

**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 Don Johnson, Councilors Stubby Lyons, Randy Frank, Tita Montero, Jay Barber, and Dana Phillips.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Bob Gross, Seaside Police Chief; Esther Moberg, Seaside Library Director; and Nancy McCarthy, Daily Astorian.

**AGENDA** The Police Citizen Academy Graduation was added to the agenda.

Motion to approve the June 10, 2013 agenda as amended; carried unanimously. (Lyons/Frank)

**POLICE CITIZEN ACADEMY GRADUATION** Jason Schermerhorn, Cannon Beach Police Chief, stated this was the seventh annual Police Citizens Academy and was one of the smaller classes. Chief Schermerhorn introduced the seventh graduating class for the Police Citizen’s Academy and presented each student with a certificate.

Mayor Larson stated the City was very proud of these young people going through the Police Citizen Academy and was really good exposure for what our police department does.

**COMMENTS – PUBLIC** None

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

No one declared a conflict of interest.

**CONSENT AGENDA** Motion to approve payment of the bills in the amount of \$1,038,258.78; May 27, 2013, regular minutes, and Resolution #3797 – A Resolution of the City of Seaside, Oregon, Adjusting the 2012-2013 City of Seaside Budget; carried unanimously. (Lyons/Barber)

**PUBLIC HEARING** This was the duly advertised time and place to hold a public hearing regarding a Resolution Declaring the City’s Election to Receive State Revenue Sharing.

Mark Winstanley, City Manager, explained the resolution was declaring the City’s election to receive State Revenue Sharing. Every year the State of Oregon required that jurisdictions receiving State Revenue Sharing funds had a public hearing in front of the Budget Committee which had been done and now a public hearing at a City Council meeting which was scheduled tonight. Mr. Winstanley stated State Revenue Sharing was a portion of the liquor tax and that portion of tax was used to support public safety which was the police department and the fire department.

**RESOLUTION #3795** A RESOLUTION DECLARING THE CITY’S ELECTION TO RECEIVE STATE REVENUE SHARING

Mayor Larson opened the public hearing.

There were no public comments and Mayor Larson closed the public hearing.

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

Motion to read Resolution #3795 by title only; carried unanimously. (Barber/Frank)

Motion to adopt Resolution #3795; carried unanimously. (Johnson/Montero)

**PRESENTATION – DOGAMI INUNDATION TSUNAMI MAPS** Lianne Thompson stated she was a local resident and was a temporary employee for the State Department of Geology and Mineral Industries (DOGAMI). DOGAMI was the scientist whose concern it was that everyone stayed alive. These were very capable scientist who had worked a long time to develop new information that was very important for everyone. Ms. Thompson introduced Rachel Lyles Smith.

Rachel Lyles Smith, DOGAMI Project Operations Manager, presented Council with a PowerPoint presentation and she would speak about Tsunami Outreach in Oregon which included new Tsunami Evacuation Maps and information on public outreach.

Tsunami Outreach Oregon was funded with a National Oceanic and Atmospheric Administration (NOAA) grant which would end in July, 2013. There were Federal and State Partners with the National Oceanic and Atmospheric Administration, Oregon Department of Geology and Mineral Industries (DOGAMI), and Oregon Emergency Management (OEM). The local partners were Clatsop County Emergency Management, Cities in Clatsop County, local fire districts, local police and county sheriff, school districts, Community Emergency Response Team (CERT) volunteers, American Red Cross, Ham Radio, US Coast Guard, and others. The objective was to assist coastal communities in creating a culture of preparedness and response by mapping and modeling, Tsunami Ready Communities, and Grass-roots outreach and education. Ms. Smith further stated there was a 10,000 year history of earthquakes in the Pacific Northwest (maps and graphs were presented). A science team modeled many Tsunami scenarios and local scenarios were named after T-shirt sizes and the distant scenarios were named AK64 or AKMax. The lower magnitude of an earthquake started as a S for small and the higher magnitude was an XXL for extra extra large. Ms. Smith further stated DOGAMI turned models into maps with the Model Output information used for the Inundation Maps with 5 local CSZ which occurred at high tide, land subsidence was taken into account, and maps included other relevant information such as Wave Time Series, Inundation Exposure, and Wave Elevation Profiles. There were two distant Alaska scenarios (Alaska 1964 (M9.2) & Alaska Max). The XXL was used in the (worst local) and Alaska Max (worst distant) for Evacuation Brochures. Ms. Smith further stated there would be two kinds of new Tsunami Maps: Tsunami Inundation maps (TIMs) with 10 publications for Clatsop County, each with two maps (local and distant), and available for purchase via [www.OregonTsunami.org](http://www.OregonTsunami.org), and the Tsunami evacuation brochures with 7 maps for Clatsop County covering population centers. Free maps, and do you live outside the map area? See Evacuation Zone Map Viewer at [www.OregonTsunami.org](http://www.OregonTsunami.org). The evacuation maps would show two scenarios: worst-case local scenario (XXL) in yellow and worst-case distant scenario (Alaska maximum) in Orange. There were optional high ground and assembly areas as with Gearhart if someone was physically unable to get outside the hazard area or if there were impassable obstacles in your way (such as wetlands, rivers, lakes, or earthquake debris). The optional high ground remained dry in 95 percent of tsunami scenarios analyzed. Ms. Smith further stated there would be public outreach with Tsunami readiness presentations in Warrenton, Astoria, Arch Cape, and in Seaside/Gearhart Thursday, June 27, 2013, 7:00 pm, at Broadway Middle School, there would be door-to-door outreach with face to face conversations with residents in hazard zones, which would be led by volunteers and firefighters, next fall, in the areas of inundation as shown on the new maps. The materials would include an evacuation map, information on what to do in a tsunami, and Living on Shaky Ground booklet. There would be evacuation drills next fall with the Great Oregon Shakeout. Ms. Smith further stated the other planned activities for June/July would be radio show appearances by DOGAMI staff and local partners, presentations to community groups, information tabling at fairs and festivals, and tsunami messages shown on marquees and reader boards around the county, and DOGAMI had a temporary staff person, Lianne Thompson, who was working as the coastal outreach coordinator through July 2013. There would be new signs for each community indicating the Tsunami Evacuation Route and Tsunami assembly areas. Ms. Smith further stated she was prepared to answer questions.

Councilor Barber stated when looking at the evacuation map the orange is the distant and the yellow is the local and he would assume that a local tsunami would also inundate the distance or orange area.

Ms. Smith stated that was correct a local tsunami would inundate the distant area of the map.

Mayor Larson asked if the public had seen the tsunami map that was being printed.

Ms. Smith stated the fire department and police department had.

Mayor Larson asked if the public had seen the maps.

Ms. Smith stated generally it was not open for the public and the maps had not been released since it was brand new and a coordinated release of the maps was scheduled.

Sarah Bronstein, RARE Student for the City of Seaside, stated the new maps were remarkably similar to the old maps and in the Lewis and Clark area there was new locations selected and people could pick the location for evacuation.

#### RESOLUTION #3796

#### A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE SOLID WASTE COLLECTION RATES

Mr. Winstanley explained Recology Western Oregon was required to provide an annual financial report which included a rate review report as outlined in the Solid Waste Collection Franchise. Recology Western Oregon was proposing a rate schedule that reflected an adjustment to the current collection rates. The rates for most services would be adjusted by the contractual CPI adjustment of 0.80% to be effective July 1, 2013. Recology Western Oregon was proposing to change the rates for contracted services to reflect changes in the rates charged to us by those contractors. These include medical waste rates (2.0% increase), and the drop box ton rate for recyclable materials (now \$94.00 per ton – or less, based on current market pricing, with \$94.00/ton being the maximum possible charge per ton).

Mr. Winstanley stated examples of the impact for Curbside Service: a 32 gallon cart weekly was \$15.42 per month and now would increase to \$15.54 per month which was a difference of \$.12, a 90 gallon cart weekly was \$25.70 per month and now would increase to \$25.91 per month which was a difference of \$.21, a 2 Yd. container 1x/week was \$273.94 and now would increase to \$276.13 which was a difference of \$2.19. Mr. Winstanley further stated Recology Western Oregon staff was available to answer any questions.

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

Mayor Larson asked for Council comments.

Mayor Larson stated he was not a fan at all of franchise agreements and was not a fan at all with increasing rates. Recology was now painting the trucks which someone was paying for and Mayor Larson wanted to express that.

Motion to read Resolution #3796 by title only; carried unanimously. (Barber/Lyons)

Motion to adopt Resolution #3796; carried with Larson opposed. (Johnson/Lyons)

**APPROVAL – LIBRARY  
POLICY MANUAL**

Esther Moberg, Seaside Library Director, stated Council was given a copy of the Library Policy Manual prior to the meeting. Ms. Moberg further stated the policy manual was complete, however there were two areas that were looked at for updating and one of those was the children's internet policy and the E-Readers. There were four computers in the children area and two had internet access and two did not have internet access. The two computers that had internet access were facing directly to the front desk and were approximately five feet from the front desk and staff could observe those computers. In the teen area and adult area children could use passwords to get on the internet with those computers.

Councilor Barber stated he did not know what the legal requirements were and would prefer Dan Van Thiel, City Attorney, to study the policy. The institution where he served before moving to Seaside had the internet filtered on the campus and there was some controversy with that and felt it was the institutions responsibility when dealing with minors. The policy was referring that responsibility to the parents for minor children, and for adults obviously there would be some type of supervision by staff to observe and make sure people were not visiting objectionable sites on the computers. Councilor Barber asked what the basis was upon which the library determined not to filter the internet on computers.

Ms. Moberg stated there had been research done on the issue and she had looked at the Children's Internet Protection Act (CIPA) which was typically why libraries filtered the internet. There was a survey in 2008 which was the public library internet survey that the Oregon Library Association Intellectual Freedom Committee developed. Basically there were 138 public and volunteer libraries in Oregon and of that number approximately 60 of those libraries filtered and a majority of those did so because of federal funding received for their internet which required the filter. Ms. Moberg further stated she did consider filtering the children's computers however since there were only two computers it would be more effort and time invested into the filtering of the computers than just being able to monitor it from the front desk. Ms. Moberg further stated the issue was also brought before the Library Board who looked at the American Library Association's Freedom to View Act which included minors and children and the recommendation was to not filter and that was the approach taken.

Councilor Barber stated his understanding was that the Seaside Library was opting for supervision instead of filtering.

Ms. Moberg stated sometimes filtering was not always ideal and did not always filter what should be filtered and the programs were expensive and were not a one time shot but would require maintaining and updating.

Councilor Phillips stated this was a two fold because she understood the filtering system did not always work and the cost and she commended Ms. Moberg on the policy. Councilor Phillips further stated she spent hours reading the policy because she was shocked and was a first amendment believer. When minors were involved there was no age discrimination whatsoever and the filter did not always work but the supervision did not always work and she had concerns with that. The library was a safe haven for children and unfortunately there were many parents not there to supervise their children and any child with internet skills could get through the filter anyway. Councilor Phillips further stated she would prefer the filters were on the computers then to expect that parents were going to take care of the situation or the library volunteers. The schools were filtered and the students could not access the sites and that was a safe haven for the students.

Ms. Moberg stated schools were a different matter because they were in place of the parents but the library was not and the reason that she felt ok with this was because it was right next to the front desk and there were people on the front desk at all times. Parents do leave their children at the library and on computers unattended.

The children's computers at the library had only two icons' on the screen which was a catalog for the children and another called Tumble Books which was a children's program for looking online at children's book. There was not a link to the internet but children who were savvy with computers could get around that.

Councilor Frank stated he assumed the guidelines of the American Library Board were used and even though there were two areas reviewed was the rest of the policy also reviewed.

Ms. Moberg stated all of the Library Policy was reviewed and there were other areas that were changed by wording only. Dan Van Thiel also reviewed the policy and had suggestions on some of the wording used. Most of the content was very strong since the last review with the community rooms being updated. Ms. Moberg further stated she had looked at policies at several libraries she worked at and helped craft some of those policies and felt fairly comfortable with that. There was also some research done by reviewing approximately ten different policies from various libraries throughout the State.

Councilor Frank stated the Library Board was good with the policy.

Ms. Moberg stated the Library Board approved the Library Policy.

Council President Johnson stated in the policy under unattended children there was an age of ten years old and he suggested the age be changed to twelve years old.

Ms. Moberg stated that was very hard to enforce because there were many children that came to the library after school unattended. If the children seemed immature for being alone then staff would ask that child where the parent was.

Council President Johnson asked if that also was the same with internet access.

Ms. Moberg stated if there was a young child using the adult or teen computers then staff would definitely watch that child closely.

Council President Johnson stated the computer use part of the policy had grades listed. There should be either ages used or grades used in the policy which would give some consistency to the policy.

Ms. Moberg stated parents do believe the library was a safe place for children, however the general public was allowed in the library, and every single interaction could not always be supervised. If young children were in the library staff would try and make sure there was an adult with them.

Mr. Van Thiel stated he reviewed the library policy and the items Council was speaking about were policy measures. There had been conversations with Ms. Moberg about the issues in the policy. The City had a Library Board to approve a library policy and the issues were deferred to the board.

Mr. Winstanley apologized to Ms. Moberg for being put on the spot and suggested Ms. Moberg explained how library staff would handle a situation if they observed a young minor on an inappropriate site.

Ms. Moberg stated if staff observed a child or someone reported that a child was on an internet site that was inappropriate the child would immediately be approached and the parent found. The child would be asked to get off the inappropriate site and then follow up by contacting the parent to make sure they were aware of what was going on. The parent would then need to accompany the child in the library if on the internet.

Mr. Winstanley stated the reason that question was brought up was because it was important to know that even though the computers were not filtered, the fact that a child was on an inappropriate site would not be ignored.

Mayor Larson thanked Ms. Moberg for the information and for answering Council's questions. Mayor Larson also thanked the Library Board for preparing the library policy.

Motion approving the Library Policy Manual; carried unanimously. (Barber/Lyons)

**RESOLUTION #3804**

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING PARTICIPATION IN THE OREGON DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION GROWTH MANAGEMENT GRANT PROGRAM (Regarding the planning of Avenue 'S' and Wahanna Road

Mr. Winstanley explained the resolution would allow the City of Seaside to participate in a grant program with the Oregon Department of Transportation (ODOT). The City was applying for the grant to take a look at the Avenue 'S' and Wahanna Road area as far as transportation was concerned. In the past ODOT had granted agencies money and those agencies had to turn down the money because of the economic times or because of the money that would need to be matched to receive the grant.

Mr. Winstanley further stated if the City received a grant from ODOT the grant would be accepted if Council approved the resolution.

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 #3804 by title only; carried unanimously. (Frank/Lyons)

Motion to adopt Resolution #3804; carried unanimously. (Barber/Johnson)

**APPROVAL –  
OREGON PARKS &  
RECREATION IGA**

Mr. Winstanley explained the City of Seaside currently had an Intergovernmental Agreement (IGA) with the Oregon State Parks and Recreation concerning the beaches. The IGA was for a ten year agreement and would allow the City to enforce the rules that State Parks had over the beaches and would allow the City to enforce their own rules and included areas like police, fire, and lifeguard protection.

Motion approving the Oregon Parks and Recreation Intergovernmental Agreement for the City of Seaside Beaches; carried unanimously. (Johnson/Montero)

**BID FINAL –  
12<sup>TH</sup> AVENUE AND  
WAHANNA ROAD  
IMPROVEMENTS**

Mr. Winstanley stated Bob McEwan Construction had completed the paving, storm drainage, and concrete work for the intersection of 12<sup>th</sup> Avenue and Wahanna. The final inspection had been completed and accepted by Public Works. Mr. Winstanley further stated the original contract bid amount was for \$78,423.30 and the final contract amount was \$97,390.82. The increase in contract total cost was for the change orders and additional material needed for completion of the project and the spreadsheet was attached for additional information. Mr. Winstanley further stated staff recommended Council accept the final construction project and release the retainage for \$4,869.55 to Bob McEwan Construction, Inc.

Motion approving the bid final and release of retainage for \$4,869.55 to Bob McEwan Construction for the 12<sup>th</sup> Avenue and Wahanna Road Improvements; carried unanimously. (Johnson/Montero)

**BID RESULTS – WWTP  
CLASS ‘A’ DRYER  
BUILDING PROJECT**

Mr. Winstanley stated the bid openings for the Waste Water Treatment Plant Class ‘A’ Dryer Building was held at Seaside City Hall on May 23, 2013 and there were four responsive bids received from Contractors, Inc., \$1,113,500.00; Helligso Construction, \$1,127,702.00; Boede Construction, \$1,267,789.00; and Rognlins Construction, \$1,301,929.05. Staff anticipated receiving bids that were closer to \$800,000.00 and would be reviewing changes that could be made to the project to bring the costs more in line with those anticipated. There were a number of items that would save money including leaving the belt press mounted as is, using painted and galvanized steel in some applications instead of stainless, utilizing a different type of roll-up door, and leaving some interior finish work to be completed by staff as time allowed. Mr. Winstanley further stated making changes of this nature affected the bid to the point that staff needed to rebid the project. Mr. Winstanley further stated therefore, staff recommended Council reject all bids and staff would prepare new bid documents.

Motion to reject all bids for the Waste Water Treatment Plant Class ‘A’ Dryer Building Project; carried unanimously. (Johnson/Montero)

**COMMENTS – COUNCIL**

Councilor Montero stated she was the liaison for the Library Board and there were many discussions over the Library Policy and she was very impressed. Council could be very proud of the people appointed to the Library Board who took that responsibility very seriously and looked at the policy with a fine tooth comb.

Mayor Larson stated every Councilor was a representative on a Committee, Commission, and Board and he really thanked the Council because he read the minutes of every meeting and knew what was going on and really appreciated the additional job.

Councilor Phillips stated the Spaghetti Feed put on by the Ham Operators was incredible and great fun and she had no idea how many people were Ham Operators in the area. Councilor Phillips thanked Ms. Moberg for her presentation of the Library Policy and answering all Council’s questions which was appreciated. Councilor Phillips further stated she was kind of shocked that the Tsunami Committee was not even involved with the new maps and Council was told that public input was not asked.

Mr. Winstanley stated this was a State project and not a local project and their task was to map all of the Oregon Coast which started four years ago. The task was to do it on the basis of the science and not going out and soliciting what worked for each community. The science was basically used to inform communities what was seen as the worst case scenario. The State looked at the project as not to go out and obtain information but to present the information.

Mr. Winstanley stated to the credit of the State agency part of the project was to not only provide the best maps available but to hire some people to go out and get the word out about the maps. Mr. Winstanley stated the good news was that Seaside was not in the situation like Gearhart because there was really no where to go.

Councilor Frank stated he was surprised they added the grids to the map for Gearhart so people had a place to go.

Mr. Winstanley stated the map did not say it was a safe place but said it would be safe for a large event but not the two higher events and in Gearhart they wanted to give people an alternative.

Mayor Larson stated the Seaside Fire Department scheduled a dinner and invited Council on Wednesday, June 12, 2013, 6:00 pm.

**COMMENTS – CITY  
STAFF AND PUBLIC**

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the Seaside Convention Center had the Seaside High School Graduation tonight and there would be a car show later in the week and the Confederation of School Administrators (COSA) next week in the building. Mr. Vandenberg further stated the Convention Center Commission meeting was scheduled for Wednesday, June 12, 2013, 7:00 pm.

Bob Gross, Seaside Police Department, stated next week the police department had the mini academy scheduled for training partly required and partly needed. The police department was already preparing for Miss Oregon and the Fourth of July. Miss Oregon was already mapped out for the parade and the pageant and the department was preparing for summer.

Ms. Moberg thanked the Council for approving the Seaside Library Policy. The Summer Reading program would start Saturday, June 8, 2013, 11:00 am, and there were two Kindles at the library that could be checked out.

Mr. Vandenberg stated Mandy from the League of Oregon Cities thanked the Mayor on behalf of hosting the small cities workshop that was in the library a few weeks ago.

Mr. Winstanley thanked Ms. Moberg and stated it was not easy being a brand new department head with a policy that even he did not think would be an easy situation and Ms. Moberg did a marvelous job tonight by informing Council.

Mayor Larson stated an email was sent out concerning the North Coast State Forrest Coalition and there was one response received and he really needed some input from the rest of the Council.

**ADJOURNMENT**

The regular meeting adjourned at 8:08 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR