

- 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; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Trish Downey, Human Resource Director; and Jeremy Ruark, Seaside Signal.
- AGENDA** Motion to approve the July 25, 2011 agenda; carried unanimously. (Phillips/Lyons)
- PROCLAMATION** Bob Gross, Seaside Police Chief, read a proclamation for National Night Out.
- Chief Gross stated this was the sixth year for National Night Out which would be held at Broadway Park and Cartwright Park on Tuesday, August 2, 2011, 6:00 pm to 8:00 pm. The food was free and was provided by Seaside Rotary and Seaside Kiwanis.
- COMMENTS – PUBLIC** John Peter DeYoe, 1317 N. Prom, Seaside, stated he had handouts for the members of the Council to take a look at. Mr. DeYoe further stated he had been a homeowner in Seaside for eight years and had enjoyed every minute because Seaside was a great town. Mr. DeYoe further stated he attended the meeting mainly concerned about a bread and butter issue in regards to the road at 14th Avenue which was one of the numerous graveled unpaved roads in the City. This past spring he had entered into a conversation by phone and email with Neal Wallace, Public Works Director, and Jeff Maltman in regard to a critical and chronic issue at the end of the street which was a rise in 14th Avenue on the west end as it went up to the beach level. This was probably one of the more severe rises that appeared on a gravel road in Seaside. Over the years there had been a chronic problem of erosion and subsequently causing a gully. There was a situation because of the rains this last season and the way the street design was laid out the water was flowing down to the base and the road could become impassible with more rains during the fall and winter. The critical issue was to get something done with the road and in having conversations with Mr. Wallace who stated he was working to address more completely the gravel roads with a long term program that would take into account better maintenance, better equipment and more specific way in how the roads would be handled. Mr. DeYoe further stated the property owners received a bid from a local contractor for \$700.00 which would excavate the road down to the bedrock and do a repair that would be substantial for a short term solution. The property owners were requesting that Council consider paying for the road repair since they were reluctant about spending their own money to fix the problem since they were tax payers and the dedicated road belonged to the City. Mr. DeYoe further stated he wanted to strongly encourage the City take a look at the treatment of the gravel roads and how to maintain them. A homeowner should be able to call and find out the plan for their street and receive a good solid answer.
- Ruth Lindemann, 1321 N. Prom, Seaside, stated she had owned a home for forty-eight years in Seaside and had been a permanent resident for approximately fourteen years on the corner of 14th and North Prom. The street had been deplorable since she had purchased her place in 1964. The mail was not delivered on their street and the garbage truck had a terrible time driving on the street. The potholes were terrible even after the street had been graveled a few times. Ms. Lindemann further stated the other streets like 13th Avenue and 15th Avenue were paved and she wanted to know why their street which was approximately two blocks was not paved and had gone on like this for so many years. Over the years the property owners had asked about the street but had never received an answer.
- Mayor Larson stated the streets were the property owners responsibility and there was a Local Improvement District (LID) being done in the Venice Park area of the City. There had been a group of homeowners that asked to have their street improved. If the street was improved the total cost of the project would be split between all of the property owners in that location. Mayor Larson further stated if the property owners on 14th Avenue would like their street improved and paved then they would need to speak to Mr. Wallace about an LID.
- 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 \$6,377.16; and July 11, 2011, minutes; carried unanimously. (Barber/Montero)

**VACANCY –
CITY TREE BOARD**

Mayor Larson stated there was one vacancy on the City Tree Board with one application received from Pam Fleming. Mayor Larson asked Council what they wished to do.

Motion to appoint Pam Fleming to the City Tree Board; carried unanimously. (Tolan/Lyons)

Term Expiration for Pam Fleming would be June 30, 2014.

**VACANCY –
BUDGET COMMITTEE**

Mayor Larson stated there was one vacancy on the Budget Committee with one application received from James Shipley. Mayor Larson asked Council what they wished to do.

Council consensus to keep the vacancy open for more applications.

**VACANCY –
COMMUNITY CENTER &
SENIOR COMMISSION**

Mayor Larson stated there was one vacancy on the Community Center and Senior Commission with one application received from Keith Eisenberger. Mayor Larson asked Council what they wished to do.

Council consensus to keep the vacancy open for more applications.

RESOLUTION #3748

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ACCEPTING THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT GRANT NO. CZM-12-030

Mark Winstanley, City Manager, explained the Department of Land Conservation and Development (DLCD) provided a Coastal Zone Management Grant each year to the City of Seaside. The grant required a formal acceptance by the City Council in the form of a letter or a resolution. The grant would provide \$6,000.00 for planning activities associated with working in the Coastal Zone and it required a cash or in-kind match equal to the grant amount. Each year, the grant was used to help offset payroll costs within the Planning Department and continue membership services with the Columbia River Estuary Study Taskforce (CREST). Mr. Winstanley stated staff recommended Council authorize Resolution #3748 formally and to accept DLCDC's Coastal Zone Management Grant No. CZM-12-030 for the 2011-2012 fiscal year.

Mayor Larson asked for public comments, there were no public comments.

Mayor Larson asked for Council comments, there were no Council comments.

Motion to read Resolution #3748 by title only; carried unanimously. (Johnson/Barber)

Motion to adopt Resolution #3748; carried unanimously. (Johnson/Phillips)

**VACANCY –
AIRPORT COMMITTEE**

Mayor Larson stated there were two vacancies on the Airport Committee with two term expirations from Randall Henderson and Roy Bennett, who wished to be reappointed.

Motion to reappoint Randall Henderson and Roy Bennett for the Airport Committee; carried unanimously. (Phillips/Lyons)

Term Expiration for Randall Henderson and Roy Bennett would be June 30, 2014.

**APPROVAL –
EMPLOYEE ASSN.
CBA**

Trish Downey, Human Resource Department, stated on June 30, 2011, the Collective Bargaining Agreement between the City of Seaside, and the Seaside Employees' Association expired. Negotiations began in March 2011 and the City and the Seaside Employees' Association had agreed to a new Collective Bargaining Agreement (CBA). Ms. Downey further stated she wanted to express her appreciation for the cooperation of the Associations' negotiation team during the process, it had been one of the most positive experiences she has had during negotiations. Ms. Downey further stated to summarize the current document; the term would run from July 1, 2011 to June 30, 2014. Ms. Downey further stated staff recommended Council approve the Employee Association Collective Bargaining Contract.

Councilor Barber asked if Ms. Downey could give Council the highlights of the contract.

Ms. Downey stated these were the changes made to the contract.

Article 1 – Bargaining Unit and Recognitions – one word change.

Article 2 – Nondiscrimination, Association Membership and Check off – New language to clarify Change in Personnel and adding a section 2.6 regarding defining time off to conduct Association Business.

Article 3 – Workweek – Language change to clarify Convention Center meal periods. Increase in meal compensation from \$8.00 to \$12.00.

Article 4 – Holidays – New language to clarify intended use of Birthday holidays.

Article 5 – Sick Leave – Deleted second paragraph in 5.1 regarding employees who have 500 hours sick leave before they can cash 40 hours at 50%. Change in bereavement leave.

Article 6 – Vacations – Minor changes in vacation scheduling for clarification.

Article 7 – Leave of Absence – Deleted time off to vote.

Article 8 – Health and Welfare – Members currently have Blue Cross/Blue Shield Plan V-E wPPP (\$500 deductible) through City Insurances Services. The Plan includes Medical, Dental, Ortho, and Vision. The City pays 90% of the premium and the employee pays 10%. The deductible and premium split will remain the same for the duration of this contract.

A Memorandum of Understanding (MOU) was prepared that provided for one employee to be grandfathered under the 2004-2008 contract to retire with 30 years continuous service and receive full medical for him and his spouse until he reaches Medicare eligibility. The City has agreed to make available a Flexible Spending Account through payroll deduction. City will pay administrative fee up to \$4.50 per month per person. There is a 5 member enrollment minimum.

Article 9 – Compensation – Cost of Living Increase – Effective July 1, 2011 all employees receive a 2% salary adjustment. Effective July 1, 2012 all employees receive a salary adjustment based on the two semi-annual 2011 Portland CPI-W no less than 1% or more than 3%. Effective July 1, 2013 all employees receive a salary adjustment based on the two semi-annual 2012 Portland CPI-W no less than 1% or more than 3%. A new 9.8 was added to address Working out of Classification. 9.9 Longevity Pay employees who reached 10 years continuous service (after 20,800 hours) during this contract will get a 2% increase in monthly salary. This is not retroactive for any employee who has already reached ten or more years.

Article 10 – Discipline and Discharge – New language was added to better clarify the process.

Article 11 – Settlement of Disputes – New language was added to better clarify the process.

Article 12 – Seniority – New language to clarify posting of seniority list.

Article 13 – Strikes and Lockouts – Language added “during the term of the agreement”.

Article 14- General Provisions – Language was added in 14.3 to better clarify the notification process for clothing or protective equipment. New language in 14.7 regarding City telephone policy. New language in 14.8 regarding smoking policy. A new 14.11 regarding establishment of a new City position.

Article 15 – Savings Clause and Funding – A new Savings Clause was added.

Article 16 – Management Rights – no change.

Article 17 – Retirement Plan – Language was added to form a working committee in the 3rd year to have discussion regarding new hires in the 2014-2017 contract pay portion or all of the employee’s retirement contribution until they are vested (5 years). After they are vested the City would pay the employee’s contribution (7%).

Article 18 – Direct Deposit – No change.

Article 19 – Term and Termination – Both parties have agreed to a 3 year contract. The Contract will be from July 1, 2011 through June 30, 2014. The agreement will open for negotiations no later than March 1, 2014.

Councilor Barber asked if the information was covered in the budget that recently was approved by Council.

Mr. Winstanley stated the information in the contract was in the budget for the City of Seaside.

Motion approving the Contract for Employee Association Collective Bargaining Agreement from July 1, 2011 through June 30, 2014; carried unanimously. (Barber/Phillips)

Mr. Winstanley complimented Ms. Downey and the bargaining unit who did an exceptional job. It was not easy to negotiate a contract because there was a lot of detail that had to be paid attention to and both sides did a marvelous job.

COMMENTS – COUNCIL Council President Lyons stated he had a great experience recently when visiting relatives in Los Angeles and 405 Freeway was closed down for construction work that needed to be done. The contractors finished the work seventeen hours earlier then projected and everyone seemed to stay off the freeway and City Streets. That particular area had more population then what Oregon had.

Councilor Phillips stated hats off to the City with negotiations since usually it was not agreed upon that easily.

Councilor Barber stated National Night Out last year was superb and he encouraged the public to attend.

Mayor Larson stated he along with seventeen other people attended a Town Hall meeting Saturday with Senator Betsy Johnson and Representative Deborah Boone. Mayor Larson further stated their would be a copy of the City Council goals emailed to each Councilor and the goals would be added to the agenda on August 8, 2011.

COMMENTS – STAFF Chief Gross stated he hoped to see everyone attend National Night Out on August 2, 2011.

ADJOURNMENT The regular meeting adjourned at 7:32 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR