



City Hall, PO Box 708, Garibaldi, OR 97118  
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## **SPECIAL COUNCIL MEETING AGENDA**

### **WEDNESDAY, March 18, 2020 – 9:00 A.M.**

Council Chambers, Garibaldi City Hall, 107 6<sup>th</sup> Street, Garibaldi, Oregon

9:00 A.M. – SPECIAL CITY COUNCIL MEETING

- I. PLEDGE OF ALLEGIANCE
- II. CONVENING OF MEETING
- III. PUBLIC HEARING:  
Nothing Scheduled
- IV. CONSENT CALENDAR
- V. PUBLIC COMMENT
- VI. PRESENTATIONS:  
Nothing Scheduled
- VII. CORRESPONDENCE:  
Nothing Received
- VIII. COMMUNITY REPORTS:  
Nothing Scheduled
- IX. OLD BUSINESS:  
None
- X. NEW BUSINESS:
  - A. Planning Commission Chair Selection
  - B. Ordinance 330
  - C. OLCC Application, - Donna's, Hook, Line, N Sinker, LLC
  - D. OLCC Temp Application – Trout Unlimited, Oregon Chapter
- XI. STAFF REPORTS  
None
- XII. COUNCIL REPORTS
- XIII. EXECUTIVE SESSION: - Pursuant to ORS 192.660 (State Subsection – If Necessary)
- XIV. ADJOURNMENT

+ Supporting documents for this agenda are available at City Hall.

CITY OF GARIBALDI, OREGON

ORDINANCE #330

DECLARING A TEMPORARY STATE OF EMERGENCY WITHIN THE BOUNDARIES OF  
THE CITY AND DELEGATING AUTHORITY TO THE CITY MANAGER

WHEREAS, on March 8, 2020, the Governor of the State of Oregon issued Executive Order 20-03 declaring a statewide State of Emergency under ORS 401.025(1) due to the serious public health and safety threat posed by the spread of the COVID-19 virus within our state; and

WHEREAS, the City of Garibaldi (“the City”) has enacted local ordinance, 301, which pertains to the declaration and administration of a City-wide State of Emergency within City boundaries; and

WHEREAS, ORS Chapter 401.309 and Chapter VIII Section 32 of the City Charter City grant the City additional authority to declare a State of Emergency within the City; and

WHEREAS, the City Council finds that the detection of multiple cases of Coronavirus (COVID-19) within the state and the Governor’s Declaration present circumstances constituting a present threat of imminent widespread or severe damage, significant injury to persons or property, increased human suffering, loss of life, and financial loss within the City’s boundaries; and

WHEREAS, the City Council finds that during this State of Emergency, it is prudent and responsible to delegate certain powers and responsibilities to the City Manager in order to more efficiently expedite City responses and services; and

WHEREAS, these emergency circumstances require focused and coordinated municipal and community responses beyond that which occur routinely and such coordinated responses cannot be achieved without temporarily amending some of the City’s regular business, emergency, employment, and intergovernmental practices; and

WHEREAS, these emergency circumstances are anticipated to remain in effect for at least four weeks.

NOW, THEREFORE, IT IS DECLARED THAT:

1. City-wide State of Emergency. A City-wide State of Emergency hereby exists within the City of Garibaldi, which includes all of the area within the city boundaries. This State of Emergency shall become effective immediately and shall continue for a period of four weeks, unless further extended or rescinded by the City pursuant to this Declaration.

2. City Authority. During this State of Emergency, the City may take any legal and necessary steps to respond and recover from the emergency, including but not limited to: requesting assistance, funds, and reimbursement from the State of Oregon and federal agencies; adopting temporary rules and policies regarding City facilities, funds, resources, and staff; entering into contracts for services or aid agreements with other governmental or private entities; and cancelling non-essential City meetings and events.
  - a. Emergency procurement of goods, services, and public improvements is hereby authorized pursuant to ORS 279B.080, ORS 279C.320, ORS 279C.380(4), and all other applicable statutes, ordinances, and rules.
3. Staff Designation. The City Manager is directed to identify two additional City staff members who are designated and authorized to serve as the “acting in capacity” City Manager (City Manager AIC) in the City Manager’s absence during this State of Emergency. The City Manager or designee(s) shall regularly document and report to the Council regarding any actions or orders taken pursuant to this Declaration.
4. City Manager Delegation. During this State of Emergency, the Council hereby delegates to the City Manager (and to City Manager designees in the case of the City Manager’s absence), the authority to take actions and issue orders necessary and reasonable to protect health, safety and welfare of the City and the public and to conduct activities that minimize or mitigate the effect of the emergency, as long as such actions, orders, and activities are in compliance with City, state and federal law.
  - a. Notwithstanding the immediately preceding, if the City Manager desires to issue a municipal order limiting or banning public gatherings, establishing curfews, closing or limiting businesses, or implementing other social distancing measures beyond that ordered by the State of Oregon, the City Manager shall first consult with the City Council. This provision does not prevent the City Manager from publishing recommendations regarding such social distancing measures within the City.
5. Effective Date and Duration. This Declaration shall be effective on the date adopted by the City Council and shall remain in effect until April 28th at 5:00 p.m., unless further extended by the Mayor, City Manager or designee or the City Council.
6. Establishing an Emergency. It is hereby adjudged and declared that existing conditions are such that this Declaration is necessary for the immediate preservation of the public peace, health and safety of the City of Garibaldi, and an emergency is hereby declared to exist and this Ordinance, and all provisions modifying the Ordinance referred to herein, shall take effect in full force and effect when signed by the Mayor.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF GARIBALDI, this 18th day of MARCH 2020. The effective date of this Ordinance shall be the 18<sup>th</sup> day of MARCH 2020 in accordance with Chapter VIII, Section 32. of the Garibaldi, Oregon Charter.

Yeas: \_\_\_\_\_ Nays: \_\_\_\_\_

Hon. Judy Riggs, Mayor

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ATTEST:

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Assistant City Manager, Lori Longfellow



OREGON LIQUOR CONTROL COMMISSION

# LIQUOR LICENSE APPLICATION

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 1st Location	Date application received and/or date stamp:
<input type="checkbox"/> Brewery 2nd Location	
<input type="checkbox"/> Brewery 3rd Location	Name of City or County:
<input type="checkbox"/> Brewery-Public House 1st Location	City of Garibaldi
<input type="checkbox"/> Brewery-Public House 2nd Location	Recommends this license be:
<input type="checkbox"/> Brewery-Public House 3rd Location	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Distillery	By: _____
<input checked="" type="checkbox"/> Full On-Premises, Commercial	Date: _____
<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 1st Location	
<input type="checkbox"/> Grower Sales Privilege 2nd Location	
<input type="checkbox"/> Grower Sales Privilege 3rd Location	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1st Location	
<input type="checkbox"/> Winery 2nd Location	
<input type="checkbox"/> Winery 3rd Location	
<input type="checkbox"/> Winery 4th Location	
<input type="checkbox"/> Winery 5th Location	

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

DONNA'S HOOK, LINE 'N SINKER LLC

(Applicant #1) \_\_\_\_\_ (Applicant #2) \_\_\_\_\_

(Applicant #3) \_\_\_\_\_ (Applicant #4) \_\_\_\_\_

3. Trade Name of the Business (Name Customers Will See)

GARIBALDI'S HOOK, LINE 'N SINKER

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

415 GARIBALDI AVE

City	County	Zip Code
GARIBALDI	TILLAMOOK	97118



OREGON LIQUOR CONTROL COMMISSION  
LIMITED LIABILITY COMPANY QUESTIONNAIRE

Reg #: 1452195-94, Exp: 2/5/21

Please Print or Type

LLC Name: DONNA'S HOOK, LINE 'N SINKER LLC Year Filed: 2020

Trade Name (dba): GARIBALDI'S HOOK, LINE 'N SINKER

Business Location Address: 415 GARIBALDI AVE

City: GARIBALDI ZIP Code: 97118

List Members of LLC:

Percentage of Membership Interest:

- 1. DONNA L PETTY  
(managing member)
- 2. \_\_\_\_\_  
(members)
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_

100

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: DONNA L PETTY DOB: 09/30/1974

S/P #: 525229 SE: 2/5/16, Exp: 2/5/21

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

Signature: \_\_\_\_\_ Date: 03/04/2020  
(Name) (Title)



# OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Michael H. ... Phone: ...

Trade Name (dba): ...

Business Location Address: ...

City: ... ZIP Code: ...

### DAYS AND HOURS OF OPERATION

#### Business Hours:

Sunday	<u>7:00</u> to <u>2:00</u>
Monday	<u>7:00</u> to <u>2:00</u>
Tuesday	<u>7:00</u> to <u>2:00</u>
Wednesday	<u>7:00</u> to <u>2:00</u>
Thursday	<u>7:00</u> to <u>2:00</u>
Friday	<u>7:00</u> to <u>2:00</u>
Saturday	<u>7:00</u> to <u>2:00</u>

#### Outdoor Area Hours:

Sunday	<u>7:00</u> to <u>2:00</u>
Monday	<u>7:00</u> to <u>2:00</u>
Tuesday	<u>7:00</u> to <u>2:00</u>
Wednesday	<u>7:00</u> to <u>2:00</u>
Thursday	<u>7:00</u> to <u>2:00</u>
Friday	<u>7:00</u> to <u>2:00</u>
Saturday	<u>7:00</u> to <u>2:00</u>

The outdoor area is used for:

- Food service Hours: 7:00 to 2:00
- Alcohol service Hours: 7:00 to 2:00
- 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: 52 Outdoor: 14

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

Banquet: \_\_\_\_\_ Total Seating: 128

OLCC USE ONLY

Investigator Verified Seating: ( ) ( )

Investigator Initials: MC

Date: 3/7/2020

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

Applicant Signature: Michael H. ... Date: 3/1/2020



City of Garibaldi  
PO Box 708  
Garibaldi, OR. 97118

March 5, 2020

Dear City of Garibaldi,

The Salmon SuperHwy team is planning a Wild and Scenic Film event and would really enjoy doing this at the Old Mill Event center in your city. The film is planned for May 16, on International Fish Migration Day!

We have a great and growing list of sponsors for the event including Pelican Brewing, who will be responsible for dispensing beer at our event. We are working on appropriate food truck or catering options for the event from several great choices.

The goal is to raise money and awareness for our Salmon SuperHwy project. We have already been successful in replacing a number of culverts and other barriers in Tillamook county. You can see a great video introduction for the Salmon SuperHwy at: <http://www.salmonsuperhwy.org/salmon-superhwy-video> The Salmon SuperHwy project is supported by Trout Unlimited, Tillamook Estuary Partnership, Nestucca-Neskowin-Sand Lake Watershed Council, The Tillamook Creamery Association, Tillamook County Public Works and a whole host of State and Federal agencies where roads cross critical stream habitat.

You will find enclosed an OLCC application for a temporary sales license for the event. Please review and hopefully approve our application. If you have any questions, please call or email any time.

We hope to see you on the water soon.

Terry Turner  
Salmon SuperHwy Executive Team



Salmon SuperHwy is a registered business of Trout Unlimited, Oregon Council and is a qualified 501 c 3 organization.

*Trout Unlimited, Oregon Council, PO Box 740, Gladstone, Oregon 97027*





OREGON LIQUOR CONTROL COMMISSION

CLEAR FORM

PRINT

# TEMPORARY SALES LICENSE – NONPROFIT (TSL-NP) APPLICATION

**TEMPORARY SALES LICENSE – NONPROFIT (TSL-NP) PRIVILEGES.** The TSL-NP allows you to:

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area (provided you meet the food requirements).
- Sell at retail manufacturer-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled spirits.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.

- **Process Time:** Please read the instructions. OLCC needs your completed application in sufficient time to approve it. Sufficient time is typically 2 to 4 weeks before the first event date listed in #8 below (some events may need extra processing time). OLCC may refuse to process your application if it is not submitted in sufficient time for the OLCC to investigate it.
- **OLCC License Fee:** \$50 per license day or any part of a license day. **Make payment by check or money order, payable to OLCC.** A license day is from 7:00 am to 2:30 am on the succeeding calendar day.
- **License Days:** In #8 below, you may apply for a maximum of seven license days per application form.

**1. ELIGIBILITY: Please read the instructions to determine eligibility for a TSL-NP.**

Is your organization a nonprofit or charitable organization with an issued Oregon Registry Number?

- No  
 Yes. Please list the organization's Oregon Registry Number (not EIN): 1007817-98

2. Applicant Name: Trout Unlimited, Oregon Council

3. Email: tumemt@comcast.net

4. Fax:

5. Contact Person: Terry Turner

6. Contact Phone: 503-804-9868

7. Event Name: Wild and Scenic Film Festival

8. Date(s) of event (no more than seven days):  
May 16, 2020

9. Start/end hours of alcohol service: 5:30  am  pm to 9:00  am  pm

10. Address of Special Event:  
Old Mill Event Center  
210 S. Third St.

City  
Garibaldi

Zip  
97118

11. Is the event outdoors?  Yes  No

11a. If the event is only indoors, in what area(s) of the building is the event located?  
In the Event Center Space only.

11b. If any part of the event is outdoors, submit a drawing showing the licensed area and how the boundaries of the licensed area will be identified.

12. Describe the primary activities within the licensed area:  
Film showing, speakers, Information sharing.

13. Will minors be allowed at the event?  Yes  No

14. If yes, will minors and alcohol be allowed together in the same area?  Yes  No

15. What is the expected attendance per day in the licensed area (where alcohol will be sold or consumed)? 100

RECEIVED  
MAR 09 2020  
BY:

**PLAN TO MANAGE THE SPECIAL EVENT LICENSED AREA**

If your answer to #15 is 501 or more, IN ADDITION TO your answers to questions 16, 17, and 18, you will need to complete the OLCC's Plan to Manage Special Events form, unless the OLCC exempts you from this requirement.

**16. Describe your plan to prevent problems and violations:**

Experienced Licensed servers will only be pouring. ID's will be checked at the serving area. Alcohol monitors will be assigned to monitor behavior.

**17. Describe your plan to prevent minors from gaining access to alcoholic beverages and from gaining access to any portion of the licensed premises prohibited to minors:**

ID's will be checked prior to serving.

**18. Describe your plan to manage alcohol consumption by adults:**

Licensed servers and alcohol monitors will observe behavior and potential overconsumption.

**ALCOHOL MANAGERS****19. All applicants must list the name(s) of alcohol manager(s) on-duty and in the licensed area.**

Terry Turner  
Sarah Zwissler  
Jon Warren  
Caleb Mentzer

**LIQUOR LIABILITY INSURANCE**

If the licensed area is open to the public and expected attendance is 301 or more per day in the licensed area, the event must have at least \$300,000 of liquor liability insurance coverage (ORS 471.168).

**20. Insurance Company:****21. Policy #:****22. Expiration Date:****MARIJUANA**

23. Will marijuana (such as use, consumption, samples, give-away, sale, etc.) be allowed on the special event licensed premises or be part of the event or an adjacent event?  Yes  No

**FOOD REQUIREMENTS**

Please read the instructions to determine the food requirements.

24. Will you serve distilled spirits by the drink?  Yes  No

24a. If yes, list at least three different substantial food items that will be provided:

1.	2.	3.
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24b. If no, list at least two different substantial food items that will be provided:

1. Taco's	2. Pizza
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**GOVERNMENT RECOMMENDATION**

Please read the instructions. You must obtain a recommendation from the local city or county named in #25 before submitting this application to the OLCC.

25. Name the city if the event address is within a city's limits, or the county if the event address is outside the city's limits:

Garibaldi, Or.

**SIGNATURE**

I affirm that I am authorized to sign this application on behalf of the applicant.

26. Name (please print): **TERRY TURNER**

*Terry Turner*

**3-2-2020**

27. Signature:

28. Date:

**CITY OR COUNTY USE ONLY**

The city/county named in #25 above recommends:

Grant     Acknowledge     Deny (attach written explanation of deny recommendation)

.....City/County Contact Person:

.....Phone Number or Email:

City/County Signature:

Date:

**FORM TO OLCC**

This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.

**OLCC USE ONLY**

Fee Paid:

Date:

Receipt #:

License is:     Approved     Denied

OLCC Signature:

Date: