

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY SEPTEMBER 27, 2021 6:00 PM

6:00 PM - The Lincoln City Council meeting for September 27, 2021 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 summarized and entered into the record.

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 "Agenda, Packets & Video". 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 Special Meeting – September 13, 2021 5:30 PM
2. Regular Meeting – Minutes of Regular Meeting – September 13, 2021 6:00 PM
3. Initiation of Amendments to LCMC Chapter 17.76, Section 17.76.080 (Initiation of Amendments)
4. Oregon Liquor Control Commission - Request for Name Change-Off-Premises Liquor License for two Circle K locations

E. COUNCIL DELIBERATIONS

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

G. PRESENTATIONS

5. Cascade Rising Exercise Overview - Jenny Demaris

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Hearing for Community Center Roof Exemption from Competitive Bidding Process
2. Public Hearing for NE 26th Street Sewer Reimbursement District Formation

J. ORDINANCES

3. ORDINANCE NO. 2021-20 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.06 (CITY APPOINTIVE BODIES), AMENDING SECTION 2.06.015 (RECRUITMENT AND APPOINTMENT PROCESS) TO CLARIFY SCHEDULING OF INTERVIEWS BEFORE THE CITY COUNCIL.

K. RESOLUTIONS

4. RESOLUTION NO. 2021-42 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE LINCOLN CITY COMMUNITY CENTER ROOF REPLACEMENT PROJECT.
5. RESOLUTION NO. 2021-43 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND ESTABLISHING A REIMBURSEMENT DISTRICT PURSUANT TO LCMC CHAPTER 13.06 - PRIVATE PARTY REIMBURSEMENT NE 26th STREET SEWER REIMBURSEMENT DISTRICT.

L. SPECIAL ORDER OF BUSINESS

6. Appointment to Arts Committee - Applicant Deborah Johnson
7. Re-appointment to Sustainability Committee - Applicant Michael Edwards
8. Old Police Building Demolition Award
9. Contract Approval for Ester Lee Pump Station Replacement Project
10. Vacancy Councilor Ward II Discussion

- 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 JOINT MEETING

CITY COUNCIL AND URBAN RENEWAL AGENCY MINUTES OF MEETING

September 13, 2021, 5:30 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 www.lcprogramguide.org.)

**APPROVED BY URBAN RENEWAL AGENCY AND
CITY COUNCIL**

DATE: _____

A. CALL TO ORDER

Agency Chair/Councilor Mark called the meeting to order at 5:30 PM and explained 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 meeting, or by attending through Zoom invitation.

Public comments submitted by email to publiccomment@lincolncity.org will be summarized and entered into the record.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Judy Casper	Agency Member/Councilor Ward 3	Present	5:30 PM
Riley Hoagland	Agency Member/Councilor Ward 2	Present	5:30 PM
Rick Mark	Agency Chair /Councilor Ward 3	Present	5:30 PM
Mitch Parsons	Agency Member/Councilor Ward 1	Present	5:30 PM
Anne Marie Skinner	Agency Member/Councilor Ward 2	Excused	
Susan Wahlke	Agency Member/Mayor	Present	5:30 PM
Vacant	Agency Member/Councilor Ward 1		

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Stephanie Reid, City Engineer; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. COMMENTS FROM CITIZENS PRESENT

No Citizens Present for comment

D. MINUTES OF MEETING

1. Minutes of June 28, 2021, Urban Renewal Meeting

MOTION:	Motion to Adopt Minutes for June 28, 2021
MOVER:	Susan Wahlke, Agency Member/Mayor
SECONDER:	Mitch Parsons, Councilor Ward 3
AYES:	Hoagland, Casper, Mark, Parsons, Wahlke
RESULT:	Passed via Voice Vote

E. SPECIAL ORDER OF BUSINESS/PRESENTATIONS

NONE

F. PUBLIC HEARINGS/PUBLIC COMMENT

1. Public Hearing: Grant of Easement for Undergrounding Powerlines

The public hearing opened at 5:35 PM. No conflict of interest was presented by Council. Ms. Robertson spoke regarding the overhead utility undergrounding beyond the required area by Pelican Brewing Company. Ms. Robertson explained this property is one that was transferred to the City. Mr. Appicello explained the Agency will be giving easement interest only for the utility project. Mr. Appicello said the property has a value of less than \$1000, therefore the easement will have a value less than that.

No Citizens were present for comment.

MOTION:	Motion to Close Hearing and Record for Disposition of City Property NE 25th for Affordable Workforce Housing.
MOVER:	Susan Wahlke, Agency Member/Mayor
SECONDER:	Mitch Parsons, Councilor Ward 3
AYES:	Hoagland, Casper, Mark, Parsons, Wahlke
RESULT:	Passed via Voice Vote

G. RESOLUTIONS

5. Joint Resolution 2021-01 (Grant of Easement Interest)

MOTION:	Motion to Approve Joint Resolution 2021-01
MOVER:	Mitch Parsons, Agency Member/Councilor Ward 3
SECONDER:	Susan Wahlke, Agency Member/Mayor
AYES:	Hoagland, Casper, Mark, Parsons, Wahlke
RESULT:	Passed via Roll Call Vote

H. ACTIONS, IF ANY, BASED ON EXECUTIVE SESSION/WORK SESSION**I. AGENCY MEMBER/CITY COUNCILOR COMMENTS****J. ADJOURNMENT**

Agency Chair/Councilor Mark Adjourned the Meeting at 5:44 PM

RICK MARK, AGENCY CHAIR/COUNCILOR

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

September 13, 2021, 6:00 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:

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 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
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
Anne Marie Skinner	Councilor Ward 2	Excused	
Vacant	Councilor Ward 1		

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; Scott Humpert, ELC Marketing Manager; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

D. CONSENT AGENDA ITEMS 1 AND 4

Approve 1 & 4, Items 1 & 3 Pulled for discussion.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner

1. Regular Meeting – Minutes of Regular Meeting – August 23, 2021, 6:00 PM

MOTION:	City Council - Regular Meeting - Aug 23, 2021, 6:00 PM
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
RESULT:	Passed

2. Request to name the NW 18th & 101 public plaza as "The Ed Johann Veterans Plaza"

Mayor Wahlke spoke in favor of the renaming of the Plaza at NW 18th and Hwy 101, just North of Output Music. Councilor Casper said she is delighted this was being done, as he is a Pearl Harbor Survivor at 97 years old. Ms. Sprague added that the Parks Board voted unanimously in support of the renaming.

MOTION:	Motion to Approve Request to name the NW 18th & 101 Public Plaza as "The Ed Johann Veterans Plaza"
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed via Voice Vote

3. City Letter of Support for EDALC's Business Oregon ROI Grant Application

Paul Schuytema explained the EDALC's (Economic Development Alliance of Lincoln County) Business Oregon ROI (Rural Opportunity Initiative) Grant Application Program. Councilor Casper expressed concern about expanding without housing needs being met. Councilor Mark asked about childcare and training in the trade industry. Councilor Mark also asked about improving the broadband service and working where you live. Mr. Schuytema spoke about training and capturing folks that come for recreation and fall in love. Mr. Schuytema said Lincoln County would be part of a broadband feasibility study. Councilor Casper said that it is important to further the discussion to capture other groups of people like the seniors with transfer income that could open up jobs as well. Councilor Hoagland spoke in favor and thanked Mr. Schuytema for joining the meeting. Mayor Wahlke clarified that part is for business retention and thinks it is wonderful.

MOTION: Motion to Approve City Letter of Support for EDALC's Business Oregon ROI Grant Application
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Hoagland, Mark
NAYS: Casper, Parsons
EXCUSED: Skinner
RESULT: Passed via Voice Vote

4. Council Consent for Personnel Appointment

MOTION: Personnel Appointment Consent
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED: Skinner
RESULT: Passed

E. COUNCIL DELIBERATIONS

None

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

None

G. PRESENTATIONS

5. Updates Regarding Parks & Recreation and Public Work Projects

Jeannie Sprague, Parks and Recreation Director, gave an update on the Parks projects. Ms. Sprague said they are looking to have a dog park at the Community Center; this is a collaborative effort between Parks, Public Works, Planning, and the ADA Coordinator. Ms. Sprague said the Community Center has ample parking, water sources, and restrooms available when the Community Center is open. The other sites did not have these amenities. Ms. Sprague said the departments are working to put a budget together for the dog park to take to the City Manager to decide whether to fundraise or put it in as a budgetary request for 2022-23. Councilor Hoagland asked if Staff or Council would decide about the public funding. Ms. Bradley said they would look at the budget and other funding options. Councilor Hoagland said that we should look to the Community for sponsorship like at the ballpark. Councilor Mark agreed with Councilor Hoagland. Councilor Mark said there would be a need for multiple dog parks and if you get the public involved, you may find that you could get funding for more than one dog park. Councilor Mark mentioned many places have a large dog park and a small dog park. Ms. Sprague said they have been looking at sponsorship funding and there is an informal group that has been raising funds for the dog park and they are committed to helping fund part of the dog park. Councilor Parsons said that he was leaning the opposite way of Councilor Hoagland and Councilor Mark but is slowly coming around. Councilor Hoagland thanked everyone for the work being done on this and also looked up the fund, which is called the Friends of the Lincoln City Dog Park Fund located out of Newport.

Ms. Sprague and spoke about the Mobimats. It was a collaborative effort between Parks, the ADA Coordinator, Public Works, and Explore Lincoln City to bring these to Lincoln City. They will be at three places from Memorial Day to Labor Day. The mats will be installed at the following locations; D River Beach access, 51st Street in Taft, and 33rd Street in Nelscott. Ms. Sprague said that Parks and Streets will install the mats and Parks will maintain the mats. Ms. Reid said she spoke with the manufacturer

and there are some located in California but that most of the mats are located on the East Coast. Ms. Sprague said that Destination Oregon is coming out to do a story on the Mobimats and the beach wheelchair in two weeks. Councilor Parsons asked about the size and the installation. Councilor Hoagland said great job and was very excited to see these installed. Mayor Wahlke is very excited and appreciates this as a person that has trouble navigating dry sand. Ms. Bradley said the Mobimats were brought up at a department head meeting and Ms. Sprague said she was working on a grant. Ms. Bradley said that Mr. Dreistadt from the ELC (Explore Lincoln City) is on board with this and there is a budget transfer resolution to move the money from the ELC. Ms. Bradley said there would be another beach wheelchair purchased.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

None

J. ORDINANCES

- 1. ORDINANCE NO. 2021-18 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.04 (ADOPTION AND ENFORCEMENT OF CONSTRUCTION AND CONSTRUCTION-RELATED CODES) ADDING LOCAL AMENDMENTS

MOTION:	Motion to Approve First Reading of Ordinance 2021-18 Local Amendments to Building Code
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

- 2.

MOTION:	Motion to Approve Second Reading and Adopt Ordinance 2021-18 Local Amendments to Building Code
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

K. RESOLUTIONS

- 3. RESOLUTION NO. 2021-39 A RESOLUTION RESCINDING RESOLUTION NO. 2018-05 OF THE CITY OF LINCOLN CITY; AND DESIGNATING BANK DEPOSITORIES AND AUTHORIZED SIGNATORIES FOR CHECKS AND DRAFTS OF THE CITY OF LINCOLN CITY

Mr. Appicello said the bank account is being updated as the Finance Director Debbie Bridges has resigned. Councilor Mark asked if it takes more than one signature. Ms. Bradley confirmed the process of two signatures being required. Councilor Hoagland asked what other Cities have in place as far as staff signing checks and the dollar limits. Ms. Bradley explained the process and said most Cities probably

follow the same guidelines. Councilor Mark asked why the Mayor and Council President were on the list. Mr. Appicello said they were listed previously.

MOTION:	Motion to Approve Resolution 2021-39 Authorizing Bank Depositories and Signatories
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

4. RESOLUTION 2021-40 A RESOLUTION AUTHORIZING AND DIRECTING BUDGET TRANSFERS FOR THE CITY OF LINCOLN CITY, OREGON IN THE 2021-2022 FISCAL YEAR BUDGET

Scott Humpert, Marketing Manager for ELC, explained each of the transfers. Councilor Hoagland asked if there would be public input on the drawings of the Welcome Center. Mr. Humpert said they would use the drawings as a conversation starter for Community input. Councilor Parsons said that he is not comfortable spending money until it is deed over to the City. Mr. Appicello said it would not be deeded to the City but a lease for 50 years. Ms. Sprague said there was a meeting and the 50-year lease will be in spring of 2023 that will be at the same time as the grant money.

MOTION:	Motion to Approve Resolution 2021-40: Budget Transfer for Explore Lincoln City
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

5. RESOLUTION NO. 2021 – 41 A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE NW JETTY SEWER FORCE MAIN REPAIR PROJECT FROM FORMAL COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO OAR 137-049-0150 AND LCMC 2.05.080.A.

Ms. Reid explained the emergency repair that is needed and asking for exemption from the competitive bidding process. Councilor Hoagland asked who determined the Contractor and how does long does the process take to go out for bid. Ms. Reid explained this takes six months to design and award, then another four months to get the materials. Mr. Appicello read a section of the resolution that authorizes the City Manager to award the job.

MOTION:	Motion to Approve Resolution 2021-41 NW Jetty Sewer Force Main Emergency Repair
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

6. Planning Commission Interview & Appointment - Robert Iadevaia Vincent & Mellissa Sumner

The Council interviewed Mr. Vincent, Ms. Sumner, and Mr. Johnson for two vacancies on the Planning Commission. City Resident position partial term plus a full four-year term expiring 12/31/2025 was

awarded to Melissa Sumner. UGB/City Resident position partial term expiring 12/31/2024 was awarded to Robert Vincent.

MOTION: Motion to Appoint Mellissa Sumner and Robert Vincent to the Planning Commission for the Two Open Terms
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED: Skinner
RESULT: Passed via Voice Vote

7. Budget Committee Appointment-Bates

MOTION: Motion to Appoint Diana Bates to the Budget Committee for a Partial Term Expiring 12/31/2023.
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED: Skinner
RESULT: Passed by Roll Call Vote

8. Construction Award for Sewer Pump Upgrades

MOTION: Motion to Approve the Construction Award to Western Electric for Sewer Pump Upgrades in the Amount of \$190,000
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED: Skinner
RESULT: Passed by Roll Call Vote

9. Receive Engineer's Report and set information hearing for September 27, 2021, to consider the creation of NE 26th St. Sewer Reimbursement District

MOTION: Motion to Schedule an Informational Hearing on September 27th for NE 26th Street Sewer Reimbursement District Creation
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED: Skinner
RESULT: Passed via Voice Vote

10. Set 9-27-2021 Public Hearing for the proposed use of Alternative Contracting Method for the Community Center Roof Replacement

MOTION:	Motion to Set a Public Hearing on September 27, 2021, for Proposed Use of Alternative Contracting Method - CC roof
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed via Voice Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Bradley asked Council about holding the work session before the Council Meetings on Mondays. Council gave unanimous consent for a work session on the 27th at 3 PM. Mr. Appicello reminded Council to make a motion from Executive Session.

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

11.

MOTION:	Motion to Approve Option Three as Discussed in Executive Session
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Casper, Hoagland, Mark, Parsons
EXCUSED:	Skinner
RESULT:	Passed by Roll Call Vote

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

None

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark said that he sent a note to Ms. Bradley and the Mayor about a Covid update from the County. Ms. Bradley said the Health Department would attend the October 11th meeting for a presentation.

Councilor Hoagland asked about removing the Emergency Contact person on Committee Applications. Councilor Hoagland gave congratulations to the Pines Dine. Councilor Hoagland said thank you to all that showed for the procession for Griff Ford.

Councilor Parsons said that we need to look at some of the processes for Boards and Committees to be more transparent.

Councilor Casper spoke about childcare business classes being offered at OCCC in Newport. Councilor Casper asked to clear up a misconception from the previous meeting, Council did not deny a loan to Habitat for Humanity. Councilor Casper asked about a private undergrounding that torn up two neighbor's yards and ask staff to check into that.

Mayor Wahlke said that Councilor Skinner resigned as Councilor to be hired as Planning Director leaving a vacancy in Ward II. The term expired on 12/31/2022. Mayor Wahlke would like to see the position appointed or left vacant rather than a special election. Councilor Parson agrees with Mayor Wahlke and would like it to be left vacant or open for Public input. Councilor Casper is okay with leaving it vacant. Councilor Hoagland is for putting it up for Council vote. Councilor Mark would like to

see the position appointed. Mr. Appicello said there should be an item placed on the next agenda with the options.

Mayor Wahlke said we are past due for doing the Judge's evaluation. Mayor Wahlke asked about the City Manager applications. Ms. Edwards would like to schedule an executive session for the week of the 27th but not on the 27th. Ms. Edwards said that she would get the forms together for the evaluation as well. Council decided to have the Executive Session on October 4th at 5:30 PM. Mayor Wahlke said that there are a few things she would like to follow up on from the revenue workshop. Mayor Wahlke apologized to Council for not getting input for the Committee applications. Mayor Wahlke also said that she saw the landscaping with love folks at the Farmers Market and they encourage folks to come to visit and help.

Councilor Mark wanted to give a nod to the Siletz Bay Music Festival and mention BB Camp fundraiser will be in two weeks. Councilor Mark said that the fundraiser help with the summertime childcare.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 9:27 PM

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Initiation of Amendments to LCMC 17.76.080

Meeting Date:	September 27, 2021	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 the attached text amendment to LCMC 17.76.080 to restore the Director's authority to initiate text and map (Type IV) amendments?

Staff Recommendation:

Staff recommends Council initiate the requested amendment.

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:

Ordinance 2020-15 included the removal of the following language (emphasis added):

~~17.88.020 Initiation of amendments.~~

~~An amendment to the text of this title or to the zoning map and/or to the comprehensive plan map or text may be initiated by:~~

~~A. Motion of the planning commission;~~

~~B. Motion of the city council;~~

~~C. Application filed by an owner of record, a purchaser under a recorded land sale contract, or the holder of an option to purchase property which is the subject of the application for rezoning or comprehensive plan map redesignation;~~

~~D. A Lincoln City resident requesting a change to the text of the comprehensive plan or this title;~~

~~E. The planning and community development director.~~

Ordinance 2021-15 dealt with initiation of text and map amendments to the Code and Plan in a less specific manner, as follows:

17.76.080 Initiation of an Application.

- A. Applications may be initiated by either the property owner of record or the contract purchaser of the subject property, or any person authorized in writing to act as agent of the owner or contract purchaser. All applications shall be signed by all property owners of record as shown on the most-current recorded deed, as well as all contract purchasers if applicable, prior to submittal. Type IV applications may also be initiated by the city.**

As a consequence of this ordinance change, staff has been placing agenda items "initiating amendments" on the consent agenda for Council approval before DLCD notice is given. The Planning Director requests that Council restore her previously delegated authority to initiate a Type IV text or map amendments, as follows:

17.76.080 Initiation of an Application.

- B. Applications may be initiated by either the property owner of record or the contract purchaser of the subject property, or any person authorized in writing to act as agent of the owner or contract purchaser. All applications shall be signed by all property owners of record as shown on the most-current recorded deed, as well as all contract purchasers if applicable, prior to submittal. Type IV applications may also be initiated by the city **council by motion or by the planning director.**

Council Options:

The City Council may:

1. Initiate proposed amendment (above)
2. Do not initiate the proposed amendment
3. Continue discussion on the proposed amendments to October 11, 2021.

