



# CITY OF SEASIDE CITY COUNCIL AGENDA

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**Monday, March 25, 2024**

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To provide public comment for City Council meetings, participants should register prior to the meeting. Please complete the form linked below to offer public comment at an upcoming City Council meeting. You may provide public comment using the following methods:

1. In-person (meetings are held at Seaside City Hall, 989 Broadway, Seaside, OR)
2. Via Zoom web conference or telephone (obtain link and register at [cityofseaside.us](http://cityofseaside.us))
3. Written comments may be submitted using this [form](#), via e-mail to [publiccomment@cityofseaside.us](mailto:publiccomment@cityofseaside.us) or in person at City Hall (989 Broadway, Seaside, OR).

If you are providing public comments in person or via Zoom, please keep in mind your comments will be limited to three (3) minutes. If your comments are longer than three (3) minutes, please submit your comment in writing and utilize your three (3) minutes to summarize your written document. Please review the [Public Comment Rules of Conduct](#) prior to the meeting.

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## **CITY COUNCIL WORK SESSION: 5:00 PM**

1. City of Seaside Audit Report {40 min}
2. Discussion Future City Council Agenda Items {10 min}

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## **CITY COUNCIL MEETING: 6:00 PM**

1. **Call To Order**
2. **Pledge Of Allegiance**
3. **Roll Call**
4. **Approval Of Agenda**
5. **Proclamation:**
  - A. Proclamation – Sexual Assault Awareness/Action Month
  - B. Proclamation – Volunteer Recognition Month
6. **Recognition:**

No recognitions
7. **Public Comments**

Members of the public may use this time to provide comments to the City Council on items that are not scheduled on this agenda for a public hearing or public comment. Speaking time is limited to three minutes.

8. **Declaration Of Potential Conflict of Interest**

9. **Consent Agenda**

A. Payment of the bills - \$467,575.15

B. Approval of minutes – March 11, 2024

10. **Reports And Presentations:**

No items for reports and presentations.

11. **City of Seaside Boards, Commissions, And Committees**

No items for boards, commissions, and committees

12. **Unfinished Business**

No items for unfinished business.

13. **New Business**

A. Acceptance of City of Seaside Audit Report

B. Intergovernmental Agreement for the Relocation of the Community Gardens

C. Seaside Community Food Forest Donation Request for Community Garden Allocated Budget Funds

D. Ordinance 2024-05 – An Ordinance of the City of Seaside, Oregon, Amending Chapter 30: City Council, Section 30.01 Council Meetings, of the Code of Ordinances Seaside.

- Open Public Hearing
- Close Public Hearing
- Council Comments
- Motion to Read Ordinance 2024-05 first reading by title only.
- Optional: Motion to Read Ordinance 2024-05 second reading by title only.

14. **Comments From City Staff**

15. **Comments From the City Council**

16. **Executive Session: Recess into Executive Session**

In accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions.

17. **Reconvene into Regular Session:**

In accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions. City Council action if any regarding executive session.

18. **Adjournment**

Complete copies of the Current Council meeting Agenda, Packets, and Minutes can be viewed at: [www.cityofseaside.us](http://www.cityofseaside.us).

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503.738.5511 if you will need any special accommodation to participate in this meeting.



## ***PROCLAMATION***

***Whereas***, sexual assault affects Oregonians every day, whether as a victim or survivor or as a family member, friend, partner, neighbor, employer or co-worker of a survivor; and

***Whereas***, Oregonians of all gender identities experience sexual violence, including an estimated 1 in 4 adult women who has been the victim of rape, and nearly 1 in 5 men who has experienced sexual violence in their lifetime; and

***Whereas***, 1 in 10 Clatsop County middle and high school students report inappropriate sexual contact by an adult before they turn 18; and

***Whereas***, Certain populations in Oregon experience much higher rates of sexual violence due to systemic oppression and inequity; and

***Whereas***, out of 1,000 sexual assaults, only 25 perpetrators will face any legal repercussions for the assault; and

***Whereas***, Sexual violence is preventable, and all communities are strengthened by encouraging healthy non-violent interactions, relationships and social norms; and

***Whereas***, every community in Oregon has a role to play to help eliminate sexual violence by working together to promote social change.

***NOW, THEREFORE, I, Steve Wright, Mayor of the City of Seaside***, do hereby proclaim the month of April, 2024, as

### **SEXUAL ASSAULT AWARENESS/ACTION MONTH**

in Clatsop County and call upon all community members and local agencies to speak out against sexual violence, educate one another on sexual violence prevention, and support and believe survivors.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 25th day of March, 2024.

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STEVE WRIGHT, MAYOR



## PROCLAMATION

*Whereas*, the vision of the City of Seaside is “to have our families thrive, our businesses prosper and generations of visitors create memories that last lifetimes” which expresses how we want to live and work together; and,

*Whereas*, many residents of this community contribute to the well-being of people in Seaside by giving generously of their time, resources and energy; and

*Whereas*, many volunteers assist the City of Seaside in performing a multitude of duties, creating and sustaining valuable services, and making government by the people a reality. The members of the City Council, Boards, Commissions, Committees, Task Forces and volunteers with our fire and police departments are all community volunteers; and

*Whereas*, Seaside volunteers faithfully show up to help, time after time, year after year, often working with our many service organizations to take care of neighbors and community whenever there is a need; and

*Whereas*, the City of Seaside values every one of our many Seaside volunteers and wishes to extend our deepest appreciation to all.

***NOW, THEREFORE, I, Steve Wright, Mayor of the City of Seaside,*** do hereby proclaim the month of April, 2024, as:

## VOLUNTEER RECOGNITION MONTH

And ask all the people of Seaside to express their thanks and join in with the many volunteers who continue to help and serve in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside, Oregon to be affixed to this document this 25<sup>th</sup> day of March, 2024.

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STEVE WRIGHT, MAYOR



# CITY OF SEASIDE CITY COUNCIL

## DRAFT MEETING MINUTES

City Hall, 989 Broadway, Seaside, OR 97138

Monday, March 11, 2024

### Work Session 5:00 PM

1. Rules and Procedures and Guidelines for Governing Council Members

Mayor Wright opened the work session with a discussion on the Rules of Procedure and Conduct Guidelines for Governing Council Members. The Council discussed the latest changes and comments received from the City Manager and City Attorney.

1. City Council Meeting 6:00 PM
2. Call to Order and Pledge of Allegiance
3. Roll Call

Council Members	P/A
Seth Morrissey	P
Steve Dillard	P
Steve Wright, Mayor	P
Tita Montero (Zoom)	P
David Posalski, Council President	P
Tom Horning	P
Randy Frank (Zoom)	P

Staff Members	
Spencer Kyle, City Manager	Jon Rahl, Assistant City Manager
Kim Jordan, City Recorder	Dave Ham, Police Chief
Brian Owen, Convention Center Manager	Jeff Flory, Community Development Director
Zach Fleck, Finance Director	Mike Dimmick, Public Works Director

Visitors in Chambers (attendance sheet)	Visitors on Zoom
Nakesha Womble	
Diane Wells	
Shelly Owen	
Chelsea Harper	
Marcus Simantel	

4. Approval of Agenda

Mayor Wright asked for an amendment and approval to the agenda.

<b>Motion:</b>	Move to remove item 13C from the agenda and approve the amended agenda.
<b>Moved:</b>	Dillard
<b>Seconded:</b>	Posalski

<b>Ayes:</b>	Wright, Frank, Dillard, Morrisey, Posalski, Montero, Horning	<b>Nays:</b>	<b>Absent:</b>	<b>Recused:</b>
<b>Passed:</b>	7/0	0	0	0

**5. [Proclamation](#)**

A. Child Abuse Prevention Month.

Nakesha Womble, Clatsop CASA Executive Director, discussed how Clatsop Court Appointed Special Advocates (CASA) trains community volunteers to stand up for abused and neglected children. CASA advocacy helps ensure that children have the best possible chance for a safer, more secure home life.

Councilor Morrisey read the proclamation for Child Abuse Prevention Month.

**6. [Recognition](#)**

There were no recognitions.

**7. [Public Comments \(time is limited to 3 minute's\)](#)**

Diane Wells spoke against the Sunny Hunt gardens being re-located to the highway.

**8. [Declaration of Potential Conflict of Interest](#)**

<b>Council Members</b>	<b>Y/N</b>
Steve Wright, Mayor	N
Tom Horning	Y
Randy Frank	N
Seth Morrisey	N
Steve Dillard	N
David Posalski, President	N
Tita Montero	N

**9. [Consent Agenda](#)**

<b>Motion:</b>	Move to approve the consent agenda, pay the bills, and approve the minutes of February 26, 2024.			
<b>Moved:</b>	Morrisey			
<b>Seconded:</b>	Posalski			
<b>Ayes:</b>	Wright, Dillard, Morrisey, Frank, Posalski, Montero, Horning	<b>Nays:</b>	<b>Absent:</b>	<b>Recused:</b>
<b>Passed:</b>	7/0	0	0	0

**10. [Reports and Presentations](#)**

Convention Center Manager Owen presented the Seaside Civic and Convention Center Annual Report.

**11. [City of Seaside boards, commissions, and committees](#)**

There were no board, commission, or committee items.

**12. Unfinished Business**

A. Ordinance 2024-02 – An Ordinance of the City of Seaside, Oregon, Amending the Zoning at 201 N. Holladay.

Community Development Director Flory introduced a zone change request by Roger Mitchell for the property located at 201 N. Holladay Drive. The proposal will rezone the property from Medium Density Residential (R-2) to General Commercial (C-3).

Roger Mitchell, 201 N. Holladay Owner, requested the zone change for 201 N. Holladay, the Evergreen Lodge which in the past has been used for a commercial garage, a hospitality building/hotel, and a fraternal hall was now more suitable for commercial use rather than residential housing.

Mayor Wright opened the public hearing for comments in support of the zone change. There were no comments.

Mayor Wright asked if anyone was opposed to the zone change. There were no comments.

<b>Motion:</b>	Move to read Ordinance 2024-02, second reading by title only.			
<b>Moved:</b>	Frank			
<b>Seconded:</b>	Montero			
<b>Ayes:</b>	Wright, Dillard, Morrissey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 0	Recused: 0
<b>Passed:</b>	7/0			

<b>Motion:</b>	Move to read Ordinance 2024-02, third reading by title only.			
<b>Moved:</b>	Morrissey			
<b>Seconded:</b>	Dillard			
<b>Ayes:</b>	Wright, Dillard, Morrissey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 0	Recused: 0
<b>Passed:</b>	7/0			

<b>Motion:</b>	Move to adopt.			
<b>Moved:</b>	Frank			
<b>Seconded:</b>	Montero			
<b>Ayes:</b>	Wright, Dillard, Morrissey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 0	Recused: 0
<b>Passed:</b>	7/0			

Roll Call Vote	Y/N
Steve Wright, Mayor	Y
Tita Montero	Y
David Posalski	Y
Tom Horning	Y
Randy Frank	Y
Seth Morrissey	Y
Steve Dillard	Y

**13. New Business**

A. [Liquor License Application – Taqueria Pelayos LLC, 1313 S. Roosevelt Drive.](#)



Heather Vazquez Pelayo, Taqueria Pelayos LLC owner, discussed the liquor license request.

<b>Motion:</b>	Motion to approve the Taqueria Pelayos LLC., Liquor License.			
<b>Moved:</b>	Posalski			
<b>Seconded:</b>	Morrisey			
<b>Ayes:</b>	Wright, Dillard, Morrisey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 0	Recused: 0
<b>Passed:</b>	7/0			

B. [Seaside Civic and Convention Center Fee Structure.](#)

Convention Center Manager Owen discussed the Seaside Civic and Convention Center Fee Structure.

<b>Motion:</b>	Move to approve the Civic and Convention Center fee structure without changing the fees for compassion/funeral rentals.			
<b>Moved:</b>	Posalski			
<b>Seconded:</b>	Morrisey			
<b>Ayes:</b>	Wright, Dillard, Morrisey, Frank, Posalski, Montero, Horning	Nays: 0	Absent: 0	Recused: 0
<b>Passed:</b>	7/0			

14. [Comments from City Staff and Partner Organizations](#)

Police Chief Ham updated the City Council on police department training, the North West Leadership Seminar, and firearms training at the range. The construction at the Seaside Police Department was scheduled to be completed within the next week. Police Chief Ham announced the department was preparing for spring break scheduled to begin at the end of March. The Citizens Academy will start April 22, 2024.

Assistant City Manager Rahl discussed the changes to the Seaside Public Library hours of operation.

15. [Comments from City Council](#)

Councilor Montero commented on the library hours being discussed at the Library Board meeting. Councilor Montero announced the meetings attended and the discussions that ensued in Washington DC.

Councilor Frank announced the Airport Advisory Committee Meeting for March.

Councilor Dillard commented on the Community Center Commission fundraiser in February.

Councilor Horning commented on the Parks Advisory Committee parks planning survey.

Mayor Wright announced Senator Wyden will be in Astoria for a Town Hall meeting on Sunday. Mayor Wright commented on a visit with Mayor Barb and Mayor Kerri to the Pacific Ridge 4<sup>th</sup> Graders to coordinate the Oregon Mayor Association contest “If I were Mayor”.

16. [Executive Session: Recess into Executive Session at 7:10 PM:](#)

Mayor Wright recessed into executive session in accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions.

**17. Reconvene into Regular Session at 7:33 PM:**

City Council action if any regarding executive session in accordance with ORS 192.660 (2) (e):  
Mayor Wright announced no action would be taken.

**18. Adjourn City Council Meeting 7:33 PM**

Approved by Council on: \_\_\_\_\_

Minutes prepared by: \_\_\_\_\_  
Kim Jordan, City Recorder

\_\_\_\_\_  
STEVE WRIGHT, Mayor



# City of Seaside City Council Meeting Staff Report

Meeting Date: March 25, 2024  
Author: Zach Fleck, Finance Director  
Department: Finance  
Subject: Financial Audit  
Type of Item: Acceptance

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## **Request:**

Staff are requesting the City Council accept the annual audit for fiscal year 2022-2023.

## **Background:**

Each year cities in the State of Oregon are required to undergo an audit of the financial standing of the various entities for which they are responsible. In our case, that includes the City of Seaside budget, as well as the Urban Renewal funds that the City has authority over. The financial audit for the previous fiscal year is now complete, and Rick Proulx from Kern Thompson will present the findings.

## **Staff Analysis:**

While this is not the first audit that my team or I have been a part of, it is nonetheless the first time with the current finance system for many of us. There were a multitude of items that the current team had to sort through and unwind as we went through this process. I cannot overstate how patient, understanding, and helpful the employees at Kern Thompson were given the circumstances. This process was a learning experience for all involved, and I am confident that we have a blueprint from which to work when we undergo this process again this year.

## **Budget Impact:**

There is no direct budget impact of this acceptance. It should be noted however that due to the time spent by Kern Thompson in guiding the City through the audit process, that the City spent more than the original budget of \$50,000 by roughly \$10k.

## **Requested Action:**

If the City Council is inclined to accept this report, a Councilor would state:

“I move that the City of Seaside accept the audit report for the City of Seaside and its Urban Renewal components and that they be filed with the City Recorder.”

## **Alternatives:**

The City Council may find cause not to accept the audit reports and may decide not to accept the reports as written. In this case, staff would work with our auditors to correct any requested issues and submit them for reconsideration.

## **Attachments:**

- Seaside audit documents provided by Kern Thompson will be provided in the City Council OneDrive account.



## City of Seaside City Council Meeting Staff Report

Meeting Date: March 25, 2024  
Author: Spencer Kyle, City Manager  
Department: City Manager's Office  
Subject: Community Gardens  
Type of Item: Intergovernmental Agreement

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### **Request:**

The City Council is being asked to consider and approve the attached intergovernmental agreement (IGA) between the Seaside School District (SSD) and Sunset Empire Park & Recreation District (SEPRD) for the relocation of the community gardens.

### **Background:**

There have been two Community Gardens in Seaside, one has been located at Broadway Park, and another is currently located adjacent to Roosevelt Drive between Avenue J and M. The gardens at Broadway Park need to be relocated due to the construction of the new softball field and the relocation of the Herche Family Training Facility. SSD is responsible for the relocation of the gardens. The school district has been working with the city and SEPRD to identify a location for the community gardens. At the February 26, 2024, City Council work session, all three organizations identified Railroad Park as the preferred location.

### **Staff Analysis:**

SSD has prepared the attached IGA for consideration. Staff has reviewed the IGA and believes it is consistent with the direction the City Council gave at the February 26, 2024, work session.

The agreement stipulates that both SEPRD and the city must approve all expenditure of the funds. In addition, the language of the agreement is broad enough to allow for flexibility in the use of the funds. As described in section 1.1.1., the funds may be used to relocate the Sunny Hunt Garden without specifying a location and/or to improve or maintain the relocated Sunny Hunt Garden and/or the Railroad Gardens.

This agreement also releases SSD from any other obligations, requirements, or conditions the city placed on SSD in consideration for the use of Broadway Park for the softball field.

Because there may be minor changes in the agreement between the writing of this staff report and final signing, I've added language to the motion that authorizes the City Manager to sign if any proposed changes don't significantly alter the agreement.

### **Budget Impact:**

The IGA provides \$75,200 in funding from SSD for the garden relocation. The funds will be given to the Sunset Empire Park & Recreation Foundation and will be used by SEPRD in the upgrades and expansion of the gardens.

**Requested Action:**

If the City Council is inclined to approve the IGA, a Councilor would state:

“I move to authorize the City Manager to sign the Intergovernmental Agreement for the Relocation of the Community Gardens as attached or as amended, if the City Manager approves of any amendments.”

**Alternatives:**

The City Council may choose to postpone the decision or may request changes to the agreement. Changes to the agreement will need to be approved by SSD and SEPRD.

**Attachments:**

- Draft Intergovernmental Agreement Among Seaside School District #10, The City Of Seaside, And Sunset Empire Park & Recreation District For Community Garden Relocation

INTERGOVERNMENTAL AGREEMENT  
AMONG SEASIDE SCHOOL DISTRICT #10, THE CITY OF SEASIDE, AND  
SUNSET EMPIRE PARK & RECREATION DISTRICT FOR  
COMMUNITY GARDEN RELOCATION

This INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made and entered into by and among the SEASIDE SCHOOL DISTRICT #10 (“District”), the CITY OF SEASIDE (“City”), and SUNSET EMPIRE PARK & RECREATION DISTRICT (“SEPRD”) pursuant to ORS 190.010 and shall be effective as of March XX, 2024 (“Effective Date”). For purposes of this Agreement, District, City, and SEPRD are each a “Party,” and collectively, the “Parties.”

**RECITALS**

- A. By the authority granted in ORS 190.010, units of local government may enter into agreements with other units of local government for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
- B. On November 14, 2022, City approved District’s request to allow District to locate a softball facility at Broadway Field.
- C. It was understood that the Sunny Hunt Community Garden would need to be relocated to site the softball facility at Broadway Field. Before City granted its approval to District for the softball facility, City and District understood that details regarding the Sunny Hunt Community Garden relocation would be addressed in revisions to an existing IGA among City, District, and SEPRD for the operation and management of playing fields owned by City, dated July 20, 2012 (the “Previous IGA”).
- D. The Parties expect that members of the community will use the Railroad Gardens while the Sunny Hunt Community Garden is being relocated.
- E. The Previous IGA has since been terminated and replaced with a new IGA between District and SEPRD for the operation and management of facilities located at Broadway Field, dated [insert date] (the “New IGA”). City is not a party to the New IGA.
- F. District, City, and SEPRD now wish to enter into a new IGA to establish each Party’s responsibilities regarding the relocation of the Sunny Hunt Community Garden.

**AGREEMENT**

The Parties agree as follows:

**1. District Obligations.**

1.1. Funding.

1.1.1. District will pay \$75,200 to SEPRD (the “Gardens Payment”) to be used toward the cost of any of the following, or any combination thereof:

1.1.1.1. Relocating the Sunny Hunt Community Garden.

1.1.1.2. Improving and maintaining the relocated Sunny Hunt Community Garden.

1.1.1.3. Improving and maintaining the Railroad Gardens.

## **2. SEPRD Obligations.**

### **2.1. Gardens Payment.**

2.1.1. SEPRD will deposit the Gardens Payment into the SEPRD Foundation Account.

2.1.2. SEPRD will use the Gardens Payment only for the purposes specified in Section 1.1.1 of this Agreement.

2.1.3. Subject to Section 1.1.1 of this Agreement, SEPRD and City must mutually agree upon all expenditures of the Gardens Payment. SEPRD will not make any expenditure of the Gardens Payment without the City's express, prior agreement.

### **2.2. Garden Improvement, Maintenance, and Relocation.**

2.2.1. SEPRD will work in good faith with City to (a) facilitate the relocation of the Sunny Hunt Community Garden, including identifying a location for the relocated Sunny Hunt Community Garden, (b) improve the Railroad Gardens, or (c) both.

2.2.2. If SEPRD and City decide to relocate the Sunny Hunt Community Garden, SEPRD will be solely responsible for relocating the Sunny Hunt Community Garden.

## **3. City Obligations.**

3.1. Garden Relocation. City will work in good faith with SEPRD to (a) facilitate the relocation of the Sunny Hunt Community Garden, including identifying a location for the relocated Sunny Hunt Community Garden, (b) improve the Railroad Gardens, or (c) both.

3.2. Expenditure Approval. City understands that expenditures of the Gardens Payment must be mutually agreed upon by City and SEPRD. City will act on SEPRD's expenditure requests by either expressly agreeing or disagreeing to such requests.

3.3. Release of District. City agrees that once District makes the Gardens Payment as required under this Agreement, District is released from any and all obligations, requirements, or conditions placed upon District by City to relocate, improve, or maintain the Sunny Hunt Community Garden, or to improve or maintain the Railroad Gardens, including any funding obligations or requirements related to any such relocation, improvements, or maintenance.

4. **Indemnity.** To the maximum extent permitted by law and subject to the limitations of the Oregon Tort Claims Act, ORS Chapter 30, and the Oregon Constitution, each Party will defend, indemnify, and hold the other Parties and their officers, directors, employees, representatives, and agents harmless from, for, and against all liabilities, losses, claims, suits, demands, damages, expenses, and costs

(including attorney fees and expert fees) arising out of or relating to the indemnifying Party's willful misconduct or negligent acts or omissions relating to this Agreement.

## 5. General Terms

- 5.1. Term and Termination. Unless earlier terminated as provided herein, this Agreement shall commence on the Effective Date and shall terminate on [INSERT DATE] or at any time established by a mutual, written agreement signed by all Parties, whichever occurs first.
- 5.2. Governing Law. This Agreement is governed by the laws of the State of Oregon without regard to conflict of law principles.
- 5.3. Dispute Resolution. In the event that a dispute arises under or related to the terms of this Agreement including but not limited to its enforcement or interpretation, the Parties agree to meet and confer to attempt to resolve the dispute through the Executive Director of SEPRD, the City Manager, and the District Superintendent prior to the initiation of litigation. Any action or proceeding to enforce the provisions of this Agreement, or based on any right arising out of this venue for any claim under this Agreement will be in the Clatsop County Circuit Court or the United States District Court for the District of Oregon. The prevailing Party in such an action or proceeding, or appeal of the same, shall be entitled to an award of such Party's reasonable attorney fees and costs incurred in preparation, prosecution, or defense of such action or proceeding.
- 5.4. Amendments. This Agreement may be amended or modified only by written agreement signed by all Parties.
- 5.5. Notice. Any notice required to be given by the terms and conditions of this Agreement shall be given to the other Parties either by personal service or registered mail, returned receipt requested to the following persons at the listed address:

**District**

Superintendent, Seaside School District  
2600 Spruce Dr, Ste 100  
Seaside, OR 97138

**SEPRD**

Executive Director, Sunset Empire Park &  
Recreation District  
1140 Broadway St  
Seaside, OR 97138

**City**

City Manager, City of Seaside  
[Insert address]  
[Insert Address]

- 5.6. Assignment. Except as otherwise provided herein, a Party may not assign any of its rights or responsibilities under this Agreement without prior written consent from the other Parties.
- 5.7. Compliance with Law. SEPRD, City, and District will each comply in all material respects with all applicable laws in the performance of this Agreement.
- 5.8. Severability. If any provision of this Agreement is deemed invalid or unenforceable, the balance of this Agreement shall remain in full force and effect.



IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

**SEASIDE SCHOOL DISTRICT #10**

By: \_\_\_\_\_  
Susan Penrod, Superintendent

Date: \_\_\_\_\_

**SUNSET EMPIRE PARK & RECREATION DISTRICT**

By: \_\_\_\_\_  
Skyler Archibald, Executive Director

Date: \_\_\_\_\_

**CITY OF SEASIDE**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_



## City of Seaside City Council Meeting Staff Report

Meeting Date: March 25, 2024  
Author: Zach Fleck, Finance Director  
Department: Finance  
Subject: Seaside Food Forest Funding  
Type of Item: Approval

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### **Request:**

Staff are requesting the City Council approve funding for the Seaside Food Forest as part of the fiscal year 2023-2024 budget.

### **Background:**

On April 19, 2023, non-profit organizations in the community appeared before the Seaside Budget Committee to request funding from the City for FY2023-2024. The Committee awarded \$3,000 from the fiscal year 2024 budget to this organization, contingent on the group finding a new location and getting a better grasp of what might be needed with the new location.

### **Staff Analysis:**

The Seaside Food Forest has found a permanent location at Railroad Park and has begun the necessary improvements that give the group a better understanding of how to best use the requested funds.

The Council should make this approval contingent upon the City entering into an Intergovernmental Agreement (IGA) with the Seaside School District and Sunset Empire Park & Recreation District. Once that agreement has been entered into, the relocation of the community gardens will be finalized.

### **Budget Impact:**

The budget impact of this approval is \$3,000. This item was budgeted for in the FY2023-2024 budget, so the budget will not be impacted by this decision.

### **Requested Action:**

If the City Council is inclined to approve the request, a Councilor would state:

“I move to approve the funding request to Seaside Food Forest in the amount of \$3,000 for fiscal year 2023-2024 contingent upon the City entering into an Intergovernmental Agreement with the Seaside School District and Sunset Empire Park & Recreation District.”

### **Alternatives:**

The City Council may choose to remove the IGA requirement or otherwise amend the award. Depending upon the presentation or answers that are provided by the Seaside Food Forest, the Council may choose to fund at a different level, not to fund the organization, or may place additional contingencies on the award.

**Attachments:**

- Budget Committee meeting:  
<https://www.youtube.com/live/bcIjyRMJNOE?si=SHZauxfI3RBBb9va#t=1h27m18s>
  - From 24:30 to 36:30



# City of Seaside City Council Meeting Staff Report

Meeting Date: March 25, 2024  
Author: Kim Jordan, City Recorder  
Department: City Manager's Office  
Subject: City Council Meeting Dates & Times  
Type of Item: Ordinance

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## **Request:**

Staff are requesting the City Council have a first reading of the attached ordinance amending the Code of Ordinances Seaside, Chapter 30 Administration: City Council, Section 30.01 Council Meetings. The amended ordinance would add the time of the City Council meeting to Section 30.01 (A). It also adds language recognizing the regular holding of work sessions.

## **Background:**

The City Council directed staff to update this ordinance to be consistent with the Seaside Charter. The current ordinance lacks a time as required by the charter. The Seaside Charter for Chapter IV. Council, Section 14. meetings states: The Council shall hold regular meetings at least once a month in the City at a time and place which is set by ordinance. Meetings of the Council other than regular meetings may be held in accordance with procedures prescribed by the State law and general ordinance.

## **Staff Analysis:**

The City Council directed staff to update the ordinance for Council meetings. The amendment to section 30.01 Council Meetings adds a starting time of 6:00 PM to the regular meeting and recognizes that we regularly hold work sessions. The language regarding the work session is permissive, means that it does not require the City Council to hold a work session, but recognizes that the Council will hold them as needed.

## **Budget Impact:**

None

## **Requested Action:**

If the City Council is inclined to approve the ordinance, a Councilor would state:

“I move for a first reading of Ordinance 2024-05 by title only.”

Optional: If the City Council is inclined to approve a second reading on the ordinance, a Councilor would state:

“I move for a second reading of Ordinance 2024-05 by title only.”

## **Alternatives:**

If the City Council is not ready to move forward, you may discuss and postpone the first reading to a future date.

**Attachments:**

- Ordinance 2024-05

**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,  
AMENDING CHAPTER 30: CITY COUNCIL,  
SECTION 30.01 COUNCIL MEETINGS,  
OF THE CODE OF ORDINANCES SEASIDE**

THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend Chapter 30 Section 30.01(A) to read:

(A) The City Council shall meet the second and fourth Mondays of each month at **6:00 PM** at the City Hall building located at 989 Broadway. **The City Council may also hold a work session prior to the regular meeting, when needed.**

(B) The Council may at any regular or special meeting cancel one of the monthly meetings, and/or may change the location site. The Mayor, or Council President in the Mayor's absence, may cancel one of the monthly meetings in the event of lack of City business, or in case of an emergency.

PASSED by the City Council of the City of Seaside on this \_\_\_ day of \_\_\_\_\_, 2024.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

SUBMITTED to and APPROVED by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
STEVE WRIGHT, MAYOR

ATTEST:

\_\_\_\_\_  
Spencer Kyle, City Manager