

**CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Barber.

**ROLL CALL** Present: Mayor Jay Barber; Council President Tita Montero; Councilors Steve Wright, and Dana Phillips.

Absent: Councilor Randy Frank, Seth Morrissey, and Tom Horning

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney, Dale McDowell, Public Works Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Dave Ham, Seaside Police Chief; Jon Rahl, Convention Center & Visitors Bureau Assistant Manager; Joey Daniels, Seaside Fire Chief; and RJ Marx, Daily Astorian/Seaside Signal.

**AGENDA** Mayor Barber stated he would entertain a motion to approve the agenda.

Councilor Phillips so moved with a second from Council President Montero; carried unanimously. (Phillips/Montero)

**COMMENTS – PUBLIC** None

**CONFLICT** Mayor Barber asked whether any Councilor wished to declare a conflict of interest.

Council President Montero stated with regards to item 9-f on the agenda – RFP Seaside Visitors Bureau and New Town Signage Fabrication and Installation for Town Entries, her brother William Montero was president of the Tube Art Group until his retirement on August 25, 2017. William Montero may have had some involvement in Tube Arts bid for the signage fabrication and installation for Seaside Council President Montero had no knowledge or any financial interest and she had no conflict of interest in the matter and believed she can be objective and intended to vote.

**CONSENT AGENDA** Mayor Barber asked for a motion to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$473,924.81; and Approval of Minutes September 25, 2017.

Councilor Phillips moved to approve the consent agenda with a second from Council President Montero; carried unanimously. (Phillips/Montero)

**UNFINISHED BUSINESS:**

**VACANCY – BUDGET COMMITTEE**

Mayor Barber stated there was one vacancy on the Budget Committee with two applications received from John Dunzer, and George Stacey.

Mayor Barber asked for a roll call vote for the appointment of a Budget Committee member:

BARBER STACEY  
MONTERO STACEY  
WRIGHT STACEY  
PHILLIPS STACEY

Mayor Barber stated the new member for the Budget Committee was George Stacey.

Term expiration for George Stacey would be December 31, 2018.

**ORDINANCE 2017-11**

ORDINANCE 2017-11 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE COMPREHENSIVE PLAN, CODE OF SEASIDE ORDINANCE, CHAPTER 151, FOR THE SEASIDE SCHOOL DISTRICT #10 PROPERTY

SEASIDE CITY COUNCIL FINAL ORDER AND FINDINGS IN SUPPORT OF DECISION TO APPROVE SEASIDE SCHOOL DISTRICT APPLICATION NOS. 17-047CPA&ZCA & 17-048ZMA: A request by Seaside School District #10: Amend the Seaside Comprehensive Plan to Expand the Urban Growth Boundary (UGB) by about 49 acres to provide a suitable site for the proposed District campus; Change the designation of the UGB expansion area from Clatsop County Conservation Forest Lands (F-80) to City Institutional Campus; and Adopt new policies and text to support the proposed Comprehensive Plan map changes.

Amend the Seaside Zoning Ordinance Zoning Ordinance to: Adopt a new Institutional Campus (I-C) plan designation and zoning district; Amend Article 6 Conditional Use and other sections of the Zoning Ordinance to recognize and to ensure consistency with the new I-C zone; and Rezone the developable portion of the District site approximately 89 total acres from County Forest-80 (49 acres) and Seaside Low Density Residential R-1 approximately 40 acres to Institutional Campus (I-C). City Council Decision and Findings: On September 11, 2017, the Seaside City Council approved the above referenced request in accordance with applicable Statewide Planning Goals and Rules, applicable provisions of the City of Seaside Zoning Ordinance and Comprehensive Plan, and applicable provisions of the Clatsop County Zoning Ordinance and Comprehensive Plan. The Council's decision is supported by the following findings and analysis provided by the Seaside School District, which the Council adopts as its own: The Seaside School District Comprehensive Plan and Zoning Map and Text Amendment Request (Winterbrook Planning, June 8, 2017), including Appendices A through G; The Seaside School District's oral and written testimony, as presented to the Planning Commission on August 1, 2017 and to the City Council on September 11, 2017; The Seaside School District's August 1, 2017 PowerPoint presentation, including KPFF Engineering's evaluation of four options for providing another access from Wahanna Road, through protected wetlands, to the proposed Seaside School Campus; The Seaside School District's Memorandum dated September 5, 2017 and entitled "District Response to Public Comments Received before 8/25/17". In making its decision, the City Council also relied on the Planning Commission's unanimous recommendation in favor of the District's proposal, and the Seaside Planning Director's staff reports to the Planning Commission and City Council. In addition, the City Council found the following testimony persuasive and relied upon this testimony in making its decision to approve the District's application, subject to coadoption by the Clatsop County Board of Commissioners: The Necanicum Watershed Council's oral and written testimony in support of the District's application, as presented to the Planning Commission on August 1, 2017 and to the City Council on September 11, 2017; The Department of Land Conservation and Development's written testimony in support of the District's application, dated July 7, 2017. Response to Mr. Dunzer's September 11, 2017 Material: Finally, the City Council has reviewed the materials provided by John Dunzer at the August 1, 2017 Planning Commission hearing and the evening of the September 11, 2017 City Council hearing. Mr. Dunzer's August 1, 2017 comments were addressed in the District's September 5, 2017 memorandum. At the September 11, 2017, City Council hearing on the above-referenced applications, Mr. Dunzer submitted a stack of additional documents. The documents do not contain any specific testimony or focused argument. Instead, the documents appear to be support for Mr. Dunzer's previously submitted comments in which he set forth ten errors he believes the above-referenced applications suffer from. The 9/11/17 documents do contain a site plan of the existing Seaside Heights Elementary school property, however, in which Mr. Dunzer has sketched in some additional facilities, including a three-story structure with teacher's parking on the ground floor, a middle school on the second floor, and a high school on the third floor. This plan is at odds with the District's conceptual plan prepared by an licensed architect registered in the state of Oregon, which separates the elementary school from the middle and high school building, and shows additional athletic fields necessary for Title IX compliance and parking areas sufficient to meet demand as identified in the Transportation Impact Analysis prepared by Lancaster Engineering. Presumably, the marked-up site plan is intended to demonstrate that no UGB amendment is necessary, because all school facilities can be located on the existing Seaside Heights Elementary school property. The Council finds this proposed site plan unpersuasive for several reasons: First, the District has submitted substantial evidence in the record to demonstrate that the applicable requirements for its applications have been met; Second, the District's architects and professional engineers have demonstrated that the existing elementary school site must be expanded by 49 acres to fit the required schools, parking, and athletic fields onto one comprehensive campus; Third, Mr. Dunzer does not profess to be a practicing architect or an engineer. Mr. Dunzer did not provide evidence of licensure at either public hearing, nor did he provide evidence of specific expertise in school campus design, nor did he contend that the site plan he submitted is the product of either; Fourth, the submitted site plan suffers most obviously from a lack of parking for parents, visitors, and high school students and a lack of athletic fields and playgrounds required for physical education and to meet Title IX requirements. The proffered site plan also suffers from a lack of any evidence from a licensed professional that the buildings proposed by Mr. Dunzer would actually fit on the property, and be feasible, safe and functional; Fifth, the District's September 5, 2017 memorandum responding to comments that had been submitted to the record, the District did respond to Mr. Dunzer's contention that the District could construct all additional facilities needed over the Seaside Heights Elementary parking lot; Finally, Mr. Dunzer provides no credible evidence that the campus he proposes would cost \$45 million. Conclusion: The findings and conclusions above demonstrate that the Council's adoption of Ordinances No. 2017-11 amending the Comprehensive Plan and UGB and Ordinance 2017-12 amending the Zoning Ordinance & Zoning Map comply with applicable Statewide Planning Goals and Rules, as well as applicable city and county review standards. The Council's decision will become final upon concurrence by the Clatsop County Board of Commissioners.

Mayor Barber stated the ordinances were coming up for third and final reading and a roll call vote to adopt. There have been some changes with the ordinances since the second reading and before going into public comments or discussions he would refer this to the City Attorney to explain how this can be done in accordance with the City Charter.

Dan Van Thiel, City Attorney, stated this was rather unusual and the two ordinances have been read by first and second by title only and Council now received a request and there have been some modifications and changes to the ordinances as they have been read at the present time. Frequently when confronted with that the ordinances would be sent back and he would normally advise that Council start over again. There is however a means by which we can move forward and he would refer the Council to section 32 of the City Charter and if the Council so dispose we can proceed along these lines. Section 32.4 of the City Charter states: An ordinance read by title only has no legal affect if it differs in substance from its terms as filed prior to the reading unless each section is so differing is read fully and distinctly in open Council meeting before the Council adopts the ordinance. Mr. Van Thiel stated Council has not adopted the ordinance and if Council wants him to move forward to read the next two ordinances he can read them by title only but would engage in a rather archaic procedure and he would do some reading which will articulate what the ordinances says as read at this point in time and then he would read also the change in each section of the two ordinances. We do not need to worry about the second ordinance so much because if you all on the same page the first ordinance should pretty much resolve the issues moving to the next ordinance. Mr. Van Thiel further stated he would represent to you that Council President Montero called him to discuss the matter with him and there were questions about why this was being done and frankly he was not privy on why the changes were made and Kevin Cupples is away. If this Council has questions of the school district on why these changes were made. Now would be an opportunity for Council to ask those questions with the school representatives here tonight that can respond to those questions. Mr. Van Thiel further stated if this is appropriately this process can move forward and there were timelines the school district was concerned with and they need to meet with the County Commissioners and there will not be a Council meeting October 23, 2017.

