

**PARKS ADVISORY COMMITTEE INTERVIEWS**

**6:40 JOHN CARTER**

**AGENDA SEASIDE CITY COUNCIL MEETING  
FEBRUARY 12, 2018 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
6. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
7. CONSENT AGENDA
  - a) PAYMENT OF THE BILLS - \$914,136.90
  - b) APPROVAL OF MINUTES - January 22, 2018
8. UNFINISHED BUSINESS:
  - a) PUBLIC HEARING - ORDINANCE 2018-01 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY, (Seaside School District Property located East of Seaside Heights Elementary School, 2000 Spruce Drive) Third and Final Reading
    - OPEN PUBLIC COMMENTS
    - CLOSE PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
    - MOTION TO ADOPT - ROLL CALL VOTE
  - b) ORDINANCE 2018-02 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF ORDINANCES CHAPTER 31 FOR THE SEASIDE PARKS ADVISORY COMMITTEE - Third and Final Reading
    - OPEN PUBLIC COMMENTS
    - CLOSE PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
    - MOTION TO ADOPT - ROLL CALL VOTE

9. NEW BUSINESS

a) ORDINANCE 2018-03 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF ORDINANCES CHAPTER 31 FOR THE SEASIDE PUBLIC AIRPORT COMMITTEE

- OPEN PUBLIC COMMENTS
- CLOSE PUBLIC COMMENTS
- COUNCIL COMMENTS
- MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
- MOTION FOR SECOND READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED

b) VACANCY - SEASIDE PUBLIC AIRPORT COMMITTEE

10. COMMENTS FROM THE CITY STAFF

11. COMMENTS FROM THE COUNCIL

12. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall. The Agendas and Minutes can be viewed on our website at [www.cityofseaside.us](http://www.cityofseaside.us).*

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.

## ORDINANCE NO. 2018-01

### AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY

(Seaside School District Property located East of Seaside Heights Elementary School, 2000 Spruce Drive)

WHEREAS, there has been submitted to the City of Seaside, a written proposal for annexation to the City by the owner's consent, who also owns all of the land in the contiguous territory, described below which real property therein represents all of the assessed value of all real property in the contiguous territory to be annexed:

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

**SECTION 1. ANNEXATION AREA** - All the property in the following legal description of the Seaside School District 10 property annexation request, Clatsop County, Oregon:

**LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH RANGE 10 WEST, WILLAMETTE MERIDIAN, CLATSOP COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE ALONG THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 NORTH 00°13'53" WEST 728.41 FEET; THENCE LEAVING SAID WESTERLY LINE NORTH 64°13'18" EAST 634.10 FEET; THENCE NORTH 87°56'18" EAST 499.68 FEET; THENCE NORTH 61°02'21" EAST 143.88 FEET; THENCE NORTH 89°16'51" EAST 745.02 FEET; THENCE SOUTH 72°42'17" EAST 269.11 FEET; THENCE NORTH 87°44'33" EAST 430.34 FEET TO THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23; THENCE ALONG SAID EASTERLY LINE SOUTH 00°35'57" EAST 321.79 FEET; THENCE LEAVING SAID EASTERLY LINE SOUTH 71°45'54" WEST 383.03 FEET; THENCE SOUTH 59°04'26" WEST 90.10 FEET; THENCE SOUTH 29°17'42" WEST 171.31 FEET; THENCE SOUTH 64°25'59" WEST 145.96 FEET; THENCE NORTH 89°03'36" WEST 131.76 FEET; THENCE SOUTH 59°21'01" WEST 209.34 FEET; THENCE SOUTH 27°49'30" WEST 186.97 FEET; THENCE SOUTH 86°59'41" WEST 248.48 FEET; THENCE SOUTH 62°22'29" WEST 129.20 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°45'35" WEST 1210.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,171,775 SQUARE FEET OR 49.857 ACRES (MORE OR LESS).

THE ABOVE DESCRIBED PROPERTY IS A PORTION OF:

Clatsop County Tax ID 59212                      Map #6 10 22                      Tax Lot 02102

**SECTION 2. ZONE** – The subject property is zoned Institutional Campus (IC) in accordance with the zones established under the City of Seaside Comprehensive Plan and the Zoning Ordinance of Seaside, Oregon.

**SECTION 3. RECORD** – The City Auditor shall submit to the Secretary of the State of Oregon: (1) A copy of this Ordinance, and (2) a copy of the Statement of Consent of the landowner in the territory annexed. The City Auditor shall also send a description by metes and bounds or legal subdivisions of the new boundaries of the City of Seaside within ten (10) days of the effective date of annexation to the Clatsop County Assessor, the Clatsop County Clerk, and the Clatsop County Planning Department.

**SECTION 4. FIRE PROTECTION** – The subject property is hereby withdrawn from the Seaside Rural Fire Protection District and included in the City of Seaside for fire protection purposes.

**SECTION 5. ROAD DISTRICT** - The subject property is hereby withdrawn from the Clatsop County Road District No. 1 and included in the City of Seaside Road District.

**SECTION 6. POLICE PROTECTION** – The subject property is hereby withdrawn from the Clatsop County Law Enforcement District and included in the City of Seaside for police protection purposes.

**SECTION 7. WATER PROVISION** – The subject property is hereby included in the City of Seaside for the purpose of providing water.

**SECTION 8. FINDINGS** – The City Council makes the following findings pertinent to the annexation:

- A. The City of Seaside has an acknowledged Comprehensive Plan.
- B. The subject property is within the City's adopted Urban Growth Boundary.
- C. The property is contiguous to the City Limits.
- D. There is unanimous consent of the property owner.
- E. January 2, 2018, Memorandum from Greg Winterowd, Winterbrook Planning, to City Council including findings for the annexation.
- F. September 25, 2017, Memorandum from Planning Director Cupples to City Council regarding 17-047 CPA & ZCA and 17-048 ZMA.
- G. Mr. Dunzer continues to argue, as he did in the UGB amendment proceedings that ultimately approved 17-047 CPA & ZCA and 17-048 ZMA through Ordinances 2017-11 and 2017-12, that Seaside School District's plan to relocate all of the District's schools outside of the tsunami inundation zone to a site adjacent to the existing Seaside Heights Elementary does not comply with Goal 14, because there is land within the existing UGB that could accommodate the relocation of the schools. In particular, Mr. Dunzer argued in the previous UGB amendment proceeding and does so again here, that Broadway Middle School could be reused as a high school and a new middle school could be built in the Seaside Heights Elementary School parking lot. Mr. Dunzer's arguments were rejected during the UGB amendment proceedings. Mr. Dunzer's arguments in this annexation proceeding are a collateral attack on the City's final decisions as set forth in Ordinances 2017-11 and 12, and so are rejected. Further, these arguments are not relevant to any annexation approval criteria.

**SECTION 9. EFFECTIVE DATE** – The effective date of this Ordinance is March 14, 2018, in accordance with ORS 222.040 and 222.180.

**ADOPTED** by the City Council of the City of Seaside on this \_\_\_ day of \_\_\_\_\_, 2018, by the following roll call vote:

YEAS:  
NAYS:  
ABSTAIN:  
ABSENT:

**SUBMITTED** to and **APPROVED** by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JAY BARBER, MAYOR

ATTEST:

\_\_\_\_\_  
Mark J. Winstanley, City Manager

APPLICATION FOR ANNEXATION  
CITY OF SEASIDE  
989 BROADWAY  
SEASIDE OREGON 97138  
(503) 738-5511

1. Applicant(s) (Please Print) Seaside School District 10  
\_\_\_\_\_  
\_\_\_\_\_

2. Applicant's mailing address:  
Street 1801 South Franklin Street  
City Seaside  
State OR Zip 97138

3. Telephone Numbers:  
Home \_\_\_\_\_  
Work 503 738-5591

4. Legal description of property requested to be annexed (as a minimum attach a Tax Map): See attached Exhibit A.

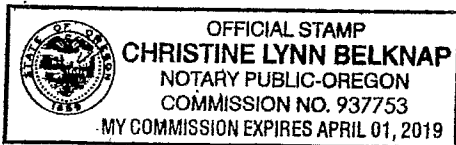
5. In the event this proposed annexation is approved, are you aware of the zoning on the subject property? Please briefly explain:

Yes, it is zoned IC/Institutional Campus.

Signature of Applicant:

*Sheila Roley*

State of Oregon; County of Clatsop Signed or  
attested before me on November 21, 2017 (date)  
by Sheila Roley (name(s) of person(s))



SEAL

*Christine Lynn Belknap*  
Notary Public for Oregon  
Payroll Specialist  
Title  
My commission expires: 04.01.2019

NOTE: PROCESS WILL TAKE FROM 60 TO 120 DAYS

**EXHIBIT A**

URBAN GROWTH BOUNDARY EXPANSION

JOB NO. 1600377

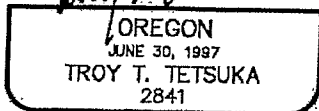
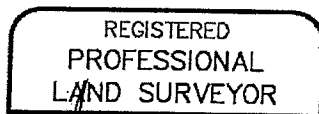
12 OCTOBER 2017

**LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 10 WEST, WILLAMETTE MERIDIAN, CLATSOP COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

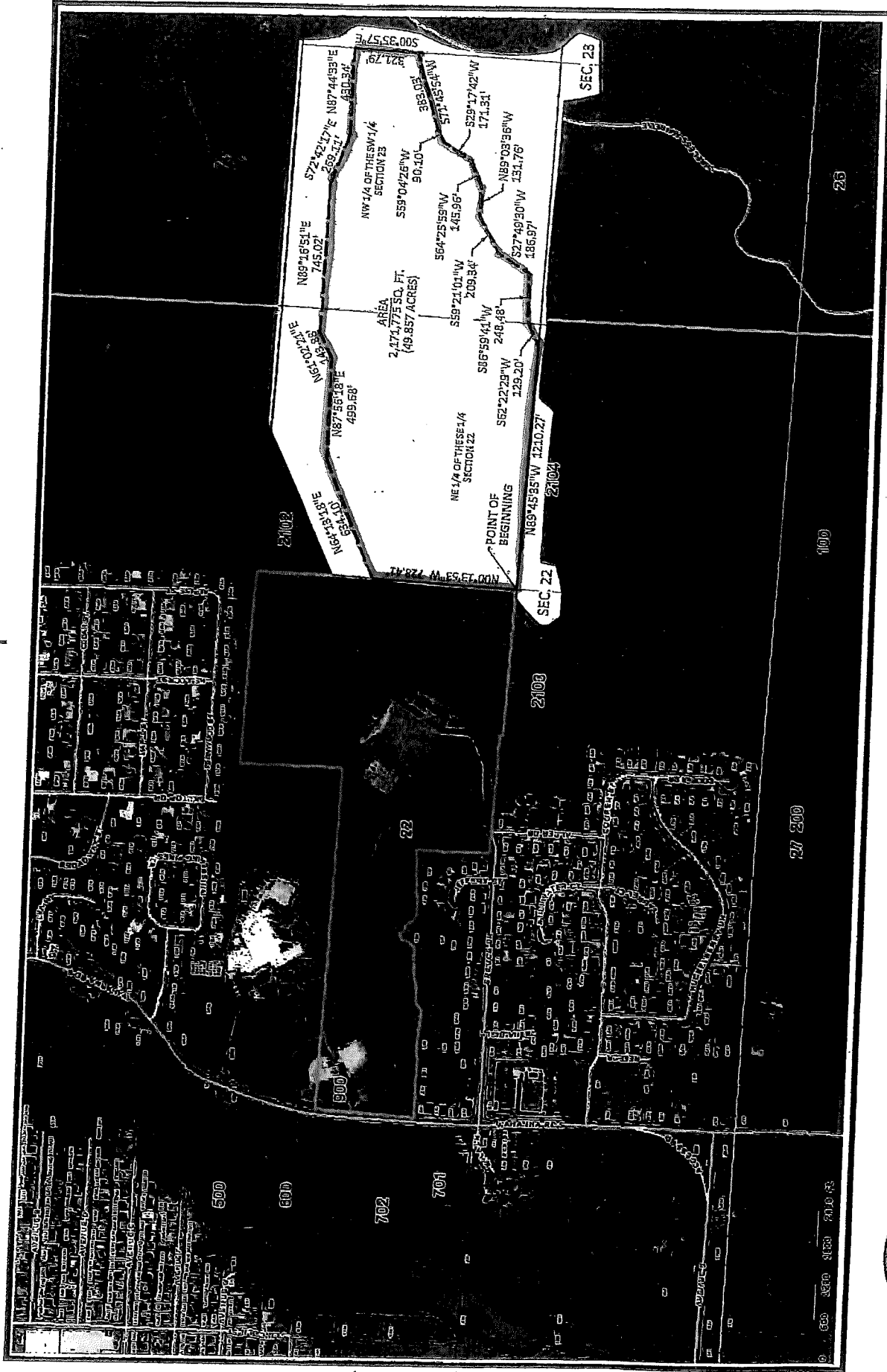
**BEGINNING** AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE ALONG THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 NORTH 00°13'53" WEST 728.41 FEET; THENCE LEAVING SAID WESTERLY LINE NORTH 64°13'18" EAST 634.10 FEET; THENCE NORTH 87°56'18" EAST 499.68 FEET; THENCE NORTH 61°02'21" EAST 143.88 FEET; THENCE NORTH 89°16'51" EAST 745.02 FEET; THENCE SOUTH 72°42'17" EAST 269.11 FEET; THENCE NORTH 87°44'33" EAST 430.34 FEET TO THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23; THENCE ALONG SAID EASTERLY LINE SOUTH 00°35'57" EAST 321.79 FEET; THENCE LEAVING SAID EASTERLY LINE SOUTH 71°45'54" WEST 383.03 FEET; THENCE SOUTH 59°04'26" WEST 90.10 FEET; THENCE SOUTH 29°17'42" WEST 171.31 FEET; THENCE SOUTH 64°25'59" WEST 145.96 FEET; THENCE NORTH 89°03'36" WEST 131.76 FEET; THENCE SOUTH 59°21'01" WEST 209.34 FEET; THENCE SOUTH 27°49'30" WEST 186.97 FEET; THENCE SOUTH 86°59'41" WEST 248.48 FEET; THENCE SOUTH 62°22'29" WEST 129.20 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°45'35" WEST 1210.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,171,775 SQUARE FEET OR 49.857 ACRES (MORE OR LESS).



RENEWAL DATE 6-30-18

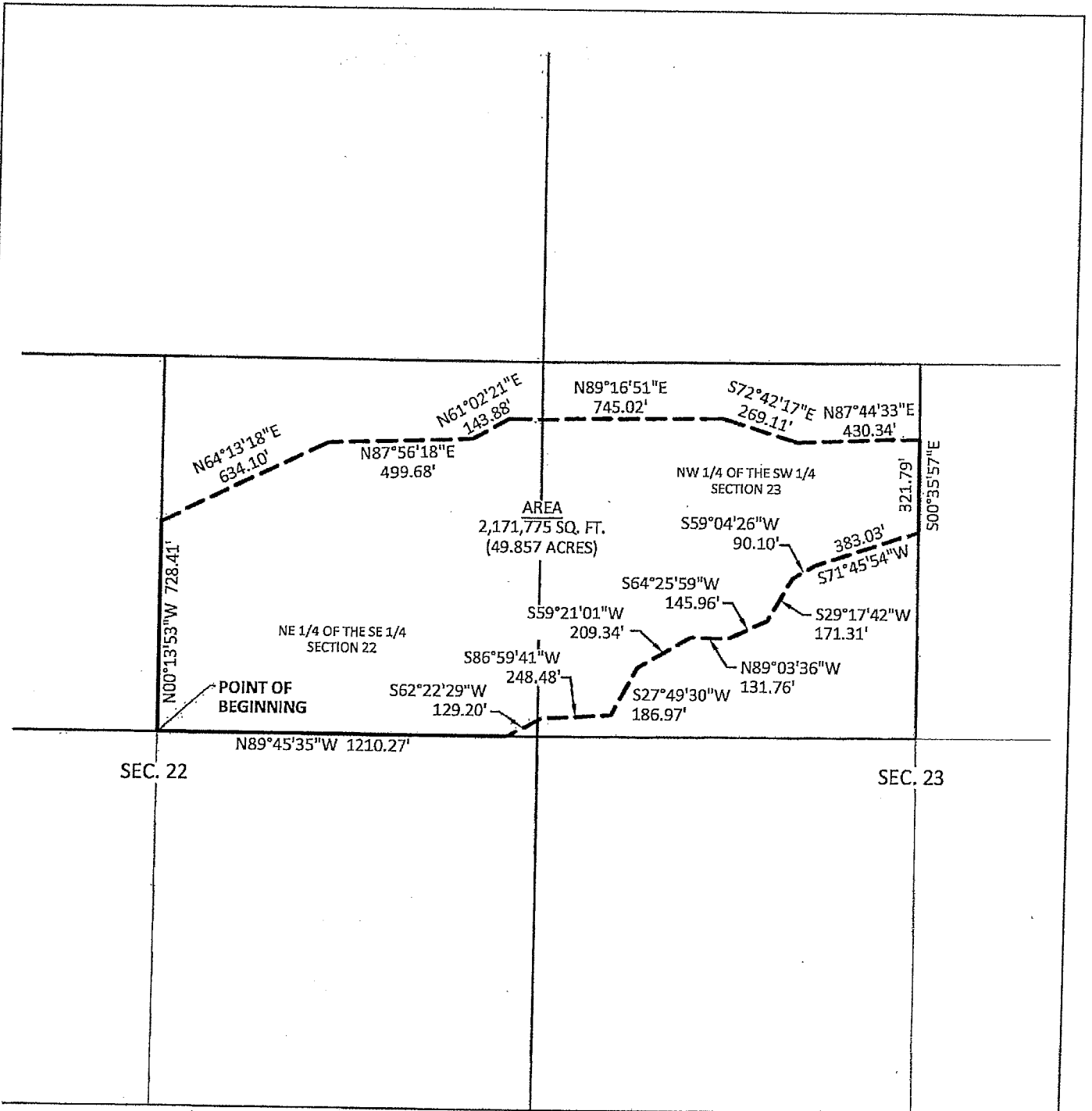
# School District 10 Annexation Area Map



## Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.





SCALE: 1" = 500'

**kpff**

111 SW Fifth Ave., Suite 2400  
 Portland, OR 97204  
 O: 503.227.3251  
 F: 503.274.4681  
[www.kpff.com](http://www.kpff.com)

<b>EXHIBIT MAP</b> PROPOSED UGB EXPANSION NE 1/4, SE 1/4, SEC. 22 & NW 1/4, SW 1/4, SEC. 23 / T. 6 N. / R. 10 W. / W.M. CLATSOP COUNTY / OREGON	DATE: 12 OCTOBER 2017
	DRAWN BY: TTT
	CHECKED BY: TTT
	PROJECT NO. 1600377
	SHEET: 2 OF 2



## **Seaside School District Construction Project Responses to City Council Questions January 2018**

### **What exactly are you planning to build and where will it be on the site?**

The District is planning the construction stated in the 2016 General Obligation Bond to construct a new middle school and high school outside the tsunami inundation zone, and to expand and improve Seaside Heights Elementary to hold all of the K-5 students. Attached is the latest site plan showing the elements of the construction project. The site plan is still in development and may change slightly before it is submitted to the Planning Commission in March.

### **What public facilities will be needed on the site, and who will pay for them?**

Greg Winterowd, the District's land use consultant, provided the attached memo to city on January 2, addressing required sewer, water and storm drainage improvements to serve the new school campus. The Planning Commission will also be evaluating public facilities improvement requirements as part of the conditional use permit review. In terms of who will pay for what, the District has indicated our full intention to pay our proportional share for development to meet the needs of the schools. Exact amounts are an ongoing conversation with the City and the District as the details are determined. Dale McDowell provided oral testimony to the City Council which explained that existing sewer and water pump stations require replacement. The District and the Public Works Department are looking at required improvements that will benefit the District and existing neighborhoods.

### **How will the District address traffic concerns?**

The District recognizes that the relocation of all schools will create more traffic in the immediate area, especially at the beginning and ending of the school day, and during special events such as holiday concerts and championship basketball games. The transportation study done by Lancaster Engineering (submitted to the Planning Commission for the UGB process) demonstrated that the current transportation system is adequate for the development. However, we know that adequate does not mean there will not be some congestion and some slowing of traffic flow during busy traffic times. Lancaster did suggest that there be a right turn lane added for cars turning right from Spruce to Wahanna to avoid having cars making right and left hand turns in the same lane. This is another area of our ongoing discussions.

To mitigate traffic impacts, the District is examining ways in which we can improve our operations to support better traffic flow, and discussing with the City other possible options to address traffic. Some of the ideas generated so far are listed below.

- Stagger school start and ending times
- Support the City's effort to write grants for sidewalk construction
- Provide incentives for carpooling
- Close the high school campus for lunch

- Provide satellite parking with shuttles for major events
- Add crossing guards on walking routes close to school
- Examine current bus routes to look for efficiencies in transportation
- Speed tables/bumps
- Use of “your current speed is” signs
- Research the possibility of reducing the maximum speed on Spruce to 20 mph.

**What will be done with the current school properties, and what will be done with the proceeds?**

The District intends to sell all of the current school properties. The District’s liability company sent staff to do a cost estimate of the properties on January 16, 2017. We have not yet received information on their findings.

Proceeds from property sales will be used for two primary purposes.

- After the unsuccessful attempt to pass a bond in 2013, the District heard clearly from our citizens that the amount of money requested was too much for our community to pay. The District then worked with our architects to create a new plan that would serve the basic educational needs of our students, but which would not include many of the elements seen in a typical high school in Oregon. Those included additional instructional spaces for performing and visual arts, physical education facilities and areas for small group instruction. These are still things that are needed to best serve the education growth of our students, and they are indicated in our site plan in dotted lines for future construction. The funds for future construction can best be provided by the sale of our current properties.
- In addition, the District intends to place some of the proceeds in a long term maintenance account to ensure that we always have the resources to keep our buildings in top operating condition. Our goal is to be good stewards of our community’s investment in their schools.

**Why doesn’t the District just pay the Bond off early with sale proceeds?**

- The District could use revenues to make a payment on the tax obligation on behalf of the citizens, but that would only make a difference to the group of people paying taxes in that particular year. Taxes would go back up again when the proceeds were spent, causing volatility and possible confusion with tax payments. It would also expend the only resources the District would have to build the remaining facilities other than an additional bond. Paying the tax bill for a short period of time, would benefit a limited group for that time. Adding the additional facilities to the campus will benefit students and the community for generations.
- Another option would be for the District to take the revenues from sales and plan to refinance the debt at a lower amount. However, bonds cannot be refinanced until ten years after they have been issued. Our bonds were sold at a historically low interest rate,

and we would be unlikely that those rates would be the same in ten years, possibly increasing the overall cost to our citizens, and is not a recommended risk by our financial consultants.

### **How can the City stay more informed about the progress?**

Please let us know how we can best serve you on this. Below is a list of what we are doing currently to share information, but we are open to all ideas.

- We have a monthly update report that is presented at School Board meetings, Citizen Bond Oversight Committee meetings, and published on the District website.
- We are currently holding community meetings on our schematic design, and will do that periodically throughout the project as we meet major milestones. The first one was at Broadway Middle School on January 10. There is a meeting at the Cannon Beach Chamber Building, January 24 at 6:30 pm and a meeting at Broadway Middle School, February 6 at 6:30 where the presentation will be in Spanish.
- As we begin actual construction, our general contracts, Hoffman Construction plan on holding weekly coffee meetings in town to answer questions and give updates.
- We are also happy to attend City Council meetings to give updates in person.
- Feel free to contact me directly. I am always happy to talk about our school project and any other topic regarding our schools.



# MEMORANDUM

To: Mayor Barber and Seaside City Council Members  
 From: Greg Winterowd on behalf of the Seaside School District  
 Date: January 2, 2018  
 Re: Seaside School District Findings in Support of Annexing just over 49 acres of land zoned for Institutional Campus use and located within the Seaside Urban Growth Boundary (UGB).

## Contents

Purpose..... 1  
 Annexation Location and Area..... 1  
 Background..... 1  
 Findings in Support of Annexation Request..... 3

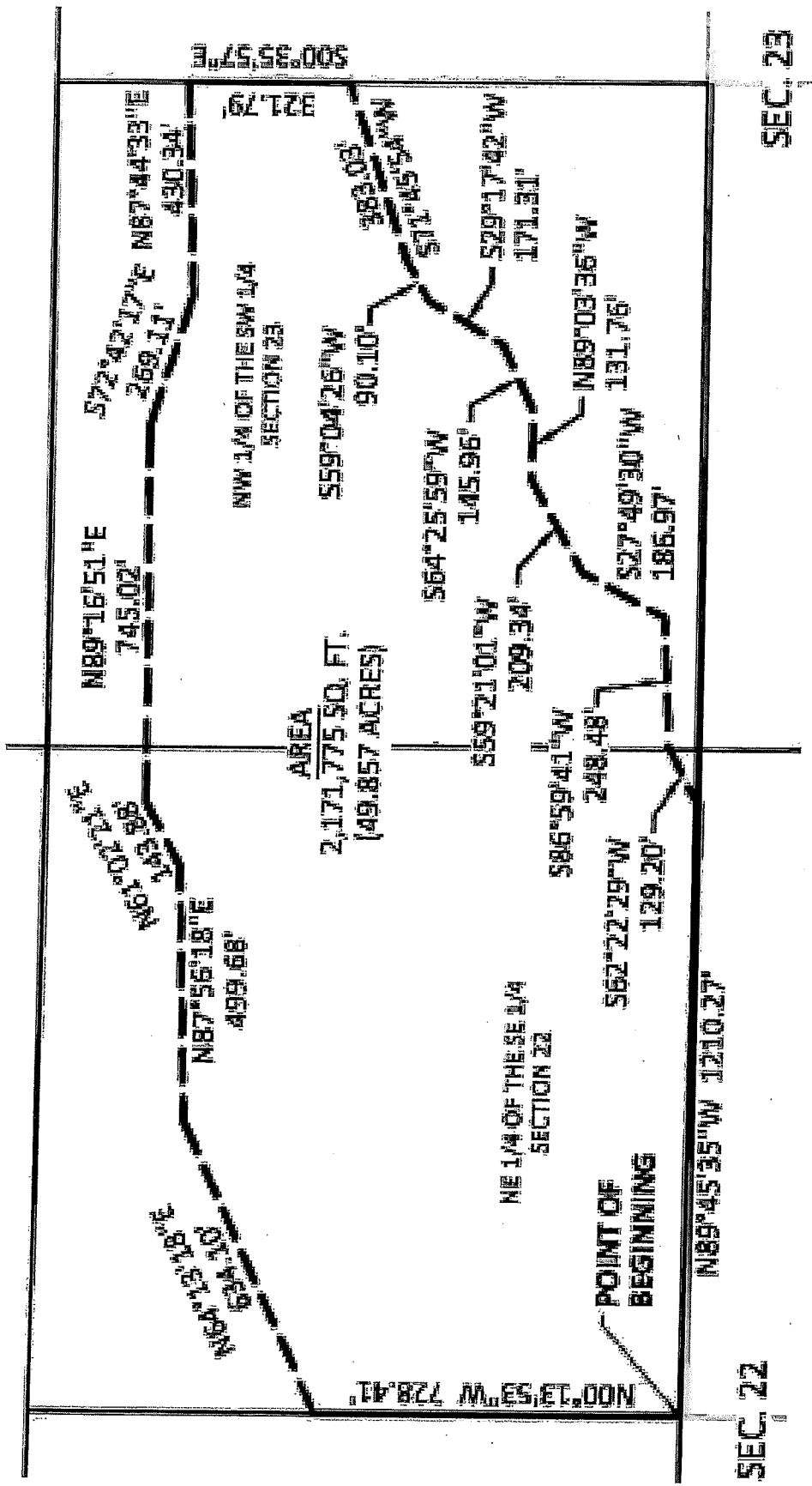
## Purpose

This memorandum supports the Seaside School District's request to annex the 49-acre site that was recently included within the Seaside UGB and zoned for Institutional Campus (IC) use. Annexation will facilitate the timely provision of city services to this site that are necessary to support a new school campus outside of the tsunami inundation zone (TIZ).

## Annexation Location and Area

The site's size and location are shown on Figure 1. The proposed annexation area covers 49.857 acres and is drawn to avoid steep ravines associated with the China and Coho Creek stream corridors.

Figure 1 Proposed Seaside School District Annexation Area



## Background

On September 25, 2017 the City Council unanimously adopted Ordinance 2017-11, which approved the District's application to include this 49-acre site within the Seaside UGB and rezone the site for I-C Institutional Campus use. The purpose of the UGB amendment and rezone was to provide an area outside of the tsunami inundation zone to relocate the District's schools that are within that zone, which is all of the schools except for Seaside Heights Elementary. The Council's decision was based on the District's written testimony, support from the Department of Land Conservation and Development, and a positive staff report and Planning Commission recommendation. The District site is served by Spruce Drive, a major collector street and Wahanna Road, a minor arterial street, which have adequate capacity according to District's transportation impact study. (Memorandum to the Seaside City Council, from Planning Director Kevin Cupples, dated September 25, 2017)

## Findings in Support of Annexation Request

Although the City's Comprehensive Plan City includes relatively little guidance regarding annexation decisions, **Urbanization Policy 14.1.4 Public Facilities and Services** links annexation to the full provision of city services and facilities – especially sewer and water services.

### 4. Public Facilities and Services:

*City water and sewer service will be extended only if:*

- a. *The costs of providing these services to the area have been studied and estimated in a reasonable manner, and;*
  - b. *The city water and sewer plants have adequate capacity to begin serving the area within a reasonable time.*
- All city public facilities and services not already provided to an area may become available after annexation takes place. Property owners affected will be required to pay for the cost of water and sewer extensions. The public facilities' planning is the responsibility of the City of Seaside.*

**District Response:** The District has been working with City engineering and planning staff over the last several years to ensure that adequate public facilities and services are available to serve the new school campus. More recently, District representatives and consultants met twice with City staff to review public facility needs (July 25<sup>th</sup> and November 28<sup>th</sup>, 2017). These meetings were extremely productive and resulted in a shared understanding of the City's existing capacity to provide public facilities and services to serve the school site, and what needs to be done to extend services to serve the site when the new campus opens in the fall of 2020.

The District is prepared to pay its fair share of the costs for extending public facilities to the proposed UGB expansion and annexation site. The following findings are organized by the type of service provided:

- **Water Supply** – Existing development in the area is served by an existing 10” cast iron municipal water line in Spruce Drive and a 12” water line in Wahanna Road. Potable water is pumped to the site from booster stations that serve the school and adjacent residential subdivisions. Booster pumps will need to be upgraded to serve new school development. Based on discussions with City engineering staff, the new booster station needed to serve the proposed school campus will be located near the Seaside Heights Elementary School. Water lines must be constructed to connect the booster station with new campus development to the east. In the long-term, the school site and neighboring residential areas will be served by gravity flow, as indicated below.

The 2005 *City of Seaside Water Master Plan* shows a 2MG water reservoir at approximately 360’ elevation to serve the Sunset Hills and Stillwater areas within the existing UGB. Reservoir capacity may need to be increased to serve potential future development. District plans show a potential location for the reservoir at the eastern end of the school property and a connecting driveway from the proposed campus to the reservoir site. Seaside’s 2005 Water Master Plan includes cost estimates for water facilities necessary to serve the East Hills area, including a new water reservoir and pump stations. The District is willing, in principle, to pay its fair share of the costs of such facilities.

- **Sanitary Sewer** – Seaside Heights Elementary School is served by City sanitary sewer and water lines that can be extended to the new school campus. There is an existing 8” gravity sanitary line in Spruce Drive that connects to a 12” gravity line in Wahanna Road that feeds an existing pump station. The pump station serves the “sanitary basin” that includes Seaside Heights Elementary, Providence Seaside Hospital and the adjacent residential neighborhoods to the north and south. The pump station is located on the west side of Wahanna Road immediately across from the access road to the hospital.

The existing sewage lift station at the school must be upgraded to accommodate the new school buildings. The City is working on a new Sewer Master Plan that includes cost estimates for replacement of the sewer pump station located near the hospital. The District is working with the City to determine water and sewer demand for the new school campus, with the understanding that the District will pay its proportional share of the costs for these improvements.

- **Stormwater Management** – On-site stormwater management will occur in conformance with state regulations and local regulations. **Figure 2** shows the proposed location of two on-site stormwater detention facilities. Pursuant to **Sections 4.140 Geological Hazards and 4.200 Grading and Erosion Control**, the District will prepare (a) geotechnical studies and (b) grading and erosion control plans to intercept ground water and minimize stormwater runoff and erosion resulting from site development and increased impervious surface areas.

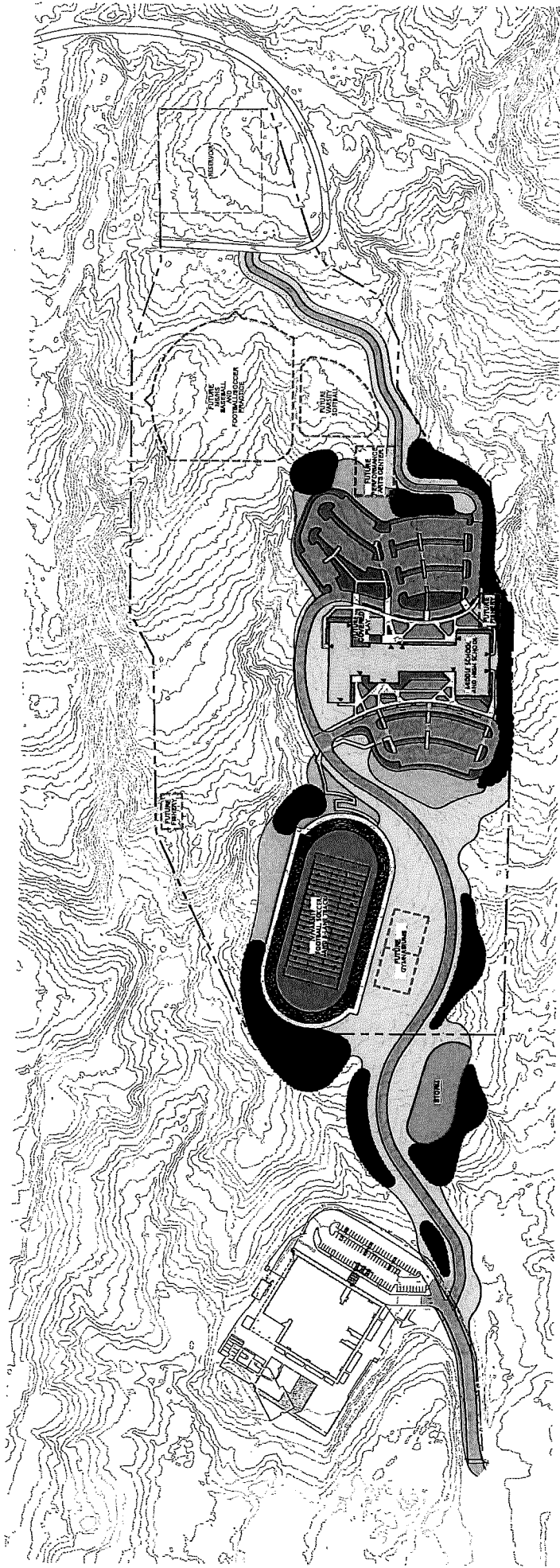
The District recognizes that stormwater runoff from the site will go into fish bearing streams and wetlands through residential neighborhoods below. Therefore, a reasonable measure of on-site storm water quality treatment facilities would be prudent for the new development. For the same reason surrounding storm discharge to sensitive drainages, a robust erosion control plan and a 1200C permit will be needed to prevent any sediment runoff during construction.

The annexation statutes and case law require annexations to be reasonable. Pursuant to case law, what constitutes "reasonable" is a fact-specific inquiry largely controlled by specific legislative and regulatory criteria. See, e.g., *Dept. of Land Conservation v. City of St. Helens*, 191 Or App 149 (2003). The reasonableness test is a low bar, on the order of whether the annexation is arbitrary. In *Morsman v. City of Madras*, the Court of Appeals noted that the "reasonableness" requirement for annexation is arbitrary. In process clause of the Fourteenth Amendment, which "at least insofar as social and economic legislation is concerned, is notoriously lax." 191 Or App 149, 154 (2003). The Court went on to note that compliance with land use laws is the largely controlling component of the reasonableness test. *Morsman*, 191 Or App at 155.

The requested annexation is reasonable because, as set forth above, it is consistent with the applicable land use laws. It is also consistent with the purpose of the UGB amendment, which was to provide an area to relocate the District's schools outside of the tsunami zone. The UGB amendment itself was determined by the City and Clatsop County to be consistent with all applicable state and local land use laws and criteria. As part of the UGB amendment process, the property in question was rezoned to IC in order to support the new school uses. The annexation is simply the next step in achieving the schools relocation envisioned by the UGB amendment and rezone. The annexation will be processed consistent with the City/County Urban Growth Boundary Area Joint Management Agreement. That agreement does not contain any substantive criteria that would be applicable to this annexation request, but does require that any annexations be limited to property within the City's UGB and be in accordance with relevant annexation procedures under state and local law. The annexation is necessary, because the District desires City services for the relocated schools and the City is willing and able to provide those services after the subject property has been annexed.

ORS 222.111(1) also requires that property to be annexed is contiguous to a city boundary. In this case, the property to be annexed is contiguous to the existing city boundary at Seaside Elementary School's east property line.





① OVERALL SITE PLAN  
1" = 200'

January 8, 2018

01-08-18P01:19 RCVD

Seaside Oregon City Council

Written Testimony: Ordinance 2018-01 Jan 8 Public Hearing

Dear Council,

Over four years ago I met with Nancy McCarthy who was then Editor of the Seaside Signal to discuss an upcoming school bond election. The conclusion of our meeting was that we considered a 150 million dollar proposed bond for new schools for the 1500 students of the district to be excessive. Our on-line research at that time showed that new secondary schools in Oregon were currently being built by Oregon school districts for between \$30,000 and \$40,000 a student and that the Seaside proposal was to spend \$100,000 a student.

Several months later the bond issue vote rejected the 150 million bond proposal.

After the voter rejection I did some research with DOGAMI about the possibility of the continued use of Seaside Heights Elementary School. They said that a school within the tsunami inundation zone would not have to be relocated if students could be evacuated above the tsunami inundation zone in the 15-20 minutes between a Cascadia earthquake and the arrival of a tsunami.

Because of this information over 3 years ago I met with the Seaside school district and suggested that it would be possible to reduce the size of the needed bond issue by not replacing Seaside Heights Elementary. I also suggested that they investigate building a new school over the Seaside Heights parking lot to further reduce the size of the needed bond. This new school would be located above the 80 foot inundation zone and provide a needed evacuation site not only for students but for the community.

There was no feedback from the school district so I continued to do research on the results of DOGAMI research on the structural integrity of the existing Seaside schools. The district had used in its literature and in their application for growth boundary expansion the following quote " DOGAMI has determined that Broadway Middle School has a high potential for collapse in the event of a major earthquake.

Tonight, the 8<sup>th</sup> of January 2018, the Seaside City Council is holding a public hearing to proceed with the annexation of land for a school project that has been shown, as described above, does not meet the State's Land Planning Goal #14. The city's proposal is to proceed with this annexation without an election of city voters. This school project as now proposed will require that the City of Seaside expend large sums of its tax resources for the expansion of its water and sewer infrastructure and its road network. As presently being planned, these expenditures which are only necessary to support this project will not be reimbursed by the School District which is the conventional way these types of improvements are financed. The citizens of Seaside need to know what the amount of these unreimbursed expenditures will be and the impact on their taxes. The Seaside City Council should require an election before approving this annexation.

John Dunzer, Seaside registered voter

2964 Keepsake Dr. Seaside OR 97138

(949-566-8664) johndunzer@msn.com

January 22, 2018

01-22-18P03:50 RCVD

City Council

Seaside Or

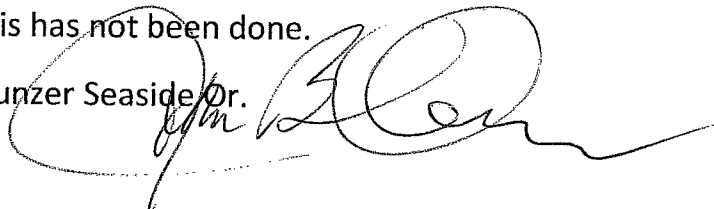
Subject :written input public hearing Jan 22 Ordinance 2018-01

One minute before a public hearing was to commence at the Clatsop County Board of Commissioners regarding the approval for the urban growth boundary expansion for Seaside schools expansion , the following two attached letters were provided to me regarding the district's analysis of a proposal for an alternative approach to school expansion which would not require urban growth boundary expansion. Four years before, after failure of their initial bond issue, I had suggested that they look at an alternative which would not require the huge costs of utilizing a difficult parcel outside the urban growth boundary above Seaside Heights. These two letters were the first response to this request which is required by State planning goal #22.

It is obvious from the two letters that the school district and its consultants had never made an attempt to understand this alternative and they stated that the school district was not required to provide these kind of analyses. City of Seaside in their approval of the school district's plan was quick to point out that the school district had employed state certified consultants and their recommendations should be followed. The architect fully admits that he had never laid out this alternative and his off the cuff comment was that it could not be accommodated. With about two hours of basic measuring and drafting, see attached Figure 3, his off the cuff comment was shown to be inaccurate.

Personally I only have a horse in this race because the district's approach to satisfy state requirements results in an additional 40 million dollars in property taxes. over and above the cost of the alternative. The Seaside City Council says the voters approved spending this amount of money sot that was what was going to be delivered. Unfortunately State voters had previously voted to not increase urban growth boundaries unless the City proves that there are no other reasonable choices. This has not been done.

John Dunzer Seaside Or.



October 25, 2017

Re: Clatsop County Hearing for UGB Expansion for Seaside HS/MS Site – Architect Comments

Regarding issues raised by John Dunzer, we offer the following comments:

**1. Feasibility of Conversion of Broadway Middle School to a High School Facility should be evaluated from the perspectives of seismic and tsunami safety, building systems, and educational programs.**

- a. Seismic and flooding concerns: Broadway Middle School was constructed in 1949. The site is located on land that is “high risk” for both tsunami and earthquake hazards. (Statewide Seismic Needs Assessment: Implementation of Oregon 2005 Senate Bill 2 Related to Public Safety, Earthquakes, and Seismic Rehabilitation of Public Buildings, Oregon Department of Geology and Mineral Industries, Vicki S. McConnell, State Geologist, 2007). Although the school has a relatively low risk of collapsing as a result of a major seismic event, the building would still be subject to substantial damage, probable injury and potential loss of life. In order to convert a building of this age into a seismically safe building, a number of significant and costly interventions need to be made. These include rebuilding of the roof diaphragm and roof/wall connections (which will necessitate replacement of the roof), introduction of new shear walls (most likely concrete) throughout the school, and construction of new concrete footings at locations of shear walls and other lateral force resisting elements. Seismically upgrading a school building of this era and size is a significant undertaking and would still leave the school within the tsunami zone, with the students and staff at substantial risk even with a full seismic upgrade. For this reason, we strongly recommend against investing public money to retrofitting this structure for school use, especially when a suitable site exists just east of Seaside Heights Elementary.
- b. Building Envelope and Systems: Since the goal is to create a school that meets current codes and will last for another 30 – 50 years, all key building systems would need to be evaluated and most likely replaced. The exterior envelope of the building would need to be upgraded for energy efficiency and long-term durability. This would include replacement of existing single pane windows with insulated window units, replacement of existing siding and roofing including addition of new insulation, investigation of existing exterior wall systems to identify environmental issues including mold and dry rot, and addressing these problems with new wall systems where necessary. Mechanical systems would need to be evaluated and most likely would need to be fully replaced to meet

current ventilation and energy codes. Domestic water systems may need to be replaced, and a school of this era would most likely have a variety of hazardous materials that should be removed during a remodel. Lighting and electric power systems would need to be evaluated and most likely replaced with modern systems, including providing updated fire and life safety systems. From a seismic safety perspective, we think that it would be more cost-effective to build a new high school/gymnasium than to retrofit the existing building. However, as noted above, we cannot recommend this option because the new structure would still be located in the tsunami inundation zone.

- c. Educational planning concerns: A middle school and high school are different from an educational planning and delivery standpoint. It would be highly unusual to convert a middle school into a high school – we are not aware of any project where this has been done, and for good reason. A middle school typically has a focus on providing a transition from the elementary environment to the high school environment and as such, a middle school needs to be planned for specific grade level configurations usually manifested in the form of learning wings. These become the focus of the educational program for the school – education delivered at grade specific levels. A high school is not typically designed with the learning wing concept and instead is laid out to foster a multi-disciplinary learning environment, in recognition of the variety of electives and programs that are typically offered in a high school learning environment. Conversion of a middle school such as Broadway Middle School into a high school building would require introduction of new educational spaces for a variety of science, elective, and career and technology education programs. In addition, core spaces such as kitchen, cafeteria, administration and counseling would need to be expanded and remodeled to provide the suite of services that are required for the high school environment. For these reasons, it is not feasible to repurpose the 1945 middle school to serve the needs of a modern high school.

**Conclusion:** We do not believe that it is either feasible or advisable to invest public bond funds to retrofit Broadway Middle School and its extremely unsafe gymnasium for high school use. Broadway Middle School is located on a “high risk” earthquake and tsunami site. From a seismic perspective, it would be more cost-effective to demolish and replace the existing school and gymnasium; however, we strongly recommend against this option because the new school would still be subject to substantial risks associated with the subsequent tsunami event.

## **2. Feasibility of a new High School / Middle School Facility on the existing site at Seaside Heights Elementary School:**

- a. Site: Although the existing Seaside Heights Elementary School site is about 50 acres, most of the unused portions of the site are wetlands or steeply sloped. The proposed layout provided by Mr. Dunzer shows construction of school buildings and parking in these steeply sloped areas and related ravines. The increased cost of earthwork and construction in these areas is significant. These

portions of the site would be a last resort for construction of building or site amenities on this site and are not recommended. Mr. Dunzer's proposed layout would in reality require significant grading, large retaining walls, increased permitting costs, and steeply sloped roadways that may not meet fire and life safety access requirements.

- b. Building over the existing parking lot: In one iteration of Mr. Dunzer's comments, he proposes building the high school and the middle school over a parking structure on the existing Seaside Heights Elementary site as an alternative to the urban growth boundary amendment. That alternative was correctly addressed by findings in the City of Seaside's urban growth boundary amendment decision. In this latest proposal, Mr. Dunzer suggests building only a middle school over a parking structure on the existing Seaside Heights Elementary site, while converting Broadway Middle School to a high school. For the reasons set forth above, I do not recommend attempting to convert the middle school to a high school. For the following reasons, it is infeasible to build a middle school on the existing Seaside Heights Elementary site, as suggested by Mr. Dunzer. I would also note that if it is infeasible to build a middle school on the existing elementary school site, it would be even more infeasible to include a high school on the site with the elementary and middle schools. The concept of a new middle school building placed over the existing parking lot at Seaside Heights Elementary School is both unrealistic and cost prohibitive. After taking into account building and planning code required setbacks, required fire lanes, and avoiding the steeply sloped areas of the site, the space available is approximately 20,000 sf. To meet the 80,000 sf program requirement for a new middle school building, the new building would need to be four to five stories tall, with additional height for the upper level which would presumably house the gymnasium. Mr. Dunzer's drawings do not provide space for District administrative offices. In addition, the building would need to be built over a multi-story parking garage to accommodate at least 150 vehicles (vehicles for an 800 student elementary population and an 400 student middle school population). Without doing an actual layout, it seems reasonable to assume that this garage would be a minimum of two stories. This would result in six to seven story middle school building. There is a reason you don't see any parking garages or six to seven story school buildings in Oregon – it is prohibitively expensive. It is far more cost effective to build surface level parking lots than building a parking garage. There are probable code and constructability issues that could increase the cost of the project. Not to mention that a multi-story building wedged into the existing Seaside Heights Elementary School site would be architecturally obtrusive and probably not well received by neighboring property owners.
- c. Playfields: If the existing Seaside Heights Elementary School building remains, and if the new multi-story building is constructed over the existing parking lot, there would be no space left on the site (other than the steeply sloped areas) for any playfields. This would include no space for outdoor Physical Education as well as competition fields.

**Conclusion:** It is not feasible or advisable to construct a new middle school, and related playfields and parking on the existing Seaside Heights Elementary School site. The buildable area of the site is relatively small, and is needed for the proposed addition to the elementary school and related parking and play areas. Mr. Dunzer’s proposal would be extremely expensive and would result in a highly obtrusive building that would be inconsistent with the character of the neighborhood and the needs of the student population and teachers.

**3. Importance of playfields at a high school and middle school:**

- a. Oregon School Districts are required to begin implementing the requirements of 2007 HB 3141 starting in the 2017 – 2018 school year. This bill mandates increased requirements for the amount of time K – 8 students are required to participate in physical education. The playfields at a high school and middle school serve two purposes – competition and physical education. It is true that the district has use of competition fields at the existing Broadway site. However, as required by HB 3141 physical education is a mandated part of the educational curriculum at all schools in Oregon. Outdoor playfields are a key component of physical education, and it is not realistic to plan a school in which physical education curriculum can only occur indoors. It would be unrealistic to assume that the Broadway fields could serve the purpose of physical education for required school curriculum.
- b. Why 49 an additional 49 developable acres are needed. The conceptual site plan submitted with this applications shows why a site of 49 acres is needed to meet the spatial needs of the new middle school, high school, required playfields, administrative offices and parking.

SITE ITEM	ACRES
Building Footprint (HS / MS / Administrative Offices)	3.0
Parking	6.0
Fire Access and Roadways	5.0
Plazas and Gathering Spaces	0.5
Track / Football Field including Stadium	7.0
Baseball Field	3.5
Softball Field	3.0
Practice Fields (baseball, softball, soccer, football)	14.0
Athletic Support Buildings	0.5
Site grading and terracing (estimated)	6.5
TOTAL	49.0

Although the 49-acre UGB expansion area site has slopes that are predominantly less than 15%, portions of the expansion area have steep ravines that drain to Coho and China Creeks. The site must be terraced to create flat, buildable areas



# BRIC

ARCHITECTURE, INC.

1233 NW Northrup Street  
Suite 100  
Portland, OR 97209

for buildings, parking lots and playfields. This terracing takes space, as indicated in the table above.

In closing, I have been asked to provide my qualifications as an architect specializing in school design and development. During the course of my 28 year career as a professional architect, I have been directly involved in the design of approximately 150 school projects in Oregon alone. Each project has involved working with school districts to design and build school facilities that meet community needs in a cost-effective manner. Although the proposed Seaside school campus poses unique design challenges, the proposed UGB expansion site is the best available alternative for meeting the educational and safety needs of the student population and coastal community served by the Seaside School District

Sincerely,

BRIC Architecture, Inc.

A handwritten signature in black ink, appearing to read "Daniel J. Hess", with a stylized flourish at the end.

Daniel J. Hess, AIA, LEED AP

Principal

**Kelly S. Hossaini, P.C.**  
kelly.hossaini@millernash.com  
503.205.2332 direct line

October 25, 2017

Clatsop County Board of Commissioners  
Planning Commission  
800 Exchange St., Suite 410  
Astoria, Oregon 97103

Subject: Ordinance 17-05 — City of Seaside Urban Growth Boundary Amendment

Dear Commissioners:

We represent Seaside School District (the "District") with respect to the above-referenced urban growth boundary ("UGB") amendment application. The purpose of this letter is to provide a response to comments submitted to the record by Mr. John Dunzer. Over the course of the UGB amendment proceedings, Mr. Dunzer has advanced a number of alternatives to expanding the UGB to site all of the District's schools outside of the tsunami zone. One of the early alternatives that Mr. Dunzer proposed was to relocate all of the schools onto the existing Seaside Heights Elementary School property. The latest alternative converts the existing Broadway Middle School to a new high school and then relocates the middle school to the existing Seaside Heights Elementary campus. Neither of these alternatives is viable.

### **Relocation of the High School and Middle School to the Existing Seaside Heights Elementary Campus**

Mr. Dunzer has submitted documents into the record in an attempt to demonstrate that all of the District's schools can fit onto the existing Seaside Heights Elementary School campus. In these documents, Mr. Dunzer has included a site plan of the existing Seaside Heights Elementary School property 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 site plan prepared by a 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

Board of Commissioners  
October 25, 2017  
Page 2

necessary for Title IX compliance, as well as parking areas sufficient to meet demand as identified in the transportation impact analysis prepared by Lancaster Engineering.

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. To the District's knowledge, Mr. Dunzer is not an engineer, nor is he licensed in the state of Oregon as an engineer. Mr. Dunzer's name is not listed on the Oregon State Board of Examiners for Engineering and Land Surveying website, and Mr. Dunzer has not provide evidence of licensure or evidence of specific expertise in school campus design. He also has not contended that the site plan he submitted is the product of either.

The site plan that Mr. Dunzer submitted 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 to meet Title IX requirements. His plan also does not provide any space for required District offices. 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. Further, Mr. Dunzer provides no credible evidence that the campus he proposes would cost \$45 million.

Architect Dan Hess, who has designed scores of school facilities throughout Oregon, has submitted a separate letter demonstrating that Mr. Dunzer's plan to build additional school facilities on the highly constrained elementary school site is neither cost-effective nor advisable.

### **Conversion of Broadway Middle School to a New High School**

The District made a policy choice based on years of study and expert analysis, as set forth in the District's application for the UGB amendment, to relocate all of the District schools outside of the tsunami inundation zone ("TIZ"). That policy choice is reflected in the Seaside Comprehensive Plan, which includes criteria for addressing the dangers associated with the schools remaining within the TIZ. These criteria are consistent with OAR 660-024-0065(3)(b), which allows cities to use identified necessary site characteristics to limit locations for a proposed use, such as a school. Section 14.10 of the City's Comprehensive Plan was adopted by the City in 2010 to provide suitable characteristics and includes, among other things, a requirement that the site for the relocated schools be located predominantly outside of the TIZ. The Broadway Middle School site is within the TIZ and Mr. Dunzer does not dispute that.

Board of Commissioners  
October 25, 2017  
Page 3

Relocating the high school to the middle school site, then, would not be consistent with the District's policy choice and would violate the adopted school siting criteria in the Comprehensive Plan.

Relocating the high school to the middle school site also does not address the safety concerns that have driven the state and local authorities to support moving all of the schools out of the TIZ. Mr. Dunzer contends that the middle school could withstand the expected earthquake and allow all of the students to evacuate safely to higher ground before the tsunami inundates the campus. There are a lot of assumptions built into that alternative that are not likely to bear out. First, the building and its contents would have to remain intact such that no part of the building or its contents collapse or block exits, thereby trapping some number of individuals within the building. Second, no child, teacher, or administrator is injured during the earthquake such that his or her ability to evacuate safely within a prescribed time period is impaired or made impossible. Third, all children, teachers, and administrators are able-bodied enough, even if uninjured in the earthquake, to evacuate safely within the prescribed period of time. Fourth, there is no bridge collapse or other obstacle that blocks the evacuation path, e.g., downed trees or power lines, debris from other buildings, thereby hindering a safe evacuation within the prescribed period of time. Fifth, that all of the occupants of the high school, of which there will be hundreds, would have time to actually make it to the safety zone even under the best of circumstances before the tsunami inundates the campus and surrounding area. Given all of these assumptions, it would be untenable for the District to have the alternative of moving all of the children, teachers, and administrators in the District safely to the proposed site out of the TIZ, but instead choose to leave many of them in the TIZ on the hope that all of the best-case scenario assumptions are correct and, even with that, there is still time for everyone to reach higher ground before the campus is inundated with water.

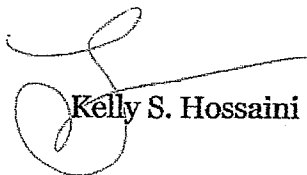
Mr. Hess has also provided his professional opinion that it is not cost-effective or advisable from a design and safety perspective to repurpose the existing middle school for high school use. He also recommends strongly against constructing a new, seismically sound high school on the Broadway Middle School site, because it would still be located in the tsunami inundation zone. I would also add that constructing any new school on the site would be prohibited by ORS 455-446(1), which requires that new schools be located outside of the TIZ. Further, an exemption would not be granted under ORS 455-446(1)(e), because that provision requires a demonstration that fulfilling the need cannot be accomplished without building in the TIZ. In this case, the District has demonstrated that the need can be accomplished by

Board of Commissioners  
October 25, 2017  
Page 4

expanding the urban growth boundary and siting all of the needed schools outside the TIZ.

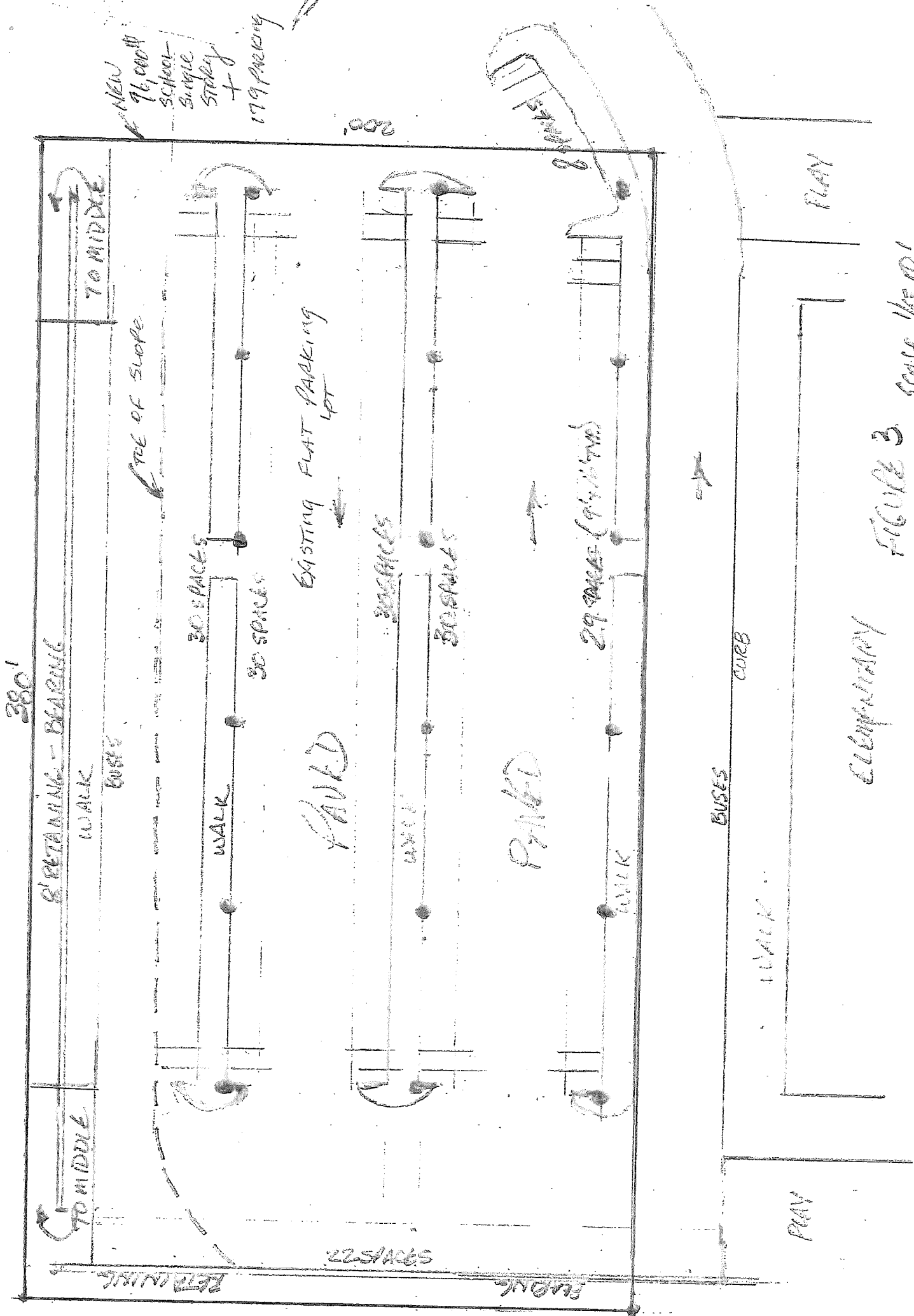
For these reasons, the District respectfully requests that the County approve the requested UGB amendment.

Sincerely,



Kelly S. Hossaini

cc: Ms. Sheila Roley



SUPPLEMENTARY  
 FIGURE 3  
 SCALE 1/8" = 1'-0"

**Kelly S. Hossaini, P.C.**  
kelly.hossaini@millernash.com  
503.205.2332 direct line

January 22, 2018

**BY HAND DELIVERY**

Mayor Jay Barber  
Seaside City Council  
City of Seaside  
989 Broadway  
Seaside, Oregon 97138

Subject: Ordinance 2018-01, Seaside School District Annexation

Dear Mayor Barber and Councilors:

On behalf of Seaside School District, I respectfully request that the City amend Ordinance 2018-01, Section 8, to include the following findings as relied upon:

E. January 2, 2018, Memorandum from Greg Winterowd, Winterbrook Planning, to City Council including findings for the annexation.

F. September 25, 2017, Memorandum from Planning Director Cupples to City Council regarding 17-047 CPA & ZCA and 17-048 ZMA.

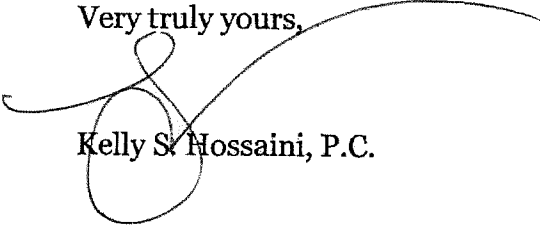
G. Mr. Dunzer continues to argue, as he did in the UGB amendment proceedings that ultimately approved 17-047 CPA & ZCA and 17-048 ZMA through Ordinances 2017-11 and 2017-12, that Seaside School District's plan to relocate all of the District's schools outside of the tsunami inundation zone to a site adjacent to the existing Seaside Heights Elementary does not comply with Goal 14, because there is land within the existing UGB that could accommodate the relocation of the schools. In particular, Mr. Dunzer argued in the previous UGB amendment proceeding and does so again here, that Broadway Middle School could be reused as a high school and a new middle school could be built in the Seaside Heights Elementary School parking lot. Mr. Dunzer's arguments were rejected during the UGB amendment proceedings. Mr. Dunzer's arguments in this annexation proceeding are a collateral attack on the

Mayor Jay Barber  
January 22, 2018  
Page 2

City's final decisions as set forth in Ordinances 2017-11 and 12, and so are rejected.  
Further, these arguments are not relevant to any annexation approval criteria.

The District appreciates your consideration in this request.

Very truly yours,



Kelly S. Hossaini, P.C.

cc: Superintendent Sheila Roley



## ORDINANCE NO. 2018-02

### AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF ORDINANCES CHAPTER 31 FOR THE SEASIDE PARKS ADVISORY COMMITTEE

#### THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

**SECTION 1.** Amend The Seaside Code of Ordinances Section 31.181 Membership of the Seaside Parks Advisory Committee Membership to read as follows:

#### **31.180 ESTABLISHMENT.**

There is hereby established a Seaside Parks Advisory Committee for the city. The Committee shall act as an advisory body to the City Council, the City Manager, and the Public Works Director regarding issues concerning Seaside Parks.

#### **31.181 MEMBERSHIP.**

(A) The Seaside Parks Advisory Committee shall consist of seven members who are not officials or employees of the city and who will be appointed by the City Council.

(B) A minimum of six members shall reside within the city limits, and a maximum of one member may reside within the urban growth boundary, **or be an owner or employee of a business located in the city limits.** No more than two members shall be engaged in the same kind of occupation, business, trade, or profession. The Mayor shall appoint one member of the City Council as Council liaison, and the ~~City Manager, or his or her designee,~~ **Public Works Director** shall be the Staff liaison to the Committee.

(C) If a member moves his/her principal residence outside the city limits or urban growth boundary **or business outside the city limits** during his/her term, the position shall be vacated.

(D) The members shall serve without salary or compensation of any nature.

#### **31.182 TERMS OF OFFICE.**

Appointment shall be for a three-year term; however, the initial terms will be: two members shall be appointed for a term of one year, two members for two years, and three members for three years. As those terms expire, all vacancies will be filled for three-year terms.

#### **31.183 APPOINTMENT OF OFFICERS.**

(A) Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson.

(B) One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

#### **31.184 MEETINGS AND REMOVAL OF MEMBERS.**

(A) The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public.

(B) A vacancy shall occur from the death, resignation, or the inability of any member to serve. Resignation, when made, shall be addressed to and accepted by the Mayor. The City Council may remove a member for cause deemed sufficient by the City Council. Successors shall be appointed by the City Council for the unexpired term.

(C) Any person appointed by the City Council to serve on this Committee who misses three or more regularly scheduled meetings during a 12-month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12-month period is defined as beginning in January of each calendar year.)

**31.185 PURPOSE AND SCOPE.**

In general, the Seaside Parks Advisory Committee shall provide recommendations and receive direction from the City Council regarding the development, operation, and maintenance of the park system working within the guidelines and boundaries of the Seaside Parks Master Plan. Duties may include but are not limited to:

- (A) Identifying partnerships for the development and maintenance of the park system;
- (B) Seeking resources for long-term funding for the parks system;
- (C) Coordinating parks planning among the City, State Parks and Recreation Department, North Coast Land Conservancy, Sunset Empire Parks and Recreation District and Administrative School District 10;
- (D) Coordinating public outreach projects that keep the community involved and the committee informed;
- (E) Monitoring park use;
- (F) Reviewing and assuring that city park ordinances comply with the park system goals.

**31.186 POWERS.**

(A) The Seaside Parks Advisory Committee is not a jurisdictional agency, has no fiscal powers, and in accordance with the City Charter, is not authorized to review allegations and inquiries related to the actions of any member of a public agency.

(B) Members shall serve without salary or compensation of any nature.

ADOPTED by the City Council of the City of Seaside on this \_\_\_ day of \_\_\_\_\_, 2018, by the following roll call vote:

- YEAS:
- NAYS:
- ABSTAIN:
- ABSENT:

SUBMITTED to and APPROVED by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
JAY BARBER, MAYOR

\_\_\_\_\_  
Mark J. Winstanley, City Manager

## ORDINANCE NO. 2018-03

### AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF ORDINANCES CHAPTER 31 REGARDING THE SEASIDE PUBLIC AIRPORT COMMITTEE

#### THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

**SECTION 1.** Amend The Seaside Code of Ordinances Section 31.171 Membership and 31.174 Meetings and Removal of Members of the Seaside Public Airport Committee to read:

#### **31.170 ESTABLISHMENT.**

There is hereby established a Seaside Public Airport Committee for the city. The Committee shall act as an advisory body to the City Council, the City Manager, and the Public Works Director/City Engineer regarding issues concerning the Seaside Public Airport.

#### **31.171 MEMBERSHIP.**

(A) The committee shall consist of the following ~~seven permanent~~ members: ~~the Public Works Director/City Engineer (or designee), a member of the Seaside City Council, a member resident of the City of Gearhart City Council,~~ a representative of the Seaside Downtown Development Association (SDDA), a representative of the Seaside Chamber of Commerce and four (4) ~~non-permanent~~ citizen members, who are not employees of the City, and at least (2) of the non-permanent citizens shall reside within the City limits who shall serve as members-at-large. ~~The Mayor shall appoint one member of the City Council as Council liaison, and the Public Works Director shall be the Staff liaison to the Committee.~~

(B) The citizen members of the committee shall be selected from, but are not limited to, members of the following groups: persons with a demonstrated interest in public airport, educators, private businesspersons, persons with a diversity of ethnic and cultural affiliations, and persons of diverse economic backgrounds and interests.

(C) The members shall serve without salary or compensation of any nature.

#### **31.172 TERMS OF OFFICE.**

All members shall be appointed by the City Council and shall serve for a term of three years. However, three of the first non-permanent members shall be appointed for a term of one year, two years, and three years respectively. As those terms expire, the vacancy will be filled for three-year terms in each case.

#### **31.173 APPOINTMENT OF OFFICERS.**

(A) Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson.

(B) One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

#### **31.174 MEETINGS AND REMOVAL OF MEMBERS.**

(A) The Committee shall hold a regular meeting at least ~~once every other~~ each month of the calendar year. The meetings shall be open to the public.

(B) A vacancy shall occur from the death, resignation, or inability to serve of any member. Resignation, when made, shall be addressed to and accepted by the Mayor. The City Council may remove a member for cause deemed sufficient by the City Council. Successors shall be appointed by the City Council for the unexpired term.

(C) Any person appointed by the City Council to serve on this Committee who misses three or more regularly scheduled meetings during a 12-month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12-month period is defined as beginning in January of each calendar year.)

**31.175 DUTIES.**

In general, the Seaside Airport Committee exists for the purpose of:

- (A) Assisting the City Council in recognizing community priorities by advising it on airport resource issues;
- (B) Increasing communication between the public, FAA, Oregon Department of Aviation, and all interested parties;
- (C) Identifying pertinent issues regarding the delivery of airport services to the members of the community and its guests;
- (D) Reduce misunderstanding regarding the nature of the delivery of those services;
- (E) Provide a forum for input on airport issues.

To accomplish these duties, the Public Airport Committee may:

- (1) Review and make recommendations on Seaside Public Airport policies, practices, and priorities to meet community expectations;
- (2) Provide input and recommendations on resource needs and service expectations from the Seaside Public Airport;
- (3) Provide a public forum for addressing community concerns related to Seaside Public Airport practices and policies;
- (4) Complete other projects, as they are related to the airport, as directed by the City Council;
- (5) Research and recommend short and long range goals.

**31.176 POWERS.**

The Public Airport Committee is not a jurisdictional agency, and in accordance with the City Charter, is not authorized to review allegations and inquiries related to the actions of any member of a public agency.

ADOPTED by the City Council of the City of Seaside on this \_\_\_\_ day of \_\_\_\_\_, 2018, by the following roll call vote:

- YEAS:
- NAYS:
- ABSTAIN:
- ABSENT:

SUBMITTED to and APPROVED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
JAY BARBER, MAYOR

\_\_\_\_\_  
Mark J. Winstanley, City Manager

## **SEASIDE AIRPORT COMMITTEE**

The purpose of the Seaside Airport Committee is to act as an advisory body to the City Council, the City Manager, and the Public Works Director/City Engineer regarding issues concerning the Seaside Public Airport.

The committee consist of the following permanent members: the Public Works Director/City Engineer (or designee), a member of the Seaside City Council, a member of the Gearhart City Council, and six (6) non-permanent citizen members, who are not employees of the City, and at least four (4) of the non-permanent citizens shall reside within the City limits who shall serve as members-at-large.

The citizen members of the committee shall be selected from, but are not limited to, members of the following groups: persons with a demonstrated interest in public airport, educators, private businesspersons, persons with a diversity of ethnic and cultural affiliations, and persons of diverse economic backgrounds and interests.

The members shall serve without salary or compensation of any nature.

All members shall be appointed by the City Council and shall serve for a term of three years. However, three of the first non-permanent members shall be appointed for a term of one year, two years, and three years respectively. As those terms expire, the vacancy will be filled for three-year terms in each case.

Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed by the City Council to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. ( A 12 month period is defined as beginning in January of each calendar year.)

**COMMITTEE/COMMISSION APPOINTMENT**

1. **Date Council Notified:** February 12, 2018  
  
**Name:** Dianne Widdop  
Steve Phillips  
  
**Commission/Committee:** Seaside Airport Committee  
  
**Resignation Date:** Widdop - Not on Gearhart City Council  
Phillips - Has not been able to attend meetings  
  
**Term Expiration Date:** June 30, 2018  
  
**Wants to be considered again:** N/A
  
2. **Applicants:**
  
3. **Nominations:**
  
4. **Appointment:**



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## AIRPORT COMMITTEE

Term of Office: 3 years

Number of Members: 9

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
VACANCY (WIDDOP)			6/30/2018
VACANCY (PHILLIPS)			6/30/2018
BRUCE FRANCIS	90250 STONE LINE DR. WARRENTON, 97146	440-0033	6/30/2018
TERI CARPENTER	220 AVENUE 'U'	425-246-9962	6/30/2019
TRACY MACDONALD	451 HILLSIDE LOOP	739-2269	6/30/2019
RANDALL HENDERSON*	89066 OCEAN DRIVE WARRENTON, 97146	503-577-6153	6/30/2020
ROY BENNETT	2026 FERNWOOD ST.	738-4102	6/30/2020
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	Public Works
RANDY FRANK	454 HIGHLAND DR.	440-3090	City Council

\*Chair