

INTERVIEWS – CITY TREE BOARD

6:20 PM – Alisa Dunlap

6:30 PM – Ann Tierney-Ornie

**AGENDA SEASIDE CITY COUNCIL MEETING
SEPTEMBER 26, 2016 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION - FIRST RESPONDER APPRECIATION WEEK
6. PROCLAMATION - GREAT AMERICAN SHAKEOUT
7. SEASIDE HIGH SCHOOL ASSOCIATED STUDENT BODY (ASB), Jim Poetsch and Students
8. COMMENTS FROM STUDENT REPRESENTATIVE, Lizzy Barnes
9. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
10. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
11. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS – \$435,181.17
 - b) APPROVAL OF MINUTES – September 12, 2016
12. UNFINISHED BUSINESS:
 - a) ADOPTION OF FINAL ORDER FOR A VARIANCE AT 341 S. PROM, APPEAL 16-041V
 - b) VACANCY - CITY TREE BOARD
SEASIDE CIVIC AND CONVENTION CENTER COMMISSION
13. NEW BUSINESS:
 - a) CLATSOP ECONOMIC DEVELOPMENT RESOURCES (CEDR) ANNUAL REPORT AND UPDATE ON AFFORDABLE HOUSING, Kevin Leahy
 - b) RESOLUTION #3879 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING CLATSOP ECONOMIC DEVELOPMENT RESOURCES
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
 - c) RESOLUTION #3880 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING A PROPERTY PURCHASE FROM CLATSOP COUNTY
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED

- d) **ORDINANCE 2016-04 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING 150.21 OF THE SEASIDE CODE OF ORDINANCES REGARDING PUBLIC WORKS CONSTRUCTION SPECIFICATIONS.**
 - **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**

- e) **APPROVAL - 2015 NORTH HOLLADAY DRIVE IMPROVEMENT PROJECT CHANGE ORDERS FOR AUGUST 2016, Dale McDowell**

- f) **UPDATE - NORTH HOLLADAY DRIVE IMPROVEMENT PROJECT, Dale McDowell**

14. **COMMENTS FROM THE CITY STAFF**

15. **COMMENTS FROM THE COUNCIL**

16. **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.



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

PROCLAMATION

Whereas: Oregon first responders, both career and volunteer, include law enforcement officers, firefighters, emergency medical technicians, 911 dispatchers, and search and rescue personnel who bravely and selflessly risk their lives every day to protect Oregon families, visitors, and businesses; and

Whereas: Oregon first responders do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and interagency cooperation make them prepared to serve, protect, and rescue our citizens 24 hours per day, 365 days a year; and

Whereas: Oregon first responders are a vital part of every community, maintaining safety and order in times of crisis, and volunteering in our schools and community organizations; and

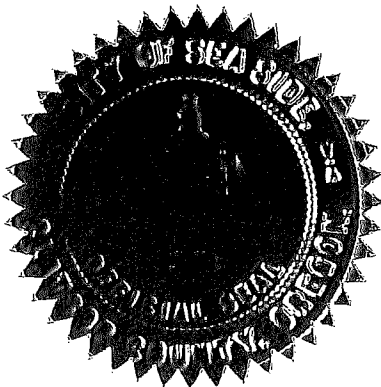
Whereas: Acts of kindness and appreciation from citizens provide first responders needed encouragement and support to confront the dangerous and uncertain situations they face every day.

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim September 21-27, 2016 as

First Responder Appreciation Week

in Seaside and encourage all citizens to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 26th day of September, 2016.



DON LARSON, MAYOR



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

PROCLAMATION

Whereas, The State of Oregon has no greater responsibility than ensuring the safety of its citizens and all those who visit our state; and

Whereas, Earthquake safety is a serious concern with much of our state at risk to seismic shaking and tsunami hazards; and

Whereas, the best way to survive a natural disaster is to develop a preparedness plan for your school, business, home and family; and

Whereas, being self-sufficient for two week after a natural disaster as well as knowledge about what to do when disasters occur is vital. All citizens, businesses and governmental agencies are encouraged to participate in earthquake drills where they practice "Drop, Cover and Hold On," on the Great Shakeout Day.

Whereas, Kate Brown, Governor of the State of Oregon, hereby proclaims October 20, 2016, as the Great Shakeout Day.

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, proclaim October 20, 2016, as

THE GREAT AMERICAN SHAKEOUT DAY

and encourage all Seaside citizens to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 26th day of September, 2016.



DON LARSON, MAYOR

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Planning Director, Kevin Cupples
Date: September 26, 2016
Appellants: Avrel Nudelman, 4126 SW 48th Place, Portland, OR 97721
Local Property Address; 340 Beach Drive, Seaside, OR
Susan Calef, 3051 SE 23rd Street, Gresham, OR 97080
Local Property Address; 25 Avenue A, Seaside, OR
Location: 341 S Prom. (6 10 21AC TL: 11900, 11100, 10900)
Subject: 16-041VA- Appeal of Planning Commission Variance
Approval at 341 S Prom.

Background Summary:

The City Council verbally approved the Nudelman & Calef's appeal subject to staff preparing an appropriate final order based on finding in the record that would support their decision.

The Final Notice of Decision that supports the Council's decision is attached.

City Council Action:

Adopt the attached Notice of Final Decision approving the Nudelman & Calef's appeal (file reference #16-041VA) and denying the original variance request (file reference #16-017V) at 341 S Prom.

Once adopted, staff will mail copies of the Notice of Final Decision to all of the neighboring property owners and parties to the decision.

Attachment:

Notice of Final Decision

**SEASIDE CITY COUNCIL
NOTICE OF FINAL DECISION**

Date: September 26, 2016
To: Applicant, Parties, and Previously Notified Individuals
From: Kevin Cupples, Planning Director
RE: 16-041VA: Appeal by Avrel Nudelman & Susan Calef of the Planning Commission's Approval of Variance 16-017V- A request by Antoine Simmons for a variance to the allowed building height and required side yard setbacks at 341 S Prom. (6 10 21AC TL: 11900, 11100, 10900). The property is zoned Resort Residential (R-R) and the zone currently allows a defined building height of 45 ft. The applicant is requesting to build up to a defined height of approximately 60 ft on the western portion of the property but the apparent height would be approximately 52 ft due to a below grade story. The eastern portion of the building would be setback 3 ft. along a portion of the southern property line and 3' along a portion of the northern interior property line where the zone requires an 8' setback. The applicant intends to develop a 48 unit motel.

CITY COUNCIL DECISION:

On September 12, 2016; the Seaside City Council verbally approved the above referenced appeal request and denied the original variance request (file reference #16-017V) at 341 S Prom that was approved by the Planning Commission.

The Council's decision was based on the information in the record that included the appellants' submittals, oral & written testimony during the public hearings, the original variance submittal, minutes from the Planning Commission's public hearing, and the Commission's final order.

The Council's Final Decision to approve the appeal is supported by the findings, justification statements, and conclusions adopted in conjunction with denial of the original variance request (16-017V).

APPEAL PROVISIONS:

The Council's decisions may be appealed to the Land Use Board of Appeals (LUBA) in accordance with Oregon Revised Statute 197.830 which generally requires the following:

The Notice of Intent to Appeal and the required fees must be filed at LUBA within 21 days after the land use decision becomes final as described by OAR 661-010-0010(3). If the deadline is missed, LUBA will dismiss the appeal. Under LUBA's rules (OAR 661-010-0015(1)(b)), the date of filing a Notice of Intent to Appeal is either the date the Notice is actually received by LUBA or the date the Notice is mailed, provided it is mailed by registered or certified mail

and the party filing the Notice obtains a receipt stamped by the U.S. Postal Service showing the date mailed and the certified or registered number.

If you have any questions regarding this decision or the appeal process, please contact the Planning Department at (503) 738-7100.

The date of the final decision is the date the decision is reduced to writing and that coincides with the date of this "Notice of Final Decision": **Monday, September 26, 2016.**

IN ADDITION TO CONSIDERING THE PUBLIC HEARING TESTIMONY & ALL THE INFORMATION IN THE RECORD, THE CITY COUNCIL'S FINAL DECISION WAS SPECIFICALLY SUPPORTED BY ADOPTING THE FOLLOWING INFORMATION.

REQUEST SUMMARY:

16-017V: A request by Antoine Simmons for a variance to the allowed building height and required side yard setbacks at 341 S Prom. (6 10 21AC TL: 11900, 11100, 10900). The property is zoned Resort Residential (R-R) and the zone currently allows a defined building height of 45 ft. The applicant is requesting to build up to a defined height of approximately 60 ft on the western portion of the property but the apparent height would be approximately 52 ft due to a below grade story. The eastern portion of the building would be setback 3 ft. along a portion of the southern property line and 3' along a portion of the northern interior property line where the zone requires an 8' setback. The applicant intends to develop a 48 unit motel.

DECISION CRITERIA, FINDINGS, AND CONCLUSIONS:

The following is a list of the decision criteria applicable to the request. Each of the criteria is followed by findings or justification statements adopted by the Council support their conclusion.

REVIEW CRITERIA #1: Variance Section 7.031, the property owner must demonstrate by written application that all of the following circumstances exist:

- 1. The manner in which exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape legally existing prior to the date of this Ordinance, topography, or other circumstances over which the applicant has no control.**
- 2. How literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.**
- 3. That the special conditions and circumstances do not result from the actions of the applicant, and**
- 4. Evidence that granting the variance will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted use of land, structures or buildings in other districts shall be considered grounds for issuance of a variance.**

FINDINGS & JUSTIFICATION STATEMENTS:

- 1. Mailed notice of the original request and the appeal of the Planning Commission's decision were mailed to the affected property owners and all the parties to the decision.**

2. The applicant's submitted justification, site plan & elevation drawings are adopted by reference. A summary of the applicant's proposal and justification include the following:

- a. Project Narrative: This project will replace the existing hotel between Beach Drive & an undeveloped portion of 6th Street.
- b. The existing hotel was originally built as a house in the 1920 and it has undergone a number of expansions and remodels. It is generally in poor condition and in need of replacement.
- c. The vacant property on the westerly portion of the property has been vacant for many years. It has been neglected and an eyesore adjacent to the Prom. The goal is to develop a hotel that fits the context of the location.
- d. This property is the only vacant parcel in the south prom vicinity. It is bordered by the 5 story 52 foot high Promenade hotel and 6 story 64 foot high Sand & Sea hotel to the south in the RR zone and the 8 story 84 foot high Worldmark Timeshare to the north in the C2 Zone . These adjacent buildings are considerably higher than the allowed 45 foot average height maximum for this project. The building is designed in a more traditional style that the adjacent buildings in order to convey a more welcome, friendlier appearance than the more contemporary neighboring buildings. It will have a sloped roof with numerous dormers and open decks on the westerly façade to add to the coastal experience. The tower at the northwest corner is the tallest roof at 90 feet, while the main roof and dormers are 60 feet average in height, 65 feet at the peak.

The easterly portion of the property is 50 feet in width. If side yard setbacks of 8 feet were applied on both the north and south side yards, the parking as configured would not be possible. Therefore, a portion of the north and south property setbacks have been reduced to three feet, less than those allowed for zero lot line setbacks in zoning section 5.070 in R-2 and R-3 zones. There is only a garage at the southwest corner of the adjacent parcel that would abut this development.

- e. The literal interpretation of the ordinance would limit the allowed average roof height of the proposed development to 45 feet from the lowest point of the property, or 37 feet at the westerly property line, based on the slope of the site. This would reduce the development by two stories, or 26 units, more than half of the proposed total and render the project infeasible.
- f. The special condition represented by the adjacent properties has not been created by the applicant.
- g. It is recognized that the granting of this variance will not confer any special privilege that is denied to owners of other lands, structures, or buildings in the same district. It is understood that the adjacent parcels were in compliance with the original land use zones when they were developed, therefore the non-conforming use of neighboring land is not a basis for this variance.

- h. We believe that the decreased side yard setback and increase to 60 feet for the average roof height, an addition of 15 feet over the 45 feet allowed by the current zoning, will allow a consistent pattern of development for the area and fill the “gap” that currently exists between the Worldmark and the adjacent hotels and condominiums to the south.
- 3. Variances to the building height requirement have been approved in the past for structures on the adjacent property and proposed development on a portion of the subject property.
- 4. The apparent height of the structure on the western portion of the property (that portion oriented north to south) will have the parking garage below grade. It would appear very similar to the height of the neighboring Promenade building to the south and the peak of the clock tower would provide an architectural feature that would be similar in height to the Trendwest building north of Avenue A. If this was the extent of the building on the property, it would have a defined height of approximately 52 feet.
- 5. This building is being proposed close to the Central Commercial (C-2) zone boundary and that zone has an allowed building height of 90 feet in this area. The Trendwest building is located within the C-2 zone and it is the tallest building in Seaside (approximately 84’ according to the applicant’s submittal).
- 6. The zone provides for increased yards (eight feet) for structures that are three or more stories and the applicant’s proposal would actually decrease the yard below that required for a structure that is less than three stories (five feet). The loss of the yard area would not fit in with the character of the area.
- 7. The perceived encroachment into the required 8’ side yard adjacent to 340 Beach Drive will be intensified since the existing garage on the neighboring property is very close to the property line and virtually no yard would be present between the two structures as proposed.
- 8. The Council understands the advantage to the proposed development’s parking configuration if a wider structure could be developed on the eastern portion of the property (one leg of the L shaped property); however, that circumstances is being precipitated by the actions of the applicant.
- 9. Property between the Prom & Beach Drive is finite and it is important to make optimal use of it when the property is redeveloped. The ability to maximize the number of units in the east to west portion of the structure is undoubtedly important to the feasibility of the entire development and compliance with the height restriction within this portion of the building would likely reduce the total number of potential units.
- 10. The property north of the proposed building (340 Beach Dr.) has some underutilized space that could be used for additional yard area. It may be necessary for this property to be acquired in order to provide adequate room to feasibly develop the proposed building.

11. In accordance with the Seaside Zoning Ordinance, in rendering a decision concerning a variance, the City must be able to make all of the findings in Section 7.032 which state:

- That the requirements of Section 7.031 have been met by the applicant for a variance.
- That the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance which will make possible the reasonable use of the land, building or structure, and
- That the granting of the variance will be in harmony with the general purpose and intent of this Ordinance and of the Comprehensive Plan and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

12. The general purpose statement in the ordinance reads as follows:

Section 1.020 PURPOSE

The purpose of this Ordinance is to further the objectives and goals of the Comprehensive Plan and to provide the public health, safety and general welfare of the citizens of Seaside through orderly community development with considerations for: Desirable concentrations of population; protection of property values; aesthetic, recreational and economic development; limitation of dangerous or offensive trades or industries; maintenance of adequate open space for light and air and emergency access; provisions for access and privacy; facilitate community utilities such as transportation, power, water and sewage; and to adequately provide for community facilities such as schools, parks, community centers, and other public requirements.

13. The purpose statement in the RR zone reads as follows:

Section 3.047 Purpose. To provide space for the orderly expansion of tourist accommodations and related business, such as restaurants and gift shops. These areas are characterized by built-up single family units, but are now in a state of transition. Conversion to resort uses should be provided with a minimum of disruption of existing residential values.

14. Motels are an outright permitted use in the zone and any development will have an impact on the neighboring residential properties. It is not clear that a modified height will have any significantly greater impact to the neighboring properties than a building that would conform to the ordinance given the height of buildings in the area.

15. The letters from the appellants and testimony from surrounding property owners indicate a variance to the side yard setbacks would be a significant impact on the surrounding uses. They further indicated the need for the side yard setback variance was brought about by the developers building design and not circumstances unique to the property.

16. The appellant's attorney provided supporting justification to deny the setback variance and his statement, "There is no evidence in the record that a hotel that can satisfy the required setback of 8 feet would not fit within the context of the location

and the otherwise conclusory findings of the Planning Commission are inadequate and not based on substantial evidence.”

CONCLUSION TO CRITERIA #1:

The variance to setback requirements is a significant departure to the development standards in the RR zone. The Council believes the apparent need for the side yard setback variance was brought about by the developers building design and not circumstances unique to the property.

FINAL DECISION

Approve the Nudelman & Calefs’ appeal (file reference #16-041VA) and deny the original variance request (file reference #16-017V) at 341 S Prom based on the evidence in the record that shows the need for the side yard setback variance was brought about by Mr. Simmons’ building design and not circumstances unique to the property. This decision is supported by the Council’s adopted findings and conclusion based on the information in the record.

This in no way should be considered an opinion by the Council concerning any revised proposal that would eliminate the need for a side yard setback variance.

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:** July 11, 2016
Name: Taylor Barnes
Commission/Committee: City Tree Board Committee
Resignation Date: Barnes - June 22, 2016
Term Expiration Date: Barnes - June 30, 2018
Wants to be considered again: Barnes - No Resigned

2. **Applicants:**
Alisa Dunlap
Ann Tierney-Ornie

3. **Nominations:**

4. **Appointment:**

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: _____

NAME Dunlap Alisa PHONE 971.219.6698
Last First

ADDRESS 2946 Pine Ct. Gearhart OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) P.O. Box 2327 Gearhart, OR 97138

EMAIL ADDRESS alisa.dunlap@pacificorp.com

LENGTH OF TIME IN SEASIDE 2 months ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No Gearhart

OCCUPATION Regional Business Manager, Pacific Power

PAST OCCUPATIONS government relations

List committee/commissions on which you would like to serve: tree Board
Concention Center

List committee/commissions you are currently appointed to: None w/ city of Seaside →
CEDR SOLVE
Astoria Regatta

List fields in which you have interest or ability:

List employment and volunteer activities, which may relate to service on committee/commissions:

List skills and special knowledge that you may have acquired from these activities:

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes () No (X) If yes, what offense? _____

When? _____ Please explain: _____

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Cheryl Carter</u>	<u>CO-WORKER</u>	<u>825 NE Multnomah</u>	<u>503.813.5149</u>
<u>Sarah Dailly</u>	<u>colleague</u>	<u>39 N. Holladay</u>	<u>503.717.1914</u>
<u>Jim Gossett</u>	<u>supervisor</u>	<u>825 NE Multnomah</u>	<u>503.813.5110</u>

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 8.30.16 SIGNATURE Alisa M. Dunlap

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: N/A

NAME Tierney-Ornie Ann PHONE 503/440-3317

ADDRESS 88746 Blue Heron Rd. Gearhart, Oregon 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE)

EMAIL ADDRESS cann.tierney@gmail.com

LENGTH OF TIME IN SEASIDE Resident here ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION Front Desk - Hotel / Hospitality Emp of the Four Winds - Seaside 2005-Pres.

PAST OCCUPATIONS Hotel manager - Inn at Seaside - Seaside 2013-2015

owner - Ingleague Coffee Company - Seaside 2011-2013

List committee/commissions on which you would like to serve: Tree Board

List committee/commissions you are currently appointed to: N/A

List fields in which you have interest or ability:
Plant/tree identification - fungi ident Herbalism / Wildcrafting
Gardening / fishing

List employment and volunteer activities, which may relate to service on committee/commissions:
Listening to the land - NCLC events Wheeler Oregon Comm. Garden
Lower Nazarene Community Trust - event Seaside Oregon Railroad Garden
NCLC Land Stewardship

List skills and special knowledge that you may have acquired from these activities:
Land & local geology specific information i.e. Local trees,
native plants/shrubs, invasive species and personal
knowledge of native trees and their soil/location requirements.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes () No If yes, what offense?

When? Please explain:

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Clara Regier</u>	<u>Former Boss</u>	<u>Seaside, OR</u>	<u>503-470-0152</u>
<u>Pam Birmingham</u>	<u>Former coworker</u>	<u>Seaside, Jewell OR</u>	<u>503-791-4752</u>
<u>Nicole Balenziser</u>	<u>Life long friend</u>	<u>Svensen, OR</u>	<u>503-298-3419</u>

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 8/12/15 SIGNATURE [Signature]



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
NEAL WALLACE	881 S. EDGEWOOD	717-2927	6/30/2017
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2017
MELYSSA GRAEPER	10075 7 TH ST. BAY CITY, OR 97107	503-939-9210	6/30/2018
VACANCY			6/30/2018
CRAIG SORTER	840 5 TH AVENUE	440-7201	6/30/2019
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE

SEASIDE CIVIC AND CONVENTION CENTER COMMISSION

The purpose of the Seaside Convention Center Commission is to be an advisory body to make recommendations to the City Council on matters concerning the Civic and Convention Center. The Commission shall make recommendations concerning policy matters related to the Civic Convention Center. The Civic and Convention Center Commission shall advise the Convention Center Manager, City Manager and City Council on all items relating to the operation of the Civic and Convention Center including but not limited to: Contracts; Building Improvements; Employment of Civic and Convention Center Manager; Rentals; and Budget.

The commission consists of seven members who are not employees of the city and shall be residents, or owners or employees of businesses within the city limits of Seaside.

Each year, at the first Commission meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. The center manager shall serve as Secretary to the Civic and Convention Center Commission.

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 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.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** August 22, 2016
Name: Chuck Minor
Commission/Committee: Convention Center Commission
Resignation Date: August 11, 2016
Term Expiration Date: October 25, 2017
Wants to be considered again: No
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

CONVENTION CENTER COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
ROGER SCHULTZ	2481 VENICE BLVD.	738-5641	10/25/2016
KAARINA VERA	170 SW BIRCH AVENUE WARRENTON,	717-2282	10/25/2016
JEFF KILDAY*	PO BOX 1031	738-3018	10/25/2017
CHUCK MINER	2002 MAPLE ST.	440-9240	10/25/2017
PATRICK DUHACHEK	89736 SEALS RD.	858-774-4678	10/25/2017
NANCY MCCUNE	PO Box 315	503-260-8905	10/25/2018
TIM TOLAN	PO BOX 911	738-3802	10/25/2018

*CHAIR

**VICE CHAIR

RESOLUTION #3879

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
REGARDING CLATSOP ECONOMIC DEVELOPMENT RESOURCES (CEDR)**

WHEREAS, the goals of Clatsop Economic Development Resources (CEDR) is to expand, retain and recruit business and industry; and

WHEREAS, the targets for expansion and retention include industry clusters, increasing per-capita income, diversifying the economy and promoting managed economic growth through year round family wage jobs, and to lead delivery of professional economic development services by bringing together multi-organizational efforts; and

WHEREAS, the Seaside City Council, has determined that endorsement of the establishment of Clatsop Economic Development Resources would be a benefit to the communities throughout the County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEASIDE:

SECTION 1. The Seaside City Council agrees to partner with Clatsop Economic Development Resources and hereby approves the contribution of \$10,000.00 for the **second** year as financial support for this program.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2016.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

Memo

To: Mayor and City Council
From: City Manager
CC: Kim Jordan
Date: September 26, 2016
Re: Clatsop County Property Sale

Clatsop County completed the first step in selling the parcel of land located at the Mill Ponds in the City of Seaside. The Clatsop County Recreational Lands Committee has declared the parcel "recreational land". The County has requested the City of Seaside provide a resolution to purchase the property that is approved by the City Council.

The acquisition of the property will support the Parks Advisory Committee for future goals of the parks located in the City of Seaside. The purchase price of \$60,000.00 is eligible to be paid by system development fees.

RESOLUTION #3880

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
AUTHORIZING THE PURCHASE OF PROPERTY FROM CLATSOP COUNTY**

WHEREAS, the City Council of the City of Seaside, Oregon, has determined it to be in the best interest of the City of Seaside to obtain ownership of the properties described as:

PARCEL 1 (61028AC00100)

A parcel of land in Section 28, Township 6 North, Range 10 West, Willamette Meridian, County of Clatsop, Oregon, and being a portion of that parcel of land deeded to the Astoria & Columbia River Railroad Co. by the Seaside Real Estate & Investment Co. and recorded in Book 60, Page 222, Deed Records of Clatsop County, Oregon, said parcel being more particularly described as follows:

Beginning at a point on the west right of way line of said railroad right of way tract which bears South 1149 feet and West 1413 feet from the Section Corner common to Sections 21, 22, 27 & 28 in said Township 6 North, Range 10 West, Willamette Meridian;

Thence Southerly along said west right of way line a distance of 279.72 feet to a point;

Thence East 30 feet more or less to the center line of the said railroad right of way tract;

Thence Northerly along said center line a distance of 279.72 more or less to a point which bears East of the point of beginning;

Thence West 30 feet more or less to the point of beginning.

PARCEL 2 (61028AC00200)

A parcel of land in Section 28, Township 6 North, Range 10 West, Willamette Meridian, County of Clatsop, Oregon, and being a portion of that parcel of land deeded to the Astoria & Columbia River Railroad Co. by the Seaside Real Estate & Investment Co. and recorded in book 60, Page 222, Deed Records of Clatsop County, Oregon said parcel being more particularly described as follows:

Beginning at a point on the west right of way line of said railroad right of way tract which bears South 1149 feet and West 1413 feet from the Section Corner common to Sections 21, 22, 27 & 28 in said Township 6 North, Range 10 West, Willamette Meridian;

Thence West 63.3 feet to a point

Thence in a southerly direction along a line parallel to and 60 feet distance from, measured at right angles, the westerly boundary of said right of way tract hereinbefore described a distance of 400 feet to a point;

Thence East 63.3 feet to a point in the Westerly boundary line of said right of way;

Thence in a Northerly direction along said right of way a distance of 400 feet to the point of beginning.

EXCEPTING therefrom the parcel of land described in Instrument # 200506677 Clatsop County Deed Records.

WHEREAS, the property being acquired is an important addition to the "Mill Pond" park lands.

WHEREAS, pursuant to ORS 275.320, the City of Seaside approves of and consents to the dedication of the above described property as a recreational area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEASIDE:

SECTION 1. The Seaside City Council authorizes and instructs the City Manager to proceed with acquisition of said properties: Purchase price to be \$60,000.00.

SECTION 2. That the City Council of the City of Seaside, Oregon hereby authorizes and instructs the City Manager to sign all documents necessary to carry out the purchase of said properties from Clatsop County.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2016.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

Recommendation to City Council

Date: September 19, 2016

From: Dale McDowell - Public Works Director

To: The Honorable Mayor and City Council

RE: Update Ordinance 150.21 Adoption of Public Works Construction Specifications

Dear Honorable Mayor and City Council Members,

Our City Construction Projects currently refer project Specifications to the Oregon Department of Transportation Standard Specifications 2002 Edition. Our last Ordinance 150.21 update was done in 2002.

I would like to recommend to City Council that we update our project Specifications to the current Oregon Department of Transportation Standard Specifications 2015 edition.

Respectfully yours,



Dale McDowell

Public Works Director

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,
AMENDING 150.21 OF THE SEASIDE CODE OF ORDINANCES REGARDING
PUBLIC WORKS CONSTRUCTION SPECIFICATIONS

THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Section 150.21 is amended as follows:

150.21 ADOPTION OF PUBLIC WORKS CONSTRUCTION
SPECIFICATIONS.

The 2002 2015 edition of the Oregon Department of Transportation Standard Specification for Public Works Construction as issued by the American Public Works Association, as hereafter modified or amended, is hereby adopted and made a part of this code the same as set forth herein. All work done and materials used for public works construction awarded or otherwise authorized shall conform to these standards, unless otherwise modified by the City Public Works Department.

ADOPTED by the City Council of the City of Seaside on this ____ day of September, 2016, by the following roll call vote:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of September, 2016.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

§ 150.04 PROVIDING PUBLIC ALERT WEATHER RADIOS IN NEW BUILDINGS.

To help notify residential and commercial building occupants of potential tsunami or other weather-related hazards, a functioning public alert certified weather radio must be provided and maintained in all new dwelling and tenant spaces. (Ord. 2006-11, passed 12-11-06; Am. Ord. 2007-17, passed 11-26-07)

STANDARD CODES PROVISIONS

§ 150.20 STANDARD CODES ADOPTED BY REFERENCE.

The following codes are hereby adopted by reference and made a part of this code, the same as if set forth in full herein:

(A) The 1997 edition of the *Uniform Housing Code*, as published by the International Conference of Building Officials.

(B) The current edition of the *State of Oregon Structural Specialty Code and Fire and Life Safety Regulations*, and the 1997 *Uniform Building Code*, Appendix 33.

(C) The current editions of the *State of Oregon Mechanical Specialty Code*.

(D) The current edition of the *Oregon State Plumbing Specialty Code*, its standards and administrative rules.

(E) The current edition of the *Oregon Residential Specialty Code*.

(F) The *State of Oregon Administrative Rules*, Chapter 814, Division 23, for the placement of mobile

homes, and Chapter 814, Division 28, mobile home parks.

(Ord. 94-08, passed 4-11-94; Am. Ord. 95-44, passed 11-13-95; Am. Ord. 99-10, passed 5-24-99; Am. Ord. 99-18, passed 11-22-99; Am. Ord. 2010-02, passed 4-26-10)

Cross-reference:

Adoption of Uniform Code for Abatement of Dangerous Buildings, see Ch. 159

§ 150.21 ADOPTION OF PUBLIC WORKS CONSTRUCTION SPECIFICATIONS.

The 2002 edition of the *Oregon Standard Specification for Public Works Construction* as issued by the American Public Works Association, as hereafter modified or amended, is hereby adopted and made a part of this code the same as if set forth in full herein. All work done and materials used for public works construction awarded or otherwise authorized shall conform to these standards, unless otherwise modified by the City Public Works Department.

(Ord. 90-22, passed 7-9-90; Am. Ord. 2002-10, passed 7-25-02) Penalty, see § 150.99

ADMINISTRATION AND ENFORCEMENT

§ 150.55 TITLE.

These regulations shall be known as the City of Seaside Building Code, and may be cited as such and will be referred to herein as "this subchapter."

(Ord. 96-24, passed 6-24-96)

§ 150.56 PURPOSE.

The purpose of this subchapter is to establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and