Mayor Barber proposed the representatives be invited to come and respond to questions the Council may have and then after that he would open it to public comments. Mayor Barber asked the representative for the school district to come up to respond to Council's questions.

Greg Winterowd, Winterowd Planning, stated he prepared most of the application and he has talked to Kelly Osane the attorney involved about this ordinance and the changes and he was prepared to answer any questions.

Mayor Barber asked for Council questions and comments.

Councilor Wright asked for a summary on why there were changes made.

Mr. Winterowd stated basically the new ordinances made sure we were talking about the right properties and a property that was owned by the school district was added by Mr. Cupples in the description of the properties affected by the zone change from residential to institutional. One of the properties is entirely within the aquatic zone and would not be affected by the ordinance. The intent was not to rezone the aquatic 3 zone but only residential to institutional because the aquatic could not be developed. The second type of issue is what exactly and this is important because there is Land Use Board of Appeals (LUBA) cases and we have a gentleman in the audience who announced publically that he intends to appeal. This basically says it's important for elected officials to say specifically what you relied on in the decision. The ordinance was not as specific as we felt was necessary and so we specifically lay out in a set of findings which are referenced in the ordinance that relied on the application that Winterowd prepared with Kelly's assistant. Mr. Winterowd further stated they also relied on the detailed response sheet that we provided to the City Council well in advance of the City Council meeting that said here were the issues raised by three concerned citizens and here is our detailed response. That was what we wanted to make abundantly clear is these are the documents we relied on and there was also a slide show we showed the Planning Commission and it summarized our arguments and explained why we didn't want to build a road through the A3 wetland if you recall that issue and that was also listed. The other thing listed in the findings is a letter from the Department of Land Conservation and Development that recommended that the City Council approve an Urban Growth Boundary which is somewhat of an unusual letter from them say yes we want you to approve it. There were a number of changes red line things to make it clear and the City Attorney could read those loud two minutes or less.

Council President Montero stated she was now confused because if we go to section 6 in that section it appears the original wording had those items that you just read for us. The submitted justification document presented information in the memorandum and those are the things you actually removed and that is confusing to her now.

Mr. Winterowd stated that was an excellent question and when Kelly and I were going back and forth about this we were going to put everything in the section 6 which would have made section 6 quite long and so instead we referred to the Council final order which is referenced in the ordinances which list all the documents which we talked about. Mr. Winterowd further stated he has done about forty Urban Growth Boundary amendments in his career and is the primary author and worked with City Attorneys and County Councils and because we have both a city and a county that have to adopt these things and because they are often contested, they often get appealed because there are winners and losers in most UGB amendments but not this one so much but many. It was important to have a very clear record and very clear statement of the reasons why cities act the way they do for the appeal.

The motion for a final order that lays out one, two, three, four, on why you did the decision which we tried to be as accurate as we could and the key documents relied on was normal procedure in my book. Mr. Winterowd named some cities he has worked for with UGB amendments.

Council President Montero stated now she needed to ask Mr. Van Thiel where is that final order because she doesn't think she has seen one and if she has then she doesn't know she has seen one. Council President Montero stated he says based on Council's final order and what he just referenced was the final order would have all of those things in them.

Mr. Winterowd stated that was a memorandum from Mr. Cupples that was sent to you.

Mr. Van Thiel stated it was the memorandum prior to the ordinances in the Council packet.

Council President Montero stated as she looks at this I do notice something else and that was in the third whereas in the very last line what has been removed it says: the newly designated forty-nine acre portion would be annexed. The final order says expanding the Urban Growth Boundary by about forty-nine acres and then again in amending forty-nine acres. In the City Council final order the description is different on the first paragraph it states expand the Urban Growth Boundary by about forty-nine acres and then in the second paragraph amend the Seaside Zoning Ordinance by approximately eighty-nine acres from forest -80, 49 acres and Seaside Low Density Residential R-1 and approximately forty acres to institutional Campus I-C.

Mr. Winterowd stated the reason for that is right now the city has an institutional campus and most schools in the city are zoned residential, What we needed to do was to convince the State that we were not rezoning land that could ever be developed as residential was to adopt a special zone that only allows institutional uses. Because there is case law by LUBA and the Court of Appeals that say if you need land you better zone it for that so you cannot switch later. There was forty-nine acres being added to the Urban Growth Boundary that is zoned institutional campus but to make sure we had the same zone that would apply to the rest of the school property contiguously and was the forty acres where Seaside Heights was located which was eighty-nine acres total.

Councilor Wright stated it seemed like mostly clarification to me.

