

**CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.

Present: Mayor Don Larson, Council President Stubby Lyons, Councilors Tim Tolan, Don Johnson, Jay Barber, Dana Phillips and Tita Montero.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Kevin Cupples, Planning Director; Neal Wallace, Public Works Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Nancy McCarthy, Daily Astorian; Tom Freel, Northwest Broadcasters; and Rosemary Dellinger, Seaside Signal.

**AGENDA** Motion to approve the April 11, 2011 agenda; carried unanimously. (Lyons/Johnson)

**PROCLAMATION** Mayor Larson read a proclamation for Chamber of Commerce Recognition Day.

Council President Lyons read a proclamation for National Public-Safety Telecommunications Week.

**COMMENTS – PUBLIC** Dave Langlo, 1421 N. Wahanna, Seaside, stated there were safety concerns with loaded log trucks on Wahanna Road from 12<sup>th</sup> Avenue. The intersection at Wahanna and 12<sup>th</sup> Avenue is completely torn up because of the log trucks. Mr. Langlo asked why the County and City leaders would allow trucks to use Wahanna Road for a highway bypass. The loaded log trucks were traveling both ways at 4:30 am. The northbound loaded log trucks travel on the Lewis and Clark road but the road had been closed to log trucks at lease since 1958. There was a sign that stated “no loaded log trucks beyond this point” on the intersection of Lewis and Clark and Wahanna Road. The log truck drivers claim they cannot make a left turn from Lewis and Clark road onto Highway 101. Mr. Langlo further stated Wahanna Road was a narrow county road with only thirty feet of right of way with twenty-seven feet of pavement, no curbs, no sidewalks, no shoulders, and no place to run. Wahanna Road was a home to many senior citizens and there were also many children who stand either on or very close to the road while waiting for the school bus. Mr. Langlo further stated the great leaders of the County and City cared nothing for the safety of the people on Wahanna but only for the trucker’s convenience.

John Dunzer, 2964 Keepsake Drive, Seaside, stated there was an issue coming up and he wanted to understand what the City was doing about appointing a reapportionment representative since the County district would be reapportioned. Mr. Dunzer further stated he had sent a letter to the Mayor requesting that he be appointed and also a letter was sent to the County asking that he be appointed but he had not heard anything from either. Mr. Dunzer further stated he felt very strongly about the issue and the County would be the first to admit that they had gerrymandered the districts in the past and speaking with the County clerk they would do the same thing again. The City could not handle that there would be two County Commission Districts again. The City’s should not be split up so that more representation could be provided for the County. The law does not read like that and the law should be followed. A person should be appointed that has strong feelings and that would want to protect the people in Seaside and give them good representation. The County Commission needed someone that would represent the people in the City of Seaside and would provide for a representative that met the criteria for jurisdictional lines. Mr. Dunzer further stated if Council did not name him then somebody else should be nominated that would protect the people in the City.

**COMMENTS – STUDENT REPRESENTATIVE** Absent

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

No one declared a conflict of interest.

**CONSENT AGENDA** Motion to approve payment of the bills in the amount of \$382,499.24; and March 28, 2011, minutes; carried unanimously. (Barber/Lyons)

**PUBLIC HEARING** This was the duly advertised time and place to hold a public hearing regarding a Seaside Transportation Plan (TSP) Land Use Decision Regarding Proposed: TSP Comprehensive Plan Amendment 10-044ACP, Ordinance 2011-02 and TSP Zone Code Amendment 10-045ZCA, Ordinance 2011-03

Mayor Larson stated before Council started taking public testimony, there were a few procedural issues to take care of. Does anyone wish to object to this item on jurisdictional grounds?

There were no objections to the item on jurisdictional grounds.

Mayor Larson stated he needed Councilors to state if they had any conflicts of interest or ex-parte contacts they need to disclose?

There were no Councilors who had any conflicts of interest or ex-parte contacts disclosed.

Mayor Larson asked staff to give a brief report and then Council would hear testimony from: the applicant, other individuals in favor of the request, and then individuals in opposition to the request. Ordinarily an opportunity for applicant's rebuttal would be provided after Council had heard from everyone that wished to testify; however, since Council planned to continue testimony to the next meeting, rebuttal would be postponed until then. Mayor Larson further stated all public comments were important and Council wanted to be able to hear from everyone that wished to speak. Please be prepared to limit oral comments to 5 minutes. Council encouraged written testimony in addition to or instead of oral testimony if you feel there would be insufficient time for you to testify orally. Individuals wishing to testify should: Sign the sheet at the back of the room which indicated you planned to provide oral testimony; persons may speak only after being recognized and must state their full name and address for the record, testimony should be relevant to the issues at hand, and please avoid testimony that is immaterial or repetitious. Mayor Larson further stated individuals testifying are reminded their testimony and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which they believe is applicable to the decision. Failure to raise an issue with sufficient details to allow decision makers and/or parties an opportunity to respond to the issue may preclude appeal to the Land Board of Appeals on that issue. Mayor Larson further stated Council was pleased to see everyone who attended the meeting. There had been many public meetings held during the three year process and there were many familiar faces from those meetings. Thank you for seeing the project through because Council was anxious to produce the best Transportation System Plan (TSP) that could be generated. Mayor Larson further stated he would begin the public hearing by asking Kevin Cupples, Planning Director, to give a brief outline of the task and discuss the process for moving forward. Following Mr. Cupples, Tom Horning, the Chairman of the Planning Commission, would speak about the process the Planning Commission went through before recommending this to the Council. In addition, the Planning Commission had included with their recommendations a number of changes which Council would consider at a later date. After Mr. Horning, Duane Cole, County Manager, was at the meeting to address the Council. The County had been a partner in the process from the beginning and Council would look forward to the testimony. Following Mr. Cole, the City was honored to have State Senator Betsy Johnson attend the meeting. The Senator had asked to address the Council concerning the TSP and staff welcomed her insight. Mayor Larson further stated Matt Spangler, Regional Representative for the Oregon Department of Land Conservation and Development (DLCD) had attended the meeting to provide guidance and expertise concerning land use issues. Following Mr. Spangler, Council wanted to hear from everyone who wished to testify because everyone's input was very important.

Mark Winstanley, City Manager, stated he would provide a little historical perspective on the process that had gotten the City to this point. In 2007 the City was approached about developing a Transportation System Plan (TSP). Initially, staff and elected officials were not overly excited about taking on the project. The project would be time consuming (at the start it was projected to take 9 months, it took 3 years), and could be expensive, but the Oregon Department of Transportation (ODOT) was able to secure funding for the City (originally estimated at \$50,000.00, but had cost considerably more), and certainly had the potential to be controversial. Mr. Winstanley further stated without the TSP the City would not be able to attract funding for future transportation enhancements. The City would need to rely on their own resources to make needed improvements. TSP's had gone from being a good planning document in the 1980's, to a preferred master plan in the 1990's, to a requirement for funding in today's world. Mr. Winstanley further stated in 2007, the year the stock market crashed, the year of the worst storm since the Columbus Day Storm, the City said "Sure, why not!" Mr. Winstanley further stated and now after two Transportation Summits, three Mode/Policy Workshops, nine Project Management Team Meetings, four Joint Planning Commission/City Council Workshops, four Agency Meetings, and four Planning Commission Meeting here the City was.

Kevin Cupples, Planning Director, stated the applicant was requesting 10-044ACP- Comprehensive Plan Amendment Adopting a Transportation System Plan (TSP) for Seaside and making specific amendments to the Comprehensive Plan referenced in Ordinance 2011-02. The comprehensive plan amendment would revise the transportation element of the City of Seaside Comprehensive Plan and adopt a Transportation System Plan consistent with the applicable provisions of Oregon Administrative Rules (OAR) 660-12. In addition to changes in the Plan, the request also includes 10-045ZCA- Zone Code Amendment making specific amendments to the Seaside Zoning Ordinance referenced in Ordinance 2011-03 necessary to implement the provisions of the TSP which were specific text changes to the Seaside Zoning Ordinance that were needed in order to implement the TSP. Mr. Cupples further stated the City of Seaside had been working on developing a TSP over the last two years in conjunction with a team of consultants, representatives from the Oregon Department of Transportation (ODOT), and Clatsop County. Throughout the process, the City had provided numerous opportunities for the public to review the work being done on the TSP and provide input on the information. A TSP was essentially a twenty year planning document that helped guide development and improvements to the local transportation infrastructure. The plan was intended to be very conceptual and does not address specific design details associated with a particular project. However, the TSP does identify general improvements the City and ODOT would be striving to fund over the next twenty (20) years. The adoption of a TSP enhanced the City's ability to attract funding for transportation improvements and demonstrates how seemingly unrelated improvements would fit into a comprehensive system.

Mr. Cupples further stated even though the TSP was a broad-based planning document, which included specific changes in the implementing ordinance that would impact certain types of future development. The TSP established an overlay zone along Highway 101 that would require a more refined review process and additional development standards for uses that generate a certain level of vehicular trips per day. The plan also included general design standards and required amenities (such as bike racks & pedestrian connectivity) for certain types of new development. The proposed TSP included a unique approach to design standards for Highway 101 that were worked out between Seaside and ODOT. The Seaside residents previously objected to a proposed highway improvement plan through Seaside due to the expansive nature of the improvements necessary to address the thirtieth (30<sup>th</sup>) highest hour traffic demands. Given the seasonal nature of Seaside's peak traffic, ODOT's "normal" design standards seemed unrealistic from a social, political, and economic standpoint. The local residents believed the improvements would adversely impact the fabric of the City, so the current design standards in the TSP reflect an alternative standard that uses average weekly peak hour traffic instead of the prior standard supported by ODOT. Utilizing this alternative standard has allowed the City to consider transportation improvements that were more appropriately scaled along US Highway 101. Mr. Cupples further stated in accordance with the Comprehensive Plan and Zoning Ordinance, after the City Council concludes their public hearing, the Council would make a final decision on the proposed amendment to the plan and the zoning ordinance. Mr. Cupples further stated The Planning Commission conducted an initial public hearing to obtain input concerning the proposed amendments on January 18, 2011 and February 1, 2011. There were a number of oral and written concerns expressed by the public in addition to a few individuals that supported the new plan. After the last person testified, the Commission closed oral testimony and left the record open for an additional seven days to allow the submittal of any additional testimony in writing. The meeting was then continued for deliberation. Mr. Cupples further stated The Commission began deliberations on February 15, 2011 and a number of questions and concerns were expressed by the Commissioners. After discussion, the Commissioners indicated they needed more time to review the comment and response matrix prepared by staff. They also asked staff to prepare a summary of the suggested changes to the TSP along with information that would clarify the "triggers" for an overlay review or a traffic impact analysis (TIA). The meeting was then continued to March 1, 2011. During that meeting, the Commissioners reviewed each proposed change to the TSP and they developed a number of additional TSP modifications. The Commissioners then recommended the City Council approve the request based on the adopted information in their final recommendation. Mr. Cupples further stated the recommendation was for Council to review the TSP materials in light of the recommended changes supported in the Planning Commission's recommendation and carefully consider any public testimony that supports a reason to consider further modifications to the TSP. Based on the number of participants at the Planning Commission's public hearing, this could require a continuance. The following recommendation was based on the assumption that the public hearing would not reveal any well substantiated reason to consider further modifications to the Seaside TSP or the text amendments necessary to implement to Plan. Mr. Cupples further stated Council could approve the Comprehensive Plan Text Amendment 10-044ACP & 10-045ZCA based on the Planning Commission's recommendation and make a motion that Ordinance No. 2011-02 & 2011-03 be read by title only. The Ordinances were the documents that would formally recognize the Council's approval of the request and authorize the changes to the Comprehensive Plan and Zoning Ordinance. The decision was supported by the record and the Planning Commission's recommendation referenced in the Ordinances.

Tom Horning, Planning Commission Chair, stated after taking testimony during the public hearings on January 18, 2011 & February 1, 2011; and deliberating during the hearings on February 15, 2011 and March 1, 2011, the Planning Commission recommended the following action: Adopt the City of Seaside Transportation System Plan (TSP) and the associated text amendments to the Comprehensive Plan and Zoning Ordinance subject to the additional amendments and corrections identified in findings 5a. through 5j. and 6a. through 6i. The request was consistent with the provisions in the City's Comprehensive Plan and would not undermine the Plan's compliance with state wide planning goals. The recommendation was supported by the submitted TSP, the staff report, public testimony, and the Commission's adopted findings, justification statements, and conclusions. Mr. Horning further stated the following was a list of the decision criteria applicable to the request. The criterion was followed by findings or justification statements adopted by the Planning Commission to support their conclusions. The adopted information was then used as the basis for the Commission's final recommendation to the City Council. The Commission's recommendation included modifications to the proposed amendments considered necessary and appropriate. Although each of the findings or justification statements may specifically apply to one of the decision criteria, any of the statements may be used to support the Commission's final recommendation: Decision Criteria #1: The amendment must comply with applicable Statewide Planning Goals, Administrative Rules, & include findings of fact and justification for the requested Comprehensive Plan revisions that shall, at a minimum: Explain which plan goals, objectives, or policies were being furthered by the change. Present the facts used in making the decision; and explain how the change would serve the public need. Findings and Justification Statements: The Transportation System Plan and Appendices had been submitted as a justification document which supports the request based on information in the plan, statewide planning goals, and Oregon Administrative Rule.

Mr. Horning further stated the applicant's information was adopted by reference. Specific changes to the Comprehensive Plan were included in Ordinance 2011-02 based on reference to specific pages (Page G-44 through Page G-47) in TSP Appendix G. The document would amend City of Seaside Comprehensive Plan Section 7.3 STREET SYSTEM, 8.0 TRANSPORTATION, and 8.1 TRANSPORTATION POLICIES. Specific changes to the Seaside Zoning Ordinance were included in Ordinance 2011-03 based on reference to specific pages (Page G-8 through Page G-43) in TSP Appendix G. The document would make a number of amendments to the Seaside Zoning Ordinance in an effort to implement the TSP. During the public hearing, the public offered oral and written testimony during two consecutive meetings before the Planning Commission. Mr. Horning further stated the City Planning Commission had reviewed all the verbal and written comments in the record and a list of responses were developed in order to direct individuals where their issues were addressed in the TSP. In some cases, the responses include potential amendments to the TSP document, the zoning ordinance, or the comprehensive plan. Although each of the issues raised by the public was important, out of the 52 responses, a number of issues were repeated numerous times. These repeated issues were summarized below: Need to Address Flooding South of Town, Need to include a Bypass, Avenue F & G Impacts & Alternatives, Eminent Domain & Impacts to Adjacent Properties/Businesses, Extensive Impacts from Five Lane at Broadway to Avenue G, Relocate School and Hospitals, Provide Pedestrian Crossings, Limit Impacts to Small Businesses, Table the Plan and Take No Action, Reduce Impacts from Bike and Pedestrian Facilities, Need Three Lanes Throughout Town. Mr. Horning further stated there are a number of specific changes to the TSP suggested in the response matrix. Included in the City Council packet was a list of those supported by staff. Staff Recommended the City Council approve the draft TSP, Comprehensive Plan Amendment 10-044ACP, and Zone Code Amendment 10-045ZCA with all of the previously identified amendments.

Duane Cole, Clatsop County Manager, stated big expensive projects like Alternate Routes for State Highways required broad based support and a clear understanding of the costs and benefits. For example, State Highway alternative routes must be included in the State Transportation System Plan, the County Transportation System Plan, and in the City Transportation System Plans either directly or at least by reference. Federal funding would be necessary to study the project and assistance from the Federal delegation was vital to the project. The Congressional delegation, Legislature and Governor would need to support the project. Mr. Cole further stated the local Area Commission on Transportation would need to support the project which required coordination and prioritization of the project in collaboration with the tri-County (Clatsop, Columbia, and Tillamook) representation on the Commission. That means care would need to be taken to not fund the project at the expense of other projects in the region. Mr. Cole further stated if there was opposition willing to challenge the project; the project would not move forward and would languish in the legal system. On the Coast there were sufficient environmental issues to stop almost any project, and networking with all interested parties, collaboration with all groups, listening and being responsive to all concerns, studying concerns and then using the information to shape the alternatives, address the concerns, and continuous communication based on the facts was critical. Mr. Cole further stated the Clatsop County Transportation System Plan reflected the vision and character of Clatsop County. The County's last update of the plan was October 22, 2003. The next scheduled update, unless revised by the Board of County Commissioners would be no sooner than 2013, ten years after the last update. The current census data indicated almost no change in the County's population since 2003 and therefore there may be little reason to change the plan. Mr. Cole further stated the basis for a discussion of transportation in the County could be found in Goal 12 – Transportation of the Clatsop County comprehensive plan. The policies provided direction for the County for the next twenty years. Important features in the plan included: A County by-pass or Alternate Route was not mentioned in the plan; The policies reflected the need to do all we could to upgrade the existing transportation system; The policies were consistent with local, regional, and State goals and objectives; The policies were consistent with the proposed Seaside Transportation System Plan. The County Transportation Element in the Comprehensive Plan in Goal 2: Livability stated that the County shall: "Provide a transportation system that balanced transportation system needs with the desire to maintain pleasant, economically viable communities. Objective number 4 states: "Work with local and State governments to develop alternate transportation facilities that would allow development without major disruptions of existing neighborhoods or downtown areas." The Goal 1 Mobility states: "Develop a multimodal transportation system that served the travel needs of Clatsop county residents, businesses, visitors, and freight transport." Objective number 2 states: "Balance the simultaneous needs to accommodate local traffic and through-travel." The County plan provided sufficient direction to begin the discussion, but these policies do not suggest it is time to include a solution in a city, County or State plan. Mr. Cole further stated Seaside's Plan on page 3-29 provided a concise statement regarding why the County's TSP did not include a proposed by-pass in late 2003 and they were as follows: The bypass would be environmentally impactful; The bypass would trigger the Statewide Goal Exception Process; The bypass was inconsistent with state policy; The bypass was not 'reasonably likely.' The Seaside TSP further stated "the bypass was a project that would initially require considerable preplanning and these planning efforts should begin during the course of the TSP." This means that the pre-planning should begin during the current twenty year time period of the Seaside TSP.

Mr. Cole further stated some of the questions to be answered before including a project in a County TSP would be as follows: What was the history of the effort; What was the problem to be solved; Is a diverse group of folks willing to regularly meet and work together on developing a solution to the problem; Is the group willing to not jump to solutions before understanding the problem; What would be the potential solution or routes; What are the land use impacts; Would growth move to the new route; What development opportunities and access would be allowed along the route; What was the current accident rate and how would a new route address it; Would investments in alternative modes like rail, smart highway technology, or use of the existing route make more sense; Who would use it; Where are people traveling; How would it impact local businesses along the existing route; What are the environmental impacts; Will the State be willing to participate; Will the State be willing to include solutions in the State Transportation Improvement Plan. Mr. Cole further stated based on the difficulty and studies necessary to answer these questions, a ten-year time frame to work through these questions may not be enough. Participation in the process needed to include interested parties. Some of the participants would be as follows: County (offering to convene); ODOT (starting with the first meeting); Cities (attending and providing input and support); Port (helping with the business community); Industry (always attending and helpful); Environment Representatives (committed to providing input even if the representation was a minority on the committee, and everyone else on the committee was committed to being respectful, listening and accommodating environmental concerns, because if they are not addressed during this process, they would need to be addressed later and possibly in court); Commercial Business (critically impacted group); Residents (possibly most important since they could be the most impacted). The group should be committed to participation over many years and willing to work together to address the long-term need for alternative solutions. Mr. Cole further stated millions of dollars would be required just to study the alternatives and understand the problems in order to focus on solving the problems. Funding would be very difficult to secure since as cars and trucks become more fuel efficient, and as the price of fuel rises, people would burn less fuel and drive less thereby reducing revenue from gas taxes. Electric cars were coming on the market and so far the tax structure did not require them to support the highway system. People cannot imagine the changes to transportation system as the scarcity of oil and oil-based products becomes a reality over the next fifty years. Big questions like this require long-term innovative and creative thinking. Mr. Cole further stated the County plan offers the direction to discuss the range of possibilities for addressing transportation system problems, but developing a direction required a commitment to participate together on a collaborative consensus building process. This means a discussion of the issues without considering solutions until all of the information was gathered, processed and understood by everyone who was interested. Without consensus those who provided funds would not be willing to 'step into a fight' to solve a problem.

State Senator Betsy Johnson stated approximately a month and a half ago she met with a group of citizens on the weekend and they had expressed considerable concern about the TSP planning effort, both the process and outcome. The issues were listened to carefully and subsequently she had a variety of conversations with different people, including Gail Achterman, Oregon Transportation Commission Chair, and Duane Cole, Clatsop County Manager. Senator Johnson further stated she had the opportunity to review the record, the plan, in addition to the discussions. Mr. Cole had laid out the issues with the bypass very clearly and the Senator was intrigued with the bypass idea. Mr. Cole had clearly articulated the bypass was not a unilateral Seaside decision and would involve the County and was unbelievably expensive and was complicated by the mix of land ownerships and environmentally supercharged by the land use modifications and ramifications. The bypass issue would need to be coordinated with Astoria, Gearhart, and Warrenton and would undoubtedly be the subject of litigation. The bypass was not a short term alternative to the TSP. Senator Johnson further stated it was important to remember there were distinguishing characteristics between the TSP planning initiative and where ODOT and the City were with Pac Dooley. That was a project that was designed, funded, and ready to build. While some of the Seaside residents at the meeting tonight have genuine concerns about the TSP planning effort and the Senator was respectful of their concerns the planning effort and the projects were not funded, not designed, and were not ready to build. The plan was basically a collection of alternatives that would change if designed to accommodate litigation before anything would be built. That could be a long time away given the economy of the State budget. However absent some planning effort there would never be any modernization money for Seaside. Even with a twenty year horizon Seaside would not get money even for projects that were highly desirable like Tsunami Evacuation Routes that might need improvement and that were universally embraced by citizens. Senator Johnson further stated she came from Salem this evening to hear the public testimony simultaneously with the City Council and was eager to make sure her involvement was coordinated with the City which does not mean there was an agreement with every element but does mean that there does not need to be two professions, one with her office and one with the City Council on a matter of such importance to Seaside and the citizens. Senator Johnson further stated consequently she was attending the meeting tonight and would be back for subsequent meetings on the topic.

Matt Spangler, Department Land Conservation and Development, stated he commended the City for their efforts in bringing the Transportation System Plan to this point in the process. Mr. Spangler had attended the meeting to provide comments on some of the land use issues that were encompassed by the plan particularly in relation to the discussion surrounding the bypass which Mr. Cole did a very good job in covering the regional nature of a project of that type. Mr. Spangler further stated the idea that an option to expand the Urban Growth Boundary to capture the area for the alignment of a bypass which would then avoid the statewide planning goal exception process.

The purpose of the Urban Growth Boundary was to direct development of urban intensity to areas that were either in or approximate to the existing urbanized areas where infrastructure was developed and public services and facilities could be delivered cost effectively and provide an orderly process for expanding City's urban areas. The boundary establishment and change process was very well prescribed in both statute ORS Chapter 197 and Administrative Rule adopted by DLCD and in very simple terms the boundary was really based on two sets of factors. The first factor was a demonstrated need for a twenty year land supply for future development of the City. The second factor was the boundary location factor which was simply a set of factors that allowed a jurisdiction to evaluate exactly where that boundary should go. Mr. Spangler further stated the procedure for changing the Urban Growth Boundary was to go through a plan amendment process that would take place at the City and the County because the Urban Growth Boundary was an element of both comprehensive plans. The undertaking was fairly major and the statutory framework for amending the Urban Growth Boundary for a project like the bypass would be quite a rigorous undertaking. A regional highway project with a scope of a bypass would really not by itself be an appropriate driver of an Urban Growth Boundary change. Mr. Spangler further stated he would concur with Mr. Cole's comments to the proposed TSP that was in front of Council now would do a very good job of framing the issues surrounding a bypass and lay out the factors that would need to be considered with the complexities involved. The Planning Commission recommended an addition to a policy that in essence the project in scope and scale was probably really beyond the reach of the present planning effort with the TSP. Mr. Spangler further stated to start talking about a bypass project all of the players had to be at the table and the players needed to be willing to be at it for the long term and DLCD would certainly be willing to participate in that kind of an effort.

Mayor Larson opened the public hearing.

Mr. Dunzer stated eight years ago when he moved to Seaside there was a fairly redesigned project going on in Seaside and \$42,000,000.00 to do the project, with his understanding that the people of the community had already approved. Then there was a wonderful vote and the idea was that no one wanted the project and thought the \$42,000,000.00 would go towards some other project. Mr. Dunzer walked every street in the City speaking with people about the project which was put down because of the bypass. The community does not speak about the width of the original project. The problem was the same as in the past which was a bypass but a bypass takes a lot of work. Mr. Dunzer further stated now the City had a poorly designed Highway 101 on the Southern portion of the City in the TSP. There was no money but there would be \$90,000,000.00 spent on Highway 101 improvements which were just highway related and not the bike paths, bridges, and Wahanna Road. There was not any money and the projects would not be funded anyway. Mr. Dunzer further stated along comes the Tsunami in Japan, and the state of Oregon had no business investing any money in this location for Highway 101 because the location was totally inappropriate. The schools and hospital were being moved and the highway should be moved also. How would the people be reached at the evacuation zones and how would the schools be reached. Take one look at the Tsunami picture that comes from Japan. There should not be another dime put into Highway 101.

Kathleen Teeple, 33230 Beerman Creek Lane, Seaside, stated along with her husband they owned two commercial rental buildings along the east side of Highway 101 at Avenue 'S'. In studying the TSP there were a couple of concerns because periodically there were new tenants that moved into the building and when walls were being built there were building permits required. The wording in Appendix 'E' which was the access management portion of the TSP was quite specific in that it states that "in the event of the redevelopment within the US 101 overlay zone a proposed new building, structure, or the reconstruction rehabilitation or expansion of an existing site and or any circumstances where a building permit, other construction permit was sought for use or change to any of the land, building, or structures the guidelines would be triggered". Ms. Teeple asked Council to change the wording in the paragraph so that a new building permit would not trigger these regulations. The regulations would eliminate parking from the building because of the access to Highway 101. The building would then be rendered un-rentable which would destroy their retirement income. There were many other property owners along Highway 101 who were in the same situation. Ms. Teeple further stated there could be wording in the TSP that would allow for a variance option in the event that parking was eliminated. If a hardship was created the property owners should have an avenue that may be pursued in order to avoid losing their livelihood.