Potential Motions:

Council:

1. Motion to initiate amendments to Title 17, Chapter 17.76
2. Motion to continue consideration of the proposed amendment to _____[date certain] _____

Council Communication

Oregon Liquor Control Commission - Request for Name Change-Off-Premises Liquor License

Meeting Date:	September 27, 2021	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	3 min

Questions:

Should the City Council provide a recommendation to the Oregon Liquor Control Commission (OLCC) for a name change of the Off-Premises license for two Circle K locations?

Staff Recommendations:

Lt. Broderick, who recommends that City Council provide a favorable recommendation to grant the name change on the license to the applicant, conducted a review.

Legal Background and Framework:

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

Lincoln City Municipal Code Chapter 5.20 sets forth the local process for making recommendations to OLCC.

Council Options:

1. Approve a favorable recommendation for a name change on the Off-Premises license.
2. To not approve the name change license application.
3. To approve the name change license application.

Attachments:

Circle K North_Redacted.pdf	(PDF)
Circle K South_Redacted.pdf	(PDF)

DocuSign envelope ID: D6E21878-0057-42FC-A817-0536D03C5489





OREGON LIQUOR CONTROL COMMISSION
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: 
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"/>	By: 
<input type="checkbox"/> Distillery	Recommends this license be:
<input type="checkbox"/> Full On-Premises, Commercial	<input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Caterer	Date: <u>8/24/21</u>
<input type="checkbox"/> Full On-Premises, Passenger Carrier	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Other Public Location	Date application received: <u>8/24/21</u>
<input type="checkbox"/> Full On-Premises, For Profit Private Club	Date application accepted: <u>8/24/21</u>
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	License Action(s): <u>C/O; C/TN</u>
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	
<input checked="" 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):

Circle K Stores Inc.

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) Circle K #9647		
4. Business Address (Number and Street Address of the Location that will have the liquor license) 4031 NW 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.

DocuSign Envelope ID: D6E21878-0057-42FC-A817-0536D03C5489



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) Circle K #9647			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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 <u>OAR 845-004-0065[1].</u>) 255 E. Rinco St., Ste. 100			
City Corona	State CA	Zip Code 92879	
9. Phone Number of the Business Location		10. Email Contact for this Application and for the Business duke@nwalcohollaw.com	
11. Contact Person for this Application Duke Tufty		Phone Number (503) 718-2311	
Contact Person's Mailing Address (if different) 7521 NE Sandy Blvd.	City Portland	State OR	Zip Code 97213

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.

ATTENTION: **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.**

DocuSigned by: Longwell, Sarah		8/23/2021	
App. #1: (PRINT NAME)	App #1: (SIGNATURE)	App #1: Signature Date	Atty. Bar Information (if applicable)
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)

OLCC Liquor License Application (Rev. 9.28.20)

DocuSign Envelope ID: 095215D9-C16C-4B4E-9705-3E15CCE53053



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Circle K Stores Inc. Phone: TBD

Trade Name (dba): Circle K #9647

Business Location Address: 4031 NW Hwy 101

City: Lincoln City ZIP Code: 97367

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>12am</u>	to	<u>12am</u>
Monday	<u>12am</u>	to	<u>12am</u>
Tuesday	<u>12am</u>	to	<u>12am</u>
Wednesday	<u>12am</u>	to	<u>12am</u>
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Friday	<u>12am</u>	to	<u>12am</u>
Saturday	<u>12am</u>	to	<u>12am</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:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- 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: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

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: 8/23/2021

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

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

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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 SEP 07 2021 Name of City or County: <u>City of Lincoln City</u> Recommends this license be: <input checked="" type="checkbox"/> <u>Granted</u> <input type="checkbox"/> Denied By: <u>[Redacted]</u> <i>LT - UCPD</i> Date: _____
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	OLCC USE ONLY Date application received: <u>8/24/21</u> Date application accepted: <u>8/24/21</u> License Action(s): <u>C/O; C/TN</u>
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
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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)
Circle K #9646

4. Business Address (Number and Street Address of the Location that will have the liquor license)
1410 SE Hwy 101

City	County	Zip Code
Lincoln City	Lincoln	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

5. Trade Name of the Business (Name Customers Will See) Circle K #9646			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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 <u>OAR 845-004-0065[1].</u>) 255 E. Rinco St., Ste. 100			
City Corona	State CA	Zip Code 92879	
9. Phone Number of the Business Location		10. Email Contact for this Application and for the Business duke@nwalcohollow.com	
11. Contact Person for this Application Duke Tufty			Phone Number (503) 718-2311
Contact Person's Mailing Address (if different) 7521 NE Sandy Blvd.	City Portland	State OR	Zip Code 97213

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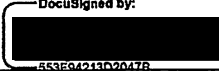
ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

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Longwell, Sarah		8/23/2021	
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DocuSign Envelope ID: 095215D9-C16C-4B4E-9705-3E15CCE53053



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Saturday	_____	to	_____

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(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- 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: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

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: 8/23/2021

DocuSigned by:
553684213D20478
1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)

Council Communication

Cascade Rising - Jenny Demaris

Meeting Date:	September 27, 2021	Primary Staff Contact:	Kenneth Murphy
Department:	City Council	E-Mail:	KMurphy@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	30 minutes

Council Communication

Public Hearing for Community Center Roof Exemption

Meeting Date:	September 27, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 min

On September 13, 2021, the City Council set this public hearing for the requested public contracting exemption. The hearing has been properly noticed per the operative statute. (see attachment)

The City Council shall hold a public hearing to consider an exemption from the competitive bidding process for the construction of the Community Center Roof Replacement Project. At the public hearing, the contracting agency or state agency shall offer an opportunity for any interested party to appear and comment under ORS 279.335 (2).

See Resolution 2021-42 and supporting findings later in this agenda.

Attachments:

Exemption - Public Notice (PDF)

**NOTICE OF PUBLIC HEARING
CITY OF LINCOLN CITY BEST VALUE CONTRACTING
COMPETITIVE BIDDING EXEMPTION FOR THE COMMUNITY CENTER RE-ROOF PROJECT**

Notice is hereby given that the City Council of Lincoln City will hold a public hearing to take oral and written comments on the City’s draft findings in support of an exemption from competitive bidding under ORS 279C.335 for the construction of the Community Center Re-roof Project.

The City is requesting the exemption from competitive bidding to allow the use of an alternative procurement method that presents an alternative to the traditional low-bid method of contracting. The method known as Best Value or Source Selection awards projects to the contractor offering the best combination of price, technical qualifications, technical approach. The City’s evaluation and scoring of competing contractor’s technical qualifications and technical approach components, combined with comparison of the contractor’s price component will be the basis of award.

The project is located at 2150 NE Oar Place. The proposed work will remove the existing metal roof, make any repairs needed, install new metal roof and gutters.

The draft findings may also be viewed on Lincoln City’s website at www.lincolncity.org or by contacting Lincoln City Public works at 541-996-2154

Public Hearing Information

Date: September 27, 2021

Time: City Council Meeting, 6:00 PM*

Place: City Council Chambers, 801 SW Highway 101, 3rd Floor
Lincoln City, Oregon

**(This is a regularly scheduled City Council meeting, and the public hearing will not be the first item on the agenda.)* Comments must be submitted in writing by noon on September 22, 2021 to be included in the City Council packet. Written comments received after noon on September 22, 2021 will be provided to City Council at the hearing. Any person may provide oral or written comments to the City Council at the September 27, 2021 hearing by attending the City Council Meeting.

Public comments can be submitted to publiccomment@lincolncity.org.

Date of Publication: September 15, 2021	Daily Journal of Commerce
September 14, 2021	The News Guard



City of Lincoln City | 801 SW Highway 101 | PO Box 50 | Lincoln City, OR 97367 | 541.996.2154
Public Works Department | lincolncity.org

To ensure equal access to City services, Lincoln City will reasonably modify procedures for person with disabilities. Call 541-996-1221, Oregon Relay 7-1-1, or visit the website with request.

Council Communication

Public Hearing for NE 26th Street Sewer Reimb. Dist.

Meeting Date:	September 27, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 min

Council shall hold a public hearing for formation of the NE 26th reimbursement district Per Lincoln City Municipal Code Chapter 13.06 - Reimbursement District for Advance Financing of Public Improvements.

Pursuant to Lincoln City Municipal Code (**LCMC**) Chapters 13.06, staff published and mailed notice of the public hearing to all property owners in the District. Staff also mailed notice of the public hearing by certified mail to all property owners in the Reimbursement District.

See Resolution 2021-43 and Engineer's Report later in this agenda.

Attachments:

Notice to Property Owners - PUBLIC HEARING (PDF)

Application materials public hearing Reimbursement District (PDF)

**NOTICE OF PUBLIC HEARING FOR FORMATION OF A SANITARY SEWER
REIMBURSEMENT DISTRICT
NE 26TH STREET (NE WEST DEVILS LAKE ROAD & NE YACHT AVE)**

Please take notice that the Lincoln City Council will hold a public hearing regarding the formation of a reimbursement district to reimburse Knottworks LLC for construction of a low pressure sanitary sewer on NE 26th, between West Devils Lake Road and NE Yacht Ave. The council shall consider written comment as to the final assessments for the LID described above. A description (*by tax lot*) of the properties included in the reimbursement district, including the names of property owners, the connections provided, and the resulting reimbursement amount, has been attached to this notice.

Improvement Description: The completed improvements include a low-pressure sewer main on NE 26th St, from the intersection of NE West Devils Lake Road to NE Yacht Ave, and a backflow lateral assembly at the frontage of each lot. This is roughly 670 feet of 2-inch, low pressure sewer main and eight (8), 1-1/4 inch backflow connections.

Cost To Be Assessed: The reported cost of the project was \$68,214.00. Each lot's proposed reimbursement cost is based off this cost, divided by the total number of connections provided.

Property owners will be responsible for payment of the reimbursement district fee according to triggers outlined in LCMC 13.06.065. This fee is in addition to regularly assessed sanitary sewer system development charges (per LCMC 13.08.080)

The public meeting will be held at:

**6 p.m. September 27, 2021
City Council Chambers
801 SW Highway 101, Lincoln City, Oregon**

Per Lincoln City Municipal Code (13.06.030) the scheduled public hearing is informational; City council holds sole discretion on formation of the reimbursement district.

Please note that reimbursements may be modified by City Council and will be established by Ordinance following the hearing.

Comment must be submitted by Noon on September 24, 2021 to be included in the City Council packet. Written comments received after July September 24, 2021 will be provided to City Council at the public hearing. Any person may provide oral or written comments to the City Council at the September 27, 2021 public hearing.

Public comments can be submitted by email at publiccomment@lincolncity.org

Additional information on the reimbursement district, as well as the full, updated Engineer's Report (dated 08/26/21) may be viewed at www.lincolncity.org/publicworks

APPLICATION FOR REIMBURSEMENT DISTRICT

The undersigned Applicant(s) have, or will, finance some or all of the cost of a public improvement available to provide service or benefit to property other than property owned by the Applicant(s). Pursuant to LCMC Chapter 13.06, the Applicant(s) request(s) the city establish a reimbursement district. [The Applicant has the burden to provide competent substantial evidence to support the establishment of the District.]

Mandatory Application requirements:

1. A description of the location, type, size and cost of the public improvement eligible for reimbursement;

General Description: Construction of approximately 600 linear feet of 2 inch HDPE solid fused low pressure sanitary sewer system along NE 26th Street east from the existing sanitary sewer manhole. The sewer line will be extended west, just short of the intersection of NE West Devils Lake Road. This will serve Tax lots 05902, 00300, 003301, 05701, 05600, 00207, 00210, and 00200. Tax lot 00200 has now been divided into 3 parcels. The area is zoned R-M. The proposed sewer line provides 5 service connections, in addition to the 3 constructed for the owner.

Applicant has furnished/will furnish: Financing Costs; Design; Permitting;
 Acquisition of Fee or Easement; Construction

Location: Improvement will extend from NE 26th and NE Yacht, 600 west to West Devils Lake Road.

The location of the improvement must be such that it is available to provide service to property other than that owned by the applicant.

Type: Street; Sidewalks; Water Main; Sanitary Sewer Main; Pressure Sewer Main; Storm Drainage Improvement; Other:

Size: Sewer Main is 2 inch, HDPE solid weld sewer pipe, per engineered plans

[The improvement(s) must be adequately sized to service intervening properties (generally a size greater than that which would otherwise ordinarily be required)]

Cost: \$68,214

Attach Exhibit A as a detailed breakdown of cost with accompanying documentation.

2. A map showing the properties to be included in a proposed reimbursement district; See Map attached as Exhibit B, and made a part hereof by this reference.

3. The zoning for the properties benefited by the improvement;**Applicant's property:** Residential Single Family, R-1-7.5**Other benefitted properties:** Residential Single Family, R-1-7.5**4. The front or square footage of said properties (or similar data appropriate for calculating the apportionment of the cost of the improvement among the properties);****Applicant's property:** .77 Acres, 3 connections**Other benefitted Properties:** 3.26 Acres, totaling 5 additional connections**5. A listing of the property(ies) in the District owned by applicant.****Applicant's property ID:** 07-11-11-AC-00200-00 (3000, 2992, and 2980 NE 26th St.)**Attach a copy of Applicant's Deed(s) as Exhibit C****6. All applications shall be accompanied by a fee in an amount sufficient to cover the cost of administrative review and notice required by this chapter as established by city council resolution.****See Enclosed Check for \$350 payable to the City of Lincoln City**

C. In the event an application is submitted after the construction of the public improvement, the application shall also include information as to when the city accepted the public improvement: 12-8-2021 (date) if not yet accepted state Not yet accepted as well as the actual cost of the improvements, \$68,214 (Actual cost) if evidenced by receipts, invoices or other similar documents. (See Exhibit A) Until receipt of said information, the affected application will be deemed incomplete.

OR

~~**D. In the event an application is submitted prior to the construction of the improvements, the application shall be accompanied by an estimate of the cost of the improvements as evidenced by bids, projections, or similar data. (\$ _____) (See Exhibit A) The application shall also include the estimated date of completion of the public improvement(s). Until the receipt of said information, the affected application will be deemed incomplete.**~~

NOTE: An application may be submitted at any time prior to the installation of the public improvement but in no event later than 180 days after acceptance of the improvement for which reimbursement is sought, unless the city engineer, in his/her sole discretion, waives this requirement.

Applicant(s)**Name:** Nathan Knott, Knottworks Construction**Address:** PO Box 197, Otis OR 97368**Phone:** 541-992-4405**Email:** Knottworks@gmail.com

BLS NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



20200030 Acco

Dennis and Sybil Grahn:
5593 NE Banner Trail
OTIS OR 97368

Grantor's Name and Address

Grantee's Name and Address

After recording, return to (Name and Address):

Nathan & Angie Knott Family Trust
PO Box 197
Otis, OR 97368

Until requested otherwise, send all tax statements to (Name and Address):

Same as above

Lincoln County, Oregon
05/19/2020 11:18:01 AM 2020-04870
DOC-BSD Cnt=1 Pgs=2 Stn=20
\$10.00 \$11.00 \$10.00 \$60.00 \$7.00 \$98.00

I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.

[Signature of Dana W. Jenkins]

Dana W. Jenkins, Lincoln County Clerk



BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Dennis Grahn and Sybil Grahn as tenants by the entirety hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Nathan and Angie Knott Family Trust Trustees of The Knott Family Trust hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Lincoln County, State of Oregon, described as follows (legal description of property):

SEE ATTACHED EXHIBIT "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 100,000. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration.

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on May 18, 2020; any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

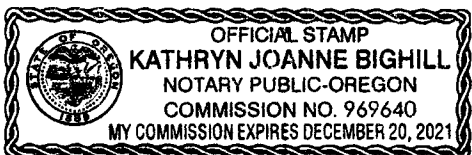
[Signatures of Dennis Grahn and Sybil Grahn]

STATE OF OREGON, County of LINCOLN

This instrument was acknowledged before me on May 18, 2020 by Dennis Grahn and Sybil Grahn

This instrument was acknowledged before me on

by as of



[Signature of Notary Public]
Notary Public for Oregon
My commission expires 12-20-2021

Recorded by Western Title as an accommodation only. No liability accepted for condition of title or validity, sufficiency or affect of document.

EXHIBIT "A"
Legal Description

PARCEL I:

Beginning at a point on the South line of Maryland Drive that is South 88° 24' West 75.0 feet from the Northeast corner of the Harry L. Smith and Corrine M. Smith tract as described in that certain contract dated January 10, 1967, recorded January 16, 1967 in Volume 274, page 214, Deed Records for Lincoln County, Oregon, said Northeast corner of said Smith tract being 491.0 feet North 89° 21' West and 100.0 feet North from the Northeast corner of U.S. Lot 13, in Section 11, Township 7 South, Range 11 West of the Willamette Meridian, in Lincoln County, Oregon; running thence South 88° 24' West, 100.0 feet to the true point of beginning; thence South 01° 36' East along the West boundary of the John W. Erkenbeck and Dorothy Erkenbeck tract as described in that certain contract dated March 11, 1969, 220 feet, more or less, to the North line of that certain dedicated canal as described in instrument recorded December 29, 1961 in Volume 221, page 373, Deed Records for Lincoln County, Oregon; thence North 72° 30' West, along the North line of said canal 25.5 feet, more or less, to a point on the North line of said canal that is the Southeast corner of a tract of land owned by Marie Kennedy; thence Northerly along the East boundary of the said Marie Kennedy tract 110 feet, more or less, to the Northeast corner of the said Marie Kennedy tract; thence Westerly along the North boundary of said Marie Kennedy tract 205 feet, more or less, to the East boundary of West Devils Lake Road; thence Northeasterly along the East boundary of West Devils Lake Road 128 feet, more or less, to the South line of Maryland Drive; thence Easterly along the South line of Maryland Drive 150 feet, more or less, to the true point of beginning.

PARCEL II:

A tract of land located in the North half of Section 11, Township 7 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon, the perimeter being more particularly described as follows:

Beginning at the center quarter corner of the above mentioned Section 11; thence North 0° 39' 47" East, 1201.24 feet to the North line of a canal dedicated to public use in Volume 15, page 1689, Lincoln County Records and being the true point of beginning of the tract herein described; thence North 65° 30' West, along said North line, 215.73 feet to the East line of West Devils Lake Road, 60 feet wide; thence North 41° 36' 50" East, along said East line, 40.69 feet; thence South 89° 47' 55" East, 171.92 feet; thence South 0° 39' 47" West, 119.29 feet to the point of beginning.



CCB #184887

Knottworks Construction, Inc. Public Improvements

NE 26th between West Devils Lake Rd. and NE Yacht
Exhibit A - Cost Breakdown

Project: 3000 NE 26th

Description: Provide design, labor, materials and equipment for sewer extension

Date: Design June-August 2018
Construction May-December 2020

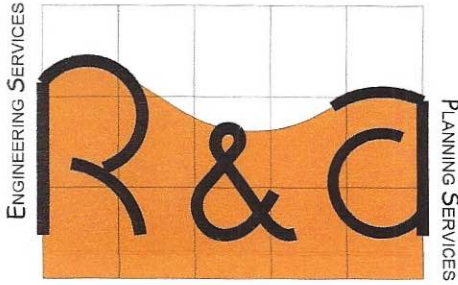
Design and Preconstruction

		Total
Reece and Associates	\$	7,723
Knottworks Project Management	\$	400
Total	\$	8,123

Construction

	<i>Hours</i>		<i>Rate</i>	
<u>Labor</u>				
Knottworks Project Management	20	\$	100	\$ 2,000
Knottworks Foreman and excavator	160	\$	100	\$ 16,000
Knottworks Journeyman	218	\$	60	\$ 13,080
<u>Equipment</u>				
Excavator	160	included above	--	--
Dump Truck	20	\$	90	\$ 1,800
Compactor			nc	
<u>Subs / Material/3rd party rentals</u>				
	<i>Vendor</i>	<i>Description</i>		
	Ferguson	Pipe	\$	953
	Fowler	Pipe / fittings	\$	17,913
	Rock	Backfill	\$	800
	Asphalt	AC patch	\$	1,500
	Morris Exc.	Haul off	\$	532
	Peterson Cat	Excavator + Bucket	\$	2,366
	United Rentals	Shoring, Test unit	\$	1,065
	Power Rents	Vaccum	\$	2,081
Total				\$ 68,214

Submitted by:
Nathan Knott
President



Reece & associates, inc.

Invoice

Date	Invoice No.
6/30/2018	6398

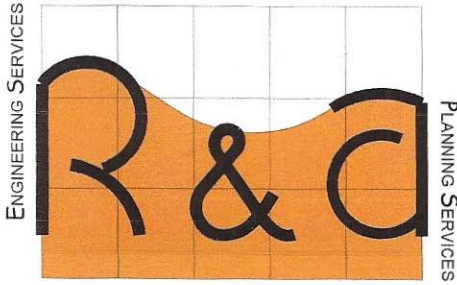
BILL TO:
Knottworks Construction, Inc Nathan Knott PO Box 197 Otis, OR 97368



2% Fee for Payment by
Credit Card

Project Number - Description		Terms	DUE DATE
KWI1802 - 26th St Improvements			6/30/2018
Description	Rate - Fee	Qty / Hours	Amount
<i>Services Through June 26th, 2017</i>			
Engineering Services Per Contract			
See Attached Scope of Services & Fee Recap			
Project Engineer / Project Manager			
Task No. 1- Schematic Design			
Site Evaluation	125.00	2.00	250.00
Preliminary Design	125.00	1.25	156.25
Task No. 2 - Design Development			
Grading	125.00	1.00	125.00
Project Designer			
Task No. 1- Schematic Design			
Design Coordination	90.00	4.25	382.50
Administration	90.00	0.75	67.50
Task No. 2 - Design Development			
Sanitary Design	90.00	26.75	2,407.50
Street Design	90.00	12.50	1,125.00
Thank you for supporting a local business! Have a safe and Happy 4th of July!		Total: \$4,513.75	

321 1st ave. e, suite 3a albany, or 97321
 ~ phone 541.926.2428 ~ ~ fax 541.926.2456 ~



Reece & associates, inc.

Invoice

Date	Invoice No.
7/31/2018	6416

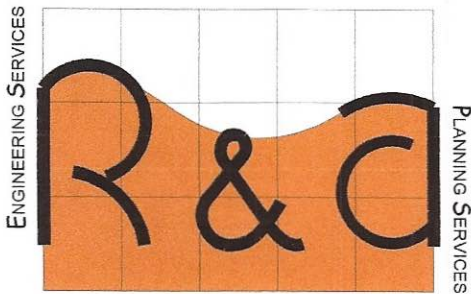
BILL TO:
 Knottworks Construction, Inc
 Nathan Knott
 PO Box 197
 Otis, OR 97368



2% Fee for Payment by Credit Card

Project Number - Description		Terms	DUE DATE
KWI1802 - 26th St Improvements		Due on receipt	7/31/2018
Description	Rate - Fee	Qty / Hours	Amount
<i>Services Through July 28, 2018</i>			
Engineering Services Per Contract			
Project Engineer / Project Manager			
Task No. 1- Schematic Design			
Code Review	120.00	0.75	90.00
Grading	120.00	1.00	120.00
Project Designer			
Task No. 2 - Design Development			
Grading	85.00	8.25	701.25
Preliminary Design	85.00	2.00	170.00
Street Design	85.00	3.50	297.50
<i>Thank you for your business.</i>		Total:	\$1,378.75

321 1st ave. e, suite 3a albany, or 97321
 ~ phone 541.926.2428 ~ ~ fax 541.926.2456 ~



Reece & associates, inc.

Invoice

Date	Invoice No.
8/31/2018	6440

BILL TO:
 Knottworks Construction, Inc
 Nathan Knott
 PO Box 197
 Otis, OR 97368



2% Fee for Payment by Credit Card

Project Number - Description		Terms	DUE DATE
KW1802 - 26th St Improvements		Due on receipt	8/31/2018
Description	Rate - Fee	Qty / Hours	Amount
Services Through August 25, 2018			
Engineering Services Per Contract			
Firm Principal			
Task No. 3 - Construction Drawings & Documentation Design Coordination	165.00	1.5	247.50
Project Engineer / Project Manager			
Task No. 3 - Construction Drawings & Documentation Sewer & Street Design	125.00	1.5	187.50
Project Designer - KS			
Task No. 3 - Construction Drawings & Documentation Design Revisions	90.00	15.5	1,395.00
<i>Thank you for your business. Happy Labor Day!</i>		Total:	\$1,830.00

321 1st ave. e, suite 3a albany, or 97321
 ~ phone 541.926.2428 ~ ~ fax 541.926.2456 ~

***** **INVOICE** *****

Cedar Creek Quarries, Inc.
PO Box 730
Newport, OR 97365

(541) 265-9441

Knottworks Const
PO Box 197
Otis, OR 97368

Invoice Number: 0119539-IN

Invoice Date: 10/9/2020

Customer Number: 00-KNOTCON

Customer P.O.:

Terms: NET 30 DAYS

Comment:

gross 26th

Sales Code	Description	UM	Quantity	Price	Amount
LC20 10/6	1"-0 Crushed Rock	TONS	12.980	12.000	155.76
LC20 10/7	1"-0 Crushed Rock	TONS	12.990	12.000	155.88

Invoice Total: 311.64

***** INVOICE *****

Cedar Creek Quarries, Inc.
PO Box 730
Newport, OR 97365

(541) 265-9441

Knottworks Const
PO Box 197
Otis, OR 97368

Invoice Number: 0119682-IN

Invoice Date: 10/31/2020

Customer Number: 00-KNOTCON

Customer P.O.:

Terms: NET 30 DAYS

Comment:

Sales Code	Description	UM	Quantity	Price	Amount
LC20 10/22- "Dennis G"	1"-0 Crushed Rock	TONS	12.680	12.000	152.16
LC20 10/26- "Dennis G"	1"-0 Crushed Rock	TONS	14.990	12.000	179.88
LC20 10/26- "Mast"	1"-0 Crushed Rock	TONS	12.680	12.000	152.16
LC19 10/28- "Mast"	3/4"-0 Crushed Rock	TONS	13.240	12.000	158.88
LC19 10/28- "26th"	3/4"-0 Crushed Rock	TONS	13.340	12.000	160.08
LC20 10/29- "Vet Clinic"	1"-0 Crushed Rock	TONS	38.960	12.000	467.52

Invoice Total: 1,270.68

***** INVOICE *****

Cedar Creek Quarries, Inc.
PO Box 730
Newport, OR 97365

(541) 265-9441

Knottworks Const
PO Box 197
Otis, OR 97368

Invoice Number: 0119739-IN

Invoice Date: 11/9/2020

Customer Number: 00-KNOTCON

Customer P.O.:

Terms: NET 30 DAYS

Comment:

Sales Code	Description	UM	Quantity	Price	Amount
LC20 11/4- "26th"	1"-0 Crushed Rock	TONS	13.970	12.000	167.64

Invoice Total: 167.64

***** INVOICE *****

Cedar Creek Quarries, Inc.
 PO Box 730
 Newport, OR 97365

(541) 265-9441

Invoice Number: 0119788-IN

Invoice Date: 11/16/2020

Knottworks Const
 PO Box 197
 Otis, OR 97368

Customer Number: 00-KNOTCON

Customer P.O.:

Terms: NET 30 DAYS

Comment:

Sales Code	Description	UM	Quantity	Price	Amount
LC19 11/5- "Otis Cafe"	3/4"-0 Crushed Rock	TONS	13.340	12.000	160.08
LC20 11/9- "26th St"	1"-0 Crushed Rock	TONS	13.420	12.000	161.04
LC25 11/9- "14th St"	3"-0 Crushed Rock	TON	26.730	10.250	273.98
LC20 11/10- "Otis Cafe"	1"-0 Crushed Rock	TONS	265.730	12.000	3,188.76
LC25 11/11- "Otis Cafe"	3"-0 Crushed Rock	TON	14.490	10.250	148.52
LC20 11/11- "Otis Cafe"	1"-0 Crushed Rock	TONS	43.000	12.000	516.00

Invoice Total: 4,448.38



WATERWORKS

9129 NORTH TYNDALL AVENUE
 PORTLAND, OR 97217-6964

INVOICE NUMBER	TOTAL DUE	CUSTOMER	PAGE
0934202	\$952.59	47541	1 of 1

**PLEASE REFER TO INVOICE NUMBER WHEN
 MAKING PAYMENT AND REMIT TO:**

FERGUSON WATERWORKS #3011
 PO BOX 847411
 DALLAS, TX 75284-7411

Please contact with Questions: 510-404-1810

SHIP TO:

2991 1 AB 0.419 E0153X I0256 D6815456517 S2 P7822601 0001:0002



KNOTT INC
 DBA KNOTTWORKS CONSTRUCTION
 PO BOX 197
 OTIS OR 97368-0197

COUNTER PICK UP
 3650 KASHMIR WAY SOUTHEAST
 SALEM, OR 97317-0000

SHIP WHSE.	SELL WHSE.	TAX CODE	CUSTOMER ORDER NUMBER	SALESMAN	JOB NAME	INVOICE DATE	BATCH
1615	1615	ORONLY	26TH ST	011	THE HOUSE	11/03/20	IO 77544

ORDERED	SHIPPED	ITEM NUMBER	DESCRIPTION	UNIT PRICE	UM	AMOUNT
80	80	A12650020IB	12X20 AASHTO W/TITE HDPE PIPE BE	11.710	FT	936.80
1	0	A1215AA	12 N12 HDPE SNAP COUP WT		EA	0.00
1	1	A1265AA	12 N12 HDPE SPLT COUP	15.790	EA	15.79
INVOICE SUB-TOTAL						952.59

LEAD LAW WARNING: IT IS ILLEGAL TO INSTALL PRODUCTS THAT ARE NOT "LEAD FREE" IN ACCORDANCE WITH US FEDERAL OR OTHER APPLICABLE LAW IN POTABLE WATER SYSTEMS ANTICIPATED FOR HUMAN CONSUMPTION. PRODUCTS WITH *NP IN THE DESCRIPTION ARE NOT LEAD FREE AND CAN ONLY BE INSTALLED IN NON-POTABLE APPLICATIONS. BUYER IS SOLELY RESPONSIBLE FOR PRODUCT SELECTION.

Looking for a more convenient way to pay your bill?

Log in to **Ferguson.com** and request access to Online Bill Pay.

TERMS: NET 10TH PROX	ORIGINAL INVOICE	TOTAL DUE	\$952.59
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All past due amounts are subject to a service charge of 1.5% per month, or the maximum allowed by law, if lower. If Buyer fails to pay within terms, then in addition to other remedies, Buyer agrees to pay Seller all costs of collection, including reasonable attorney fees. Complete terms and conditions are available upon request or at <https://www.ferguson.com/content/website-info/terms-of-sale>, incorporated by reference. Seller may convert ch



**H.D. FOWLER
COMPANY**

Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
11316 NE Hwy 99
VANCOUVER, WA 98686
(360) 574-9377 Fax (360) 574-9297

Invoice
Number **15604190**

VAWH

115154

T-1 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	3000 NE 26TH ST 1/4	
	LINCOLN CITY	OR 973674507
Order# O6812205	Inv Date: 10/03/20	Order Writer: BECKY ZENTHOEFER
Terms: NET 10TH PROX	Due: 11/10/20	PO/JOB: LINCOLN CITY
FOB: H. D. FOWLER COMPANY	Ship Via: VENDOR'S CHOICE	NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
<p>2" FLUSHING CONNECTION *****</p>							
1	1	0	EA	2" SDR 11 WYE IPS HDPE MOLDED BUTT FUSION	80.580	80.58	
2	2	0	EA	2" SDR 11 45 ELBOW IPS HDPE MOLDED BUTT FUSION	8.880	17.76	
3	3	0	EA	2" SDR 11 TRANSITION FITTING IPS HDPE X MIP 316SS NSF APPROVED	29.920	89.76	
4	1	0	EA	2" BRASS GATE VALVE THREADED NRS 200 WOG	38.380	38.38	
5	1	0	EA	B11-777W-NL 2" FIP X FIP BALL VALVE CURB STOP W/ PADLOCK WINGS NO-LEAD FORD	317.610	317.61	
6	1	0	EA	18" VALVE BOX TOP 910 SLIP TYPE	40.650	40.65	
7	1	0	EA	LID FOR 910 VALVE BOX MARKED "SEWER"	18.900	18.90	
8	14	0	FT	6" SDR35 3034 GASKETED PVC SEWER PIPE 14' LENGTH	2.960	41.44	
9	1	0	EA	#1-RT CONCRETE VALVE BOX BODY 8-3/4" X 12" 70VB004 BROOKS	57.990	57.99	
10	1	0	EA	#1-RT CI VALVE BOX COVER 9-1/2" MARKED "SEWER" CI52003SEW BROOKS	31.060	31.06	
11	1	0	EA	3-IN-1 EXTENDABLE 3'-5' VALVE WRENCH 85490 SEYMOUR	77.620	77.62	



Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Invoice Number **15604190**

VAWH

Vancouver Branch
 11316 NE Hwy 99
 VANCOUVER, WA 98686
 (360) 574-9377 Fax (360) 574-9297

115154

T-1
 KNOTTWORKS CONSTRUCTION INC
 PO Box 197
 Otis OR 97368-0197

3000 NE 26TH ST 2/4

LINCOLN CITY OR 973674507

Order# O6812205	Inv Date: 10/03/20	Order Writer: BECKY ZENTHOEFER
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Terms: NET 10TH PROX

Due: 11/10/20

PO/JOB: LINCOLN CITY

FOB: H. D. FOWLER COMPANY

Ship Via: VENDOR'S CHOICE

NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
------	------------	----------	-----	--------------------	------------	----------------	-----

Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total	811.75
Freight	0.00
Tax	0.00
Grand Total	811.75

Serving the Pacific Northwest since 1911
www.hdfowler.com

RON CLARK

Packet Pg. 45

**H.D. FOWLER
COMPANY**

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
11316 NE Hwy 99
VANCOUVER, WA 98686
(360) 574-9377 Fax (360) 574-9297

Invoice
Number **15604191**

VAWH

115154

T-1 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	3000 NE 26TH ST LINCOLN CITY OR 973674507		3/4
	Order# O6812202	Inv Date: 10/03/20	Order Writer: BECKY ZENTHOEFER
Terms: NET 10TH PROX	Due: 11/10/20	PO/JOB: LINCOLN CITY	
FOB: H. D. FOWLER COMPANY	Ship Via: VENDOR'S CHOICE	NE 26TH & WEST DEVILS LAKE R	

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p> <p>LOW PRESSURE SANITARY SEWER MAIN *****</p>							
1	500	0	FT	2" SDR 11 IPS HDPE PIPE 500' COILS	1.220	610.00	
2	200	0	FT	2" SDR 11 IPS HDPE PIPE 100' COIL	1.220	244.00	
4	2	0	RL	12 GA GREEN WIRE 500' ROLL	79.230	158.46	
5	1	0	EA	2" DETECTABLE TAPE SEWER GREEN 1000' ROLL	24.800	24.80	
6	7	0	EA	2" X 1-1/4" SDR 11 REDUCING TEE IPS HDPE MOLDED OR FABRICATED BUTT FUSION	44.020	308.14	
7	2	0	EA	2" SDR 11 90 ELBOW IPS HDPE MOLDED BUTT FUSION	7.230	14.46	
8	1	0	EA	2" SDR 11 45 ELBOW IPS HDPE MOLDED BUTT FUSION	8.880	8.88	
10	2	0	EA	SS REG STRAP FOR CB SEWER SADDLE 8.00 - 14.40 ROMAC	37.170	74.34	
14	7	0	EA	1-1/4" SDR 11 TRANSITION FITTING IPS HDPE X MIP 316SS NSF APPROVED	27.320	191.24	
15	7	0	EA	1-1/4" BRASS CAP IMPORT NO-LEAD	9.100	63.70	
13	1	0	EA	2" MIPT COMPRESSION ADAPTER IPS HDPE 200	26.270	26.27	

RON CLARK



Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
 11316 NE Hwy 99
 VANCOUVER, WA 98686
 (360) 574-9377 Fax (360) 574-9297

Invoice
 Number **I5604191**

VAWH
 # 115154



T-1
 KNOTTWORKS CONSTRUCTION INC
 PO Box 197
 Otis OR 97368-0197

3000 NE 26TH ST 4/4
 LINCOLN CITY OR 973674507

Order# O6812202	Inv Date: 10/03/20	Order Writer: BECKY ZENTHOEFER
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Terms: NET 10TH PROX	Due: 11/10/20	PO/JOB: LINCOLN CITY
FOB: H. D. FOWLER COMPANY	Ship Via: VENDOR'S CHOICE	NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
16	1	0	EA	PSI 1-1/4" MIPT COMPRESSION ADAPTER IPS HDPE 200	12.200	12.20	
17	7	0	EA	PSI FB500-5-NL 1-1/4" MIP X MIP BALLCORP CORP STOP NO-LEAD FORD	163.670	1145.69	
22	1	0	EA	FB500-7-NL 2" MIP X MIP BALLCORP CORP STOP NO-LEAD FORD	293.310	293.31	
20	14	0	EA	1-1/4" DR11 FUSION X 304 SS FIPT TRANSITION ADAPTER, 712-0125-S4I11, POLY-CAM ***NON-STOCK & NON-RETURNABLE***	47.030	658.42	
21	2	0	EA	2" DR11 FUSION X 304 SS FIPT HDPE ADAPTER, #712-0200-S4I11, POLY-CAM ***NON-STOCK & NON-RETURNABLE***	70.030	140.06	

** Remittance Address ** PO Box 84368, Seattle, WA 98124-5668
 EFT Routing: 121000248
 EFT Bank No: 418 545 3362

Sub total	3,973.97
Freight	0.00
Tax	0.00
Grand Total	3,973.97

RON CLARK

Serving the Pacific Northwest since 1911
 www.hdfowler.com

Packet Pg. 47



Corporate Office

I.2.b

3633 136th PI SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
 11316 NE Hwy 99
 VANCOUVER, WA 98686
 (360) 574-9377 Fax (360) 574-9297

Invoice
 Number **15591313**

VAWH
 # 115154



T-3 KNOTTWORKS CONSTRUCTION INC
 PO Box 197
 Otis OR 97368-0197

HD Fowler Company - Vancouver 2/2

VANCOUVER WA 98686

Order# O6809639	Inv Date: 09/21/20	Order Writer: BECKY ZENTHOEFER
---------------------------	------------------------------	--

Terms: NET 10TH PROX

Due: 10/10/20

PO/JOB: NE26TH ST

FOB: H. D. FOWLER

Ship Via: WILL CALL

LINCOLN CTIY

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
------	------------	----------	-----	--------------------	------------	----------------	-----

Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.

1	300	0	FT	1-1/4" SDR 11 IPS HDPE PIPE 300' COIL	0.760	228.00	Y
---	-----	---	----	---------------------------------------	-------	--------	---

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total 228.00

Freight 0.00

Tax 19.15

Grand Total 247.15

RON CLARK

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Packet Pg. 48



**H.D. FOWLER
COMPANY**

REMIT: PO Box 84368, Seattle, WA 98124

Invoice
Number **15591199**

WIWH
115154

Corporate Office

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

Wilsonville Branch
28800 SW Boberg Rd
Wilsonville, OR 97070
(503) 783-3490 Fax (503) 783-3497

I.2.b

T-3 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	HD Fowler Company - Wilsonvill 1/2	
	Wilsonville	OR 97070
Order# O6809575	Inv Date: 09/21/20	Order Writer: BECKY ZENTHOEFER
Terms: NET 10TH PROX	Due: 10/10/20	PO/JOB: NE 26TH LINCOLN
FOB: H. D. FOWLER	Ship Via: WILL CALL	CITY

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
1	320	0	FT	3" GRAY SCH 40 PVC CONDUIT BE, 20' LENGTH	3.380	1081.60	
2	120	0	FT	2" GRAY SCH 40 PVC CONDUIT BE, 20' LENGTH	1.770	212.40	
3	9	0	EA	3" X 36" SCH 40 CONDUIT SWEEP 90 ELBOW BXSP	21.020	189.18	
4	2	0	EA	2" X 36" SCH 40 CONDUIT SWEEP 90 ELBOW BXSP	10.130	20.26	
						Sub total	1,503.44
						Freight	0.00
						Tax	0.00
						Grand Total	1,503.44

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

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RON CLARK

Packet Pg. 49



REMIT: PO Box 84368, Seattle, WA 98124

Invoice
Number **15609807**

VAWH
115154

Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

Vancouver Branch
11316 NE Hwy 99
VANCOUVER, WA 98686
(360) 574-9377 Fax (360) 574-9297

T-2 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	HD Fowler Company - Vancouver 2/3	
	VANCOUVER WA 98686	
Order# O6825835	Inv Date: 10/08/20	Order Writer: BECKY ZENTHOEFER
Terms: NET 10TH PROX	Due: 11/10/20	PO/JOB: LINCOLN CITY
FOB: H. D. FOWLER	Ship Via: WILL CALL	NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
2	1	0	EA	INBOUND FRT / BILLABLE INBOUND FRT / BILLABLE/UPS NEXT DAY AIR	40.000	40.00	Y
1	1	0	EA	2" X 1-1/4" SDR 11 REDUCING TEE IPS HDPE MOLDED OR FABRICATED BUTT FUSION	44.020	44.02	Y

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total 84.02
Freight 0.00
Tax 7.06
Grand Total 91.08

RON CLARK/DANIEL RAY

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Packet Pg. 50



REMIT: PO Box 84368, Seattle, WA 98124

Invoice Number **15609815**

VAWH # 115154

Corporate Office

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

I.2.b

Vancouver Branch
 11316 NE Hwy 99
 VANCOUVER, WA 98686
 (360) 574-9377 Fax (360) 574-9297

T-2 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	HD Fowler Company - Vancouver 3/3 VANCOUVER WA 98686	
	Order# O6827387	Inv Date: 10/08/20
Terms: NET 10TH PROX FOB: H. D. FOWLER	Due: 11/10/20 Ship Via: WILL CALL	PO/JOB: LINCOLN CITY NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.							
3	2	0	EA	2" SDR 11 TEE IPS HDPE MOLDED BUTT FUSION	9.050	18.10	Y
4	2	0	EA	2" X 1-1/4" SDR 11 REDUCER IPS HDPE MOLDED BUTT FUSION	6.670	13.34	Y
1	3	0	EA	2" ELECTROFUSION COUPLING IPS HDPE DOMESTIC	11.420	34.26	Y

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total	65.70
Freight	0.00
Tax	5.52
Grand Total	71.22

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 www.hdfowler.com

DANIEL RAY

Packet Pg. 51



REMIT: PO Box 84368, Seattle, WA 98124

Invoice Number **15608721**

WIWH
115154

Corporate Office

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

Wilsonville Branch
28800 SW Boberg Rd
Wilsonville, OR 97070
(503) 783-3490 Fax (503) 783-3497

I.2.b

T-2 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	HD Fowler Company - Wilsonville 1/3 Wilsonville OR 97070	
	Order# O6826000	Inv Date: 10/08/20
Terms: NET 10TH PROX FOB: H. D. FOWLER	Due: 11/10/20 Ship Via: WILL CALL	PO/JOB: LINCOLN CITY NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
1	8	0	EA	1-1/4" FIPT X IPS DR11 HDPE COMPRESSION FEMALE ADAPTER #75-33255, STRAIGHT ***NON-RETURNABLE***	19.240	153.92	

Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.

** Remittance Address **
 PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248
 EFT Bank No: 418 545 3362

Sub total 153.92
 Freight 0.00
 Tax 0.00
 Grand Total 153.92

RON CLARK

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Packet Pg. 52



**H.D. FOWLER
COMPANY**

Corporate Office

I.2.b

3633 136th PI SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Invoice
Number **15610945**

WIWH

Wilsonville Branch
28800 SW Boberg Rd
Wilsonville, OR 97070
(503) 783-3490 Fax (503) 783-3497

115154

T-1 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	HD Fowler Company - Wilsonville 1/1	
	Wilsonville	OR 97070
Order# O6832684	Inv Date: 10/09/20	Order Writer: BECKY ZENTHOEFER
Terms: NET 10TH PROX	Due: 11/10/20	PO/JOB: LINCOLN CITY
FOB: H. D. FOWLER	Ship Via: WILL CALL	NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>						
1	20	0	FT	24" X 20' ADS BLUE SEAL CORR POLY, TESTABLE, AASHTO M294, TYPE "S", DUAL WALL, LONG BELL 246550020IBL	36.890	737.80
2	200	0	FT	2" GRAY SCH 40 PVC CONDUIT BE, 20' LENGTH	1.770	354.00

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total	1,091.80
Freight	0.00
Tax	0.00
Grand Total	1,091.80

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www.hdfowler.com

DAVE

Packet Pg. 53



Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Wilsonville Branch
 28800 SW Boberg Rd
 Wilsonville, OR 97070
 (503) 783-3490 Fax (503) 783-3497

Invoice
 Number **15631167**

WIWH

115154



T-2 KNOTTWORKS CONSTRUCTION INC
 PO Box 197
 Otis OR 97368-0197

3000 NE 26TH ST 1/2

LINCOLN CITY OR 973674507

Order# O6848778	Inv Date: 11/02/20	Order Writer: BECKY ZENTHOEFER
--------------------	-----------------------	-----------------------------------

Terms: NET 10TH PROX

Due: 12/10/20

PO/JOB: LINCOLN CITY

FOB: H. D. FOWLER COMPANY

Ship Via: VENDOR'S CHOICE

NE 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>						
1	1	0	EA	DISCHARGE WHIP, PA1836P01, 1-1/4" SS MALE NOPT X 1-1/4" SS FEMALE NPT, SDR11 HDPE, 48" LENGTH, (E-ONE DISCHARGE KIT)	151.430	151.43
2	3	0	EA	E-ONE ADAPTER, 1-1/4" MALE NPT X 1-1/4" SDR11 COMPRESSION, #E1 PA1365P01, SS	23.350	70.05
4	1	0	EA	EONE SS 1-1/4" LATERAL KIT 1-1/4" : CURB STOP W/ INTERGRAL CHECK VALVE STAINLESS STEEL: FIPT X FIPT	172.270	172.27

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total 393.75

Freight 0.00

Tax 0.00

Grand Total 393.75

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RON CLARK

Packet Pg. 54



Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
 PO Box 160, Bellevue, WA 98009-0160
 Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
 11316 NE Hwy 99
 VANCOUVER, WA 98686
 (360) 574-9377 Fax (360) 574-9297

Invoice
 Number **15637414**

VAWH

115154

T-2
 KNOTTWORKS CONSTRUCTION INC
 PO Box 197
 Otis OR 97368-0197

3000 NE 26TH ST 1/1
 LINCOLN CITY OR 973674507

Order# O6852961
 Inv Date: 11/09/20
 Order Writer: Seth Ainslie

Terms: NET 10TH PROX

Due: 12/10/20

PO/JOB: 2" ONSITE FUSION SERV

FOB: H. D. FOWLER COMPANY

Ship Via: SALESPERSON DELIVERY 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.							
2	3	0	DY	McElroy 1-4 butt fusion machine. Requires (2) 120 volt 15 amp circuits. 1 Day Rental	60.000	180.00	
4	1	0	DY	120 volt Hurner electrofusion processor. Requires 120v 30 amp NEMA L5-30 receptacle. 1 Day Rental	125.000	125.00	
5	1	0	EA	Misc Comment ELECTRO MACHINE TO SPLICE IN ADDITIONAL TEE NOT SHOWN ON PLANS	0.000	0.00	
3	224	0	EA	PER MILE ROUND TRIP FUSION DELIVERY/TRAVEL CHARGE ROUND TRIP HD FOWLER VANCOUVER TO JOBSITE	1.750	392.00	
6	3	0	EA	OVERNIGHT ACCOMODATIONS FOR FUSION TECHNICIAN OVERNIGHT ACCOMODATIONS FOR FU	190.000	570.00	
1	3	0	EA	DAILY RATE FOR FUSION TECH (8 HOURS ON SITE) DAILY RATE FOR FUSION TECH (8	800.000	2400.00	

Sub total 3,667.00
 Freight 0.00
 Tax 0.00
 Grand Total 3,667.00

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

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RON

Packet Pg. 55



**H.D. FOWLER
COMPANY**

Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

REMIT: PO Box 84368, Seattle, WA 98124

Vancouver Branch
11316 NE Hwy 99
VANCOUVER, WA 98686
(360) 574-9377 Fax (360) 574-9297

Invoice
Number **15646064**

VAWH
115154



T-2 **KNOTTWORKS CONSTRUCTION INC**
PO Box 197
Otis OR 97368-0197

3000 NE 26TH ST 1/2
LINCOLN CITY OR 973674507

Order# O6871476	Inv Date: 11/19/20	Order Writer: Seth Ainslie
---------------------------	------------------------------	--------------------------------------

Terms: NET 10TH PROX

Due: 12/10/20

PO/JOB: 2" ONSITE FUSION SERV

FOB: H. D. FOWLER COMPANY

Ship Via: SALESPERSON DELIVERY 26TH & WEST DEVILS LAKE R

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
2	1	0	DY	120 volt Hurner electrofusion processor. Requires 120v 30 amp NEMA L5-30 receptacle. 1 Day Rental	125.000	125.00	
3	200	0	EA	PER MILE ROUND TRIP FUSION DELIVERY/TRAVEL CHARGE PER MILE ROUND TRIP HD FOWLER VANCOUVER TO JOBSITE	1.750	350.00	
1	1	0	EA	DAILY RATE FOR FUSION TECH (8 HOURS ON SITE) 11-18-20, ONSITE FUSION TECH (HALF DAY RATE)	500.000	500.00	

** Remittance Address **

PO Box 84368, Seattle, WA 98124-5668

EFT Routing: 121000248

EFT Bank No: 418 545 3362

Sub total	975.00
Freight	0.00
Tax	0.00
Grand Total	975.00

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www.hdfowler.com

RON

Packet Pg. 56



REMIT: PO Box 84368, Seattle, WA 98124

Invoice
Number **15646070**

VAWH
115154

Corporate Office

I.2.b

3633 136th Pl SE, Ste 100, Bellevue, WA 98006
PO Box 160, Bellevue, WA 98009-0160
Phone 425-654-8800 * Fax 425-641-8885

Vancouver Branch
11316 NE Hwy 99
VANCOUVER, WA 98686
(360) 574-9377 Fax (360) 574-9297

T-2 KNOTTWORKS CONSTRUCTION INC PO Box 197 Otis OR 97368-0197	3000 NE 26TH ST		2/2
	LINCOLN CITY	OR	973674507
Order#	Inv Date:	Order Writer:	
O6871513	11/19/20	Seth Ainslie	
Terms: NET 10TH PROX	Due: 12/10/20	PO/JOB: 2" ELECTRO COUPLINGS	
FOB: H. D. FOWLER COMPANY	Ship Via: SALESPERSON DELIVERY 26TH & WEST DEVILS LAKE R		

Line	Qty Ship'd	Qty BO'd	UoM	Part # Description	Unit Price	Extended Price	T X
<p>Please note: our Corporate phone number has changed. If you have any questions regarding payables or receivables call Corporate at 425-654-8800.</p>							
1	2	0	EA	2" ELECTROFUSION COUPLING IPS HDPE DOMESTIC	11.420	22.84	
					Sub total	22.84	
					Freight	0.00	
					Tax	0.00	
					Grand Total	22.84	
<p>** Remittance Address ** PO Box 84368, Seattle, WA 98124-5668</p>				<p>EFT Routing: 121000248 EFT Bank No: 418 545 3362</p>			
<p>Serving the Pacific Northwest since 1911 www.hdfowler.com</p>							

RON

Packet Pg. 57



Credit Memo

C517230

WIWH
115154

Wilsonville Branch
28800 SW Boberg Rd
Wilsonville, OR 97070
(503) 783-3490 Fax (503) 783-3497

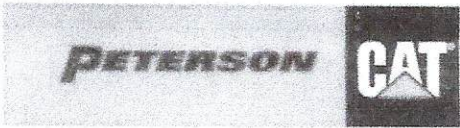
To:

KNOTTWORKS CONSTRUCTION INC
PO BOX 197
OTIS OR 97368-0197

Return # RA413641	Credit Date: 12/10/20	Credit Writer: Levi Ralston
----------------------	--------------------------	--------------------------------

PO/JOB:
NE 26TH & WEST DEVILS LAKE RD

Line	Qty	UoM	Part # Description	Unit Price	Credit Price	T X
			COMMENTS: Excess material not needed for job completion. Restock Charge %15			
1	100	FT	1-1/4" DR 11 IPS HDPE PIPE 100' COIL Sales Invoice <I5631654>	0.76	-76.00	
2	1	EA	2" SDR 11 WYE IPS HDPE MOLDED BUTT FUSION Sales Invoice <I5604190>	80.58	-80.58	
3	3	EA	2" SDR 11 TRANSITION FITTING IPS HDPE X MIP 316SS NSF APPROVED Sales Invoice <I5604190>	29.92	-89.76	
4	1	EA	2" X 1-1/4" SDR 11 REDUCING TEE IPS HDPE MOLDED OR FABRICATED BUTT FUSION Sales Invoice <I5609807>	44.02	-44.02	
5	3	EA	JUMBO IRRIGATION BOX BASE ONLY BLACK 20-1/2" X 13-15/16" X 12" HIGHLINE Sales Invoice <I5631654>	39.93	-119.79	
6	3	EA	JUMBO IRRIGATION BOX LID BROWN MARKED "CONTROL VALVE" HIGHLINE Sales Invoice <I5631654>	34.61	-103.83	
				Sub total	-513.98	
				Charges	77.10	
				Freight		
				Tax	-3.70	
				Grand Total	-440.58	



INVOICE I.2.b

For Questions Concerning
This Invoice, Call Credit
Dept. 1-855-204-9817

PETERSON
PO BOX 5258
SAN LEANDRO, CA 94577
www.PetersonHolding.com

TO VIEW AND PAY ONLINE GO TO:	
https://petersoncat.billtrust.com	
ENROLLMENT KEY	ENROLLMENT TOKEN
7324966	HVP QMR WQM

REMIT TO:
PETERSON
PO BOX 101775
PASADENA, CA 91189-1775

SOLD TO

KNOTTWORKS CONSTRUCTION
PO BOX 197
OTIS OR 97368

SHIP TO
3000 NW 26TH ST
LINCOLN CITY, OR
97367

INVOICE NUMBER	INVOICE DATE	CUSTOMER NO.	CUSTOMER ORDER NUMBER			STORE	DIV	SALESMAN	TERMS	PAGE
U6082403	12-11-20	7324966				44	M	566	2	1
WORK ORDER	DOC DATE	PC	LC	MC	SHIP VIA			INV SEQ No.		
U60824	10-05-20			10	INTERNAL TRANSPORT			588456		
MAKE	MODEL	SERIAL NUMBER		EQUIPMENT NUMBER	METER READING		MACH ID NO			
AA	315F	TDY14241			396.8		NM78050			
QUANTITY	ITEM	N/R	DESCRIPTION			UNIT PRICE	EXTENSION			

CUSTOMER CONTACT: NATE										
1.0	EQUIPMENT RENTAL		FROM 12/02/20 THRU 12/03/20							
	ID NO: NM78050		SERIAL NO: 0TDY14241				1438.00			
	EXCAVATOR 314/315F - 315F STL		PIN: *CAT0315FCTDY14241*							
	HRS OUT: 274.2		CURRENT SMU: 396.8				Total: 122.6			
1.0	EQUIPMENT RENTAL		FROM 12/02/20 THRU 12/03/20							
	ID NO: NM84882		SERIAL NO: 0PSE09235							
	EXC 311/312/313F/314/315F BUCKET 24" - 3/4		24"							
1.0	EQUIPMENT RENTAL		FROM 12/02/20 THRU 12/03/20							
	ID NO: NM86441		SERIAL NO: 0PSE09475							
	EXC 311/312/313F/314/315F BUCKET 66" - 314		66"							
	INSPECTION REPORT AVAILABLE UPON REQUEST									
1.0	OR HER TAX 2%						28.76			
1.0	ENVIRON FEES						14.38			
35.1	DIESEL FUEL CHRГ						280.80			
3.5	DEF FUEL CHARGE						28.00			
1.0	PICKUP CHARGE						375.00			
1.0	EQUIPMENT PROTECTION FEE						201.32			

When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-road Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions or air pollutants. For more information, please visit the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

PAY THIS AMOUNT	2366.26
AMOUNT CREDITED	

Peterson retains a security interest in the equipment described above until all sums due or to become due from customer, whether evidenced by note, book account, judgment or otherwise, has been paid in full. All bills for complete units of equipment as above are due and payable immediately on delivery of equipment.

INCLUDE INVOICE NUMBER ON REMITTANCE

TERMS ARE CASH UNLESS CREDIT IS APPROVED. With CREDIT APPROVAL, payment is due thirty (30) days after the invoice date. A finance charge of 1.5% per month (18% per year) will be assessed on all charges remaining unpaid on the closing date of the month following the invoice date. Peterson has the right to collect and Customer will also pay any collection fees, court costs, reasonable attorneys' fees and other fees, costs and charges incurred by Peterson in collecting payment of the charges and any other amounts for which Customer is or will become liable hereunder.

All disputes and matters whatsoever arising under, in connection with or incident to this invoice will be litigated, if at all, in and before a court located in the State of Oregon, U.S.A. to the exclusion of the courts in any other state or country. Acceptance by Customer of the parts, service or equipment listed above is and will be deemed to be Customer's agreement to be bound by the terms contained herein.

Customer Original Invoice

Packet Pg. 62



TRENCH SAFETY
BRANCH B12
9050 NE HALSEY ST
PORTLAND OR 97220
503-255-3449

RENTAL RETURN INVOICE

I.2.b



188465815-001

Job Site

KNOTTWORKS OFFICE
4060 NW US 101
x:X@X
LINCOLN CITY OR 97367
Office: 541-992-4405 Cell: 541-921-2283

Customer # : 1375415
Invoice Date : 11/25/20
Rental Out : 11/24/20 12:00 PM
Rental In : 11/25/20 12:00 PM
UR Job Loc : 4060 NW US 101, LINC
UR Job # : 16
Customer Job ID: ~~300~~
P.O. # : 26TH STREET
Ordered By : RON CLARK
Reserved By : JONATHAN CARTER
Salesperson : SPENCER SMITH

9.1.3736 1 MB 0.436 38556S21.p01 211779 1-1 0



KNOTTWORKS CONSTRUCTION INC
PO BOX 197
KNOTT INC DBA
OTIS OR 97368-0197

Invoice Amount: \$293.76

Terms: Due Upon Receipt
Payment options: Contact our credit office 212-333-6600 Ext. 84877
REMIT TO: UNITED RENTALS (NORTH AMERICA),INC.
FILE 51122
LOS ANGELES CA 90074-1122

RENTAL ITEMS:

Qty	Equipment	Description	Minimum	Day	Week	4 Week	Amount
1	10772946	GAS DETECTOR 4 GAS Make: MSA Model: ALTAIR 4XR Serial: 00020444	90.00	90.00	289.00	670.00	90.00
1	10691090	TRIPOD RESCUE PACKAGE Make: MSA Model: TRIPOD 50 FT Serial: 170703127	99.00	99.00	418.00	1077.00	99.00
1	10726663	BLOWER AXIAL 8" ELECTRIC Make: ALLEGRO Model: 9533-25 Serial: 33-26794	99.00	99.00	424.00	538.00	99.00

SALES/MISCELLANEOUS ITEMS:

Qty	Item	Price	Unit of Measure	Extended Amt.
1	OR HEAVY EQUIP. RENTAL TAX	[DRSUROR/MCI]	EACH	5.76
Rental Subtotal:				288.00
Sales/Misc Subtotal:				5.76
Agreement Subtotal:				293.76
Total:				293.76

COMMENTS/NOTES:

CONTACT: RON CLARK
CELL#: 503-260-8813

ARE YOU OR YOUR EMPLOYEES IN NEED OF OPERATOR CERTIFICATION TRAINING?
CONTACT UNITED ACADEMY TODAY 844-222-2345 OR WWW.UNITEDACADEMY.UR.COM
TRAINING IS NOT AVAILABLE ON CERTAIN EQUIPMENT IN CANADA.

NOTICE: This invoice is subject to the terms and conditions of the Rental and Service Agreement, which are available at <https://www.unitedrentals.com/legal/rental-service-terms-US> and which are incorporated herein by reference. A COPY OF THE RENTAL AND SERVICE AGREEMENT TERMS ARE AVAILABLE IN PAPER FORM UPON REQUEST.

You Can Now Access Invoice History and Update Purchase Orders Online
To Sign Up, contact URControlSupport@ur.com

BRANCH 269
3735 WEST 11TH AVE
EUGENE OR 97402
541-465-1235

4 WEEK BILLING INVOICE

I.2.b



187691866-001

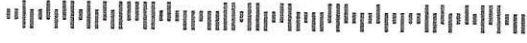
Job?

Job Site

KNOTTWORKS OFFICE
4060 NW US 101
x:X@X
LINCOLN CITY OR 97367
Office: 541-992-4405 Cell: 541-921-2283

Customer # : 1375415
Invoice Date : 11/17/20
Date Out : 11/02/20 11:48 AM
Billed Through : 11/30/20 00:00
UR Job Loc : 4060 NW US 101, LINC
UR Job # : 16
Customer Job ID:
P.O. # :
Ordered By : RON CLARK
Reserved By : ERRON DOVER
Salesperson : HOUSE ACCOUNT

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KNOTTWORKS CONSTRUCTION INC
PO BOX 197
KNOTT INC DBA
OTIS OR 97368-0197

3000 26th

Invoice Amount: \$771.68

Terms: Due Upon Receipt
Payment options: Contact our credit office 212-333-6600 Ext. 84877
REMIT TO: UNITED RENTALS (NORTH AMERICA), INC.
FILE 51122
LOS ANGELES CA 90074-1122

RENTAL ITEMS:

Qty	Equipment	Description	Minimum	Day	Week	4 Week	Amount
1	10763652	PUMP HYDROSTATIC TEST 550 PSI GAS Make: RICE-HYDRO Model: DPH-3B-KIT-UR Serial: 49511	132.00	132.00	351.00	742.00	742.00

SALES/MISCELLANEOUS ITEMS:

Qty	Item	Price	Unit of Measure	Extended Amt.
1	OR HEAVY EQUIP. RENTAL TAX	[DRSUROR/MCI] 14.840	EACH	14.84
1	ENVIRONMENTAL SERVICE CHARGE	[ENV/MCI] 14.840	EACH	14.84
Sales/Misc Subtotal:				29.68
Agreement Subtotal:				771.68
Total:				771.68

COMMENTS/NOTES:

CONTACT: RON CLARK
CELL#: 503-260-8813

Billing period: 28 Days From 11/02/20 11:48 AM Thru 11/30/20 11:48 AM

Remit To:

Power Rents, LLC
 P.O.Box 87908
 Vancouver, WA 98687
 PowerRents.com



Paid in Full

Completed	Invoice#
Fri 11/13/2020	70766-3

Customer #: 10962

Knottworks Construction Inc
 4060 NW U.S 101,
 LINCOLN CITY, OR 97367

Date Out Tue 11/ 3/2020

Terms	Aging Date
Due upon receipt	Fri 11/13/2020

Fold Here

Fold Here

Picked up by: Clark, Ronald James

Used at Address

Ron Clark 503-260-8813
 residence
 26th st
 lincoln City

Qty	Key	Items	Disc%	Status	Returned Date	Price
1	341x01#03D H	Vacuum Trailer 1025 CFM 500 Gal		Returned	Fri 11/13/2020 8:50AM	\$2,040.00
		Meter Out: 292.0 Meter In: 301.0 Total hours on meter: 9.0				
		1day \$435.00 1week \$1,275.00 4weeks \$3,575.00				
		Called Off #43886 on 11/13/2020 for 11/13/2020				
		ABSOLUTELY NO DRY VACUUMING!!! WILL CAUSE DAMAGE TO UNIT .WET VACUUMING ONLY!!!!				
		NOT FOR PUMPING SEPTIC!!!				
		\$1,200.00 Charge If Returned with Debris				

Payments made on this contract:

Rental/Sale Paid	\$887.40	Tue 11/ 3/2020 3:40PM Credit Card Visa 4*****4804 Auth:02593D
Deposit Paid	\$180.00	Tue 11/ 3/2020 3:40PM Credit Card Visa 4*****4804 Auth:02593D
Subtotal	\$1,067.40	Tue 11/ 3/2020 3:40PM
Rental/Sale Paid	\$413.10	Fri 11/ 6/2020 8:32AM Credit Card Visa 4*****4804 Auth:05487D
Rental/Sale Paid	\$780.30	Fri 11/13/2020 11:38AM Credit Card Visa 4*****4804 Auth:06783D
Deposit Refund	(\$180.00)	Fri 11/13/2020 11:38AM Credit Card Visa 4*****4804 Auth:06783D
Subtotal	\$600.30	Fri 11/13/2020 11:38AM
Total	\$2,080.80	

Payment Due upon receipt

Please pay from this invoice.

Rental and Sales:				egon (HERT) rental tax:
\$2,040.00				\$40.80
Total Amount:	\$2,080.80	Total Paid	\$2,080.80	Total Due
				\$0.00

360-256-9432 Phone

PowerRents.com

360-256-0004 Fax

Council Communication

Ordinance 2021-20 Amending LCMC Ch. 2.06 Appointive Bodies

Meeting Date:	September 27, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	15 minutes

Question(s):

Should the City Council conduct and approve First and Second Reading of Ordinance 2021-20 entitled:

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.06 (CITY APPOINTIVE BODIES), AMENDING SECTION 2.06.015 (RECRUITMENT AND APPOINTMENT PROCESS) TO CLARIFY SCHEDULING OF INTERVIEWS BEFORE THE CITY COUNCIL.

Staff Recommendation:

Staff recommends Council conduct and approve First and Second Reading of Ordinance 2021-20.

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 amends LCMC 2.06.015 to expressly state that interviews for the Planning Commission and Budget Committee openings shall be scheduled before Council as soon as possible after we have a qualified applicant (i.e. they have passed the Recorder's threshold review and the background check).

Council had some disagreement about whether or not to hold off on interviews until more than one qualified applicant is available for interview. The ordinance makes the decision, by requiring the interview to occur as soon as possible after the completion of the threshold review and background (This is the staff recommendation). However, as an ordinance amendment is a Council decision, alternative language is prepared optional gray shaded language which would delay interview scheduling until there is more than one qualified applicant. [Gray shaded language is not in the attached ordinance and will need to be read if desired]

LCMC 2.06.015 E would be amended to read as follows:

E. Interview and Evaluation Process.

1. A councilor conducting individual interviews may schedule their own interviews with applicants.
2. Subcommittees conducting interviews shall have interviews noticed and scheduled by the city recorder, or designee. Councilors jointly conducting individual interviews may request interviews be scheduled by staff, but such interviews shall be noticed.
3. Only interview subcommittee members may discuss the applications and deliberate on recommendations to council.
4. Individual councilors or the interview subcommittee members shall advise the city recorder or designee of their recommendations.
5. The HR director shall place the results of the background investigation and reference check investigations in the file for review by all councilors.
- 6. The City Council shall interview Budget Committee and Planning Commission applicants at a regular or special council meeting. Interviews for the Planning Commission and Budget Committee shall be scheduled as soon as possible after the applicant has passed the City Recorder's threshold review and the background check. Notwithstanding the above, interviews for the above appointive bodies shall be scheduled before Council only if there is more than one qualified applicant.**

Again, staff recommendation is to conduct the interviews as soon as possible after the applicant passes the threshold review and background. Nothing prohibits Council from

conducting the interview and delaying making a decision on appointment until a future [date certain] meeting.

Financial Impact

None expected.

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 October 11, 2021 [or]
3. Continue First Reading to October 11, 2021.

Potential Motions:

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

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.06 (CITY APPOINTIVE BODIES), AMENDING SECTION 2.06.015 (RECRUITMENT AND APPOINTMENT PROCESS) TO CLARIFY SCHEDULING OF INTERVIEWS BEFORE THE CITY COUNCIL

Motion to approve First Reading of Ordinance 2021-20.

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 2021-20.

[or]

2. Motion to set Second Reading for October 11, 2021.

Attachments:

Ordinance 2021-20 RA 9-15-21 (DOCX)

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.06 (CITY APPOINTIVE BODIES), AMENDING SECTION 2.06.015 (RECRUITMENT AND APPOINTMENT PROCESS) TO CLARIFY SCHEDULING OF INTERVIEWS BEFORE THE CITY COUNCIL.

Annotated to show deletions and additions to the code sections being modified. Deletions are ~~bold 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, the City Council desires to clarify scheduling interviews for Planning Commission and Budget Committee appointments;

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

SECTION 1. Lincoln City Municipal Code Title 2 (*Administration and Personnel*), Chapter 2.06 (*City Appointive Bodies*), Section 2.06.015 (*Recruitment and Appointment Process*), Paragraph E. (*Interview and Evaluation Process*) is amended to read as follows:

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E. Interview and Evaluation Process.

- 1. A councilor conducting individual interviews may schedule their own interviews with applicants.
- 2. Subcommittees conducting interviews shall have interviews noticed and scheduled by the city recorder, or designee. Councilors jointly conducting individual interviews may request interviews be scheduled by staff, but such interviews shall be noticed.
- 3. Only interview subcommittee members may discuss the applications and deliberate on recommendations to council.
- 4. Individual councilors or the interview subcommittee members shall advise the city recorder or designee of their recommendations.
- 5. The HR director shall place the results of the background investigation and reference check investigations in the file for review by all councilors.
- 6. The City Council shall interview Budget Committee and Planning Commission applicants at a regular or special council meeting. Interviews for the Planning Commission and Budget Committee shall be scheduled as soon as possible after the applicant has passed the City Recorder’s threshold review and the background check.**

SECTION 2. Findings Adopted.

The findings contained in the Whereas Clauses of this Ordinance, as well as the competent substantial evidence in the whole record of this legislative proceeding are incorporated into this section by reference as if fully set forth herein, and are adopted in support of this legislative action.

SECTION 3. Severability.

The sections, subsections, paragraphs and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Ordinance Effective Date.

Pursuant to Chapter IX, Section 9.3, this ordinance takes effect 30 days after the date of its adoption.

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SECTION 5. Codification.

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

The foregoing ordinance was distinctly read by title only in accordance with Chapter IX, Section 9.2 of the City of Lincoln City Charter on the 27th day of September, 2021 (First Reading) and on the 27th day of September, 2021 (Second Reading).

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 27th day of September, 2021.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

RICHARD APPICELLO, CITY ATTORNEY

Council Communication

Resolution 2021-42 Alternative Contracting Roof Replacement

Meeting Date: September 27, 2021 Primary Staff Contact: Richard Appicello
 Department: City Attorney E-Mail: RAppicello@lincolncity.org
 Secondary Dept: Public Works Secondary Contacts:
 Approval: Lila Bradley Estimated Time: 15 Minutes

Question:

Should the City Council consider an exemption from the competitive bidding process for the construction of the Lincoln City Community Center Roof Replacement Project?

Staff Recommendation:

After the public hearing, staff recommends the Council grant an exemption from the competitive bidding process for the construction of the Lincoln City Community Center Roof Replacement Project.

Authority:

ORS 279.335 (2) provides:

279C.335 Competitive bidding; exceptions; exemptions. (1) All public improvement contracts shall be based upon competitive bids except:

(a) A public improvement contract with a qualified nonprofit agency that provides employment opportunities for individuals with disabilities under ORS 279.835 to 279.855.

(b) A public improvement contract that is exempt under subsection (2) of this section.

(c) A public improvement contract with a value of less than \$5,000.

(d) A public improvement contract with a contract price that does not exceed \$100,000 made under procedures for competitive quotes in ORS 279C.412 and 279C.414.

(e) A contract to repair, maintain, improve or protect property the Department of Veterans' Affairs obtains under ORS 407.135 and 407.145 (1).

(f) An energy savings performance contract that a contracting agency enters into in accordance with rules of procedure adopted under ORS 279A.065.

(2) Subject to subsection (4)(b) and (c) of this section, the Director of the Oregon Department of Administrative Services, a local contract review board or, for contracts described in ORS 279A.050 (3)(b), the Director of Transportation may exempt a public improvement contract or a class of public improvement contracts from the competitive bidding requirement of subsection (1) of this section after the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board approves the following findings that the contracting agency submits or, if a state agency is not the contracting agency, that the state agency that is seeking the exemption submits:

(a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.

(b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency or the state agency that seeks the exemption or, if the contract is for a public improvement described in ORS 279A.050 (3)(b), to the contracting agency or the public. In approving a finding under this paragraph, the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

(A) How many persons are available to bid;

(B) The construction budget and the projected operating costs for the completed public improvement;

- (C) Public benefits that may result from granting the exemption;
- (D) Whether value engineering techniques may decrease the cost of the public improvement;
- (E) The cost and availability of specialized expertise that is necessary for the public improvement;
- (F) Any likely increases in public safety;
- (G) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;
- (H) Whether granting the exemption will affect the sources of funding for the public improvement;
- (I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
- (J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;
- (K) Whether the public improvement involves new construction or renovates or remodels an existing structure;
- (L) Whether the public improvement will be occupied or unoccupied during construction;
- (M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and
- (N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.
- (c) As an alternative to the finding described in paragraph (b) of this subsection, if a contracting agency or state agency seeks an exemption that would allow the contracting agency or state agency to use an alternative contracting method that the contracting agency or state agency has not previously used, the contracting agency or state agency may make a finding that identifies the project as a pilot project for which the contracting agency or state agency intends to determine whether using the alternative contracting method actually results in substantial cost savings to the contracting agency, to the state agency or, if the contract is for a public improvement described in ORS 279A.050 (3)(b), to the contracting agency or the public. The contracting agency or state agency shall include an analysis and conclusion regarding actual cost savings, if any, in the evaluation required under ORS 279C.355.
- (3) In making findings to support an exemption for a class of public improvement contracts, the contracting agency or state agency shall clearly identify the class using the class's defining characteristics. The characteristics must include a combination of project descriptions or locations, time periods, contract values, methods of procurement or other factors that distinguish the limited and related class of public improvement contracts from the agency's overall construction program. The agency may not identify a class solely by funding source, such as a particular bond fund, or by the method of procurement, but shall identify the class using characteristics that reasonably relate to the exemption criteria set forth in subsection (2) of this section.
- (4) In granting exemptions under subsection (2) of this section, the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board shall:
- (a) If appropriate, direct the use of alternative contracting methods that take account of market realities and modern practices and are consistent with the public policy of encouraging competition.
- (b) Require and approve or disapprove written findings by the contracting agency or state agency that support awarding a particular public improvement contract or a class of public improvement contracts, without the competitive bidding requirement of subsection (1) of this section. The findings must show that the exemption of a contract or class of contracts complies with the requirements of subsection (2) of this section.
- (c) Require a contracting agency or state agency that procures construction manager/general contractor services to conduct the procurement in accordance with model rules the Attorney General adopts under ORS 279A.065 (3).
- (5)(a) A contracting agency or state agency shall hold a public hearing before approving the findings required by subsection (2) of this section and before the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board grants an exemption from the competitive bidding requirement for a public improvement contract or a class of public improvement contracts.
- (b) Notification of the public hearing must be published in at least one trade newspaper of general statewide circulation a minimum of 14 days before the hearing.
- (c) The notice must state that the public hearing is for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement. At the time of the notice, copies of the draft findings must be made available to the public. At the option of the contracting agency or state agency, the notice may describe the process by which the findings are finally adopted and may indicate the opportunity for further public comment.
- (d) At the public hearing, the contracting agency or state agency shall offer an opportunity for any interested party to appear and comment.
- (e) If a contracting agency or state agency must act promptly because of circumstances beyond the agency's control that do not constitute an emergency, notification of the public hearing may be published simultaneously with the agency's solicitation of contractors for the alternative public contracting method, as long as responses to the solicitation are due at

least five days after the hearing and approval of the findings.

(6) The purpose of an exemption is to exempt one or more public improvement contracts from competitive bidding requirements. The representations in and the accuracy of the findings, including any general description of the resulting public improvement contract, are the bases for approving the findings and granting the exemption. The findings may describe anticipated features of the resulting public improvement contract, but the final parameters of the contract are those characteristics or specifics announced in the solicitation document.

(7) A public improvement contract awarded under the competitive bidding requirement of subsection (1) of this section may be amended only in accordance with rules adopted under ORS 279A.065.

(8) A public improvement contract that is excepted from the competitive bidding requirement under subsection (1)(a), (c), (d), (e) or (f) of this section is not subject to the exemption requirements of subsection (2) of this section. [2003 c.794 §103; 2003 c.794 §§104,105a; 2005 c.103 §§12,13,14; 2005 c.625 §§58,59,60; 2007 c.70 §§69,70,71; 2007 c.764 §§14,15,17; 2013 c.522 §8]

Background:

Proposed findings as required by the above statute for the exemption are attached to the Resolution as Exhibit A. See Public Hearing item of this Agenda.

Financial Impact:

The project is funded through the Parks and Recreation Facilities Capital Fund.

Council Options:

The City Council may:

Approve attached Resolution 2021-42

Do not approve the attached Resolution.

Potential Motions:

I move to approve Resolution 2021-42.

Attachments:

FINAL Res. 2021-42 (DOC)

Exhibit A Findings Resolution 2021-42 (DOCX)

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RESOLUTION NO. 2021-42

A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE LINCOLN CITY COMMUNITY CENTER ROOF REPLACEMENT PROJECT.

RECITALS

WHEREAS, ORS 279C.335(2) permits the City Council, acting as the Local Contract Review Board, to exempt a public improvement contract or class of contracts from the competitive bidding requirements of the Lincoln City Public Contracting Code and use an alternative contracting method, subject to making required findings; and

WHEREAS, on September 27, 2021, the City Council conducted an advertised public hearing on the proposed findings to exempt the Lincoln City Community Center Roof Replacement Project from competitive bidding and authorize an alternative public contracting method; and

WHEREAS, on September 27, 2021, after due consideration of public comment and the proposed findings in the record, the City Council, acting as the Local Contract Review Board, deliberated and decided to approve the exemption and authorize the alternative contracting method; and

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. APPROVAL. The City Council, acting as the Local Contract Review Board, hereby approves the required Findings to support the exemption from competitive bidding and the use of an alternative contracting method for the Lincoln City Hall Community Center Roof Replacement Project, said findings being attached to this Resolution as Exhibit A, and incorporated herein by this reference; and

SECTION 3. EFFECTIVE DATE. This resolution is effective as of the date of its adoption and signature by the Mayor.

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PASSED AND ADOPTED by the City Council of the City of Lincoln City this 27th day of September 2021.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:

RICHARD APPICELLO, CITY ATTORNEY

Exhibit A

Findings in Support of Alternative Contracting Method

FOR THE REPLACEMENT OF THE ROOF AT THE COMMUNITY CENTER

Introduction

Use of Alternative Contracting methods, such as Design-Build is made possible under ORS Chapter 279C, which permits certain contracts or classes of contracts to be exempt from competitive public bidding under strict procedural safeguards.

Pursuant to ORS 279C.335, a local contract review board may exempt specific contracts from traditional, competitive bidding by showing that an alternative contracting process is unlikely to encourage favoritism or diminish competition and will result in cost savings to the public agency. The Oregon Attorney General's Model Public Contract Rules provide for public notice and opportunity for the public to comment on draft findings in favor of an exemption before their final adoption.

ORS 279C.330 provides that: "findings" means the justification for a contradicting agency conclusion that includes, but is not limited to, information regarding:

- Operational, budget and financial data;
- Public benefits;
- Value engineering;
- Specialized expertise required;
- Public safety;
- Market conditions;
- Technical complexity
- Funding sources
- Findings

Background

This project will replace the existing roof at the Community Center. The improvements will consists of removing the existing metal roof, repair any damage, install a new metal roof and gutters.

Operational, Budget, and Financial Data

The amount budgeted for the project was \$400,000.00.

Public Benefit

Best Value Contracting Method provides opportunities for cost savings by allowing the contractor to make changes to meet the project budget.

A Best-Value proposal will additionally benefit the public by allowing the city to take contractor's proposed materials and method of installation into consideration when awarding the bid.

Value Engineering

The Best Value Contracting Method is essentially value engineering. The plans are complete, but this process allows cost saving design changes or substitutions to be identified through constructability reviews. This allow the contractor, at the city's discretion, to implement real-time cost saving strategies up to the construction phase of the project. These beneficial actions by the team will improve design, expedite construction and eliminate the potential for costly change orders.

Specialized Expertise Required

The City wants to review the contractor's experience in installing commercial metal roofs and review past projects that they have completed to assure the City is hiring the best qualified contractor with the lowest price. The City has in the past issues with roof contractors hired through the low bid process.

Market Conditions

The Best-value contracting process is a modern construction delivery method used by both public and private organizations. The team is tasked with knowing the latest construction techniques and products. The chose contractor is given the opportunity to incorporate their knowledge of current market conditions, labor and materials availability, and construction methodologies and reduce construction time and costs. The process also allows the construction timing and sequence to be considered.

Technical Complexity

The Project has technical complexities in the project conditions; the work consists of infrastructure construction on a high volume street, in close proximity to existing homes, businesses, and through-traffic.

Competition and Cost Savings

The Best Value method of contracting provides the greatest cost controls for limited budgets and therefore benefits the City. The approach requires the contractor to compete with other proposals and present the most affordable & efficient method of project implementation.

Unlikely to Encourage Favoritism or Diminish Competition

It is unlikely that the process of selecting a contractor through the Best-value method will encourage favoritism in the awarding of the public contract or substantially diminish competition for the public contract. Competition will not diminish because the contract will be awarded based on a competitive process, with clearly identified criteria.

Cost Savings

The low-bid process offers a level of certainty to the owner that the initial bid price of the project is the lowest cost; however, if changed conditions are encountered during construction, resulting change orders can have significant cost impacts.

With the Best-Value method, the contractor is required to submit their mark-up percent. The percent mark-up includes the contractor's profit. This allows the contractor a level of certainty and eliminates the motivation for finding ways to increase his profit during construction.

With the Best-Value method, the contractor will be asked to review the plans for constructability & propose improvements where feasible. This allows the contractor a level of control over implementation of the project schedule, reduces change orders, and results in a more accurate project bid.

During proposal submittal, the contractors will provide a traffic control plan, project schedule, and any construction improvements according to the contract documents. This will allow the City to make decisions in the selection process, negotiate on project implementation, and assure that the costs fall within budget.

Additionally, the use of value engineering through cooperation among the contractor and City is essential to the Project delivery. Value engineering will help eliminate change orders and progress delays – benefitting both the city budget and residents affected by the construction. Cost savings will result from consideration of construction timing and sequence, public impact, and constructability are not realized under a low bid process.

Summary

Substantial cost savings and minimizing the are anticipated from the Best-Value approach because decision-making is based on cost effective and informed solutions proposed by contractors with proven project expertise.

Council Communication

Resolution 2021--43 (NE 26th Street Sewer Reimbursement District)

Meeting Date:	September 27, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	City Attorney	Secondary Contacts:	Lila Bradley
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Should the City Council approve Resolution 2021- 43, a Resolution establishing the NE 26th Street Sewer Reimbursement District pursuant to Chapter 13.06 of the Lincoln City Municipal Code?

Staff Recommendation:

Staff recommends the Council approve Resolution 2021-43.

Authority:

13.06.030 Public hearing.

- A. Within a reasonable time after the city engineer has completed the report required in LCMC 13.06.020, the city council shall hold an informational public hearing in which persons impacted by the creation of the reimbursement district shall be given the opportunity to comment thereon.
- B. Notice of the hearing shall be given not less than 10 days nor more than 30 days prior to the public hearing date. Notice shall be given to the applicant and all owners of property within the proposed district, with notification by certified mail, return receipt requested or by personal service. Notice shall be deemed complete as of the date notice is mailed or served; failure to receive actual notice of the hearing shall not invalidate or otherwise affect any action of the city relative to the creation of the reimbursement district and/or the costs associated therewith.
- C. Formation of a district does not result in an assessment or lien against property; as a result, the hearing is informational only and the district is not subject to termination as a result of remonstrances to the formation thereof. The city council has the sole discretion, after the public hearing, to decide whether the district is to be formed or not. If a district is to be formed, a resolution approving and forming the reimbursement district shall be adopted.
- D. If a reimbursement district is formed prior to construction of the improvement(s), a second public hearing shall be held after the improvement has been accepted by the city when the council may modify the resolution to reflect the cost of the improvement(s). (Ord. 2013-10 § 1)

13.06.035 City council action.

At the conclusion of the hearing, the city council shall approve, reject or modify the recommendations contained in the city engineer's report and manifest its action in a resolution. If a reimbursement district is established, the resolution shall include a copy of the city engineer's

report as approved or modified and specify that payment of the appropriate fee as determined by the council for each parcel is a precondition to receipt of any city permit necessary for development of that parcel. If a reimbursement district is established it shall be deemed formed as of the date the council adopts the resolution referred to in LCMC 13.06.030. (Ord. 2013-10 § 1)

13.06.040 Reimbursement agreement.

If the council approves the city engineer's report and thereafter creates a district, the city manager shall cause the creation of an agreement between the applicant and city containing (at a minimum) provisions relating to the following:

- A. That the public improvement(s) will or do meet all applicable city standards;
- B. The amount of the potential reimbursement the applicant can expect along with a caveat that the total amount of any reimbursement will not exceed the actual cost of the public improvement(s);
- C. The annual fee adjustment, if any;
- D. That the applicant will guarantee the quality of the public improvement(s) for a period of not less than 12 months after the date of their installation;
- E. That the applicant will defend, indemnify and hold the city harmless from any and all losses, claims, damage, judgments or other costs or expense arising as a result of or related to the city's establishment of the district; and
- F. That the applicant acknowledges that except as provided in LCMC 13.06.065, the city is not obligated to collect the reimbursement fee from affected property owners.
- G. The city may include other provisions as the city council determines necessary to ensure compliance with this chapter. (Ord. 2013-10 § 1)

13.06.045 Annual fee adjustment.

The city council may, in its discretion, grant an annual adjustment to the amounts established as the reimbursement fee at the time of the hearing on the engineer's report. In the event such an adjustment is deemed appropriate, it shall be applicable to the fee beginning on the first anniversary of the date of the council's approval of the application, be fixed and computed against the reimbursement fee as simple interest, and remain the same for each year the district exists. (Ord. 2013-10 § 1)

13.06.050 Notice of adoption of resolution.

The city shall notify all property owners within the district (as well as the applicant) of the adoption of the resolution manifesting creation of the district. The notice shall include a copy of the resolution, the date of its adoption and a short explanation of when the property owner would be obligated to pay the reimbursement fee, the amount thereof, as well as if there will be any adjustments thereto. (Ord. 2013-10 § 1)

13.06.055 Recording the resolution.

The city recorder shall cause notice of the formation and nature of the reimbursement district to be filed either in Lincoln County official records or in the city of Lincoln City electronic lien record in order to provide notice to potential purchasers of property within the district of its existence. Failure to make such recording shall affect neither the legality of the resolution nor the obligation to pay any fee. (Ord. 2016-04 § 1; Ord. 2013-10 § 1)

Background:

See Resolution and Engineer's Report attached.

Summary

Staff recommends Council approve the formation of a reimbursement district by Resolution. It is recommended that the reimbursement amount be set at \$8,526.75 per lot, (8 lots) in accordance with the City Engineer's Report, which amount is supported by competent substantial evidence in the Record. Please note, the Resolution to form the reimbursement district must be contingent upon the grant of a public easement to the City of Lincoln City for the easement area, if any, and conveyance of the improvement to the public. [Council can postpone adoption of the Resolution until the easement, if any, is provided or approve the Resolution contingent on receipt of the easement and conveyance.]

Background

In August, 2021, the Department of Public Works received an Application for Reimbursement District pursuant to the City of Lincoln City's Municipal Code (LCMC) Chapter 13.06 - Reimbursement District for Advance Financing of Public Improvements. The application was submitted late, (past 180 day deadline) but such late submittal was excused by the City Engineer per the code. The Applicant has financed the construction of a 2 inch HDPE low pressure sanitary sewer system on NE 26th from NE West Devil's Lake Road to NE Yacht. The main will potentially serve 8 properties, to which service stub-outs have been provided, with frontage along the alignment extending from the Applicant's properties. For the full application - see public hearing materials also on this Agenda.

The Applicant's reported cost of the improvements within the area of the proposed reimbursement district has been submitted as \$68,214.00 which when divided equally among the 8 lots (including that of the Applicant's) it will potentially serve, comes to \$8,526.75 per lot. City staff has reviewed the application and found it to be complete. The City Engineers' Report, attached hereto outlines the City Engineer's findings regarding the Applicants reported cost for the improvement.

A reimbursement district is not available for private improvements; such improvements and the easement, if needed, must be dedicated to the public under the ordinance. The applicant must convey or dedicate his ownership interest in the improvements to the City.

Council Options:

Approve Resolution 2021-43.

Continue consideration to October 11, 2021.

Financial Impact

Administrative costs only

Potential Motions:

Move to approve Resolution 2021-43 establishing the NE 26th Street Sewer Reimbursement District

Attachments:

FINAL Resolution 2021-43 Creation of Reimbursement District NE 26th corrected (DOC)
Exhibit A Engineers Report Resolution 2021-43.docx (PDF)

RESOLUTION NO. 2021-43**A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING A
REIMBURSEMENT DISTRICT PURSUANT TO LCMC CHAPTER 13.06 – PRIVATE
PARTY - NE 26th STREET SEWER REIMBURSEMENT DISTRICT**RECITALS

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9 A. On August 5, 2021, the Public Works Department received an application for a
10 Reimbursement District pursuant to LCMC Chapter 13.06 regarding a privately
11 constructed low pressure sewer improvement; and
12
13 B. As the construction of the improvement was completed, City public works staff
14 worked with the applicant to verify, document and support the purported
15 expenditures for the improvement, said improvement to be dedicated to the
16 public, if the requested reimbursement district is approved; and
17
18 C. Pursuant to LCMC 13.06.020 the City Engineering Department evaluated the
19 application and supporting materials and prepared an Engineering Report, said
20 report being attached as Attachment A, hereto and made a part hereof by this
21 reference; and
22
23 D. The Engineering report identifies the boundaries of the Reimbursement District
24 as including the benefitted properties identified in Exhibit A & B to Attachment
25 A, attached hereto and made a part hereof by this reference; and
26
27 E. The Engineering Report and supporting materials in the record support fair
28 share reimbursement pursuant to LCMC 13.06.065, to the private party
29 applicant from the benefitted property owners, subject to the terms and
30 conditions of this Resolution and the City Code; and
31
32 F. The amount of the reimbursement pursuant to the Engineering Report is
33 \$8,526.75 for each benefitted lot; eight lots shall be required to pay
34 reimbursement when such payment is triggered by City ordinance [13.06.065],
35 including upon connection to the sewer improvement identified herein; the
36 applicant's lots, shall not be required to pay reimbursement; and
37
38 G. Pursuant to LCMC 13.06.030 notice of an informational hearing before the City
39 Council was mailed, certified mail return receipt requested, to each of the
40 benefitted property owners; and

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- H. On September 27, 2021, the City Council conducted a public hearing; the Council heard and considered oral and written testimony on the proposed Reimbursement District and closed the hearing; and
- I. After close of the hearing and the record, the Council, after due consideration and deliberation, finds and determines that such privately constructed improvements to be dedicated to the public are of benefit to the City and all property to be assessed will be benefited to the extent of the amount identified in the Engineers Report; and
- J. The Council made no substantial modification to the findings or conditions in the Engineering Report or supporting documentation; Council directed staff to prepare a Resolution approving the District; and
- K. Accordingly, pursuant to LCMC 13.06.035 the City Council for the City of Lincoln City elects to establish and approve the proposed Reimbursement District as described in the Engineering Report and directs that as a precondition to receipt of any city permit necessary for development of the benefitted properties and as a precondition to any connection whatsoever to the improvement identified herein, the benefitted property owners, prior to their connection shall pay the City their identified reimbursement amount of \$8,526.75 (per lot identified herein) together with an administrative fee of \$100 and interest at the rate of 2.5% from the effective date of this Resolution.

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. ESTABLISHMENT OF DISTRICT. Effective upon satisfaction of the Conditions enumerated below, a Reimbursement District is hereby created and shall consist of all the benefitted properties described herein as well as described in Attachment A, Exhibits A and B, both Exhibits being attached hereto and incorporated herein by reference. The district created herein shall be referred to as the "NE 26th STREET SEWER REIMBURSEMENT DISTRICT."

1 **SECTION 3. CONDITIONS.** The establishment of the Reimbursement District is
2 contingent upon satisfaction of all the conditions identified in or incorporated into
3 this Resolution, including but not limited to:

- 4
- 5 • Private party applicant’s execution of an acceptance of the terms and
6 conditions of this Resolution within fifteen (15) calendar days of approval by
7 the Council; and
- 8
- 9 • Conveyance to the City of a standard public utility easement for the
10 improvement easement area within thirty (30) days of approval by the Council;
11 and
- 12
- 13 • Conveyance / Dedication without cost to the City of the private sewer
14 improvements, (bill of sale) within thirty (30) days of approval by the Council;
15 and
- 16
- 17 • Compliance with all applicable provisions of LCMC Chapter 13.06; and
- 18
- 19 • Satisfaction of any and all conditions and terms in the Resolution, Engineering
20 Report and supporting documentation.
- 21

22 **SECTION 4. ORDER ON CONNECTION.** The City Council orders and directs that as
23 a precondition to receipt of any city permit necessary for development of the
24 benefitted properties and as a precondition to any connection whatsoever to the
25 sewer improvement identified herein, the benefitted property owners, prior to
26 triggering development [LCMC 13.06.065] or connection, shall pay to the City their
27 identified reimbursement amount of \$8,526.75 (per lot identified herein) together
28 with an administrative fee of \$100.00 and interest at the rate of 2.5% from the
29 effective date of this Resolution. Further, in the event the City takes over
30 maintenance of sewer pumps approved for use on this low pressure system, the
31 applicant and any benefitted property owners on the system shall cooperate with the
32 City to provide access for maintenance by City staff. All benefitted properties are
33 identified in Attachment A, Exhibits A and B.

34

35 **SECTION 5. NO LIEN / ENFORCEMENT.** This Resolution does not impose a lien
36 against the benefitted properties; however, unlawful connection to the improvement
37 specified herein may be punished as a daily civil violation pursuant to City Code or as
38 felony or misdemeanor criminal mischief against a public utility under State law.
39

1 **SECTION 6. AGREEMENT.** The City of Lincoln City and applicant stipulate and agree
2 as follows:

- 3
- 4 A. This Agreement shall be effective only upon satisfaction of all conditions set
5 forth in this Resolution; and
- 6
- 7 B. The public improvement shall meet all applicable city standards, including
8 construction standards and location within a public easement; Public Works
9 shall conduct such inspections or tests within 60 days, and accept or reject the
10 improvements; and
- 11
- 12 C. Applicant warrants and guarantees for a period of one year from the date of
13 acceptance (see paragraph B. above) the quality of the improvements
14 dedicated to the public; Applicant further agrees to reimburse the City for the
15 cost of repair or replacement if during the warranty period the installation is
16 defective; and
- 17
- 18 D. The applicant agrees to defend, indemnify and hold harmless the City of
19 Lincoln City, its officers, agents and employees from any and all losses, claims,
20 damage, judgments or other costs or expenses arising as a result of or related
21 to the City's establishment of the District; and
- 22
- 23 E. The applicant agrees that except as provided in LCMC 13.06.065 [Obligation to
24 Pay Reimbursement Fee] the City is *not obligated* to collect the reimbursement
25 fee from affected property owners; and
- 26
- 27 F. Consistent with LCMC 13.06.065 and LCMC 13.06.075, City shall reimburse
28 Applicant from payments received from benefitted property owners for the ten
29 (10) year reimbursement period, beginning on the effective date of this
30 Resolution.
- 31
- 32 G. No SDC credit is awarded by this Resolution. All property owners must pay
33 SDC fees when triggered by City ordinance.
- 34

35 **SECTION 7. ADJUSTMENT AUTHORIZED.** The City of Lincoln City shall annually
36 adjust the reimbursement amount on the anniversary date of the Council's resolution.
37 The adjustment shall be fixed and computed against the reimbursement fee as simple
38 interest and shall remain the same for each year the district exists. The interest rate
39 shall be (2.5%) percent.

40

1 **SECTION 8. NOTICE RECORDING.** The City Recorder shall notify all owners within
2 the district as provided by LCMC 13.06.050. The Recorder shall also cause notice of
3 the formation and nature of the Reimbursement District to be filed in Lincoln County
4 official records in order to provide notice to potential purchasers of property within
5 the district boundaries. Failure to make such recording shall affect neither the legality
6 of the Resolution nor the obligation to pay the fee. [LCMC 13.06.050 and LCMC
7 13.06.055]

8
9 **SECTION 9. FINDINGS ADOPTED.** The City Council finds and determines that the
10 public hearing, (conducted on September 27, 2021) was properly noticed and
11 conducted. The Council further finds that the establishment of the Reimbursement
12 District boundary includes all directly benefitted properties, is logically configured
13 based on topography and engineering constraints, is in the best interest of the city
14 and the public. The City further finds that the allocation of the cost of the
15 improvement is a logical and reasonable allocation of costs based upon the benefits
16 received by the affected properties. The Council adopts the findings and competent
17 evidence contained in the entire record as supporting its conclusion that the
18 improvements are in the public interest of the City of Lincoln City.

19
20 **SECTION 10. EFFECTIVE DATE.** This resolution is effective as of the date of its
21 adoption and signature by the Mayor, provided however, that the failure of
22 satisfaction of the Conditions identified herein shall render the Resolution null and
23 void.

24
25 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 27th day of
26 September 2021.

27
28
29 _____
30 SUSAN WAHLKE, MAYOR

31
32 ATTEST:

33
34
35 _____
36 JAMIE YOUNG, CITY RECORDER

37
38 ATTACHMENT A – Engineer’s Report includes list of benefitted properties and
39 boundary Exhibits A and B respectively

CITY ENGINEER'S REPORT
NE 26th St (NE West Devils Lake Road to NE Yacht Ave)
SANITARY SEWER REIMBURSEMENT DISTRICT
August 20, 2021

An application has been submitted, pursuant The City of Lincoln City's Municipal Code, Chapter 13.06, for reimbursement of a completed, low pressure sanitary sewer main. During application NE 26th St, from NE Yacht to NE West Devils Lake Road was evaluated and determined to meet criteria for sanitary sewer service using a low pressure sewer system. The 2", High-Density Polyethylene (HDPE) sewer main was determined substantially complete & accepted by the city on December 8th, 2020 and supplies adequate capacity to serve the existing lots with additional capacity for future subdivision of fronting parcels.

Eight (8) low-pressure sanitary sewer lateral connections have been provided with the reimbursement district and eight (8) lots directly benefit from construction of the sewer system.

Two (2) additional lots benefit but do not have frontage on the utility. These 2 "land locked" parcels have the same ownership as the adjacent lot fronting on the new sewer utility and utilize the fronting lot as access to the existing home. Taking this conjunctive use into consideration, only lots directly fronting the right-of-way & utility have been provided a connection and, solely for the purpose of assessment of the reimbursement amount, the "land locked" or "back lots" have been considered a part of the fronting lot.

See Exhibit "A" for listed property owners & tax lots.

Exhibit "B" includes a map showing the Reimbursement District Boundary.

Exhibit "C" includes a map of the area zoning; The properties benefitting are zoned (Single Family Residential-7,500sf) R-1-7.5.



The reported cost of improvements was \$68,214.00. This cost has been documented in the reimbursement district application, per LCMC 13.06.015[C] and found to be in compliance with the reimbursable costs outlined in LCMC 13.06.025

8 lateral connections have been provided: \$68,214.00 / 8 connections = \$8,526.75 per sewer connection for reimbursement. This number is based on the final construction cost.

The \$8,526.75 per sewer connection is to reimburse the applicant for the cost to install the public sewer. The total cost for applicants to connect to the sewer system would also include:

Components of Property-Side Costs	Estimated Costs
System Development Charges	\$4,182.00 - Sewer only based on 5/8-inch water meter, 2021 rates
Inspection Fees/Permit Fees	\$100.00 Public Works Connection Inspection Fee
On-site construction costs for the pump and control panel	Pump and Control Panel cost is currently \$5,500.00 Installation cost will vary based on site conditions estimated to be \$8,000.00 - \$10,000.00
Abandoning existing septic tank	Estimated \$2,500, must remove or fill, cost will vary
Total Estimated Property-Side Costs	\$14,750.00 - \$17,000.00

City Engineer's Signature:

Date: *August 26, 2021*

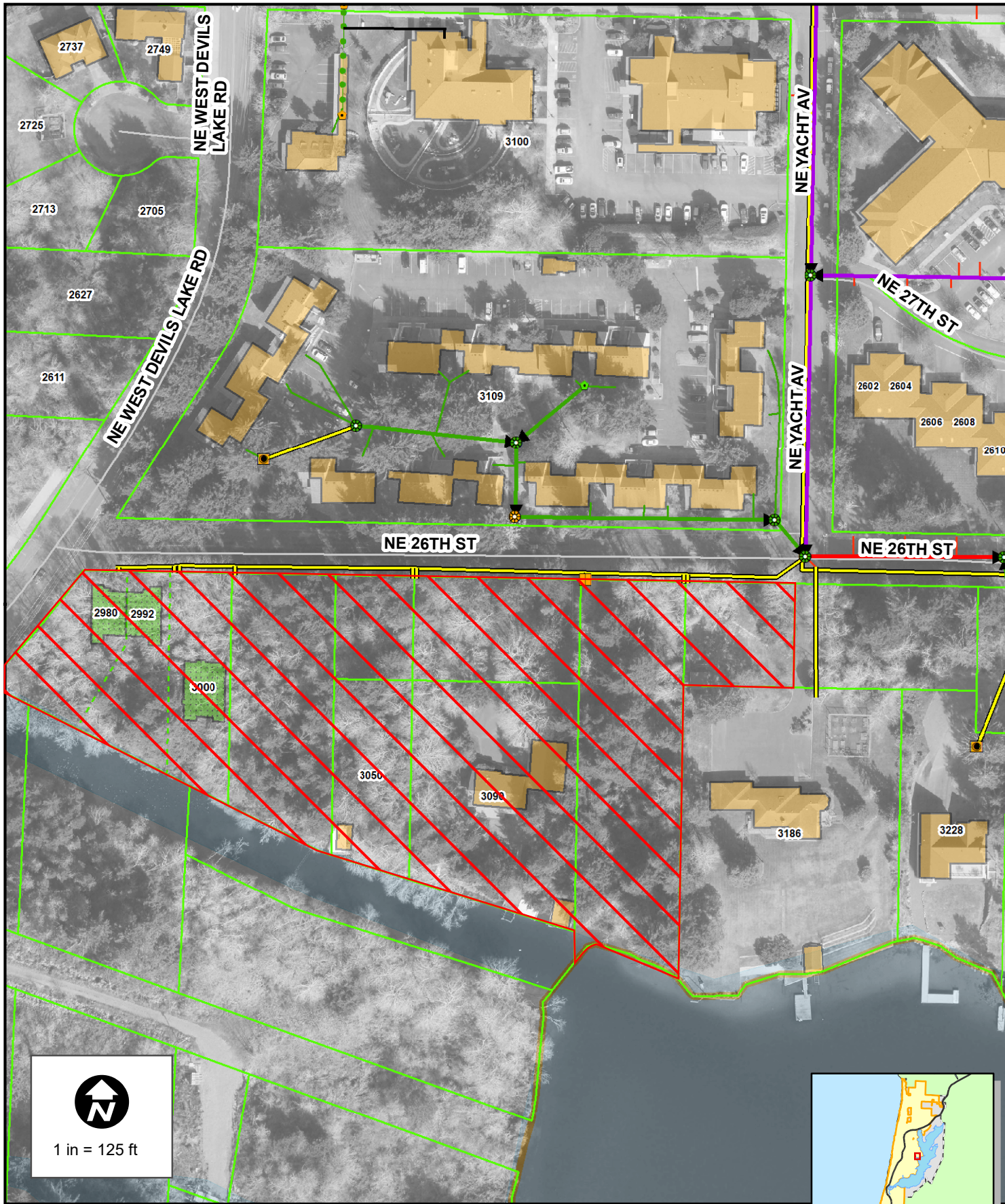
- Attachments: Exhibit A Property Owner List
- Exhibit B District Boundary
- Exhibit C District Zoning



EXHIBIT "A"

NE 26TH REIMBURSEMENT DISTRICT PROPERTY OWNER LIST

Tax Map	Tax Lot	Owner	Address	Lot Area (SF)	Provided Connections
7-11-11-AB	5902	Devils Paradise LLC	3025 SE 25th Ave Portland, OR 97202	10,527	1
7-11-11-AC	300	Olivia L Holt Trustee	28017 SW Strawberry Hill Dr Hillsboro, OR 97123	36,166	1
7-11-11-AB 07-11-11-AC	05071 301	Olivia L Holt Trustee	28017 SW Strawberry Hill Dr Hillsboro, OR 97123	50,301	1
7-11-11-AB 07-11-11-AC	05600 207	Carol Lynn Harris Trustee	8420 SW Canyon Lane #13 Portland, Or 97225	20,978	1
7-11-11-AC	210	Cary Dean Erkenbeck	1803 NE Laurelwood Loop Canby, OR 97013	24,678	1
7-11-11-AC	200	Nathan S Knott Trustee & Angie S Knott Trustee	PO Box 197 Otis, OR 97368	12,355	1
7-11-11-AC	215	Nathan S Knott Trustee & Angie S Knott Trustee	PO Box 197 Otis, OR 97368	10,000	1
7-11-11-AC	219	Nathan S Knott Trustee & Angie S Knott Trustee	PO Box 197 Otis, OR 97368	11,063	1

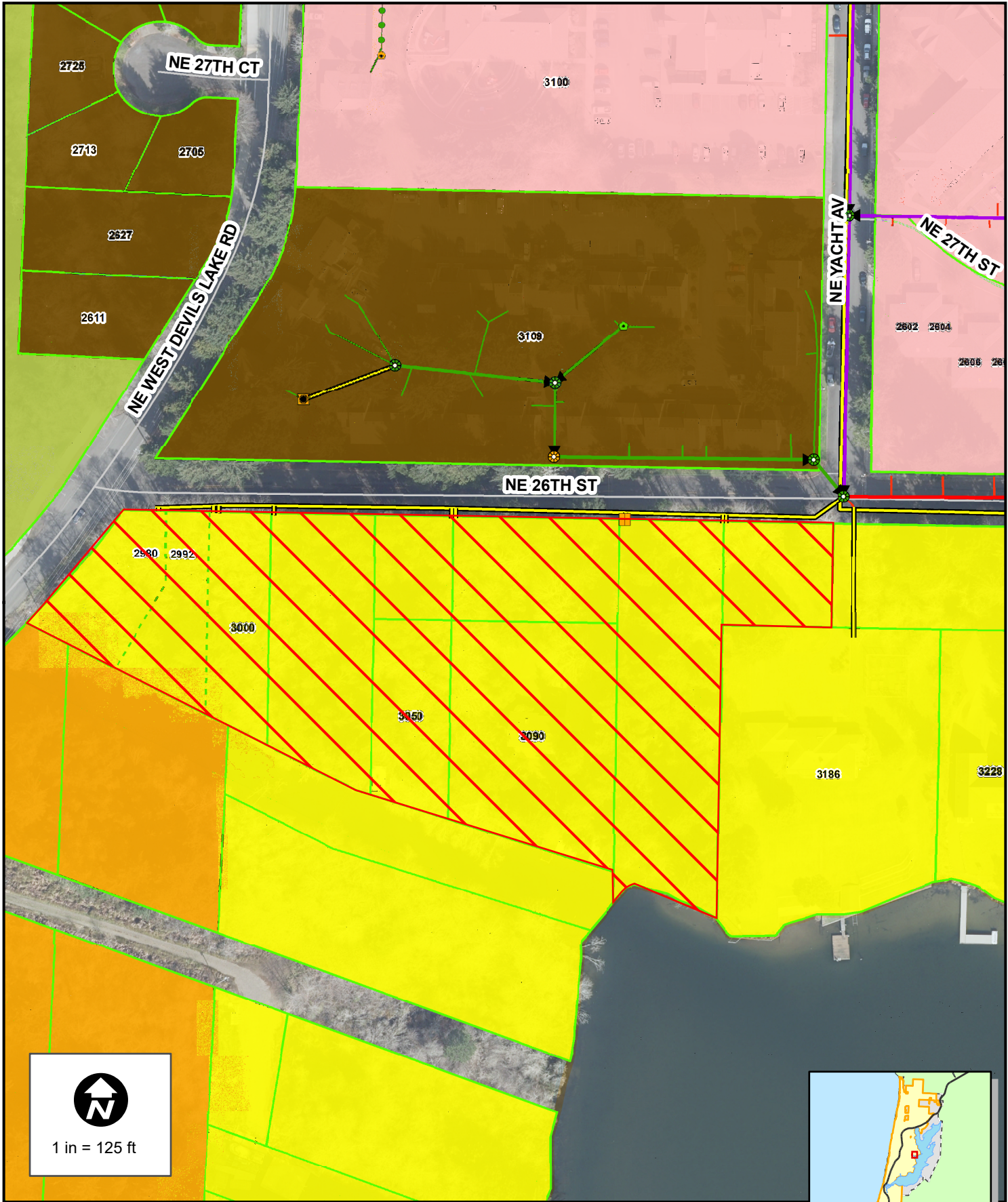



Vicinity Map

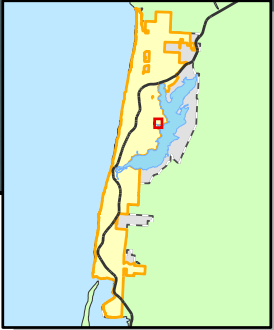
City of Lincoln City government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date: 6/24/2021






 1 in = 125 ft



Vicinity Map

City of Lincoln City government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date: 8/20/2021

Council Communication

Appointment to Arts Committee - Applicant Deborah Johnson

Meeting Date:	September 27, 2021	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 Deborah Johnson for a "City Resident" position on the Public Arts Committee?

Staff Recommendation:

Ms. Johnson was interviewed by Councilor Hoagland and Councilor Parsons via Zoom on September 20, 2021. Councilor Hoagland and Councilor Parsons asked to move Ms. Johnson's application forward for consideration.

Authority:

LCMC 2.06.015 (F)

F. Appointment. At a regular or special meeting of the city council the question of appointment of one or more applicants for appointive bodies can be placed on the agenda for consideration. No applicant will be placed on the agenda until completion of the interview, background and reference check process. At the time the matter is considered the individual interviewers may give their recommendation, or, as applicable, an interview subcommittee member may give the recommendation of the subcommittee. The council may use the ballot nomination process to narrow the applicant field. Notwithstanding any other provision in the municipal code, all appointments shall be by motion, approved by majority vote of the governing body.

Background:

The Public Arts Committee currently has one (1) vacant position. This vacant position has been advertised.

Council Options:

Review and discuss the recommendation for appointment of Deborah Johnson to a "City Resident" position on the Public Arts Committee for a partial term plus a full term expiring December 31, 2024.

Potential Motions:

- 1. I move to appoint Deborah Johnson to the Public Arts Committee for a "City Resident / LCSD- North" position with a three-year term. The term expires 12/31/2024.**

Attachments:

Johnson Deborah_Arts Committee_Redacted.pdf (PDF)
Memo-Deborah Johnson.pdf (PDF)



CITY OF LINCOLN CITY
Committee / Board / Commission Application

FINANCE DEPARTMENT
 AUG 24 2021

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

CITY OF LINCOLN CITY
 LINCOLN CITY, OR

- | | |
|---|---|
| <input checked="" type="checkbox"/> Arts Committee | <input 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:	Deborah Johnson	DATE:	8-16-2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:	Same		
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 3 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 *I have mailed in my registration - waiting for the card.*

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

If yes, please indicate which business you own/manage? *I own and manage an online art gallery site - ArtConnectors gallery.com*

This is a continuation of the gallery I owned in Texas.



FINANCE DEPARTMENT

AUG 24 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:

I have been a professional artist for 30+ years. I owned Art Connections Gallery in First, Bastrop, Texas, and later in La Grange, Texas. From August 2011 through February, 2021. I still have an online store. As a small business owner, I was president of Bastrop Downtown Business Alliance (during multiple events). (over)

List names of volunteer/work supervisors:

Bastrop Mayor, Connie Schroeder

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

Chaired Bastrop Art in Public Places Task Force / Board from Oct. 2014 through August, 2017. Served as Board member 2 yrs. prior in Bastrop, Texas. During this tenure, we started several programs for the city including a Transformer Project, a 2-D call for installed

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 have a passion for art + think that it is necessary for a good quality of life in a city. I also think it is important to contribute to the community in which I live and this is an area where I have a lot of experience + knowledge to offer.

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

Name: Debbie Moore - chair of planning + zoning board in Bastrop Phone: [redacted] served with me on DBA board

Name: Kathryn Nash, chair of Bastrop Economic Development Corp + served with me on Bastrop Art in Public Places

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]

8-17-2021

SIGNATURE

DATE

FINANCE DEPARTMENT



AUG 24 2021
CITY OF LINCOLN CITY
LINCOLN CITY, OR

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

COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Deborah (Debbie) Johnson
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Public Act
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
	Lincoln City, OR 97367
MAILING ADDRESS:	same
HOME PHONE:	—
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	

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

DATE:	8-17-2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL

FINANCE DEPARTMENT

AUG 24 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

[Redacted signature]

DATE

8-17-2021



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: September 7, 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: Deborah Johnson

Position Applied For: Arts Committee Board

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

Respectfully,

Abigail Edwards
HR Director

Council Communication

Appointment to Sustainability Committee - Applicant Michael Edwards

Meeting Date:	September 27, 2021	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 re-appointment of Michael Edwards for a "City Resident" position on the Sustainability Committee?

Staff Recommendation:

Mr. Edwards would serve on the Sustainability Committee. His term would expire on October 7, 2024. Councilor Casper and Councilor Hoagland interviewed Mr. Edwards. Both Councilors asked to move Mr. Edwards' application forward for consideration of a position on the Sustainability Committee. Mr. Edwards qualifies for a "City Resident" position.

Background:

The Sustainability Committee currently has one (1) vacant position- the position left vacant by Mr. Edwards term expiring.

Authority:

LCMC 2.06.015 (F)

F. Appointment. At a regular or special meeting of the city council the question of appointment of one or more applicants for appointive bodies can be placed on the agenda for consideration. No applicant will be placed on the agenda until completion of the interview, background and reference check process. At the time the matter is considered the individual interviewers may give their recommendation, or, as applicable, an interview subcommittee member may give the recommendation of the subcommittee. The council may use the ballot nomination process to narrow the applicant field. Notwithstanding any other provision in the municipal code, all appointments shall be by motion, approved by majority vote of the governing body.

G. Reappointment. Requests for reappointment of appointive public officers (only for those who have previously completed the interview, reference and background check) may be processed using this abbreviated procedure. The council, by motion, may direct the city recorder to place appointive officers on the agenda for reappointment, subject only to an update of the background investigation (pursuant to a current release). Unless council by motion directs the use of the abbreviated procedure, all reappointments shall follow the procedure identified herein for original applicants.

Council Options:

Review and discuss the recommendation for re-appointment of Michael Edwards to the "City Resident" position on the Sustainability Committee for a term expiring October 7, 2024.

Potential Motions:

- 1. I move to re-appoint Michael Edwards to the Sustainability Committee for a "City Resident" position with a three-year term. The term expires 10/07/2024.**

Attachments:

Edwards, Michael_ Planning Commission_Redacted.pdf (PDF)
MEMORANDUM TO CC--APPOINTED BODIES BG CHECK PASS_FAIL DETERMINATION-
Michael Edwards-signed.pdf (PDF)
Committee applicant-M Edwards ref 2 completed_Redacted.pdf (PDF)



CITY OF LINCOLN CITY
Committee / Board / Commission Application

RECEIVED
JUN 21 2021
 By _____

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:	Michael Edwards	DATE:	June 17, 2021
HOME ADDRESS:	[REDACTED]		
MAILING ADDRESS:			
CITY, STATE, ZIP:			
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 3 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 special education teacher at Taft Elementary School and currently serve on the city's sustainability committee.

List names of volunteer/work supervisors:

Rebecca Bostwick, Principal, Taft Elementary School

Please provide any previous experience with committees, boards or commissions and positions held: I am currently serving on the city's sustainability committee. If accepted to planning, I would resign from the sustainability committee.

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

Simon Kim suggested that because of my interests in affordable housing and bicycle infrastructure, that the planning committee might be a better fit for me than sustainability.

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

Employers can't find workers and workers can't find housing. The two issues are closely related. Housing is an issue that affects my wife and I and our workplaces, our children and our neighbors. I bike commute and I'd like to see more people bicycling. Safety is a concern.

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

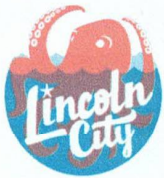
Name: Jan Treecraft Phone: [Redacted]

Name: Brian Bolles 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

June 17, 2021 _____
DATE



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

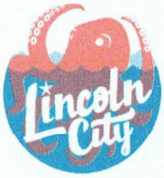
COMMITTEE VOLUNTEER EMERGENCY CONTACT INFORMATION FORM

FULL NAME:	Michael Allan Edwards
START DATE:	
NAME OF COMMITTEE, BOARD, OR COMMISSION:	Planning Committee
CITY STAFF REPRESENTATIVE:	
HOME ADDRESS:	[REDACTED]
MAILING ADDRESS:	[REDACTED]
	Lincoln City, OR 97367
HOME PHONE:	
CELL PHONE:	[REDACTED]
PERSONAL E-MAIL ADDRESS:	[REDACTED]

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

DATE:	June 17, 2021
VOLUNTEER SIGNATURE:	[REDACTED]

ALL PERSONAL INFORMATION WILL BE KEPT STRICTLY CONFIDENTIAL



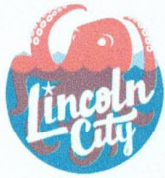
FAIR CREDIT REPORTING ACT (FCRA) DISCLOSURE REGARDING A BACKGROUND INVESTIGATION FOR A VOLUNTEER POSITION WITH A LINCOLN CITY APPOINTED BODY

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!

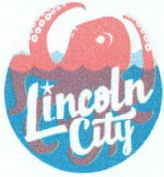
I acknowledge receipt of the separate document entitled "DISCLOSURE REGARDING BACKGROUND INVESTIGATION and a SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT", and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "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

June 17, 2021

DATE



APPLICATION PACKET – CITY APPOINTED BODIES

Thank you for your interest in volunteering to serve on a Lincoln City Appointed Body. We appreciate your time and look forward to WELCOMING you to our family of volunteers.

This Packet Contains:

- 1) Committee Member Volunteer application
- 2) Criminal Background Check Authorization
- 3) Committee Volunteer Emergency Contact Information Form
- 4) Lincoln City Municipal Code Chapter 2.06 (*Committee, Board, Commission*), also located at : <https://www.codepublishing.com/OR/LincolnCity/>

What We Need From You:

- Thoroughly complete and sign the Application (incomplete applications will not be processed)
- Complete and sign the Criminal Background Check Authorization
 - This will only be used if you are a finalist
 - Only a criminal background check will be conducted (not a credit check)
- Keep the Fair Credit Reporting Act (FCRA) Information Sheet for your reference
- Complete the Appointed Body Information Form
- **Return the completed original signed forms to the City Recorder, City of Lincoln City, PO Box 50 (801 S. Hwy 101), Lincoln City, OR, 97367. (Note we must have the originals.)**

What You Can Expect From Us:

- The City Recorder will review and notify you if you do not meet the residency requirements, or any other criteria in the code applicable to the Appointive Body.
- The City will conduct criminal background check prior to making any selection decision. If you have any questions about how the background check process works, or what kinds of things could prevent you from serving, please contact Colleen Scanlon, Human Resources Director at 541-996-1201.
- Reference checks will be conducted.
- Appointment from among qualified candidates is made by vote of the Council at a regular City Council meeting.
- You will be notified of the outcome whether you are selected or not.
- We will protect your personal information.



MEMORANDUM

To: City of Lincoln City Mayor and Council
From: Abigail Edwards, Human Resources Director
Date: June 06, 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: Michael Edwards
Position Applied For: Sustainability Committee Re-appointment

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: Michael Edwards (**Planning Committee**)

Reference: Brian Bolles [REDACTED]

Reference taken by; date / time: June 22,
2021

- What is your professional relationship with the applicant?
I was Mike's supervisor at Raytheon Aerospace
- How long have you known him/her? How long have you worked / served with him/her?
I have known Mike for over 20 years.
- Did you hire or select him/her? If not, would you hire/select him/her given the opportunity to do so? Yes I would hire Mike.
- 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 **Board/Commission/Committee**? I think Mike would be an excellent choice for your board.
- 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? Does he/she possess any special skills? Mike is very intelligent and articulate. He would be a great pragmatic voice to have on your board.
- If applicable, what was his/her reason for leaving the position he/she held when you worked / volunteered together? Our contract with the U.S. Air Force was completed.
- 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



Human Resources

Board/Commission/Committee? I do not believe Mike would require any additional help to be a productive member of your board.

- Do you have any other feedback you could provide that would help us make a decision? Mike is well educated, experienced and insightful. He has his finger on the pulse of local issues in your community and would be a great addition to your board.

Council Communication

Old Police Building Demo Award

Meeting Date: September 27, 2021 Primary Staff Contact: Stephanie Reid
 Department: Public Works E-Mail: SReid@lincolncity.org
 Secondary Dept: Secondary Contacts:
 Approval: Lila Bradley Estimated Time: 5 min

Question:

Should the City Council Award a contract to Richey Wrecking for the Police Building Demolition?

Staff Recommendation:

Staff recommends the construction contract be awarded to Richey Wrecking in the amount of \$136,950.00.

Authority:

LCMC 2.05.060 (Public Improvement contracts shall be awarded by competitive bid or as provided by the Public Contracting Code or these rules)

Background:

The Police Department has completed building the new Police Headquarter Building. The next phase of the project is to demolish the old police building and construct a new parking lot for police staff and police cars and equipment.

Project Description

This project will demolish the old police building and remove all the demolished material except for concrete. The project will crushed the concrete onsite and will be use as fill for the new parking lot.

Bids

Public Works Department advertised the project for bid on August 10 & 11, 2021. The City Public Works Department opened bids for the project on September 9, 2021. Several bids were received:

Bidder	Bid Amount
--------	------------

Richey Wrecking	\$124,500.00
3 Kings Environmental, Inc.	\$125,050.00
N.W. Construction G. C., Inc	\$135,975.20
Staton Companies	\$136,330.00
R. K. Construction	\$154,758.00
K&E Excavating, Inc.	\$217,400.00
Big River Construction, Inc.	\$297,550.00

The lowest responsive and responsible bidder was Richey Wrecking in the amount of \$124,500.00.

Financial Impact:

This project was approved in the FY21-22 budget, Police Building Bond. The budgeted amount for the Demo and new parking lot is \$965,510.00.

The following table shows costs incurred in FY 21-22 and the estimated cost to construct and complete the project in FY2021-22.

Item	Project Cost in FY2021-22	Estimated Cost to Complete FY2021-22
Bid Advertise (2021)	\$297.66	
Bureau of Labor and Industries		\$250.00
Bid		\$124,500.00
Art (1/2 of one percent of the construction bid)		\$622.50
Contingency		\$12,450.00
Total	\$297.66	\$137,822.50

Council Options:

The Council may approve the award.

The Council may not approve the award.

Potential Motions:

Move to award the demolition contract to Richey Wrecking in the amount of \$124,500.00 with a contingency of \$12,450.00 (10 percent of bid amount) for a total amount of \$136,950.00.

Attachments:

Bid Tab

Attachments:

Bid Tab (PDF)

Police Building Demolition			Richey Wrecking		3 Kings Environmental		NW Construction		Staton Companies		RK Construction		K&E Excavating		Big River Const.	
ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
GENERAL BID ITEMS																
Mobilization	1	LS	\$13,000.00	\$13,000.00	\$25,000.00	\$25,000.00	\$20,500.00	\$20,500.00	\$7,800.00	\$7,800.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$29,050.00	\$29,050.00
Demolition	1	LS	\$80,000.00	\$80,000.00	\$76,175.00	\$76,175.00	\$74,240.00	\$74,240.00	\$88,910.00	\$88,910.00	\$110,516.00	\$110,516.00	\$172,000.00	\$172,000.00	\$226,000.00	\$226,000.00
Remove Generator & Move to City Maintenance Yard	1	LS	\$4,500.00	\$4,500.00	\$3,500.00	\$3,500.00	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00
Grind Existing Concrete to 3"-0 & Leave Onsite	1	LS	\$12,000.00	\$12,000.00	\$9,425.00	\$9,425.00	\$27,463.20	\$27,463.20	\$27,000.00	\$27,000.00	\$19,742.00	\$19,742.00	\$16,000.00	\$16,000.00	\$25,000.00	\$25,000.00
Asbestos Removal	1	LS	\$15,000.00	\$15,000.00	\$10,950.00	\$10,950.00	\$10,972.00	\$10,972.00	\$9,820.00	\$9,820.00	\$10,000.00	\$10,000.00	\$6,400.00	\$6,400.00	\$10,000.00	\$10,000.00
Total Schedule 1				\$124,500.00		\$125,050.00		\$135,975.20		\$136,330.00		\$154,758.00		\$217,400.00		\$297,550.00

Council Communication

Contract Approval for Ester Lee Pump Station Replacement Project

Meeting Date:	September 27, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 min

Question:

Should the City Council award the Progressive Design-Build Services for Ester Lee Pump Station to Bateson Enterprises, LLC.?

Staff Recommendation:

City Council should award the Progressive Design-Build Services for Ester Lee Pump Station Improvement Project to Bateson Enterprises, LLC.

Authority:

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:

The Public Works Department advertised the "Invitation to Submit Proposals for Progressive Design-Build" on July 26, 2021. We received three proposals on September 2, 2021 from:

- Baseson Enterprises, LLC
- Emery & Sons Construction Group, LLC
- K&E Excavating Inc.

The proposals were reviewed by a selection committee. The selection committee scored the proposals. The selection committee selected Bateson Enterprises, LLC, to be recommended for the contract award.

Council Options:

City Council can award the Progressive Design-Build Services for Ester Lee Pump Station Project to Bateson Enterprises, LLC. or not award the project to Bateson Enterprises, LLC.

Financial Impact

The project is funded primarily through the SDC Reimbursement Sewer Fund. The total project cost is budgeted at \$800,000 in FY 21-22 and \$500,000 in FY 22-23. Staff has added the replacement of the 6-inch force main to the project and expects that the Total Project will exceed the \$1,300,000 budgeted. The Design/Build team will develop a budget during Phase 1 of the project.

The Bateson Enterprises, LLC. project team will develop a design with cost estimate at direct cost plus 11% for labor and 8% for materials. The team will then develop a not to exceed cost for construction paid at direct cost plus 12% for labor and 8% for materials.

Potential Motions:

Move to award the Progressive Design-Build Services for Ester Lee Pump Station Project to Bateson Enterprises, LLC.

Council Communication

Vacancy Discussion - Councilor Ward II

Meeting Date:	September 27, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	City Attorney	Secondary Contacts:	Richard Appicello
Approval:	Lila Bradley	Estimated Time:	

Question:

Should the City Council appoint a qualified elector or hold a special election to fill the vacancy created by the resignation of Councilor Skinner?

Staff Recommendation:

Per the Charter, this matter is in the sole discretion of Council

Authority:

Lincoln City Charter:

3.8 Qualifications of Officers.

- (1) To be eligible for an elective city office, a person must **be a qualified elector within the meaning of the state Constitution and have resided in the city during the six months immediately preceding the last day available for filing for election.** For purposes of this subsection, city means all area included in the corporate limits as of the date of the election.
- (2) **To serve as a councilor elected from a ward, the candidate must have resided within the ward he or she seeks to represent for six months immediately preceding the last day available for filing for election or appointment** and must continue to reside in the ward throughout his or her term of office.
- (3) Removal of an officer's principal residency from the city or from the area he or she represents shall create a vacancy in the office for which elected, to be filled in the manner other vacancies in that office are filled.
- (4) No city employee or appointive officer may serve on the council.
- (5) Except as otherwise provided in this Charter, the council is the final judge of the qualifications and election of its own members (**emphasis added**)

8.2 Filling Vacancies

A vacancy in the council **shall be filled by appointment by majority of the council**, provided, **however**, that the **council may in its discretion call a special election for the purpose of filling such vacancy**. The appointee's term shall begin immediately upon his or her appointment and qualification and shall continue through the unexpired term of the appointee's predecessor. During the temporary disability of a council member, or during a member's absence from the city, the office may be filled pro-tem in the manner provided for filling vacancies in office. (**emphasis added**)

LCMC 1.12.040 Petition – Time for filing.

All nomination papers comprising a petition shall be assembled and filed with the city recorder as one instrument not later than five working days before the last day available for filing for the election with the county. The city recorder will post notice of the date for filing nomination petitions with the city at least 20 days prior to the filing date. The recorder shall make a record of the exact time at which each petition is filed and shall take and preserve the name, residence and mailing address of the person by whom it is filed.

Chapter 2.06 (City Appointive Bodies) Section LCMC 2.06.005, in pertinent part, provides: "These rules do not apply to filling a vacancy under Chapter VIII, Section 8.2 of the Lincoln City Charter."

Chapter 2.04 (City Council), including the Section 2.04.180 (Appendix- council rules) does not contain any limitations or procedures for exercising the authority in the Charter to appoint a member of the City Council.

See Also Chris Thomas memorandum dated January 2003, pages 2-3 (included in your training materials) regarding the Council-Manager form of government in Lincoln City.

Background:

Councilor Skinner has resigned. Under the City Charter a resignation creates a vacancy. Charter 8.1.(1)(f). A vacancy **shall** be filled by appointment by a majority of the Council – however the Council may, in its sole discretion, refer the vacancy to a special election.

Whether by appointment or election, the position, once filled will serve for the remainder of the term (ends in 2022). [There is no provision of the Charter or Code that would award a vacated position to, or give preference to, a second place candidate in the prior election].

(Note: November 2021 election deadline has passed. Staff will obtain election filing deadline dates from the County clerk before discussion of this item. The vacant Councilor Ward II position term is up in 2022)

Council Options:

See alternative motions below.

In sum, the Council has two basic options: (1) appoint a new Councilor (a qualified elector who has resided in the ward for at least 6 months) or (2) hold an election. If the Council chooses to appoint a new Council member, they may do so at any time either through direct appointment or through an application and interview process.

If the council decides to move forward with an election, the council would need to approve a resolution referring the position to the voters. The City Recorder will then post / advertise a filing period for interested candidates and then take filings from candidates. The City must then certify the candidates that qualify to be on the ballot to the County Clerk. Note: the local filing deadline is 5 working days earlier than the County deadline per LCMC 1.12.040 (quoted above).

Potential Motions:

1. Option 1 - Simple call for election

Motion to direct staff to return with a Resolution for the next Council meeting - Declaring a Vacancy in the City Council position of Councilor Ward II and calling for a special election in _____ 2022 to fill the position for the remainder of the vacated term; or

[A draft Resolution will be prepared for the next meeting if this option is selected]

2. Option 2 - Simple direct appointment of a qualified elector

Motion to Declare a Vacancy in the City Council position of Councilor Ward II and announcing the vacated position will be filled by appointment as provided in Lincoln City Charter Chapter VIII, Section 8.2, appointing _____ *name* _____, a qualified elector of the City of Lincoln City, to the position of Councilor Ward II for the remainder of the vacated term; or

[This appointment and other appointment options can also be completed by Resolution, if desired]

3. Option 3 - Appoint following interviews. Announcing that the position of Councilor Ward II shall be filled by appointment as provided by Chapter VIII, Section 8.2 of the Lincoln City Charter, following a process of solicitation of interested parties and interviews of qualified finalists, in sole discretion of the City Council.

Motion to Declare a Vacancy in the City Council position of Councilor Ward II and announcing the vacated City Council position will be filled by appointment as provided in Lincoln City Charter Chapter VIII, Section 8.2, following a process of solicitation of interested parties and interviews.

Further move to directing the City Manager to publish notice of the vacancy with an October _____ 2021, deadline for receipt of letters of interest from qualified electors residing in Ward II. Interviews to be scheduled the week of October _____ 2021.

4. Option 4 - Delay until new Councilor seated.

Motion to postpone discussion on filling the vacancy created by Councilor Skinner's resignation until _____, after new Councilor-elect for Ward I is seated.