

**This meeting is to take care of city business and the public is allowed in the building at any given time. Mask are required at this meeting. Public Comments can be made in person at the meeting or can be emailed to [publiccomment@cityofseaside.us](mailto:publiccomment@cityofseaside.us). Meeting Agenda and Packet can be found: <https://www.cityofseaside.us/node/516/agenda/2022>. To watch the meeting: [https://www.youtube.com/channel/UC\\_rNPiEHax7q1oORwTcfJ3Q](https://www.youtube.com/channel/UC_rNPiEHax7q1oORwTcfJ3Q)**

**AGENDA SEASIDE CITY COUNCIL MEETING  
FEBRUARY 14, 2022 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. RECOGNITION – KEVIN CUPPLES, SEASIDE PLANNING DIRECTOR RETIREMENT (23 ½ Years with the City of Seaside)
6. COMMENTS - STUDENT REPRESENTATIVE, EMMA ARDEN
7. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
8. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
9. CONSENT AGENDA
  - a) PAYMENT OF THE BILLS - \$587,027.67
  - b) APPROVAL OF MINUTES – January 24, 2022
10. REPORTS AND PRESENTATIONS:
  - a) ANNUAL REPORT – SEASIDE PUBLIC WORKS, Dale McDowell
11. UNFINISHED BUSINESS:
  - a) ORDINANCE #2022- 01 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO PACIFICORP (Third Reading)
    - OPEN PUBLIC COMMENTS
    - CLOSE PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
    - MOTION TO ADOPT – ROLL CALL VOTE
  - b) ORDINANCE #2022- 02 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CEMETERY REGULATIONS FOR PLOT PRICE INCREASES (Third Reading)
    - OPEN PUBLIC COMMENTS
    - CLOSE PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
    - MOTION TO ADOPT – ROLL CALL VOTE

- c) VACANCY – LIBRARY BOARD (1 Vacancy – 1 Application)
- CITY TREE BOARD (1 Vacancy – 1 Application)
- BUDGET COMMITTEE (1 Vacancy – 2 Applications)
- AIRPORT ADVISORY COMMITTEE (2 Vacancies – 1 Application)
- TRANSPORTATION ADVISORY COMMISSION (1 Vacancy – 1 Applications)

12. NEW BUSINESS:

- a) PUBLIC COMMENT ADMINISTRATIVE POLICY – HOUSE BILL 2560,  
CITY OF SEASIDE MEETINGS HELD BY GOVERNING BODY, Jon Rahl

➤ APPROVAL OF PUBLIC COMMENT POLICY

13. COMMENTS FROM THE CITY STAFF

14. COMMENTS FROM THE COUNCIL

15. ADJOURNMENT

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

# City of Seaside Public Works Department

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**Year in review - 2021**



# Employee recognition

## Water Department

**Mike Dimmick – Water Foreman**

**Ron Wanner – Assistant Water Plant Operator**

**Kevin Nagle – Utility II Backflow Specialist**

**Brandon (Scott) Hanna – Utility I**

**Cesar Alcala – Utility I**

## Wastewater Department

**Tony Biamont – Wastewater Treatment Plant Operator**

**Brian Lawson – Assist Wastewater Plant Operator**

**George Whitlock – Utility II**

**Walt Mills – Utility I**

**James Peterson – Utility I**

## Fleet Maintenance

**Steven Keever**

## Street Department

**Jeremy Strimple – Street Foreman**

**Matt Long – Utility II**

**Darlene Pederson-Brown – Street Sweeper Operator**

**Nathan Kerwin – Utility I**

**Tanner Rich – Utility I**

**Ashlan Similia – Utility I**

# Summer Temporary Employee Recognition



## Water Department

Ashton Boyd

## Wastewater Department

Chris Raniero

Derek Stewart

## Street Department

Bryce DeWinter

Dalton Knight

## Summer Temporary Employees provide support staff

Maintain Parks, Evergreen Cemetery, and Seaside  
Municipal Airport grounds

Trash pickup

Painting Fire Hydrants

Maintaining grounds of Pump Stations

Promenade Maintenance

Minor Construction Projects

Organizing Materials and Supplies

Delivery of Materials and Supplies

# Responsibilities of the Public Works Department

## **Wastewater Collection and Treatment**

**Water Treatment, Conservation and Distribution**

**Storm Drainage Collection and Distribution**

**Streets, Roads, Bridges, Signage and Lighting**

**Maintenance of City Park Lands**

**Maintenance of Public Restrooms**

**Waterway Maintenance and Conservation**

**Watershed Management**

**Fleet Maintenance and Repairs**

**Operation of the Seaside Municipal Airport**

**Operation of the Evergreen Cemetery**

**Maintenance of the Promenade and Turnaround**

**Maintenance of select Public Buildings**

## **Additional Responsibilities**

**Downtown Litter Maintenance Contract performance**

**Downtown Landscape Maintenance Contract**

**Seaside Municipal Airport Manager**

**Evergreen Cemetery Manager**

**City of Seaside Safety Committee Team Leader**

**City of Seaside Watershed Management**

**Tree City USA delegate**

**Safe Routes to Schools Coordinator**

# Committees and Commissions

**Parks Advisory Committee**  
**Transportation Advisory Commission**  
**City Tree Board**  
**Seaside Municipal Airport Committee**  
**SDDA Downtown Transportation Committee**  
**SDDA Downtown Beautification Committee**  
**City of Seaside Improvement Commission**



# Projects in the Works

## **Water System Master Plan Update**

**AWIA Risk and Resilience Assessment and Emergency Response Plan – Completed December 2021(America’s Water Infrastructure Act of 2018)**

**Safe Routes to Schools Sidewalk & Safety Development Program**

**City of Seaside Comprehensive Plan Update**

**City of Seaside Cemetery Expansion**

**Parks Master Plan update**

**Transportation System Plan Update**

**Water Meter Replacement Project**

**Wastewater Treatment Plant Centrifuge and Dryer replacement**

**Watershed Bridge Replacement Project**

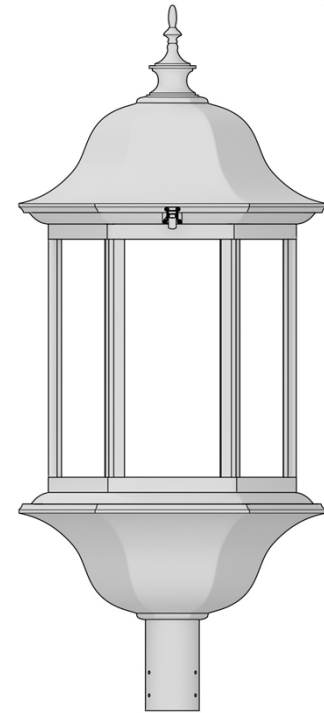
**Continuation of Downtown Lighting Retrofit to LED**





# Looking to the future - projects

- Downtown Street Light retrofit to LED**
- Replace Electrical Pedestal on Necanicum Dr. to Stainless Steel**
- City Hall – Tree Replacement and subsurface drainage system**
- City Hall Entry Remodel (3 Entrances)**
- Continuation of Sidewalk infill areas and ADA Crosswalks**
- Continuation of Street Signage throughout city**
- Continuation of Crack Sealing Streets**
- Continue updates at City Parks**
- US101 to Avenue K Reconstruction Project (Center turn lane)**



# Tree Board, Parks Advisory Committee + Planning Commissioner and Kiwanis Lt. Governor Tracy MacDonal participated in Ginkgo Tree Planting at Cartwright Park



# Tree City U.S.A. – 24 years and counting



**TREE CITY USA®**

## PROGRAM HISTORY

Started in 1976, Tree City USA is one of the Arbor Day Foundation's oldest programs. Our founders had a vision for a greener, healthier America, and hoped this initiative would inspire change on a nationwide level.

The first Tree City USA cohort was comprised of 42 communities in 16 states. Today, the program includes more than 3,600 communities from all 50 states, Washington D.C., and Puerto Rico.

We've seen a lot of change over the years — but our participants' passion for trees has remained the same.

Our story isn't over. We hope to continue growing our network, city by city, until every American can live in a Tree City USA community.

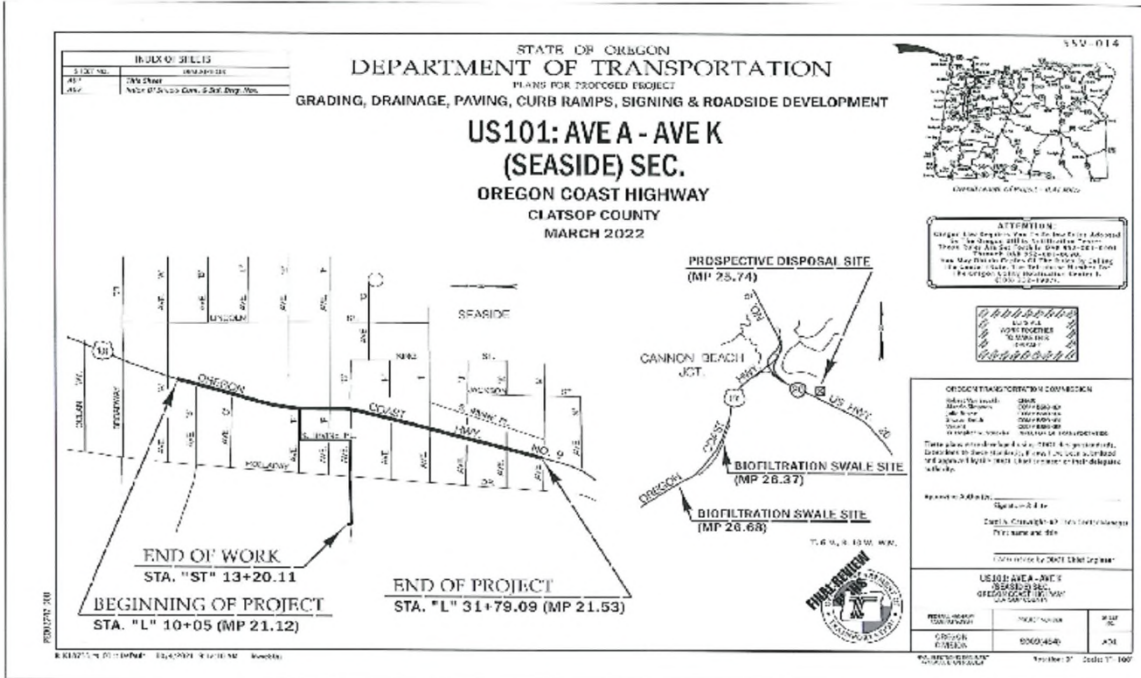
3,676 RECOGNIZED CITIES      \$1,455,188,121 INVESTED IN URBAN FORESTRY

749,568 TREES PLANTED

# Parks Advisory Committee



# Transportation Advisory Commission



**Feedback Needed!**

## City of Seaside

### SAFE ROUTES TO SCHOOL PLAN

### WALK AUDIT & INTERACTIVE ONLINE MAP

#### How does your student get to school?

With planning assistance from the Oregon Department of Transportation, the City of Seaside is working to create a Safe Routes to School (SRTS) Plan for Pacific Ridge Elementary and Seaside Middle/High School. This is an opportunity to make our streets safer and more comfortable for students and families to walk and bike.

There are two ways to participate!



#### 1) JOIN US FOR A WALK AUDIT!

**NOVEMBER 17TH, 2021 7:15AM**

The City of Seaside will be hosting a socially-distant community walk audit to observe student arrival and document the walking and biking conditions around the school area. We will be identifying barriers to safe walking and biking, as well as potential improvements. Please meet at the bike rack at Pacific Ridge Elementary.

Please note that masks are required for participation.

#### 2) SHARE FEEDBACK USING OUR INTERACTIVE ONLINE MAP!

Link to the online map:  
<http://odotsrtsprojectid.com/>

Questions: SUSAN PENROD | [spenrod@seaside12.org](mailto:spenrod@seaside12.org) | 503-738-5591



# Tsunami Awareness – includes planning for you AND your pets

Wayfinding signs were funded by a grant thru DOGAMI (Dept of Geology and Mineral Industries). 23 new signs were placed in residential areas north and south of Broadway. Portable Changeable Message Board Signs at each end of town are updated as events unfold to keep the public informed.



# Water Statistics

**Residential Water Customers: 3,339**

**Commercial Water Customers: 443**

**Water Storage Capacity: 8,000,000 gallons**

**Total Water Treated: 547,508,000 gallons**



# Wastewater Statistics

**Wastewater Processed 606,002,000 gallons**

**Solids produced 149.44 tons**



## Upgraded Equipment 2021





# Seaside Municipal Airport Improvements



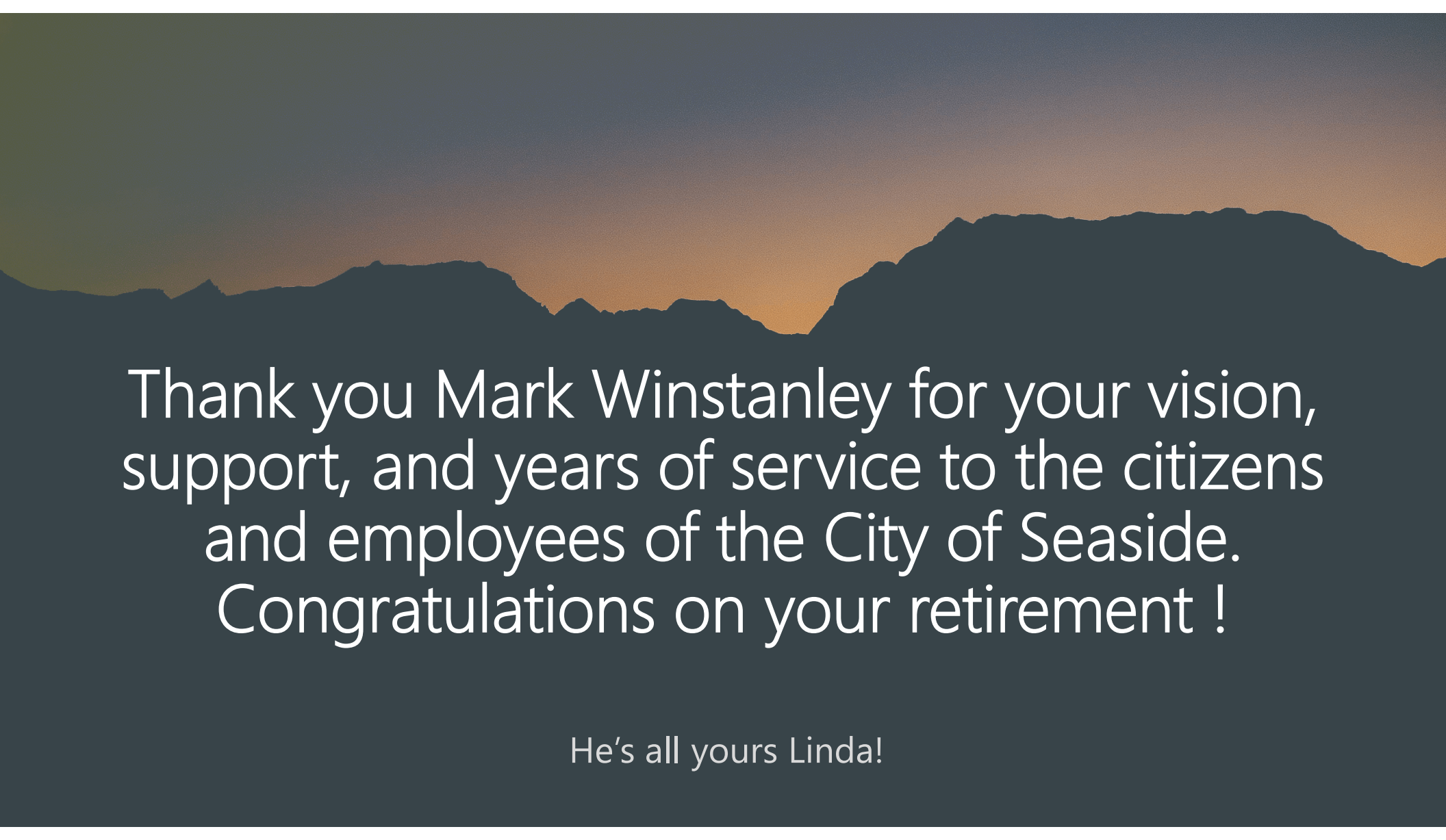
## New Bike Shed

**Pilots provide Bicycles and Helmets to enable “flying” visitors a mode of transportation. Visitor Guides and Maps of the area are available to visitors in the bike shed.**

**Our Airport has seen an uptick in Overnight stays, day visits, shopping and dining excursions.**

**The Airport Committee is very active in promoting the Seaside Municipal Airport (56S)**



The background of the slide features a silhouette of a mountain range against a sunset sky. The sky transitions from a dark blue at the top to a warm orange and yellow near the horizon, which is partially obscured by the dark, jagged peaks of the mountains.

Thank you Mark Winstanley for your vision,  
support, and years of service to the citizens  
and employees of the City of Seaside.  
Congratulations on your retirement !

He's all yours Linda!

ORDINANCE NO. 2022-01

AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE  
AND GENERAL UTILITY EASEMENT TO PACIFICORP WITHIN THE  
CITY OF SEASIDE, OREGON

This Franchise Agreement (“Franchise”) is between the City of Seaside, Oregon, hereinafter referred to as the “Grantor” and PacificCorp d.b.a. Pacific Power, hereinafter referred to as the “Grantee.”

WHEREAS, PacificCorp d.b.a. Pacific Power, is a regulated public utility that provides electric power and energy to the citizens of the City of Seaside, Oregon (the “City”) and other surrounding areas; and

WHEREAS, providing electrical power and energy requires the installation, operation and maintenance of power poles and other related facilities to be located within the public ways of the City; and

WHEREAS, the City desires to set forth the terms and conditions by which PacificCorp shall use the public ways of the City;

*NOW, THEREFORE, the Grantor and Grantee agree as follows:*

**SECTION 1**

**Grant of Franchise and General Utility Easement**

The City hereby grants to PacificCorp the right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, guy anchors, vaults, transformers, transmission lines, and communication lines (collectively referred to herein as “Electric Facilities”) in, under, along, over and across the present and future streets, alleys, public ways and public places (collectively referred to herein as “Public Ways”) within the City, for the purpose of supplying and transmitting electric power and energy to the inhabitants of the City and persons and corporations beyond the limits thereof.

**SECTION 2**

**Term.**

The term of this Franchise and General Utility Easement is for twenty (20) years commencing on the date of acceptance by the Company as set forth in Section 3 below.

**SECTION 3**

**Acceptance by PacificCorp.**

Within sixty (60) days after the passage of this ordinance by the City, PacificCorp shall file an unqualified written acceptance thereof, with the City Recorder, otherwise the ordinance and the rights granted herein shall be null and void.

**SECTION 4**

**Non-Exclusive Franchise.**

The right to use and occupy the Public Ways of the City shall be nonexclusive and the City reserves the right to use the Public Ways for itself or any other entity that provides service to City residences; provided, however, that such use shall not unreasonably interfere with PacificCorp’s Electric Facilities or PacificCorp’s rights granted herein.

**SECTION 5**

**City Regulatory Authority.**

In addition to the provision herein contained, the City reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties or exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Oregon, the laws of Oregon or City Ordinances.

**SECTION 6**  
**Indemnification.**

The City shall in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the construction, operation or maintenance by PacifiCorp of its Electric Facilities. PacifiCorp shall indemnify, defend and hold the City harmless from and against claims, demands, liens and all liability or damage of whatsoever kind on account of PacifiCorp's use of the Public Ways within the City, and shall pay the costs of defense plus reasonable attorneys' fees for any claim, demand or lien brought thereunder. The City shall: (a) give prompt written notice to PacifiCorp of any claim, demand or lien with respect to which the City seeks indemnification hereunder; and (b) unless in the City's judgment a conflict of interest exists between the City and PacifiCorp with respect to such claim, demand or lien, permit PacifiCorp to assume the defense of such claim, demand, or lien with counsel satisfactory to City. If such defense is not assumed by PacifiCorp, PacifiCorp shall not be subject to liability for any settlement made without its consent. Notwithstanding any provision hereof to the contrary, PacifiCorp shall not be obligated to indemnify, defend or hold the City harmless to the extent any claim, demand or lien arises out of or in connection with any negligent or willful act or failure to act of the City or any of its officers or employees.

**SECTION 7**  
**Annexation.**

**7.1 Extension of City Limits.** Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Electrical Facilities owned, maintained, or operated by PacifiCorp located within any public ways of the annexed territory shall thereafter be subject to all of the terms hereof.

**7.2 Annexation.** When any territory is approved for annexation to the City, the City shall, not later than ten (10) working days after passage of an ordinance approving the proposed annexation, provide by certified mail to PacifiCorp: (a) each site address to be annexed as recorded on county assessment and tax rolls; (b) a legal description of the proposed boundary change; and (c) a copy of the City's ordinance approving the proposed annexation. The notice shall be mailed to:

PacifiCorp Customer Contact Center  
P.O. Box 400  
Portland, Oregon 97202-0400

With a copy to:  
PacifiCorp  
Attn: Office of the General Counsel  
825 N.E. Multnomah, Suite 2000  
Portland, Oregon 97232

Additional or increased fees or taxes, other than ad valorem taxes, imposed on PacifiCorp as a result of an annexation of territory to the City shall become effective on the effective date of the annexation provided notice is given to PacifiCorp in accordance with ORS 222.005, as amended from time to time.

**SECTION 8**  
**Planning, Design, Construction and Installation of Company Facilities.**

**8.1** All Electric Facilities installed or used under authority of this Franchise shall be used, constructed and maintained in accordance with applicable federal, state and city laws, codes and regulations.

**8.2** Except in the case of an emergency, PacifiCorp shall, prior to commencing new construction or major reconstruction work in the public way or street or other public places, apply for a permit from the City which permit shall not be unreasonably withheld, conditioned, or delayed. PacifiCorp will abide by all applicable ordinances and all reasonable rules, regulations and requirements of the City, and the City may inspect the manner of such work and require remedies as may be necessary to assure compliance. Notwithstanding the foregoing, PacifiCorp shall not be obligated to obtain a permit to perform emergency repairs.

**8.3** All Electric Facilities shall be located so as to cause minimum interference with the Public Ways of the City and shall be constructed, installed, maintained, cleared of vegetation, renovated or replaced in accordance with applicable rules, ordinances and regulations of the City.

**8.4** If, during the course of work on its Electrical Facilities, PacifiCorp causes damage to or alters the Public Way or public property, PacifiCorp shall (at its own cost and expense and in a manner approved by the City) replace and restore it to a condition comparable to that which existed before the work commenced.

**8.5** In addition to the installation of underground electric distribution lines as provided by applicable state law and regulations, PacifiCorp shall, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed electric distribution lines underground as may be required by City ordinance.

**8.6** The City shall have the right without cost to use all poles and suitable overhead structures owned by PacifiCorp within Public Ways for City wires used in connection with its fire alarms, police signal systems, or other communication lines used for governmental purposes; provided, however, any such uses shall be for activities owned, operated or used by the City for a public purpose and shall not include the provision of CATV, internet, or similar services to the public. Provided further, that PacifiCorp shall assume no liability nor shall it incur, directly or indirectly, any additional expense in connection therewith, and the use of said poles and structures by the City shall be in such a manner as to prevent safety hazards or interferences with PacifiCorp's use of same. Nothing herein shall be construed to require PacifiCorp to increase pole size, or alter the manner in which PacifiCorp attaches its equipment to poles, or alter the manner in which it operates and maintains its Electric Facilities. City attachments shall be installed and maintained in accordance with the reasonable requirements of PacifiCorp and the current edition of the National Electrical Safety Code pertaining to such construction. Further, City attachments shall be attached or installed only after written approval by PacifiCorp.

**8.7** PacifiCorp shall have the right to excavate the Public Ways subject to reasonable conditions and requirements of the City. Before installing new underground conduits or replacing existing underground conduits, PacifiCorp shall first notify the City of such work and shall allow the City, at its own expense, to share the trench of PacifiCorp to lay its own conduit therein, provided that such action by the City will not unreasonably interfere with PacifiCorp's Electric Facilities or delay project completion.

**8.8** Before commencing any street improvements or other work within a Public Way that may affect PacifiCorp's Electric Facilities, the City shall give written notice to PacifiCorp.

**8.9** No structures, buildings or signs shall be erected below PacifiCorp's facilities or in a location that prevents PacifiCorp from accessing or maintaining its facilities.

**8.10** PacifiCorp shall provide the City with a report of all new services created within City boundaries on an annual basis during the term of this Franchise. The City shall provide written confirmation of the accuracy of the report and/or any corrections thereto to PacifiCorp within a reasonable time following receipt of the report.

## **SECTION 9**

### **Relocation of Electric Facilities.**

**9.1** The City reserves the right to require PacifiCorp to relocate overhead Electric Facilities within the Public Ways in the interest of public convenience, necessity, health, safety or welfare at no cost to the City. Within a reasonable period of time after written notice, PacifiCorp shall promptly commence the overhead relocation of its Electrical Facilities. Before requiring a relocation of Electric Facilities, the City shall, with the assistance and consent of PacifiCorp, identify a reasonable alignment for the relocated Electric Facilities within the Public Ways of the City. The City shall assign or otherwise transfer to Company all right it may have to recover the cost for the relocation work and shall support the efforts of PacifiCorp to obtain reimbursement. In cases of capital improvement projects undertaken by the City, PacifiCorp shall convert existing overhead distribution facilities to underground, so long as PacifiCorp is allowed to collect the costs associated with conversion from overhead to underground distribution facilities consistent with OAR 860-022-0046, the Oregon Public Utility Commission rule on forced conversions.

9.2 PacifiCorp shall not be obligated to pay the cost of any relocation that is required or made a condition of a private development. If the removal or relocation of facilities is caused directly or otherwise by an identifiable development of property in the area, or is made for the convenience of a customer, PacifiCorp may charge the expense of removal or relocation to the developer or customer. For example, PacifiCorp shall not be required to pay relocation costs in connection with a road widening or realignment where the road project is made a condition or caused by a private development. In such event, the City shall require the developer to pay PacifiCorp for such relocation costs as part of its approval procedures. Grantee shall pay to the Grantor an annual franchise fee in an amount equal to ~~five~~ **seven** percent (~~5%~~) (**7%**) of the annual Gross Revenue. Franchise fees may be passed through to Subscribers as a line item on Subscriber bills or otherwise as Grantee chooses, consistent with federal law. The amount of franchise fee and the method of calculation shall be equal when compared to the amount or method of calculation of the franchise fee in any other cable franchise or authorization to provide video service granted by Grantor. In the event any other cable franchise or authorization to provide video service provides for a lesser franchise fee than this Franchise, Grantee's obligation to pay a franchise fee under this Section 10.1 shall be reduced by an equivalent amount.

**SECTION 10**  
**Subdivision Plat Notification.**

Before the City approves any new subdivision and before recordation of the plat, the City shall mail notification of such approval and a copy of the plat to PacifiCorp:

Pacific Power  
Attn: Estimating Department  
2340 SE Dolphin Road  
Warrenton, Oregon 97146

**SECTION 11**  
**Vegetation Management.**

PacifiCorp or its contractor may prune all trees and vegetation which overhang the Public Ways, whether such trees or vegetation originate within or outside the Public Ways, to prevent the branches or limbs or other part of such trees or vegetation from interfering with PacifiCorp's Electrical Facilities. Such pruning shall comply with the *American National Standard for Tree Care Operation (ANSI A300)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. A growth inhibitor treatment may be used for trees and vegetation species that are fast-growing and problematic. Nothing contained in this Section shall prevent PacifiCorp, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang streets.

**SECTION 12**  
**Compensation.**

12.1 In consideration of the rights, privileges, and franchise hereby granted, PacifiCorp shall pay to the City from and after the effective date of the acceptance of this franchise, ~~five~~ **seven** percent (~~5%~~) (**7%**) of its gross revenues derived from within the corporate limits of City. The term "gross revenue" as used herein shall be construed to mean any revenue of PacifiCorp derived from the retail sale and use of electric power and energy within the municipal boundaries of the City after adjustment for the net write-off of uncollectible accounts and corrections of bills theretofore rendered. All amounts paid under this Section 12 shall be subject to review by the City; provided that only payments which occurred during a period of thirty-six (36) months prior to the date the City notifies PacifiCorp of its intent to conduct a review shall be subject to such review. Notwithstanding any provision to the contrary, at any time during the term of this Franchise, the City may elect to increase the franchise fee amount as may then be allowed by state law. The City shall provide PacifiCorp with prior written notice of such increase following adoption of the change in percentage by the City. The increase shall be effective sixty (60) days after City has provided such written notice to PacifiCorp.

12.2 The franchise fee shall not be in addition to any other license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City from PacifiCorp with respect to PacifiCorp's electric business or the exercise of this franchise within the corporate limits of the City and the amount due to the City under any such other license, occupation,

franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting there from the amount of said franchise fee paid hereunder.

### **SECTION 13**

#### **Renewal.**

At least 120 days prior to the expiration of this Franchise, PacifiCorp and the City shall agree to either extend the term of this Franchise for a mutually acceptable period of time or the parties shall use best faith efforts to renegotiate a replacement Franchise. PacifiCorp shall have the continued right to use the Public Ways of the City as set forth herein in the event an extension or replacement Franchise is not entered into upon expiration of this Franchise.

### **SECTION 14**

#### **No Waiver.**

Neither the City nor PacifiCorp shall be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

### **SECTION 15**

#### **Transfer of Franchise.**

PacifiCorp shall not transfer or assign any rights under this Franchise to another entity, except transfers and assignments by operation of law, unless the City shall first give its approval in writing, which approval shall not be unreasonably withheld; provided, however, inclusion of this Franchise as property subject to the lien of PacifiCorp's mortgage(s) shall not constitute a transfer or assignment.

### **SECTION 16**

#### **Amendment.**

At any time during the term of this Franchise, the City, through its City Council, or PacifiCorp may propose amendments to this Franchise by giving thirty (30) days written notice to the other of the proposed amendment(s) desired, and both parties thereafter, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendment(s). No amendment or amendments to this Franchise shall be effective until mutually agreed upon by the City and PacifiCorp and formally adopted as an ordinance amendment.

### **SECTION 17**

#### **Non-Contestability – Breach of Contract.**

17.1 Neither the City nor PacifiCorp will take any action for the purpose of securing modification of this Franchise before either the Oregon Public Utility Commission or any Court of competent jurisdiction; provided, however, that neither shall be precluded from taking any action it deems necessary to resolve difference in interpretation of the Franchise nor shall PacifiCorp be precluded from seeking relief from the Courts in the event Oregon Public Utility Commission orders, rules or regulations conflict with or make performance under the Franchise illegal.

### **SECTION 18**

#### **Notices.**

Unless otherwise specified herein, all notices from PacifiCorp to the City pursuant to or concerning this Franchise shall be delivered to the City Recorder's Office. Unless otherwise specified herein, all notices from the City to PacifiCorp pursuant to or concerning this Franchise shall be delivered to the Customer and Community Affairs Vice President, Pacific Power, 825 NE Multnomah, Lloyd Center Tower Suite 2000, Portland, Oregon 97232, and such other office as PacifiCorp may advise the City of by written notice.

**SECTION 19**  
**Severability.**

If any section, sentence, paragraph, term or provision hereof is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

**SECTION 20**  
**Waiver of Jury Trial.**

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

This ordinance will take affect effect thirty days after adoption.

**ADOPTED** by the City Council of the City of Seaside on this \_\_\_ day of \_\_\_\_\_, 2022, by the following roll call vote:

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

**SUBMITTED** to and **APPROVED** by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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



**ORDINANCE NO. 2022-02**  
**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING**  
**CHAPTER 91 OF THE SEASIDE CODE OF ORDINANCES REGARDING**  
**EVERGREEN CEMETERY REGULATIONS**

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

**SECTION 1.** Chapter 91.07 DECENT OF PLOT. is amended to read as follows.

**91.07 DESCENT OF PLOT.**

Upon the death of the owner, unless he has disposed of the plot either by specific direction in his will, or by a written declaration of reservation, filed in the office of the City Manager, if no interment has been made in a plot, the plot descends to the heirs at law of the owner, subject to the rights of the surviving spouse.

**SECTION 2.** Chapter 91.09 DISINTERMENTS AND REMOVALS. is amended to read as follows:

**91.09 DISINTERMENTS AND REMOVALS.**

Disinterments and removals may be made with the written consent of the Public Works Director, surviving spouse, the surviving parents of a child or unmarried person, other persons who have the legal right to order disinterment, and the plot owner, provided all the requirements of the laws of the State of Oregon, ordinances of the city, and the rules and regulations of the cemetery are complied with. Failure to comply with the conditions stated herein, or any other good and sufficient reason, shall be full authority for the Public Works Director to postpone or deny such disinterment and removal.

**SECTION 3.** Chapter 91.13 PLOTS SOLD BACK TO THE CITY. is amended to read as follows:

**91.13 PLOTS SOLD BACK TO CITY**

In the event the owner of a plot decides not to utilize a plot purchased after October 1, 1985, it may be sold back to the city at 80% of the purchase price. Such a request for city purchase must be in writing.

**SECTION 4.** Chapter 91.14 PURCHASE PRICE. is amended to read as follows:

**91.14 PURCHASE PRICE**

The city shall charge \$500 **\$750** for each plot until changed by future ordinance of the City Council.

ADOPTED by the City Council of the City of Seaside on this \_\_\_\_ day of \_\_\_\_\_, 2022 by the following roll call vote:

YEAS:  
NAYS:  
ABSTAIN:  
ABSENT:

SUBMITTED to and APPROVED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jay Barber, Mayor

ATTEST:

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

OREGON'S  
F A M O U S  
A L L - Y E A R  
R E S O R T



# CITY of SEASIDE

PUBLIC WORKS DEPARTMENT  
LOCATION: 1387 AVE U  
MAIL: 989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5112

January 10, 2022

Recommendation to City Council

From: Dale McDowell – Public Works Director

To: The Honorable Mayor and City Council Members

RE: Request to Amend Chapter 91 of the Seaside Code of Ordinances regarding Evergreen Cemetery Regulations – plot price increase.

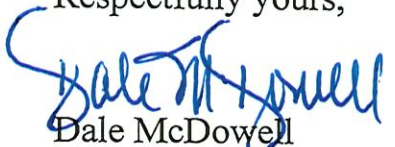
Dear Honorable Mayor and City Council Members,

Ordinance 91 was last updated in January 2016; over the last five years, significant maintenance improvements have been made to our Cemetery, and we are looking to expand the cemetery grounds, to accommodate our residents.

I have reviewed surrounding Cemetery plot pricing for Clatsop County, and the Seaside Evergreen Cemetery continues to be significantly less expensive per plot.

I would therefore like to recommend to City Council that we update and increase our Evergreen Cemetery Plot pricing from \$500.00 (current pricing) to \$750.00 per plot.

Respectfully yours,



Dale McDowell  
Public Works Director

## **SEASIDE LIBRARY BOARD**

**(Meetings are scheduled the first Tuesday of each month at 4:00 PM)**

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

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

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

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

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

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 22, 2021  
**Name:** **Catriona Penfield**  
**Commission/Committee:** Library Board  
**Resignation Date:** **Penfield - Served Two Terms**  
**Term Expiration Date:** **December 31, 2021**  
**Wants to be considered again:** **Penfield - N/A Served Two Terms**
2. **Applicants:**  
**Meagan Hughes**
3. **Nominations:**
4. **Appointment:**

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

**CITY OF SEASIDE**

Interest Form for Committee/Commission/Board Vacancies

*(nominated 1/24/2022)*

NAME Hughes, Meagan PHONE 509 / 439-9384  
Last First

ADDRESS 1581 Whispering Pines Dr, #6, Seaside, OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS mhughes97110@gmail.com

LENGTH OF TIME IN SEASIDE 5 years ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION Real Estate Broker

PAST OCCUPATIONS Hospitality Staff, Hospitality Management

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

List committee/commissions you are currently appointed to: None for the City of Seaside

List employment and volunteer activities, which may relate to service on committee/commissions:  
Oregon Realtors Diversity Committee Member Oregon Realtors Mentorship Subcommittee Lead  
Previous Canon Beach Farmer's Market Volunteer Previous Community Food Systems Board of Directors

List skills and special knowledge that you may have acquired from these activities:  
Ability to work closely with the local community, identify needs, and create systems to serve those needs.  
Ability to be a productive committee member utilizing communication skills and honoring time commitments.

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

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

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

NAME	RELATIONSHIP	ADDRESS	PHONE
Kim Picard	Prior Co-Worker	Seaside, OR	503-747-8518
Cindy Hawkins-Colley	Prior Supervisor	Seaside, OR	503-440-0130
Kelly Aldrich	Friend	Cannon Beach, OR	503-739-2165

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

DATE 1/19/2022

SIGNATURE *Meagan Hughes*



896D547BA629499...

**Kimberley Jordan**

---

**From:** Meagan Hughes <mhughes97110@gmail.com>  
**Sent:** Wednesday, January 19, 2022 10:40 AM  
**To:** kjordan@cityofseaside.us  
**Subject:** Library Board Application  
**Attachments:** Library Board Application Signed.pdf

Hello,

Attached is my application for service on the Library Board. I did not have enough room on the form to write out the full addresses for my references; if needed, their addresses are below.

Kim Picard: 83448 Bradburn Rd, Seaside, OR 97138  
Cindy Hawkins-Colley: 2073 Cooper St, Seaside, OR 97138  
Kelly Aldrich: PO Box 1363, Cannon Beach, OR 97110  
(1655 Spruce Dr, Cannon Beach, OR 97110)

If you have any further questions, please don't hesitate to contact me.

Thank you,  
Meagan Hughes

Meagan Hughes  
Real Estate Broker  
Licensed in the state of Oregon  
Summa Real Estate Group  
509-439-9384



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

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

## LIBRARY BOARD

Term of Office: 4 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
(VACANCY) PENFIELD			12/31/2021
EVE MARX	2356 S. DOWNING ST.	914-588-7051	12/31/2022
KATHLEEN TEEPLE	33230 BEERMAN CREEK LANE	738-3155	12/31/2023
TESS RATTY	89637 LAKESIDE CT. WARRENTON, OR 97146	738-5055	12/31/2024
CHERYL ADAMSCHECK	3345 BAYVIEW TERRACE	206-434-2216	12/31/2024

\*CHAIR

## **SEASIDE CITY TREE BOARD**

**(Meetings are scheduled every other month on the third Wednesday at 4:00 PM)**

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

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

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

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

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



## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **March 17, 2021**  
**Name:** **Arnold Olsen**  
**Commission/Committee:** **City Tree Board Committee**  
**Resignation Date:** **March 17, 2021**  
**Term Expiration Date:** **June 30, 2021**  
**Wants to be considered again:** **No**
  
2. **Applicants:**  
Roxanne Cady
  
3. **Nominations:**
  
4. **Appointment:**

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

### CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

NAME Cady Roxanne PHONE 503 / 896-7824  
Last First

ADDRESS 33737 Lake Front Dr Warrenton 9146 97146

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS roxannecady1@juno.com

LENGTH OF TIME IN SEASIDE 5yr ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No  *County*

OCCUPATION sales assistant at Jacobs Radio, LLC (Seaside Employee)

PAST OCCUPATIONS Cristopher 7 Banks asst. mgr.

List committee/commissions on which you would like to serve: Parks Advisory Committee City Tree Board Airport Advisory Committee

List committee/commissions you are currently appointed to: none

List employment and volunteer activities, which may relate to service on committee/commissions:  
Secretary for Oregon Nurses in AIDS Care 5 years  
AIDS Walk in Portland 20 years

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

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

When? 30+ years ago Please explain: \_\_\_\_\_

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

NAME	RELATIONSHIP	ADDRESS	PHONE
<small>Minda Dunkin</small> <small>ex-coworker / supervisor</small>	<u>SUPERVISOR</u>	<u>Seaside</u>	<u>(503)440-9785</u>
<u>Anna</u>	<u>housekeeper</u>	<u>Seaside</u>	<u>(503)470-0494</u>
<u>Nathan Ladd</u>	<u>ex-coworker</u>	<u>Seaside</u>	<u>(503)440-351</u>

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

DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_



# CITY of SEASIDE

OREGON'S  
F A M O U S  
A L L - Y E A R  
R E S O R T

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

## CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
(VACANCY) OLSEN			6/30/2021
JOHN CARTER	PO BOX 679	738-4387	6/30/2022
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2023
DAN STARK	802 25 <sup>TH</sup> AVENUE	440-0415	6/30/2023
WILLIAM BARNES	2070 COOPER ST.	503-739-2118	6/30/2024
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE

## **SEASIDE BUDGET COMMITTEE**

**(Meetings are held in April and May of each year)**

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

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

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

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

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** November 22, 2021  
**Name:** George Stacey  
**Commission/Committee:** Budget Committee  
**Resignation Date:** Stacey – Lives in Portland  
**Term Expiration Date:** December 31, 2021  
**Wants to be considered again:** Stacey – N/A
2. **Applicants:**  
Kathy Kleczek  
Stephen Dillard
3. **Nominations:**
4. **Appointment:**

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

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

(Nominated 1/24/2022)

NAME Kleczek Kathy PHONE 503/ 440-3232  
Last First

ADDRESS 2080 Aldercrest St Seaside, OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS Kathy4seaside@gmail.com

LENGTH OF TIME IN SEASIDE 12 ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION Transportation Options Specialist

PAST OCCUPATIONS Small Business Owner

List committee/commissions on which you would like to serve: Budget Committee

List committee/commissions you are currently appointed to: Planning Commission

List employment and volunteer activities, which may relate to service on committee/commissions:  
SETD Board Member (Chair) for 7 yrs Small Business Owner 22+ yrs  
SDAO Board Member

List skills and special knowledge that you may have acquired from these activities:  
Experience on Budget Committee as well as monitoring budgets from a board standpoint. Small Business Budgeting and budget execution for long term sustainability.

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

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

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

NAME	RELATIONSHIP	ADDRESS	PHONE
Jeff Hazen	Supervisor	Astoria, OR	503-861-5399
Carol Gearin	Fellow SETD Boar	Warrenton, OR	503-861-0394
Melinda Ward	SETD Budget Corr	Seaside, OR	503-717-2135

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

DATE 1/10/2022 SIGNATURE Kathy Kleczek

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

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

(Nominated 1/24/2022)

NAME DILLARD STEPHEN PHONE 503 738-7473  
Last First

ADDRESS 241 AVENUE U, SEASIDE, OR

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS SDILLARD@SANDYCOVEINN.NET

LENGTH OF TIME IN SEASIDE 3 1/2 YEARS ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION MOTEL MANAGER

PAST OCCUPATIONS COMPUTER NETWORK SALES + SUPPORT; WORKED WITH NON-PROFIT ORGANIZATIONS

List committee/commissions on which you would like to serve: BUDGET COMMITTEE

List committee/commissions you are currently appointed to: ✓

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

SMALL BUSINESS OWNER FOR THREE DECADES MEMBER - ASTORIA AIRPORT COMMITTEE  
STUDENT OF BUSINESS + ECONOMICS

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

KNOWLEDGE OF BUSINESS FINANCIALS, BUDGETS + FINANCING  
LIMITED KNOWLEDGE OF LARGE COMPANY + GOVERNMENT FINANCIALS + BUDGETS

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

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

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

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>KURT SANDERSEN</u>	<u>FRIEND / VENDOR</u>	<u>3470 HWY 101 N, GEARHART</u>	<u>503-739-7139</u>
<u>JOHN BAICHL</u>	<u>FRIEND</u>	<u>ASTORIA</u>	<u>503-791-0077</u>
<u>BOB HOWELL</u>	<u>FRIEND / COMPETITOR</u>	<u>TARDEWINDS, 1022 N. PROM SEASIDE</u>	<u>503-738-9468</u>

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

DATE 1/14/22 SIGNATURE [Signature]



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

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

## BUDGET COMMITTEE

Term of Office: 3 years

Number of Members: 14 (Includes City Council)

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
(VACANCY) STACEY			12/31/2021
LES MCNARY	1624 S. FRANKLIN	738-0759	12/31/2022
KATHLEEN PETERSON	1640 HUCKLEBERRY DR.	440-5543	12/31/2022
JAMES SHIPLEY	284 ALPINE ST.	717-0392	12/31/2023
REBECCA BUCK	P O BOX 1152	738-3045	12/31/2023
NANCY MCCUNE	822 NECANICUM #101	503-260-8905	12/31/2023
ROBERT PERKEL	2039 HUCKLEBERRY DR.	971-320-0008	12/31/2024



## **SEASIDE AIRPORT COMMITTEE**

**(Meetings are scheduled every other month on the last Tuesday at 6:00 PM)**

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

The committee shall consist of the following Seven (7) members: resident of the City of Gearhart, and Six (6) members, who are not employees of the City, and at least (4) of the members shall reside within the City limits who shall serve as members. The Mayor shall appoint one member of the City Council as Council liaison, and the Public Works Director shall be the Staff liaison to the Committee.

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

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

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

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

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

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** August 9, 2021  
  
**Name:** Teri Carpenter  
Jesse Taylor  
  
**Commission/Committee:** Seaside Airport Committee  
  
**Resignation Date:** Carpenter - July 27, 2021 – Verbally at Airport meeting  
Taylor – January 4, 2022  
  
**Term Expiration Date:** Carpenter - June 30, 2022  
Taylor – June 30, 2024  
  
**Wants to be considered again:** No
2. **Applicants:**  
Mark Tolan
3. **Nominations:**
4. **Appointment:**

(Nominated - January 10, 2022)

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

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

NAME Tolan Mark PHONE 503 / 440 -1141
Last First

ADDRESS 454 Fairway Ct, Seaside 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE)

BUSINESS ADDRESS (IF APPLICABLE)

EMAIL ADDRESS mfttex@gmail.com

LENGTH OF TIME IN SEASIDE 15yr ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION Property Manager

PAST OCCUPATIONS Therapeutic Councilor

List committee/commissions on which you would like to serve: Airport Committee

List committee/commissions you are currently appointed to:

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

List skills and special knowledge that you may have acquired from these activities: Property Management / Facility Maintenance Expertise / Budgeting / Marketing / Team Building / Strategy

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

When? Please explain:

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

Table with 4 columns: NAME, RELATIONSHIP, ADDRESS, PHONE. Rows include Randall Henderson (Friend), Randy Frank (Neighbor), and Mayor Barber (Neighbor).

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

DATE 01.10.222 SIGNATURE [Signature]



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

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

## AIRPORT COMMITTEE

Term of Office: 3 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
JOYCE HUNT	510 13TH AVENUE	503-739-1825	6/30/2022
(VACANCY) CARPENTER**			6/30/2022
RANDALL HENDERSON*	89066 OCEAN DRIVE WARRENTON, 97146	503-577-6153	6/30/2023
ROY BENNETT	2026 FERNWOOD ST.	738-4102	6/30/2023
BRUCE FRANCIS	90250 SHORE LINE DR. WARRENTON, 97146	440-0033	6/30/2024
DIANNE WIDDOP	PO BOX 2116 GEARHART, 97138	440-0358	6/30/2024
(VACANCY) TAYLOR***			6/30/2024

DALE MCDOWELL 1387 AVENUE 'U' 738-5112 Public Works

RANDY FRANK 454 HIGHLAND DR. 440-3090 City Council

\*Chair

\*\*Vice Chair

\*\*\*Secretary

## **TRANSPORTATION ADVISORY COMMISSION**

**(Meetings are scheduled the third Thursday of every month at 6:00 PM)**

The purpose of the Transportation Advisory Commission is an advisory body to make recommendations to the City Council on matters concerning transportation and proposed transportation projects. The Transportation Advisory Commission shall have the powers and duties which are now or may hereafter be assigned to it by Charter, ordinance, resolution or order of this city and in addition it will:

- Assist the City Council in recognizing community priorities by advising on transportation policies and goals;
- Increasing communications between the City, the public, the Oregon Department of Transportation (ODOT), the County, and all interested parties;
- Reduce misunderstandings concerning transportation planning, design, and construction;
- Review current transportation related ordinances and recommend amendments;
- Review proposed transportation projects planned for the City of Seaside and make recommendations;
- Review the City of Seaside Transportation Systems Plan every five years and report to the City Council;
- Complete other projects, as they relate to transportation, as directed by the City Council.

The Commission shall consist of five members who are not employees of the City of Seaside and who will be appointed by the City Council. A minimum of four members shall reside within the city limits; and one member may live outside the city limits in order to represent concerns of neighboring properties and jurisdictions.

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

Each year in January, the first meeting of the Commission, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. City staff shall serve as Secretary to the Transportation Advisory Commission. Minutes of all meetings will be filed with the City Council.

The commission shall hold a regular meeting at least once each month of the calendar year. The meeting shall be open to the public and legally noticed.

## COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** September 13, 2021  
**Name:** Matthew Stolberg  
**Commission/Committee:** Transportation Advisory Commission  
**Resignation Date:** Stolberg – Lives outside City Limits  
**Term Expiration Date:** October 1, 2024  
**Wants to be considered again:** No

2. **Applicants:**  
Tracy MacDonald

3. **Nominations:**

4. **Appointment:**

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

CITY OF SEASIDE  
Interest Form for Committee/Commission/Board Vacancies (Nominated 1/24/2022)

NAME MACDONALD TRACY PHONE 503-739-2269  
Last First

ADDRESS 451 HILLSIDE LANE SEASIDE, OR

MAIL ADDRESS (DIFFERENT THEN ABOVE) \_\_\_\_\_

BUSINESS ADDRESS (IF APPLICABLE) \_\_\_\_\_

EMAIL ADDRESS tmacd16@gmail.com

LENGTH OF TIME IN SEASIDE 40yr ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION RETIRED, PART TIME HOME DEPOT WRTN

PAST OCCUPATIONS SACS, PACIFIC POWER, SUNSET EMPIRE PER

List committee/commissions on which you would like to serve: COMMUNITY CNTR  
TRANSPORTATION ADVIS. CONVENTION CTR

List committee/commissions you are currently appointed to: COMMUNITY CNTR  
SUNSET EMPIRE TRANSIT

List employment and volunteer activities, which may relate to service on committee/commissions:  
TRANSIT BOARD KIWANIS Lt GOV  
PER BUDGET COMM.

List skills and special knowledge that you may have acquired from these activities:  
SRIF DN NW.ACT. COMMITTEE  
FIRST RESPONER

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

When? \_\_\_\_\_ Please explain: \_\_\_\_\_

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

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>MIKE HINTON</u>	<u>KIWANIS</u>		<u>503-440-1281</u>
<u>MIKE HANER</u>	<u>FRINDS</u>		<u>503-717-2188</u>
<u>DAVE HAM</u>	<u>KIWANIS</u>		<u>503-738-6311</u>

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

DATE 1/19/21 SIGNATURE [Signature]



# CITY of SEASIDE

OREGON'S  
FAMOUS  
ALL-YEAR  
RESORT

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

## TRANSPORTATION ADVISORY COMMISSION

Term of Office: 4 years  
Number of Members: 5

Chairperson\*  
Vice Chairperson\*\*

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
BEN OLSON**	2025 MAPLE ST.	503-738-2956	10/01/2022
TERRY HARTILL*	85208 HWY 101	503-738-7108	10/01/2023
VINEETA LOWER	815 6TH AVENUE	503-621-6588	10/01/2023
(VACANCY) STOLBERG			10/01/2024
ADAM WOOD	1581 WHISPERING PINES DR.#5	541-260-3200	10/01/2024
DALE MCDOWELL	1387 AVENUE 'U'	503-738-5112	Public Works





## **DRAFT: Public Comment Administrative Process and Policy**

### **Purpose:**

The purpose of this policy is to encourage public participation in open meetings held by governing bodies within the City of Seaside, Oregon. Generally speaking, this applies to Seaside City Council and Planning Commission meetings. This policy should encourage engagement with the public in open meetings and increase public access to make open comment or add comment and discussion to scheduled agenda items.

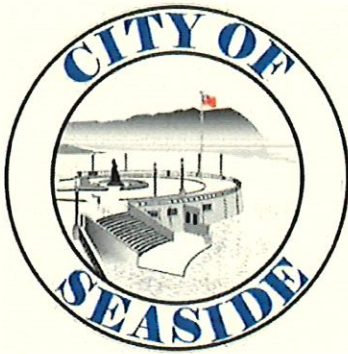
### **Policy:**

The City of Seaside encourages public participation in open public meetings through various avenues, which includes in-person, in-writing and now via a virtual/electronic method that includes any combination of audio/video available in council chambers. The City of Seaside welcomes public comment, healthy debate, and the expression of diverse opinions in a respectful manner. When the governing body has the authority to limit comments, they should seek inclusive options and avoid unnecessary barriers that create exclusivity. For example, a governing body may limit comments from the public if the length of the meeting would otherwise be unduly increased by reason of repetition, when comments are not reasonably related to the agenda item being discussed, or when a member of the public is using threatening or abusive language, profanity or language that is intended to be, or is reasonably perceived by others to be demeaning, berating, threatening, intimidating, hostile, or offensive.

### **Directives:**

- In accordance with ORS Chapter 192 and HB2560, the City of Seaside should continue to post adequate notice of any open meeting on the City's website, on City Hall doors and via other channels available. Instructions for attending or accessing the meeting will be included in the notice.
- When the City of Seaside is aware that topics of particular interest to the public will be discussed at an open meeting, the governing body should make efforts to provide notice that such topics will be discussed and seek to notify a wide range of public audiences.
- If the City of Seaside has specific instructions that a member of the public must comply with to participate in an open meeting, the city will make every effort to include those instructions along with the notice of the open meeting. When a member of the public is present (virtually or in person) at a meeting but has not followed instructions that were required to participate in the open meeting, if feasible, the governing body should allow the member of the public to participate and make attempts to collect required information after the meeting or at a future meeting.
- The City of Seaside will attempt to have multiple avenues that members of the public may use to participate in public meetings. If feasible, the public should be able to comment in person, virtually, or by submitting comments beforehand by email or in writing to be included in the public record during the meeting.
- The City of Seaside is committed to principles of equal access. When a member of the public needs assistance with attending or accessing any open meeting due to a disability, such member of the public should contact the Seaside City Hall at (503) 738-5511 or at [publiccomment@cityofseaside.us](mailto:publiccomment@cityofseaside.us).





# CITY OF SEASIDE MEMORANDUM

**To:** CITY COUNCIL

**From:** PLANNING COMMISSION

**Date:** February 14, 2022

**Re:** Comprehensive Plan & Zoning Ordinance Updates

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During their meeting on January 4, 2022; the City of Seaside Planning Commission made the following recommendation to the Seaside City Council.

**The Planning Commission formally requests the City Council initiate a review and update process for the comprehensive plan as a whole.**

The Commission recognizes this is a big undertaking, but as the guiding document for the City of Seaside's future planning decisions, the Commission believes an update is long overdue. The timing of this request is intended to provide ample time for the City to take this into consideration during the budgeting process.

# Parking lot on Necaticum between 10th and 11th, Seaside, OR

From: [REDACTED]  
To: publiccomment@cityofseaside.us <publiccomment@cityofseaside.us>  
Cc: [REDACTED]  
Date: 1/27/2022 11:11 AM

---

City of Seaside, Oregon...

Please eliminate the encampment between 10th and 11th Avenues on Necaticum in Seaside.

We are full time residents that live on 10th Avenue in Seaside. The crimes, property intrusions and dumping of garbage have all drastically increased since the encampment has been allowed to form. Prior to the allowed encampment, our grandchildren loved to play in the park on 11th & Necaticum, now that park is unsafe and no children are ever seen playing there.

Having an encampment of freeloaders live in a residential neighborhood is absolutely inappropriate, and we beg you to remove it immediately. The residents of this encampment ARE NOT HOUSELESS, they all do have enclosed shelters. Throughout the USA, there are many people that live in mobile homes, trailers, campers, buses and boats. They pay monthly fees to live in a mobile site... and these people (renters or owners) call their mobile home, trailer, camper, bus or boat "HOME" - it is their residence and they are definitely NOT HOUSELESS.

The definition of houseless is having NO form of shelter. I do understand that Seaside, OR is addressing the overnight needs of individuals that do have no form of shelter. The encampment between 10th and 11th is growing, so obviously the word is out that anyone can park their motorized HOME there for free. The Oregon law mandating that overnight shelter is offered/provided to houseless people shelter DOES NOT APPLY to people that are living in mobile, secure, locking vehicles... they have shelter.

Please do not make the mistake that the City of Portland, OR made. They turned a blind eye to pop-up housing encampments, and now those have taken over the City.

We urge you to take steps to frame the current and future of Seaside as a safe and desirable place to invest, live and vacation. The 10th-11th Avenue encampment that is currently allowed by the City of Seaside is a huge deterrent to the future success of real estate investors and the City... and a huge deterrent to anyone wanting to continue to live in Seaside. I know that the statements we have written reflect the feelings of the North Seaside neighborhood property owners.

Please remove the 10-11th Avenue encampment now.

[REDACTED]  
[REDACTED]  
Seaside, OR 97138  
[REDACTED]

# Parking Lot on Necanicum Between 10th & 11th, Seaside, OR

From: [REDACTED]

To: publiccomment@cityofseaside.us

Date: 1/29/2022 1:35 PM

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City of Seaside, Oregon

We respectfully request that the City take immediate steps to eliminate the encampment on public property located on Necanicum Street between 10th and 11th Avenues. We make this request in the best interests of public health and safety which should be the City's goal as well.

Our family has owned the home at [REDACTED] Avenue since 1984. We are very concerned about the degradation of the quality of life in our neighborhood since the City started allowing people to park mobile homes and RVs free and without restrictions on the property. Since there is no water service, sewer service nor proper trash containment, the public health of the people living there and those of us in the neighborhood is threatened. In addition, we doubt that anyone knows the vaccination status of the so-called residents of this encampment meaning the City could have its own COVID colony. If anyone becomes ill due to any of these conditions, the City could and should be held liable.

One impact is quite visible. The once heavily used park next to the encampment is now deserted because people have safety concerns. If these persist, people will not feel comfortable visiting Seaside and all the businesses will suffer. It is in everyone's best interests for the City to eliminate this blight.

Compassion for the truly homeless is laudable but misplaced compassion can result in undesired effects. This is a case in point. The fact is these people are not homeless. They are living in mobile homes, RVs and buses. This is a lifestyle choice and not homelessness. There is no defensible reason the City and taxpayers should foot the bill for their gain. We pay for our property taxes, water and sewer services and trash pickup. They are not paying for any of this which just encourages them to stay, and the word has obviously gotten out. The encampment just keeps growing!

We want Seaside to prosper and foster the friendly family environment for which it is known. We want to feel safe in our neighborhood again. We want the City to eliminate the encampment.

Thank you for considering these comments.

[REDACTED]

# Re: Parking Lot on Necanicum Between 10th & 11th, Seaside, OR

From: [REDACTED]  
To: [REDACTED]  
Cc: publiccomment@cityofseaside.us <publiccomment@cityofseaside.us>  
Date: 1/29/2022 2:01 PM

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Great letter!

[REDACTED]  
[REDACTED]

> On Jan 29, 2022, at 1:34 PM, [REDACTED] wrote:

>  
>

> City of Seaside, Oregon

>

> We respectfully request that the City take immediate steps to eliminate the encampment on public property located on Necanicum Street between 10th and 11th Avenues. We make this request in the best interests of public health and safety which should be the City's goal as well.

>

> Our family has owned the home at [REDACTED] Avenue since 1984. We are very concerned about the degradation of the quality of life in our neighborhood since the City started allowing people to park mobile homes and RVs free and without restrictions on the property. Since there is no water service, sewer service nor proper trash containment, the public health of the people living there and those of us in the neighborhood is threatened. In addition, we doubt that anyone knows the vaccination status of the so-called residents of this encampment meaning the City could have its own COVID colony. If anyone becomes ill due to any of these conditions, the City could and should be held liable.

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> We want Seaside to prosper and foster the friendly family environment for which it is known. We want to feel safe in our neighborhood again. We want the City to eliminate the encampment.

>

> Thank you for considering these comments.

>

> [REDACTED] [REDACTED] [REDACTED]

> [REDACTED] [REDACTED] [REDACTED]

>

>



# CITY OF SEASIDE OREGON

Published on Seaside, OR (<https://www.cityofseaside.us>)

[Home](#) > [Government](#) > [Boards, Commissions and Committees](#) > [City Council](#) > [City Council Public Comments](#) > [Webform results](#) > [City Council Public Comments](#)

Submission information

Form: [City Council Public Comments](#) [1]  
 Submitted by Anonymous (not verified)  
 February 7, 2022 - 2:01pm  
 2600:6c55:27f:fd92:29e5:6d2:f173:294f

**First Name:**

Russ

**Last Name:**

Mead

**Address:**

431 10th Ave, Seaside OR 97138

**Phone Number:**

206.729.5000

**Email Address:**

russmead@russmead.com

**Public Comments for City Council or City Staff:**

Public Comments

Russ Mead  
431 10th Ave  
Seaside Oregon 97138

Comments on Seaside ordinance 2021-06

Housing needs at least these four essential elements.

1. Waterproof roof and walls.
2. Electric power.
3. Running water.
- 4 Toilet with sewer hookup.

Any proposed housing without these necessities is inhumane, unsanitary, and a threat to public health and safety.

Proposed ordinance 2021-6 does not require these essential housing elements. I recommend tents not be an allowable housing structure in Seaside, Oregon. I recommend the city of Seaside, OR., require water, sewer, and power hook up for any dwelling where people live and meet fire safety codes.

I oppose the city manager's power to override the geographic restrictions detailed in the proposed ordinance 2021-06. The city manager is an unelected official who is not accountable to the voters and residents of this city. Any determination about the location of places for people without homes should be made by the city council and mayor with input from voters and residents and appropriate commissions they have set up. Also, the proposed ordinance fails to set any meaningful and specific criteria for such exceptions.

I would add that a resident should store all personal property inside the housing unit. We need to protect against piles of found objects accumulating around the temporary housing unit that will be a nuisance and hazard.

I have attached a photo of "tent housing" in the City of Seaside OR on Feb. 7, 2022.

Sincerely,

Russ Mead

**If you would like to submit a photo or other documents along with your comment please upload them here:**

[seaside\\_or\\_tent\\_22housing22\\_feb\\_7\\_2022.jpg](#) [2]

**Please select one of the following required options:**

I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

**Source URL:** <https://www.cityofseaside.us/node/7906/submission/3031>

#### Links

[1] <https://www.cityofseaside.us/city-council/webforms/city-council-public-comments>

[2] [https://www.cityofseaside.us/system/files/webform/seaside\\_or\\_tent\\_22housing22\\_feb\\_7\\_2022.jpg](https://www.cityofseaside.us/system/files/webform/seaside_or_tent_22housing22_feb_7_2022.jpg)



