

LIBRARY BOARD INTERVIEWS

6:30 Gloria Linkey

**AGENDA SEASIDE CITY COUNCIL MEETING
FEBRUARY 13, 2017 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS FROM STUDENT REPRESENTATIVE, Lizzy Barnes
6. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$579,681.62
 - b) APPROVAL OF MINUTES - JANUARY 23, 2017
 - c) RESOLUTION #3885 - A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE 2016-2017 SEASIDE ROAD DISTRICT BUDGET
 - d) RESOLUTION #3886 - A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE 2016-2017 CITY OF SEASIDE BUDGET
9. UNFINISHED BUSINESS:
 - a) VACANCY - COMMUNITY AND SENIOR COMMISSION
LIBRARY BOARD
CITY TREE BOARD
12. NEW BUSINESS
 - a) PUBLIC HEARING - RESOLUTION #3887 - PUBLIC HEARING - RESOLUTION #3887 - A RESOLUTION ADOPTING AND APPROPRIATING SUPPLEMENTAL BUDGET INCREASES AND REDUCTIONS OF GREATER THAN 10% FOR THE 2016-2017 CITY OF SEASIDE BUDGET
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
 - b) PUBLIC HEARING - ORDINANCE 2017-01 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 CHANGING THE ZONING AT 405 NORTH WAHANNA ROAD TO FROM SR TO R-3, Kevin Cupples
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - 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
- c) PUBLIC HEARING - ORDINANCE 2017-02 - AN ORDINANCE ANNEXING CERTAIN PROPERTY EAST OF THE CITY (PROPERTY LOCATED TO THE SOUTH OF 495 NORTH WAHANNA), Kevin Cupples
- OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - 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
- d) LIQUOR LICENSE APPLICATION - YELDAH'S BAZAAR, LLC., 411 BROADWAY
- e) LIQUOR LICENSE APPLICATION - LIBERTY COFFEE LLC, 26 AVENUE 'A'
- f) PRESENTATION - AMERICAN CANCER SOCIETY CANCER ACTION NETWORK, TOBACCO 21, Lois Fitzpatrick
- g) UPDATE - BOB CHISHOLM COMMUNITY CENTER FUNDRAISING
- h) APPROVAL - MUNICIPAL ADVISORY BOND SERVICES AGREEMENT
- i) VACANCY - BUDGET COMMITTEE
TOURISM ADVISORY COMMITTEE
- j) CITY COUNCIL VACANCY - POSITION WARD 1, PRECINCT 37
13. COMMENTS FROM THE CITY STAFF
14. COMMENTS FROM THE COUNCIL
15. 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.*

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.

RESOLUTION #3885

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE
2016-2017 SEASIDE ROAD DISTRICT BUDGET**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adjusts the 2016-2017 Seaside Road District budget, as follows:

	District Road Requirements		
	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ 8,400	\$ -	\$ 8,400
Capital Outlay	872,947	(170,000)	702,947
Interfund Transfers	200,360	170,000	370,360
Ending Fund Balance	<u>10,000</u>	<u>0</u>	<u>10,000</u>
Total	<u>\$ 1,091,707</u>	<u>\$ -</u>	<u>\$ 1,091,707</u>

The purpose of this adjustment is to provide for the transfer of funds to the Street Construction Fund for the construction of North Holladay.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2017.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2017.

ATTEST:

JAY A. BARBER, MAYOR

Mark J. Winstanley, City Manager

RESOLUTION #3886

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE
2016-2017 CITY OF SEASIDE BUDGET

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adjusts the 2016-2017 budget, as follows:

	General Requirements		
	Present	Changes	New
Mayor & Council	\$ 24,222	4,000	\$ 28,222
City Attorney	43,025	0	43,025
Business Office	541,970	(26,100)	515,870
Library	659,983	0	659,983
Non-Departmental	273,350	20,000	293,350
Community Center	52,500	0	52,500
Debt Service	267,881	0	267,881
Special Payments	550	2,100	2,650
Interfund Transfers	3,330,570	0	3,330,570
Contingency	100,000	0	100,000
Ending Fund Balance	510,024	0	510,024
Total	\$ 5,804,075	\$ -	\$ 5,804,075

The purpose of this adjustment is to provide for additional funding for the city council goal process, legal costs associated with labor negotiations, grant expenditures, and a donation to the Fallen Badge organization.

	Water Requirements		
	Present	Changes	New
Personal Services	\$ 692,733	\$ -	\$ 692,733
Materials & Services	483,900	22,500	506,400
Capital Outlay	315,000	0	315,000
Interfund Transfer	519,598	6,345	525,943
Contingency	150,000	(28,845)	121,155
Ending Fund Balance	1,991,912	0	1,991,912
Total	\$ 4,153,143	\$ -	\$ 4,153,143

The purpose of this adjustment is to budget for increased bad debt and transfers due to additional income.

	Sewer Requirements		
	Present	Changes	New
Personal Services	\$ 642,212	\$ (17,822)	\$ 624,390
Materials & Services	674,600	48,000	722,600
Capital Outlay	150,000	0	150,000
Special Payments	150,000	(69,859)	80,141
Debt Services	391,411	30,770	422,181
Interfund Transfer	286,107	8,911	295,018
Contingency	150,000	0	150,000
Ending Fund Balance	453,074	0	453,074
Total	\$ 2,897,404	\$ -	\$ 2,897,404

The purpose of this adjustment is to provide for an increase in operational costs, transfers due to additional income, and increased debt costs.

	State Tax Street Requirements		
	Present	Changes	New
Materials & Services	\$ 204,200	\$ -	\$ 204,200
Capital Outlay	667,113	(30,000)	637,113
Interfund Transfer	270,127	30,000	300,127
Ending Fund Balance	100,000	0	100,000
Total	\$ 1,241,440	\$ -	\$ 1,241,440

The purpose of this adjustment is to allow for the transfer of funds for the N. Holladay project.

**Room Tax & Business License
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Personal Services	\$ 228,942	\$ -	\$ 228,942
Materials & Services	569,500	29,400	598,900
Capital Outlay	54,058	0	54,058
Interfund Transfer	3,303,000	0	3,303,000
Contingency	218,677	(29,400)	189,277
Ending Fund Balance	<u>531,209</u>	<u>0</u>	<u>531,209</u>
Total	<u>\$ 4,905,386</u>	<u>\$ -</u>	<u>\$ 4,905,386</u>

The purpose of this adjustment is to allow for the expenditure of grant funds received from Clatsop County.

**Public Works
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Engineering	\$ 268,021	\$ -	\$ 268,021
Public Works	595,096	0	595,096
City Parks	195,224	0	195,224
Interfund Transfers	144,548	4,000	148,548
Contingency	100,000	(4,000)	96,000
Ending Fund Balance	<u>209,267</u>	<u>0</u>	<u>209,267</u>
Total	<u>\$ 1,512,156</u>	<u>\$ -</u>	<u>\$ 1,512,156</u>

The purpose of this adjustment is to allow for a transfer of funds to the Airport for operations.

**Capital Improvement & Maintenance
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ 50,500	\$ (25,000)	\$ 25,500
Capital Outlay	299,700	0	299,700
Interfund Transfer	50,000	25,000	75,000
Total	<u>\$ 400,200</u>	<u>\$ -</u>	<u>\$ 400,200</u>

The purpose of this adjustment is to allow for a transfer of funds to the Airport construction project.

**Systems Development - Water (91)
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials and Services	\$ 50,000	\$ -	\$ 50,000
Capital Outlay	250,000	0	250,000
Special Payments	299,206	(53,000)	246,206
Contingency	250,000	0	250,000
Ending Fund Balance	<u>649,220</u>	<u>53,000</u>	<u>702,220</u>
Total	<u>\$1,498,426</u>	<u>\$ -</u>	<u>\$1,498,426</u>

The purpose of this adjustment is to reduce the amount of required loan funding needed by Special Assessments.

**Airport
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ 3,208	\$ 1,500	\$ 4,708
Capital Outlay	250,508	(1,500)	249,008
Total	<u>\$ 253,716</u>	<u>\$ -</u>	<u>\$ 253,716</u>

The purpose of this adjustment is to budget for an increase in operations and construction interest costs.

**Library Trust
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ -	\$ 4,000	\$ 4,000
Capital Outlay	46,000	0	46,000
Contingency	50,000	(4,000)	46,000
Ending Fund Balance	<u>100,385</u>	<u>0</u>	<u>100,385</u>
Total	<u>\$ 196,385</u>	<u>\$ -</u>	<u>\$ 196,385</u>

The purpose of this adjustment is to budget for minor equipment and maintenance costs associated with the library.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2017.

SUBMITTED to the Mayor and APPROVED by the Mayor on this ____ day of _____, 2017.

ATTEST:

JAY A. BARBER, MAYOR

Mark J. Winstanley, City Manager

COMMUNITY CENTER & SENIOR COMMISSION

The purpose of the Community Center and Senior Commission is to be an advisory body to recommend and make suggestions to the City Council concerning matters relating to the well being of the community center and seniors of the city. Receive direction from the Council concerning matters relating to the well being of the community center and seniors of the City.

The commission consists of nine members who are not officials or employees of the city and who shall be appointed by the City Council. A minimum of five members shall reside within the city limits; a maximum of four members may reside within the Urban Growth Boundary, but outside the City limits.

A Community Center and Senior Commissioner's term of office shall commence on June 1, of each year of his/her term. At the first Commission meeting in June, the Commission will appoint one of their members as Chairperson and one as Vice-Chairperson. One member of the Commission will serve as secretary and minutes will be filed with the City Council.

The Commission 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 to serve on this committee who misses three or more regularly scheduled meetings during a 12-month period shall be notified by letter from the Mayor 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.)

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

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 14, 2016
Name: Doris Snodgrass
Commission/Committee: Community Center & Senior Commission
Resignation Date: November 1, 2016
Term Expiration Date: June 1, 2017
Wants to be considered again: No
2. **Applicants:**
Vineeta Lower
3. **Nominations:**
4. **Appointment:**

SEASIDE LIBRARY BOARD

The Seaside Public Library Board acts in an advisory capacity to the Seaside Public Library Director on behalf of Seaside City Council regarding the operations of the City Library. The Seaside Public Library Board advises the Library Director on matters that relate to library services, policies, and funding. The Seaside Library Board shall approve bylaws, recommend library policies to the city council, follow Oregon's open meetings law and public records laws, and build community support for the library's services, while actively listening and responding to the community requests for library services.

The board consists of five members appointed by the Mayor subject to City Council approval. The Seaside Public Library is advised by the library board. All terms of office shall be four years beginning on December 31st, and no member shall hold office for more than two full consecutive terms.

The board shall meet at least once a month in the library at a designated time and special sessions may be called by the chair of the board should the chair deem it necessary.

The board shall elect a chairman and vice-chair at the beginning of each serving year, and in the absence of the chairman, the vice chair shall assume the duties of the chairman. The board, should it so desire, may appoint the librarian as secretary to the board to take minutes and to keep a record of its actions.

The members shall serve without salary or compensation for services rendered.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 14, 2016

Name: James Shipley

Commission/Committee: Library Board

Resignation Date: Served two terms

Term Expiration Date: December 31, 2016

Wants to be considered again: N/A

2. **Applicants:**
Gloria Linkey
Andrew Oberembt
Matthew Stolberg - Does not want to apply - changed mind

3. **Nominations:**

4. **Appointment:**

SEASIDE CITY TREE BOARD

The purpose of the City Tree Board is to study, investigate, and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets, and in other public areas. The Tree Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities,

- (1) Develop criteria for city staff and/or contractors to apply in making decisions entrusted to staff and/or contractor discretion,
- (2) Designate Heritage Trees on public and private lands within the city,
- (3) Promote the planting and proper maintenance of trees through special events including an annual local celebration of Arbor Day, and
- (4) Obtain the annual Tree City USA designation by the National Arbor Day Foundation.

The Board consists of five members, appointed by the City Council for a three-year term, and who are residents, or owners or employees of businesses within the city limit.

The City Tree Board shall schedule meetings as needed and elect a chairperson and a vice-chairperson. No more than 3 unexcused absences allowed in a calendar year.

Tree Board members serve without salary or compensation of any nature.

COMMITTEE/COMMISSION APPOINTMENT

1. Date Council Notified: January 23, 2017

Name: Neal Wallace

Commission/Committee: City Tree Board Committee

Resignation Date: January 14, 2017

Term Expiration Date: June 30, 2017

Wants to be considered again: No

2. Applicants:

3. Nominations:

4. Appointment:

RESOLUTION #3887

A RESOLUTION ADOPTING AND APPROPRIATING SUPPLEMENTAL
BUDGET INCREASES AND REDUCTIONS OF GREATER THAN 10%
FOR THE 2016-2017 CITY OF SEASIDE BUDGET

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adopts the following supplemental budget increases and reductions for 2016-2017; and

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2016, and for the purpose shown below are hereby adjusted and appropriated as follows:

SPECIAL ASSESSMENT
Resources

	Present	Changes	New
Beginning Fund Balance	\$ 7,124	\$ -	\$ 7,124
Assessment Principal	22,000	0	22,000
Assessment Interest	2,726	0	2,726
Interfund Loan - Sys Dev (Wtr)	157,000	(49,000)	108,000
Total	\$ 188,850	\$ (49,000)	\$ 139,850

SPECIAL ASSESSMENT
Requirements

	Present	Changes	New
Materials & Services	\$ 4,000	\$ -	\$ 4,000
Capital Outlay	85,000	0	85,000
Special Payments	99,000	(49,000)	50,000
Interfund Transfers	850	0	850
Total	\$ 188,850	\$ (49,000)	\$ 139,850

SEWER
Resources

	Present	Changes	New
Beginning Fund Balance	\$ 673,604	\$ (93,106)	\$ 580,498
Interest On Investments	2,300	0	2,300
Sewer Revenue	2,220,000	0	2,220,000
Insurance Reimbursement	0	665	665
Miscellaneous	1,500	12,300	13,800
Total	\$ 2,897,404	\$ (80,141)	\$ 2,817,263

SEWER
Requirements

	Present	Changes	New
Personal Services	\$ 624,390	\$ -	\$ 624,390
Materials & Services	722,600	0	722,600
Capital Outlay	150,000	0	150,000
Special Payments	80,141	(80,141)	0
Debt Services	422,181	0	422,181
Interfund Transfer	295,018	0	295,018
Contingency	150,000	0	150,000
Ending Fund Balance	453,074	0	453,074
Total	\$ 2,897,404	\$ (80,141)	\$ 2,817,263

**STREET CONSTRUCTION
Resources**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Beginning Fund Balance	\$ 2,181	\$ -	\$ 2,181
Transfer - District Road	190,000	180,000	370,000
Transfer - Water	2,000	0	2,000
Transfer - State Tax Street	255,000	30,000	285,000
Interest On Investments	500	0	500
Seaside Urban Renewal	150,000	0	150,000
Total	\$ 599,681	\$ 210,000	\$ 809,681

**STREET CONSTRUCTION
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ 1,000	\$ 5,000	\$ 6,000
Capital Outlay	598,681	205,000	803,681
Total	\$ 599,681	\$ 210,000	\$ 809,681

Passed by the City Council of Seaside on this ____ day of _____, 2017.

Submitted to the Mayor and Approved by the Mayor on this ____ day of _____, 2017.

JAY A. BARBER, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

**NOTICE OF A PUBLIC HEARING
FOR BUDGET INCREASES OF GREATER THAN 10%**

A public hearing on proposed budget increases and reductions of greater than 10 % for the City of Seaside, Clatsop County, State of Oregon, for the fiscal year July 1, 2016 to June 30, 2017 will be held at City Hall, 989 Broadway, Seaside, Oregon. The public hearing will take place during the regularly scheduled City Council meeting on the 13th day of February, 2017 at 7:00 P.M. The purpose of the public hearing is to discuss the budget adjustments with interested persons. A copy of the budget document may be inspected or obtained on or after February 1, 2017 at City Hall, between the hours of 8:00 A.M. and 5:00 P.M.

SUMMARY OF BUDGET ADJUSTMENTS

FUND: Street Construction

Resources		Requirements	
Transfer - District Road	\$ 180,000	Materials & Services	\$ 5,000
Transfer - State Tax Street	30,000	Capital Outlay	205,000
Revised Total Resources	\$ 809,681	Revised Total Requirements	\$ 809,681

COMMENTS: To budget for final work on N. Holladay project.

FUND: Special Assessment

Resources		Requirements	
Interfund Loan - Sys Dev (Water)	\$ (49,000)	Special Payments	
		Interfund Loan Pymt-Sys Dev (Wtr)	\$ (49,000)
Revised Total Resources	\$ 139,850	Revised Total Requirements	\$ 139,850

COMMENTS: Reduce borrowed funds requirement.

FUND: Sewer

Resources		Requirements	
Beginning Fund Balance	\$ (93,106)	Special Payments	
Insurance Reimbursement	665	Interfund Loan Pymt-Swr Replace	\$ (80,141)
Miscellaneous	12,300		
Revised Total Resources	\$ 2,817,263	Revised Total Requirements	\$ 2,817,263

COMMENTS: Beginning Fund Balance was lower than expected because funds were not borrowed in Fiscal Year 15/16. The budgeted loan repayment will not be needed in Fiscal Year 16/17.

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Community Development Department
Date: February 13, 2017
Owners: Darrel W. Spicer, 238 SW Mawrcrest Avenue; Gresham, OR 97080
Applicant: James Spicer, 1827 SW Third Dr.; Gresham, OR 97080
Location: 405 N Wahanna Rd, T6-R10-22 BA-TL101
Subject: 16-059ZC- Zone Change from Suburban Residential (SR) to High Density Residential (R-3)

Request Summary:

The applicant is requesting a zone map amendment that will change the upland Suburban Residential (SR) zoned portions of the above referenced property (approximately 20,394 sq. ft.) to High Density Residential (R-3).

The entire parcel is approximately 3.88 acres and all of the non-upland area is zoned Freshwater Wetland (A-3). The applicant is interested in rezoning the narrow band of upland that parallels Wahanna Road in order to allow urban density residential development in conjunction with annexation of the property.

The developed upland property to the south is currently zone High Density Residential (R-3) and it exhibits very similar characteristics to the applicant's property. All of the subject property is currently within the City of Seaside's urban growth boundary.

If the request is approved, future development of the upland property will be governed by the ordinance provisions and development standards applicable to the High Density Residential R-3 zone. In accordance Article 9 of the Seaside Zoning Ordinance, the City Council can make a final decision on a zone change after holding a public hearing and considering the recommendation by the Seaside Planning Commission.

Planning Commission Testimony Summary:

The Planning Commission heard testimony concerning the proposed zone change prior to making their recommendation. Testimony in favor of the proposed request was offered by the applicant and he expressed his interest in rezoning to allow more efficient use of the limited amount of upland. Property owner Tim Mancill expressed concerns about traffic on Wahanna Road and he

indicated he would like to see development designed to prevent backing into the roadway.

Planning Commission Recommendation:

Following public comment and discussing the proposed zone change, the Commissioners recommended the City Council approve the request based on the information in their final recommendation (attached).

Final Recommended City Council Action:

Conduct a public hearing to take testimony on the proposed zone change. Following testimony, determine if any finding need to be added to the Planning Commission's recommendation. Provided testimony during the public hearing does not lead to findings which indicate the proposed change will violate the Comprehensive Plan or undermine the integrity of the Plan's compliance with State wide Planning Goals, approve the zone change request based on the Commission's recommendation, and make a motion that Ordinance No. 2017-01 (attached) be read "by title only." This ordinance is the document that will formally recognize the Council's approval of the request and authorize the change on the City's Zoning Map.

Following the first reading, a motion for a second reading "by title only" will be needed. The third reading and final adoption will take place during the next council meeting scheduled on February 27, 2017.

Annexation Ordinance Action, Agenda Item 12.c: The same Council process; public hearing followed by a motion to read Annexation Ordinance No. 2017-02 "by title only" would follow any Council action to approve the zone change request.. This ordinance is the document that will bring the subject property into the city and provide city services to it.

Attachments:

Ordinance No. 2017-01

Planning Commission's Recommendation

ORDINANCE NO. 2017-01

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 CHANGING THE ZONING AT 405 N WAHANNA ROAD FROM SR TO R-3.

WHEREAS, the Planning Commission conducted a public hearing regarding a proposed zone map amendment at 405 North Wahanna Road (T6 R10 22 BA TL: 101) that would re-designate the Suburban Residential (SR) zoned portions of the subject property High Density Residential (R-3) in order to permit more efficient use of the limited amount of upland, and

WHEREAS, following the Commission's public hearing January 3, 2017; they recommended the City Council approve zone change request 16-059ZC based on the applicant's submittal, the staff report, public testimony, adopted findings and conclusions that support the proposed amendment; and

WHEREAS, the City Council held their own public hearing and reviewed the Commission's recommendation on zone change 16-059ZC during their meeting on February 13, 2017, and determined the request is consistent with the provisions in the City's Comprehensive Plan and it will not undermine the Plan's compliance with the Statewide Planning Goals.

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

SECTION 1. Amend the zoning map referenced in Section 2.030 of the Seaside Zoning Ordinance, as follows:

Change the Suburban Residential (SR) zoned upland portion of the subject property at 405 N Wahanna Road to High Density Residential (R-3). Said portion of the subject property to be rezoned is identified on the attached map.

SECTION 2. The Seaside City Council did hold a public hearing on February 13, 2017, during which the public was given an opportunity to testify in favor and in opposition of the zone change.

SECTION 3. The City Council hereby approves the zone change (file reference #16-059ZC) based on the adopted information in the Planning Commission's recommendation and the testimony and information obtained during the Council's public hearing held on February 13, 2017.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2017, by the following roll call vote:

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

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2017.

ATTEST:

JAY BARBER, MAYOR

Mark J. Winstanley, City Manager

WETLANDS MAPPING - SKETCH OF POTENTIAL BUILDABLE AREA - PORTION OF INST # 200600468 CLATSOP COUNTY DEED RECORDS
 SITUATED IN THE NE 1/4 OF THE NW 1/4 SECTION 22, T6N, R10W, W.M.
 CITY OF SEASIDE, CLATSOP COUNTY, OREGON

JUNE 24, 2016
 REVISED SEPTEMBER 05, 2016

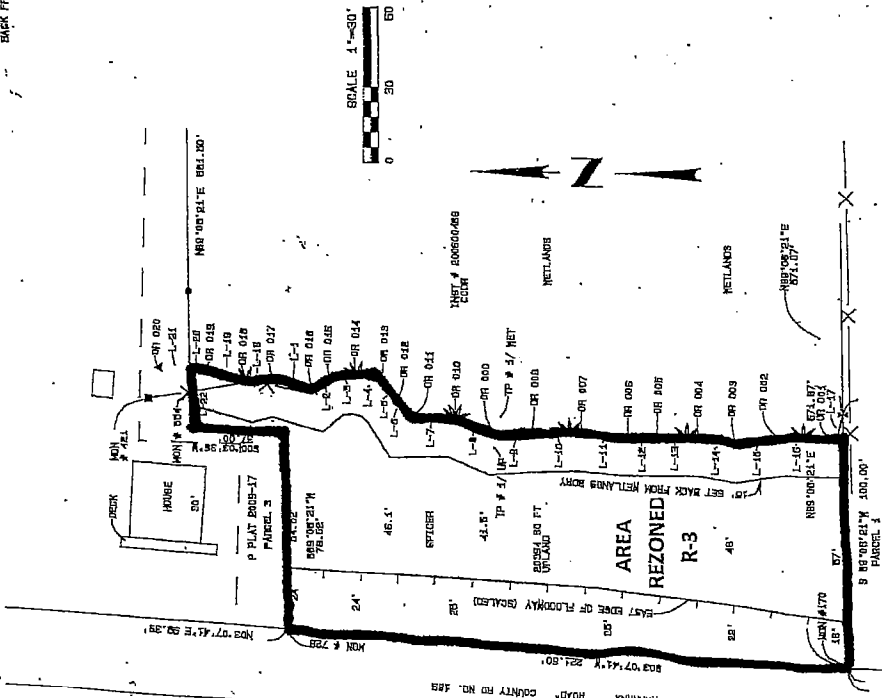
NETLANDS WETLANDS INTERPRETATION AND
 BEST PRACTICE GUIDANCE
 CANEX CONSULTING
 1000 NE 10TH AVE, SUITE 100
 SEASIDE, OREGON 97138
 (503) 738-8730

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE RECORD BEARINGS FROM MON # 728 TO MON # 727 PER PARTITION PLAT # 2009-037. THIS SAME BEARING BEINGS MON 077.42'E.

PURPOSE:
 THE PURPOSE OF THIS SURVEY IS TO MAP THE WETLANDS OF THE AREA AND TO DETERMINE THE POTENTIAL BUILDABLE AREA. THE SURVEY IS BEING CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE CLATSOP COUNTY BOARD OF LANDS AND THE OREGON DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES.

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 72° 00' 00" E	7.75
L-2	S 40° 30' 00" E	7.75
L-3	S 67° 00' 00" E	11.73
L-4	E 14° 00' 00" N	9.20
L-5	E 44° 30' 00" N	9.20
L-6	S 83° 45' 00" E	18.37
L-7	S 83° 45' 00" E	18.37
L-8	S 83° 45' 00" E	18.37
L-9	S 83° 45' 00" E	18.37
L-10	S 83° 45' 00" E	18.37
L-11	S 83° 45' 00" E	18.37
L-12	S 83° 45' 00" E	18.37
L-13	S 83° 45' 00" E	18.37
L-14	S 83° 45' 00" E	18.37
L-15	S 83° 45' 00" E	18.37
L-16	S 83° 45' 00" E	18.37
L-17	S 83° 45' 00" E	18.37
L-18	S 83° 45' 00" E	18.37
L-19	S 83° 45' 00" E	18.37
L-20	S 83° 45' 00" E	18.37
L-21	S 83° 45' 00" E	18.37
L-22	S 83° 45' 00" E	18.37



Symbol	Description
□	FOUND 5/8" REBAR WITH POC STAMPED "HENDERHALL LB 2001", ORIGIN P PLAT 2007-029
●	FOUND 5/8" REBAR WITH POC STAMPED "HENDERHALL LB 2001", ORIGIN P PLAT 2009-47
○	FOUND 1 1/2" BRASS WASHER STAMPED "HENDERHALL LB 2001"
■	OTHER FOUND HARDWARE
▲	CALCULATED POSITION ONLY
—	WEST EDGE OF MAPPED NETLANDS
—	EAST EDGE OF FLOODWAY SCALED FROM CLATSOP COUNTY NEBMAPS

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 ALVIN W. WILSON
 OREGON LICENSE NO. 1000
 EXPIRES 12/31/2016
 RENEWAL DATE: 12/31/16

NETLANDS WETLANDS MAPPING DIV.
 1000 NE 10TH AVE, SUITE 100
 SEASIDE, OREGON 97138
 (503) 738-8730
 WWW.CANEXCONSULTING.COM

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

1. Applicant(s) (Please Print) DARREL W. SPICER
238 S.W. MAURCREST AVE
GRESHAM, OR 97080

2. Applicant's mailing address:
Street 238 S.W. MAURCREST AVE
City GRESHAM
State OR Zip 97080

3. Telephone Numbers:
Home 503 465-2262
Work 503 341-5599

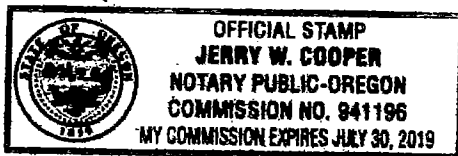
4. Legal description of property requested to be annexed (as a minimum attach a Tax Map):
TAX CODE 1003 (SEE ATTACHED)
ACCT. ID 13033
MAP 61022BA00101

5. In the event this proposed annexation is approved, are you aware of the zoning on the subject property? Please briefly explain: YES -
AND A ZONING CHANGE HAS ALSO BEEN SUBMITTED
AND APPROVED BY PLANNING COMMISSION

Signature of Applicant:

Darrel W Spicer

State of OREGON; County of MULTNOMAH Signed or
attested before me on 1/9/2017 (date)
by DARREL W. SPICER (name(s) of person(s))



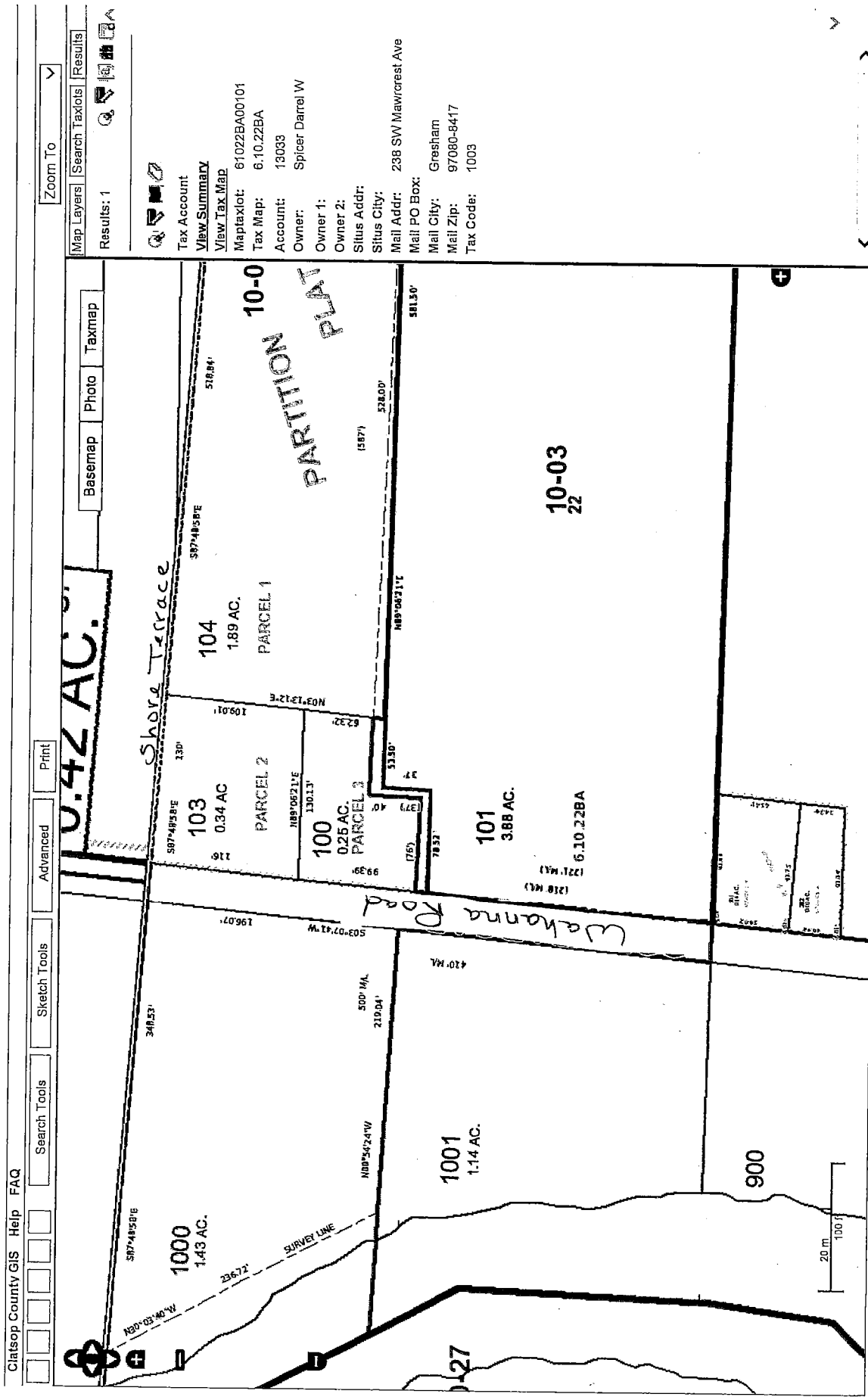
SEAL

Jerry W. Cooper
Notary Public for Oregon

NA
Title

My commission expires: July 30, 2019

NOTE: PROCESS WILL TAKE FROM 60 TO 120 DAYS



ORDINANCE NO. 2017-02

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY (Property located to the south of 495 North Wahanna Road)

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 DESCRIBED IN THE LEGAL DESCRIPTION OF DARREL W. SPICER PROPERTY, CLATSOP COUNTY DEED RECORDS, UNDER RECORDING INSTRUMENT #200900559 REVISING RECORDING INSTRUMENT #200600468 SUBSEQUENT TO BOUNDARY ADJUSTMENT WITH ROE PROPERTY, RECORDING INSTRUMENT #200316559; SITUATED IN THE NE ¼ OF THE NW ¼ OF SECTION 22, T6N, R10W, W.M; MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 3 1/4 ALUMINUM CAP STAMPED "CLATSOP COUNTY SURVEYOR" MONUMENTING THE NORTH QUARTER CORNER OF SECTION 22, T 6 N, R 10 W, W.M., CITY OF SEASIDE, CLATSOP COUNTY, OREGON; THENCE SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST, A DISTANCE OF 143.05 FEET ALONG THE EASTERLY BOUNDARY OF THE "GILBERT TRACT", TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001", SAID POINT IS THE "TRUE POINT OF BEGINNING" OF THE SUBJECT PROPERTY; THENCE CONTINUING SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST, ALONG THE EASTERLY BOUNDARY OF THE "GILBERT TRACT", A DISTANCE OF 257.99 FEET TO THE NORTHEAST CORNER OF THE "EBERMAN HEIRS" TRACT; THENCE SOUTH 89 DEGREES 06 MINUTES 21 SECONDS WEST, A DISTANCE OF 671.87 FEET TO THE EASTERLY RIGHT OF WAY LINE OF "WAHANNA ROAD", MONUMENTED BY A MAG NAIL WITH A 1 1/2" BRASS WASHER STAMPED "MENDENHALL LS 2001"; THENCE NORTH 03 DEGREES 07 MINUTES 41 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY OF WAHANNA ROAD", A DISTANCE OF 221.50 FEET, TO A POINT ON THE "AS ADJUSTED" BOUNDARY COMMON TO THE ROE AND SPICER PROPERTIES MONUMENTED BY A MAG NAIL WITH A 1 1/2" BRASS WASHER STAMPED "MENDENHALL LS 2001"; THENCE NORTH 89 DEGREES 06 MINUTES 21 SECONDS EAST, LEAVING THE EASTERLY RIGHT WAY OF "WAHANNA ROAD", A DISTANCE OF 78.52 FEET TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001"; THENCE NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST, A DISTANCE OF 37.00 FEET, TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001"; THENCE NORTH 89 DEGREES 06 MINUTES 21 SECONDS EAST, A DISTANCE OF 581.50 FEET TO THE TRUE POINT OF BEGINNING. THE DESCRIBED "AS ADJUSTED" PARCEL CONTAINS 168655 SQUARE FEET. THIS PROPERTY IS VACANT LAND LOCATED SOUTH OF 495 NORTH WAHANNA ROAD SEASIDE, OREGON.

SECTION 2. ZONE – The upland portion of the subject property is zone High Density Residential (R-3) and the wetland area is zoned Freshwater Wetland (A-3) in accordance with the zones established under the City of Seaside Comprehensive Plan & 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 withdrawn from the Stanley Acres Water District and 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 properties are contiguous to the City Limits.
- D. There is unanimous consent of the property owners.

SECTION 9. EFFECTIVE DATE – The effective date of this Ordinance is March 29, 2017, in accordance with ORS 222.040 and 222.180.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2017, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2017.

JAY BARBER, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

LIQUOR LICENSE APPLICATION

Hadley Davidson
Yeldah's Bazaar LLC
411 Broadway
Seaside

This business has applied for a Limited On-Premises Sales Liquor License. This would be for a new outlet.

Limited On-premises sales license – allows the sale of malt beverages, wine, and cider for consumption at the licensed business, and the sale of kegs of malt beverages to go. Licensees can cater small scale and large-scale private events if they have pre-approval from OLCC.

The Police Department has reviewed the applicant and business applying for the liquor license and attached is the information received. The applicant was sent a copy of the Police Department review.

Seaside Police Department

February 8, 2016

MEMORANDUM

TO: Mayor and City Council
FROM: Guy Knight, Detective Sergeant
SUBJECT: Yeldah's Bazaar

The Seaside Police Department has reviewed the liquor application for Yeldah's Bazaar located at 411 Broadway. This is a new outlet and the owner is requesting a "Limited On-Premises Sales" license.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license.

If you have any additional questions, please let me know.

LIQUOR LICENSE APPLICATION

Aliz Smith-Dabah
Liberty Coffee LLC
26 Avenue 'A'
Seaside, OR 97138

The application is for an Off-Premises Sales License. This would be for a new outlet.

Off-Premises Sales License – allows the sale of malt beverages, wine and cider to go in sealed containers.

The Police Department has reviewed the applicant and business applying for the liquor license and the information is attached.

Seaside Police Department

February 8, 2016

MEMORANDUM

TO: Mayor and City Council
FROM: Guy Knight, Detective Sergeant
SUBJECT: Liberty Coffee

The Seaside Police Department has reviewed the liquor application for Liberty Coffee located at 26 Avenue A. This is a change of ownership and the owner is requesting a "Off-Premises Sales" license.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license at this location.

If you have any additional questions, please let me know.

January 17, 2017

Mark Winstanley
City Manager
City of Seaside
989 Broadway
Seaside OR 97138

Via Electronic Distribution: mwinstanley@cityofseaside.us

Re: City of Seaside - Municipal Advisory Services Agreement

Dear Mr. Winstanley:

This letter sets forth the terms of the Municipal Advisory Services Agreement (this "**Agreement**") pursuant to which Special Districts Association of Oregon Advisory Services, LLC ("**Advisor**") will serve as an exclusive advisor to the City of Seaside (Clatsop County, Oregon) ("**Client**") on specific matters, as requested, relative to municipal finance related matters (each a "**Project Request**"). This Agreement is made and entered into between Client and the Advisor.

1. Municipal Advisory Services. Client hereby engages Advisor as a municipal advisor to provide certain services to Client on general matters and on an on-going basis with respect to the issuance of municipal securities, municipal financial products, direct bank loans, conduit borrowings or other financing alternatives and matters related thereto with respect to the funding the various capital needs of Client, and in such capacity Advisor agrees to provide advice as to the structure, timing, terms and other matters (the "**Municipal Advisory Services**"). Upon receipt of a Project Request for Municipal Advisory Services, Client and Advisor will determine a mutually agreed upon scope of Advisor's engagement to provide such services, in a form of Exhibit A attached hereto (each, a "**Statement of Work**"). Each Statement of Work will contain a description of the subject matter of the project, a list of Municipal Advisory Services to be provided by Advisor in connection with such project and the terms of compensation. Client agrees and acknowledges that in no event will this Agreement be construed as having authorized Advisor to commence Municipal Advisory Services absent the parties' acknowledgement of a corresponding Statement of Work.

2. Fees and Expenses. As compensation for Advisor's provision of Municipal Advisory Services, Advisor will receive a fee, as specified in Exhibit A of this Agreement (the "**Advisory Fee**"), to be paid by Client or on behalf of Client. In addition to the Advisory Fee, Client will be responsible for all reasonable out-of-pocket expenses incurred by Advisor relative to any Municipal Advisory Services; provided, however, that such costs and expenses will not be incurred or billed to Client without its prior written consent. Such reasonable out-of-pocket expenses shall not exceed \$500.00. Advisor will submit to Client an invoice for the Municipal Advisory Services provided. Any invoice received by Client will be due and payable within thirty (30) days of the invoice date. Any balance that remains outstanding in excess of ninety (90) days, will be subject to a financing charge to be computed at a rate of 18% per annum, or the maximum rate allowable under Oregon law.

SEASIDE BUDGET COMMITTEE

The Seaside Budget Committee meets publicly to review the budget documents as proposed by the budget officer. The budget committee receives the budget and budget message and provides an opportunity for the public to ask questions about and comment on the budget. The committee also approves a budget, and, if ad valorem property taxes are required, approves an amount or rate of tax for all funds that receive property taxes.

The budget committee is composed of the governing body and an equal number of electors appointed by the governing body. All members of the budget committee have equal authority. An elector is a qualified voter who has the right to vote for the adoption of any measure. If the governing body cannot find a sufficient number of electors who are willing to serve, those who are willing and the governing body become the budget committee.

Applicants for the Budget Committee need to be registered voters of the City of Seaside for at least one year prior to serving on the Committee. The appointive members of the budget committee cannot be officers, agents or employees of the local government. Spouses of officers, agents or employees of the local government are not barred from serving on the budget committee if they are qualified electors and not themselves officers, agents, or employees. Appointive members of the budget committee are appointed for three-year terms.

The committee shall elect a presiding officer from among the members at the first meeting. No member of the budget committee may receive any compensation for their services as a member of the committee.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** February 13, 2017

Name: Les McNary
Kathleen Peterson

Commission/Committee: Budget Committee

Resignation Date: N/A

Term Expiration Date: December 31, 2016

Wants to be considered again: Yes

2. **Applicants:**
Les McNary
Kathleen Peterson

3. **Nominations:**

4. **Appointment:**

TOURISM ADVISORY COMMITTEE

The purpose of the Tourism Advisory Committee is to advise the Tourism Director, City Manager and City Council concerning issues related to the marketing of the City. The Seaside Tourism Director and General Manager of the Seaside Civic and Convention Center shall be the staff liaisons to the Committee.

The Committee shall consist of five members none of whom are employees of the City of Seaside. One must be a resident of Seaside while the remaining four shall be residents, or owners, or employees of businesses within the Seaside City limits. Nominees shall be recommended to the Council for appointment and preference given to the following:

- a) Representative from the Seaside Chamber of Commerce
- b) Representative from the Downtown Development Association
- c) Representative from the lodging businesses
- d) Representative from the restaurant or catering industry
- e) Representative from the at large who resides within the Seaside City limits.

All members shall serve for a term of three years. Any portion of a term exceeding one-half the period of the term shall be considered a term.

Each year, the first meeting of the Committee, 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 committee may at any regular or special meeting cancel one of the monthly meetings, and/or may change the location site. The meeting 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 13, 2018

Name: Marci Utti
Sadie Mercer

Commission/Committee: Tourism Advisory Committee

Resignation Date: N/A

Term Expiration Date: December 31, 2016

Wants to be considered again: Yes

2. **Applicants:**
Marci Utti
Sadie Mercer

3. **Nominations:**

4. **Appointment:**

PUBLIC NOTICE
CITY OF SEASIDE
CITY COUNCIL POSITION - 2017

THE FOLLOWING ARE QUALIFICATIONS AND GENERAL INFORMATION:

A position is available for Councilor - Ward 1, Precinct 37

Deadline:

Last date to submit filing for City Council Ward 1 is February 3, 2017, 5:00 PM

Qualifications:

A City Councilor shall be a registered voter in Seaside and shall have resided in the City during the 12 months immediately before being appointed to office. (this is a volunteer position, there is no pay)

To qualify for Council office, the candidate must reside in Council Position Ward 1, and must continue to reside there through the term of office for which the Councilor is appointed.

To apply: City Council Position Ward 1, packets can be picked up from Seaside City Hall, 989 Broadway, Seaside, Monday - Friday, 8:00 am to 5:00 pm.

If you have questions, contact Kim Jordan, (503) 738-5511.

CITY COUNCIL VACANCY - WARD 1, PRECINCT 37

1. **Date:** **December 31, 2017**

2. **Name:** **John Chapman
Steve Wright
George Stacey
Norman Brown**

3. **Applicants:**
**John Chapman
Steve Wright
George Stacey
Norman Brown**