

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY OCTOBER 11, 2021 6:00 PM

6:00 PM - The Lincoln City Council meeting for October 11, 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](http://www.lincolncity.org).

Public comments can be submitted to [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org), by attending the City Council meeting, or by attending through Zoom invitation.

Public comments submitted by email to [publiccomment@lincolncity.org](mailto: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](mailto: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](http://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 Work Session – September 27, 2021 3:00 PM
  - 2. Regular Meeting – Minutes of Regular Meeting – September 27, 2021 6:00 PM
  - 3. Oregon Liquor Control Commission - New- Off-Premises Liquor License
  - 4. Oregon Liquor Control Commission - Request for Full On- Premises Liquor License for The Sea Spritz
  - 5. ARPA Funds for Nelscott Forcemain Project Funding
  - 6. Traffic Control Measures - Status of NW 34th Court and NW 15th
- E. COUNCIL DELIBERATIONS**
- F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**
- G. PRESENTATIONS**
- H. PUBLIC HEARING / ORDINANCE**
- I. PUBLIC HEARINGS / PUBLIC COMMENTS**
  - 1. Continuance of Public Hearing [GC portion of former Ordinance 2021-14 (now renumbered as Ordinance 2021-22)]
- J. ORDINANCES**
- K. RESOLUTIONS**
  - 2. Resolution 2021-44: A Resolution Declaring the Official Results of the Canvas of Votes of the Special Election Held in the City of Lincoln City, Oregon on September 21, 2021.
- L. SPECIAL ORDER OF BUSINESS**
  - 3. Construction Award for Lincoln Square ADA Improvements, Phase 2
  - 4. Oath of Office Ceremony and Seating of Councilor-elect Elaine Starmer
  - 5. Internet and Data Transport Services - Water and Wastewater Contract Award
- M. CITY MANAGER/CITY ATTORNEY REPORTS**
  - 6. 2021 Holiday Meeting Schedule
- N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**
- O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**
- P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**
- Q. ADJOURNMENT**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF WORK SESSION MEETING

September 27, 2021, 3:00 PM

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

APPROVED BY CITY COUNCIL

DATE:

1. **CALL TO ORDER**

Mayor Wahlke called the meeting to order at 3:05 PM. Mayor Wahlke advised the public that this is a work session only and does not include public comment and no action can be taken by the Council during a work session.

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	3:00 PM
Judy Casper	Councilor Ward 3	Present	3:00 PM
Riley Hoagland	Councilor Ward 2	Present	3:27 PM
Rick Mark	Councilor Ward 3	Present	3:00 PM
Mitch Parsons	Councilor Ward 1	Present	3:00 PM
Vacant	Councilor Ward 1		
Vacant	Councilor Ward 2		

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Ken Murphy, Emergency Services Coordinator; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

2. **DISCUSSION ITEMS**

A. Council Rules

Richard Appicello, City Attorney, reviewed the council rules. Mayor Wahlke spoke about sections 3.2 and 3.3. Councilor Casper inquired about who would do the investigating of the Council violations. Mr. Appicello said that can be done by the City Attorney and in the past, there has been an Attorney hired to do the investigation.

## **B. American Rescue Plan Funds**

*Ken Murphy, Emergency Services Coordinator, spoke about the American Rescue Plan Act. Mr. Murphy said there is a little over \$2.35 million split into two payments. One payment has been received and the second will be payable next year at this time.*

*Ms. Bradley spoke about the Wave/Coastcom estimates for the fiber optics line to the Water and Wastewater Treatment Plants. Mr. Murphy added the safety concerns if this improvement is not made.*

*Ms. Bradley spoke about the Nelscott Force Main Alternatives. Ms. Reid said this is a \$4 million project and about \$600,000 has been spent on design.*

## **C. New Web Design and Content**

*Lila Bradley, Interim City Manager, postponed this topic for a future meeting.*

## **D. Manager Report**

*Ms. Bradley said that she was going to put together a list of who to contact for emergencies such as when a citizen contacts the Council for a tree down or other items.*

*Mayor Wahlke pointed out the bi-weekly report said the applications for the City Manager would be reviewed on October 4th. Ms. Edwards confirmed October 4th was an error and should be October 11th, it would take about an hour and a half. Mayor Wahlke also mentioned that there is a work session scheduled for 3 PM, an Executive Session, and then a City Council Meeting on October 11th. Ms. Bradley said the work session on the 11th of October could be canceled during the Council meeting if they wish.*

## **E. Council Questions on Agenda Items for Regular Meeting**

*Councilor Mark asked about the provision for the reimbursement district that the homeowners have to pay in full upon connection. Ms. Reid said that under a reimbursement district there is a four-year allowance to switch the septic system to a pump system. Councilor Parsons asked if other options are considered when plans are reviewed. Ms. Reid confirmed that is correct.*

## **F. Other Questions From Council**

*None*

## **3. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 4:00 PM.*

---

SUSAN WAHLKE, MAYOR

ATTEST:

---

JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

September 27, 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](http://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 6:02 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](mailto:publiccomment@lincolncity.org);
2. Comments can be made via Zoom if a request is emailed to [publiccomment@lincolncity.org](mailto: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
Vacant	Councilor Ward 1		
Vacant	Councilor Ward 2		

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Stephanie Reid, City Engineer; Ken Murphy, Emergency Services Coordinator; Anne Marie Skinner, Planning and Community Development Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

**C. PLEDGE OF ALLEGIANCE**

*Skipped due to the meeting being held remotely.*

**D. CONSENT AGENDA**

<b>MOTION:</b>	<b>Consent Agenda</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Wahlke, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed</b>

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**

*Jeff Cutler made a public comment regarding a parking sign placed on a street by his house on SW 48th and Beach.*

*Claude Poinski made a public comment regarding SW 28th Street parking.*

*Lila Bradley stated that two public comments received, Claude Poinski, SW 48th Street parking, and Derwyn Harris, NE 26th Reimbursement District.*

**G. PRESENTATIONS**

5. Cascade Rising - Jenny Demaris

*Jenny Demaris, Emergency Manager for Lincoln County, gave a presentation about the Cascadia Rising 2022. Mayor Wahlke asked about the ambulance company not being present on the CRE22 Exercise Planning Team Members. Ms. Demaris said the list is the planning members only. Councilor Mark asked about including the Aquarium and other locations that hold a large number of people. Ms. Demaris said this would be handled at a City level.*

**H. PUBLIC HEARING / ORDINANCE**

*None*

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Public Hearing for Community Center Roof Exemption from Competitive Bidding Process

**MOTION:** Motion to Close the Public Hearing and Record for Community Center Roof Exemption from the Competitive Bid Process  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

*Mayor Wahlke opened the public hearing at 6:36 PM. Council expressed no conflict of interest with this hearing. Ms. Reid explained the process of competitive bid exemption. No Citizens were present for public comment. Councilor Mark asked about the existing roof and correcting the underlying issues. Ms. Reid said there have been issues for a while and it is continually deteriorating and that is why they do not want to accept the low bid. Ms. Reid said the entire roof is coming off and being replaced.*

2. Public Hearing for NE 26th Street Sewer Reimbursement District Formation

**MOTION:** Motion to Close the Public Hearing and the Record for NE 26th Street Sewer Reimbursement District  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

*Mayor Wahlke opened the public hearing at 6:45 PM. Council expressed no conflict of interest with this hearing. Ms. Reid explained the creation of the reimbursement district. Ms. Reid said there are eight created properties and the reimbursement district benefits all eight properties. Councilor Hoagland asked if the way it is being calculated; could there potentially be more hookups than the eight and change the cost. Ms. Reid said the lots have already been divided. Councilor Hoagland asked if the Council could be looked at as giving preference to the applicant. Ms. Reid said that an engineering report has been done to make sure it is accurate. Ms. Bradley read a public comment from Mr. Harris in opposition/confusion of the reimbursement district. Mayor Wahlke asked if the notice letters are sent by regular mail and certified mail. Ms. Reid said the letters were sent by certified mail only. Mayor Wahlke asked if the lot from the public comment is undeveloped. Ms. Reid confirmed the lot is 10,000 square feet and undeveloped. No Citizens were present for comment.*

**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.

**MOTION:** Motion to Approve First Reading of Ordinance 2021-20 Amending LCMC Ch. 2.06 Appointive Bodies  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

4.

**MOTION:** Motion to Approve and Adopt Second Reading of Ordinance 2021-20 Amending LCMC Ch. 2.06 Appointive Bodies  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

**K. RESOLUTIONS**

5. 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.

**MOTION:** Motion to Approve Resolution 2021-42 Authorizing Alternative Contracting Method for the Community Center Roof Replacement  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

6. 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.

**MOTION:** Motion to Approve Resolution 2021-43 Authorizing and Approving the NE 26th Street Sewer Reimbursement District  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

**L. SPECIAL ORDER OF BUSINESS**

7. Appointment to Arts Committee - Applicant Deborah Johnson

**MOTION:** Motion to Appoint Applicant Deborah Johnson to the Arts Committee  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

8. Re-appointment to Sustainability Committee - Applicant Michael Edwards

**MOTION:** Motion to Re-appoint Applicant Michael Edwards to Sustainability Committee  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

9. Old Police Building Demolition Award

**MOTION:** Motion to Award the Contract for the Old Police Building Demo to Richey Wrecking in the Amount of \$136,950  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

*Mayor Wahlke recused herself with a conflict of interest. Council President Casper led the meeting for this motion. Ms. Reid explained the project.*

10. Contract Approval for Ester Lee Pump Station Replacement Project

**MOTION:** Motion to Award Progressive Design Build to Bateson Enterprises for Ester Lee Pump Station Replacement Project  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

11. Vacancy Councilor Ward II Discussion

**MOTION:** Motion to Adopt Motion Option Three [As presented on Agenda Packet Page 124]  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Hoagland, Mark, Parsons  
**NAYS:** Casper  
**RESULT:** Passed by Roll Call Vote

**M. CITY MANAGER/CITY ATTORNEY REPORTS**

*No City Manager or City Attorney Reports*

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

12.

<b>MOTION:</b>	<b>Motion to Approve the Employment Contract Beginning October 14th</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

13.

<b>MOTION:</b>	<b>Motion to Approve the Waiver Application as Discussed in Executive Session</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Wahlke, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS***None***P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**

*Councilor Mark is concerned about the 28th Street parking. Councilor Mark is also curious about the SW 48th and Beach parking situation. Councilor Mark received an email from Tina Puckett that he summarized.*

*Councilor Casper spoke about the 28th Street parking. Councilor Casper also was in the area of SW 48th Street and said there are mobility issues with a resident.*

*Mayor Wahlke spoke about the boat races on Devils Lake and asked who permits that. Mr. Appicello said the races are handled through the state. Ms. Bradley said that she would look into that.*

**Q. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 7:45 PM.*

---

SUSAN WAHLKE, MAYOR

ATTEST:

---

JAMIE YOUNG, CITY RECORDER

# Council Communication

---

## Oregon Liquor Control Commission - New -Off-Premises Liquor License

Meeting Date:	October 11, 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 new Off-Premises license for Figaro's Pizza?

### Staff Recommendations:

Lt. Winn, who recommends that City Council provide a favorable recommendation to grant the new 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 new Off-Premises license.
2. To not approve the new license application.
3. To approve the new license application.

### Attachments:

Figaro's Pizza\_Redacted.pdf (PDF)



OREGON LIQUOR CONTROL COMMISSION

# LIQUOR LICENSE APPLICATION

PRINT FORM  
RECEIVED  
RESET FORM  
AUG 13 2021

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 FINANCE DEPARTMENT
<input type="checkbox"/> Brewery 1 <sup>st</sup> Location	Date application received and/or date stamp: <b>SEP 21 2021</b>
Brewery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	[Redacted]
<input type="checkbox"/> Brewery-Public House (BPH) 1 <sup>st</sup> location	Name of City or County: <b>CITY OF LINCOLN CITY</b>
BPH Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	Recommends this license be:
<input type="checkbox"/> Distillery	<input checked="" type="checkbox"/> <b>Granted</b> <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Commercial	By: [Redacted]
<input type="checkbox"/> Full On-Premises, Caterer	Date: <b>9-23-21</b>
<input type="checkbox"/> Full On-Premises, Passenger Carrier	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Other Public Location	Date application received: <b>08/13/2021</b>
<input type="checkbox"/> Full On-Premises, For Profit Private Club	Date application accepted: <b>09/02/2021</b>
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	License Action(s): <b>New Outlet</b>
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 <sup>st</sup> location	
GSP Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <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 <sup>st</sup> Location	
Winery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/> (4 <sup>th</sup> ) <input type="checkbox"/> (5 <sup>th</sup> ) <input type="checkbox"/>	

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

**WILCOX PIZZA, LLC**

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)

**FIBARO'S PIZZA**

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

**4095 NW Logan Rd Suite B**

City	County	Zip Code
<b>Lincoln City</b>	<b>Lincoln</b>	<b>97367</b>

<sup>1</sup> 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.



# LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>FIGARO'S PIZZA</i>		SEP 21 2021	
6. Does the business address currently have an OLCC liquor license?		CITY OF LINCOLN CITY LINCOLN CITY, OR	
		<input type="checkbox"/> YES	<input checked="" 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 mail) <i>4095 NW Logan Rd, Suite B</i>			
City <i>Lincoln City</i>	State <i>OR</i>	Zip Code <i>97367</i>	
9. Phone Number of the Business Location <i>541-994-4443</i>	10. Email Contact for this Application [Redacted] <i>JW</i>		
11. Contact Person for this Application <i>Jonathan B. Wilcox</i>		Phone Number [Redacted]	
Contact Person's Mailing Address (if different) [Redacted]	City <i>Lincoln City</i>	State <i>OR</i>	Zip Code <i>97367</i>

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.

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

### Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

[Redacted Signature] \_\_\_\_\_  
 (Applicant#1)

\_\_\_\_\_   
 (Applicant#3)

\_\_\_\_\_   
 (Applicant#2)

\_\_\_\_\_   
 (Applicant#4)



OREGON LIQUOR CONTROL COMMISSION  
INDIVIDUAL HISTORY FORM

OSP/DMV  
Search Completed

SEP 02 2021

PRINT FORM

D.3.a

RESET FORM

FINANCE DEPARTMENT

INITIALS: *OC*

SEP 21 2021

1. Name (Print):	<i>WILCOX</i> Last	<i>JONATHAN</i> First	<i>CITY OF LINCOLN CITY LINCOLN CITY, OR</i> Middle
2. Other names used (maiden, other): <i>—</i>			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: <i>[REDACTED]</i>			
<p><b>SOCIAL SECURITY NUMBER DISCLOSURE:</b> As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) &amp; ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input checked="" type="checkbox"/>			
5. Date of Birth (DOB):	<i>[REDACTED]</i> (mm)	<i>[REDACTED]</i> (dd)	<i>[REDACTED]</i> (yyyy)
6. Driver License or State ID #:	<i>[REDACTED]</i>		
7. State	<i>OREGON</i>		
8. Contact Phone:	<i>[REDACTED] 541.994.4443 Figaro's Pizza</i>		
9. E-mail Address:	<i>[REDACTED]</i>		
10. Mailing Address:	<i>4095 NW Lagon Rd, suite B</i> (Number and Street)	<i>Lincoln City</i> (City)	<i>OR 97367</i> (State) (Zip Code)
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			



OREGON LIQUOR CONTROL COMMISSION  
**INDIVIDUAL HISTORY FORM**

SEP 21 2021

CITY OF LINCOLN CITY  
LINCOLN CITY, OR

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No  Yes  Please list licenses (and year(s) licensed) below    Unsure  Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No  Yes  Please list licenses (and year(s) licensed) below    Unsure  Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No  Yes  Please list applications below    Unsure  Please include an explanation:

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

**Affirmation**

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

Name (Print):	WILCOX Last	JONATHAN First	B Middle
Signature			Date: 8-18-2021

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



# OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

FINANCE DEPARTMENT

SEP 21 2021

Please Print or Type

CITY OF LINCOLN CITY  
LINCOLN CITY, OR

Applicant Name: Wilcox Pizza LLC JW Phone: [REDACTED]

Trade Name (dba): Figaro's Pizza JW

Business Location Address: 4095 NW Logan St, Suite B

City: Lincoln City, OR 97367 ZIP Code: 97367

### DAYS AND HOURS OF OPERATION

<b>Business Hours:</b>	<b>Outdoor Area Hours:</b>	The outdoor area is used for:
Sunday <u>12pm</u> to <u>8:30pm</u>	Sunday _____ to _____	<input type="checkbox"/> Food service Hours: _____ to _____
Monday <u>11am</u> to <u>9pm</u>	Monday _____ to _____	<input type="checkbox"/> Alcohol service Hours: _____ to _____
Tuesday <u>11am</u> to <u>9pm</u>	Tuesday _____ to _____	<input checked="" type="checkbox"/> Enclosed, how _____
Wednesday <u>11am</u> to <u>9pm</u>	Wednesday _____ to _____	The exterior area is adequately viewed and/or supervised by Service Permittees.
Thursday <u>11am</u> to <u>9pm</u>	Thursday _____ to _____	_____ (Investigator's Initials)
Friday <u>11am</u> to <u>9:30pm</u>	Friday _____ to _____	
Saturday <u>11am</u> to <u>9:30pm</u>	Saturday _____ to _____	

Seasonal Variations:  Yes  No If yes, explain: Winter hours usually open at Noon and close at 8:30pm

### ENTERTAINMENT

Check all that apply:

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

### DAYS & HOURS OF LIVE OR DJ MUSIC

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

### SEATING COUNT

Restaurant: \_\_\_\_\_ Outdoor: only waiting area, for take-out meals

Lounge: \_\_\_\_\_ Other (explain): \_\_\_\_\_

Banquet: \_\_\_\_\_ Total Seating: \_\_\_\_\_

**OLCC USE ONLY**

Investigator Verified Seating: \_\_\_\_\_ (Y) \_\_\_\_\_ (N)

Investigator Initials: N/A

Date: \_\_\_\_\_

I understand if my answers are not true and complete, the OLCC may deny my license application.  
Applicant Signature: [REDACTED] Date: 8.6.2021



Oregon Liquor Control Commission

FINANCE DEPARTMENT  
RESET FORM

# LIMITED LIABILITY COMPANY (LLC) QUESTIONNAIRE

SEP 21 2021

LLC Name WILCOX PIZZA, LLC

CITY OF LINCOLN CITY  
LINCOLN CITY, OR

Trade Name of Business (Name Customers Will See) FIGARO'S PIZZA

The LLC named in this document is a (see page 1 for definitions):  Manager-Managed LLC  Member-Managed LLC

This section is ONLY for a manager-managed LLC. (Directions on page 1. You may include information on a separate sheet.)

Name of Managing Member (please print)	Name of Managing Member (please print)
<u>Jonathan B. Wilcox</u>	<u>—</u>

This section is for BOTH a manager-managed LLC and a member-managed LLC. (Directions on page 1. You may include information on a separate sheet.)

Name of Member (please print)	Percentage of issued membership held
<u>Jonathan B. Wilcox</u>	<u>100%</u>

This section is ONLY for an LLC with the listed officers. (Directions on page 1. You may include information on a separate sheet.)

Title	Name (please print)
President	
Secretary	
Treasurer	
Vice president with responsibility over the operation of the business	

SERVER EDUCATION DESIGNEE (Directions on page 1)

Name (please print)	Date of Birth

SIGNATURE (Directions on page 1)

NAME of Signing Person (please type or print) Jonathan B. Wilcox

 DATE 9-8-2021

SIGNATURE of signing person (may electronically sign)

**This box for OLCC use ONLY**

Only for an applicant of record: SOS Number 1146191e-98 exp 11/18/21 Current at time of issuing license (yes/no) \_\_\_\_\_

Does the entity hold, or has it ever held, an OLCC-issued liquor license? N



Articles of Organization - Limited Liability Company

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - sos.oregon.gov/business - Phone: (503) 986-2200

FILED NOV 21 2021

NOV 18 2021 CITY OF LINCOLN CITY LINCOLN CITY, OR

REGISTRY NUMBER: 1616196-98

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

OREGON SECRETARY OF STATE For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1. NAME OF LIMITED LIABILITY COMPANY: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.")

Wilcox Pizza, LLC

2. DURATION: (Please check one.)

Duration shall be perpetual.

Latest date upon which the Limited Liability Company

is to dissolve is

3. PRINCIPAL OFFICE: (Must be a physical street address)

4095 NW Logan Rd, Suite B

Lincoln City, OR 973107

4. REGISTERED AGENT: (Individual or entity that will accept legal service for this business)

Jonathan B. Wilcox

5. REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS: (Must be an Oregon Street Address, which is identical to the registered agent's office.)

4095 NW Logan Rd, Suite B

Lincoln City, OR 973107

6. ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:

4095 NW Logan Rd, Suite B

Lincoln City, OR 973107

7. HOW WILL THIS LIMITED LIABILITY COMPANY BE MANAGED?

This LLC will be member-managed by one or more members.

This LLC will be manager-managed by one or more managers.

8. IF RENDERING A LICENSED PROFESSIONAL SERVICE OR SERVICES, DESCRIBE THE SERVICE(S) BEING RENDERED: ORS 58.015(5)(m)

9. OPTIONAL PROVISIONS: (Attach a separate sheet if necessary.)

BENEFIT COMPANY: The Limited Liability Company is a benefit company subject to sections 1 to 11 of chapter 269, Oregon Laws 2013. (additional requirements apply)

INDEMNIFICATION: The company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160 - 63.170.

SEE ATTACHED

10. NAME AND ADDRESS OF EACH PERSON WHO IS FORMING THIS BUSINESS: (ORGANIZER)

Jonathan B. Wilcox

same

LIST MEMBERS AND/OR MANAGERS NAMES AND ADDRESSES (MAY BE REQUIRED BY YOUR BANK)

11. OWNERS: (MEMBERS) (Names and Addresses)

Jonathan B. Wilcox

4095 NW Logan Rd

Lincoln City, OR 973107

12. MANAGERS: (MANAGERS) (Names and Addresses)

13. INDIVIDUAL WITH DIRECT KNOWLEDGE (Name and Address)

List the name and address of at least one individual who is a member or manager of the LLC or an authorized representative with direct knowledge of the operations and business activities of the LLC.

Jonathan B. Wilcox

4095 NW Logan Rd

Lincoln City, OR 973107

14. EXECUTION/SIGNATURE OF EACH PERSON WHO IS FORMING THIS BUSINESS: (Organizer)

I declare as an authorized signer, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any members, managers, employees or agents of the limited liability company. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

SIGNATURE:

Jonathan B. Wilcox

PRINTED NAME:

Jonathan B. Wilcox

TITLE:

owner

CONTACT NAME: (To resolve questions with this filing)

PHONE NUMBER: (Include area code)

Barcode area for WILCOX PIZZA, LLC with registry number 161619698-20558958 and NEWORG



City of Lincoln City  
P.O. Box 50 | 801 SW Hwy 101, 3rd Floor  
Lincoln City, OR 97367  
(541) 996-1211  
onlinepay@lincolncity.org

XBP Confirmation Number: 106749333

▶ Transaction detail for payment to City of Lincoln City.		Date: 09/21/2021 - 4:53:25 PM MT	
<b>Transaction Number: 157029700PT</b> Visa — XXXX-XXXX-XXXX-7486 <b>Status: Successful</b>			

Account #	Item	Quantity	Item Amount
	Liquor License	1	\$100.00

**TOTAL: \$100.00**

**Billing Information**  
Jonathan Wilcox  
, 97367

Transaction taken by: swillette

# Council Communication

---

## Oregon Liquor Control Commission - Request for Full On Premises Liquor License

Meeting Date: October 11, 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 new Full-On Premises 1st location for The Sea Spritz?

### Staff Recommendations:

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

### Legal Background and Framework:

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

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 new Full-On Premises 1st location.
2. To not approve the license application.
3. To approve the license application.

### Attachments:

The Sea Spritz LLC\_Redacted.pdf (PDF)



OREGON LIQUOR CONTROL COMMISSION

# LIQUOR LICENSE APPLICATION

RECEIVED  
PRINT FORM  
JUN 11 2021  
RESET FORM  
EUGENE REGIONAL OFFICE

D.4.a

Oregon Liquor Control Commission

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 <sup>st</sup> Location	<p>RECEIVED</p> <p>Date application received and/ [redacted]</p> <p>SEP 21 2021</p> <p>Name of City or County: 157024103PT City of Lincoln City OF LINCOLN CITY</p> <p>Recommends this license be: LINCOLN CITY OR</p> <p><input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied</p> <p>By: [redacted]</p> <p>Date: 9-23-21</p>
Brewery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 <sup>st</sup> location	
BPH Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	
<input checked="" 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	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 <sup>st</sup> location	
GSP Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 <sup>st</sup> Location	<p>OLCC USE ONLY</p> <p>Date application received: 09/11/2021</p> <p>Date application accepted: 08/20/2021</p> <p>License Action(s): New Outlet</p>
Winery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/> (4 <sup>th</sup> ) <input type="checkbox"/> (5 <sup>th</sup> ) <input type="checkbox"/>	

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

The Sea Spritz LLC

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)

The Sea Spritz

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

1330 NE Hwy 101

City	County	Zip Code
<u>Lincoln City</u>	<u>Lincoln</u>	<u>97367</u>

<sup>1</sup> 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 BUSINESS INFORMATION

Please Print or Type

Applicant Name: The Sea Spritz LLC Phone: [Redacted]

Trade Name (dba): The Sea Spritz

Business Location Address: 1330 NE Hwy 101

City: Lincoln City ZIP Code: 97367

### DAYS AND HOURS OF OPERATION

#### Business Hours:

Sunday	<u>10 am</u>	to	<u>2 am</u>
Monday	<u>10 am</u>	to	<u>2 am</u>
Tuesday	<u>10 am</u>	to	<u>2 am</u>
Wednesday	<u>10 am</u>	to	<u>2 am</u>
Thursday	<u>10 am</u>	to	<u>2 am</u>
Friday	<u>10 am</u>	to	<u>2 am</u>
Saturday	<u>10 am</u>	to	<u>2 am</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	<u>1 pm</u>	to	<u>6 pm</u>
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	<u>8 pm</u>	to	<u>12 am</u>
Saturday	<u>8 pm</u>	to	<u>12 am</u>

### SEATING COUNT

Restaurant: \_\_\_\_\_ Outdoor: \_\_\_\_\_  
 Lounge: 20 Other (explain): 6-8 video machines  
 Banquet: \_\_\_\_\_ Total Seating: 26

<b>OLCC USE ONLY</b>	
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: [Redacted] Date: 6/18/21

1-800-452-OLCC (6522)

www.oregon.gov/olcc



OREGON LIQUOR CONTROL COMMISSION  
**INDIVIDUAL HISTORY FORM**

PRINT FORM

D.4.a

RESET FORM

1. Name (Print):	Morgan Last	Charity First	Sarvai Middle
2. Other names used (maiden, other):	Chaffins, Brotherton		
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If yes, you must list your SSN: [REDACTED]		
<p><b>SOCIAL SECURITY NUMBER DISCLOSURE:</b> As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) &amp; ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box:	<input checked="" type="checkbox"/>		
5. Date of Birth (DOB):	[REDACTED] (mm)	[REDACTED] (dd)	[REDACTED] (yyyy)
6. Driver License or State ID #:	[REDACTED]	7. State	Oregon
8. Contact Phone:	[REDACTED]		
9. E-mail Address:	[REDACTED]		
10. Mailing Address:	[REDACTED] (Number and Street)	Lincoln City (City)	OR 97367 (State) (Zip Code)
<p>11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon?</p> <p>No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.</p>			



# OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, currently hold or have you previously held a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No  Yes  Please list licenses (and year(s) licensed) below    Unsure  Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No  Yes  Please list licenses (and year(s) licensed) below    Unsure  Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No  Yes  Please list applications below    Unsure  Please include an explanation:

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

**Affirmation**

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

Name (Print):	morgan Last	Charity First	Sarai Middle
Signature:			Date: 6/1/21

**This box for OLCC use ONLY**  
No Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?

## Council Communication

---

### ARPA Funds for Nelscott Force Main Project Funding

Meeting Date:	October 11, 2021	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	

---

#### Question:

Should the City Council direct staff to begin the public contract competitive bidding process for Option 2 as discussed in the September 27, 2021 work session?

#### Staff Recommendation:

Staff recommends the Council direct staff to proceed with Option 2.

#### Authority:

LCMC Chapter 2.05 (Public Contracting)

#### Background:

#### NELSCOTT FORCE MAIN ALTERNATIVES

##### Problem

The Nelscott Force Main conveys the flows from the Nelscott Pump Station to the Wastewater Treatment Plant via combination of a pressurized transmission force main, gravity collection network pipe, low-pressure collection network pipe and an inverted siphon across Schooner Creek. This pump station pumps the majority of the City's wastewater to the Treatment Plant. When the City experiences heavy rain events, the Nelscott Pump Station overflows and discharges into the local creek, through a tidal estuary and then ultimately into the ocean. This has occurred three times over the last four years. The overflow problem is caused by air entrainment in the force main due to a hydraulic jump at the interface with the pressure gravity system. Furthermore, at this same interface, the City has received numerous complaints of an odor problem. There is considerable buildup of grease in the system causing efficiency issues. The City has attempted unsuccessfully to remove the grease but it has solidified such that it will not come off even with a chain router. Lastly and most urgent is that the force main has

leaked unexpectedly recently at multiple locations requiring emergency repairs, which implies problems of structural integrity. Thus, it requires repair imminently.

### Alternatives

#### **Option 1 – No build**

Leave the system alone and reduce harm as much as possible from overflows when they occur. Perform emergency repairs when leaks occur.

#### **Option 2 – Upgrade the existing system**

Upgrade existing 2,000 feet of 12" transmission force main pipe. Upgrade 1,740 feet of 18" gravity collection network pipe and 20" low-pressure sewer collection network pipe. The existing force main route starts at Highway 101 and High School Drive. Then it runs east along High School Drive to SE 48<sup>th</sup> Place. This alignment stays within the existing paved road of High School Drive. The alignment does pass in front of the High school and an elementary school. Construction would affect school related traffic.

#### **Option 3 – Alternative alignment**

This alternative would construct a new system from Hwy 101 and SE High School Drive southwards along Hwy 101 to SE 48<sup>th</sup> Place then East along SE 48<sup>th</sup> Place to the same end point as Option 2. This option would require construction of an additional 5,600 ft of new force main.

#### **Option 4- Pump to Treatment Plant**

This option would require constructing a new force main from the Nelscott Pump Station to the Wastewater Treatment Plant.

### Environmental Impacts

Option 1 will distribute Blackwater into fragile marine ecosystems. Option 2, 3 and 4 constructions would be located within the existing road right-of-way. Option 3 would cross under a small creek that could be directionally bored under.

### Considerations

**1.)** Option 1 is not considered viable because allowing the pump station to overflow Blackwater to a creek, an estuary and ultimately the ocean is unacceptable by any modern standard. This option does not address the fact that the existing force main structural integrity is in disrepair as evidenced by the City needing to implement emergency repairs of leaks at multiple locations. Option 1 also does not address constriction due to grease building up since its inception in 1980. The interface where the force main pipe converts to gravity pipe, odor problems are experienced. This

interface location is in front of a school and the City has received numerous complaints from the children, faculty and parents.

**2.)** Option 2 is the most direct alignment. The City will need to work with the School District when constructing the line since it passes in front of the schools. The construction will occur within City capillary streets with minimal effects to the highway. Option 2 will be the least expensive.

**3.)** This option will construct 1,860 feet more of new force main pipe than presently exists. Static head pressure for the pumps will increase by 30 feet and cause an additional efficiency loss due to friction from 1,860 feet of new pipe. Most of the construction is within Hwy 101 and will need a permit from ODOT. A lane closure of Hwy 101 will be required and construction within Hwy 101 will be required to take place at night. The cost of traffic control for this option will add more than \$100,000 to the cost. What's more, adding 1,860 feet of force main and 30 feet of static head pressure will require a review of the pump station capacity to ensure that these changes will not require upgrading the pumps.

**4.)** This option was not considered because of the higher order of magnitude in cost and other less expensive alternatives that would similarly solve the existing problems.

#### **Council Options:**

Options 2 or Option 3.

#### **Financial Impact**

See Background

#### **Potential Motions:**

Motion to direct staff to proceed with public contracting to implement Option 2.

# Council Communication

---

## Traffic Control 15th Street and 34th Court

Meeting Date:	October 11, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Lila Bradley
Approval:	Lila Bradley	Estimated Time:	5 minutes

---

### Question:

Should the City Council take any action to extend or alter Resolution 2021-38 and Resolution 2021-34 concerning the current closure of NW 34<sup>th</sup> Court and the current open status NW 15<sup>th</sup> Street?

### Staff Recommendation:

Staff recommends no action at this time.

### Authority:

#### 10.08.010 Powers of the city council.

A. Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated by this title or another ordinance.

B. The powers of the council, which may be exercised **by resolution**, include, but are not limited to:

1. Designation of through streets;
2. Designation of one-way streets;
3. Designation of truck routes;
4. Designation of parking meter zones;
5. Designation of certain streets as bridle paths and prohibition of horses and animals on other streets, parks or property;
6. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law;
7. Initiation of proceedings to change speed zones;
8. Establishment and revision of speed limits and traffic regulations in parks;
9. Temporary blocking or closing of streets;
10. Establishment of bicycle lanes and paths and traffic controls for such facilities;
11. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage;
12. Authorization of issuance of oversize or overweight vehicle permits;

13. Establishment, maintenance, removal or alteration of the following classes of traffic controls:

- a. Crosswalks, safety zones and traffic lanes,
- b. Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when such prohibitions apply,
- c. Parking, including but not limited to truck parking areas, parking for disabled persons, parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal), prohibited parking areas (one or both sides of the street), parking permits and metered parking,
- d. Loading zones and stops for vehicles,
- e. Traffic-control signals.

### **Background**

Resolution 2021-38 extended the closure of NW 34<sup>th</sup> Court to December 2021. The Closure of NW 15<sup>th</sup> lapsed after September 6, 2021. Staff was to bring back the question of closure of NW 15<sup>th</sup> at the second meeting in September, but it did not make the Council Agenda.

At this time, there is no Engineering or Public Safety reason to change the status quo.

### **Council Options:**

No action or change.

Direct that the Police Department and Public Works Departments report at a future meeting.

### **Financial Impact**

No financial impact.

### **Potential Motions:**

None.

## Council Communication

---

### Ordinance 2021-22 GC 17.32 - Continuance to November 8, 2021

Meeting Date:	October 11, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:	Planning Department	Secondary Contacts:	AnneMarie Skinner
Approval:	Lila Bradley	Estimated Time:	5 minutes

---

#### Question(s):

Should the City Council continue the public hearing on the proposed amendment to the General Commercial zone to allow conversion options (formerly part of Ordinance 2021-14 - now renumbered as Ordinance 2021-22) to November 8, 2021?

#### Staff Recommendation:

Staff recommends Council continue the public hearing to November 8, 2021.

#### Authority:

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

#### Background:

The City Council adopted Ordinance 2021-14 after dividing the proposed amendments in the ordinance into two separate ordinances. One ordinance concerned amendments to the RM zone and the other proposed amendments to the GC zone.

The GC portion of the ordinance was continued to August 23, 2021 and then to this meeting. Staff is requesting an additional continuance of the proposed amendment to November 8, 2021 to give the new Planning Director and legal staff time to create

alternative language for Council options.

**The original GC amendment version of the City staff proposal read as follows:**

**SECTION 2.** Chapter 17.32 (*General Commercial (GC) Zone*), Section 17.32.020 (*Uses Permitted*), is amended to read as follows:

**17.32.020 Uses permitted.**

In a GC zone, the following are given as examples of those uses that meet the intent of this zone:

- A. Convenience service/retail use;
- B. Eating and drinking establishments, excluding drive-in restaurants;
- C. Carpet, rug, fabric and interior decorating shops including reupholstering, making of draperies and other similar articles which are conducted as part of, and secondary to, a retail sales operation;
- D. Sporting goods stores;
- E. Motels and resorts;
- F. Building supply stores;
- G. Public facilities;
- H. Garden supplies and nursery;
- I. Community meeting buildings, fraternal or social organizations;
- J. Automotive parts and accessories;
- K. Printing;
- L. Carpenter, plumbing, cabinet, upholstery and sheet metal shops, if conducted wholly within an enclosed building;
- M. Appliance sales and service;
- N. Single-family dwellings and duplexes, if developed under the standards in the R-1 zone;
- O. Mini-warehouses, if existing on or if site plan approval was applied for before June 9, 2008. Mini-warehouses in existence on or applied for before June 9, 2008, may be expanded within the boundaries of the lot or lots they occupied as of that date, subject to the standards applicable as of the date of application for expansion;
- P. Time-share units, when developed under the standards of LCMC 17.28.050;
- Q. Bed and breakfast accommodations;
- R. Professional and business offices;
- S. Art gallery and studio;
- T. Physical therapy;
- U. Equipment rental establishments;
- V. Physical fitness center;

- W. Manufactured homes when developed in accordance with the standards specified in LCMC 17.28.100 (C) and 17.52.250;
- X. Veterinary clinics;
- Y. Community gardens and market gardens not larger than 12,500 square feet, in accordance with the standards of LCMC 17.80.080;
- Z. Mixed-use development;
- AA. Essential emergency communications, early warning and associated emergency facilities;
- BB. Retail marijuana facilities, subject to the provisions of LCMC 17.80.130;
- CC. Indoor theaters;
- DD. Transportation uses, defined in Chapter 17.08 LCMC;
- EE. Tiny house developments, subject to the provisions of LCMC 17.80.040 (C);
- FF. Four-flat dwellings, subject to the provisions of LCMC 17.80.140;
- GG. Places of worship, and accessory uses set forth in LCMC 17.80.160 (B);
- HH. Mobile food units and mobile food pods, subject to the provisions of LCMC 17.80.170.

**II. Conversion of Existing Hotel/Motel/Resort Units to Multi-Unit Residential including 20% of the units as workforce housing. For purposes of this section only “workforce housing” means not to exceed 125% of median family income / area median income for Lincoln County.**

**Former Planning Staff modified the proposal to add another paragraph recognizing the change in state law:**

LCMC 17.32 GENERAL COMMERCIAL (GC) ZONE  
LCMC 17.32.020 Uses Permitted

**II. Conversion of Existing Hotel/Motel Units to an Emergency Shelter or Affordable Housing for households with incomes equal to or less than 60% of median family income / area median income for Lincoln County, subject to comply with applicable building codes and occupancy limits.**

**III. Conversion of Existing Hotel/Motel/Resort Units to Upscale Multi-Unit Residential Units, including 20% of the units as workforce housing. For purposes of this section only “workforce housing” means not to exceed 125% of median family income / area median income for Lincoln County.**

**Because the state law is not a land use decision, the state language above could be located outside of Title 17.**

**ORDINANCE NO. 2021-22****AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE) TO PERMIT CONVERSION OF EXISTING HOTELS/MOTELS/RESORT UNITS TO MULTI-UNIT RESIDENTIAL WITH A PERCENTAGE DEDICATED TO WORKFORCE HOUSING****Council Options:**

1. Continuance to November 8, 2021.
2. Do not proceed with proposed ordinance.

**Potential Motions:**

1. Motion to continue the public hearing to November 8, 2021.

# Council Communication

---

## Resolution 2021-44 Canvass of Votes

Meeting Date:	October 11, 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 adopt Resolution 2021-44 concerning the canvass of votes?

### Staff Recommendation:

Staff recommends approval of the resolution adopting the canvass of votes.

**[Council should consider moving this matter up on the Agenda [Agenda change] in order to seat the new Ward I Council Seat]**

### Background:

The official canvass of votes is required to be made a part of the City's public record.

### Potential Motions:

Motion to approve Resolution 2021-44.

### Attachments:

FINAL Res. 2021-44 Canvass of Votes (DOCX)  
20211006130445.pdf (PDF)

RESOLUTION NO. 2021-44

A RESOLUTION OF THE CITY OF LINCOLN CITY DECLARING THE OFFICIAL RESULTS OF THE CANVAS OF VOTES OF THE SPECIAL ELECTION HELD IN THE CITY OF LINCOLN CITY, LINCOLN COUNTY, OREGON ON SEPTEMBER 21, 2021

WHEREAS, on September 21, 2021, the City of Lincoln City, Oregon held a Special Election and the voters voted for one City Council Ward I position to fill a vacancy created by resignation; and

WHEREAS, the following candidate for city office received the majority of votes cast for the respective office:

Elaine Starmer, City Council Ward I

WHEREAS, the City Council canvassed the official vote as set forth in the State of Oregon Abstract of Votes prepared and certified by the Office of the Lincoln County Clerk;

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

Section 1. The State of Oregon Abstract of Votes is attached hereto marked "Exhibit A" and is by this reference incorporated herein as though fully set forth in this Resolution. The Abstract of Votes contains the total number of votes cast for the persons elected to office.

Section 2. The City Council hereby declares the official results of the election as set forth in "Exhibit A", the Abstract of Votes incorporated herein, and the following persons are elected to the offices set forth below:

Elaine Starmer, City Council Ward I

Section 3. The results of the Special Election held on September 21, 2021, as set forth in this Resolution, and the attached Abstract of Votes, are declared the official record for the journal of the proceeding of the City Council; the City Recorder is directed to include a copy of this Resolution as part of the minutes of the October 11, 2021 meeting of the City Council of the City of Lincoln City.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Section 4. Recitals.** The City Council adopts the recitals of this resolution, which are incorporated into this section by reference, as additional facts supporting its conclusion that the resolution is in the public interest of the City of Lincoln City.

**Section 5. Effective Date.** This resolution is effective as of the date of its adoption.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 11th day of October, 2021.

\_\_\_\_\_  
SUSAN WAHLKE, MAYOR

ATTEST:

\_\_\_\_\_  
JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM

\_\_\_\_\_  
RICHARD APPICELLO, CITY ATTORNEY

# ELECTION RESULTS LINCOLN COUNTY, OREGON SPECIAL ELECTION SEPTEMBER 21, 2021

## Final Official Results

Total Number Voting:.....790  
 Total Number Registered.....2625  
 Approx. % counted:.....100.00%  
 Turnout:.....30.10%

### CITY OF LINCOLN CITY COUNCIL MEMBER, WARD I

Fernando Garza	211	26.71%
Elaine Starmer	569	72.03%

---

Miscellaneous Write-ins	9	01.13%
Number Overvotes	0	00.00%
Number Undervotes	1	00.13%
Total Votes	790	



## Council Communication

---

### Construction Award for Lincoln Square Parking Improvements

Meeting Date: October 11, 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 construction contract to RK Construction for the Lincoln Square ADA Improvements, Phase 2?

#### Staff Recommendation:

Staff recommends the construction contract be awarded to RK Construction in the amount of \$333,410.00.

#### 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:

On September 23, 2019 Council awarded construction Lincoln Square ADA Improvements, Phase 1 to K&E Excavation, Inc. in the amount of \$403,182.00 and the project was completed in July 2020.

#### Project Description

The project includes removing the existing concrete parking area and regrade the parking lot so that new ADA parking spots can be constructed that meet ADA requirements. Contractor will remove approx. 28,000 square feet of concrete and install new asphalt parking area.

#### Bids

Public Works Department advertised the project for bid on September 7 & 8, 2021. The City Public Works Department opened bids for the project on September 30, 2021. Three bids were received:

Bidder	Bid Amount
RK Construction	\$303,834.26

K&E Excavating, Inc	\$353,749.00
---------------------	--------------

The lowest responsive and responsible bidder was RK Construction in the amount of \$303,834.26.

**Financial Impact:**

This project was approved in the FY21-22 budget, Facilities Capital Fund. The budgeted amount for this project is \$380,000.00.

The following table shows design costs incurred in FY2021-22, 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 Advertisement (2021)	\$778.83	
Bureau of Labor and Industries		\$303.83
Construction Bid		\$303,834.26
Art (1/2 of one percent of the construction bid)		\$1,519.17
Construction Contingency		\$30,383.00
<b>Total</b>	<b>\$778.83</b>	<b>\$336,040.26</b>

**Council Options:**

The Council may approve the construction award.

The Council may not approve the construction award.

**Potential Motions:**

Move to award the construction contract to RK Construction in the amount of \$303,834.26 with a construction contingency of \$30,383.00 (10 percent of bid amount) for a total amount of \$334,217.26.

**Attachments:**

Bid Tab

**Attachments:**

BidTab (PDF)

20001 Lincoln Square ADA Improvements Phase II\_SH 7-8 (PDF)

Lincoln Square Improvement, Phase 2		Engineer's Estimate			RK Construction		K&E Excavating		
ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	Unit Price	Total	Unit Price	Total	
GENERAL BID ITEMS									
00210	Mobilization	1	LS	\$33,000.00	\$33,000.00	\$8,294.00	\$8,294.00	\$35,000.00	\$35,000.00
00225	Pedestrian Access Routes	1	LS	\$2,500.00	\$2,500.00	\$5,285.00	\$5,285.00	\$4,000.00	\$4,000.00
00225	Temporary Work Zone Traffic Control, Complete	1	LS	\$5,000.00	\$5,000.00	\$11,460.00	\$11,460.00	\$7,000.00	\$7,000.00
00280	Inlet Protection	2	EA	\$150.00	\$300.00	\$295.00	\$590.00	\$90.00	\$180.00
00310	Removal of Concrete & Subgrade - Parking Area	27962	SF	\$1.75	\$48,933.50	\$2.10	\$58,720.20	\$3.00	\$83,886.00
00310	Removal of Concrete & Subgrade - Sidewalks	434	SF	\$3.00	\$1,302.00	\$4.42	\$1,918.28	\$3.00	\$1,302.00
00310	Demolition - General	1	LS	\$5,000.00	\$5,000.00	\$21,550.00	\$21,550.00	\$6,000.00	\$6,000.00
00310	Sawcutting	381	FT	\$2.00	\$762.00	\$6.00	\$2,286.00	\$4.00	\$1,524.00
00490	Adjust Storm MH	1	EA	\$750.00	\$750.00	\$789.00	\$789.00	\$1,400.00	\$1,400.00
00490	Adjust Clean Out	1	EA	\$500.00	\$500.00	\$549.00	\$549.00	\$300.00	\$300.00
00641	Aggregate Base Rock 3/4"-0	504	CY	\$120.00	\$60,480.00	\$58.26	\$29,363.04	\$65.00	\$32,760.00
00759	Standard Concrete Curb (6" Reveal)	431	FT	\$40.00	\$17,240.00	\$58.65	\$25,278.15	\$45.00	\$19,395.00
00490	Type G-1 Catch Basin	1	LS	\$3,000.00	\$3,000.00	\$2,759.25	\$2,759.25	\$5,200.00	\$5,200.00
00490	Cleanout (12-inch)	1	EA	\$500.00	\$500.00	\$1,285.00	\$1,285.00	\$2,150.00	\$2,150.00
00490	22.5 Elbow (12")	2	EA	\$300.00	\$600.00	\$385.00	\$770.00	\$525.00	\$1,050.00
00490	Storm Sewer, 12-inch HDPE	66	FT	\$92.00	\$6,072.00	\$85.16	\$5,620.56	\$90.00	\$5,940.00
00490	Connection To Existing MH	1	EA	\$600.00	\$600.00	\$1,856.00	\$1,856.00	\$2,500.00	\$2,500.00
00759	Curb Stop, Plastic, White with Spikes	46	EA	\$300.00	\$13,800.00	\$79.20	\$3,643.20	\$190.00	\$8,740.00
00759	Curb Stop, Plastic, Blue	2	EA	\$350.00	\$700.00	\$84.85	\$169.70	\$250.00	\$500.00
00759	Concrete Sidewalk & Ramps, 4" Thick	563	SF	\$30.00	\$16,890.00	\$24.64	\$13,872.32	\$17.00	\$9,571.00
00759	Concrete ADA Parking, 6" Thick	793	SF	\$40.00	\$31,720.00	\$17.56	\$13,925.08	\$18.00	\$14,274.00
00759	Concrete Plaza, 4" Thick	1378	SF	\$30.00	\$41,340.00	\$14.16	\$19,512.48	\$13.50	\$18,603.00
00759	Truncated Dome	4	EA	\$800.00	\$3,200.00	\$325.00	\$1,300.00	\$600.00	\$2,400.00
00744	Level 2, 1/2" Dense ACP, 3" Depth	20	Ton	\$200.00	\$4,000.00	\$170.00	\$3,400.00	\$290.00	\$5,800.00
00744	Level 2, 1/2" Dense ACP, 4" Depth	2	Ton	\$200.00	\$400.00	\$195.00	\$390.00	\$1,600.00	\$3,200.00
00860	Thermoplastic, Extruded, Surface, Profiled - Yellow - 4"	1732	FT	\$7.00	\$12,124.00	\$3.50	\$6,062.00	\$7.00	\$12,124.00
00860	Thermoplastic, extruded, Surface, Profiled-White -ADA Parking	3	EA	\$500.00	\$1,500.00	\$1,150.00	\$3,450.00	\$950.00	\$2,850.00
00867	Pavement Legend, Type AB-Arrows	11	EA	\$400.00	\$4,400.00	\$550.00	\$6,050.00	\$650.00	\$7,150.00
00867	Pavement Legend Type B: ADA Symbol	2	EA	\$400.00	\$800.00	\$850.00	\$1,700.00	\$1,400.00	\$2,800.00
00900	Sign (ADA)	3	EA	\$1,000.00	\$3,000.00	\$450.00	\$1,350.00	\$500.00	\$1,500.00
01050	Remove Existing Fence & Install New 6 Foot Chain Link Fence With Slats	65	FT	\$120.00	\$7,800.00	\$54.00	\$3,510.00	\$215.00	\$13,975.00
01050	Install Double Swing Chain Link Gate with Drop Rods	1	LS	\$1,500.00	\$1,500.00	\$2,856.00	\$2,856.00	\$3,300.00	\$3,300.00
	Iremove & Install Shopping Cart Return (12'L x 60"W)	1	LS	\$250.00	\$250.00	\$450.00	\$450.00	\$4,500.00	\$4,500.00
	Install PVC Conduit - 3 Inch	20	FT	\$30.00	\$600.00	\$31.25	\$625.00	\$30.00	\$600.00
	Reconnect Irrigation Line at Bus Stop	1	LS	\$500.00	\$500.00	\$150.00	\$150.00	\$900.00	\$900.00
	Top Soil	3	CY	\$200.00	\$600.00	\$318.00	\$954.00	\$125.00	\$375.00
	Grind Concrete to 3"-0 & Transport to City Shops	1	LS	\$6,990.00	\$6,990.00	\$32,311.00	\$32,311.00	\$21,000.00	\$21,000.00
	Construction Survey	1	LS	\$10,000.00	\$10,000.00	\$9,780.00	\$9,780.00	\$10,000.00	\$10,000.00
	<b>Total Bid LINCOLN SQUARE ADA IMPROVEMENTS</b>				\$348,653.50		\$303,834.26		\$353,749.00





## Council Communication

---

### Oath of Office-Council Seat Ward I

Meeting Date:	October 11, 2021	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 minutes

---

The City Recorder will administer the oath of office to Councilor-elect Elaine Starmer.

## Council Communication

---

### Internet and Data Transport Services - Water and Wastewater Contract Award

Meeting Date:	October 11, 2021	Primary Staff Contact:	Richard Appicello
Department:	City Attorney	E-Mail:	RAppicello@lincolncity.org
Secondary Dept:		Secondary Contacts:	Tony LaSoya
Approval:	Lila Bradley	Estimated Time:	5 minutes

---

#### Question:

Should the City Council award the Data Transport Services contract to service the Wastewater and Water Treatment plants to Wave Business Solutions LLC.?

#### Staff Recommendation:

Staff recommends the Council award the contract.

#### Authority:

LCMC 2.05 Public Contracting Code. LCMC 2.05.080 G. exempts (emphasis added) this contract from competitive bidding/solicitation:

G. Contracts for natural gas, electricity including street lighting, local telephone service, cable and telecommunications services, and any other utility service.

The dollar amount of the contract far exceeds the delegated authority of the City Manager n LCMC 2.05.050 and implementing Resolutions. Therefore, the City Council, acting as the Local Contract Review Board, is asked to approve the contract.

#### Background:

The subject contract is with Wave Business Solutions LLC. The contract award is to provide the City of Lincoln City with private Ethernet data transport services via fiber to the Wastewater Treatment Plant and the Water Treatment Plant. The contract calls for a one-time, non-recurring installation charge of \$270,000.00 and a monthly recurring service charge of \$840.00 (\$420.00 per site) for 100Mbps of bandwidth.

**Council Options:**

1. Award the contract to WAVE.
2. Delay the project.

**Financial Impact**

This project was recently discussed at the September 27, 2021 Council work session in the context of projects to be funded from the American Rescue Plan funds.

**Potential Motions:**

Move to award the Data Transport Services contract for the Water and Wastewater plants to Wave Business Solutions LLC in the amount of \$270,000.00 and a monthly recurring service charge of \$840.00 (\$420.00 per site) for 100Mbps of bandwidth.

# Council Communication

---

## 2021 Holiday Meeting Schedule

Meeting Date:	October 11, 2021	Primary Staff Contact:	Lila Bradley
Department:	City Council	E-Mail:	LBradley@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 Minutes

---

### Question:

Does Council wish to proceed with the meeting on November 22, 2021 and December 20, 2021?

Thanksgiving holiday for city staff is Thursday, November 25 and Friday the November 26<sup>th</sup>. December 23 city staff has a half-day off and December 24 entire day off.

### Council Options:

- 1) Make a motion to cancel one or both meetings.
- 2) Proceed with the meetings as scheduled.