52nd Street
Usually ready in 24 hours
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Council Communication

Resolution 2022-02 Traffic and Parking Control Resolution - Emergency Overnight Resting

Meeting Date:	January 10, 2022	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Lila Bradley
Approval:	Lila Bradley	Estimated Time:	

Resolution 2021-46 continued from December 13, 2021 has been divided into two Resolutions, 2022-01 and 2022-02 - one concerning overnight parking [01] and one concerning overnight in vehicle resting [02].

Question:

Does the Council wish to approve Resolution 2022-02 authorizing the City Manager to designate overnight resting spaces in certain City and URA parking lots?

Background:

For more background, please review the December 14, 2020 Council Communication Item M.2.

The following motion passed on December 14, 2020:

Motion to direct staff to create a limited number of overnight camping spaces, with restrictions, in city parking lots and prepare appropriate traffic control resolutions.

Excerpted Portions of the prior Council communications concerning Overnight Camping/ Resting-in-Vehicle are set forth below:

Allowing some overnight in-vehicle camping /resting in a limited number of designated parking spaces in City lots may help protect the city's camping ordinance from challenge. Overnight (2:30 am– 5:00 am) in vehicle camping /resting is not permitted in city rights-of-way, streets, parks or lots. If this law is overturned - overnight camping would occur throughout the city. A limited number of spaces, scattered around various city lots, should help avoid legal challenges by providing a legal place to persons to rest during overnight hours. Distribution around town (combined with time limits – e.g. overnight user must vacate by 9 am] should help avoid impromptu encampments.

* * *

Overnight Camping.

The City prohibits overnight camping (between 2:30 a.m. and 5:00 a.m.) in city right-of-way, as well as city lots and parks. There are exceptions to the prohibition, including emergency resolutions, traffic and emergency orders. Earlier this year, at the outset of the COVID crisis, an emergency order was issued and later ratified and supplemented, permitting the designation of several individual parking spaces in the Taft parking lot for overnight in-vehicle use – that is, a legal place for someone to rest in their vehicle between 2:30 and 5:00 am.

The Order provided relief over the summer to those in need of a place to rest. Unfortunately, persons with large and expensive recreational vehicles in search of free storage and some in search of free recreational camping opportunities have overtaken the lot and the authorized spaces - parking in unauthorized spaces and even across several authorized spaces, converting the safety valve for those in need to a free, albeit illegal, camping spot. The governor's recent COVID freeze orders impacts this excessive and improper use of the lot and the manager has decided to order the lot closed to comply with the governor's order.

Council may want to consider whether or not a space or two in several of the City's parking lots (or even in designated rights-of-way) should be marked for such "rest in vehicle" use. One or two spaces marked "2:30 am-5:00 am in-vehicle use authorized" in several lots spread across the city (as opposed to a dozen in one lot) should provide relief for those in need of a place to rest but avoid the COVID risk and nuisance of an illegal campground.

Attachments:

RESOLUTION 2022-02 attachment (DOCX)
Resolution 2022-02 in-vehicle resting (DOC)

RESOLUTION 2022-02 ATTACHMENT 1.

LIST OF LOTS ELIGIBLE FOR AN OVERNIGHT RESTING SPACE [2:30 AM - 5:00 AM]

NE 15th Street

NW 15th and 16th Street

NW 17th Street

SE 3rd Street

SE Inlet Avenue

SW 29th Street @ 101

SW 50th and 51st Street

SW 50th Street

RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE CITY MANAGER TO DESIGNATE A LIMITED NUMBER OF OVERNIGHT CAMPING / RESTING SPACES IN SOME CITY AND URBAN RENEWAL PARKING LOTS

RECITALS

Pursuant to LCMC 10.08.010, the City Council may exercise Traffic Control and Parking Control authority by Resolution of the Council; and

The establishment of parking limitations is expressly listed as within the authority of the City Council; and

In December 2020 Council passed a series of motions concerning traffic control studies and actions; one of those motions concerned overnight camping; and

For purposes of parking and camping, the term "overnight" is defined as between 2:30 a.m. and 5:00 a.m. Overnight (2:30 am – 5:00 am) camping or resting in your vehicle is prohibited in City and URA parking lots, parks and in city street right-of-way; and

To provide additional legal places for persons to rest, Council recently amended the overnight camping ordinance to expand the permitted camping exception to include in-vehicle camping / resting on lots owned by not-for profit entities under certain specified conditions (expanding the previous allowance under state law which was restricted to religious institutions). (See LCMC 9.08.055)

As an additional option, Council would like to designate certain public parking spaces for emergency in-vehicle overnight (2:30 am – 5:00 am) resting, subject to conditions, including but not limited to time limitations and a permit requirement; and

The City Council finds and determines that there is a public benefit to establishment of limited overnight camping / resting allowances, by permit, in certain public parking locations owned or controlled by the City and Urban Renewal Agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. IMPOSING TRAFFIC AND PARKING CONTROL – OVERNIGHT RESTING / IN-VEHICLE CAMPING.

1 A. Effective upon posting of required signage, described below, "Overnight
2 Camping / Resting with Permit" spaces are hereby authorized and approved in
3 the City and URA owned or controlled lots listed on Attachment 1. The Manager,
4 after consultation with the City Engineer, shall be solely responsible for designation
5 of spaces, not to exceed one space per lot.

6
7 1. The Lot shall be signed:

8
9 **No Overnight Camping**
10 **Emergency Overnight resting in-vehicle**
11 **in authorized space with a valid permit .**
12 **Contact Police Department**
13 **541-994-3636**

14
15 **Any use of this lot**
16 **for more than 24 hours**
17 **is Prohibited Storage.**
18 **Class B Violation.**

19
20
21 2. The overnight Space shall be signed or marked:

22
23 **THIS SPACE ONLY Designated for**
24 **Emergency Overnight [2:30 am -5:00 am]**
25 **Resting In-Vehicle with a**
26 **Permit from the Police Department.**
27 **Vacate space by 9:00 A.M.**

28
29 **Any use of this lot**
30 **for more than 24 hours**
31 **is Prohibited Storage.**
32 **Class B Violation.**

33
34 **Contact Police Department**
35 **for Permit 541-994-3636.**

36
37
38 3. LCMC 9.08.055.A.3 expressly authorizes overnight camping in-vehicle
39 resting if set forth in an approved traffic & parking control resolution.
40 Overnight Camping / Resting in a designated overnight space without a
41 permit, is a Class C violation. Failure to vacate an Overnight Camping /
42 Resting space by 9:00 a.m. after permitted overnight use is a Class B
43 violation.

1 4. The City Manager is hereby directed to cause appropriate signage for the
2 designated spaces to be installed and further to implement a permit
3 process at the appropriate city department. The Manager may use
4 alternate wording on the signage.

5
6 **SECTION 4. THIS RESOLUTION DOES NOT AUTHORIZE OVERNIGHT PARKING OR**
7 **CAMPING IN BEACH ACCESS LOTS OR ON THE OCEAN SHORE.**

8 **SECTION 5. EFFECTIVE DATE.** This Resolution is effective as of the date of its
9 adoption.

10
11 **PASSED AND APPROVED** by the City Council of the City of Lincoln City, Oregon, this
12 10th day of January 2022.

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14 _____
15 SUSAN WAHLKE, COUNCIL PRESIDENT

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17 ATTEST:

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21 JAMIE YOUNG, CITY RECORDER

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23 APPROVED AS TO FORM:

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27 RICHARD APPICELLO, CITY ATTORNEY

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Council Communication

Outside City Committee and City Committee Appointments

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 Min

Question:

Should the Mayor with the consent of Council update the appointments of individual Council members to represent the City on various outside agencies and boards and assign interview responsibilities?

Staff Recommendation:

Staff recommends the Mayor and Council review the various vacancies and make the necessary appointments and interview assignments.

Authority:

LCMC 2.04.070 provides:

The mayor shall appoint, from among the members of the council, members of ad hoc committees, when the need for a committee arises.

LCMC 2.06.015 C. provides:

C. Selection of Individual Interviewers or Interview Subcommittees.

1. Two councilors shall be appointed by the mayor at a regularly scheduled city council meeting to conduct interviews for open positions. Groups of two can be appointed for multiple openings.
2. Unless otherwise stated at the time of appointment, the interviewer appointments shall be for individual councilors to conduct interviews and provide council with individual recommendations (i.e., the councilors are not a part of an interview subcommittee and shall not deliberate or discuss the applicants except when giving their individual reports to council).

- 3. Nothing herein prohibits the mayor and council from conducting interviews and making recommendations to council as an interview subcommittee (requiring public meeting notice).
- 4. Nothing herein prohibits council from electing to conduct interviews of all applicants at a regular or special city council meeting.
- 5. Notwithstanding the above, the planning commission and budget committee applicants shall be interviewed at a regular or special city council meeting.

Background:

Item 1:

See the attached list of outside agencies needing a City representative. With the resignation of Councilor Skinner and Councilor Hinton, there are several positions available. Those interested in positions should volunteer.

Previously the Mayor has made these appointments during the City Council meeting.

Item 2:

The Mayor has also appointed individual Councilors to interview applicants for committee and board appointments. Normally two Councilors are appointed. We do not currently use subcommittees for interviews – if Council wants to use subcommittees, such interviews must be noticed under public meetings law.

Committee Applicant Interview assignments:

Committee	City Council member 1	City Council member 2
Arts Committee		
Library Board		
Parks Board		
Sustainability Committee		

Budget Committee – Interview by the City Council
 Planning Commission – Interview by the City Council

Mayor and Council Options:

- 1) Appoint / Re-appoint interested Councilors to positions and make assignments for interviews.

Attachments:

20210830 Revised -Outside Agency Committee List (2).pdf (PDF)
Boards and Committees List For Interviews.pdf (PDF)

**OUTSIDE CITY COMMITTEES/BOARDS/COMMISSIONS
WITH CITY REPRESENTATION
Revised August 30, 2021**

1. **Lincoln County State Transportation Improvement Fund Advisory Committee (LCSTIFAC)**
 - City Rep** : Councilor Riley Hoagland (Council Appointment required)
 - Alternate** : Councilor Rick Mark (Council Appointment required)
 - Meets** : 3rd Thursday of January, April, July and October at 3:00 pm
 - Term** : Expires - Three year terms
 - Location** : Newport Chamber of Commerce
 - Purpose** : Committee consists of representatives from all cities, and members at large, who give direction on matters relating to the Lincoln County Transit Service District.

3. **Regional Solid Waste Disposal Service District Advisory Committee (SWAC)**
 - City Rep** : Councilor Judy Casper (Council Appointment required)
 - Alternate** : Councilor Anne Marie Skinner (Council Appointment required)
 - Term** : Remains until resigns
 - Meets** : Occasionally
 - Location** : Newport City Hall
 - Purpose** : To advise the district on long-range planning for solid waste disposal, recycling education and promotion, and illegal dumping enforcement.

4. **Lincoln County Solid Waste Consortium (Agate Beach Landfill Closure)**
 - City Rep** : Debbie Bridges, Finance Director
 - Alternate Rep:** Scott Morgan, Finance Manager
 - Term** : Until resigns
 - Purpose** : Managing the long-term fund for closure of the Agate Beach Landfill.

5. **Oregon Coastal Zone Management Association (OCZMA)**
 - City Rep.** : Councilor Rick Mark (Council Appointment required)
 - Alternate** : Councilor Riley Hoagland (Council Appointment required)
 - Term** : Until resigns
 - Meets** : Meet quarterly
 - Location** : Varies.
 - Purpose** : Concentrates on a wide range of federal, state, and local issues that are uniquely coastal in nature – ports (continued dredging of the coastal harbors), fisheries (salmon disaster assistance and other fishery related work important to the Oregon Coast, coastal zone management and land use, ocean planning (issues such as marine protected areas, marine sanctuaries, wave energy, etc.), coastal tourism, coastal hazard issues (tsunamis, earthquakes, and landslides), coastal economics, coastal telecommunications and

coastal transportation. Also works closely with the Oregon’s Congressional Delegation and Oregon’s State Legislators representing the Oregon Coast relating to these issues.

Note : Cost to City is \$500/year

6. Cascade West Area Commission on Transportation (CWACT)

- City Rep.** : Councilor Rick Mark (Council Appointment required)
- Alternate** : Councilor Mitch Parsons (Council Appointment required)
- Term** : 2 years (expires December 31, 2022)
- Meets** : About every 60 days
- Location** : Albany in person; or drive to Toledo and attend via teleconference at the Cascade West Council of Government office.
- Purpose** : Commission consists of officials from city and county agencies in Linn, Benton and Lincoln Counties. This agency is the city’s link to the Oregon Department of Transportation.

7. Cascade West council of Governments (CWCOG) – Executive Board

- City Rep.** : Councilor Riley Hoagland (Council Appointment required)
- Alternate** : Councilor Anne Marie Skinner (Council Appointment required)
- Meets** : Monthly with no set calendar
- Term** : Remains until resigns
- Location** : Albany (attends via video conference from Toledo)
- Purpose** : Oversees and approves policy decisions proposed by staff

8. Village at Sitka Woods Homeowner’s Association (VCHHOA)

- President** : Councilor Diana Hinton (Council Appointment required) (Councilor Casper)
- Board Mem.** : Councilor Mitch Parsons (Council Appointment required)
- Meets** : Annually
- Term** : Remains until resigns

9. Mid-Willamette Valley Area Commission on Transportation (MWVACT)

- City Rep** : Councilor Riley Hoagland (Council Appointment required)
- Alternate** : Councilor Rick Mark (Council Appointment required)

Boards and Committees List For Interviews

Arts Committee:	Councilor Hoagland & Councilor Parsons
Library Board:	Councilor Casper & Councilor Mark
Parks Board:	Councilor Starmer & Councilor Parsons
Sustainability Committee:	Councilor Hoagland & Councilor XXXXXXX

*****Interview for candidates applying to serve on the Budget Committee and Planning Committee are performed by the entire Council. *****

Council Communication

Appointment to the Budget Committee - Multiple Applicants

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Who should the City Council approve the re-appointment/appointment for "City Resident" and "City Resident" positions on the Budget Committee?

Staff Recommendation:

Mr. Michelson has not served on the Budget Committee. Council interviewed Mr. Michelson via Zoom on October 25, 2021. Mr. Michelson is a registered voter, verified through the County Elections Office. Mr. Michelson qualifies for both positions as a City Resident.

Mr. Folz has not served on the Budget Committee. Council interviewed Mr. Folz via Zoom on December 13, 2021. Mr. Folz qualifies for both positions as a City Resident.

Mr. Smith has not served on the Budget Committee. Council interviewed Mr. Smith via Zoom on December 13, 2021. Mr. Smith qualifies for both positions as a City Resident.

Background:

The Budget Committee currently has two (2) vacant positions for "City Resident". The positions expired at the end of December 2021.

Council Options:

Review and discuss the recommendation for re-appointment/appointment of "City Resident" positions on the Budget Committee for a terms expiring December 31, 2024.

Potential Motions:

1. I move to re-appoint/appoint _____ to the Budget Committee Board for a "City Resident" position with a three-year term. The term expires December 31, 2024.

2. I move to re-appoint/appoint _____ to the Parks and Recreation Board for a "City Resident" position with a three-year term. The term expires December 31, 2024.

<u>Applicants</u>	<u>Interview Date</u>
<i>Marty Michelson</i>	<i>10/25/2021</i>
<i>Adam Folz</i>	<i>12/13/2021</i>
<i>Ross Smith</i>	<i>12/13/2021</i>

Attachments:

- Michelson Marty Budget Committee Application_Redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-Marty Michelson.pdf (PDF)
- Committee applicant-Marty Michelson ref 1 completed.pdf (PDF)
- Committee applicant-Marty Michelson ref 2 completed.pdf (PDF)
- Folz, Adam Application_Redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-Adam Folz Planning-Budget.pdf (PDF)
- Committee applicant-Adam Folz ref 1-completed.pdf (PDF)
- Committee applicant-Adam Folz ref 2 completed.pdf (PDF)
- Smith, Ross_Budget Committee Application redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-Ross Smith--Budget.pdf (PDF)
- Committee applicant-Ross Smith ref 1 completed.pdf (PDF)
- Committee applicant-Ross Smith ref 2 completed.pdf (PDF)



CITY OF LINCOLN CITY

Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Arts Committee
<input checked="" type="checkbox"/> *Budget Committee
<input type="checkbox"/> Building Board of Appeals
<input type="checkbox"/> Community Sustainability Committee
<input type="checkbox"/> Library Board | <input type="checkbox"/> Open Space Committee
<input type="checkbox"/> Parks and Recreation Board
<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Transient Room Tax Committee
<input type="checkbox"/> Explore Lincoln City Committee |
|---|--|

* If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.

NAME:	Marty Alan Michelson	DATE:	08/30/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	[REDACTED]		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

- Do you reside within the City limits: Yes Length of Time 6 months
- Do you reside within the Urban Growth Boundary? Yes Length of Time _____
- Do you reside within the Lincoln County School District North: Yes No
- Are you a registered voter in Lincoln County? Yes No
- Are you a Lincoln City business owner or Manager? Yes No
- If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

My wife and I have owned numerous non-owner occupied rental properties in multiple states.

List names of volunteer/work supervisors:

Zoe Pearson, Clinical Supervisor as Therapist, Yamhill County

Stephen Vandervort, Peace & Justice initiative in Oklahoma

Please provide any previous experience with committees, boards or commissions and positions held:
University committies and non-profit service agencies in the State of Oklahoma 25 years

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

N/A.

Explain why you would like to serve on this board, commission, or committee:

I believe in the ethics of civil service and equitable, just and kind citizenship.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Stephen Vandervort Phone: [REDACTED]

Name: Michele Kirkpatrick Phone: [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

DocuSigned by:
[REDACTED]

SIGNATURE

08/30/2021

DATE



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Marty Alan Michelson
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	

DATE:	08/30/2021
VOLUNTEER SIGNATURE:	DocuSigned by: [REDACTED] CD446C017AB4C...

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

The City of Lincoln City ("the City") to which you have applied for employment, may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment, or application for employment (including independent contractor or volunteer assignments, as applicable).

An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics or mode of living. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the City.

You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: October 4, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Marty Michelson
Position Applied For: Budget Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK - COMMITTEES

Reference regarding: Marty Michelson (**Budget Committee Board**)

Reference: Stephen Vandervort - [REDACTED]

Reference taken by; date / time: September 30, 2021

- What is your professional relationship with the applicant?
 - *We've worked together, volunteered together and have studied in a University setting together.*
- How long have you known him/her?
 - *I have known Marty Michelson since 2005.*
- How long have you worked / served with him/her?
 - *I studied with Marty from 2005-2009, then volunteered alongside Marty from 2008-to present.*
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
 - *I have not hired Marty for a position. If we were in the same line of work, I would undoubtedly hire Marty to work with or for me as he is one of the most dependable humans I've worked with. He's diligent with a strength for detail and quick turnaround time.*
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Planning Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget Committee?
 - *To my knowledge, Marty has served on non-profit boards, yes. He's also served on house of worship committees in a volunteer role. He would be an excellent addition to the budget committee.*
- Does the applicant possess good decision making / reasoning skills?
 - *Yes.*
- Does the applicant have good communication / interpersonal skills?
 - *Excellent, yes.*



Human Resources

- Is he/she responsible and reliable?
 - *Extremely, yes.*

- What are his/her strongest skills? Does he/she possess any special skills?
 - *Marty is able to communicate with anyone. He is very personable. But he couples that with being extremely professional and dedicated.*

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
 - *To my knowledge, Marty has only ever given up an obligation due to geographical relocation.*

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget Committee?
 - *If you provide Marty with clear expectations and goals for his involvement, he will undoubtedly go above and beyond.*

- Do you have any other feedback you could provide that would help us make a decision?
 - *You should absolutely choose Marty!*



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Marty Michelson (**Budget Committee Board**)

Reference: Michele Kirkpatrick

Reference taken by; date / time: September 30, 2021

- What is your professional relationship with the applicant? I have a personal friendship with the applicant. He is a close friend.
- How long have you known him? Since 1985, which is 36 years
- How long have you worked / served with him? I have not served with him. As his friend I know he has served and loved people well in all areas and aspects of his life.
- Did you hire or select him? No, If not, would you select him given the opportunity to do so? Yes, I most certainly would select him for almost anything as he is gifted in a myriad of ways.
- Do you have personal knowledge of the applicant serving on any boards? No

If not, would serving on our Planning Committee be a good match based on your knowledge of the applicant? Yes, definitely so as he is a forward thinker, a great problem solver and creative and compassionate in his approaches.

Would you recommend him/her for the Budget Committee? Yes, he has always been fiscally responsible and invests wisely. He is also generous.

- Does the applicant possess good decision making / reasoning skills? He is a great decision maker and uses logic and reasoning balanced with compassion and empathy.
- Does the applicant have good communication / interpersonal skills? Incredibly strong in both communication and interpersonal skills.
- Is he/she responsible and reliable? He always does what he says he will do.



Human Resources

- What are his strongest skills? He is super energetic and very organized in his planning and processing actions
 - Does he possess any special skills? Yes, he is a unity builder, and supports resilience building in multifaceted ways

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? N/A

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget Committee? No, he is very fit and gifted to serve in this way.

- Do you have any other feedback you could provide that would help us make a decision? I am 100% confident that your committee will be delighted by and benefit from adding Marty to bring advances to your community and families.

CITY OF LINCOLN CITY
Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- Arts Committee

 Parks and Recreation Board
 *Budget Committee

 Planning Commission
 Community Sustainability Committee

 Library Board

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Adam Folz	DATE:	11/17/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	Lincoln City, OR 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	NA	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time ___ 4 months _____

Do you reside within the Urban Growth Boundary? Yes Length of Time ___ 4 months _____

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No If yes, please indicate which business you own/manage? _____

Revised 20210527



QUALIFICATIONS/EXPERIENCE *(Additional space is provided on back)* Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

I served as a volunteer in the U.S. Peace Corps from 2009-2011. I was stationed in Belize where I worked as a business development officer and environmental liaison for rural communities around the country all while partnered with the Belize Audubon Society. The majority of my work focused on grant research and educating villages on the importance of sustainable farming practices. For the last 6 years I have worked in commercial real estate finance helping property owners acquire, refinance and develop commercial real estate nationwide. I also have a degree from Cal Poly-San Luis Obispo in Agricultural Business Management and served on the board of directors of the Alumni Association's Los Angeles Chapter.

List names of volunteer/work supervisors:

Nina Hernandez- U.S. Peace Corps Country Director, Belize

Valentino Shal- U.S. Peace Corps Program Director, Belize

Amanda Burgos-Acosta- Belize Audubon Society, Director

Ben Dunbar- Cal Poly Alumni Association Los Angeles Chapter, President

Lizka Mendoza- Westwood Recreation Center, Senior Recreation Director

Please provide any previous experience with committees, boards or commissions and positions held:

I served on the board of the Cal Poly Alumni Association's Los Angeles Chapter for two years. I also served as the Chairman of the Board of the Westwood Dog Park Committee which was the driving force behind the development of a dog park in Veterans Park in West, Los Angeles. As Chairman I had to conduct regular public meetings following Robert's Rules of Order as well as coordinate efforts with multiple volunteer organizations and the Los Angeles Department of Recreation and Parks.

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

NA

Explain why you would like to serve on this board, commission, or committee:

I have always tried to be active and give back in the communities where I've lived and volunteering in city government seems like an exciting and challenging opportunity. My Father worked as a City Manager his entire life and the mechanics of local government have always intrigued me.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Michael Kaplan (President of Slatt Capital) [Redacted]

Phone: [Redacted]

Name: Rod Wood (Father) [Redacted]

Phone: [Redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[Redacted Signature] 11/17/2021

SIGNATURE 20210527
DATE

2 of 2 – Application Revised



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Adam Folz
START DATE:	11/17/2021
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Planning Commission or Budget Committee
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
	Lincoln City, OR 97367
MAILING ADDRESS:	Same as above
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]

DATE:	11/17/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL





**FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION
FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY
APPOINTED BODY**

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

[REDACTED SIGNATURE]

SIGNATURE DATE



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: November 24, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Adam Folz
Position Applied For: Budget and Planning Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Adam Folz (**Budget, Planning Committee Board**)

Reference: Michael Kaplan

Reference taken by; date / time: November 19, 2021

- What is your professional relationship with the applicant?
Adam is a mortgage banker working for my company Slatt Capital.
- How long have you known him/her?
Adam has been a member of our firm since 2015, but I had previously known him before he joined our firm through mutual friends.
- How long have you worked / served with him/her?
Since 2015
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? **I personally hired him for the position.**
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Budget & Planning Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget Committee?
Previous Board position was with CalPoly Alumni Association Los Angeles Chapter and was previously the chairman for Westwood Dog Park Committee in West Los Angeles.
- Does the applicant possess good decision making / reasoning skills?
Yes.
- Does the applicant have good communication / interpersonal skills?
Yes.
- Is he/she responsible and reliable?
Yes.
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
Adam is extremely punctual, engaging, and selfless. He has been a great member of our firm and has shown to be a team player. He is organized and a forward thinker.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? **Not applicable.**
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget & Planning



Human Resources

Committee? **Adam is a solid communicator and writer. I do not have any suggestions on what would need to be provided to Adam to perform his duties. I think as long as you communicate clearly what the goals of the committee are, he will perform well.**

- Do you have any other feedback you could provide that would help us make a decision?
Adam is part of our young leadership group at Slatt Capital. Ownership relies heavily on this group for ways to improve our firm from a technological, social and financial perspective.



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Adam Folz (**Budget, Planning Committee Board**)

Reference: Rod Wood

Reference taken by; date / time: November 19, 2021

- What is your professional relationship with the applicant?

I am a retired city manager who spent ten years as a city planner and 30 years in city management. I continue to provide consulting to public agencies. In full disclosure I am his stepfather and have been since he was one years old. I have offered Adam both life and professional counsel. I use the word counsel because we most frequently I cased him more then directed him. He is very effective at reasoning through issues when presented with the facts and valid experience-based advice. He is a person you don't have to direct; you need to simply explain the facts and circumstances and he gets it.

How long have you known him/her?

40 years

- How long have you worked / served with him/her?

40 years

- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?

While I have not hired or technically worked with Adam, I have and still do frequently seek his viewpoint on issues. Because he thoroughly understands government affairs but is not burdened by the bureaucratic perspective, he often adds an assessment that can present latent community issues. For the record, I often sought other people's views including individual elected and appointed officials to assure the end work product is as comprehensive and inclusive of all issues and presents all the facts the decision-making body needs to make fully informed



Human Resources

decisions. This is a trait I believe Adam also has developed. Said differently, that 5 people can almost always out-think one every time hence the foundation of teams.

- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Budget & Planning Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget Committee?

He has a lifetime of observing and discussing municipal matters in depth. It was something we both enjoyed doing. He frequently offered up some very good perspectives on things. I consider him an excellent candidate for the Budget Committee and a solid choice for prudent review and consideration of land use matters.

- Does the applicant possess good decision making / reasoning skills?

He is very intelligent and very through in reasoning through issues before forming conclusions. He makes sound judgments based on facts and the defined criteria. He is gifted at finding solutions to difficult problems and to use a cliché he can “think outside the box” to find those solutions. He was often the go to person in the Peace Corps to contribute ideas to tough problems.

- Does the applicant have good communication / interpersonal skills?

This is one of his truest strengths, people like and trust him.

- Is he/she responsible and reliable?

He is one of those people not hesitant to spend whatever time and effort is needed to get the job done. He will do his homework. He cares most about solving the problem and not recognition hence is a good team member.

- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?

He is a very creative problem solver and will pursue a matter until it is resolved. He is also a pragmatist in assessing the tradeoffs involved with different options to the problem.

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?



Human Resources

This is not applicable to this position.

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget & Planning Committee?

The issues, history, and facts relevant to the issue.

- Do you have any other feedback you could provide that would help us make a decision?

He is grateful for all he has received and enjoys giving back to community. It was core to his decision to join the Peace Corps, serve on the Chapter Board for Calpoly Alumni and serve on the Dog Parks Committee for the City of Los Angeles. I believe any community would be pleased and fortunate to have him or anyone like him on a commission od board.



CITY OF LINCOLN CITY
Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|---|---|
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> *Budget Committee | <input type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Transient Room Tax Committee |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Explore Lincoln City Committee |

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Ross Smith	DATE:	11/17/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	[REDACTED]		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time years

Do you reside within the Urban Growth Boundary? Yes Length of Time years

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? Ross R. Smith (city/state DBA)



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Prepared annual budgets, and Reserve Study materials as President of our HOA for years.
Long-term rental management (30+ years), Microsoft Excel expert (30+ years). Back-end web site developer (20+ years). Strong project management skills.

List names of volunteer/work supervisors:

Jesse Noble [redacted] Operation Manager, Lincoln County Vaccine Clinics.
Rob Dahlman [redacted] Fire Chief, North Lincoln Fire and Rescue.
Jain Sekular [redacted] Production Manager, Siletz Bay Music Festival.

Please provide any previous experience with committees, boards or commissions and positions held:
President, 832 Euclid St Homeowners Association.

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

I have met Councilor Rick Mark as he is my neighbor down the street. I have had discussions with Ward III Councilor Judy Casper and Mayor Susan Wahlke at several public events.

Explain why you would like to serve on this board, commission, or committee:

I want to be in service to our community. I have strong budgeting and financial modeling skills and can make a real contribution. I am effectively retired, so I have time to delve into complex issues. Several friends have asked that I serve. It is very rewarding to volunteer.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Jesse Noble [redacted] Phone: [redacted]

Name: Rob Dahman [redacted] Phone: [redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[Redacted Signature]

Digitally signed by Ross Smith II
Date: 2021.11.17 10:57:39 -08'00'

11/17/2021

SIGNATURE

DATE



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Ross Ronald Smith
START DATE:	1/1/2022
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Budget
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	[REDACTED]

DATE:	11/17/2021
VOLUNTEER SIGNATURE:	[REDACTED] Digitally signed by Ross Smith II Date: 2021.11.17 10:58:01 -08'00'

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

The City of Lincoln City ("the City") to which you have applied for employment, may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment, or application for employment (including independent contractor or volunteer assignments, as applicable).

An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics or mode of living. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the City.

You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.



**FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR
BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED
BODY**

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

Digitally signed by Ross Smith II
Date: 2021.11.17 10:58:25
-08'00'

11/17/2021

SIGNATURE

DATE



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: November 24, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Ross Smith
Position Applied For: Budget Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Ross Smith (**Budget Committee Board**)

Reference: Jesse Noble

Reference taken by; date / time: November 19, 2021

- What is your professional relationship with the applicant?
I oversee the mass and mobile Covid 19 vaccination clinics for Lincoln County; Ross has been a dedicated volunteer in data entry and scheduling.

- How long have you known him/her?

Ross has volunteered with us since the beginning of vaccination clinics, so early January, 2021

- How long have you worked / served with him/her?
I did not know Ross prior to the clinics, but he has been one of our most dedicated and reliable volunteers since they began. We are beyond grateful for his work. He has not only mastered the Alert system via our training and instruction, but he has gone above and beyond to study the system and learn more of it's in-depth processes in his free time, and now assists in training new volunteers, and keeping us all updated to the system's ever changing functions.
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
I did not; volunteers signed up for positions, however, had I the opportunity to do so, I would ABSOLUTELY hire Ross. As someone who admittedly lacks computer skills, I rely on Ross's knowledge and abilities a great deal during clinics.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Budget Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget Committee?
I do not have any personal knowledge pertaining to this, but gauging by his capabilities in client services, his calm demeanor in the face of challenges, and his skill with computer systems and numbers, he would be an excellent candidate for the budget committee.
- Does the applicant possess good decision making / reasoning skills?
Very much so! The ALERT system changes frequently when vaccines do, and often does not keep up with Covid vaccinations as they evolve. Ross is always able to troubleshoot a solution, and



Human Resources

when one simply can't be found, (as can be the case when dealing with a novel virus and constant technological updates that accompany it), he makes himself available to double check files, re-enter data, and ensure all info is properly accounted for when the system allows.

- Does the applicant have good communication / interpersonal skills?
His interpersonal skills are wonderful! He is a very effective communicator and remains calm under all circumstances. He is an incredibly kind person, very easy to work with, and I very much enjoy having him as part of my team.
- Is he/she responsible and reliable?
Extraordinarily so. He will take on extra tasks if needed, assist those who need training or guidance, and goes out of his way to ensure that any and all team needs are met.
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
Ross is just a great person! He is punctual, works efficiently and independently, but is also an amazing team member who truly puts the good of the whole first. His feedback on our data systems, ability to chart our progress and efficacy, and willingness to step up and guide others have been invaluable. Anyone who gets the opportunity to hire or work with Ross is very lucky, he makes all of our jobs easier, and does so with a smile, even in the face of challenges.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
He still volunteers with s regularly. He is here now, in fact!
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget Committee?
Ross is a self-motivated employee; he wants to do his best, and will go out of his way to make sure that he has learned everything he can about your organization, the role he will play, and how that position effects the entirety of his team, so that he can be as effective and efficient as possible. If you provide him with information, he will soak it up like a sponge, then seek out more. He requires very little guidance, but the more you provide, the more he will learn.
- Do you have any other feedback you could provide that would help us make a decision?
You will be hard-pressed to find a better candidate than Ross. He is a wonderful person, a joy to work with, reliable, professional and possesses an absolutely brilliant mind. We at public health



Human Resources

are so grateful he has chosen to share those skills and attributes with us, and I truly hope the budget committee gives him the opportunity to do the same. He would make a wonderful addition to any team!



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Ross Smith (**Budget Committee Board**)

Reference: Rob Dahaman

Reference taken by; date / time: November 19, 2021

- What is your professional relationship with the applicant?
Mr. Smith assisted me with COVID vaccination Clinics doing data entry at registration
- How long have you known him/her?
6 months
- How long have you worked / served with him/her?
6 months
- Did you hire or select him/her? **Yes, he offered his assistance and was recommended by County Public Health.** If not, would you hire/select him/her given the opportunity to do so?
- Do you have personal knowledge of the applicant serving on any boards? **No** If so, please describe. If not, would serving on our Budget Committee be a good match based on your knowledge of the applicant? **Yes** Would you recommend him/her for the Budget Committee? **Yes, he seems like a very knowledgeable person with community service in mind.**
- Does the applicant possess good decision making / reasoning skills?
Yes
- Does the applicant have good communication / interpersonal skills?
Yes
- Is he/she responsible and reliable?
Yes, absolutely
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? **Well organized and very computer literate. He is also a very pleasant person and was well received by the public.**
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? **N/A**
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget Committee?
I believe all he would need to be successful with Budget Committee are the preliminary numbers and justifications.
- Do you have any other feedback you could provide that would help us make a decision? **No**

Council Communication

Appointment to Library Board - Anderson & Folino

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 Minutes

Question:

Should the City Council approve the appointment of Brittany Anderson or Lenny Folino for a position on the Driftwood Public Library Board?

Staff Recommendation:

Staff recommends the Council appointment of Brittany Anderson or Lenny Folino. They have successfully completed the interview/background process, both are City Residents inside the City, and both qualify for the City Resident position.

Background:

The Library Board currently has one (1) vacant position. Councilor Casper and Councilor Mark interviewed Ms. Anderson and Mr. Folino. Councilor Casper and Councilor Mark recommends Ms. Anderson move forward for appointment.

Council Options:

Review and discuss the recommendation for appointment of Brittany Anderson or Lenny Folino to the City Resident position on the Driftwood Public Library Board, for a partial term ending 6/30/2022 plus a full term expiring 6/30/2026.

Potential Motions:

- 1. I move to appoint Brittany Anderson to the Driftwood Public Library Board with a term expiring 6/30/2026.**
- 2. I move to appoint Lenny Folino to the Driftwood Public Library Board with a term expiring 6/30/2026.**

Attachments:

Anderson, Brittany_Redacted.pdf (PDF)

Committee applicant-Brittany Anderson ref 1_FROM JULIE WAGNER-completed.pdf
(PDF)

Committee applicant-Brittany Anderson ref 2 completed.pdf (PDF)

MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-
Brittany Anderson.pdf (PDF)

Folino, Leonard_ Application Multi_Redacted.pdf (PDF)

Leonard Folino-Ref 1-completed_Redacted.pdf (PDF)

MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-
Leonard Folino.pdf (PDF)



CITY OF LINCOLN CITY
Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|--|--|
| <input type="checkbox"/> Arts Committee
<input type="checkbox"/> *Budget Committee
<input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Parks and Recreation Board
<input type="checkbox"/> Planning Commission
<input checked="" type="checkbox"/> Library Board |
|--|--|

FINANCE DEPARTMENT

NOV 18 2021

CITY OF LINCOLN CITY
 LINCOLN CITY, OR

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Brittany Anderson	DATE:	11/17/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:			
CITY, STATE, ZIP:	Lincoln City OR 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	NA	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

- Do you reside within the City limits: Yes Length of Time 5 years
- Do you reside within the Urban Growth Boundary? Yes Length of Time 5 years
- Do you reside within the Lincoln County School District North: Yes No
- Are you a registered voter in Lincoln County? Yes No
- Are you a Lincoln City business owner or Manager? Yes No
- If yes, please indicate which business you own/manage? _____



FINANCE DEPARTMENT

NOV 18 2021

CITY OF LINCOLN CITY
LINCOLN CITY, OR

QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Participation in numerous volunteer boards for government agency (NOAA), local schools, museums. Volunteer for rec sports in Lincoln City. Highly skilled in meeting management and conducting classroom instruction to children and adults. Major hobby consists of reading!

List names of volunteer/work supervisors:

Julie Wagner, NOAA, work supervisor: [REDACTED]
Julie Fiedler, Director St James Santiago School, volunteer supervisor [REDACTED]
Boone Marker, Parks & Rec, volunteer supervisor: [REDACTED]

Please provide any previous experience with committees, boards or commissions and positions held:

NOAA Office of Marine and Aviation Operations, Environmental Management Branch,
outreach volunteer for local schools and events, 2012-present
NOAA Corps Junior Officer Advisory Board, 2015-2017

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

Erik Anderson, spouse, Lincoln City Police Department
Mitch Parsons, neighbor, City Council member

Explain why you would like to serve on this board, commission, or committee:

To offer my enthusiasm for our community, love for our library's services, and contribute my stellar project and meeting management skills to our library board. I possess a unique blend of creativity and innovation alongside a hefty dose of realistic expectations.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Julie Wagner Phone: [REDACTED]

Name: Julie Fiedler Phone: [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[REDACTED] 11/17/2021
SIGNATURE **DATE**



FINANCE DEPARTMENT

NOV 18 2021

CITY OF LINCOLN CITY
LINCOLN CITY, OR

**FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR
BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED
BODY**

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.


SIGNATURE

11/17/2021
DATE



FINANCE DEPARTMENT
 NOV 18 2021
 CITY OF LINCOLN CITY, OR

City Recorder
 City of Lincoln City
 PO Box 50
 Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Brittany Anderson
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Library Board
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	
	[REDACTED]
	Lincoln City OR 97367
MAILING ADDRESS:	same
HOME PHONE:	N/A
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]

DATE:	11/17/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Brittany Anderson (Library Committee Board)

Reference: Julie Wagner

Reference taken by; date / time: November 29, 2021 [8:00AM 12/13/2021]

- What is your professional relationship with the applicant? **I have been Brittany Anderson's direct supervisor since 2016; she worked in my office as a Commission Officer in the NOAA Corps and then again, following resignation of her commission, she returned as a contractor. Before that, she worked as an environmental compliance officer aboard the NOAA Ship Thomas Jefferson, where I was responsible for training and preparing her for some aspects of her duty.**
- How long have you known him/her? **More than 5 years.**
- How long have you worked / served with him/her? **More than 5 years.**
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? **Yes, I did select Ms. Anderson, twice. I selected her first as my employee when she was assigned to the billet in my office as a Commissioned Officer and again when I hired her as a contractor.**
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Library Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Library Committee? **I would absolutely recommend Ms. Anderson for the Library Board. I find her style of engagement and problem-solving to be calm and grounded but very effective. I think she would make a very good board member.**
 - Does the applicant possess good decision making / reasoning skills? **Yes.**
 - Does the applicant have good communication / interpersonal skills? **Yes, this is very strong for BA. Her ability to follow up gently but firmly has been an asset to our office.**
 - Is he/she responsible and reliable? **Yes.**
 - What are his/her strongest skills? **On time, thinks clearly and very organized. Does he/she possess any special skills? I think her strongest skills are her calm, grounded and thoughtful demeanor and her ability to keep track of many items and provide timely follow up to support**



Human Resources

execution. I like having her be responsible for running our meetings (b/c she's relaxed and that helps others to relax) and managing projects ... or perhaps more so 'change management' because she's good at bringing other people along. She can be a very gifted educator/public speaker as well. She is also very good at establishing an inclusive workplaces and values diversity. Her way of supporting diversity and inclusivity is very natural and open-hearted.

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? N/A
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Library Committee? I believe there are many things she could support. Specifically, she could help with organizing projects and running meetings, tracking actions, and drafting procedures/policies. She can also help with establishing a positive and effective group culture. To ensure her success, please give her a respectful workplace and thoughtful appreciation for her work. Give her space to figure out the way she wants to do the work and ... if possible; allow her to work with a team of motivated people. Environments with chronic conflict will hamper her ability to bring her best skills (... so true for most of us).
- Do you have any other feedback you could provide that would help us make a decision? I think this is a very good match.



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Brittany Anderson (**Library Committee Board**)

Reference: Julie Fiedler

Reference taken by; date / time: November 29, 2021

- What is your professional relationship with the applicant?
- How long have you known him/her?
- How long have you worked / served with him/her?
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Library Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Library Committee?
 - Does the applicant possess good decision making / reasoning skills?
 - Does the applicant have good communication / interpersonal skills?
 - Is he/she responsible and reliable?
 - What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
 - If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
 - Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Library Committee?
- Do you have any other feedback you could provide that would help us make a decision?



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: December 13, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

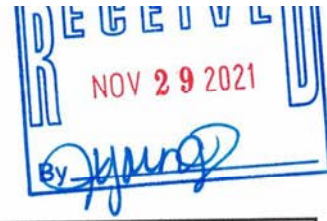
No adverse information was found for the following applicant, and they have passed the background check.

Name: Brittany Anderson
Position Applied For: Library Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



**CITY OF LINCOLN CITY
Committee / Board / Commission Application**

Please indicate which committee/board/commission you are applying for:

- Arts Committee
- *Budget Committee
- Community Sustainability Committee
- Parks and Recreation Board
- Planning Commission
- Library Board

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Leonard Leo Folino	DATE:	11/25/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same as above		
CITY, STATE, ZIP:	Lincoln City OR. 97367-3306		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	None	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

- Do you reside within the City limits: Yes Length of Time 14 months
 - Do you reside within the Urban Growth Boundary? Yes Length of Time 14 months
 - Do you reside within the Lincoln County School District North: Yes No
 - Are you a registered voter in Lincoln County? Yes No
 - Are you a Lincoln City business owner or Manager? Yes No
- If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Volunteer Firefighter / EMT King County Fire District 40
Washington State Fire Training Operations Support Instructor
Black Diamond Community Center / Food Bank and Historical Society Black Diamond WA

List names of volunteer/work supervisors:

Damina Harper [redacted]
Patrica Baucio [redacted]
Keith Watson [redacted]

Please provide any previous experience with committees, boards or commissions and positions held:

Washington State Governor's Committee on Disability Issues and Employment
Washington State Governor's Committee on Disability Issues Out Reach Subcommittee
National Membership Committee OSDIA

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

None

Explain why you would like to serve on this board, commission, or committee:

I enjoy giving back to the community sometimes you can accomplish more and have a greater impact and positive outcome being appointed to a position than if you are an elected official.
I have a lot of available time so why not do something positive with it.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Cheryl Hanson [redacted] Phone: [redacted]
Name: Tony Anderson [redacted] Phone: [redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[redacted] 11/25/2021
SIGNATURE **DATE**



City Recorder
 City of Lincoln City
 PO Box 50
 Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Leonard Leo Folino
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	None
CELL PHONE:	[REDACTED]

DATE:	11/25/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.


SIGNATURE

11/25/2021
DATE



REFERENCE CHECK- COMMITTEES

Reference regarding: Leonard Folino-- (Parks and Recreation, Planning, Library Committee Board)

Reference: Cheryl Hanson

Reference taken by; date / time: November 30, 2021

- What is your professional relationship with the applicant?
I am the director of the BD Community
- How long have you known him/her? *Center and he was one of our*
11 years *best volunteers.*
- How long have you worked / served with him/her?
11 years
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? *He was a volunteer - I miss him and would*
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our **Parks and Recreation, Planning, Library Committee** be a good match based on your knowledge of the applicant? Would you recommend him/her for the **Parks and Recreation, Planning, Library Committee**?
like him back.
- Does the applicant possess good decision making / reasoning skills?
He was the best on the Sons of Italy Board - hard,
- Does the applicant have good communication / interpersonal skills? *loyal, hard worker*
Yes he is an excellent communicator
- Is he/she responsible and reliable?
One of the most reliable people I know - would
work nights + weekends
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? *always on time, thinks fast on his feet,*
*can work with anyone. Very organized. *LOYAL*
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? **Honest*
moved away. I still donate
to our NON profit ;)
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the **Parks and Recreation, Planning, Library Committee**?
Nothing - he is a complete
hard working person



Human Resources

- Do you have any other feedback you could provide that would help us make a decision?

You would be lucky to have Lenny in your organization.

He is fun

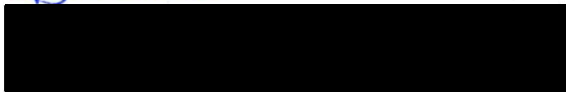
loyal

honest

hard working

Team player

Cheryl Henson
Director - BD CC



Call me if you need more!

Happy Holidays



MEMORANDUM

To: City of Lincoln City Mayor and City Council
From: Abigail Edwards, Human Resources Director
Date: December 10, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Leonard Folino

Position Applied For: Parks and Recreation, Planning, and Library Committee

Human Resources was unable to complete all reference checking due to the following:

- One reference has been unresponsive to the request for information;
- One reference provided a response.

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director

Council Communication

Appointment to Parks and Recreation Board - Multiple Applicants

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Who should the City Council appoint or re-appointment for vacant "City Resident" and "Outside City Resident" positions on the Parks and Recreation Board?

Staff Recommendation:

Mr. Vincent has served on the Parks and Recreation Board- his term expired at the end of December 2021. Councilor Starmer and Councilor Parsons interviewed Mr. Vincent via Zoom on October 22, 2021. Both Councilor Starmer and Councilor Parsons independently asked to move Mr. Vincent's application forward for consideration of a position on the Parks and Recreation Board. Mr. Vincent qualifies for a both positions as a City Resident. Mr. Vincent is currently on the Planning Commission.

Ms. Eddy has served on the Parks and Recreation Board- her term expired at the end of December 2021. Councilor Starmer and Councilor Parsons interviewed Ms. Eddy via Zoom on November 1, 2021. Both Councilor Starmer and Councilor Parsons independently asked to move Ms. Eddy's application forward for consideration of a position on the Parks and Recreation Board. Ms. Eddy qualifies for a both positions as a City Resident.

Mr. Petersen has not served on the Parks and Recreation Board. Councilor Starmer and Councilor Parsons interviewed Mr. Petersen via Zoom on October 22, 2021. Both Councilor Starmer and Councilor Parsons independently asked to move Mr. Petersen's application forward for consideration of a position on the Parks and Recreation Board. Mr. Petersen qualifies for both positions as a City Resident.

Mr. Folino has not served on the Parks and Recreation Board. Councilor Parsons interviewed Mr. Folino via Zoom on December 20, 2021. Councilor Starmer did not interview Mr. Folino. Councilor Parsons independently asked to move Mr. Folino's

application forward for consideration of a position on the Parks and Recreation Board. Mr. Folino qualifies for both positions as a City Resident.

Background:

The Parks and Recreation Board currently has two (2) vacant positions- one "City Resident Position", and one "Outside City Resident" position that expired at the end of December 2021.

Council Options:

Review and discuss the recommendation for re-appointment/appointment of "City Resident" position on the Parks and Recreation Board for a term expiring December 31, 2024.

Review and discuss the recommendation for re-appointment/appointment to the "UGB/Outside City/LCSD-North" position on the Parks and Recreation Board for a term expiring December 31, 2024. (A City resident may be appointed to this position)

Potential Motions:

- 1. I move to re-appoint/appoint _____ to the Parks and Recreation Board for a "City Resident" position with a three-year term. The term expires December 31, 2024.**
- 2. I move to re-appoint/appoint _____ to the Parks and Recreation Board for an "Outside City Resident" position with a three-year term. The term expires December 31, 2024.**

<u>Applicants</u>	<u>Interview Date</u>
<i>Robert Vincent</i>	<i>10/22/2021</i>
<i>Geoffrey Petersen</i>	<i>10/22/2021</i>
<i>Donna Eddy</i>	<i>11/01/2021</i>
<i>Leonard Folino</i>	<i>12/13/2021</i>

Attachments:

- Eddy, Donna J_Application_Redacted.pdf(PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION- Donna Eddy.pdf (PDF)
- Committee applicant-Donna Eddy ref 1 completed.pdf(PDF)

Committee applicant-Donna Eddy ref 2completed.pdf (PDF)
Vincent_Planning Commission App_Redacted.pdf (PDF)
MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-
Vincent Robert.pdf (PDF)
Vincent References 1 & 2 completed.pdf (PDF)
Petersen, Geoffrey_ Application Mutiple Committees_Redacted.pdf (PDF)
Memorandum- Geoffrey Petersen signed.pdf (PDF)
Committee applicant-Geoffrey Petersen ref 1 completed.pdf (PDF)
Folino, Leonard_ Application Multi_Redacted.pdf (PDF)
MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-
Leonard Folino.pdf (PDF)
Leonard Folino-Ref 1-completed_Redacted.pdf (PDF)



CITY OF LINCOLN CITY
Committee / Board / Commission Application



Please indicate which committee/board/commission you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Arts Committee | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> *Budget Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Library Board |

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	<i>Donna J. Eddy</i>	DATE:	<i>10-8-21</i>
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	[REDACTED]		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	<i>None</i>	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

- Do you reside within the City limits: Yes Length of Time *2 years*
- Do you reside within the Urban Growth Boundary? Yes Length of Time _____
- Do you reside within the Lincoln County School District North: Yes No
- Are you a registered voter in Lincoln County? Yes No
- Are you a Lincoln City business owner or Manager? Yes No
- If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

I am a Hiker and lead a walking group here in Lincoln City. We as a group know all the Open Space Trails. I love the outdoors and enjoy being involved in improving our parks and trails. I've been on the Parks Board for 5 years and would like to continue.
List names of volunteer/work supervisors: *Niki Price - Lincoln City Cultural Center, Jeanne Sprague and Monte Demaris - Comm. Center and Parks and Recreation, Lori Arce-Torres - Chamber of Commerce*

Please provide any previous experience with committees, boards or commissions and positions held:

Parks and Recreation Board 5 years, 1980's Head and Group Leader of a 4-H Group in Red Bluff, CA. Worked for Vistaw Middle School as Secretary for 30 years was a participant or head of many committees. Worked for Standard Oil as head of a tile room for 12 years - many exploration committees.

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

Alison Robertson - friend, Liz Francis - acquaintance - ELC All the employees at the Community Center. Susan Wahlke - mayor - acquaintance.

Explain why you would like to serve on this board, commission, or committee:

I love the outdoors and the Oregon Coast. I'm very impressed with the fact that our city forefathers had the foresight to annex all our "open spaces" back in 1978. I would like to be a part of maintaining them and establishing new parks for our citizens and tourists.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: *Jeanne Sprague* Phone: *[Redacted]*
Name: *Niki Price* Phone: *[Redacted]*

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[Redacted Signature] 10-8-21
SIGNATURE DATE



City Recorder
 City of Lincoln City
 PO Box 50
 Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	<i>Donna June Eddy</i>
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	<i>Parks and Recreation Board</i>
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
	[REDACTED]
MAILING ADDRESS:	[REDACTED]
	[REDACTED]
HOME PHONE:	<i>None</i>
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	<i>None</i>
CELL PHONE:	[REDACTED]

DATE:	<i>October 11, 2021</i>
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

SIGNATURE

October 11, 2021

DATE



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

The City of Lincoln City ("the City") to which you have applied for employment, may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment, or application for employment (including independent contractor or volunteer assignments, as applicable).

An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics or mode of living. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the City.

You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.

Donna Eddy read her speech which she would be presenting at the ceremony:

"My name is Donna Eddy and I am here on behalf of the Parks & Recreation Board Members. To welcome you, to the realization of this Mighty Sitka Tree becoming recognized as a Heritage Tree. The first in Lincoln City.

Nature has given us a favor - a beautiful forested coastal area to live in. We need to recognize that and protect what mother earth has bestowed upon us as a gift.

We want to thank the city forefathers for having the foresight to annex this "open space" back in 1978. Their glimpse into the future has saved this amazing park for all to use and enjoy.

It's a family place that our "Ancestor- The Heritage Tree" keeps watch over.

All you need to do is stand back and look at this wonderful tree, and you can feel all the history it has seen and survived.

This park and our amazing Sitka is a memory in everyone's mind that visits here. Tourists remember Regatta Park and our Heritage Tree as a special happy place.

Folks that live here have wonderful childhood memories of this park, it's trails and the giant tree.

They now bring their children here!

Anyone who visits our Heritage Tree has a picture - of themselves, their family or friends standing in front of this marvelous tree. A picture saved in a scrapbook or in the cloud.

For future generations to see and remember the day they visited the BIG TREE in that special park with the dragon and a castle in Lincoln City, Oregon!

Thank you."



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: October 27, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Donna Eddy
Position Applied For: Parks and Recreation Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Donna Eddy (**Parks & Recreation Committee Board**)

Reference: Jeanne Sprague

Reference taken by; date / time: October 19, 2021

- What is your professional relationship with the applicant? She is on our Parks and Rec Board, and is a registered volunteer for Parks and Rec. She volunteers with weekly maintenance projects in our parks.
- How long have you known him/her? 4 years
- How long have you worked / served with him/her? 4 years
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? I did not hire or select Donna for the Board, but did accept her volunteer application for Parks. I would rehire her as a volunteer for Parks.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Parks & Recreation Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for Parks & Recreation Committee?
 - Yes, I'd recommend Donna to be on our committee. She is an active Board member currently with Parks and Recreation, and also helps with many Parks and Rec Community Service projects.
- Does the applicant possess good decision making / reasoning skills? Yes.
- Does the applicant have good communication / interpersonal skills? Yes.
- Is he/she responsible and reliable? Yes.
- What are his/her strongest skills? Enthusiastic, great energy and follow through, innovative, inclusive, collaborative.
- Does he/she possess any special skills? She is a team and community builder.



Human Resources

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? Her membership is expiring for the Board.
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Parks & Recreation Committee? No suggestions. She does a great job.
- Do you have any other feedback you could provide that would help us make a decision? Donna is a productive member of the Parks and Recreation Board.



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Donna Eddy (Parks & Recreation Committee Board)

Reference: Judy Hardy

Reference taken by; date / time: October 26, 2021

- What is your professional relationship with the applicant? She has been a volunteer at the Cultural Center for several years.
- How long have you known him/her? 6 years
- How long have you worked / served with him/her? 6 years
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? She applied to volunteer and we still use her as a volunteer. She currently volunteers every Thursday to help with art kits.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Parks & Recreation Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for Parks & Recreation Committee? She has been serving on the board for some time now and seems very involved and supportive of its mission.
 - Does the applicant possess good decision making / reasoning skills? Yes
 - Does the applicant have good communication / interpersonal skills? Yes
 - Is he/she responsible and reliable? Yes and enthusiastic
 -
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? She is dependable, very organized, a problem solver and a teamplayer.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? N/A



Human Resources

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Parks & Recreation Committee? I think she is doing just fine.
- Do you have any other feedback you could provide that would help us make a decision? She is definitely an asset to any organization. I would strongly recommend retaining her on the board.



CITY OF LINCOLN CITY
Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|--|---|
| <input type="checkbox"/> Arts Committee
<input type="checkbox"/> *Budget Committee
<input type="checkbox"/> Building Board of Appeals
<input type="checkbox"/> Community Sustainability Committee
<input type="checkbox"/> Library Board | <input type="checkbox"/> Open Space Committee
<input type="checkbox"/> Parks and Recreation Board
<input checked="" type="checkbox"/> Planning Commission
<input type="checkbox"/> Transient Room Tax Committee
<input type="checkbox"/> Explore Lincoln City Committee |
|--|---|

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	ROBERT IADEVAIA VINCENT	DATE:	7-15-2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	Lincoln City, OREGON 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 5 YRS

Do you reside within the Urban Growth Boundary? ? Yes Length of Time _____

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

15 years CHAIR Person 12 of THEM IN CA,
"BURBANK CIVIL PRIDE COMMITTEE, PATIENT KIWANIS, CHAIR BLUE RIBBON
TASK FORCE - BURBANK BEAUTIFICATION, HELPERS, BOUNDARIES, WALL, FENCE, ETC.
* PARKS REC. COMMITTEE MEMBER LINCOLN CITY,
CHAIRMAN AMBASSADOR, ETC.

List names of volunteer/work supervisors:

• JEFFREY SPRAGUE PARKS REC
• LA DAINARDT ELCC

Please provide any previous experience with committees, boards or commissions and positions held:

OH FILE

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

Explain why you would like to serve on this board, commission, or committee:

HAVE MANY YEARS ON VARIOUS BOARDS & COMMITTEES, I FEEL
MY INPUT AND IDEAS WILL ADD A FRESH PERSPECTIVE TO AN AMAZING
CITY IN WHICH I AM PLEASANT TO RESIDE.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

(OH FILE)
Name: MAYOR BOB FURZON Phone: [REDACTED]

Name: MAY JHS TALAMONTH Phone: [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[REDACTED SIGNATURE] 7-15-2021
SIGNATURE DATE



City Recorder
 City of Lincoln City
 PO Box 50
 Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	ROBERT IADENAIIA VINCENT
START DATE:	ASAP
NAME OF COMMITTEE, BOARD, OR COMMISSION:	PLANNING COMMISSION
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
	Lincoln City, OR 97367
MAILING ADDRESS:	
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	MARIBEL KOMASHKO, Partner
HOME PHONE:	
CELL PHONE:	[REDACTED]

DATE:	7-15-2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

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An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics or mode of living. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the City.

You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

SIGNATURE

7-15-2021

DATE



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: September 22, 2021
Re: Council Volunteer Re-Appointment—Background Report and References

To the Honorable Council President and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Robert Vincent
Position Applied For: Re-Appointment Parks Committee Board

Mr. Vincent recently completed the background process in August when applying for appointment to the Planning Commission. Reference responses are from the August process, and have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



MEMORANDUM



The Office of
Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: **Robert Vincent**
Reference: **Maribell Komashko**
Reference taken by; date / time: **Shelli 1-16-2019**

- What is your relationship with the applicant? Friends for a very long time.
- How long have you known him/her? How long have you worked / served with him/her? Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? Worked with him in different communities for many years. I did not hire him but I would.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our VCC and Parks and rec Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the **Board/Commission/Committee**? He is great with the community events, and committees. He would be very helpful and great to work with in these jobs.
- Does the applicant possess good decision making / reasoning skills? Yes.
- Does the applicant have good communication / interpersonal skills? Very good, yes.
- Is he/she responsible and reliable? Yes.
- What are his/her strongest skills? Does he/she possess any special skills? His strongest skill would be working with people, and outreach in the community.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? I don't remember, but we worked together, so one of us moved on.
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the **Board/Commission/Committee**? No.
- Do you have any other feedback you could provide that would help us make a decision? You will not regret hiring him, he is wonderful.

"PRIDE IN SERVICE"

801 S.W. Highway 101 • P.O. Box 50 • Lincoln City, Oregon 97367 • (541) 996-1202 • FAX (541) 994-7232 •
dtwigg@lincolncity.org



The Office of
Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: **Rob Vincent**
Reference: **Linda Silvas**
Reference taken by; date / time: **Shelli 1-15-2019**

- What is your relationship with the applicant?
On the civic pride Committee together.
- How long have you known him/her? How long have you worked / served with him/her? Over 10 yrs.
Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? No, but I would, definitely.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our parks and rec and vcc Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the **Board/Commission/Committee**? VCC would be like the civic pride committee so he would be great at that. He knows events to promote what is happening within the city. Also worked hand in hand with the parks and rec every year to sell the planting of trees in the community.
- Does the applicant possess good decision making / reasoning skills? Yes, very.
- Does the applicant have good communication / interpersonal skills? Yes, very articulate, and speaks his mind.
- Is he/she responsible and reliable? Yes.
- What are his/her strongest skills? Does he/she possess any special skills? Ability to speak out, and be active, have input... he wants to do good things for his community.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? Committee terms ended.
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the **Board/Commission/Committee**? No not that I can think of.
- Do you have any other feedback you could provide that would help us make a decision? He is very personable, committed, and he is involved with passion 100%. He is wonderful.

"PRIDE IN SERVICE"

801 S.W. Highway 101 • P.O. Box 50 • Lincoln City, Oregon 97367 • (541) 996-1202 • FAX (541) 994-7232 •
dtwigg@lincolncity.org



CITY OF LINCOLN CITY Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|---|---|
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> *Budget Committee | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> Building Board of Appeals | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Transient Room Tax Committee |
| <input type="checkbox"/> Library Board | <input checked="" type="checkbox"/> Explore Lincoln City Committee |

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Geoffrey Petersen	DATE:	09/13/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	Lincoln City OR, 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 4 years

Do you reside within the Urban Growth Boundary? Yes Length of Time 4 years

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? Lincoln City Gifts

RECEIVED

SEP 14 2021



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

I currently own and operate Lincoln City Gifts and volunteer with Kiwanis Club Lincoln City. This as well as previous business experience would allow me to help with planning, tourism and budgeting. I will attach a resume' to better explain interests and qualifications.

List names of volunteer/work supervisors:

Kiwanis Club Lincoln City , Ed Dreistadt and Boone Marker
Columbia Academy, Linda Higginbothom

Please provide any previous experience with committees, boards or commissions and positions held:

Kiwanis Club Lincoln City, Chairman of event committee, 10/20 to present
Kiwanis CLub Lincoln City, Board of Directors, 10/20 to present

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

I know Mayor Susan Wahlke and Ed dreistadt through volunteering with Kiwanis Club. I am with Jacob White who is an employee for the water district.

Explain why you would like to serve on this board, commission, or committee:

I always strive to do more for my community. through volunteering and fundraising, I have made a difference but would like to make a greater difference. I feel volunteering with the city and/or ELC would be a fantastic way to provide some public service.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Boone Marker Phone: [REDACTED]

Name: Sharyn Jasmer Phone: [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[REDACTED SIGNATURE]
SIGNATURE

9/13/2021
DATE



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Geoffrey Petersen
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	5 [REDACTED]
CELL PHONE:	5 [REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	5 [REDACTED]

DATE:	9/12/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

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You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.



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To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.



09/13/2021

DATE

Geoff Petersen

Objective

I would like to volunteer as a means of gaining understanding and knowledge of city government operations as well as contribute to the betterment of our community.

Work Experience

- **Transportation**
I spent 13 years in the trucking industry. All but 1 year was in the gas and oil industry as a fuel tanker driver. Here I was a driver supervisor, trainer, and safety supervisor. I was responsible for teaching new drivers the skills needed to be successful as a tanker driver, provided testing to applicants, and managed safety for the Portland terminal. I was also responsible for regulatory compliance with the multiple local, and state governments. I also ensured compliance with federal regulations with the EPA, NTSB, ISAAC, DOT, and FMSCA. During this time, I received awards for safety, teamwork, and service excellence.
- **Bookkeeping/Payroll**
I co-owned a bookkeeping and payroll company, although I wasn't a bookkeeper. I did handle some payroll processing as well as accounts receivables. I was also responsible for hiring and HR functions.
- **Retail/Customer Service**
While all my jobs have involved dealing with the public on some level, none so much as retail. Retail work has taught me patience, and the importance of clear communication. I currently own and operate Lincoln City Gifts in the outlet center. We opened 3 years ago and have gained an amazing customer base in that short time. My role in this organization is Primarily Operations and HR. I work to develop and implement policies and procedures, hire new employees, process payroll, and assist in budgeting.

Volunteer Experience

- **SOLVE**
I was a member of SOLVE from 1992 to 1993. During this time, we did several service projects. The primary focus was cleaning up litter and keeping Oregon beautiful.
- **Columbia Academy**
Columbia Academy was a private school in West Linn OR. While my children attended, I volunteered for everything from chaperone to Santa Clause. I loved working with the kids and being able to impact young people in a positive light.
- **Kiwanis Club Lincoln City**
I have been a member of Kiwanis Club since 2019. In that time, I have become the chairperson of the event committee, as well as a board member for the club. I have volunteered many hours to service projects such as highway cleanup, The Parade of Flags, and special club events put on by my event committee. Our biggest event so far has been the Spooky Spectacular Halloween Drive thru for 2020. With COVID-19 in full swing, we were able to pull off a drive through haunted house with the help of Lincoln City and Lincoln City Outlets. An estimated 5,000 people visited us, and many said they would not have had Halloween if not for our creative solution.



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: September 30, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Council President and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have *passed* the background check.

Name: Geoffrey Petersen
Position Applied For: Budget Committee Board

Human Resources was unable to complete all reference checking due to the following:

- One reference has been unresponsive to the request for information;
- One reference provided a response

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Geoffrey Petersen (**Planning, Budget, Parks & Recreation Committee Board**)

Reference: Boone Marker

Reference taken by; date / time: September 20, 2021

- What is your professional relationship with the applicant?
 - We serve on the Kiwanis Club of Lincoln City Board of Director's together, as well as members.
- How long have you known him/her?
 - 2.5 years
- How long have you worked / served with him/her?
 - 2 years planning special events such as Spooky Spectacular and Pixiefest
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
 - I voted for him to be a member of the Board of Director's for Kiwanis Club of Lincoln City.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Budget, Planning, and Parks & Recreation Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget, Planning, and Parks & Recreation Committee?
 - Yes, Geoff serves as a Board Member of the Kiwanis Club of Lincoln City. He is also on track to be Vice President of the Board. He is also the Event Committee chair and has been responsible for meeting planning, budgeting, spending, and accounting.
- Does the applicant possess good decision making / reasoning skills?
 - Yes.
- Does the applicant have good communication / interpersonal skills?
 - Yes.
- Is he/she responsible and reliable?
 - Yes.



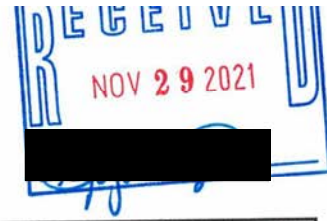
Human Resources

- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
 - Geoff is a great creative thinker. He is well organized and makes a full contribution to projects.

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
 - N/A

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget, Planning, and Parks & Recreation Committee?

- Do you have any other feedback you could provide that would help us make a decision?
 - I believe Geoff would be a great addition to a City committee. He works hard, is organized, and is a team player.



**CITY OF LINCOLN CITY
Committee / Board / Commission Application**

Please indicate which committee/board/commission you are applying for:

- Arts Committee
- *Budget Committee
- Community Sustainability Committee
- Parks and Recreation Board
- Planning Commission
- Library Board

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Leonard Leo Folino	DATE:	11/25/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same as above		
CITY, STATE, ZIP:	Lincoln City OR. 97367-[REDACTED]		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	None	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 14 months

Do you reside within the Urban Growth Boundary? Yes Length of Time 14 months

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Volunteer Firefighter / EMT King County Fire District 40
Washington State Fire Training Operations Support Instructor
Black Diamond Community Center / Food Bank and Historical Society Black Diamond WA

List names of volunteer/work supervisors:

Damina Harper [redacted]
Patrica Bauccio [redacted]
Keith Watson [redacted]

Please provide any previous experience with committees, boards or commissions and positions held:

Washington State Governor's Committee on Disability Issues and Employment
Washington State Governor's Committee on Disability Issues Out Reach Subcommittee
National Membership Committee OSDIA

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

None

Explain why you would like to serve on this board, commission, or committee:

I enjoy giving back to the community sometimes you can accomplish more and have a greater impact and positive outcome being appointed to a position than if you are an elected official.
I have a lot of available time so why not do something positive with it.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Cheryl Hanson [redacted] Phone: [redacted]
Name: Tony Anderson [redacted] Phone: [redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[redacted] 11/25/2021
SIGNATURE **DATE**



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Leonard Leo Folino
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	None
CELL PHONE:	[REDACTED]

DATE:	11/25/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

[Redacted Signature]

SIGNATURE

11/25/2021

DATE



MEMORANDUM

To: City of Lincoln City Mayor and City Council
From: Abigail Edwards, Human Resources Director
Date: December 10, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Leonard Folino

Position Applied For: Parks and Recreation, Planning, and Library Committee

Human Resources was unable to complete all reference checking due to the following:

- One reference has been unresponsive to the request for information;
- One reference provided a response.

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



REFERENCE CHECK- COMMITTEES

Reference regarding: Leonard Folino-- (Parks and Recreation, Planning, Library Committee Board)

Reference: Cheryl Hanson

Reference taken by; date / time: November 30, 2021

- What is your professional relationship with the applicant?
I am the director of the BD Community
- How long have you known him/her?
Center and he was one of our
- How long have you worked / served with him/her?
11 years
best volunteers.
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
11 years
He was a volunteer - I miss him and would
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Parks and Recreation, Planning, Library Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Parks and Recreation, Planning, Library Committee?
like him back.
- Does the applicant possess good decision making / reasoning skills?
He was the best on the Sons of Italy Board - honest,
- Does the applicant have good communication / interpersonal skills?
loyal, hard worker
Yes he is an excellent communicator
- Is he/she responsible and reliable?
One of the most reliable people I know - would
work nights + weekends
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
always on time, thinks fast on his feet,
*can work with anyone. Very organized. *LOYAL*
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
**Honest*
moved away. I still donate
to our NON profit ;)
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Parks and Recreation, Planning, Library Committee?
Nothing - he is a complete
hard working person



Human Resources

- Do you have any other feedback you could provide that would help us make a decision?

You would be lucky to have Lenny in your organization.

He is fun

loyal

honest

hard working

Team player

Cheryl Henson
Director - BD CC

Call me if you need more!

Happy Holidays

Council Communication

Appointment to Planning Commission - Multiple Applicants

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Who should the City Council appoint / re-appoint for "City Resident" position on the Planning Commission?

Staff Recommendation:

Mr. Johnson has not served on the Planning Commission. Council interviewed Mr. Johnson via Zoom on September 13, 2021. Mr. Johnson qualifies for the position as a City Resident.

Mr. Petersen has not served on the Planning Commission. Council interviewed Mr. Petersen via Zoom on September 13, 2021. Mr. Petersen qualifies for the position as a City Resident.

Mr. Smith has served on the Planning Commission- his term expired at the end of December 2021. Council interviewed Mr. Smith on December 13, 2021. Mr. Smith qualifies for the position as a City Resident.

Mr. Folino has not served on the Planning Commission. Council interviewed Mr. Folino via Zoom on December 13, 2021. Mr. Folino qualifies for the position as a City Resident.

Background:

The Planning Commission currently has one (1) vacant position- one "City Resident", position that expired at the end of December 2021. Mr. Smith filled the position.

Council Options:

Review and discuss the recommendation for re-appointment/appointment of "City Resident" position on the Planning Commission for a term expiring December 31, 2025.

Potential Motions:

- 1. I move to re-appoint/appoint _____ to the Planning Commission for a "City Resident" position with a four-year term. The term expires December 31, 2025.**

<u>Applicants</u>	<u>Interview Date</u>
<i>Glenn Johnson</i>	<i>9/13/2021</i>
<i>Geoffrey Petersen</i>	<i>10/22/2021</i>
<i>MacNeale Smith</i>	<i>12/13/2021</i>
<i>Leonard Folino</i>	<i>12/13/2021</i>

Attachments:

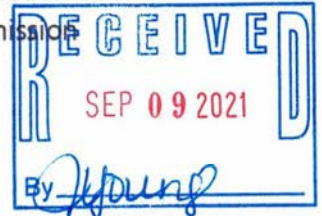
- Johnson, Glenn_Planning Commission Application_Redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-Glenn Johnson.pdf (PDF)
- Committee applicant-Glenn Johnson ref 1-Completed.pdf (PDF)
- Committee applicant-Glenn Johnson ref 2-Completed_Redacted.pdf(PDF)
- Petersen, Geoffrey_ Application Mutiple Committees_Redacted.pdf (PDF)
- Memorandum- Geoffrey Petersen signed.pdf (PDF)
- Committee applicant-Geoffrey Petersen ref 1 completed.pdf (PDF)
- Smith, Mac_ Planning Commission Application_Redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-MacNeale Smith-Planning.pdf (PDF)
- Committee applicant-MacNeale Smith ref 1 - Laura Joki completed.pdf (PDF)
- Committee applicant-MacNeale Smith ref 2 completed.pdf (PDF)
- Folino, Leonard_ Application Multi_Redacted.pdf (PDF)
- MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-Leonard Folino.pdf (PDF)
- Leonard Folino-Ref 1-completed_Redacted.pdf (PDF)



CITY OF LINCOLN CITY Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- Arts Committee
- *Budget Committee
- Community Sustainability Committee
- Parks and Recreation Board
- Planning Commission
- Library Board



* If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.

NAME:	Glenn E. Johnson	DATE:	September 9, 2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same		
CITY, STATE, ZIP:	Lincoln City Oregon 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	709-717-1111	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 4 months since May 10 2021

Do you reside within the Urban Growth Boundary? Yes Length of Time 4 months 2021

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Commissioner of Planning and Zoning Commission of City of Bastrop Texas. Attorney licensed in Texas

List names of volunteer/work supervisors:

Chairman of Bastrop Texas Planning and Zoning Debbie Moore
Mayor of Bastrop Connie Schroeder

Please provide any previous experience with committees, boards or commissions and positions held:

See above

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

No relationships

Explain why you would like to serve on this board, commission, or committee:

Enjoyed my work in Bastrop Planning and Zoning Commission and would like to serve my new home town.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Debbie Moore [Redacted] Phone: [Redacted]

Name: Mayor Connie Schroeder [Redacted] Phone: [Redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[Redacted Signature] **SIGNATURE**

September 9, 2021 **DATE**



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

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To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

SIGNATURE

[Redacted signature]

DATE

September 9, 2021



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Glenn E. Johnson
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Planning Commission
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
	Lincoln City Oregon 97367
MAILING ADDRESS:	Same
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	Deborah Johnson / wife
HOME PHONE:	-
CELL PHONE:	[REDACTED]

DATE:	September 9, 2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: September 12, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Council President and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Glenn Johnson
Position Applied For: Planning Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Glenn Johnson (**Planning Committee Board**)

Reference: Debbie Moore

Reference taken by; date / time: September 9, 2021

- What is your professional relationship with the applicant?

I served with him on the Bastrop Planning and Zoning Commission

- How long have you known him/her?

As long as I have known his wife; I think about 10 years.

- How long have you worked / served with him/her?

A little less than 3 years. He and his wife moved before the end of his term.

- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?

I did not select him but would be happy to serve with him again. He was named by the Mayor and confirmed by the City Council.

- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Planning Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Planning Committee? I would definitely recommend him for the Planning Committee. Because of his legal training he looks closely at both the proposal before him but also looks at compliance with ordinances, possible long-term impacts, and how it complies with long-term plans.
 - Does the applicant possess good decision making / reasoning skills? Yes. He is/was a partner in a very successful Austin law firm for a number of years.
 - Does the applicant have good communication / interpersonal skills? His years of experience representing clients before the Texas Railroad Commission served to make him an excellent communicator who can disagree and do so agreeably.
 - Is he/she responsible and reliable? Absolutely



Human Resources

- What are his/her strongest skills? On time, thinks clearly and very organized. Does his homework before meetings. Does he/she possess any special skills? Sharp mind.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? He and his wife moved to Oregon to be near family.
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Planning Committee? He would need to understand the city's history, personality, unique character, and what the leadership and citizens want it to be in the future.
- Do you have any other feedback you could provide that would help us make a decision?

When he feels he is right about a position on any issue, he does not hesitate to pose his reasons for how he feels. He always voted his conscience.

Jamie Young

From: Connie Schroeder <[REDACTED]>
Sent: Friday, September 10, 2021 1:33 PM
To: Nina Gonzales
Subject: RE: Committee Applicant Glenn Johnson Reference Check

Ms. Gonzales

I have filled out your form twice and it has crashed on our system. Therefore I am not replying with your completed form. Below please find my recommendation that I believe addresses the items in your form.

I have known Mr. Johnson since 2015 (can't remember the exact date we met)

I was elected Mayor in 2017. Mr. Johnson attended several city council meetings and was always clear and concise when he presented to city council.

Mr. Johnson applied to be a Planning and Zoning Commissioner in 2019. Per our charter, the Mayor appoints and City Council confirms. I appointed Mr. Johnson and he was unanimously confirmed by city council in 2019.

Mr. Johnson was an excellent commissioner. He had an excellent attendance record, came to meetings prepared and his comments and questions were always insightful and beneficial to the discussion.

I believe his background as an attorney provides beneficial skills for understanding jurisdiction and land use regulations.

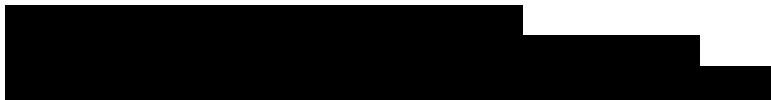
The only area of opportunity I can think of would be to make sure he has access to your ordinances and regulations as I assume there are differences between Bastrop Texas and Lincoln City Oregon.

Again, I apologize for not returning your form but as I mentioned technical difficulties exist.

Please feel free to contact me should you have any questions or wish to discuss further.

Regards
Mayor Schroeder

Connie B. Schroeder, CMO
Mayor
City of Bastrop, TX



Confidentiality Notice | This e-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communications is strictly prohibited. Please reply to the sender that you have received the message in error.

then delete it. Please note that any correspondence, such as e-mail or letters, sent to City staff or City officials may become a public record and made available for Public/media review.

From: Nina Gonzales <ngonzales@lincolncity.org>
Sent: Thursday, September 9, 2021 5:29 PM
To: Connie Schroeder [REDACTED]
Subject: Committee Applicant Glenn Johnson Reference Check

You don't often get email from ngonzales@lincolncity.org. [Learn why this is important](#)

Hi Connie,

Please see attached reference form for Glenn Johnson who is applying for our Planning Committee Board. Please fill out asap and send back to me at your earliest convenience.

Thank you,



Niña Gonzales

HR Administrator | Information Specialist

City of Lincoln City | Administration
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.557.1139 | F: 541.557.1139
E: ngonzales@lincolncity.org | W: LincolnCity.org

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CITY OF LINCOLN CITY
Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|---|---|
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> *Budget Committee | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> Building Board of Appeals | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Transient Room Tax Committee |
| <input type="checkbox"/> Library Board | <input checked="" type="checkbox"/> Explore Lincoln City Committee |

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Geoffrey Petersen	DATE:	09/13/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	[REDACTED]		
CITY, STATE, ZIP:	Lincoln City OR, 97367		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 4 years


Do you reside within the Urban Growth Boundary? Yes Length of Time 4 years

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? Lincoln City Gifts





QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

I currently own and operate Lincoln City Gifts and volunteer with Kiwanis Club Lincoln City. This as well as previous business experience would allow me to help with planning, tourism and budgeting. I will attach a resume' to better explain interests and qualifications.

List names of volunteer/work supervisors:

Kiwanis Club Lincoln City , Ed Dreistadt and Boone Marker
Columbia Academy, Linda Higginbothom

Please provide any previous experience with committees, boards or commissions and positions held:

Kiwanis Club Lincoln City, Chairman of event committee, 10/20 to present
Kiwanis CLub Lincoln City, Board of Directors, 10/20 to present

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

I know Mayor Susan Wahlke and Ed dreistadt through volunteering with Kiwanis Club. I am with Jacob White who is an employee for the water district.

Explain why you would like to serve on this board, commission, or committee:

I always strive to do more for my community. through volunteering and fundraising, I have made a difference but would like to make a greater difference. I feel volunteering with the city and/or ELC would be a fantastic way to provide some public service.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Boone Marker Phone: [REDACTED]

Name: Sharyn Jasmer Phone: [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[REDACTED SIGNATURE]
SIGNATURE

9/13/2021
DATE



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Geoffrey Petersen
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	[REDACTED]
CELL PHONE:	[REDACTED]

DATE:	9/12/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

DISCLOSURE REGARDING "INVESTIGATIVE CONSUMER REPORT" BACKGROUND INVESTIGATION

The City of Lincoln City ("the City") to which you have applied for employment, may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment, or application for employment (including independent contractor or volunteer assignments, as applicable).

An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics or mode of living. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the City.

You have the right, upon written request made within a reasonable time, to request (1) whether an investigative consumer report has been obtained about you, (2) disclosure of the nature and scope of any investigative consumer report and (3) a copy of your report. These reports will be conducted by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Phone: 1-800-955-5306; www.pinnacleprof.com**. The scope of this disclosure is all-encompassing, however, allowing the Company to obtain from any outside organization all manner of investigative consumer reports throughout the course of your employment to the extent permitted by law.



**FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR
BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED
BODY**

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.



SIGNATURE

09/13/2021

DATE

Geoff Petersen

Lincoln City OR, 97367 •

Objective

I would like to volunteer as a means of gaining understanding and knowledge of city government operations as well as contribute to the betterment of our community.

Work Experience

- **Transportation**
I spent 13 years in the trucking industry. All but 1 year was in the gas and oil industry as a fuel tanker driver. Here I was a driver supervisor, trainer, and safety supervisor. I was responsible for teaching new drivers the skills needed to be successful as a tanker driver, provided testing to applicants, and managed safety for the Portland terminal. I was also responsible for regulatory compliance with the multiple local, and state governments. I also ensured compliance with federal regulations with the EPA, NTSB, ISAAC, DOT, and FMSCA. During this time, I received awards for safety, teamwork, and service excellence.
- **Bookkeeping/Payroll**
I co-owned a bookkeeping and payroll company, although I wasn't a bookkeeper. I did handle some payroll processing as well as accounts receivables. I was also responsible for hiring and HR functions.
- **Retail/Customer Service**
While all my jobs have involved dealing with the public on some level, none so much as retail. Retail work has taught me patience, and the importance of clear communication. I currently own and operate Lincoln City Gifts in the outlet center. We opened 3 years ago and have gained an amazing customer base in that short time. My role in this organization is Primarily Operations and HR. I work to develop and implement policies and procedures, hire new employees, process payroll, and assist in budgeting.

Volunteer Experience

- **SOLVE**
I was a member of SOLVE from 1992 to 1993. During this time, we did several service projects. The primary focus was cleaning up litter and keeping Oregon beautiful.
- **Columbia Academy**
Columbia Academy was a private school in West Linn OR. While my children attended, I volunteered for everything from chaperone to Santa Clause. I loved working with the kids and being able to impact young people in a positive light.
- **Kiwanis Club Lincoln City**
I have been a member of Kiwanis Club since 2019. In that time, I have become the chairperson of the event committee, as well as a board member for the club. I have volunteered many hours to service projects such as highway cleanup, The Parade of Flags, and special club events put on by my event committee. Our biggest event so far has been the Spooky Spectacular Halloween Drive thru for 2020. With COVID-19 in full swing, we were able to pull off a drive through haunted house with the help of Lincoln City and Lincoln City Outlets. An estimated 5,000 people visited us, and many said they would not have had Halloween if not for our creative solution.



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: September 30, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Council President and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have *passed* the background check.

Name: Geoffrey Petersen
Position Applied For: Budget Committee Board

Human Resources was unable to complete all reference checking due to the following:

- One reference has been unresponsive to the request for information;
- One reference provided a response

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: Geoffrey Petersen (**Planning, Budget, Parks & Recreation Committee Board**)

Reference: Boone Marker

Reference taken by; date / time: September 20, 2021

- What is your professional relationship with the applicant?
 - We serve on the Kiwanis Club of Lincoln City Board of Director's together, as well as members.
- How long have you known him/her?
 - 2.5 years
- How long have you worked / served with him/her?
 - 2 years planning special events such as Spooky Spectacular and Pixiefest
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so?
 - I voted for him to be a member of the Board of Director's for Kiwanis Club of Lincoln City.
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our Budget, Planning, and Parks & Recreation Committee be a good match based on your knowledge of the applicant? Would you recommend him/her for the Budget, Planning, and Parks & Recreation Committee?
 - Yes, Geoff serves as a Board Member of the Kiwanis Club of Lincoln City. He is also on track to be Vice President of the Board. He is also the Event Committee chair and has been responsible for meeting planning, budgeting, spending, and accounting.
- Does the applicant possess good decision making / reasoning skills?
 - Yes.
- Does the applicant have good communication / interpersonal skills?
 - Yes.
- Is he/she responsible and reliable?
 - Yes.



Human Resources

- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills?
 - Geoff is a great creative thinker. He is well organized and makes a full contribution to projects.

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together?
 - N/A

- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Budget, Planning, and Parks & Recreation Committee?

- Do you have any other feedback you could provide that would help us make a decision?
 - I believe Geoff would be a great addition to a City committee. He works hard, is organized, and is a team player.



CITY OF LINCOLN CITY

Committee / Board / Commission Application

Please indicate which committee/board/commission you are applying for:

- | | |
|--|--|
| <input type="checkbox"/> Arts Committee
<input type="checkbox"/> *Budget Committee
<input type="checkbox"/> Community Sustainability Committee | <input type="checkbox"/> Parks and Recreation Board
<input checked="" type="checkbox"/> Planning Commission
<input type="checkbox"/> Library Board |
|--|--|

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	MacNeale Smith	DATE:	11/2/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same as home address		
CITY, STATE, ZIP:			
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	[REDACTED]	CELL PHONE:	Same as home

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

- Do you reside within the City limits: Yes Length of Time 7 years
- Do you reside within the Urban Growth Boundary? Yes Length of Time 7 years
- Do you reside within the Lincoln County School District North: Yes No
- Are you a registered voter in Lincoln County? Yes No
- Are you a Lincoln City business owner or Manager? Yes No
- If yes, please indicate which business you own/manage? Rock Your World Gems, LLC



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

I am a current serving member of the Lincoln City Planning Commission and wish to continue serving the community in this capacity

List names of volunteer/work supervisors:

Anne Marie Skinner, Current planning director; Simon Kim and Richard Townsend, former plan

Please provide any previous experience with committees, boards or commissions and positions held:
Currently serving a partial term on the Planning Commission due to expire December 2021

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

N/A

Explain why you would like to serve on this board, commission, or committee:

I would like to continue serving the community in the capacity of Planning Commissioner

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Laura Joki

Phone [REDACTED]

Name: Claire Hall

Phone [REDACTED]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[REDACTED SIGNATURE]

SIGNATURE

11/2/2021

DATE



City Recorder
City of Lincoln City
PO Box 50
Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	MacNeale Smith
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Planning Commission
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	
	[REDACTED]
	Lincoln City, OR 97367
MAILING ADDRESS:	
HOME PHONE:	
CELL PHONE:	
PERSONAL E-MAIL ADDRESS:	

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]

DATE:	
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

PLEASE READ CAREFULLY BEFORE SIGNING!

I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by Lincoln City ("City") at any time after receipt of this authorization and throughout my employment, if applicable.

To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

[Redacted Signature]

SIGNATURE

11/2/2021

DATE



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: November 10, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: MacNeale Smith
Position Applied For: Planning Committee Board

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



Human Resources

REFERENCE CHECK- COMMITTEES

Reference regarding: MacNeale Smith (**Planning Commission Committee Board**)

Reference: Laura Joki

Reference taken by; date / time: November 8, 2021

- What is your professional relationship with the applicant? Join Owner and CoManager of Rock Your World Gems. He is also my personal and professional bookkeeper and I hold other assets with him.
- How long have you known him/her?
2013
- How long have you worked / served with him/her? 2015
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? I asked him to leave his job at the VA specifically to relocate and work with me
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our City Council be a good match based on your knowledge of the applicant? Would you recommend him/her for the Planning Commission? Yes, he has been an excellent, reasonable and timely member of the planning commission previously.
- Does the applicant possess good decision making / reasoning skills? Yes, critical with an eye for the big picture
- Does the applicant have good communication / interpersonal skills? Yes
- Is he/she responsible and reliable? Yes
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? Ability to research and reason. Keep and manipulate numbers. Get along with others.



Human Resources

- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? Still here
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Planning Commission? I think the most trouble on the planning commission has been its tumultuous leadership from the city, lack of meetings for too long and an inability to commit to the community vision we paid so much for with the Citywide Vision Development project which has yet to be implemented into the long term city plan. Your members are impotent without a functioning system of government. Get it together. Pass the comp plan already and tie it to the budget! Otherwise your planning commission just farts in tin cans every 2 weeks.
- Do you have any other feedback you could provide that would help us make a decision? Mac is excellent and has shown his excellence as a standing member of the commission. This is a simple decision.



Human Resources

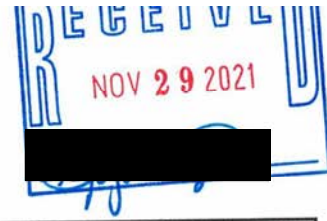
REFERENCE CHECK- COMMITTEES

Reference regarding: MacNeale Smith (**Planning Commission Committee Board**)

Reference: Claire Hall

Reference taken by; date / time: November 8, 2021

- What is your professional relationship with the applicant? Formerly my campaign treasurer
- How long have you known him/her? Approximately three years
- How long have you worked / served with him/her? Approximately two years
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? Yes, I hired him, and would hire him again
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our City Council be a good match based on your knowledge of the applicant? Would you recommend him/her for the Planning Commission?
 - Does the applicant possess good decision making / reasoning skills? Yes
 - Does the applicant have good communication / interpersonal skills? yes
 - Is he/she responsible and reliable? yes
 - What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? Systems thinker, able to assess a situation from multiple aspects
 - If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? Campaign ended
 - Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the Planning Commission? None to suggest
 - Do you have any other feedback you could provide that would help us make a decision? He's a personable, easy to get along with person.



**CITY OF LINCOLN CITY
Committee / Board / Commission Application**

Please indicate which committee/board/commission you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Arts Committee | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> *Budget Committee | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Community Sustainability Committee | <input checked="" type="checkbox"/> Library Board |

** If applying for the Budget Committee, you may not serve on any other City board or committee at the same time. Other City committee volunteer positions allow dual representation if it does not present a conflict of interest.*

NAME:	Leonard Leo Folino	DATE:	11/25/2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same as above		
CITY, STATE, ZIP:	Lincoln City OR. 97367-[REDACTED]		
E-MAIL ADDRESS:	[REDACTED]		
HOME PHONE:	None	CELL PHONE:	[REDACTED]

RESIDENCY AND SPECIFIC ELIGIBILITY CRITERIA

Do you reside within the City limits: Yes Length of Time 14 months

Do you reside within the Urban Growth Boundary? Yes Length of Time 14 months

Do you reside within the Lincoln County School District North: Yes No

Are you a registered voter in Lincoln County? Yes No

Are you a Lincoln City business owner or Manager? Yes No

If yes, please indicate which business you own/manage? _____



QUALIFICATIONS/EXPERIENCE (Additional space is provided on back)

Describe relevant qualifications (i.e. work or volunteer experiences) to include any applicable education and/or training. For example, if you are a hotel owner or operator and applying for the Visitor and Convention Committee; and highlight any skills, interests or hobbies that you believe would bring value to your ability to serve this position:

Volunteer Firefighter / EMT King County Fire District 40
Washington State Fire Training Operations Support Instructor
Black Diamond Community Center / Food Bank and Historical Society Black Diamond WA

List names of volunteer/work supervisors:

Damina Harper [redacted]
Patrica Bauccio [redacted]
Keith Watson [redacted]

Please provide any previous experience with committees, boards or commissions and positions held:

Washington State Governor's Committee on Disability Issues and Employment
Washington State Governor's Committee on Disability Issues Out Reach Subcommittee
National Membership Committee OSDIA

State the name, title and any relationship you have to a City Council member, Commissioner, board member or city employee:

None

Explain why you would like to serve on this board, commission, or committee:

I enjoy giving back to the community sometimes you can accomplish more and have a greater impact and positive outcome being appointed to a position than if you are an elected official.
I have a lot of available time so why not do something positive with it.

List the name, phone number, and e-mail address (if possible) of two personal or professional references:

Name: Cheryl Hanson [redacted] Phone: [redacted]

Name: Tony Anderson [redacted] Phone: [redacted]

My signature affirms that all information contained herein is true and correct to the best of my knowledge, and that I understand that any misstatement of fact, or any misrepresentation of credentials may result in this application being disqualified and is cause for removal from any appointed body. Shaded information will not be released due to personal privacy protection laws.

[redacted]
SIGNATURE 11/25/2021
DATE



City Recorder
 City of Lincoln City
 PO Box 50
 Lincoln City, OR 97367

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Leonard Leo Folino
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	
MAILING ADDRESS:	[REDACTED]
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

EMERGENCY CONTACT NAME/RELATIONSHIP:	[REDACTED]
HOME PHONE:	None
CELL PHONE:	[REDACTED]

DATE:	11/25/2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



FAIR CREDIT REPORTING ACT (FCRA) ACKNOWLEDGEMENT AND AUTHORIZATION FOR BACKGROUND CHECK FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

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To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by **Pinnacle Investigations, 920 North Argonne Road, Suite 200, Spokane Valley, WA, 99212; Telephone Number 1-800-955-5306; www.pinnacleprof.com** and or "City". I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

[Redacted Signature]

SIGNATURE

11/25/2021

DATE



MEMORANDUM

To: City of Lincoln City Mayor and City Council
From: Abigail Edwards, Human Resources Director
Date: December 10, 2021
Re: Council Volunteer Appointment—Background Report and References

To the Honorable Mayor and City Council:

Human Resources has conducted a background investigation and reference check for a volunteer application for City Appointed Bodies as set forth in the Lincoln City Municipal Code, Section 2.06.015(D).

No adverse information was found for the following applicant, and they have passed the background check.

Name: Leonard Folino

Position Applied For: Parks and Recreation, Planning, and Library Committee

Human Resources was unable to complete all reference checking due to the following:

- One reference has been unresponsive to the request for information;
- One reference provided a response.

Reference responses have been returned to the City Recorder for your review. Thank you.

Respectfully,

Abigail Edwards
HR Director



REFERENCE CHECK- COMMITTEES

Reference regarding: Leonard Folino-- (Parks and Recreation, Planning, Library Committee Board)

Reference: Cheryl Hanson

Reference taken by: date / time: November 30, 2021

- What is your professional relationship with the applicant?
I am the director of the BD Community
- How long have you known him/her? *Center and he was one of our*
11 years *best volunteers.*
- How long have you worked / served with him/her?
11 years
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? *He was a volunteer - I miss him and would*
- Do you have personal knowledge of the applicant serving on any boards? If so, please describe. If not, would serving on our **Parks and Recreation, Planning, Library Committee** be a good match based on your knowledge of the applicant? Would you recommend him/her for the **Parks and Recreation, Planning, Library Committee**?
like him back.
- Does the applicant possess good decision making / reasoning skills?
He was the best on the Sons of Italy Board - hard,
- Does the applicant have good communication / interpersonal skills? *loyal, hard worker*
Yes he is an excellent communicator
- Is he/she responsible and reliable?
One of the most reliable people I know - would
work nights + weekends
- What are his/her strongest skills? On time, thinks clearly and very organized. Does he/she possess any special skills? *always on time, thinks fast on his feet,*
*can work with anyone. Very organized. *LOYAL*
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? **Honest*
moved away. I still donate
to our NON profit ;)
- Are there any areas he/she could use help in developing (i.e. written communication, organization)? What do we need to provide to help him/her succeed on the **Parks and Recreation, Planning, Library Committee**?
Nothing - he is a complete
hard working person



Human Resources

- Do you have any other feedback you could provide that would help us make a decision?

You would be lucky to have Lenny in your organization.

He is fun

loyal

honest

hard working

Team player

Cheryl Henson
Director - BD CC

Call me if you need more!

Happy Holidays

Council Communication

Proposed Joint Annual Meeting Dates

Meeting Date:	January 10, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 Minutes

Question:

The Lincoln County Board of Commissioners and the Confederated Tribes of Siletz Indians Tribal Council have asked to confirm the dates for the 2022 Joint Annual Meetings with City Council.

Council Options:

The optional dates are:

Lincoln County Board of Commissioners

Wednesday July 6, 2022
 July 13, 2022
 July 20, 2022

Confederated Tribes of Siletz Indians Tribal Council

Monday July 25, 2022

Council Options:

- 1) Council approves the proposed date of July 25, 2022 for a joint meeting with the Confederated Tribes of Siletz Indians Tribal Council
- 2) Council does NOT approve the proposed date of July 25, 2022 for a joint meeting with the Confederated Tribes of Siletz Indians Tribal Council and requests staff to seek an additional date.

Council Options:

- 1) Council approves July 6, 2022 for a joint meeting with the Lincoln County Board of Commissioners and rejects July 13 and 20, 2022.

- 2) Council approves July 13, 2022 for a joint meeting with the Lincoln County Board of Commissioners and rejects July 6 and 20, 2022.
- 3) Council approves July 20, 2022 for a joint meeting with the Lincoln County Board of Commissioners and rejects July 6 and 13, 2022.
- 4) Council does NOT approve any date offered for the joint meeting with the Lincoln County Board of Commissioners and requests staff to seek an additional date.

Council Communication

City Ec Dev Toolbox: Childcare Business Assistance Tool

Meeting Date:	January 10, 2022	Primary Staff Contact:	Alison Robertson
Department:	Economic Development	E-Mail:	alisonr@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 Min

Background

Childcare is an important economic development concern to both employees and employers. It impacts an employer's ability to attract and retain workers. Therefore, economic development strategies are including childcare as part of their programs. Lincoln City has made an effort to create economic development tools as part of the City's toolbox which includes several revolving loan and grant programs.

Oregon is in a statewide "childcare drought" and waitlists for childcare can range 2 – 3 years. An article in the News-Times (2011) mentions "The National Association of Child Care Resource & Referral Agencies lists Oregon as the seventh most expensive state for child care in the nation." In Lincoln City, there are 8 childcare providers licensed with the State of Oregon (Attachment 2). Childcare startup businesses face numerous financial and procedural barriers. One barrier that is particularly daunting is the requirement for childcare providers in residential buildings, the building is required to be equipped with an automatic sprinkler system or "other fire suppression system" per OSSC Section 903.3.1.1. Based on initial conversations with contractors, the cost of meeting this requirement ranges from \$2.50 – 5.00 per square foot. In addition, many buildings will be required to update their meter from 5/8" to 3/4", which adds an additional cost of \$3,271 in City system development charges.

Program Specifics

Economic development loan and grant funds as part of the toolbox are dependent on available funding. Applicants for funding are discussed and/or rewarded on a "first come, first served" basis. Initial application is reviewed by City staff and an outside loan servicer to verify repayment credibility. The City Loan and Grant Committee then reviews the application and makes a recommendation to City Council to approve or deny the funding request.

The proposed economic development tool will provide funds (through an already established revolving loan program) to complete necessary capital improvements to bring a facility up to code and/or expand capacity for existing and startup childcare

businesses. Funding will be available to residential and/or commercial childcare facilities, but will be subject to the business obtaining and maintaining appropriate state licenses at a minimum timeline of the duration of the pay-back period.

Additional opportunities for City support of childcare businesses include:

- Continue to partner with SBDC for employee certificate and training programs

- SDC deferrals for meter upgrades (required for new fire suppression systems)
- Funding for supplies required for licensing (ie, sleeping mats, siting furniture, etc.)

Next Steps

Once Council creates a tool, staff will include budget requests for the upcoming City budget for FY 2022-2023. If budget is approved, funds will become available for this program starting July 1.

Council Options

1. Approve childcare economic development tool that will function similar to other existing City ec dev tools (Economic Development staff recommendation).
2. Revise childcare economic development tool and approve.
3. Do not approve childcare economic development tool.

Attachments

Childcare Ec Dev program DRAFT
Lincoln City (licensed) childcare providers

Attachments:

ChildCare_EcDevTool_DRAFT_v3 (PDF)

Childcare Business Assistance Program

PROGRAM GOAL

The goal of this program is to assist an established licensed childcare provider, assist a startup childcare business, or provide space for a cooperative program. Existing and startup childcare businesses may be eligible for funding to upgrade or expand building structures to meet building codes or expand capacity to provide services to more children.

FINANCING

The funding source for this program is City Economic Development funds. Funds are subject to availability of annual funding. This program can only provide funds for future work; not refinancing of completed work.

- Funds can be used for structural and aesthetic building improvements, and may include façade improvements. Structural improvements may include necessary building upgrades as required for commercial and residential childcare businesses such as installing residential sprinkler systems, water meter upgrades, and sink installation.
- Projects that do not comply with submitted plans will not qualify for 0% financing. They may be assessed the current prime rate of interest plus a two percent penalty.
- Childcare businesses applying for funding are strongly encouraged to become licensed with the State of Oregon, and maintain license for the duration of the loan repayment. Contact the State of Oregon Office of Child Care regarding day care licensing: http://www.oregon.gov/OCC/Pages/about_us.aspx

Financing for Property Owners

- Property owners must have 30% equity interest in property
- \$150,000 maximum secured loan to property owners
- Zero percent interest rate
- Loan processing and closing costs paid by borrower
- 10-year payback, fully amortized through monthly payments

Financing for Business Owners (with written permission from Property Owner)

- \$10,000 maximum secured loan to business owners
- Zero percent interest rate
- Loan processing and closing costs paid by borrower
- 5-year payback, fully amortized through monthly payments

ELIGIBILITY

- Eligible activities: including, but not limited to, rehabilitation of building facades, Americans with Disabilities Act compliance and improvements which enhance the pedestrian environment, fire suppression system installation, water meter upgrades, and/or bathroom and sink expansions required to increase capacity. A plan that includes façade improvements may be eligible for structural repairs, rot repair, roofing, sidewalks, walkways, public plaza, interior renovations of public space, lighting, and code compliance. Start-up Applicants may apply for assistance with any associated business license fees in Lincoln City for their *first year* of operations.
- Ineligible activities: including, but not limited to, working capital, refinancing of existing debt, security systems, personal property, furnishings, inventory, billboards or anything NOT required to operate a Childcare Business.

PROGRAM GUIDELINES

1. Funding can be available to residential and/or commercial childcare properties.

2. Minor addition(s) to an existing structure do not increase the square footage of the existing structure by more than 50%.
3. For projects involving façade improvements, exterior facades shall be updated and integrated into a design that complements adjacent structures to provide a harmonious composition of masses, materials, colors, and textures. Building components, such as windows, doors, eaves and parapets, shall have good proportions and relationship to one another. Design attention shall be given to mechanical equipment or other utility hardware so as to screen them from view to the extent feasible.
4. Applicants are strongly encouraged to maintain ongoing participation in SBDC programs. Childcare business startups are also encouraged to participate in the SBDC Childcare Business Startup workshops.

APPLICATION PROCESS

1. Forms are available online (www.LincolnCity.org) and in the Economic Development and Urban Renewal Office, City Hall, 801 SW Highway 101, Room 350. Submit completed pre-application form to the Urban Renewal (UR) Office. City staff will initially determine when a pre-application is substantially complete and meets the program objectives. Completed applications will include in part:
 - o pre-application form
 - o requested loan amount
 - o evidence of property and/or business ownership
 - o property equity information
 - o preliminary design drawings for structural and façade improvements
 - o itemized cost estimates from a licensed contractor
 - o description of methods and materials to be used
 - o estimated project completion time
2. Pre-application is forwarded to the Outside Loan Officer who will request preliminary title reports, credit reports, and appraisals or will perform alternative procedures to determine credit worthiness of the applicant for the proposed project. The applicant must demonstrate the ability to repay the loan in a timely manner and may be asked to provide the following information to the Outside Loan Officer:
 - o Business Plan or detailed description of your business
 - o Breakdown of use of funds for the project
 - o Personal financial statements
 - o Resumes of business owner
 - o Business income statement and balance sheet for past 3 years
 - o Projected Income Statements
3. Outside Loan Officer provides summarized financial information about the applicant's ability to repay the loan to City staff to include in the application packet for the City Loan and Grant Committee (Committee) to review.
4. Application packet is presented to the Committee to determine whether the project meets the mission and purpose of the Business Expansion Program and for tentative approval to process. The Committee, at its discretion, may consider other conditions or building appurtenances.
5. If the Committee recommends approval, the request is issued an anonymous loan number and sent to City Council for final approval. In certain circumstances, the City Council may authorize a higher loan amount or consider proportional-share loan forgiveness with public benefit.

CONDITIONS AND CONSIDERATION

1. City Council shall have the sole authority to approve an application to receive City Economic Development funds.

2. The borrower must demonstrate the ability to repay the loan in a timely manner. In cases where the property owner is able and demonstrates the skill to do the work themselves without using a licensed contractor (by applicable codes and ability), the City Council can consider disbursement of funds (for materials, not labor) similar to a line of credit with any added conditions to reduce risk on a case by case basis.
3. Processing and closing fees are paid by the borrower and not included in the loan amount, unless otherwise noted.
4. The bank loan is to be a construction-type loan. Funds are disbursed as work is completed and verified.
5. Equipment purchase or construction must begin within twelve months and completed within eighteen months of City Council approval.
6. Repayment begins after first draw request, with payments based on entire loan amount.
7. Loan cancellation and repayment occur if borrower fails to comply with the conditions of the loan. Penalties may apply.
8. Loan cancellation and repayment occur if borrower fails to obtain and maintain appropriate state daycare licenses.
9. Applicants must be current with all applicable taxes, licenses and fees.
10. For improvements to real property, where not currently available, the plan must meet American with Disabilities Act compliance for accessibility from at least one entrance at street level.
11. Note is due upon refinancing or sale of the business or property as applicable.
12. Before any funds are distributed, loan applicant must obtain all necessary approvals including those from Lincoln City Planning and Public Works Departments. The applicant must verify with the City Planning department that their business is compatible with the zoning of the property.

COLLECTION POLICY

Delinquencies, collection procedures, and foreclosures will be in accordance with procedures of all participating financial partners.



For more information, please contact the
Lincoln City Economic Development and Urban Renewal Office at
541-996-1095

Council Communication

Contract Award for Advanced Metering Infrastructure

Meeting Date:	January 10, 2022	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	15 minutes

Question:

Should the City Council approve the contract for installing the Advanced Metering Infrastructure (AMI) Phase 1 to Ferguson Waterworks?

Staff Recommendation:

City Council should approve the contract for installing the Advanced Metering Infrastructure (AMI) Phase 1 to Ferguson Waterworks.

LCMC 2.05.060. (Public improvement contracts shall be awarded by competitive bid or as provided by the Public Contracting Code or these rules) In this case, the Council approved the exemption from competitive bid.

Background:

With the AMI System, the City would have real time information about water use on all of our customers. The City would install new electronic meter with a radio antenna that sends data to a base station (wood pole with an antenna) where the information is collected. This information is sent to a Meter Data Management System where the information is processed and stored. This information is sent to the Caselle Software for billing. This information is also available to field operations and alerts are given when the system detects leaks on the service lines.

The Public Works Department advertised the "Invitation to Submit Proposals for Progressive Design-Build" on August 20, 2021. Public Works Department received two proposals on September 23, 2021.

Proposers
Ferguson Waterworks
Correct Equipment, Inc

The selection committee determined that Correct Equipment, Inc. did not meet the specification requirements in the Request for Proposal. The selection committee moved forward with Ferguson Waterworks with additional questions regarding their proposal. Staff determined it was best to phase the project into four phases. The Cutler City area is Phase 1. The project includes adding radios in 378 water meters, install a base station with and wood pole with an antenna behind the rest room at the west end of SW 65th Street, buy the software and training. The estimated cost of Phase 1 is \$280,983.00.

Phase 2 thru 4 will be implemented over the next two years. The total estimated cost of the AMI system is approximately \$3.2 million dollars. There is an annual maintenance cost for the software of approximately \$36,700 per year when all the water meters are brought online. A map showing the four phases is attached.

Financial Impact

The project is funded through the Water Capital Fund. The total project cost is budgeted at \$1,000,000 in FY 21-22 and \$1,000,000 in FY 22-23. The current budget has adequate funds for Phase 1. Additional budget of \$1.2 million will be needed in FY22-23 or FY23-24 to fully implement the project.

Potential Motions:

Approve the implementation of the Advance Metering Infrastructure System and award Ferguson Waterworks the contract for Phase 1 in the amount of \$280,983.00 with a contingency of \$14,000.00 (approximately 5% of the bid amount) for a total award of \$294,983.00.

City Council can decide not to implement the AMI System.

Attachments:

Phase Map (PDF)

Zone 4: NW 39th and North of Hwy 101 and East

1,122 meters in GIS (some could just be boxes)
416 touch read
603 manual
103 unknown

Zone 3: D River to NW 39th and East south of Hwy 101

2,974 meters in GIS (some could just be boxes)
512 touch read
2,218 manual
244 unknown

Zone 4: NW 39th and North of Hwy 101 and East

Zone 2: Taft to D River and East

2,315 meters in GIS (some could just be boxes)
66 touch read
2,063 manual
186 unknown

Zone 1: Cutler City and East:

378 meters in GIS (some could just be boxes)
64 touch read
276 manual
38 unknown