Mayor Barber asked if Mr. Van Thiel had any comments.

Mr. Van Thiel stated he did not have anything further and if there were no other questions he would take each section in the ordinances that had changes and read them as they were and as they are now. There should then be a motion made to read by title only as amended.

Mayor Barber stated prior to Mr. Van Thiel reading the ordinance sections he would ask for public comments.

John Dunzer, 2964 Keepsake Drive, Seaside, stated all he was trying to do was save seventy million dollars of the tax payer's money because he did not think this was the right idea. Nobody really wants to take it on because it doesn't agree with the dream of the giant facility on the hill. When we get to LUBA and I think its going to be Seaside Attorney and not the School District Attorney. The issue is the fact that the City Council and Planning Commission has not really understood planning goal number fourteen and the fact is they are responsible for performing the analysis that is required under goal fourteen. Mr. Dunzer read goal fourteen: "Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary". Mr. Dunzer further stated he believed he presented to the school board and the City Council a plan which will achieve it without expanding the Urban Growth Boundary and save the tax payer of this community seventy million dollars. Mr. Dunzer further stated the school district has made it clear that they don't feel like they have any responsibility to have the best solution to their facilities problem and they have policy which say they are going to put these consolidated schools up on the hill and they need to have a certain amount of plan to do that. One of the schools he was proposing does not move up on the hill and would have enough time to get to safety.

There were no more public comments and Mayor Barber closed the comments.

Mr. Van Thiel stated he would take Ordinance 2017-11 and read the changes of the ordinance and once that was completed the ordinance would be read as amended by title only. Mr. Van Thiel stated Council had the ordinance with the particular sections to be amended. The first one is the third whereas clause on page one. The material that is to be added is underscored and the material that is to be deleted as read previously is crossed through and he would read this section in its entirety. Whereas, the District submitted justification for Comprehensive Plan, Zoning Code, and Zoning Map Amendments summarized as follows: 17-047CPA&ZCA & 17-048ZMA- A request by Seaside School District #10 to expand the Urban Growth Boundary by approximately 49 acres to provide a suitable site for a Consolidated School District Campus above the tsunami inundation zone. The subject property is located at 2000 Spruce Dr. and includes ~~the residential portion of the existing elementary school site lands to the east of the existing campus~~ (T6, R10, S22, TL#900) ~~outside the Coastal Lake & Freshwater Wetland Zone (A-3) and the proposed UGB expansion area (T6, R10, S22, & portions of TL#2102 & S22CA, TL#108).~~

The proposal would change a portion of the Clatsop County Conservation Forest Land (F-80) designation of the property to City Institutional Campus and adopt new policies and text to support the proposed Comprehensive Plan map changes. The Seaside Zoning Ordinance would also be changed to create a new Institutional Campus (I-C) zoning district and amend the conditional use provision in Article 6 and other sections to recognize the I-C zone and keep it consistent with the Ordinance. The school campus would be rezoned from Low Density Residential (approximately 40 acres of R-1) & County Conservation Forest (49 acres of F-80) to Institutional Campus (IC); and ~~the newly designated 49-acre portion would be annexed; and~~ The second is the sixth Whereas clause on the first page, Whereas, the City Council held their own public hearing and reviewed the Commission's recommendation on the proposed Comprehensive Plan Amendments (file reference 17-047CPA&ZCA & 17-048ZMA) during their meeting on September 11, 2017, and after considering the additional testimony and submitted information, the Council approved the District's proposed amendments based on the Commission's recommendation ~~and the Council's Final Order which is attached hereto., the District's submitted justification document, their presented information, and the memorandum dated 9/5/17 responding to public comments in the record.~~ The third clause is on page 2 Section 6, The City Council hereby find there is sufficient justification to approve the amendments to the Seaside Comprehensive Plan (file reference 17-047CPA&ZCA & 17-048ZMA) based on the Commission's recommendation ~~and the Council's Final Order., the District's submitted justification document, their presented information, and the memorandum dated 9/5/17 responding to public comments in the record.~~ As a coordinated decision, this approval is subject to subsequent concurrence by the Clatsop County Board of Commissioners ~~and takes effect upon approval by the Board.~~

Mayor Barber stated he would entertain a motion for the amended ordinance 2017-11.

Councilor Wright so moved as amended with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber stated he would entertain a motion to adopt.

Councilor Phillips so moved with a second from Councilor Wright; carried unanimously. (Phillips/Wright)

Mayor Barber asked for a roll call vote:

YEAS: BARBER, MONTERO, WRIGHT, PHILLIPS,  
NAYS: NONE  
ABSENT: FRANK, MORRISEY, HORNING  
ABSTAIN: NONE

**ORDINANCE 2017-12**

ORDINANCE 2017-12 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING ORDINANCE TEXT AND ZONING MAP, CODE OF SEASIDE ORDINANCE CHAPTER 158, FOR THE SEASIDE SCHOOL DISTRICT #10 PROPERTY

Mayor Barber asked Mr. Van Thiel if he would be reading the changes for Ordinance 2017-12.

Mr. Van Thiel stated he wanted to go through the very same process. In reference to Ordinance 2017-12 the amended portion starts with the third Whereas clause on page one, Whereas, the District submitted justification for Comprehensive Plan, Zoning Code, and Zoning Map Amendments summarized as follows: 17-047CPA&ZCA & 17-048ZMA- A request by Seaside School District #10 to expand the Urban Growth Boundary by approximately 49 acres to provide a suitable site for a Consolidated School District Campus above the tsunami inundation zone. The subject property is located at 2000 Spruce Dr. and includes ~~the residential portion of the existing elementary school site lands to the east of the existing campus (T6, R10, S22, TL#900) outside the Coastal Lake & Freshwater Wetland Zone (A-3) and the proposed UGB expansion area (T6, R10, S22, & portions of TL#2102) & S22CA, TL#108).~~ The proposal would change a portion of the Clatsop County Conservation Forest Land (F-80) designation of the property to City Institutional Campus and adopt new policies and text to support the proposed Comprehensive Plan map changes. The Seaside Zoning Ordinance would also be changed to create a new Institutional Campus (I-C) zoning district and amend the conditional use provision in Article 6 and other sections to recognize the I-C zone and keep it consistent with the Ordinance. The school campus would be rezoned from Low Density Residential (approximately 40 acres of R-1) & County Conservation Forest (49 acres of F-80) to Institutional Campus (I-C); and ~~the newly designated 49-acre portion would be annexed; and~~ The second is the sixth Whereas clause on the first page, Whereas, the City Council held their own public hearing and reviewed the Commission's recommendation on the proposed Zoning Code and Zoning Map Amendments (file reference 17-047CPA&ZCA & 17-048ZMA) during their meeting on September 11, 2017, and after considering the additional testimony and submitted information, the Council approved the District's proposed amendments based on the Commission's recommendation ~~and the Council's Final Order, which is attached hereto, the District's submitted justification document, their presented information, and the memorandum dated 9/5/17 responding to public comments in the record.~~

The third clause is on page 5 Section 9, The City Council hereby find there is sufficient justification to approve the amendments to the Seaside Zoning Ordinance and Zoning Map (file reference 17-047CPA&ZCA & 17-048ZMA) based on the Commission's recommendation, ~~and the Council's Final Order, the District's submitted justification document, their presented information, and the memorandum dated 9/5/17 responding to public comments in the record.~~ As a coordinated decision, this approval is subject to subsequent concurrence by the Clatsop County Board of Commissioners **and takes effect upon approval by the Board.**

Mayor Barber asked for public comments, there were no public comments.

Mayor Barber stated he would entertain a motion to approve by title only Ordinance 2017-12.

Councilor Wright so moved as amended with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber stated he would entertain a motion to adopt.

Councilor Wright so moved with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber asked for a roll call vote:

YEAS: BARBER, MONTERO, WRIGHT, PHILLIPS,  
NAYS: NONE  
ABSENT: FRANK, MORRISEY, HORNING  
ABSTAIN: NONE

### **NEW BUSINESS:**

#### **HOOD TO COAST RELAY AND BEER GARDENS**

Dan Floyd, Hood to Coast Chief Operating Officer, stated he had attended the Council meeting two years ago and it was nice to speaking here not after a major storm on the beach. This year was a great year for us and to recap and in general was excellent year for us as far as the way we see it and internally through the two hundred mile course. It was a very smooth year and staff was excited and ready for 2018. The Hood to Coast Relay for 2017 had participants from all fifty states and this year thirty nine countries participated and last year forty three countries participated. The exposure is still at a very high level and the media exposure is always really big especially for the month of August. Now we have moved into China, Israel, and Houston Texas and other areas where that continues to grow but Hood to Coast Oregon and us finishing in Seaside remains our number one event and always will be. We will continue to make this a bucket list for runners and walkers that means starting at Timberline and ending in Seaside. Social media is a big deal now and has been for a while especially for us because we have this following as you notice and they really like social media and we get to showcase Seaside and rightfully so you have done a great job hosting the event and most years there is a beautiful finish and we want to thank you for that. Mr. Floyd further stated there was a check already given to the City and heard it was cashed a long time ago so he could not present it tonight and that was for \$18,000.00. The Chamber of Commerce has always a major part of Hood to Coast and Brian Owen has done a great job with awareness and helping be another voice in the community and they throw in an entire beer garden that makes people very happy and we were able to raise \$30,000.00 for the Chamber of Commerce, and the event raised a record for the Providence Cancer Center \$730,000.00 which means all that money stays in Oregon. Mr. Floyd further stated Hood to Coast wanted to come back next year and for many more years and we feel very good about the relationship with the City of Seaside and everyone here and rather then asking and talking about one year we want to talk about a long term commitment and plan on being here for a very long time. Mr. Floyd presented the Mayor with an award for the City of Seaside.

Mayor Barber asked if the Council had any questions.

Council President Montero stated first she wanted to give a compliment. Her brother has been doing the Hood to Coast Relay like fifteen or twenty years and we always stand down at the end gate and she really had to compliment the woman that was there as the volunteer and there were several volunteers and they handled the people very well. That is the place where the runners really want to join the last runner before getting to the official gate and she had her explanation down wonderfully and treated everybody with respect and humor and she ended up kicking one team off because the guys came at her sort of in an attacking fashion. Council President Montero further stated the comment she wanted to give is that I think for several years running she had talked about the hotline so people have comments or complaints and if there is a hotline people don't know about it and she hasn't seen it advertised and she encouraged to advertise that hotline because she is sure it does exist out there.

Councilor Phillips stated the Hood to Coast is an incredible event and she is very proud.

Mayor Barber stated there was a meeting this afternoon with the City Manager and Department Heads and there was a discussion about the Council taking action tonight to extend for this next year but then set up a meeting in the future.

Mark Winstanley, City Manager, stated there will be a meeting in the future where we will have additional discussions about the raise and the compensation and the number of years.

Mayor Barber stated at this point he would entertain a motion to approve the extension of a year pending the discussion for the conditions under which we will agree.

Council President Montero moved to approve the extension of one year for the Hood to Coast Relay and the Beer Gardens August 24, 25, 2018, and have additional discussions about the conditions under which will be agreed with a second from Councilor Phillips; carried unanimously. (Montero/Phillips)

**ORDINANCE #2017-13**

AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, GRANTING LIGHTSPEED NETWORKS, INC., DBA "LS NETWORKS" AN OREGON CORPORATION, A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS NETWORK WITHIN THE CITY OF SEASIDE

Mayor Barber stated Ordinance 2017-13 was an ordinance which permits a franchise agreement with a provider who has one client but is required to get the franchise agreement.

Mayor Barber asked for public comments, and there were no public comments.

Mayor Barber asked for Council comments.

Council President Montero stated she thinks it is wonderful this group Lightspeed Networks because they could have gone under the wire and not told us they were here having only one client and the fact they were honest and every franchise brings in more tax money.

Mayor Barber stated he would entertain a motion for reading by title only.

Councilor Phillips so moved to read by title only Ordinance 2017-13 with a second from Council President Montero; carried unanimously. (Phillips/Montero)

Mayor Barber asked for a motion for second reading by title only.

Council President Montero so moved for a second reading by title only Ordinance 2017-13 with a second from Councilor Phillips; carried unanimously. (Montero/Phillips)

Mayor Barber stated the next Council meeting would be the third and final and motion to adopt.

**RFP - CONSTRUCTION  
MANAGER/GENERAL  
CONTRACTOR - SCCC**

Russ Vandenberg, Convention Center & Visitors Bureau General Manager stated following the solicitation of proposals, our project team reviewed, evaluated and interviewed O'Brien & Company LLC to provide Pre-Construction and eventually Construction Management General Contractor (CM/GC) services for the Seaside Civic and Convention Center Renovation/Addition project. Pre-Construction Services will be the first phase in this process thus providing the following list of services that are included in their proposal but not limited: Design Review, Alternate Materials/Methods, Value Analysis, Cost Estimating/Management, Permitting, Schedule and Sequencing, Value Engineering, Identification of Long Lead Items. Upon satisfactory performance of the pre-construction phase, the intent will be to contract O'Brien & Company LLC for the construction phase. Staff is recommending O'Brien & Company LLC based on their exceptional qualifications, experience, and referrals with the total cost of CM/GC Pre-Construction Services for \$86,200.00.

Mayor Barber stated in a project of this size this kind of service is important and he understood that and you want to be able to be careful you decided appropriately.

Mr. Vandenberg stated that was correct and could save a lot of money as the project moves forward and that if you were to do a design/bid/build process the contractor doesn't see the plans until the design is complete and there could be a lot of cost savings that they could help out and recommend during the final phase of the design and is exactly where we are right now.

Councilor Phillips stated it was very impressive for the sub-committee overseeing all of this and there not missing any stone.

Councilor Phillips moved to accept the proposal from O'Brien & Company in the amount of \$86,200.00 with a second from Councilor Wright; carried unanimously. (Phillips/Wright)

Mr. Vandenberg stated we are also very fortunate that they are a local contractor based out of Cannon Beach and they have done numerous projects throughout this region and a recent one you will remember is the Catholic Church that they built on time and on budget.

**BID RESULTS -  
PROM RAIL AND POLE  
REPAIR PROJECT**

Dale McDowell, Public Works Director, stated the City of Seaside received two bids for the Prom Rail and Prom Light Pole Rehabilitation Project. There was one bid delivered via FedEx and came in late and was not accepted. After careful review of the second bid by Halbrook Construction, and research into the pricing submitted, along with information from the product supplier, it is my recommendation to reject the bid due to pricing. Staff would like to recommend to Council that we re-advertise the project and go back out to bid as soon as possible.

Mayor Barber stated reject the bids and re-advertise.

Council President Montero moved to reject the bids and re-advertise with a second from Councilor Phillips; carried unanimously. (Montero/Phillips)

**BID RESULTS -  
HVAC SERVICES  
AND MAINTENANCE**

Mr. McDowell stated The Professional HVAC Services and Maintenance Project were advertised for two weeks, and the City of Seaside received one bid submitted by Fresh Air Co. Inc. in the amount of \$9,040.00 for the maintenance year. After review of the bid documents submitted, no errors were found. Based on the bidding documents and the information provided, staff recommends the contract be awarded to Fresh Air Co. Inc. Mr. McDowell stated he also spoke with the president of the company who came here to turn the bid in, at length because the City has had some concerns in the past and so we have talked about scheduling and making sure that he knows when he is coming to do the service and if something needed to be fixed that quotes were given in a timely manner.

Mayor Barber stated there was a recommendation to award the bid.

Council President Montero so moved with a second from Councilor Phillips; carried unanimously. (Montero/Phillips)

**RFP - NEW TOWN  
SIGNAGE FABRICATION  
AND INSTALLATION**

Jon Rahl, Convention Center & Visitors Bureau Assistant Manager, stated the Seaside Visitors Bureau received three proposals from the following agencies for the fabrication and installation of new town signage for the south and north entry points along Highway 101. Ramsay Signs, Portland, Oregon. \$39,770; Security Signs Inc. Portland, Oregon. \$54,570; Tube Art Group Seattle, Washington, \$34,632. Staff recommended, after analysis of proposals, reference checks and consultation with Public Works Director, Dale McDowell, that we offer a contract to Tube Art Group for the fabrication and installation of new town signage as previously outlined and presented at the Sept. 11, 2017 City Council Meeting. In addition to a very reputable work history, experience with similar work – including many successful governmental projects – they offer us the most competitive rate of proposals received. We anticipate, based on a timeline of event milestones, that the project will be completed by the end of the calendar year.

Mayor Barber stated he would entertain a motion.

Councilor Wright moved to accept the Tube Art Group bid with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

**VISITORS BUREAU  
ADVERTISING VIDEOS**

Mr. Rahl stated these videos are a product of work we started in May, 2017, and shot for two days in Seaside and this goes along with our branding so telling people How Easy It Is To Seaside. Mr. Rahl presented Council with Visitors Bureau Promotional Advertising Videos for the City of Seaside.

**RFP - SEASIDE POLICE  
CLEANING SERVICES**

Dave Ham, Seaside Police Chief, stated the City of Seaside advertised for Request for Proposals for the Seaside Police Department Cleaning Services. The City of Seaside received one (1) proposal from Amaroyals Cleaning Services in the amount of \$780.00 a month. The proposal was reviewed and a background is being conducted on Amaroyals Cleaning Services for the contract. City staff recommends awarding the contract to Amaroyals Cleaning Services contingent on the background being accepted.

Mayor Barber asked for a motion pending the background check.

Councilor Wright moved to award the contract to Amaroyals Cleaning Service contingent on the background being accepted with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

**VACANCY –  
PARKS ADVISORY  
COMMITTEE**

Mayor Barber stated there were two vacancies on the Parks Advisory Committee with Chris Quackenbush and Steve Phillips resigning. The vacancy would be left open for applications.



**VACANCY –  
PLANNING COMM.**

Mayor Barber stated there was one vacancy on the Planning Commission with one term expiration from David Posalski who wished to be reappointed. Mayor Barber asked Council what they wished to do.

Council President Montero moved to reappoint David Posalski to the Planning Commission with a second from Councilor Wright; carried unanimously. (Montero/Wright)

The term expiration for David Posalski would be November 1, 2021.

**VACANCY –  
CONVENTION CENTER  
COMMISSION**

Mayor Barber stated there were three vacancies on the Convention Center Commission with three term expiration from Jeff Kilday, Shaun Wagner, and Patrick Duhachek who wished to be reappointed. Mayor Barber asked Council what they wished to do.

Councilor Phillips moved to reappoint Jeff Kilday, Shaun Wagner, and Patrick Duhachek to the Convention Center Commission with a second from Council President Montero; carried unanimously. (Phillips/Montero)

The term expiration for Jeff Kilday, Shaun Wagner, and Patrick Duhachek would be October 25, 2021.

Mayor Barber stated he and Council President Montero were talking about who would like to take a look at the stipulations for membership of our committee's, commissions, and boards. In the case of the Parks Advisory Committee for instance you must be a resident of the City of Seaside or.

Council President Montero stated that was it.

Mayor Barber stated there are people very engaged with the Parks Committee who would like to serve but do not qualify. Mayor Barber further stated he would like to schedule a workshop at a date and we will check with the rest of the Council. Mayor Barber further stated we know by stipulation state law or Charter that a Planning Commission member must be a resident of the city.

Council President Montero stated it also gives the Council an opportunity to look at the Airport Committee.

**COMMENTS –  
CITY STAFF  
AND OTHERS**

Mr. McDowell, Public Works Director, stated the public works department received a new garbage truck and were extremely excited about that and it will be in service next week.

Mr. Rahl stated we have now begun production of the 2018 Visitors Guides.

Mr. Vandenberg stated this week at the Convention Center we have the Oregon Vegetation Management Conference approximately 250 attendees, and this weekend will be the Rotary Auction and dinner on Saturday, October 14, 2017.

Joey Daniels, Seaside Fire Chief, stated he wanted to remind everyone fire season was in effect and we had two grass fires and both could have gotten really ugly in the Cove area up in the hills. Chief Daniels further stated the annual Seaside Fire Fundraiser is on Saturday, October 14, 2017, from 11:00 AM to 5:00 PM. There would be a BBQ Fundraiser and some good prizes to win. Chief Daniels stated a special thanks goes to the Holladay Inn who is doing a remodel and gave the fire department furniture for the resident rooms.

Brian Owen, Chamber of Commerce Director, stated the Chamber does not have an event this Saturday. Mr. Owen further stated two weeks ago I headed down to Huntington Beach to meet with a Pro-Volleyball League and the talks were continuing and video like a streaming product for the Volleyball event and would get 22-24 hours of streaming video. The Chamber of Commerce was working on the Pouring at the Coast Event on St. Patrick's Day weekend. Mr. Owen further stated next week you will be able to register for the Parade of Lights.

Mr. Winstanley stated he wanted to remind Council there was not a second City Council meeting on October 23, 2017. The bond sale for the work that would be taking place in the Convention Center is also moving along and we expect that sale to take place before the end of the year.

**COMMENTS – COUNCIL**

Councilor Wright stated he was at the police department last week and they interviewed four police reserve candidates and were impressed by all of them and he appreciated the opportunity. Councilor Wright further stated he attended his first League of Oregon Cities Conference and thoroughly enjoyed and found out that housing is not just an issue on the coast or Portland and was an issue across the state. There was a good presentation by Helping Hands about the homeless situation. There was a school project, Youth Advisory Council which was an excellent idea if we can get the students to get involved with local government.

Council President Montero stated she attended the League of Oregon Cities and she attended the same one with the Youth Advisory Council and she would take it past the students and take it to the youth that were home schooled and think it was a wonderful idea. The North Coast and Clatsop County was very well represented and the room was full and people wanted to hear the younger generation that were in their thirties or forties and some in their twenties, and they made us all real proud. Council President Montero further stated out of all the League of Oregon Conferences she has attended this was the probably the best.

Mayor Barber stated Council President Montero was on the program committee and that was why that was the best and it was a good contribution.

Councilor Phillips stated she loved going to the League of Oregon Cities and it was always nice to come away from there knowing we have a Council that agree to disagree on certain issues but still leave the meetings liking each other. There are a lot of Council and Commissions that don't get along. Councilor Phillips further stated one of the meetings she really enjoyed was prelude to the Tsunami Safety and took it a step further and there were all sorts of unfortunate things in this world that are happening and to make sure our citizens know where to go, and how to handle things and that would be a workshop she would be asking about.

Mayor Barber stated he enjoyed the meeting with other Mayors of small cities and we have a lot in common and the same challenges but also a lot of the same great opportunities in small cities. The common denominator is the homeless situation and even the smallest cities are having issues. There was a special on KGW, Tents In Our City and was a very well done documentary on the homeless problem in Portland and what they are trying to do about it. There were over one hundred people living in tents in Portland. Mayor Barber further stated there have been people serving on committees, and commissions who asked to be reappointed and to me that is remarkable and especially when it comes to the Planning Commission. Mayor Barber further stated his quote was by my good friend Warren Buffet "Someone is sitting in the shade today because someone planted a tree a long time ago".

**ADJOURNMENT**

The regular meeting adjourned at 8:26 PM.

---

Kim Jordan, Secretary

---

JAY BARBER, MAYOR