



SPECIAL WORKSHOP MEETING NOTICE OAK HARBOR CITY COUNCIL

NOTICE IS HEREBY GIVEN that the Oak Harbor City Council will hold a Workshop Meeting on:

Date: Wednesday, January 28, 2015

Time: 3:00 p.m. – 5:00 p.m.

Location: City Hall Council Chambers, 865 SE Barrington Drive, Oak Harbor, WA 98277

AGENDA

1. Departmental Briefings

- a. Park Board Recommendation: Restrictions on Smoking in the Park
- b. Report from Cronin Forestry – PW
- c. Update regarding the Post Office Oak Tree Wood – PW

2. Pending Agenda Items

- a. Code Amendment regarding the Youth Commission (2/03) – Legal
- b. Civil Penalties and Infraction Code Amendment (2/03) – Legal
- c. Letter of Engagement with the Attorneys of Sebris Busto James for Labor Negotiation Services (2/03) – HR
- d. Reclassify Position from Associate Planner-Engineering to Civil Engineer II (2/03) – PW
- e. Ordinance 1719: Amending Park Code Chapter 6.12 (2/03) – PW
- f. Request for Qualifications for Construction Management – WWTP (2/03) – PW
- g. Request for Qualifications for Transportation Plan (2/03) – PW
- h. Professional Services Agreement with ERCI, Amendment No. 3 – WWTP (2/03) – PW

3. Emerging Issues

- a. County-wide Planning Policies
- b. Homeless Encampment Code update
- c. Waste Water Treatment Plant Discussion at 1/28/15 Workshop

Anna M. Thompson
City Clerk
Posted on January 23, 2015

POSTED: City Hall Bulletin Boards
www.oakharbor.org

EMAILED: editor@whidbeynewsgroup.com
Cory.Ertel@pse.com
Mayor Scott Dudley
Oak Harbor City Council
Directors

REMOVE: After January 28, 2015

The City Council may meet informally in workshop sessions (open to the public) to do concentrated strategic planning, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Administrator, provided that all discussions and conclusions thereon shall be informal. Council shall make no disposition of any item at a workshop meeting. Public comment is not normally allowed at workshop meetings, although Council may allow, or request participation.

Please contact the City Clerk at 360-279-4539 within 24 hours advance notice for special accommodations.

City of Oak Harbor
City Council Workshop Meeting
January 28, 2015



Workshop Item

Departmental Briefings

Item 1.a
Park Board Recommendation: Restrictions on Smoking in the Park

Cathy Rosen, Public Works Director

Attachments

Attachment A: Resolution 15-02: Park Board Recommendation - Restricting Smoking in Parks

RESOLUTION NO. 15-02

A RESOLUTION AUTHORIZING POSTING OF SIGNS IN CITY OF OAK HARBOR OWNED PARKS, BANNING SMOKING IN CHILDREN'S PLAY AREAS, TRAILS AND SPORTS FIELDS.

WHEREAS, the City's play areas, trails and sports fields are intended for the healthy enjoyment of all our citizens, including our children and youth; and

WHEREAS, the Oak Harbor City Council values efforts promoting the overall health and well-being of the community; and

WHEREAS, children are particularly at risk from the effects of passive smoke, which has been linked with development of lung cancer, heart attack, low birth weight, sudden infant death syndrome, bronchitis, pneumonia, asthma, chronic respiratory problems, eye and nasal irritation, and middle ear infection; and

WHEREAS, limiting the amount of smoking in parks play areas, trails and sports fields will provide children and youth with positive role modeling and discourage them from smoking when they get older; and

WHEREAS, smoking in parks play areas, trails and sports fields results in the littering of cigarette butts, cigar butts, and other tobacco-related waste that can cause environmental degradation and pose a health risk to children and animals; and

WHEREAS, all City of Oak Harbor public buildings and Oak Harbor School District facilities are smoke free and the City of Oak Harbor recognizes it has a role in protecting the health of the general public and safety of outdoor public areas; and

WHEREAS, guests of Oak Harbor's parks have requested that smoking be banned near children's play areas, trails and sports fields; and

WHEREAS, children are vulnerable to tobacco smoke and may have difficulty protecting themselves from second-hand smoke.

NOW, THEREFORE, BE IT RESOLVED that the Oak Harbor City Council hereby authorizes and directs the proper City officers to post signs at children's play areas, trails and sports fields in appropriate City parks stating, "For Our Kids' Sake – No Smoking Near Play Area/Trail/Sports Fields."

PASSED BY THE OAK HARBOR CITY COUNCIL this _____ day of _____ 2015.

CITY OF OAK HARBOR

Scott Dudley, Mayor

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____

DRAFT



Workshop Item

Departmental Briefings

Item 1.b
Report from Cronin Forestry

Cathy Rosen, Public Works Director

Attachments

Attachment A: Report from Cronin Forestry

Cronin Forestry
 371 Hidden Trails Road
 Port Townsend, WA 98368
 360-385-5454
cronin@broadstripe.net

Unit 1 Cruise Summary

November 17, 2014

Landowner: City of Oak Harbor, Department of Public Works.

Island County Parcels R13324-461-2980 & R13324-461-3620
 Approximately 40 acres located in Section 24, T33N, R1E. W.M. near Oak Harbor, WA.
 With the void areas deducted the **net cruise acreage = 34 acres**

Cruise method: Variable Plot cruise at BAF 33.61 with 36 plots on a grid of 264' x 165'.
 Cruised and graded in 32' logs. Minimum cruise tree = 20 BF. Combined S.E. = 6.2

Species...	average diameter...	# trees...	form factor...	gross volume...	net volume
DF	13.5"	5066	75	619 MBF	564 MBF
WH	13.6	852	78	112	103
LP	11.8	333	78	24	21
RC	22.8	145	59	34	28
RA	14.4	141	80	16	13
Total	14.0	6,537		805 MBF	729 MBF

Grade/sort summary:

DF, Douglas fir ... 12"+ SL = 118 MBF, 8"+ SL = 215 MBF, 8-11, 5" + C&S/SL= 197 MBF, pulp = 34 MBF

WH, Western hemlock... 12"+ SL = 10 MBF, 8-11"SL = 14 MBF, 5"+ C&S = 25 MBF, Pulp = 9 MBF

RC, Red cedar... # 3SL = 25 MBF, # 4SL = 3 MBF

LP, Lodgepole pine... 8-11" SL = 6 MBF, 5"+ C&S = 10 MBF, pulp = 5 MBF

RA, Red Alder... 12" + SL = 8 MBF, 8-11" SL = 3 MBF, Pulp = 2 MBF

Cruiser Notes:

1. Some of the hemlock has indications of frost crack which is prevalent in this area. If this defect is worse than expected, a higher percentage of low value pulp may result.
2. These parcels have not been recently surveyed and some question of exact property line locations may arise.
3. On the north end of the west line of the west parcel an old wire fence was noted. This remnant fence runs north to a steel cover embedded in SR 20 and aligned with the CL of Sleeper Road. This may or may not be a survey monument for the NW corner.
4. A maintained fence corner with no survey monument found is located at the SE corner of the east parcel. This is believed to be the corner.

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Unit 2 Cruise Summary

December 12, 2014

Landowner: City of Oak Harbor, Department of Public Works.

Island County Parcel R13326-009-2990

Approximately 3.3 acres located in the city of Oak Harbor, WA. on the West side of the junction of NE Goldie ST and NE 16th Ave.

Cruise method: 20% strip cruise with 4 strips of 33' run E-W through parcel.
Cruised and graded in 32' logs. Minimum cruise tree = 20 BF.

Species...	average diameter...	# trees...	form factor...	gross volume...	net volume
DF	15.8"	480	74	86 MBF	81 MBF

Grade/sort summary:

DF, Douglas fir ... 12"+ SL = 35 MBF, 8"+ SL = 23 MBF, 5" + C&S/SL = 20 MBF,
pulp = 3 MBF

Cruiser Notes:

A rebar and cap survey monument is located at the SE parcel corner with an old flag line running west along the south parcel boundary. Pink flagging was added to this south line. A 4"x4" concrete survey monument was located at the SW parcel corner. The west line is marked by a fence line assumed to be correct.

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City of Oak Harbor Timber Value

12/10/14

Considerations in estimating Oak Harbor timber sale values:

A November 2014 negotiated price for similar quality DF on Whidbey Island private landowner = \$675.00/MBF. Estimating a total production cost of \$200.00/MBF and a Profit/Risk of 10% the stumpage value for DF = $\$675.00 - 200.00 = \$475.00 - 10\% = \$427.50$ estimated stumpage value in November 2014.

WADNR NW Region (Sedro Wooley office) timber sales sold in October and November average:

Appraised value per MBF = \$335.00 Average bid value = \$483.00/MBF = 44% overbid

Minimum bid for appraisals of DNR NW Region timber sales proposed for May 2015 average = \$289.50/MBF

This indicates a projected 14% reduction in market value from November 2014 sales. This predicted market softening is consistent with industry projections for 2015.

Estimated average stumpage value for DF dominated, mixed conifer timber to be sold in 2nd qtr. 2015 = \$390.00/MBF

The appraised value and resultant minimum bid for this timber sale should be consistent with DNR sales of similar timber within NW Region and it will be somewhat less than the expected bid value.

With approved class 3 FPA and no restrictions beyond required WRTs and GRTs (wildlife trees).

Total timber on both parcels may be expected to yield:

729 MBF Unit 1 @ average projected bid stumpage of \$390.00 = \$284,310.00

81 MBF Unit 2 @ average projected bid stumpage of \$390.00 = \$ 31,590.00
\$315,900.00

If Unit 2 is not included with the larger sale the expected value of this small unit will be substantially reduced.

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City of Oak Harbor Timber Value

12/10/14

Harvest Intensity Considerations

No streams, significant wetlands or other sensitive areas were found on either site. The small ponded water area on the Sleeper Road unit should not require a significant buffer zone. Until the FPA is approved it is not possible to be 100% sure of possible harvest restrictions.

Clearcut (or even-aged management) harvest of all legally available timber will yield the highest return and can be done under a Class 3 FPA. This harvest type requires retaining a minimum of 3 Wildlife Reserve Trees (WRTs) and 2 Green Recruitment Trees (GRTs) per acre. WRTs are dead dying and or defective trees and GTRs can be selected from low value trees also so that the timber value left is minimal.

This harvest type requires reforestation in the form of hand planting tree seedlings or a natural regeneration plan approved by WADNR. A natural regeneration Plan requiring well distributed seed trees may be a better option than planting seedlings likely to be destroyed by a future landowner. Some opposition by neighbors and/or environmental interest groups can be anticipated.

Total timber value = \$315,900.00 - \$13,500.00 planting cost = **\$302,400.00 total option value.**

50% Thinning Variable density or uniform thinning with 50% of the timber removed on all parcels. Logging costs as well as administrative costs will be higher.

Some reforestation would be needed to restock the voids created. Aesthetic impacts will be significantly reduced from those of the CC option.

Opposition by neighbors and/or environmental interest groups will likely be low or non-existent

Total timber value = \$315,900.00 x 50% = \$157,950.00 less 20% increase in harvest and sale prep/adm. costs = approximately \$126,360.00 - \$4,000.00 planting cost = **\$122,360.00 total option value.**

75% Thinning Variable density or uniform thinning intended to remove 75% of net timber volume would be best done by patch cutting 75% of the area and excluding 25% rather than by evenly distributing the harvest throughout the parcels. Reforestation would be required and a thinning of this intensity would need to be permitted as "even-aged management" would require reforestation. Aesthetic impacts will be somewhat reduced from those of the clearcut option. Opposition by neighbors and/or interest groups is anticipated to be similar to that of the clearcut option.

Total timber value = \$315,900.00 x 75% = \$236,925.00 less 15% increase in harvest and sale prep/adm. costs = approximately \$201,386.00 - \$10,125.00 planting cost = **\$191,261.00 total option value.**

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City of Oak Harbor Timber Value

12/11/14

Permitting considerations

A Forest Practices Application (FPA) is required to harvest timber in Washington State. The FPA can be a standard class 2 or 3 application whereby the landowner makes no mention of future land use change or a conversion application (class 4 general) issued when the landowner indicates a pending change of land use from forestry.

If the landowner states no plans for converting the land to another use incompatible with growing trees and there are no threatened and endangered species associated with the site, the standard class 2 or 3 FPA fee is \$100.00 and WADNR is the lead agency. These permits usually take 30 days for approval and are valid for 3 years. No reforestation is required after harvest under a Conversion FPA.

If the landowner states that they intend to “convert” the land regardless of the current tax designation, the permit is a class 4. These conversion permits involve the county as well as WADNR and require no reforestation. In the case of the City 3.3 acre parcel a conversion permit would be issued by the City of Oak Harbor rather than by Island County.

Class 4, conversion permits may be either standard conversion or the abbreviated “Conversion Option Harvest Plan” (COHP) the COHP often used when a landowner wants to clear a part of the parcel to facilitate home construction. These COHPs are a little less expensive but usually restrict timber harvest to approximately 50% of the current timber volume. Standard, class 4 conversion permits for these 2 units would cost \$3,000.00 or more and likely take several months for approval. The County or City requirements must be met prior to submitting the application to DNR.

Timber harvest done under a class 3 FPA usually results in a “Moratorium” of 6 years being placed on the parcel(s). This means the County will not issue a building permit or other development type permit for 6 years after the harvest. As with most restrictions there is a process for a landowner to “buyout” or pay penalties to have this moratorium lifted. It is not clear how expensive this process is. Reforestation of the site by hand planting or through an approved Natural Regeneration Plan is required after harvest under a class 3 FPA. If the parcels are clearcut, planting costs are estimated at \$300.00 to \$400.00 per acre. Total cost to plant both units to minimal legal standards is estimated at \$13,500.00. A Natural Regeneration Plan will require the landowner to leave \geq 8 well-formed seed trees per acre distributed across the harvest unit so that no harvested area is greater than 400 feet from a seed tree. These seed trees must be marked ahead of permit approval and DNR must certify the successful regeneration of the site before these trees can be removed. The Landowner must also commit to control of competing vegetation after harvest to insure that the natural seedlings are not suppressed by brush.

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City of Oak Harbor Timber Harvest

EXECUTIVE SUMMARY

(12/11/14)

The two parcels located along Sleeper Road are referred to as Unit 1 and the 3.3 acre parcel located within the City is referred to as Unit 2.

MBF = Thousand Board Feet

FPA = Forest Practices Application

Total net timber value before (timber tax and administrative costs) on both units under a Class 3 FPA, and a lump sum, public timber sale = approximately \$315,900.00

Permitting both units as Class 3 FPAs would cost of approximately \$800.00 and take 30 days after submittal for an FPA good for three years. Restrictions on timber harvest are not expected. Reforestation is required and a six year moratorium on development permits may result.

Permitting both units as class 4 conversions might cost \$5,000.00 and could take several months for County and City approval. Restrictions on harvest of timber may result. Reforestation is not required and no moratorium on future development permits will result.

The net timber value noted above will be achieved through a public timber sale using a sealed bid, lump sum format with 10-20% due on day of sale and remaining payments due prior to timber cutting. This is similar to WADNR timber sale. This is the most legally defensible method of selling public timber.

Use of the Class 3 FPA will reduce the uncertainty of timber harvest restrictions and likely result in a better net return even after reforestation costs are deducted. The 6 year moratorium may or may not have adverse impacts on the post-harvest land value. Hand planting seedlings is financially preferable to the uncertain cost of a Natural Regeneration Plan.

Clearcut harvest (referred to as even-aged management in the FPA) of all merchantable timber leaving only non-merchantable and required wildlife trees will return the most revenue and remove the need for a future landowner to go through the FPA process again.

Thinning harvest plans will result in a lower value per MBF due to increased operational costs. They will also require a future landowner to reapply for FPAs before beginning site development.



Workshop Item

Pending Agenda Items

Item 2.c

**Letter of Engagement with the Attorneys of Sebris Busto James
for Labor Relations and Negotiation Services**

Sara Piccone

Attachments

Attachment A: Draft Agenda Bill

Attachment B: Letter of Engagement

**City of Oak Harbor
City Council Agenda Bill**

Bill No. _____
Date: February 3, 2015
Subject: Contract with Attorneys of Sebris Busto
James for Labor Relations and Negotiation
Services

FROM: Sara Piccone, Human Resources Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

_____ Scott Dudley, Mayor
_____ Larry Cort, City Administrator
_____ Doug Merriman, Finance Director
_____ Nikki Esparza, City Attorney

RECOMMENDED ACTION

Authorize the Mayor to sign to authorize the letter of engagement with Sebris Busto James not to exceed \$35,000, without Council approval for labor relations and negotiation services.

BACKGROUND/ SUMMARY INFORMATION

This agenda bill is to seek City Council's approval to sign the letter of engagement with the law firm, Sebris, Busto, James for labor relations and negotiation services. The proposed letter of engagement would cover these services for the two existing bargaining units (Commissioned Unit and Non-Commissioned Unit) in the Police Department.

The City of Oak Harbor was previously contracted with Braun Consulting Group, (April 3, 2012 - December 31, 2014), for labor relations and negotiation services. The City recently underwent a request for proposal process and staff recommends utilizing the services of Sebris Busto James. Sebris Busto James labor relations partners each have over 25 years of experience successfully representing both public and private employers in collective bargaining and labor law matters. The firm works with many agencies such as King and Pierce Counties, Seattle, Tacoma, Bellevue, Bellingham, Bremerton, Edmonds, Federal Way, Lynnwood, Port Townsend, Olympia, Puyallup and Mercer Island.

LEGAL AUTHORITY

FISCAL IMPACT

The proposed engagement agreement with Sebris Busto James legal services are based on hourly rates for attorneys and other professional staff. The hourly billing rate for matters within the Scope of Work will be \$280 and \$140 for travel time, with total cumulative time on current commissioned and non-commissioned officers' collective bargaining matters not to exceed \$35,000 without prior City Council approval. Should the City find itself at impasse/mediation or arbitration for any of the labor contracts, the associated costs would be included

as part of the hourly rate.

PREVIOUS COUNCIL/ BOARD/ CITIZEN INPUT

None.

ATTACHMENTS

Letter of engagement with Sebris Busto James.

SEBRIS BUSTO JAMES

a professional service corporation

Matthew W. Lynch
mlynch@sebrisbusto.com

(425) 450-3387

January 21, 2015

PRIVATE AND CONFIDENTIAL

Via Email and U.S. Mail

Ms. Sara Piccone
Human Resource Director
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Re: Employment Advisory

Dear Sara:

It was a pleasure speaking with you yesterday. You contracted us regarding a request for proposal (RFP) for collective bargaining assistance and related services to the City of Oak Harbor under the Scope of Work set forth in Attachment A and incorporated by reference in this letter. The purpose of this letter is to outline the terms of our engagement.

Our charges for legal services are based on hourly rates for attorneys and other professional staff. As we discussed, my and Mark Busto's hourly billing rate for matters within the Scope of Work will be \$280, and \$140 for travel time. The total cumulative time on current commissioned and non-commissioned officers' collective bargaining matters shall not exceed \$35,000 without prior City Council approval. I may consult with other colleagues in the firm; when possible and appropriate, I will use an associate or paralegals to provide services at a lower rate. Rates for any matters unrelated to the Scope of Work under a new engagement will be negotiated separately by the City and Sebris Busto James. We bill on a monthly basis for fees and expenses (e.g., messenger service) and expect payment within 30 days. Interest on accounts over 30 days old will accrue at the rate of 12% per annum (1% per month).

Our goal at Sebris Busto James is to provide quality legal services in an efficient manner. If you ever believe that we fall short of this goal, please do not hesitate to contact either me or our managing partner, Mark Busto. You have the right to terminate our representation at any time. We also reserve the right to withdraw from representation if any bills remain delinquent for what we regard as an excessive period of time.

January 21, 2015

Page 2 of 3

As a courtesy, we shall also include you on our mailing list for our monthly *Employment Law Note* (our most recent issue is enclosed). Thank you for your confidence in Sebris Busto James. We are grateful for the opportunity to serve the City of Oak Harbor.

The signatures of the Mayor of the City of Oak Harbor and the managing partner, Mark Busto constitute an agreement as outlined in the above letter and the attached scope of services.

This Agreement was adopted by the City on _____ which is its effective date.

BY: _____
Mayor, City of Oak Harbor

BY: _____
Mark Busto, Managing Partner of Sebris Busto James

ATTACHMENT A

SCOPE OF WORK—COLLECTIVE BARGAINING ASSISTANCE

CITY OF OAK HARBOR-SEBRIS BUSTO JAMES

January __, 2015

- (a) Review, draft and negotiate collective bargaining agreements and related correspondence;
- (b) Advise on legal matters as related to the City's collective bargaining process;
- (c) Represent the City of Oak Harbor in any potential arbitration proceeding; and
- (d) Other legal services as needed.



Workshop Item

Pending Agenda Items

Item 2.d

Proposal to Reclassify Position from Associate Planner-Engineer to Civil EngineerII (2/03) - PW

Cathy Rosen, Public Works Director

Attachments

Attachment A: Proposal to Reclassify Associate Planner-Engineering Position to Civil Engineer II

PROPOSAL TO RECLASSIFY ASSOCIATE PLANNER-ENGINEERING POSITION TO CIVIL ENGINEER II

In the 2011-2012 budget, the City Council authorized a Project Specialist position in the Engineering Division. This Project Specialist position became vacant in 2012. The approved 2013-2014 City budget included moving an Associate Planner from the Development Services Department to the vacant Project Specialist position in the Engineering Division. In October 2014 the Associate Planner-Engineering position became vacant and has not yet been filled.

In evaluating the experience and skills needed to complete the many capital projects in the recently approved Capital Improvement Plan and to assist in the review of the increasing number of development applications, The Public Works Director and City Engineer have determined that the needs of the Engineering Division would be better served by a Civil Engineer rather than an Associate Planner. Therefore, staff is requesting that the Associate Planner-Engineering position be reclassified to a Civil Engineer II.

The recently conducted market survey placed the Associate Planner position at Salary Grade 44 with a range of \$4,654 to \$5,724 per month.

The proposed Civil Engineer II is at Salary Grade 53 with a range of \$6,073 to \$7,469 per month. The previously approved Project Specialist position was at a salary grade 50 with a range of \$5,558 to \$6,835 per month.

The pay differential (top step) between the Associate Planner position and the Civil Engineer II position is \$1,745 per month. Funds are available in the Engineering Division budget to cover this pay differential as a result of salary savings in the Archaeologist position. The approved budget includes approximately \$9,100 per month in salary expenses for the new Archaeologist position. The recent market survey places the Archaeologist position at salary grade 47 with maximum salary of \$6,255 per month, resulting in a savings of \$2,845 per month. A portion of these savings may be used to cover the pay differential between the Associate Planner and Civil Engineer II positions.

The proposed changes in the Engineering staffing are summarized in the following table:

<u>Classification</u>	<u>Authorized Positions</u>	<u>Proposed</u>
City Engineer	1	1
Project Engineer	2	2
Project Engineer – 4 year position	1	1
Civil Engineer II	0	1
Civil Engineer I	1	1
Associate Planner –Engineering	1	0
Archaeologist	1	1
Engineering Technician	1	1
Construction Inspector	1	1
Administrative Assistant - Engineering	1	1

City of Oak Harbor
City Council Workshop Meeting
January 28, 2015



Workshop Item

Pending Agenda Items

Item 2.e
Ordinance 1719: Amending Park Code Chapter 6.12
(2/03) - PW

Cathy Rosen, Public Works Director

Attachments

Attachment A: Ordinance 1719: Amending Park Code Chapter 6.12

ORDINANCE NO. 1719

AN ORDINANCE OF THE CITY OF OAK HARBOR, WASHINGTON, AMENDING OAK HARBOR MUNICIPAL PARKS CODE CHAPTER 6.12, ELIMINATING SECTION 5. SUNSET.

The City Council of the City of Oak Harbor, Washington do ordain as follows:

Section 1. Section 6.12.080 Sale of Beer, Wine and/or Liquor in City parks. Except as allowed by this section, there shall be no sale, use or consumption of beer, wine and/or liquor in any City park. The sale, use and consumption of beer, wine and/or liquor may be allowed in certain City parks under a concession agreement or special event permit subject to the following conditions:

- (1) The sale of beer, wine and/or liquor may be allowed only in Catalina and/or Windjammer parks for certain specific events upon application to and approval by the City. Applications for concession agreements, or special event permits under this Chapter shall be decided by the City Council.
- (2) The sale of beer, wine and/or liquor shall be subject to the conditions of the concession agreement and/or special event permit.

The City Council or City Administrator/designee shall have the right to impose other and additional conditions related to the sale or consumption of beer, wine and/or liquor in the approval of a special event permit, or concession agreement as it/he deems necessary to protect the health, safety and welfare of the public.

~~Section 2. Section 5. Sunset. Section 6.12.080 shall terminate and no longer be in effect on the 366th day after the effective date of this ordinance. Any lease, concession agreement or special use permit issued under Chapter 6.12 as adopted in this ordinance shall remain in effect for its stated term.~~

Section 3. Severability.

If any part, provision or section of this Chapter is held to be void or unconstitutional, all other parts not expressly so held shall continue in full force and effect.

Section 4. Effective Date.

This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED by the City Council this 3rd day of February 2015.

CITY OF OAK HARBOR

Scott Dudley, Mayor

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published:

DRAFT