

**AGENDA SEASIDE CITY COUNCIL MEETING
OCTOBER 28, 2013 7:00 PM**

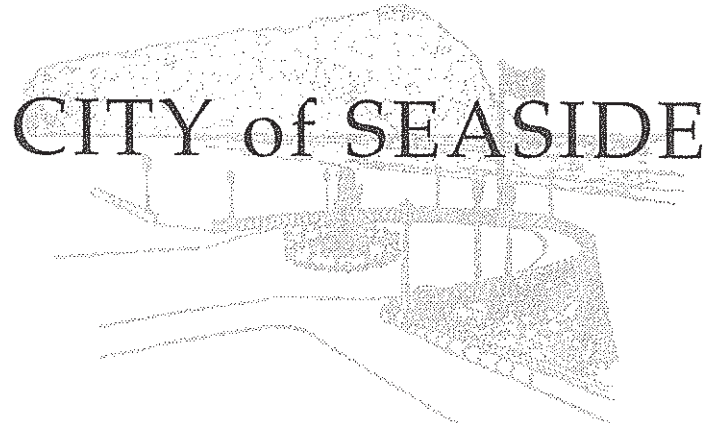
1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION – VETERAN’S DAY
AVIATION APPRECIATION MONTH
6. COMMENTS – PUBLIC
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS – \$379,879.01
 - b) APPROVAL OF MINUTES – OCTOBER 14, 2013 REGULAR MINUTES
9. UNFINISHED BUSINESS:
 - a) VACANCY – TOURISM ADVISORY COMMITTEE
10. NEW BUSINESS:
 - a) LIQUOR LICENSE APPLICATION – SEASIDE STOP AND GO SHELL, 860 S. ROOSEVELT
 - b) LIQUOR LICENSE APPLICATION – UNDERSEA COFFEE, 26 AVENUE ‘A’
 - c) PRESENTATION – CLATSOP ECONOMIC DEVELOPMENT RESOURCES, KEVIN LEAHY
 - d) PUBLIC HEARING – 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (SOUTH COUNTY FOOD BANK), NEAL WALLACE
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - e) ADOPTION – NATURAL HISTORY PARK IMPLEMENTATION PLAN, NEAL WALLACE
 - f) RESOLUTION #3806 – A RESOLUTION ADOPTING AND APPROPRIATING A SUPPLEMENTAL BUDGET OF LESS THAN 10 PERCENT TO THE 2013-2014 SEASIDE ROAD DISTRICT BUDGET
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED

- g) RESOLUTION #3807 – A RESOLUTION ADOPTING AND APPROPRIATING A SUPPLEMENTAL BUDGET OF LESS THAN 10 PERCENT TO THE 2013-2014 CITY OF SEASIDE BUDGET
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
- h) BID RESULTS – EQUIPMENT PURCHASE OF GENERATORS AND AUTOMATIC TRANSFER SWITCHES FOR PUMP STATION AT THE WASTE WATER TREATMENT PLANT (WWTP)
- i) APPROVAL – SEASIDE PUBLIC WORKS STREET SWEEPER, NEAL WALLACE
- j) CITY COUNCIL MEETING CHANGE FROM NOVEMBER 11, 2013, (VETERANS DAY) TO NOVEMBER 6, 2013, 8:00 PM.

- 11. COMMENTS FROM STUDENT REPRESENTATIVE
- 12. COMMENTS FROM THE COUNCIL
- 13. COMMENTS FROM THE CITY STAFF
- 14. 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, on Veterans Day, we pay tribute to the men and women who have risked their lives to preserve the liberty of our nation, the families who support them, and the heroes no longer with us. It is not weapons or technology that develops the most advanced military in the world; it is the unparalleled spirit, skill, and devotion of our troops; and

Whereas, in an unbroken line of valor stretching across more than two centuries, our veterans have charged into harm's way, sometimes making the ultimate sacrifice, to protect the freedoms that have blessed American. Whether Active Duty, Reserve, or National Guard, they are our Nation's finest citizens, and they have shown the heights to which Americans can rise when asked and inspired to do so. Our courageous troops in Iraq, Afghanistan, and around the globe have earned their place alongside previous generations of great Americans, serving selflessly, tour after tour, in conflicts spanning nearly a decade; and

Whereas, long after leaving the uniform behind, many veterans continue to serve our country as public servants and mentors, parents and community leaders. They have added proud chapters to the story of America, not only on the battlefield, but also in communities from coast to coast. They have built and shaped our Nation, and it is our promise to support our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen as they return to their homes and families; and

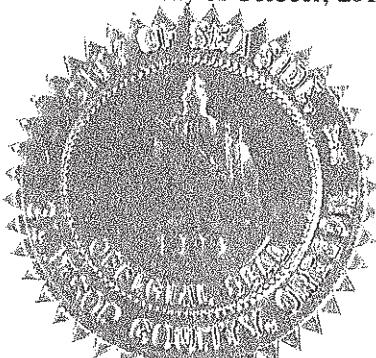
Whereas, with respect for and in recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, November 11 was set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim November 11, 2013, as

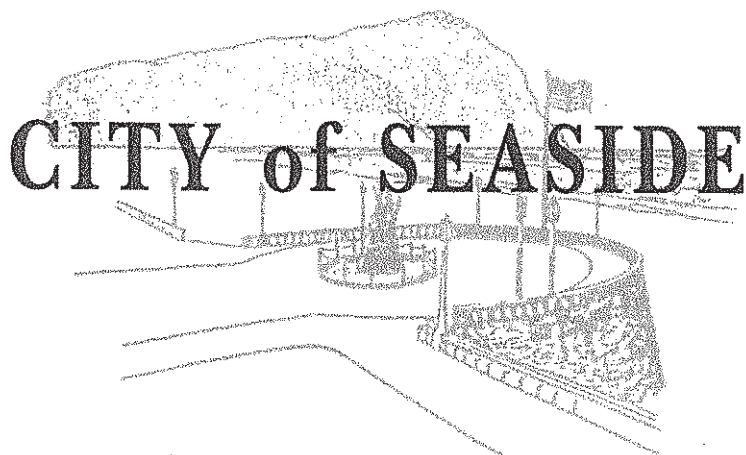
VETERANS REMEMBRANCE DAY

and encourage all Americans to recognize and remember the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 28th day of October, 2013.



DON LARSON, MAYOR



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

PROCLAMATION

Whereas, general aviation and community airports play a critical role in the lives of our citizens, as well as in the operation of our cities, counties, businesses, ranches and farms; and

Whereas, the State of Oregon has a significant interest in the continued vitality of general aviation, aircraft manufacturing, aviation organizations and community airports; and

Whereas, there are 97 public use airports and over 360 private airports in the state which are part of the essential national system of airports serving our nation's 617,000 pilots; and

Whereas, there are over 400 aviation related business in 78 cities throughout Oregon with an average wage of over \$62,395; and

Whereas, general aviation airports play a vital role in the State's response to emergencies and natural disasters including aviation firefighting, medevac, earthquake and tsunami response; and

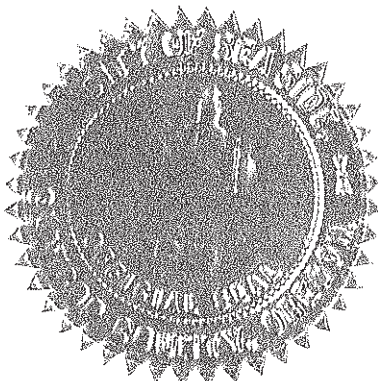
Whereas, airports in Oregon were responsible for over 12,000 family-wage jobs in 78 cities around the state and over \$2 billion in economic impact attributable to the state's aviation industry.

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim October 2013, as

AVIATION APPRECIATION MONTH

in Oregon and encourage all Oregonians to join in the observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 28th day of October, 2013.



DON LARSON, MAYOR

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.
- Present: Mayor Don Larson, Councilors Tita Montero, Jay Barber, Randy Frank, Stubby Lyons, and Dana Phillips.
- Absent: Council President Don Johnson.
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Joey Daniels, Seaside Fire Chief; Esther Moberg, Seaside Library Director; and Nancy McCarthy, Seaside Signal.
- AGENDA** Motion to approve the October 14, 2013 agenda; carried unanimously. (Lyons/Montero)
- PROCLAMATIONS** Bob Gross, Seaside Police Chief, read a proclamation for Domestic Violence Awareness Month.
- RECOGNITION – STUBBY & SHAREE LYONS** Mayor Larson asked Councilor Stubby Lyons to step down with his family as he had a presentation to make.
- Councilor Lyons stated his wife Sharee and him had both been educators in the Seaside School District and were retired but always tried to think of things that could be done for the students. The only idea they came up with was to put \$1,000.00 a year away for a student scholarship and after thinking about it for a while Sharee had come up with an idea. Councilor Lyons introduced his wife Sharee Lyons, son Lance Lyons, and Lance friend. His daughter Lacy and her Husband Luke and children Lola and Lala were not able to attend the meeting. Councilor Lyons further stated his son Lance was his partner and in 1994 they had won a State Championship together and between the two of them they had put 50 years in that football and baseball field. Councilor Lyons further stated with Sharee's help the idea they came up with was to pay the remainder of what was owed for Broadway Field which was \$26,000.00. Councilor Lyons and family presented the City of Seaside with a check for \$26,000.00, to pay the the remainder owed for Broadway Field.
- Mayor Larson asked for a short break to thank the Lyons family.
- RECESS** Council recessed at 7:09 pm.
- RECONVENED** Council reconvened at 7:19 pm.
- INTRODUCTION – STUDENT COUNCIL REPRESENTATIVE** Councilor Lyons stated he would like to take this time to introduce one of the premier wide receivers in the Cowapa Football League Dan Leary, Student Council Representative.
- RECOGNITION – SEASIDE FIRE & RESCUE DEPARTMENT** Joey Daniels, Seaside Fire Chief, stated on the afternoon of July 23, 2012, Seaside Fire and Rescue was dispatched to the Thompson Falls area for a male patient that had fallen from the waterfall. Initial responders from Seaside Fire and Rescue pushed through heavy underbrush to the base of the falls. The patient could be seen sitting on a narrow ledge of the falls, with water coming down around him. Responders followed the game trail along the side of the falls, and made their way to a small, rocky outcropping to find their patient partially submerged in a shallow pool. The patient had slipped while attempting to climb the face of the falls, tumbling 50 feet to the outcropping, and narrowly avoiding another 30 feet to the bottom. Clatsop's High Angle Rescue Team (HART) was activated and the responders continued with patient assessment and care. With a complaint of neck, back, hip pain, chest pain, and difficult breathing, Seaside's rescuers packaged the patient and performed a needle decompression while HART set up their ropes. They worked on a small, ledge, standing on slick, moss covered rocks or knee deep water, with water constantly coming down around them. In adverse and hazardous conditions, the patient was stabilized and packaged to a stokes basket for transport. With the efforts of the Clatsop County HART, the patient was hoisted off the ledge after more than 90 minutes, and turned over to an awaiting Life Flight crew, and was transported to Portland. Chief Daniels further stated the EMS Unit Citation recognized acts of organizations, units, or specially constituted teams in providing emergency pre-hospital care or EMS system support activities under extreme circumstances.

The Seaside Fire and Rescue and Clatsop County High Angle Rescue Team, received an award for the Thompson Falls Call – July 23, 2012, with a team from Seaside Fire and Rescue Doug Barker, Cpt. Donny Beck, Cpt. Tony Biamont, Chief Joey Daniels, Div. Chief Chris Dugan, Evan Edwards, Todd French, Tracy Gassner, Lt. Jeramy Houston, Colin Houston, Bill Mitchell, Lt. Justin Parker, Jacob Rose, Lisa Talmantez, Cpt. Mike Smith, and Will Steinweg. The Hart team consisted of Charles Dice, Matthew Gardner, Scott Huls, Kevin Miller, Steve Moon, Matt Phillips, Bruce Scott, Alan Smiles, and Derrick Snow.

Mayor Larson stated there were approximately thirty more volunteers who were not able to attend the meeting. These were volunteers that took care of everybody and the City was very blessed and fortunate to have such a group of men and woman who were here to help.

COMMENTS – PUBLIC

Roy Hackett, 488 Fairway Court, Seaside, stated from the citizens of the Ocean Cove Estates and Rose Creek Subdivision (Keepsake Drive). Mr. Hackett stated the citizens believed the “Ocean Cove Estates” and “Rose Creek Subdivision” comprise one of the premier residential areas of the City. The subdivisions were zoned for single-family residential homes. Most of the citizens were full time residents and all had chosen to live in the location because it was a quiet enclave largely isolated from commercial activities. Everyone was friends and neighborhood. Mr. Hackett further stated the citizens believed approval of Vacation Rental or Bed and Breakfast business in that location would be inappropriate and detrimental to the well being of the neighborhood. The neighborhood had joined together to consistently protest pending vacation rental applications at both city staff and planning commission hearings. Reasons for the protests could be restated and summarized as follows: Original Cove and Rose Creek CC&R’s prohibit business activities, Typical tourists activities are incompatible with full time residents, i.e. noise, parties, traffic, parking, trash, etc., neighborhood security is elevated and sustained in the area because we recognize and know each other. Mr. Hackett further stated with the petition the citizens were asking that the Council adopt an Ordinance to formally amend all relevant existing City Ordinances, records, and documents to designate the area as a Vacation Rental and Bed and Breakfast free zone, specifically stating that the city-planning department will not accept applications for vacation rentals or Bed and Breakfast business in that location.

Dan Hamilton, 3107 Bayview Terrace, Seaside, stated through the petition presented to our City Council, the vast majority of the residents of the Ocean Cove estates and Rose Creek Subdivision have affirmed their wishes to exclude Vacation Rental Dwellings and Bed and Breakfast’s from the neighborhood, located just behind those properties already fronting on Sunset. The residents assert there was a great difference between the building used for short term vacation rentals and a home with a family in it. There were so few places left that have not seen the boot print of someone’s business opportunity being allowed to proceed at the expense of an erosion of the very qualities that make this place rare and special. One can see this “rare and special” in the faces of those visitors to Seaside who venture up from the Cove beach on foot, bicycle, driving, or pushing prams and “discover” this quiet part of the bustling beach town. In the past 18 months or so, five new families with young children had moved into the block alone, and regularly hear expressions of gratitude for having found such a place in which to live and raise their children. These families either had purchased their homes or were long-term renters, and, therefore residents and neighbors. Please know the vast majority of residents were appreciative that the City of Seaside had, thus far, chosen to support the expressed concerns of the neighbors in keeping commercial use of the neighborhood. Rather than have fellow neighbors go thru a “Fire Drill” exercise whenever a VRD application was submitted, we were formally requesting that the City designate the neighborhood as an area specifically free from Vacation Rental and Bed and Breakfast commercial use. Mr. Hamilton further stated these were not the attitudes of elitist NIMBY’s but the strongly held beliefs of involved, tax paying Seaside’s who really cared about maintaining the wonderful flavor of the neighborhood. The neighbors must maintain an active vigilance to this end, but, were requesting the City’s formal action in response to the petitioners request for an ordinance designating VRD’s and Bed and Breakfast development as inappropriate to the neighborhood. Together, the neighbors had presented their feelings through the appropriate channels for doing so, and were respectfully asking the City Council and Planning Commission to act in favor of the request.

CONFLICT

Mayor Larson asked whether any Councilor wished to declare a conflict of interest.

No one declared a conflict of interest.

CONSENT AGENDA

Motion to approve payment of the bills in the amount of \$1,075,705.44; and September 23, 2013, regular minutes; carried unanimously. (Lyons/Phillips)

**APPROVAL –
COMMUNITY
ACTION TEAM**

Susan Wagner, Community Action Team (CAT), stated the Northwest Oregon Regional Housing Revolving Loan Fund was established through the 1999 Tillamook Regional application, and subsequently CAT had partnered with Clatsop County, Columbia County, and Tillamook County, as well as the cities within those counties, who had supported the bi-annual application for the region.

Ms. Wagner further stated CAT was expecting to be completed with obligating the 2011 Housing Rehab Program in December of this year, and looking to apply for new funding in the second quarter of 2014. Ms. Wagner further stated to assure objectivity in the delivery of assistance to households, loans made in each county by the initial rehabilitation program were reviewed and approved by loan committees comprised of community volunteers on a countywide basis. Clatsop, Columbia, and Tillamook Counties comprised the three-county Regional Housing Rehabilitation Program. Ms. Wagner further stated the program would serve homeowners whose incomes were at or below 80% of median income. The primary goal of the initial program would be to provide low and moderate income homeowners with a way to improve, restore, and make safe their homes while keeping them affordable. Ms. Wagner further stated there were several low income and elderly persons who otherwise would have qualified for the program this year, but because of a change in rules associated with the program we were unable to serve them because they lived within the city limits of a community who had not signed the Memorandum of Understanding (MOU). Affixing a signature supporting the program did not obligate the jurisdiction to any financial or physical participation on their part. The agreement exclusively indicates support the program and allowed the residents of their communities to participate in receiving the service which would likely be their only option to be able to afford these necessary health and safety repairs.

Motion to approve the Community Action Team – Housing Rehabilitation Loans; carried unanimously. (Lyons/Frank)

Councilor Barber asked if this would be approved by the City Council annually.

Ms. Wagner stated the agreement was in support of the program and the Community Action Team would not need to come back on a regular basis. This was a long standing partnership of twenty-one jurisdictions and because of the changes a MOU was required to be written. Communities could not be served if the document was not signed and this only allowed the community to be served if the residents wanted that to happen.

**PRESENTATION –
CANNON BEACH
ACADEMY**

Philip Simmons stated he was here to speak about the Cannon Beach Charter School. The Cannon Beach School was closed and a Charter School would be opened in 2014. A Charter School was a public school of choice in the Oregon School System that was open to all students in the Seaside School District. Mr. Simmons further stated this was an Oregon Public Charter School and was open to any child in the district and there was no cost to attend the Cannon Beach Academy.

Mayor Larson stated this would take taxes from the Seaside School District.

Mr. Simmons stated there was no money taken from the school district and what happened was for every student that attended the charter school the charter school would receive eighty percent of what the Seaside School District would receive but the district no longer had the obligation to provide the education. Money to fund running the school would come in part from the Seaside School District's budget. The district received money from taxpayers to operate the schools within the district and a portion of the money would be provided to operate the school and fundraising and donations would cover any differences between the money received from the district and the money needed to operate the school. Mr. Simmons further stated the Money to fund the school building would come from grants and donations. Mr. Simmons stated the Cannon Beach Academy would open September, 2014, and the school would be located temporarily at locations being reviewed but would eventually build a school on acreage the City of Cannon Beach would purchase east of Highway 101 just south of Haystack Heights which may take several years.

Ryan Hull, Cannon Beach Charter School Board of Director, stated the curriculum chosen for the Cannon Beach Charter School was two curriculums. The first was being used for reading, spelling, math, and was called Direct Instruction and was a phonics based program. The curriculum would be used from kindergarten to fifth grade.

Councilor Frank asked if this would interfere with Fire Mountain School.

Mr. Simmons stated Fire Mountain School was a private school and they charged tuition and the curriculum was very loose.

Councilor Lyons asked if this was kindergarten through 5th Grade and then goes to the middle school.

Mr. Hull stated that was correct.

Councilor Montero stated she had read in the paper that the third priority of students to be accepted into the academy would come from outside the school district. Councilor Montero asked who paid for that.

Mr. Simmons stated it was the same system set up with the money coming to us from the district. If a student from Manzanita were to come to the school the student would come to Seaside and the money would be paid from that student.

Councilor Montero asked how this curriculum handled students with learning disabilities and other students with disabilities.

Mr. Hull stated the curriculum was actually used for students with special needs and there were programs set up to help the student.

Councilor Barber asked how many students the school would accommodate.

Mr. Hull stated the Board of Directors voted and set an upper limit of twenty-nine students per class room but did not know the exact number but would propose that number in the charter.

Councilor Barber asked when the school would open.

Mr. Hull stated right after Labor Day September, 2014.

Mayor Larson asked if a space had been leased for the school.

Mr. Hull stated the location was mid town in Cannon Beach called the Explorer Store and was in negotiations and working on the location. There were public meetings scheduled and there would be a meeting in Seaside on Tuesday, October 22, 2013, 5:30 pm, at the Seaside Library.

Councilor Frank stated if there was a grade with too many students how would you decide who would stay and who would not get selected.

Mr. Hull stated the application process would be used. The kindergarten and first grade class would most likely fill first and the first twenty five applications would be reviewed.

Councilor Montero asked what the minimum number of students needed to get the charter school and what was being looked at for student teacher ratio.

Mr. Simmons stated by Oregon State Law there needed to be twenty-five students registered for the Charter School to be established and there were twenty-five students registered. The student teacher ratio would be one to fourteen to one to seventeen ratios.

Mr. Hull stated ideally there would be a teacher and an aide in the class with the students.

Councilor Lyons asked if the location being looked at was in the Tsunami Zone.

Mr. Simmons stated the location would be close to City Hall and less than five minutes to the safe locations. The City of Cannon Beach would be acquiring fifty acres and the Charter School would be located in an area of that fifty acre's of land.

Councilor Montero stated she was not sure if a library was required.

Mr. Simmons stated to his knowledge a library was not required but there would be a resource room where a library and technology room could be combined.

Mr. Hull stated there would be a dedicated book and library room.

**APPROVAL –
HOOD TO COAST 2014**

Mayor Larson stated Bob Foote, Hood to Coast Relay President, was present to discuss the Hood to Coast Relay. There was a meeting this afternoon prior to the City Council meeting with the City Manager, department heads, City Council, and Hood to Coast Representatives.

Bob Foote, Hood to Coast Relay President, stated he was attending the meeting with Felicia Hubbard, Hood to Coast Race Director. Mr. Foote stated he wanted to give the Mayor and Council members his deep gratification for the support and for hosting this year's really successful Hood to Coast Relay which was the 32nd Annual Event. The City of Seaside played a big part in the Hood to Coast Relay experience. Mr. Foote further stated he was at the meeting to ask for permission to conduct the Hood to Coast Relay and Beer Gardens for 2014 which would be August 22, 23, 2014. Mr. Foote further stated next year would be the twenty-fifth Anniversary for the Hood to Coast Relay in Seaside and he looked forward to another twenty five years and a great partnership with Seaside. Mr. Foote further stated the Beer Gardens at the Hood to Coast Relay were a partnership with the Seaside Chamber of Commerce. There was \$800,000.00 raised this year for Cancer research and in 2014 a good portion of the funds raised would be going to Seaside Providence Hospital which was to help out the Community. Mr. Foote further stated the Hood to Coast Relay representatives would be working with the City to come up with business development ideas to better promote the Friday and Sunday during the Hood to Coast Relay and would be working with business leaders throughout the year. Mr. Foote further stated a tradition the last few years was to make a contribution donation to the City of Seaside for the development, upkeep, and maintenance of the City parks. Mr. Foote presented the City of Seaside with a check for \$18,000.00, and asked if Council had questions.

Councilor Barber stated he was very pleased to hear about some of the great fundraising that was taking place which was a step forward.

Councilor Phillips stated she appreciated the whole concept and really appreciated the research for Cancer as a Cancer survivor and that Seaside Providence Hospital would be receiving funds in 2014. Councilor Phillips further stated she loved the idea of Hood to Coast working with the business leaders in Seaside. Councilor Phillips further stated in the Council workshop she had learned that the Seaside High School teams that ran the Hood to Coast were waived from paying entry fees to run the race and were not charged. The money saved was used for scholarships for students every year.

Councilor Lyons stated Hood to Coast had been not been charging the Seaside High School teams for years.

Mr. Foote stated he appreciated Seaside since the City was such great host.

Mayor Larson stated at the meeting this afternoon there were very good conversations concerning issues the City had.

Councilor Frank apologized for not being able to attend the first part of the meeting this afternoon. Councilor Frank stated on the list of topics an issue to be discussed was the possibility of a date change and he was not sure if there had been a discussion concerning the date prior to him attending the meeting this afternoon.

Mayor Larson stated changing the date had not been discussed.

Councilor Frank asked if there could be a discussion about the date.

Mr. Foote stated the date was so cemented at this time as far as travel schedules and vacations that people had to ask for in advance for the Hood to Coast Relay. The summer seemed to be the best time since most people were able to take vacation at that time. Mr. Foote further stated a research group actually worked at finding the very best weekend to hold the Hood to Coast Relay and the report was that the slowest weekend of the summer was the weekend prior to Labor Day. Hood to Coast seemed to help make that a better weekend.

Mayor Larson asked for a roll call vote:

YEAS: LYONS, MONTERO, BARBER, LARSON, PHILLIPS,
NAYS: FRANK
ABSENT: JOHNSON
ABSTAIN: NONE

Councilor Frank stated during the roll call that because he was in an elected position and needed to represent his wards, he was compelled to vote no since that was what his wards were telling him.

Motion to approve Hood to Coast Relay and Beer Gardens scheduled for 2014; carried with Frank opposed. (Phillips/Montero)

**APPROVAL – SUPPORT
CLATSOP – NEHALEM
TRIBES**

Dick Bash, 1175 Jeffrey Drive, Seaside, stated the Clatsop and Nehalem tribes were terminated in 1954 along with other tribes in Western Oregon Termination Act. The tribes still lived the ancestral area and had continued to hold meetings to support the tribal members and to practice the culture. Mr. Bash further stated it was a heartfelt wish to regain federal recognition which required an act of Congress. The discussions had been initiated with United States Congresswoman Suzanne Bonamici on the possibility of introduction of restoration legislation. The major goal was to allow members to once again join the family of federally recognized Indian Tribes and Congresswoman Elizabeth Furse was also assisting the tribe. Mr. Bash further stated it would be an extreme honor if Council would support the effort and would communicate that support to Congresswoman Bonamici.

Councilor Phillips asked if there was communications with other tribes.

Mr. Bash stated there was communications with other tribes.

Mayor Larson asked if they were all in support of you getting this.

Councilor Phillips stated there were eight tribes and they all had tribal members on the council and were the Clatsop and Nehalem tribes represented.

Mr. Bash stated they had met with the tribes on the coast but had not gone inland except for Warm Springs or Klamath. Most of the people were enrolled in the Chinook Tribe.

Councilor Phillips stated would your children be recognized to be able to get scholarships under Native American.

Mr. Bash stated my child Roberta was involved with another tribe.

Councilor Barber stated he was fully in support of the tribe.

Councilor Phillips stated she was in support also.

Motion for approval to write a support letter for the Clatsop-Nehalem Confederated Tribes; carried unanimously. (Barber/Phillips)

COMMENTS – STUDENT REPRESENTATIVE

Mayor Larson stated he would call on the Student Representative since he needed to leave the meeting early.

Danny Leary, Student Representative, thanked everyone for allowing him to be at the City Council meeting. Mr. Leary stated Seaside High School just finished their Homecoming Week which ended with the Seaside Football Team beating the Astoria Football Team.

APPROVAL – BARNETT LITIGATION

Dan Van Thiel, City Attorney, stated he was coming to the Council to discuss a subject that was truly boring in many respects and dealt with the subject of privilege between lawyers and clients. Mr. Van Thiel was not sure how much Council was aware of but there was a federal lawsuit filed by one of the police officers in Seaside against the District Attorney and one of his deputies Ron Brown and that lawsuit was pending. There were individuals in the City that had met to deal with this issue like Police Chief, Bob Gross; City Manager, Mark Winstanley; City Attorney, Dan Van Thiel; and the Plaintiff, Steve Barnett. Mr. Van Thiel further stated the lawsuit now having been filed, Mr. Barnett's lawyer had served a subpoena upon one of the attorneys that represented the City in labor relation matters and that was Akin Blitz. There had been discussions and the subpoena that was served on Mr. Blitz and about this mess which would get ugly before it got better. This was now in the courts and it would be litigated at Federal Court in Portland. Mr. Van Thiel further stated with the conversations going back and forth between the lawyers there was a lot of time and the potential of this costing a great deal of money arguing about this principal of privilege. Mr. Blitz stated the matter was all privileged but the matters would all come out and there would be a legal bill that would escalate rapidly. Mr. Van Thiel further stated in a discussion with Mr. Blitz it was stated that there was continued exchange between lawyers and arguing about whether or not he could testify which would alleviate a lot of problems for the City so that Administrators, Chief of Police, City Attorney's, did not have to sit in federal court being examined discussing the matters. They were all factual as to what had occurred in this matter and it had been distressing and people had tried really hard to resolve the matter at a much lower level. The City was not a party to the litigation. Mr. Van Thiel further stated he was coming before Council to ask permission for Mr. Van Thiel to tell Mr. Blitz there was nothing in his involvement that was any way privileged or doesn't impact as such on the City directly. Mr. Barnett's lawyer was making an exception to the waiver privilege and had seen copies of protective orders that had been proposed and Mr. Blitz was told the City would not pay him anymore but would simply waive the privilege which was the City's ability to waive the privilege. If the other lawyers at the Department of Justice wanted to argue about this then let them argue about it. Mr. Van Thiel further stated he was asking for Council's permission to allow himself to merely relate to Mr. Blitz that he had the City permission to waive the attorney client relationship and whatever came out in the federal court would just come out.

Motion to approve the request from Dan Van Thiel, City Attorney regarding the Barnett Litigation; carried unanimously. (Frank/Lyons)

VACANCY – TOURISM ADVISORY COMMITTEE

Mayor Larson stated Shaun Wagner no longer worked at the Shilo in Seaside and lived in Gearhart but asked to stay on the Tourism Advisory Committee until his term ended December 31, 2013.

Councilor Montero stated the Tourism Advisory Committee Ordinance did not allow for people to stay on the committee who did not live or work in the City of Seaside.

Councilor Phillips stated she had two issues and as a Council needed to review some of the Committee, Commissions, and Boards. Things like not attending meetings and being on a conference call for a meeting did not constitute attendance at a meeting.

Mayor Larson stated Council could discuss the issues after making a decision for the Tourism Advisory Committee.

Mark Winstanley, City Manager, stated Council could accept Mr. Wagner resignation and open the vacancy on the Tourism Advisory Committee.

Councilor Montero reminded Council that Mr. Wagner represented the Lodging Industry.

Councilor Phillips stated at the last Convention Center Commission meeting there was discussion concerning the previous meeting about the fact that there were four Commissioners that were in a conference call instead of being there when the architect was there to show the proposed Convention Center Expansion. There were concerns because one of the commissioners on the conference call had concerns that did not come across on the phone but brought the issue up at the last meeting which showed there was a loss of continuity.

Mayor Larson stated he attended the meeting with the telephone sitting in the middle with two presenters showing pictures and people on the conference call not being able to hear. Mayor Larson asked if this was an issue that should be added to the ordinances concerning the Committee's, Commission's, and Boards.

Mr. Winstanley stated staff could certainly put language in all ordinances concerning Committee's, Commission's, and Boards. Council may want to establish a policy that stated not being present or present by phone would not constitute attendance at a meeting.

Motion directing staff to write a new policy regarding members who were present by a conference call while attending a Committee, Commission, and Board meeting would be considered absent; carried unanimously. (Phillips/Lyons)

Councilor Montero stated she was confused why a policy would be done instead of amending the Ordinance to give direction that attendance was defined as being at the meeting.

Councilor Phillips stated right now there was nothing in the ordinance.

Councilor Montero stated it could be added to the ordinance.

Mayor Larson stated a policy was immediate where if the ordinance was amended that would take some time to change.

Councilor Montero stated the policy should also be distributed with the application to volunteer for a committee.

**COMMENTS -
COUNCIL**

Councilor Phillips stated from her heart to the Lyons family she thanked them for all they do and for being such supporters of the Community. Councilor Phillips thanked the Seaside Fire Department.

Councilor Frank stated it all rolled into a bundle and we're a very blessed Community.

Councilor Lyons stated it was great to be a member of a Community that made you want to do something like this.

Councilor Montero stated she left her house when coming to the Council meeting and stopped to breathe the wonderful Seaside Salt Air and as she was driving down her street it was garbage day in her neighborhood and her neighbor had gone and put away everyone's garbage cans. Councilor Montero further stated what a wonderful Community she lived in.

Councilor Barber stated there had been quite a struggle for money to fund the Emergency Shelter and the funding had come in and would take the shelter to the end of December. There were very encouraging signs there would be sustainable funding going forward but were still working on that. The agencies were not able to provide funding right now at this time and that was the problem. Councilor Barber further stated the Gratitude Event which would now be an annual event that was at the Bob Chisholm Community Center was a wonderful and the whole agenda was to bring people together to be thankful for living in the Community. Councilor Barber further stated Police Chief Bob Gross was recognized at this year's event.

Councilor Phillips stated there was also a Pancake Feed at the Seaside Convention Center Tuesday, October 15, 2013.

Mayor Larson asked who was putting on the Pancake Feed.

Councilor Phillips stated Seaside Kids and was from 5:00 pm to 7:00 pm.

Mayor Larson stated Council would not discuss the banning of plastic bags at this time because there were two Councilors that wanted to ban plastic bags and five Councilors that did not want to ban plastic bags. Mayor Larson further stated there was an award received from SOLV and the Beach Drive Buccaneers which consisted of Mike and Laurie Scott, Tom and Genni Dideum, Mayor Don Larson and wife Lois received a Community Group Citizenship Award and would be at a bluegrass and blue jeans function. Mayor Larson further stated there was Rugby on Saturday, October 19, 2013, with Oregon State and Willamette University at 1:00 pm. Mayor Larson attended the Ham Dinner at the Cannon Beach Fire Department which was loaded with people. Senator Betsy Johnson and Representative Deborah Boone were in Seaside Sunday, October 13, 2013, at a Town Hall meeting and there were quite a few people who attended. Mayor Larson further stated FEMA Maps were a big issue with a lot of people out on West Campbell.

COMMENTS –
CITY STAFF

Esther Moberg, Library Director, stated the library was busy as usual with a full schedule this month.

Councilor Montero stated there was a great Quilt Show at the Seaside Library.

Chief Daniels reminded everyone it was Fire Prevention Week.

Neal Wallace, Public Works Director, thanked Stubby Lyons and family. Mr. Wallace stated the Bioengineering Associates would be coming this week to work on the erosion problem at the Waste Water Treatment Plant (WWTP) and look at a possible emergency repair to try and get through the winter. The slab would be poured this week for the WWTP Dryer Building.

Laurie Oxley, Seaside Downtown Development Association, stated there were many things going on with getting ready for winter months. The Seaside Coupon Book would be coming out and 12,000 were being printed. There would be downtown Trick or Treaters this year with best costume.

Councilor Montero stated the Mayor mentioned SOLV and the day of the big storm was the SOLV Clean up the Beach day and it was rescheduled for October 26, 2013, which was also Make a Difference Day.

Mr. Winstanley stated he would like to compliment the Seaside Fire Department for receiving a marvelous award and the Community should be very proud of the department getting this award. Mr. Winstanley thanked Councilor Montero who earned her battle pay today when meeting with him.

ADJOURNMENT

The regular meeting adjourned at 8:35 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR

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:** **October 28, 2013**

Name: Shaun Wagner
Marci Utti

Commission/Committee: **Tourism Advisory Committee**

Resignation Date: **Wagner - October 9, 2013**

Term Expiration Date: **December 31, 2013**

Wants to be considered again: Wagner – No
Utti – Yes
2. **Applicants:**
Marci Utti
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

TOURISM ADVISORY COMMITTEE

Term of Office: 3 years
Number of Members: 5

Chairperson*
Vice Chairperson**
Secretary***

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
MARCI UTTI	1423 S FRANKLIN	440-1018	12/31/2013
VACANCY			12/31/2013
VIRGINIA DIDEUM	1941 BEACH DR.	739-2776	12/31/2014
KEITH CHANDLER**	200 N. PROM	440-4040	12/31/2015
ANGELA CLARK	451 17 TH	739-1874	12/31/2015

LIQUOR LICENSE APPLICATION

Tek Sandhu
Seaside Stop & Go Shell
860 S. Roosevelt
Seaside, OR 97138

The application is for an Off-Premises Sales License. This would be for change of ownership.

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.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, child care facility, church, hospital, nursing or convalescent care facility, a park or child oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Seaside Police Department

October 17, 2013

MEMORANDUM

TO: Mark Winstanley, City Manager

FROM: Robert Gross, Chief of Police

SUBJECT: Stop & Go Shell OLCC Liquor License Application

We have reviewed the liquor application for Stop & Go Shell, an existing business located at 860 S. Roosevelt. Stop & Go Shell currently has an OLCC Liquor License for "Off Premises Sales" and this application represents a change in ownership. There are no other changes to their current license. Our background check did not find anything that would disqualify the owner from obtaining this expanded liquor license.

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

LIQUOR LICENSE APPLICATION

Rebecca Hoth
Undersea Coffee
26 Avenue 'A'
Seaside, OR 97138

The application is for an Off-Premises Sales License. This would be for a change of ownership.

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.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, child care facility, church, hospital, nursing or convalescent care facility, a park or child oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Seaside Police Department

October 17, 2013

MEMORANDUM

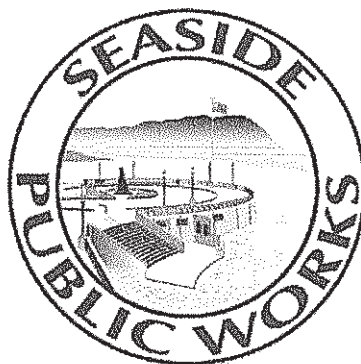
TO: Mark Winstanley, City Manager

FROM: Robert Gross, Chief of Police

SUBJECT: Undersea Coffee, LLC OLCC Liquor License Application

We have reviewed the liquor application for Undersea Coffee, LLC located at 26 Avenue A (Trendwest Resort). This is a new outlet request and the owner is requesting a permit for "Off-Premises sales". The area is in the main lobby area of the resort and is monitored by security and resort personal. This is for package sales only and no on site use. Our background check did not find anything that would disqualify the owner from obtaining the requested liquor license.

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



PUBLIC WORKS MEMORANDUM

To: Mayor Larson and Members of the City Council
From: Neal Wallace
Date: October 21, 2013
Re: Community Development Block Grant for the Food Bank

There has been a push in recent months to find a new home for the South County Community Food Bank (SCCFB) because of the desire of the Moose Club to sell their Seaside property. The Moose Club has generously allowed the SCCFB to reside in the building at 880 Avenue A for years, but the building is too small and is now in very poor condition. The SCCFB Board has investigated many properties and pursued several grant opportunities. The result of this work is the SCCFB will apply for a Community Development Block Grant (CDBG) and seek to reach an agreement with Dallas Cook for his property at 770 Avenue A. A CDBG cannot be received by a private non-profit but may be received by a local municipal government. The City of Seaside will try to secure funding for the SCCFB through this grant process.

The purpose of this first public hearing for the CDBG is for the City Council to take comments from citizens about both community development needs and the project proposed for grant funding prior to submitting an application.

Part of the process for applying for this grant is notification of the property owner and the business owner. We have officially notified Mr. and Mrs. Cook (the property owners) and M& F Plumbing (the business owners) of our intent. Next are public notification and a public hearing. Public notices in English and Spanish have been posted at City Hall, the Library, the Food Bank, and on the City's web page. A modified notice was published in the local newspaper. According to CDBG rules:

The local government must furnish citizens information, including, but not limited to:

- a. *The amount of CDBG funds expected to be made available for the current fiscal year*
- b. *The range of activities that may be undertaken with the grant funds*

- c. *The estimated amount of grant funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons*
- d. *The proposed activities likely to result in displacement and the local governments antidisplacement and relocation plans required under 24 CFR Part 570.488, Part 570.606, and Part 42*

The Maximum CBDG available statewide for projects is approximately \$12,000,000 which is the amount of funds expected to be made available during the current fiscal year. These funds will be awarded to non-metropolitan cities and counties. In general the range of activities that the funds may be used for includes projects benefitting 100% low and moderate income persons. Specifically, the range of activities for our local project include the engineering and design of the improvements to the building, purchase of the building, construction of the designed improvements, construction and project management costs, costs of built-in improvements like the walk-in cooler, heating, lighting, etc., legal and administrative costs for the project, and business relocation costs for M & F Plumbing. Shelving, seating, free standing refrigerators and freezers, or other items not permanently a part of the building are not eligible for funding. The estimated amount of grant funds to be used to benefit low and moderate income persons is \$1,500,000. Permanent involuntary displacement of persons or businesses is anticipated as a result of the proposed project. Since displacement is necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low and moderate income housing which is demolished or converted to another use will be replaced.

date September 4, 2013

contact Neal Wallace
Public Works Director, City of Seaside
989 Broadway
Seaside, OR 97138

project **SOUTH COUNTY COMMUNITY FOOD BANK**

attached -Site Plan, Existing Plan, Proposed Plan, Elevations
-Photos of Site & Building
-Preliminary Construction Bid

BACKGROUND

The South County Community Food Bank (SCCFB) has been in an ongoing search for a new home for two years. The current building has many shortcomings, and the SCCFB would like to relocate to a new facility that will allow us to better serve the community. Thanks to the combined efforts of the Food Bank Board of Directors and community partners, the Food Bank has identified 770 Avenue A in Seaside, Oregon as an ideal location for day to day operations. The Food Bank will need to acquire the building, and then remodel the structure to accommodate the operations and storage needs of the Food Bank.

The following is a summary of the existing conditions, required improvements, and estimated costs for converting the existing building to the new use. Please also refer to the attached Plans and Construction Bid at the end of this document.

PROGRAM

Entry / Reception Area

- Intake Area that is semi-private for confidentiality can occur in Office
- Private Office for Program Manager
- Accessible Restrooms
- Community Bulletin Board

Employee Coat / Storage / Break Area

- Lockers for volunteers. Locker Room could be used for meetings
- Office with locking file cabinets and desks
- Re-pack Room or Area

Shopping Area

- Rack Storage
- Walk-in Cooler/Freezer (stocked from *Storage Area*)

Storage / Loading Area

- Open area for receiving, breaking down, and storage of stock

PROPERTY STATISTICS

• Site Summary

Address: 770 Avenue A, Seaside OR
Current Owner: Claud & Lorretta Cook
Map Tax Lot #: 61021AD12100 & 61021AD 12200
Tax Map: 6.10.21AD
Lot Size: 10,421 SF
Existing building area: 94'-9" x 44'-0" = 4,169 SF
Year Built: 1963

▪ **Zoning Code**

Zone: C-4 Central Commercial
Setbacks: None
Height Limit: 75'
Coverage: no requirements
Parking: (1) space/200 SF of retail area, plus (1) space/employee

▪ **Building Code**

Use and Occupancy: The existing building was most recently used as a retail plumbing warehouse with a front retail showroom (Group M) and loading and storage at the rear portion (Group S-1). No Change of Use shall be required, as the front retail will become the retail Pantry, the rear portion shall remain as Loading and Storage.

Construction Type: The existing structure is Type III-B non-sprinklered with CMU exterior walls and wood structural frame and Roof structure. Per OSSC Table 508.3.3 no separation requirement between M and S-1 uses.

ADA Accessibility: The building is one story and accessible at grade. New accessible Restrooms will be required per attached Plan.

EXISTING CONDITIONS

The following are observations from a brief walk through with the Owner, Architect, and a Contractor on 07-19.2013, and are meant to provide a general understanding of the existing conditions. A Structural Engineer was not consulted. This summary is not intended to be a complete appraisal.

Site

Parking and Loading: The existing site provides parking and access for truck loading. The existing use requires (7) parking spaces for the existing retail area, plus parking for employees. It appears there is adequate parking in the adjacent lot for the Food Bank use.

Roof and Waterproofing: The existing wood beams and joists to be in good condition, and no signs of sagging or failure are evident. The existing built up roof appears to be nearing the end of its serviceable life span. Several areas of patching attempts are evident. A new roof is recommended.

Walls: The existing CMU walls appear to be in adequate shape. It is unclear if the CMU is reinforced, but it most likely is not. There does seem to be some settling in the middle of the length of the west wall, but the Owner thinks this was caused by a large pine tree in that location that has since been removed. Seismic retrofit is not required, and is merely elective. There does seem to be some water infiltration around some existing windows, and the painted wood siding on the south façade needs to be replaced.

Floors: All floors appear to be concrete slab on grade and adequate for light forklift loads. No signs of major cracks or settling were immediately apparent. They are most likely not insulated. Vinyl tile is installed in the retail area.

Plumbing: Existing restrooms appear to have adequate plumbing. Since the floor is concrete, we recommend locating new restrooms as close to the exiting configuration as possible to minimize saw cuts and new piping. The existing water line service to the building is ¾", and appears to be most likely adequate for the Food Bank's requirements.

HVAC: The existing retail space is heated with a gas forced air unit located in the middle of the area that vents through the existing chimney to the roof. It appears to be in good working order, but is unclear if this unit can be used again in the renovation. The existing warehouse is un-conditioned.

Electrical: Electrical service appears to be 200 amp, which may be adequate for the Food Bank's use. The main panel is located in the NE corner of the building, which may make re-wiring more expensive than a centrally located panel. A new sub-panel closer to the retail area may be worth the cost. Lighting in the warehouse area does not seem adequate for Food Bank tasks. Lighting in the dropped T-bar ceiling in the retail area also does not seem adequate and is out dated enough to warrant replacing.

Finishes: The existing finishes are limited to exposed framing and CMU in the warehouse. We recommend maintaining this look for the Storage and Re-Pack areas. For the Retail Area, most of the finishes that have served the plumbing shop should be removed.

Asbestos abatement: No Asbestos insulation or coatings were immediately apparent in the walk-through. There may be asbestos in the mastic used to adhere the vinyl tiles in the Retail area, but mitigating their removal risk is much less expensive than other asbestos abatement.

Energy Efficiency: There does not appear to be any insulation in the building, and the existing aluminum windows and doors do not appear to meet current energy code.

IMPROVEMENTS

Beyond what is mentioned above, the following improvements are also suggested to meet current code, improve functionality/efficiency, and create a successful community food bank facility. Please refer to the preliminary Construction Bid for associated costs of the following items. Contractor costs, profit, and overhead are note included here. These numbers are intended to provide a rough construction budget for the project, and more design and information would need to be provided to be more precise with the construction costs.

- \$20,400** **Demolition:** It is unclear why the building was built with some interior CMU walls in the Retail Area. We do not believe these walls are load bearing or required for code, and would suggest consulting with an engineer to have them removed. This would allow for a more flexible and open retail area for the Food Bank's more public use. Of course most of the existing shop's finishes and storage fixtures would also need to be removed to better serve the needs of the Food Bank. The existing restrooms would also need to be demolished to provide for better serving facilities that meet ADA and Building Code.
- \$5,600** **Concrete:** Some saw cutting and patching of the concrete floors will need to be done to accommodate new plumbing configuration.
- \$16,200** **Masonry:** Cleaning and patching of the existing CMU walls will need to be accommodated in the budget. New openings in the masonry are also included.
- \$23,250** **Carpentry:** Framing of new walls for restrooms, insulation, openings, etc. is needed to accommodate changes. Also included is finish carpentry for doors/windows and trim.
- \$14,100** **Thermal:** Code requires that any framing cavities that are opened up or any changes to the existing thermal envelope all meet current energy code. We would recommend insulating all the walls in the new heated retails area with furred out stud walls, and replacing all windows and doors. Insulating the roof will also be required when removing the dropped t-bar ceiling. We recommend insulating above the roof deck with rigid insulation board since a new roof is required anyway. This is the most economical approach and avoids the need to vent the joist bays, and allows the roof framing to be exposed from the interior. The warehouse can remain un-insulated as a semi-heated space.
- \$31,500** **Waterproofing:** It is recommended a new single ply roofing membrane and new coping flashings be installed at time of renovation of building. We would recommend painting the CMU exterior with a good quality elastomeric paint when the renovation is complete. New

siding on south façade is needed, and should be a durable/watertight/low-maintenance material such as corrugated metal.

- \$30,700** **Openings:** All of the existing doors and windows should be replaced with new code compliant units. In addition, we are proposing the addition of several new window locations to better bring light/air to Retail Area and Re-pack rooms. Furthermore, we are showing several skylights in the roof to bring better day-lighting to the building and reduce long term electrical loads. At ~\$1,000 per skylight, this is a good investment in the building.
- \$93,045** **Finishes:** The exposed framing in the warehouse can remain as is. The concrete floor could use a good cleaning and a sealer, but otherwise left exposed. In the Retail area, a higher exposed ceiling would help the space feel more public and interesting for a grocery outlet. The exposed joists could be left as-is, or painted white to improve day-lighting. New walls should be painted sheetrock, and FRP in wet areas per code. The floor in the Retail Area and new Restrooms could have a vinyl tile applied if exposing the existing concrete is not acceptable.
- \$8,500** **Specialties:** Some money should be budgeted for exterior signage, restroom fixtures, and life safety signage.
- \$60,000** **Equipment:** The walk-in cooler and freezer are approximately 8'-0" x 8'-0". To save costs on the freezer, we are proposing building up a floor over the existing concrete to install insulation. This will minimize excavation, but will mean a small ramp will be required to run a dolly into the unit, if desired.
- \$30,000** **Fire Suppression:** This is included in the budget for reference only, as it is not required by code and is merely an elective option.
- \$32,000** **Plumbing:** The number provided in the bid may be a high estimate, and could be less for the new toilets and sinks.
- \$30,000** **HVAC:** It would be our recommendation to install a new HVAC unit on the roof to be more efficient. We recommend installing gas unit heater(s) in the warehouse to prevent freezing and classify the space as "semi-heated."
- \$75,000** **Electrical:** New wiring throughout may be needed for the renovation. New high efficiency lighting will be needed in both the Warehouse and Retail areas. Low voltage wiring for computers and communications is also included.
- \$20,000** **Exterior Improvements:** Re-sealing the asphalt and re-stripping of the parking lot and loading zone should be done when renovations are complete. Landscaping at existing planters on the west side of the building and east side of the parking lot is recommended. Consider edible plantings, such as fruit trees and berries, to convey the food bank message. Exterior Awnings on the south elevation over the main entry would provide cover from rain and sun for people waiting to get inside. Another awning over the warehouse loading door could also provide needed cover.
- \$10,000** **Utilities:** This is included in the budget for utilities as a contingency, and may not be needed.
- \$470,295 SUB TOTAL** This base bid does not include sprinklers or general conditions / contractor profit & overhead/insurance.
- \$77,820** **General Conditions:** Contractor labor, facilities, permits, rentals, etc.
- \$54,812** **Contractor Profit & Overhead / Insurance**
- \$602,927 GRAND TOTAL**

CONCLUSION

The existing structure provides a sound, flexible, space that with limited modifications, will work well to house the community food bank and pantry and serve the community for years to come.

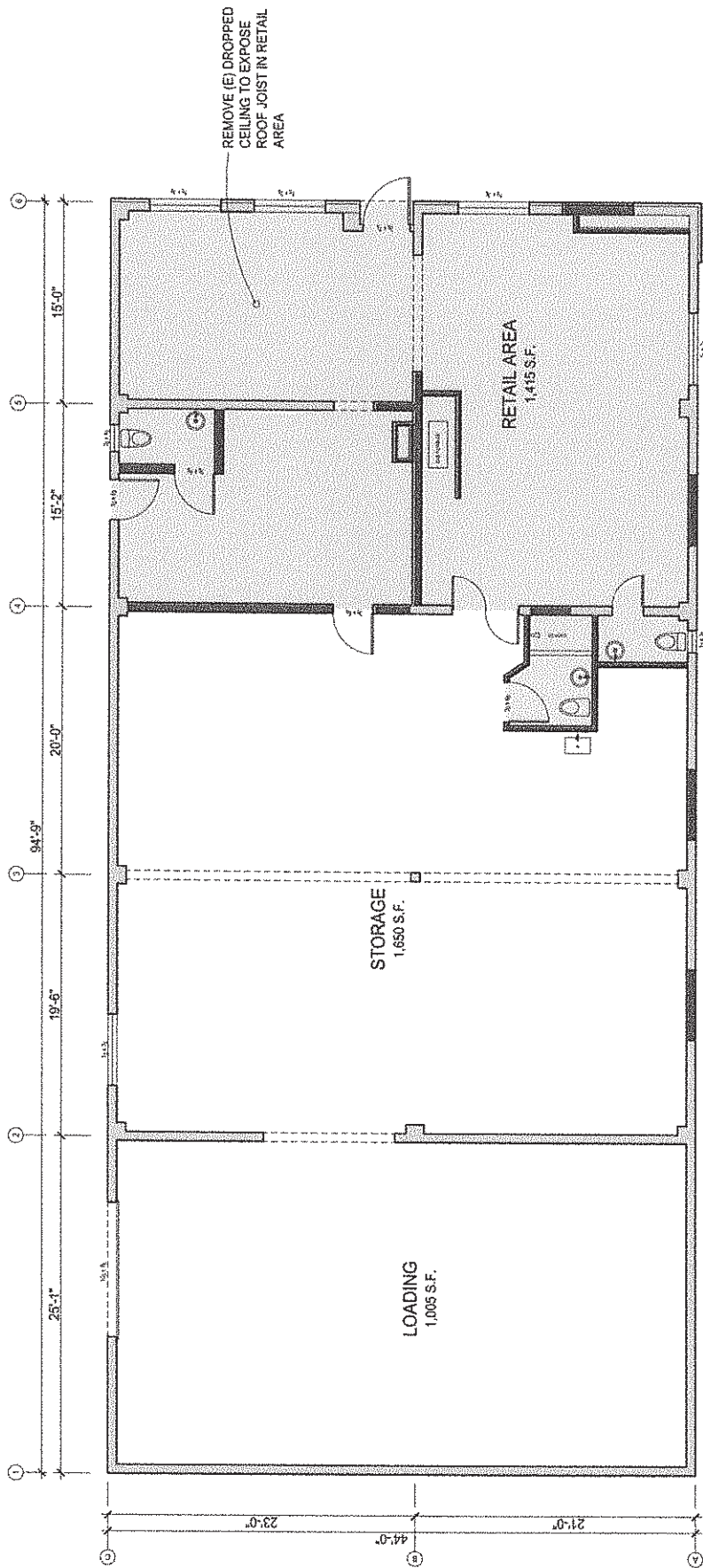
Please feel free to contact me with any questions regarding this Feasibility Study and for information on the next steps to proceed with the project.

Best regards-



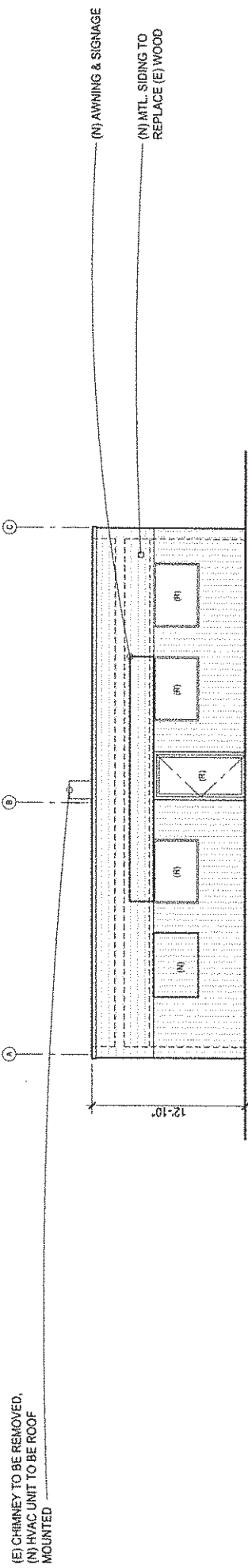
Daren R. Doss AIA
Architect



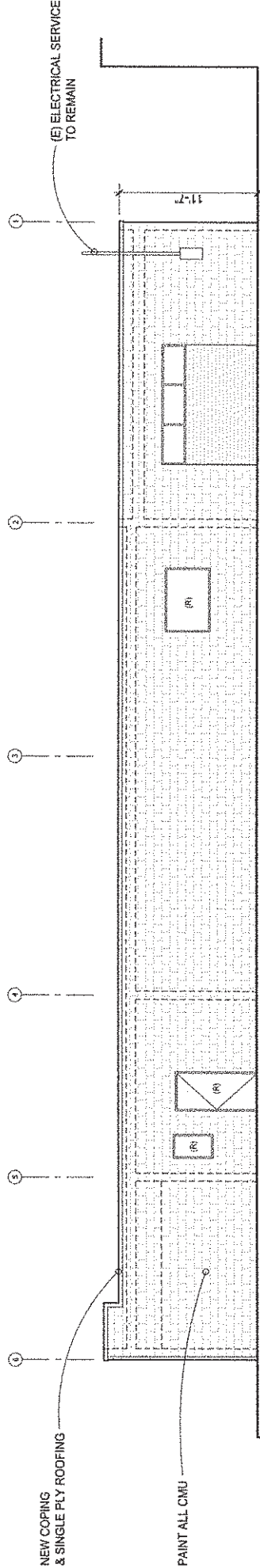


1 EXISTING MAIN FLOOR PLAN / DEMO PLAN
 1/8" = 1'-0"

- LEGEND**
- EXISTING TO REMAIN
 - WALL TO BE DEMOLISHED
 - LINE ABOVE
 - EXISTING
 - REMOVE
 - NEW
- (E)
 (R)
 (N)



1 SOUTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"

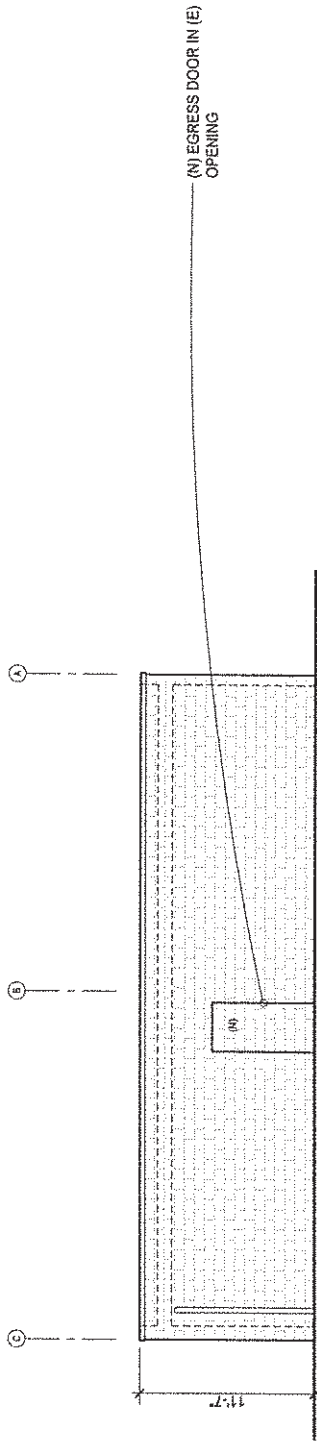
LEGEND

- (E) EXISTING
- (R) REPLACE
- (N) NEW

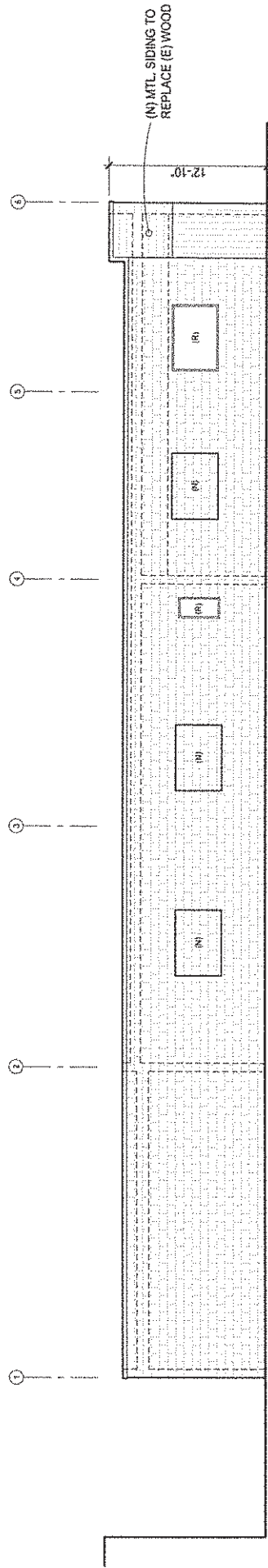
707 Avenue A
Seaside, OR 97138

SOUTH COUNTY COMMUNITY FOOD BANK
PRELIM FEASIBILITY STUDY 07.23.2013

A2.1



1 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

LEGEND

- (E) EXISTING
- (R) REPLACE
- (N) NEW

RESOLUTION #3806

**A RESOLUTION ADOPTING AND APPROPRIATING A
SUPPLEMENTAL BUDGET OF LESS THAN 10 PERCENT
TO THE 2013-2014 SEASIDE ROAD DISTRICT BUDGET**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside, acting in the capacity as the governing body for the Seaside Road District, hereby adopts the following supplemental budget for 2013-2014; and

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2013, and for the purpose shown below are hereby adjusted and appropriated as follows:

**District Road
Resources**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Beginning Fund Balance	\$ 351,432	\$ 125	\$ 351,557
Tax Levy	296,250	2,794	299,044
Est Taxes Not To Be Rec'd	(23,700)	(233)	(23,933)
Delinquent Taxes	10,500	500	11,000
Tax Offsets	700	0	700
Interest On Investments	1,700	0	1,700
Interest On Tax Receipts	1,900	0	1,900
Total	<u>\$ 638,782</u>	<u>\$ 3,186</u>	<u>\$ 641,968</u>

**District Road
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Materials & Services	\$ 10,124	\$ -	\$ 10,124
Capital Outlay	625,748	(7,814)	617,934
Interfund Transfers	2,910	0	2,910
Ending Fund Balance	0	11,000	11,000
Total	<u>\$ 638,782</u>	<u>\$ 3,186</u>	<u>\$ 641,968</u>

Passed by the City Council of Seaside on this ___ day of _____, 2013.

Submitted to the Mayor and **Approved** by the Mayor on this ___ day of _____, 2013.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

**NOTICE OF A PUBLIC MEETING
FOR A SUPPLEMENTAL BUDGET
Of less than 10% of Fund Expenditures**

A public meeting on a proposed supplemental budget for the Seaside Road District, Clatsop County, State of Oregon, for the fiscal year July 1, 2013 to June 30, 2014 will be held at City Hall, 989 Broadway, Seaside, Oregon. The public meeting will take place during the regularly scheduled City Council meeting on the 28th day of October, 2013 at 7:00 P.M. The purpose of the public meeting is to consider a resolution adopting the supplemental budget and making necessary appropriations. A copy of the supplemental budget document may be inspected or obtained on or after October 18, 2013 at City Hall, between the hours of 8:00 A.M. and 5:00 P.M.

SUMMARY OF SUPPLEMENTAL BUDGET

FUND: District Road

Resources		Requirements	
Beginning Fund Balance	\$ 125	Capital Outlay	\$ (7,814)
Current Taxes	2,794	Ending Fund Balance	11,000
Est. Taxes Not To Be Rec'd	(233)		
Delinquent Taxes	500		
Revised Total Resources	\$ 641,968	Revised Total Requirements	\$641,968

COMMENTS

To increase beginning fund balance and tax revenue budgets to reflect actual and offset with an expenditure decrease in capital outlay while reserving funds for future obligations.

RESOLUTION #3807

**A RESOLUTION ADOPTING AND APPROPRIATING A
SUPPLEMENTAL BUDGET OF LESS THAN 10 PERCENT
TO THE 2013 - 2014 CITY OF SEASIDE BUDGET**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adopts the following supplemental budget for 2013-2014; and

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2013, and for the purpose shown below are hereby adjusted and appropriated as follows:

General Resources			
	<u>Present</u>	<u>Changes</u>	<u>New</u>
Beginning Fund Balance	\$ 453,596	\$ (11,756)	\$ 441,840
Admin Cost - Water	107,380	0	107,380
Admin Cost - Sewer	138,758	0	138,758
Admin Cost - State Tax Stre	18,069	0	18,069
Admin Cost - Conv Center	110,530	0	110,530
Admin Cost - District Road	2,910	0	2,910
Admin Cost - Downtown Ma	6,547	0	6,547
Admin Cost - Public Safety	337,565	0	337,565
Admin Cost - Community D	37,994	0	37,994
Admin Cost - Public Works	81,076	0	81,076
Transfer - Public Works	6,341	0	6,341
Transfer - Water	267,182	0	267,182
Tax Base	3,092,838	28,174	3,121,012
Est Taxes Not Rec'd	(247,427)	(2,254)	(249,681)
Delinquent Taxes	112,000	11,756	123,756
Tax Offsets	5,000	0	5,000
Interest On Investments	1,500	0	1,500
Interest On Tax Receipts	22,000	0	22,000
Liquor License Fee	2,000	0	2,000
Bus License & Rm Tax Pen	10,000	0	10,000
Room Tax - Vacation Rent	404,000	0	404,000
Cigarette Tax	6,980	0	6,980
Library Grant	1,000	0	1,000
Seaside Urban Renewal	75,000	0	75,000
Library	20,000	0	20,000
Community Center	7,000	0	7,000
Insurance Reimbursement	5,000	0	5,000
Rental/Sale City Property	3,000	0	3,000
Miscellaneous	8,000	0	8,000
	<u>\$ 5,095,839</u>	<u>\$ 25,920</u>	<u>\$ 5,121,759</u>

General Requirements			
	<u>Present</u>	<u>Changes</u>	<u>New</u>
Mayor & Council	\$ 16,527	\$ -	\$ 16,527
City Attorney	40,606	0	40,606
Business Office	432,560	0	432,560
Library	592,742	0	592,742
Community Center	47,850	0	47,850
Non-Departmental	238,450	0	238,450
Debt Service	267,182	0	267,182
Interfund Transfers			
Transfer - Public Safety	3,047,411	25,920	3,073,331
Transfer - Economic Dev	5,235	0	5,235
Contingency	50,000	0	50,000
Ending Fund Balance	<u>357,276</u>	<u>0</u>	<u>357,276</u>
	<u>\$ 5,095,839</u>	<u>\$ 25,920</u>	<u>\$ 5,121,759</u>

**Public Safety
Resources**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Beginning Fund Balance	\$ 136,789	\$ 70,472	\$ 207,261
Transfer - Room Tax	547,155	0	547,155
Transfer - General Fund	3,047,411	25,920	3,073,331
Tax Levy	95,000	(52)	94,948
Est Taxes Not Rec'd	(7,600)	4	(7,596)
Tax Offsets	100	0	100
Interest On Investments	2,500	0	2,500
Interest On Tax Receipts	550	0	550
Dog Licenses	2,500	0	2,500
Lifeguards	18,000	0	18,000
Liquor Tax	91,200	0	91,200
State Revenue Sharing	83,700	0	83,700
COPS Grant	66,000	0	66,000
Police Grants	15,000	0	15,000
Rural Fire Protection	34,000	0	34,000
Dispatch Service	67,000	0	67,000
Fines & Forfeitures	165,000	0	165,000
Parking Tickets	8,000	0	8,000
False Alarms	600	0	600
Insurance Reimbursement	4,000	0	4,000
Rental/Sale City Property	24,000	0	24,000
Miscellaneous - Police	17,000	0	17,000
Miscellaneous	4,000	0	4,000
Donations	18,500	0	18,500
Total	<u>\$ 4,440,405</u>	<u>\$ 96,344</u>	<u>\$ 4,536,749</u>

**Public Safety
Requirements**

	<u>Present</u>	<u>Changes</u>	<u>New</u>
Municipal Court	\$ 191,615	\$ -	\$ 191,615
Police	3,184,508	0	3,184,508
Lifeguards	34,413	0	34,413
Fire	577,851	0	577,851
Non - Departmental	453	0	453
Interfund Transfers	337,565	0	337,565
Contingency	114,000	96,344	210,344
Total	<u>\$ 4,440,405</u>	<u>\$ 96,344</u>	<u>\$ 4,536,749</u>

Passed by the City Council of Seaside on this ____ day of _____, 2013.

Submitted to the Mayor and Approved by the Mayor on this ____ day of _____, 2013.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

**NOTICE OF A PUBLIC MEETING
FOR A SUPPLEMENTAL BUDGET
Of less than 10% of Fund Expenditures**

A public meeting on a proposed supplemental budget for the City of Seaside, Clatsop County, State of Oregon, for the fiscal year July 1, 2013 to June 30, 2014 will be held at City Hall, 989 Broadway, Seaside, Oregon. The public meeting will take place during the regularly scheduled City Council meeting on the 28th day of October, 2013 at 7:00 P.M. The purpose of the public meeting is to consider a resolution adopting the supplemental budget and making necessary appropriations. A copy of the supplemental budget document may be inspected or obtained on or after October 18, 2013 at City Hall, between the hours of 8:00 A.M. and 5:00 P.M.

SUMMARY OF SUPPLEMENTAL BUDGET

FUND: General

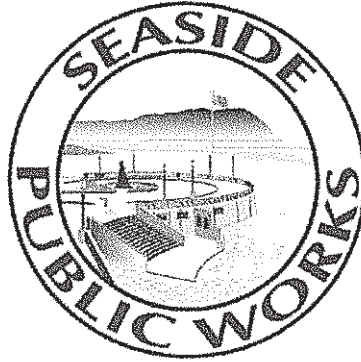
Resources		Requirements	
Beginning Fund Balance	\$ (11,756)	Interfund Transfer	
Current Taxes	28,174	Public Safety	25,920
Est. Taxes Not To Be Rec'd	(2,254)		
Delinquent Taxes	11,756		
Revised Total Resources	\$ 5,121,759	Revised Total Requirements	\$ 5,121,759

COMMENTS To decrease beginning fund balance and increase tax revenue budgets to reflect actual and offset with an increase in the transfer to public safety.

FUND: Public Safety

Resources		Requirements	
Beginning Fund Balance	\$ 70,472	Contingency	\$ 96,344
Transfer - General	25,920		
Current Taxes	(52)		
Est. Taxes Not To Be Rec'd	4		
Revised Total Resources	\$ 4,536,749	Revised Total Requirements	\$ 4,536,749

COMMENTS To increase beginning fund balance and increase transfer from the general fund to actual and offset with an increase in contingency.

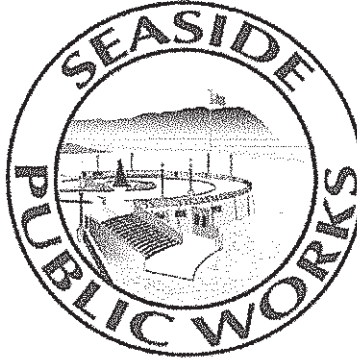


PUBLIC WORKS MEMORANDUM

To: Mayor Larson and Members of the City Council
From: Neal Wallace
Date: October 28, 2013
Re: Generators for Block Stations

The City of Seaside sold five million dollars in bonds to make improvements to the Waste Water Treatment Plant and update the electronics for the pump stations. One of the main components of the plan is to install new control systems and backup power to the block stations, the City's major sewer lift stations.

This bid is for the backup power. The City of Seaside received three bids for generators: Peterson CAT \$187,170, Cummins NW \$121,380, and EC Power \$118,063. Peterson CAT's bid, along with being the highest, had several mathematical errors and was not considered a responsive bid. Staff recommends accepting EC Power's bid of \$118,063.



PUBLIC WORKS MEMORANDUM

To: Mayor Larson and Members of the City Council
From: Neal Wallace
Date: October 28, 2013
Re: Elgin Street Sweeper

The City of Seaside purchased the existing street sweeper back in 2001 and it has served the City pretty well over the years. The last two years it has taken significantly more work and money to keep the sweeper on the road. So far this fiscal year the City had spent approximately \$13,000 in repairs. The sweeper has not been operational for a few weeks and the cost to fix it will be at least \$12,000.00 to get the sweeper back on the road and that will leave another major repair (wiring harness) to be done soon.

Last year the Street Department did a demonstration run with a new Elgin Badger. The machine is a mechanical sweeper instead of a vacuum sweeper, which will eliminate the most common complaint about the old sweeper; the amount of dust it creates during dry weather. Owen Equipment out of Portland is the local Elgin dealer and sells this unit on either the WSDOT or NJPA contract. They do not currently have their products listed with Oregon State Purchasing Contract. The City of Seaside is a member of the National Joint Powers Alliance (NJPA) #89771 and we are authorized under ORS 279A.200 to participate in interstate cooperative procurement because the award process for the original contract was an open and impartial competitive process under the State of Minnesota's Municipal Contracting Law MS 471.345.

The List price for the machine is \$195,327.50 and there is an NJPA discount of \$5,859.83, which makes the total sale price at \$189,467.67. The Street Department can make this purchase with the use of State Tax Street Funds that are authorized for use in the operation and maintenance of public roads as described in ORS 366.820 and the State Constitution. There is a machine available locally and staff recommends Council approve the purchase of the Elgin Badger mechanical street sweeper.



ENVIRONMENTAL SALES • RENTALS • SERVICE

Formal Proposal, City of Seaside, Oregon

ELGIN BROOM BADGER - DUAL

Conveyor squeegee, dual, hydraulically driven side brooms, variable height up to 10', left side dumping hopper. Sweeper is painted Elgin white and includes the standard features listed below.

Standard Features:

- AM/FM Radio w/ CD
- Aux-engine Kubota V2403M 59hp, Tier 4i
- Low engine oil pressure, high coolant temp, hyd oil level/temp shutdown
- Broom side, 36" and 42" steel vertical digger 4 and 5 segment
- Broom side, hydraulic floating suspension, adjustable spring loaded deploy
- Broom, main, 34" diameter, 58" wide prefab disposable
- Camera, Rear and RH side view with in-cab monitor
- Conveyor chain, hardened with polyurethane sprockets
- Conveyor, 8 flight squeegee with rubber edging
- Conveyor, lift independent from main broom
- Conveyor, two piece replaceable wear plates
- Conveyor raise in reverse
- Conveyor stall alarm
- Dirt shoes, heavy duty steel
- Electric backup alarm
- Front spray bar

Portland 13101 NE Whitaker Way • PO Box 30959 • Portland, OR 97294
(503) 255-9055 • (800) 992-3656 • fax (503) 256-3880

Kent 8721 South 218th Street • Kent, WA 98031
(253) 852-5819 • (800) 422-2059 • fax (253) 852-8913

Sacramento 1350 Vinci Avenue • Sacramento, CA 95838
(800) 992-3656 • fax (916) 992-0769

www.owenequipment.com





ENVIRONMENTAL SALES • RENTALS • SERVICE

Additional Options:

- Amber strobe mounted directly behind truck cab, visible from in front of the truck
- PM10 Compliant
- Side broom tilt-Right
- Side broom tilt- Left
- Additional Broom Badger Operators Manual
- Additional Broom Badger Parts Book
- Broom Badger Service Manual
- Conveyor Flusher
- Air suspension rear axle

Chassis:

- 2013 Isuzu NRR LH Single Steer

List Price: \$195,327.50
NJPA Discount: (\$5,859.83)
Total Sale Price: \$189,467.67

For additional Elgin warranty of up to 3 years total (Excluding Aux Engine) Parts and Labor on module, add \$3,996.40 (\$4120.00 List less 3%)

Thank you for the opportunity to earn your business.

Shawn Patrick
Equipment Sales
971-282-1499
spatrick@owenequipment.com

Portland 13101 NE Whitaker Way • PO Box 30959 • Portland, OR 97294
(503) 255-9055 • (800) 992-3656 • fax (503) 256-3880

Kent 8721 South 218th Street • Kent, WA 98031
(253) 852-5819 • (800) 422-2059 • fax (253) 852-8913

Sacramento 1350 Vinci Avenue • Sacramento, CA 95838
(800) 992-3656 • fax (916) 992-0769

www.owenequipment.com



Memo

To: Mayor and City Council
From: City Manager's Office
CC: Kim Jordan
Date: October 23, 2013
Re: City Council Meeting

A City Council meeting is scheduled for Monday, November 11, 2013, which is Veteran's Day. There was also a special Council meeting scheduled for Wednesday, November 6, 2013.

The Improvement Commission will meet on Wednesday, November 6, 2013, 7:00 pm and the Transportation Advisory Commission will make a recommendation for approval to the Commission for the Avenue 'U' Bridge Project, Request for Qualifications.

The City Council will meet on Wednesday, November 6, 2013, 8:00 pm to approve the recommendation for the Avenue 'U' Bridge Project, Request for Qualifications.

Staff recommends Council change the regularly scheduled City Council meeting Monday, November 11, 2013, 7:00 pm to Wednesday, November 6, 2013, 8:00 pm.