Russ Earl, PO Box 2276, Gearhart, stated he had a meeting with Doug Dougherty the Seaside School District Superintendent asking where the schools would be located and at what level. The schools would be relocated above Seaside Heights Elementary School at the eighty to one hundred foot level and the children would be transported up Spruce Drive. Mr. Earl further stated if a Tsunami came in and blocked off the North and South portion of Seaside all the people and children would be up above the Seaside Heights general area. People that evacuated to the higher areas would be trapped and would have no where to go. Mr. Earl further stated Seaside needed an Emergency Tsunami exit and truck route which would be imperative. Mr. Earl further stated with the current TSP, log trucks and commercial vehicles would be stopping at eleven to thirteen crosswalks when driving through Seaside. There needed to be more will and energy to take care of a Tsunami exit. There needed to be a way out of Seaside when the Tsunami came.

Jon Hartill, 1205 Alameda Avenue, Astoria, stated along with his brother he owned the Bell Buoy in Seaside and his biggest concern was the first part of appendix 'G' that states that access along the highway would be decided by the State what the best access would be. There were not any sidewalks in front of the Bell Buoy which helped traffic get in and out. If a sidewalk was put in then the Bell Buoy would be like the check out stand at Safeway. The Bell Buoy was the last place going out of town, impulse buys. Mr. Hartill further stated the TSP was a stack of paperwork with all kinds of government rules. A bypass was not what he was interested in but was interested in getting to the Lewis and Clark area to safety. All the bridges would be gone but a connection to the logging road was all that was needed. If the City were to grow then it needed to grow to higher ground and not on Highway 101.

Linda Isle-Martin, 34112 Highway 26, Seaside, stated most people went to the Planning Commission meetings and liked what happened at those meetings. There were concerns that when the Council agreed to the TSP that some of the information with the appendixes would be eliminated. The public wanted to make sure that all the appendixes would not be eliminated or changed from what the Planning Commission recommended. Ms. Martin further stated when Mr. Winstanley stated the City was eager to get the TSP plan approved and signed so that the City could be in line for government money that could be used to make improvements to the highway. If the TSP was not approved and signed and the government money was not received then would the City be responsible for making improvements to the highway.

Mr. Winstanley stated ODOT would be responsible for cost of the improvements to the highway but there were many other improvements within the TSP that were the responsibility of the City alone, like City streets.

Lesle Palmeri, PO Box 1088, Seaside, stated Council asked the public to not be redundant and she would not speak about a bypass but would instead call it an emergency route or truck route because that was something that Seaside really needed. The current TSP was actually using Wahanna Road as an alternative to Highway 101. There were improvements to Avenue 'S' on one side and the Lewis and Clark intersection on the other end in hope that more people would drive along Wahanna Road instead of Highway 101 to filter the traffic out. Ms. Palmeri further stated she was not certain that people who lived on Wahanna were clear on that plan. The problem of flooding South of Seaside on Highway 101 was not addressed and where the schools would be located was not addressed. An emergency access and truck route would help in the case of a Tsunami and everyone would not be trapped up on higher ground. The airport and heliport would be under water and there would be no way of getting in and out of Seaside to get supplies except by helicopter but there would not be a place to land. Ms. Palmeri further stated the City should not wait until there was a tragedy to enable the citizens to be able to get out of the City safely in case of an event.

Mr. Horning stated he was speaking as a citizen of Seaside and on the topic of Tsunami Preparedness there were issues that went deeper than the topic that was being addressed tonight. After the TSP was approved the matter of funding would come up and the difficulty of raising money for bridge replacements or for example a new pedestrian footbridge at Avenue 'S' or in that neighborhood which could save a few thousand lives when the earthquake strikes. These things would be easier to pay for if there were funding mechanisms that could be used locally. There was a Senate bill 541 which allowed a redefinition of how room taxes could be used and they would be allowed to be used on structures like bridges. Mr. Horning further stated if the public had the opportunity down the road to support this through a motion of some kind then it would be recommended that be done because then the room taxes that were paid by tourists could be used towards bridges, supplies, sleeping bags, among other items. Ultimately the City would be safer and it's all about saving lives. Mr. Horning further stated the issue about expanding the Urban Growth Boundary was a fairly large task. Recently there was a rule added that would allow the City to add part of one element to the comprehensive plan that would allow for a hospital or school to bump itself up into the forest. There needed to be more than just those two facilities for example an evacuation park would be needed where several thousand refugees could be located. The possibility of exploring the idea with the DLCDD to allow for a quick and easy process to provide for evacuation services for Tsunami's. Mr. Horning further stated the road systems would be adequate for the ingress and egress after the Tsunami because the junk would just need to be pushed out of the way but the bridges were what people should be worried about.

There were no other public comments and Mayor Larson stated the public hearing would be continued to the April 25, 2011, City Council meeting. If there was written testimony that needed to be presented then the testimony could be brought to City Hall or the Planning Department.

**VACANCY –  
BUDGET COMMITTEE**

Mayor Larson stated there were two vacancies on the Budget Committee and one application received from Dale McDowell. Mayor Larson asked Council what they wished to do.

Motion to appoint Dale McDowell to the Budget Committee; carried unanimously.  
(Barber/Lyons)

Term Expiration for Dale McDowell would be December 31, 2013.

**VACANCY –  
CONVENTION CENTER  
COMMISSION**

Mayor Larson stated there was one vacancy on the Convention Center Commission with one application received from Chuck Miner who was interviewed prior to the City Council meeting. Mayor Larson asked Council what they wished to do.

Motion to appoint Chuck Miner to the Convention Center Commission; carried unanimously. (Montero/Lyons)

Term Expiration for Chuck Miner would be October 25, 2013.

**ADOPTION – 2011-2013  
CITY COUNCIL GOALS**

Mayor Larson stated City Council members and Staff met on Friday, March 11, 2011, and Saturday, March 12, 2011, for a goal setting session. Mayor Larson asked Council what they wished to do with the 2011-2013 City Council Goals.

Motion to table the City Council Goals until the Council meeting April 25, 2011; carried unanimously. (Barber/Phillips)

**COMMENTS – COUNCIL**

Councilor Johnson thanked the Council and staff for all the kind words when his mother had passed away.

Councilor Barber expressed his appreciation for the good feedback this evening and one thing that was remarkable was when people were very civil and courteous and used language that was appropriate then they could be listened to all day. Councilor Barber thanked the public for attending the meeting to give their comments in a civil discourse.

Councilor Tolan stated there were many public comments given at the Planning Commission meetings and Council did have copies of all the comments that were made at those meetings and Councilor Tolan had enjoyed reading the comments from the public.

Councilor Phillips stated she read through the TSP and all of the Planning Commission and public comments that were made at the meetings. Council was reading the comments and listening to what was being said.

Councilor Montero stated Tongue Point Job Corp was getting closer to having the welded piece of art finished. There would be an unveiling of the art at the Community Gardens Saturday, May 21, 2011, 10:00 am. Everyone seemed very excited.

Council President Lyons stated this had been a great evening and he was shocked there were not more speakers. Council President Lyons further stated this was one of the best City Council meetings he has attended in eleven years. This was a great step in working together.

Mayor Larson thanked all of those that participated in the public comments.

**COMMENTS – STAFF**

Neal Wallace, Public Works Director, stated there was a team of National Guardsman who donated their time to fix the generator at the Wastewater Treatment Plant.

Laurie Oxley, Seaside Downtown Development Association, stated downtown was very busy during Spring Break.

Al Smiles, Seaside Chamber of Commerce Executive Director, stated the iphone Application for Seaside was almost finished. The Chamber would celebrate their 75<sup>th</sup> Anniversary at the Chamber of Commerce on Thursday, April 14, 2011. The Kiwanis Pancake feed was scheduled for Tuesday, April 12, 2011, at the Convention Center.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, congratulated Chuck Miner as the newest member for the Convention Center Commission. Mr. Vandenberg stated Seaside was selected as one of the finalist for the All American City Award. There would be ten members sent to Kansas City for the presentation and hopefully they would come back with an award.

Mr. Winstanley encouraged the public to provide written testimony to present to Council at the next meeting. Mr. Winstanley thanked the partners in all of the TSP process which were the County, ODOT, consulting firm CH2MHILL, and Senator Johnson. Mr. Winstanley further stated the first Budget Committee meeting was scheduled for Monday, May 2, 2011.

**ADJOURNMENT**

The regular meeting adjourned at 8:26 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR