

**AGENDA SEASIDE CITY COUNCIL MEETING
APRIL 25, 2011 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS – PUBLIC
6. COMMENTS FROM THE STUDENT REPRESENTATIVE, TAYLOR AMES
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$95,484.21
 - b) APPROVAL OF MINUTES – APRIL 11, 2011 REGULAR MINUTES
9. PUBLIC HEARING - SEASIDE TRANSPORTATION SYSTEM PLAN (TSP) LAND USE DECISION REGARDING PROPOSED:
 - TSP COMPREHENSIVE PLAN AMENDMENT 10-044ACP, ORDINANCE 2011-02
 - TSP ZONE CODE AMENDMENT 10-045ZCA, ORDINANCE 2011-03
 - OPEN PUBLIC HEARING – TAKE PUBLIC TESTIMONY
 - CONTINUANCE TO MAY 9, 2011, CITY COUNCIL MEETING
10. PUBLIC HEARING – ORDINANCE 2011 – 05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, PURSUANT TO ORS 223.112.223.132, SETTING A PUBLIC HEARING, EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE “DOWNTOWN MAINTENANCE DISTRICT”; REPEALING ORDINANCE NO. 2010-01, AND ALL ORDINANCES IN CONFLICT
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION FOR SECOND READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
11. UNFINISHED BUSINESS:
 - a) VACANCY – BUDGET COMMITTEE
12. NEW BUSINESS:
 - a) RESOLUTION #3730 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON. ADJUSTING THE SOLID WASTE COLLECTION RATES
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED

- b) RESOLUTION #3731 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, SUPPORTING THE OREGON STATE LEGISLATURE IN PASSING LEGISLATION WHICH BANS SINGLE-USE PLASTIC CHECKOUT BAGS
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
 - c) UPDATE – SEASIDE FIRE DEPARTMENT ANNUAL REPORT
 - d) UPDATE – CONVENTION CENTER ANNUAL REPORT
 - e) FINAL – NORTH HOLLADAY PROJECT
 - f) BID RESULTS – LANDSCAPE MAINTENANCE FOR CITY OF SEASIDE FACILITIES
 - g) MEMORANDUM OF UNDERSTANDING (MOU), AVENUE ‘G’ AND PROM DRIVEWAY FOR MIKE MEYER
13. COMMENTS FROM THE COUNCIL
14. COMMENTS FROM THE CITY STAFF
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.*

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.

CALL TO ORDER	<p>The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.</p> <p>Present: Mayor Don Larson, Council President Stubby Lyons, Councilors Tim Tolan, Don Johnson, Jay Barber, Dana Phillips and Tita Montero.</p> <p>Absent: None</p> <p>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, <u>Daily Astorian</u>; Tom Freel, Northwest Broadcasters; and Rosemary Dellinger, <u>Seaside Signal</u>.</p>
AGENDA	<p><u>Motion</u> to approve the April 11, 2011 agenda; carried unanimously. (Lyons/Johnson)</p>
PROCLAMATION	<p>Mayor Larson read a proclamation for Chamber of Commerce Recognition Day.</p> <p>Council President Lyons read a proclamation for National Public-Safety Telecommunications Week.</p>
COMMENTS – PUBLIC	<p>Dave Langlo, 1421 N. Wahanna, Seaside, stated there were safety concerns with loaded log trucks on Wahanna Road from 12th Avenue. The intersection at Wahanna and 12th 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 least 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.</p> <p>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.</p>
COMMENTS – STUDENT REPRESENTATIVE	<p>Absent</p>
CONFLICT	<p>Mayor Larson asked whether any Councilor wished to declare a conflict of interest.</p> <p>No one declared a conflict of interest.</p>
CONSENT AGENDA	<p><u>Motion</u> to approve payment of the bills in the amount of \$382,499.24; and March 28, 2011, minutes; carried unanimously. (Barber/Lyons)</p>
PUBLIC HEARING	<p>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</p> <p>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?</p> <p>There were no objections to the item on jurisdictional grounds.</p> <p>Mayor Larson stated he needed Councilors to state if they had any conflicts of interest or ex-parte contacts they need to disclose?</p> <p>There were no Councilors who had any conflicts of interest or ex-parte contacts disclosed.</p>

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 (30th) 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 there 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 processes, 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 then 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 then 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 DLCD 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 75th 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.

Kim Jordan, Secretary

DON LARSON, MAYOR

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council

From: Planning Director, Kevin Cupples

Date: April 11, 2011

Applicants: City of Seaside
989 Broadway
Seaside, OR 97138

Subject: 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
AND
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

Request Summary:

The applicant is requesting a comprehensive plan amendment that will revise the transportation element of the City of Seaside Comprehensive Plan and adopt a Transportation System Plan consistent with the applicable provisions of OAR 660-12. In addition to changes in the Plan, the request also includes specific text changes to the Seaside Zoning Ordinance that are needed in order to implement the TSP.

The City of Seaside has been working on developing a Transportation System Plan (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 this process, the City has provided numerous opportunities for the public to review the work being done on the TSP and provide input on the information.

A Transportation System Plan (TSP) is essentially a twenty year planning document that helps guide development and improvements to our local transportation infrastructure. The plan is intended to be very conceptual so it does not address specific design details associated with a particular project. However, it does identify general improvements the City and ODOT will be striving to fund over the next twenty (20) years. The adoption of a TSP enhances the City's ability to attract funding for transportation improvements and it demonstrates how seemingly unrelated improvements will fit into a comprehensive system.

Even though the TSP is a broad-based planning document, it does include specific changes in our implementing ordinance that will impact certain types of future development. It establishes an overlay zone along Highway 101 that will 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 includes general design standards and required amenities (such as bike racks & pedestrian connectivity) for certain types of new development.

The proposed TSP includes a unique approach to design standards for Highway 101 that were worked out between Seaside and Oregon Department of Transportation. The Seaside residents previously objected to a proposed highway improvement plan through Seaside due to the expansive nature of the improvements necessary to address thirtieth (30th) 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 are more appropriately scaled along US 101.

In accordance with the Comprehensive Plan and Zoning Ordinance, after the City Council concludes their public hearing, the Council will make a final decision on the proposed amendment to the plan and the zoning ordinance.

Public Hearing Testimony Summary:

The Planning Commission conducted an initial public hearing to obtain input concerning the proposed amendments on January 18th and February 1st, 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.

Planning Commission Deliberations & Recommendation:

The Commission began deliberations on February 15th 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 (attached).

Final Recommended City Council Action:

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 is based on the assumption that the public hearing will not reveal any well substantiated reason to consider further modifications to the Seaside TSP or the text amendments necessary to implement to Plan.

Approve Comprehensive Plan Text Amendment 10-044ACP & 10-045ZCA based on the Planning Commission's recommendation and make a motion that Ordinance No. 2011-02 & 200-03 (attached) be read "*by title only*." This Ordinance is the document that will formally recognize the Council's approval of the request and authorize the change to the Comprehensive Plan and Zoning Ordinance. This decision is supported by the record and the Planning Commission's recommendation referenced in the Ordinances.

Following the first reading, a motion for a second reading "*by title only*" will be needed. The third and final reading "*by title only*" and final adoption will be scheduled for the next council meeting following the second reading.

Attachments below: Can be reviewed at City Hall, Planning Department, and Library.

Planning Commission's Recommendation 3/1/11
Public Comment & Response Matrix Attachment 2/15/11
Example Trip Generation Triggers 2/15/11
Comprehensive Plan Amendment Ordinance No. 2010-02
Zoning Code Amendment Ordinance No. 2010-03
PC Minutes 3/1/11
Updated Staff Report With PC's Requested Changes 3/1/11
PC Minutes 2/15/11
PC Minutes 2/1/11
Letters From: Phyllis Gray Hann; Bill Teeple; Adams, Duncan & Howard Inc. P.S., Wexler Prop. Group LLC; Theresa Sloan; Carolyn & Ken Smith; Gerald Thiers; Marcus Holling, United Finance; John Dunzer; Debra Oglesby; Marcus & Marilyn Simantel; Susan Edy; Beeb Ashcrof; Tom & Robbin Schill; Jon & Kristy Forrester; & Patricia Brown, Brownwood Rentals.
PC Minutes 1/18/11
Original Staff Report
Transportation System Plan Binder – Plan Volume I and Plan Appendices A-I

**PLANNING COMMISSION RECOMMENDATION
CITY OF SEASIDE TRANSPORTATION SYSTEM PLAN
Comprehensive Plan Amendment 10-044ACP &
Zone Code Amendment 10-045ZCA**

After taking testimony during 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:

Recommended Decision: Adopt the City of Seaside Transportation System Plan and the associated text amendments to the Comprehensive Plan and Zoning Ordinance subject to the additional amendments and corrections identified in Finding 5a. through 5j. and 6a. through 6i. This request is consistent with the provisions in the City's Comprehensive Plan and it will not undermine the Plan's compliance with state wide planning goals.

This recommendation is supported by the submitted Transportation System Plan, the staff report, public testimony, and the Commission's adopted findings, justification statements, and conclusions.

PLANNING COMMISSION REQUEST SUMMARY & JUSTIFICATION

Date: January 18, 2011

Applicants: City of Seaside
989 Broadway
Seaside, OR 97138

Subject: 10-044ACP- Comprehensive Plan Amendment Adopting
a Transportation System Plan (TSP) for Seaside and
making specific amendments to the Comprehensive
Plan

AND

10-045ZCA- Zone Code Amendment making specific
amendments to the Seaside Zoning Ordinance
necessary to implement the provisions of the TSP

REQUEST:

The applicant is requesting a comprehensive plan amendment that will revise the transportation element of the City of Seaside Comprehensive Plan and adopt a Transportation System Plan consistent with the applicable provisions of OAR 660-12. In addition to changes in the Plan, the request also includes specific text changes to the Seaside Zoning Ordinance that are needed in order to implement the TSP.

The City of Seaside has been working on developing a Transportation System Plan (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 this process, the City has provided numerous opportunities for the public to review the work being done on the TSP and provide input on the information.

If you're unfamiliar with the Transportation System Plan (TSP), it is essentially a twenty year planning document that guides development and improvements to our local transportation infrastructure. The plan is intended to be very conceptual so it does not address specific design details associated with a particular improvement. However, it does identify general improvements the City and ODOT will be striving to fund over the next twenty (20) years. The adoption of a TSP enhances the City's ability to attract funding for transportation improvements and it demonstrates how seemingly unrelated improvements will fit into a comprehensive system.

Even though the TSP is a broad-based planning document, it does include specific changes in our implementing ordinance that will impact certain types of future development. It establishes an overlay zone along Highway 101 that will 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 includes general design standards and required amenities (such as bike racks & pedestrian connectivity) for certain types of new development.

The proposed TSP includes a unique approach to design standards for Highway 101 that were worked out between Seaside and Oregon Department of Transportation. The Seaside residents previously objected to a proposed highway improvement plan through Seaside due to the expansive nature of the improvements necessary to address thirtieth (30) 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 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 are more appropriately scaled along US 101.

In accordance with the Comprehensive Plan, after holding a public hearing on the proposed text amendment in the plan and the zoning ordinance, the Commission will make a recommendation to the City Council.

DECISION CRITERIA, JUSTIFICATION, FINDINGS, & CONCLUSIONS:

The following is a list of the decision criteria applicable to the request. The criterion is 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 includes modifications to the proposed amendments they consider 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:

- a. Explain which plan goals, objectives, or policies are being furthered by the change.
- b. Present the facts used in making the decision; and
- c. Explain how the change will serve the public need.

FINDINGS & JUSTIFICATION STATEMENTS:

1. The Transportation System Plan and Appendices have been submitted as a justification document which supports the request based on information in the plan, statewide planning goals, and Oregon Administrative Rule. The applicant's information is adopted by reference.
2. Specific changes to the Comprehensive Plan are included in Ordinance 2011-02 based on reference to specific pages (Page G-44 through Page G-47) in TSP Appendix G. This document will amend City of Seaside Comprehensive Plan Section 7.3 STREET SYSTEM, 8.0 TRANSPORTATION, and 8.1 TRANSPORTATION POLICIES. See Attached.
3. Specific changes to the Seaside Zoning Ordinance are included in Ordinance 2011-03 based on reference to specific pages (Page G-8 through Page G-43) in TSP Appendix G. This document will make a number of amendments to the Seaside Zoning Ordinance in an effort to implement the TSP. See Attached.
4. During the public hearing, the public offered oral and written testimony during two consecutive meetings before the Planning Commission. The City Planning Commission has reviewed all the verbal and written comments in the record and a list of responses were developed (see the attached matrix) in order to direct individuals where their issues are 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 is important, out of the 52 responses, a number of issues were repeated numerous times. These repeated issues are 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 & Pedestrian Facilities
 - Need Three Lanes Throughout Town
5. There are a number of specific changes to the TSP suggested in the response matrix. The following is a list of those supported by staff:
 - 5a. Flooding- Amend the flooding text in the TSP (Page 3-29) to include the Port of Astoria and Gearhart as contributing entities. The third to the last sentence would be revised to read, "In 2009, the Cities of Astoria, Cannon Beach, Gearhart, Seaside, and Warrenton, along with Clatsop County, the Port of Astoria, and ODOT, agreed to pool resources for a hydraulic study." The additional text suggested by the hydrologist is very specific and unnecessary.
 - 5b. Bypass- Amend the bypass text in the TSP (Page 3-29) to include regional nature of such a facility. The text preceding the steps would be revised to read, "A number of steps are required to forward a bypass. Based on the regional implications, the following steps should include the participation of stakeholders throughout Clatsop County."
 - 5c. F&G Realignment- Amend the F&G text in the TSP (Page 3-19) to include Option 4. The last sentence in the paragraph would be revised to read, "Four options are carried through the planning phase (shown as Figure 3.13): Option 1: Realign Avenue F only; Option 2: Realign Avenue G only; Option 3: Realign both Avenues F and G; and Option 4: Retain current alignment and signalize F. If necessary, establish coordinated signalization at Avenue F & G so they operate as one light." No additional amendments are necessary to support the forth option.
 - 5d. Three Lane from C to G- Amend widening project 8 in the TSP (Page 3-18) from G to Holladay by adding an additional three lane widening from C to G. The following text would be added below Table 3.9, **8a. US 101 Cross-section – Three Lanes between Avenue G and Avenue C** US 101 would be expanded to three lanes between Avenue G and Avenue C. This would create future continuity with the widening between G and Holladay and act as a preliminary phase to the F & G realignment (see project 9). This project would provide benefits similar to those previously discussed under the G to Holladay widening by providing a three lane cross section that will promote safer and smoother traffic flow along US 101 by eliminating the queues that currently develop when vehicles stop in the travel lane to turn left. Table 3.9.1 presents the cost estimate for the US 101 cross section between Avenue G and Avenue C.

Table 3.9.1 US 101 Cross-section Cost Estimate – Avenue G to Avenue C

Improvement	Estimated Cost (2010 \$)
8a. US 101 widening to three lanes between Avenue G and Avenue C	\$923,000.00

This project would also be added to Table 3.25 starting on TSP Page 3-50.

- 5e. Constrained Right of Way – Amend the available right of way in the TSP (Page 3-17) project 7 to reflect the available width. The last sentence in the second paragraph would be amended to read, "Available right-of-way through this section appears to be between 62 and 110'.

The initial response to the five lane included a timing component for this project so that it would not be considered until other projects were completed; however, due to the level of concerns expressed over the potential impacts from this project and the fact this project is considered outside the 20 year time frame, the following text should be added to the first paragraph explaining this project is outside the twenty year timeframe. *“Although this project received strong support during the development of the TSP, public concerns expressed over this project’s potential impacts to the surrounding uses has removed it from the list of projects in the Very long category. This project may be reclassified as one of the Considerations for the Next TSP Update identified later in this Chapter.”* The reference to this project will also need to be removed from Table 3.25 in TSP (Page 3-50). The consultants have been contacted to determine if there are any adverse impacts associated with this proposed amendment to the plan.

- 5f. Minimize Impacts & Notification of Project Design – Amend the Comprehensive Plan Policy 1 in TSP (Page G-46) to include impact reduction and design notification text. The following text would be added at the end of the policy, “and future designs must attempt to minimize impact to the abutting properties and their uses. The City and the Oregon Department of Transportation shall work cooperatively to notify property owners that about TSP projects at the time design funding is approved so they can provide input at an appropriate time.”
- 5g. Minimize Impacts from Shared Use Pathways – Amend the Shared Use Pathway text in TSP (Page 3-41) to consider least impact option. The second sentence would be amended to read, “The US 101 Path should be extended north to the city limits and North Gateway Park, as well as south to the city limits unless it is shown that a more traditional sidewalk and bike lane would minimize the impacts to abutting properties due to right of way constraints.”
- 5h. Consideration of Modified Designs – Amend the Table 3.1 in TSP (Page 3-4) to recognize an additional footnote that will permit modifications subject to safety and operational constraints. Footnote 5 would be added to read, “5. When proposed improvements to existing roadways are constrained by limited right-of-way or existing improvements, these standards may be further modified; provided public safety and operational concerns can be adequately mitigated.” The number 5 would be noted at the Table heading.
- 5i. Reclassification of Street Segment – Amend Figure 3.2 in the TSP (Page 3-5) to reflect the Minor Collector designation for that portion of 12th Avenue between Necanicum Drive and Franklin.
- 5j. Modify Avenue S Cross-section – Amend the cross section description at the introduction of project 10 in TSP (Page 3-21) to reflect a 40’ wide design. The second sentence would be amended to read, “From US 101 east to the bridge crossing Neawanna Creek, Avenue S would have a 10’ wide shared pathway on the north side, two twelve foot travel lanes, and a 6’ sidewalk on the south side (Figure 3.15).” Figure 3.15 would be amended to reflect the 40’ wide cross-section.
6. In addition to the responses in the matrix, Planning Commissioners have suggested some additional modifications to the plan. The following is a modified list of those changes:

- 6a. Chamber of Commerce Reference – Amend the Chamber of Commerce reference in TSP (Page 3-16) so the second to the last sentence in project 6 will read, “The building in the northeast quadrant of this intersection is occupied by the Seaside Chamber of Commerce and the Seaside Visitor’s Bureau; and, it has adequate setback to accommodate this widening.”
- 6b. Include Missing Cost – Amend Table 5.1 in TSP (Page 5-2) for Project 8. This table will include the cost of “\$2,133,000”.
- 6c. Additional Bypass Policy – This policy would be added to the Comprehensive Plan TSP Appendix G (Page G-47). The policy would read, “15. While it is recognized that a bypass of Highway 101 is outside of the Seaside TSP considerations, as a interested stakeholder, the City of Seaside will actively participate with Clatsop County’s efforts to consider the future development of a bypass highway that would extend from Highway 26 to Highway 30 along with other municipalities, the Oregon Department of Transportation (ODOT), and the Federal Highway Administration.” This text is supported by the written comments proposed by Commissioner Carpenter.
- 6d. Additional Flooding Policy – This policy would be added to the Comprehensive Plan TSP Appendix G (Page G-47). 16. The policy would read, “While it is recognized that the flooding of Highway 101 south of Seaside is outside of the Seaside city limits, as an interested stakeholder, the City of Seaside will support the County wide efforts to solve the flooding problem and seek funding to develop the solution.” This text is supported by the written comments proposed by Commissioner Carpenter.
- 6e. Additional Transportation Policy – This policy would be added to the Comprehensive Plan TSP Appendix G (Page G-47). 17. The City of Seaside shall establish a Transportation Advisory Commission that will conduct a public review of transportation projects identified in the Transportation System Plan (TSP) at the time project design funding is programmed or secured. This Commission is intended to provide affected parties a venue to provide early, open, continuous, and meaningful opportunity to influence decisions about proposed transportation activities within the urban growth boundary. It would also be the Commission’s responsibility to provide input concerning periodic updates and major revision to the adopted TSP. This text is supported by the written comments proposed by Commissioner Carpenter.
- 6f. Shorten Zoning Ordinance Amending Text – Pages G-9 through G-19 all include a reference to Section 3.022 6 for a General Transportation Facility Improvement and 3.023 13 for a Significant Transportation Facility Improvement. The original intent was to define these in the definitions Section 1.030 (Page G-8 and G-9) so it could simply be referenced in each zone. Each zone should include the text in Section 3.022 6 under the permitted uses and the text in Section 3.023 13 under the conditional uses in an effort to remove the redundant text being proposed in each zone.
- 6g. Correct the Removal of Needed Text – Page G-26 proposed the elimination of Zoning Ordinance Section 10.080. This entire section needs to be retained and should not be deleted from the Zoning Ordinance.
- 6h. Clarification of Significant Traffic Review Trigger – Amend the text in Section 3.404 (Page G-31) to clearly recognize prior demand by adding more text.

The last sentence in the third paragraph would be amended to read, "An evaluation of compliance with the standards of this Overlay Zone shall be conducted by ODOT and the Seaside Planning Commission, and shall comply or be brought into compliance prior to the issuance of any permits or approvals; if any of the following circumstances will generate a significant number of additional trips over the prior use."

- 6i. Recognize Public Input – Provide an additional Appendix that recognizes the amendments made to the draft TSP based on concerns expressed during public testimony and deliberation by the Planning Commission.

CONCLUSION TO CRITERIA #1:

Subject to the additional amendments and corrections identified in Finding 5a. through 5j. and 6a. through 6i., the proposed amendments to the Seaside Comprehensive Plan and Zoning Ordinance can be justified by the amended Transportation System Plan.

FINAL STAFF RECOMMENDATION:

Recommend 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.

ORDINANCE NO. 2011-02

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE COMPREHENSIVE PLAN REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 MODIFYING THE TRANSPORTATION ELEMENT AND ADOPTING THE TRANSPORTATION SYSTEM PLAN (TSP).

WHEREAS, the Planning Commission conducted a public hearing regarding a proposed Comprehensive Plan text amendment that will amend the transportation element in the City of Seaside Comprehensive Plan and adopt a Transportation System Plan (TSP) for the area within the Seaside Urban Growth Boundary (UGB); and

WHEREAS, the TSP will recognize the use of an alternative mobility standard for Seaside in an effort to promote transportation improvements that are appropriately scaled for the Seaside UGB over the next 20 years; and

WHEREAS, after careful consideration the Planning Commission recommended the City Council approve the text amendment based on the City’s draft submittal, the staff report, public testimony, findings, justification, and conclusions that support the proposed amendment; and

WHEREAS, the City Council reviewed the Commission’s recommendation on Comprehensive Plan text amendment 10-044ACP and conducted a public hearing on the proposed amendments; and

WHEREAS, after careful consideration the Council approved the final draft of the TSP based on a determination the proposed text amendment was justifiable, consistent with the provisions in the City’s Comprehensive Plan, and maintained the Plan’s compliance with Statewide Planning Goals and applicable Oregon Administrative Rules.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend City of Seaside Comprehensive Plan Section 7.3 STREET SYSTEM, 8.0 TRANSPORTATION, and 8.1 TRANSPORTATION POLICIES referenced in Code of Ordinance Chapter 151 by adopting the Seaside Transportation System Plan (TSP) by reference and make the specific changes identified in TSP APPENDIX G, Page G-44 through Page G-47.

See TSP APPENDIX G, Page G-44 through Page G-47, Attached.

SECTION 2. The Seaside Planning Commission did hold a public hearing on January 18, 2011 & February 1, 2011, during which the public was given an opportunity to testify in favor and in opposition to the proposed draft of the Comprehensive Plan text amendment. Following the close of the public hearing, the Commission recommended the Seaside City Council approve the final draft of the proposed Comprehensive Plan text amendment.

SECTION 3. The City Council hereby approves the Comprehensive Plan text amendment (file reference #10-044ACP) based on the adopted information in the Planning Commission’s recommendation after consideration of the testimony offered during the Council’s public hearing on April 11, 2011 _____.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2011, by the following roll call vote:

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

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2011.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

ORDINANCE NO. 2011-03

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE SEASIDE ZONING ORDINANCE REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 158, ADOPTING REGULATION THAT WILL IMPLEMENT THE TRANSPORTATION SYSTEM PLAN (TSP).

WHEREAS, the Planning Commission conducted a public hearing regarding proposed zone code amendment to the Seaside Zoning Ordinance that will adopt regulations in the Seaside Zoning Ordinance intended to implement the Transportation System Plan (TSP) for the area within the City of Seaside UGB.

WHEREAS, these amendments will create a new Highway 101 Overlay Zone, establish new transportation development standards, require a conditional use for significant transportation facility improvements, and promote pedestrian & bicycle improvements for certain uses; and

WHEREAS, the TSP will recognize the use of an alternative mobility standard for Seaside in an effort to promote transportation improvements that are appropriately scaled for the Seaside UGB over the next 20 years; and

WHEREAS, after careful consideration the Planning Commission recommended the City Council approve the zone code amendments based on the City's draft submittal, the staff report, public testimony, findings, justification, and conclusions that support the proposed amendments; and

WHEREAS, the City Council reviewed the Commission's recommendation on zone code amendment 10-045ZCA and conducted a public hearing on the proposed amendments; and

WHEREAS, after careful consideration the Council approved the final draft of the zone code amendments in the TSP based on a determination the proposed text amendments are justifiable, consistent with the provisions in the City's Comprehensive Plan, and maintain the Plan's compliance with Statewide Planning Goals and applicable Oregon Administrative Rules.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend City of Seaside Zoning Ordinance referenced in Code of Ordinance Chapter 158 by adopting the specific code changes identified in TSP APPENDIX G, Page G-8 through Page G-43.

See TSP APPENDIX G, Page G-8 through Page G-47, Attached.

SECTION 2. The Seaside Planning Commission did hold a public hearing on January 18, 2011, & February 1, 2011, during which the public was given an opportunity to testify in favor and in opposition to the proposed zoning code amendments in the draft TSP. Following the close of the public hearing, the Commission recommended the Seaside City Council approve the final draft of the proposed zone code amendments.

SECTION 3. The City Council hereby approves the zone code amendment (file reference #10-045ZCA) based on the adopted information in the Planning Commission's recommendation after consideration of the testimony offered during the Council's public hearing on April 11, 2011 _____.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2011, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2011.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager



UNITED FINANCE CO.

A United Group, Inc. Company

SINCE 1922

WE'RE IN THE BUSINESS OF SERVING PEOPLE

January 18, 2011

Seaside TSP

Ladies and Gentlemen:

My name is Marcus Holling and I am the president of United Finance Co. United Finance has been part of the Seaside community for over 50 years. Our office is located at 808 Ave G and is property subject to the Transportation System Plan (TSP) with frontage on Roosevelt and avenue F & G. We realize that traffic and pedestrian safety have been a problem that is getting worse in our area. However, this project must also weigh the cost to disrupt business or take property in the planning and implementation. I would like to comment on alternative A and its three options and alternative B as presented for avenue F & G in the TSP.

Alternative A, option 1 would realign avenue F on the east side of Roosevelt. This option has minimal impact on our building and is an acceptable alternative to us but it does also include the taking of a building or portions of it to the east of Roosevelt.

Alternative A, option 2 would realign avenue G to the west side of Roosevelt to meet avenue F. The proposed alignment appears to realign the streets to the west of our building through residential or commercial storage units. This option is also acceptable to us but if the alignment takes part of our building or property then it is unacceptable.

Alternative A, option 3 would realign avenue F and G in the middle of the current blocks which appears to take buildings or portions of buildings on the east side of Roosevelt and our building on the west side. This option is totally unacceptable.

Alternative B takes no property and places traffic signals at F & G that will operate as one signal. This appears to be the least expensive in terms of taking property and the least disruptive to business located in this area and we endorse this alternative.

Please understand that as the planning progresses these options and alternatives may change and our approval or opposition may change too. We desire to be part of this planning process and applaud your efforts to include the community with this hearing.

Sincerely,


Marcus Holling
President

• EXECUTIVE OFFICES •

527 East Burnside • Portland, OR 97214-1183 • (503) 238-6464
P.O. Box 4487 • Portland, OR 97208-4487 • Fax (503) 238-6483

WWW.UNITEDFINANCE.COM

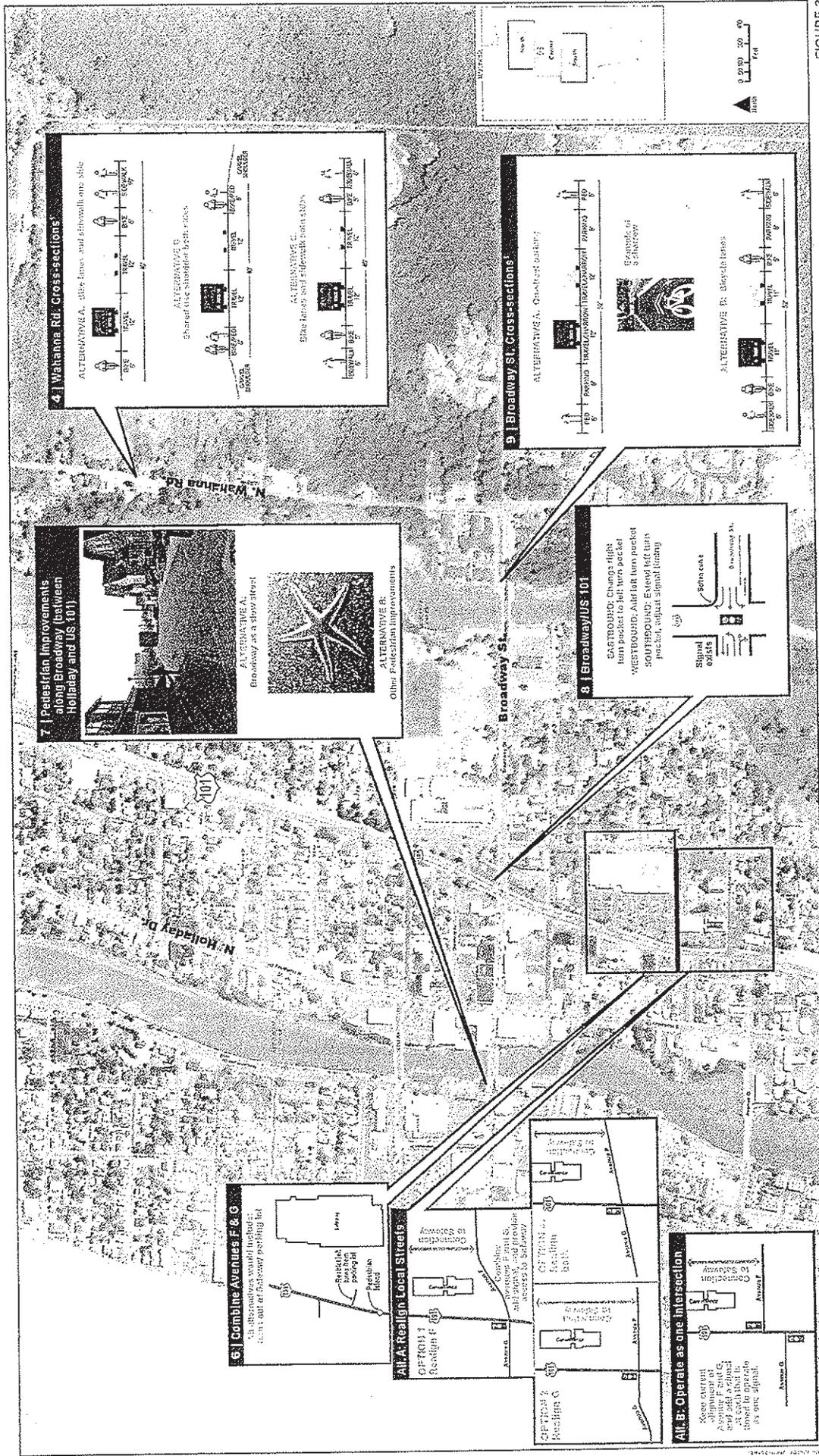
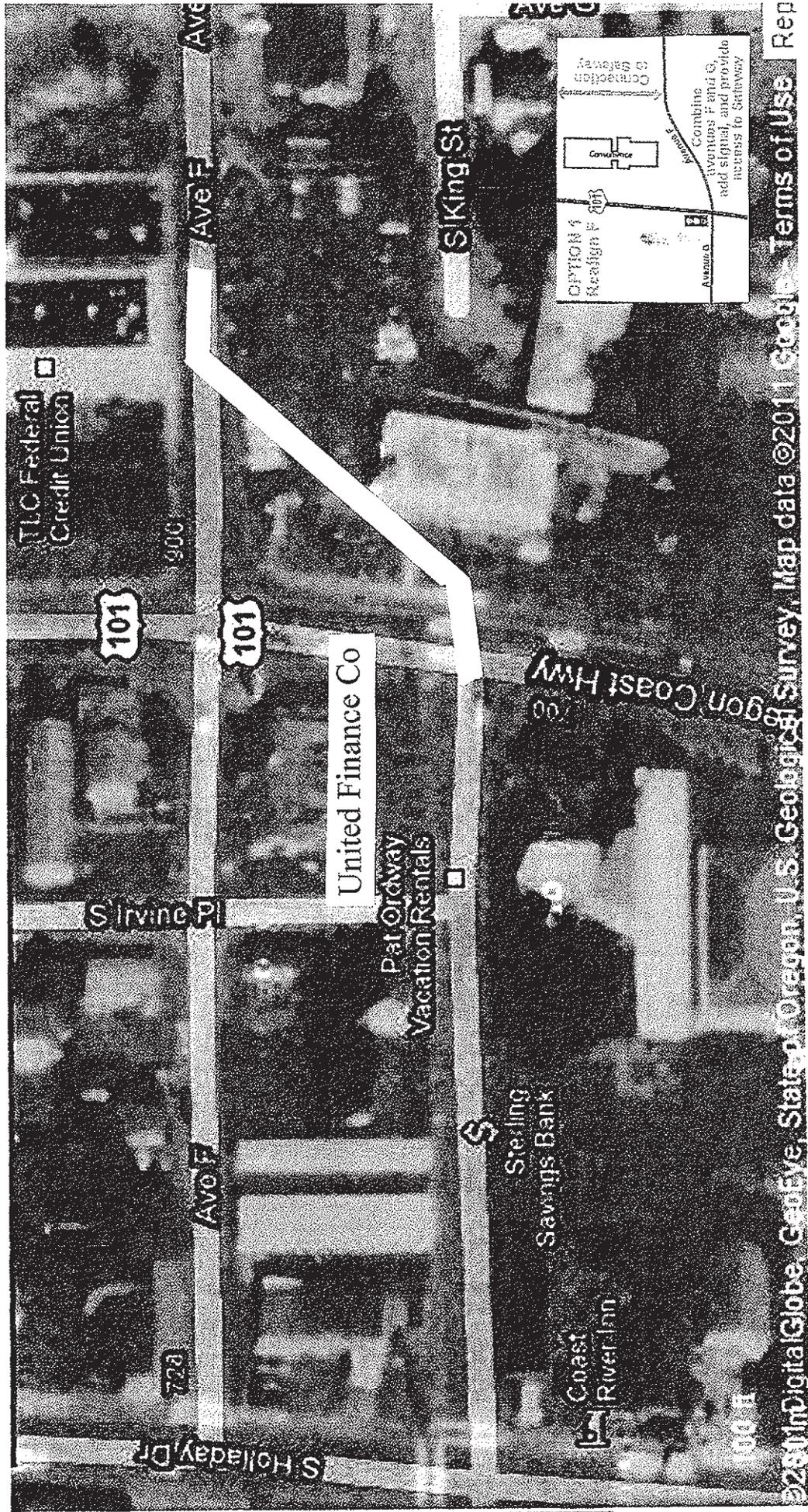


FIGURE 3
Local Roadway Initial Transportation Project Concepts
 SEASIDE TRANSPORTATION SYSTEM PLAN
CH2MHILL

AMERICAN CITY OF SEASIDE, 2013
 *Concepts shown are preliminary and subject to change.
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Seaside Transportation System Plan (TSP)

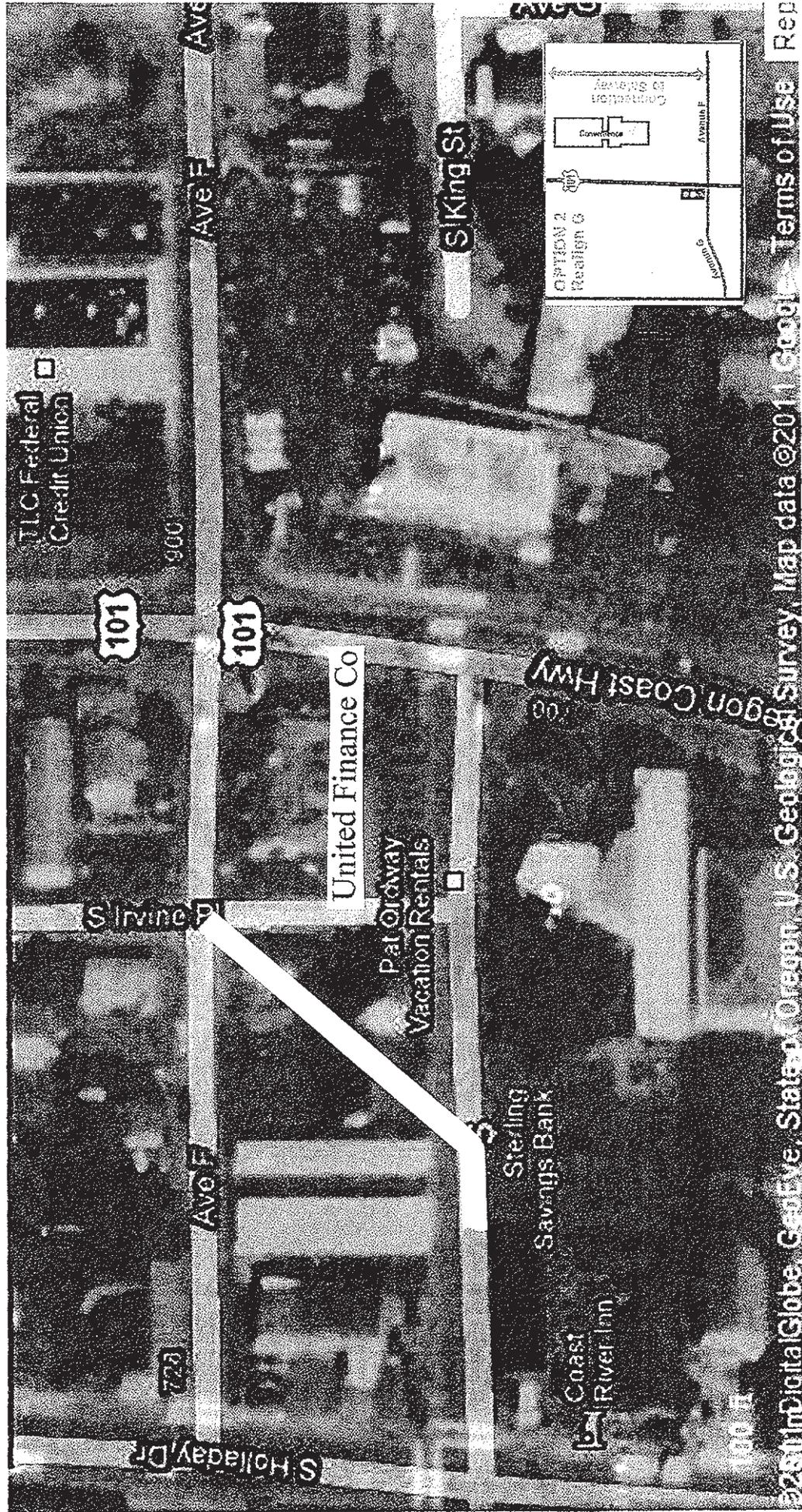
Alternative A: Option 1 realign F



United Finance Co

Seaside Transportation System Plan (TSP)

Alternative A: Option 2 realign G

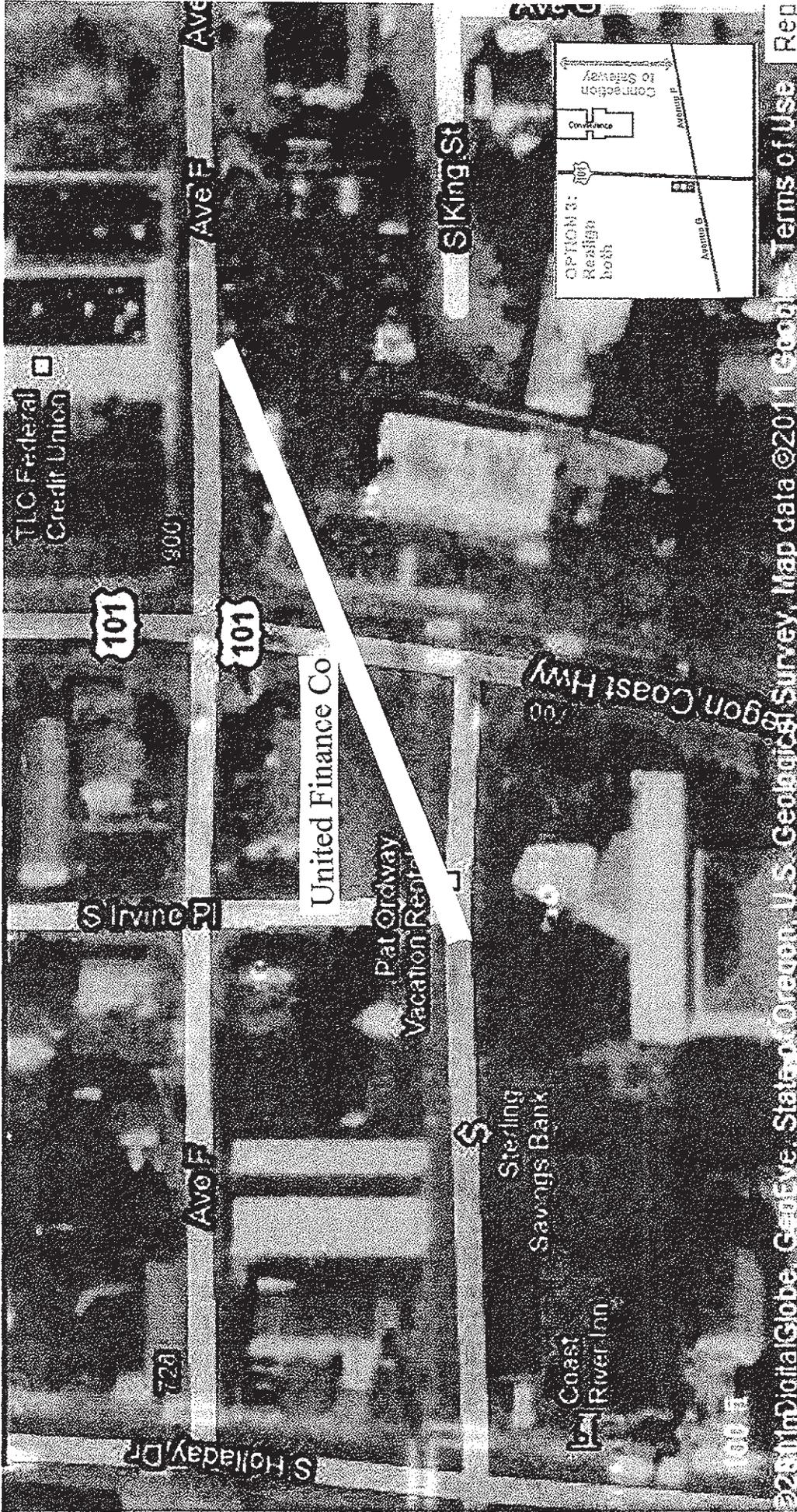


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United Finance Co

Seaside Transportation System Plan (TSP)

Alternative A: Option 3 realign both F & G



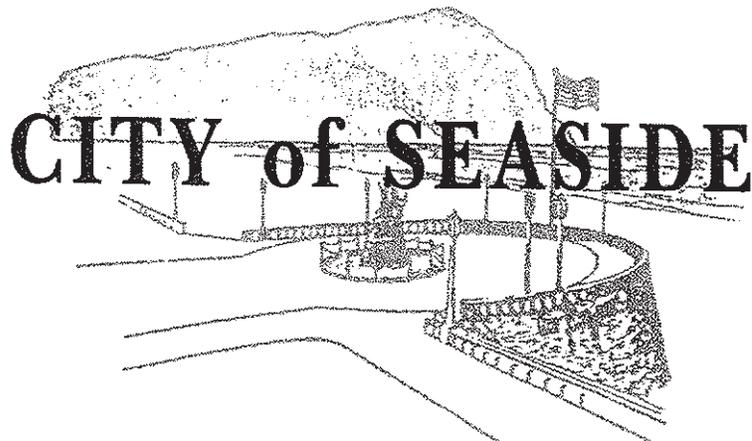
United Finance Co

Seaside Transportation System Plan (TSP)

Alternative B: Keep current alignment of Ave F & G add Signal at each that is timed to operate as one signal



United Finance Co



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

March 23, 2011

DEAR PROPERTY OWNER,

Enclosed is a proposed Ordinance of the City Council of Seaside, to renew the Downtown Maintenance District, at a linear foot rate of \$8.303440 per front foot for one year. **This is a 6.7% increase over last year.**

A joint effort of City Council, City Staff, and a Committee consisting of downtown merchants established the current program for maintenance of the downtown core area.

Funds generated by this District pay the contractors for litter removal and sweeping the sidewalks, and a separate contract for maintaining the planting areas, including replacement plants.

The City Council will hold a public hearing on this issue at the April 25, 2011, meeting to be held at City Hall, 989 Broadway, at 7:00 PM.

If you have any questions, please call me at (503) 738-5511.

Sincerely,



Mark J. Winstanley
City Manager

MJW:kj
Enclosure

ORDINANCE NO. 2011-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, PURSUANT TO ORS 223.112-223.132, SETTING A PUBLIC HEARING, EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE "DOWNTOWN MAINTENANCE DISTRICT"; REPEALING ORDINANCE NO. 2010-01, AND ALL ORDINANCES IN CONFLICT.

WHEREAS, the current Downtown Maintenance District expires on June 30, 2011; and

WHEREAS, it is in the best interest of the City to extend the term of the District.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. PURPOSE. The economic improvement district shall be continued to provide maintenance, upkeep, and litter control of planting areas, seating areas, sidewalks, curbs, and gutters within a designated area known as the "Downtown Maintenance District."

SECTION 2. BOUNDARIES. The Boundaries of the Downtown Maintenance District are described as follows: Broadway from Roosevelt to the Prom; Avenue A from Holladay to the Prom; Columbia Street from Avenue A to Oceanway; Downing Mall from Broadway to Oceanway; Franklin Street from Broadway to Avenue A; First Avenue from Holladay to the Necanicum Bridge; Holladay from 1st Avenue to Avenue A on the West, and from 1st Avenue to Avenue B on the east, including 50' to the south of Avenue A and 50' south of Avenue B. (See Exhibit A attached.)

When the Council considers it necessary to expand the boundaries of the District, each new property owner affected will receive notice stating the time and place of a public hearing at which affected property owners may appear to support or object to the District. Boundary changes will be made by the enactment of an ordinance by the Council.

SECTION 3. COSTS. The cost of the Downtown Maintenance District is estimated to be \$86,433.00 annually. Based on the total assessed linear footage of 10,409.3 feet, the benefited properties within the Downtown Maintenance District will pay \$8.303440 per front foot.

SECTION 4. TERM OF DISTRICT. Assessments will be levied to the benefited property owners for a maximum of one (1) year, starting July 1, 2011, to provide for the Downtown Maintenance District.

SECTION 5. AUDITOR TO FILE PROPOSED ASSESSMENT. The City Auditor shall be required to prepare the proposed assessment for each lot in the District and file it with the Finance Office.

SECTION 6. NOTICE OF AFFECTED PROPERTY OWNERS. Notice shall be mailed to the owner of each lot to be assessed, the notice shall state the amount of the assessment proposed on the property of the owner receiving the notice. The notice shall state the time and place of a public hearing at which time affected property owners may appear to support or object to the proposed assessment. The hearing shall not be held sooner than thirty (30) days after the mailing of the notices. The Council shall consider any objections and may adopt, correct, modify or revise the proposed assessments.

Notice shall be mailed to affected property owners prior to March 25, 2011, announcing the intention of the Council to extend the Downtown Maintenance District and to assess the benefited property for all the cost. A public hearing will be held on Monday, April 25, 2011, at 7:00 PM at City Hall, 989 Broadway, at which time affected property owners may appear to support or object to the proposed extension of the district.

SECTION 7. ASSESSMENTS. If, after the hearing, the Council determines that the Downtown Maintenance District shall be extended, the Council shall determine the amount of the assessment on each lot in the District, and the extension of such assessments.

Assessments will not be made and Downtown Maintenance District will be abolished if written objections are received at the public hearing from owners of property upon which more than thirty-three percent (33%) of the total amount of assessments is to be levied.

SECTION 8. REPEAL. Ordinance No. 2010-01, adopted May 10, 2010, is repealed.

ADOPTED by the City Council of the City of Seaside on this ___ day of _____, 2011, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ___ day of _____, 2011.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

SEASIDE BUDGET COMMITTEE

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.

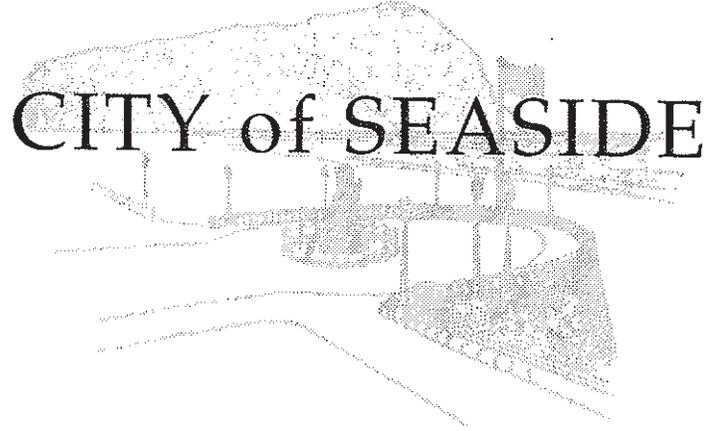
The budget committee is composed of the governing body and an equal number of electors appointed by the governing body. All members of the budget committee have equal authority. An elector is a qualified voter who has the right to vote for the adoption of any measure. If the governing body cannot find 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:** January 10, 2011
Name: Dana Phillips
Commission/Committee: Budget Committee
Resignation Date: Phillips – January 3, 2011
Term Expiration Date: December 31, 2011 – Phillips
Wants to be considered again: Phillips – No
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**



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>
GUY WILLIAMS	1125 N. HOLLADAY DR.	738-5342	12/31/2011
REBECCA BUCK	P O BOX 1152	738-3045	12/31/2011
VACANCY			12/31/2011
GAYLE SPEAR	50 7 TH AVENUE	738-7942	12/31/2012
ROBERT JOHNSON	2358 S. EDGEWOOD	717-1824	12/31/2012
LES MCNARY	1624 S. FRANKLIN	738-0759	12/31/2013
DALE MCDOWELL	3760 SUNSET BLVD.	717-8084	12/31/2013

Memo

To: Mayor and City Council
From: City Manager's Office
CC: Kim Jordan
Date: April 20, 2011
Re: Collection Rates

Each year Western Oregon Waste (WOW) is required to provide an annual financial report which includes a rate review report as outlined in the Solid Waste Collection Franchise.

Western Oregon Waste is proposing a rate schedule that reflects and adjustment to the current collection rates. Based on the data, there is reason to believe that the Operating Ratio for the current calendar year will not be inside the limits of the Operating Ratio Range of 88% to 92%. Considering the economy and other factors WOW is only requesting an adjustment of 4.00%, which should bring WOW back into the range (91.5%), rather than resetting to the target OR (90%).

Examples of the impact for Curbside Service:

32 gallon cart weekly was \$13.33 per month and now will increase to \$13.86 per month which was a difference of \$0.53.

90 gallon cart weekly was \$22.20 per month and now will increase to \$23.09 per month which was a difference of \$0.89.

2 Yd. container 1x/week was \$236.68 and now will increase to \$246.15 which was a difference of \$9.47.

WOW is also proposing to make changes to some rates for contracted services to reflect changes in the rates charged to WOW by those contractors. These include medical waste rates and the drop box ton rates. As Council may recall there were several temporary cuts to help weather the difficult economic conditions. WOW had continued the scaled-down approach in the projections, and hope for improvements in the coming year.

Western Oregon Waste staff will be available at the Council Meeting to answer any questions.

RESOLUTION #3730

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

THE SEASIDE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. In accordance with Section 50.13 of the Seaside Code of Ordinances, the maximum solid waste collection rates within the City limits shall be adopted as follows:

Can & Cart Services - Curbside Curb side: within 4' of the curb or road & 4' away from all cars, mail boxes, or misc items

	<u>Rate per month</u>
1 Can Weekly	\$ 14.62
Each Additional Can Weekly	\$ 14.62
32 Gallon Cart Weekly	\$ 13.86
90 Gallon Cart Weekly	\$ 23.09
1 Can Every Other Week	\$ 9.51
Each Additional Can Every Other Week	\$ 9.51
32 Gallon Cart Every Other Week - Curbside	\$ 9.01
90 Gallon Cart Every Other Week - Curbside	\$ 15.02
1 Can Once a Month	\$ 5.13
Each Additional Can Once a Month	\$ 5.13
32 Gallon Cart Once a Month - Curbside	\$ 4.85
90 Gallon Cart Once a Month - Curbside	\$ 8.08
Will Call Billed - 32 gal can (per can)	min. serv.
Will Call Billed - 32 gal cart (per cart)	min. serv.
Will Call Billed - 90 gal cart (per cart)	min. serv.
90 Gallon Cart Rent (for will-call service)	min. serv.
Regular customer - Additional Can, Bag, Misc.	\$ 3.65
Extra 90 Gallon Cart Pick Up	\$ 5.77

Can & Cart Services - Non Curbside Non curbside: visible from the street, outside of garages and fenced areas
--

1 Can Weekly	\$ 15.38
Each Additional Can weekly	\$ 15.38
32 Gallon Cart Weekly	\$ 21.54
90 Gallon Cart Weekly	\$ 35.39
1 Can Every Other Week	\$ 10.01
Each Additional Can Every Other Week	\$ 10.01
32 Gallon Cart Every Other Week	\$ 14.00
90 Gallon Cart Every Other Week	\$ 23.01
1 Can Once a Month	\$ 5.38
Each Additional Can Once a Month	\$ 5.38
32 Gallon Cart Once a Month	\$ 7.53
90 Gallon Cart Once a Month	\$ 12.38
Will Call Billed - 32 gal can (per can)	min. serv.
Will Call Billed - 32 gal cart (per cart)	min. serv.
Will Call Billed - 90 gal cart (per cart)	min. serv.
90 Gallon cart rent (for will-call service)	min. serv.
Additional Can & Cart Charges	
Regular customer - Additional can, bag, misc.	\$ 3.85
Extra 90 Gallon Cart Pick Up	\$ 8.85

Miscellaneous Rates

Charges for items on line 41 - 47 do NOT include the additional service charges which is charged separately

	Refrigerators - Freezers	\$	51.66
	Appliances	\$	11.48
	Furniture - all types	\$	17.22
	Tires off rims	\$	4.59
41	Tires with rims	\$	9.18
42	Truck tires off rims	\$	11.48
43	Truck tires with rims	\$	22.96
44	Service Charge - In Route	\$	20.01
45	Service Charge - Out of Route	\$	39.99
46	One Truck - One employee (Per Hour)	\$	117.65
47	One Truck - Two employees (Per Hour)	\$	176.46
	Note: "It's Not Junk" services are based on these rates, including estimated time in minutes + disposal.		
	Container Re-Delivery Charge	\$	39.99
	Off No Pay Reinstatement Charge	\$	15.00
	NSF Check Charge	\$	25.00
	Cart Replacement (loss/damage beyond normal wear & tear)	\$	65.00
	Cart Re-Delivery (after suspend) - In Route	\$	10.00
	Cart Re-Delivery (after suspend) - Out of Route	\$	20.00

Medical Waste Rates

Large Volume Customers - submitted separately for approval

Small Volume Generators

Sharps Container and Disposal

4.7 Qt -- Per Container	\$	19.30
10 Qt -- Per Container	\$	22.44
23 Qt -- Per Container	\$	43.67

Steri-Tub Rental and Disposal

21 Gallons -- Per Tub	\$	33.61
48 Gallons -- Per Tub	\$	39.29
Overweight Charge -- Per Tub	\$	115.65

Confidential Document Destruction

9 Gallon Box	\$	33.33
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Miscellaneous Rates - All Customers

Sharps Container Purchase

4.7 Qt -- Per Container	\$	6.10
10 Qt -- Per Container	\$	7.40
23 Qt -- Per Container	\$	19.00

Special Service Fee & Re-packaging Fee (per hour) (Supplies billed separately)	\$	117.65
Emergency Spill Remediation - per person (per hour) (Supplies billed separately)	\$	177.89
Spill Kit	\$	19.91

Temporary Rental Containers defined as: not longer than 30 days and 45 days between container rentals or for the term of project for contractors

3 Yd. Container (Delivery Charge, Final Pickup & 7 days)	\$	136.17
Additional Dumping Charge - 3 Yd Container	\$	110.17
3 Yd. Rental - Recycling Only	\$	122.55
Additional Dumping Charge - 3 Yd Recycling	\$	99.15
Daily Rental Charge - 3 Yd Container	\$	2.00

Drop Boxes

Delivery charge (Based on hourly truck time)	\$	39.99
Daily Rent - after 48 hrs/excluding weekends	\$	10.24
Rent (per month) - 1 year or longer	\$	121.47
Truck Time (per hour)	\$	117.65
Haul Fee	\$	117.65
Recycling Hauls/Market Hauls (per hour)	\$	117.65

All Industrial/Drop Box Customers

(drop box and compactors)		
Disposal Charge (per ton)	\$	102.61
Disposal Charge to Recycling Facility (per ton)	\$	92.35

Permanent Container Rates

Weekly Service-Containers

1 Yard Container	\$	157.82
1 1/2 Yard Container	\$	201.99
2 Yard Container	\$	246.15
3 Yard Container	\$	334.46
4 Yard Container	\$	422.82
5 Yard Container	\$	511.15
6 Yard Container	\$	599.50
8 Yard Container	\$	727.67

Each Additional Stop per Week - Containers

1 Yard Container	\$	137.82
1 1/2 Yard Container	\$	181.99
2 Yard Container	\$	226.15
3 Yard Container	\$	314.46
4 Yard Container	\$	402.82
5 Yard Container	\$	491.15
6 Yard Container	\$	579.50
8 Yard Container	\$	707.67

Every Other Week Service - Containers

1 Yard Container	\$	91.30
1 1/2 Yard Container	\$	113.38
2 Yard Container	\$	135.47
3 Yard Container	\$	179.63
4 Yard Container	\$	223.79
5 Yard Container	\$	267.96
6 Yard Container	\$	312.14
8 Yard Container	\$	376.22

Once a Month Service - Containers

1 Yard Container	\$	55.49
1 1/2 Yard Container	\$	65.70
2 Yard Container	\$	75.89
3 Yard Container	\$	96.30
4 Yard Container	\$	116.71
5 Yard Container	\$	137.09
6 Yard Container	\$	157.50
8 Yard Container	\$	187.08

Will Call Service - Containers

1 Yard Container	\$	33.79
1 1/2 Yard Container	\$	45.02
2 Yard Container	\$	56.25
3 Yard Container	\$	78.67
4 Yard Container	\$	101.13
5 Yard Container	\$	123.55
6 Yard Container	\$	146.00
8 Yard Container	\$	178.57

Rent Containers

1-8 Yard Containers	\$	20.00
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Permanent Frontload Compactor Rates

This includes all compacted material including pre compacted waste

Compaction Ratio - 4:1	\$	1.50
Compaction Ratio - 3:1	\$	1.30
Compaction Ratio - 2:1	\$	1.12

Notes: Finance Charges (0.75% monthly, 9% annually) will be assessed on any past due amount (excluding amounts in dispute over billing or service issues). Billing Terms: Commercial Accounts are billed on a monthly basis. Residential accounts are billed once every two months; one in arrears and one in advance.

SECTION 2. This Resolution shall become effective July 1, 2011.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2011.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2011.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager



The Great Pacific Cleanup

Ban Plastic Checkout Bags

OCEAN PROBLEM

There's 100 million tons of plastic pollution in the North Pacific Ocean concentrated by the ocean currents into a toxic soup twice the size of Texas. Plastic never biodegrades; it only photo-degrades into smaller and smaller bits. Through strangulation, suffocation, starvation, and poisoning, plastic litter kills millions of fish and wildlife every year.

Sea Turtles. Sea turtles mistake plastic bags for jellyfish, one of their main food sources. A recent study of dead Adriatic loggerhead sea turtles found one-third had eaten plastic.

Whales. Plastic never biodegrades; plastic only photo-degrades under the sun. When plastic bags sink to the ocean floor, they remain intact for decades. Whales swallow the bags while foraging for food on the ocean bottom and the bags get stuck in their gut.

Birds. Storks and other sea birds get their heads caught in plastic bags.

Fish. Plastic absorbs toxic chemicals up to a million times the ambient seawater concentrations. The National Oceanic and Atmospheric Administration is studying whether fish are poisoned by the toxic plastic and the extent to which the toxins move up the food chain.

PLASTIC CHECKOUT BAGS

- Oregonians use an estimated 1.7 billion plastic checkout bags every year.
- Plastic bags are the number one item of plastic litter on Oregon's beaches.

SAVE TAXPAYERS & BUSINESS MONEY

- The City of Portland estimates plastic bags and film cost the city \$2.3 million each year in street, storm drain, and sewer maintenance expenses.
- Local governments that manage waste disposal incur additional costs for pickup and disposal.
- Plastic bags and film represent 30-40 percent of operating expenses for material recovery facilities to clean out the sorting machines.

Public Education

- **Surfrider Foundation** has tabled at hundreds of community events, presented at 35 schools and public forums, conducted 45 beach cleanups, and given out over 20,000 free reusable checkout bags.
- **Environment Oregon** has talked face-to-face with more than 150,000 Oregonians about the issue.

Strong Support

- Portland, Newport, and Lake Oswego city councils passed resolutions supporting a statewide ban.
- More than 300 local business endorsements.
- More than 50 environmental and community groups.
- More than 20,000 petition signatures.



Great Pacific Cleanup Endorsements

City Resolutions

- **Lake Oswego**
- **Newport**
- **Portland**

Organizations

- **Oregon Conservation Network**
- **Association of Oregon Recyclers**
- **Audubon Society of Portland**
- **Environment Oregon**
- **Recycling Advocates**
- **Surfrider Foundation**
- **Tualatin Riverkeepers**
- **Willamette Riverkeeper**
- 5 Gyres Project
- Alliance for Democracy
- Association of Northwest Steelheaders
- Central Oregon Environmental Center
- Columbia Gorge Earth Center
- Columbia Riverkeeper
- Food & Water Watch
- Friends of the Columbia Gorge
- Friends of Forest Park
- Gifford Pinchot Task Force
- Klamath-Siskiyou Wildlands Center
- Hood River Valley Residents Committee
- Mazamas
- National Wildlife Federation
- Native Fish Society
- Northwest Environmental Defense Center
- Oceana
- Oregon Natural Desert Association
- Oregon Shores Conservation Coalition
- Oregon Environmental Council
- Oregon Wild
- Pacific Marine Conservation Council
- Rachel's Friends Breast Cancer Coalition
- Rogue Riverkeeper
- SCRAP
- Sea Turtle Restoration Project
- Sea Turtles Forever
- SEE Turtles
- Sierra Club, Columbia Chapter of Oregon
- Southeast Neighbors (Eugene)
- Sullivan's Gulch Neighborhood Association (Portland)
- Vernon Neighborhood Association (Portland)

Businesses

ALBANY: Mary Sampson, MSW – **ASHLAND:** Abbotts Cottages – Ashland Art Center – Jan Elliott LCSW – Quicksilver Productions – Ruth Codier Resch, Ph.D. – SafeWorld Int'l, Inc. – Something Deeper – Studio Viva LLC – The Art of Change LLC – Under the Wave Productions – **ASTORIA:** Christopher K. Bilsborrow Painting – Human Race – Rivertree Massage Therapy LLC – **BAKER CITY:** Joseph Millworks Inc. – **BEAVERTON:** Accupuncture and Wellness NW – City Gardeners – FuLoRi Incorporated – Ludeman's – moon dance massage – Polysteel Northwest, Inc. – Raintree Lee & Associates – **BEND:** Advanced Healing Energetics, LLC – Amalia's – AZU – Bella Moda – Bellatazza – Bend Bungalow – Blue Star Salon – Body Tuning Balance Therapies, LLC – Cascade Cottons – Central Oregon Geographic, Inc. – CIRCA Interiors – Desert Harvest – Dream Pebbles Bath – DRL, Inc. – Dump City Dumplings – Earth Sense, Organic Herb Shop – Enurchi LLC – Face to Face Day Spa – Footzone – Frame Design, Inc – Healing Bridge Physical Therapy – In Your Style – King Weenie – Leapin' Lizards Toy Co. – Local Joe – Mary Jane's – Ranch Records – String Theory Music – Sun Country Tours – Taj Palace Indian Cuisine – **TOPOLINO:** Van Valkenburg Design – Stone Soup – **BLUE RIVER:** Custom Copper & Iron – **CLACKAMAS:** Andrea Thompson, LMT – **CORVALLIS:** Aquatic Biology Associates, Inc. – Jeff Goldner Photography – Jim Ford Consulting, LLC – Oak Tree Studio – Rod Terry, Designer – Thormahlen Harps – Toby Pomeroy – Willamette Nutrition Source, LLC – **COTTAGE GROVE:** PixelGarden Design – **DEADWOOD:** Amerind Art –

EUGENE: Bashful Bob's - Bobcat Pets - Candy Store at 5th St. Public Market - Creative Hands - Destinations . . . The Travel Store - Dino Glide - Gold Conspiracy Jewelry - Huerto de la Familia - Humdance - Hummingbird Wholesale - Inkwell Communications - Innerlight Lamps - keith schneider construction - Lazars Bazar - Le Shoppe - LexiDog Boutique - M.E.C.C.A. - Melange - Modern, LLC - NewTwist - Nonprofit Support Services - Olive Grand - self employed - Sundance Natural Foods - Swahili - The Bier Stein - The Green Store LLC - The Hive Group - The Oregon Gallery - Turnstone - Un Solo Pueblo - Southeast Neighbors - **FOREST GROVE:** BBI Media, Inc - Home Instruction for Parents of Preschool Youngsters, Little Rock Arkansas - **GRASS VALLEY:** Jefferies Ranch Beef - **GRESHAM:** Landstar Transportation - **HILLSBORO:** Current Ventures Inc - Epson Portland Inc. - Melodic Movement Therapeutic Massage - Resources for Health - **HOOD RIVER:** Apple Green, LLC - Artifacts - Bio-Creatons - Cody Orchards Fruit Stand - Columbia Gorge Earth Center - Discover Bicycles - Gorge View B & B - Ground Coffee - Hood River Hideaways - Hood River Valley Residents Committee - Pacifica Gifts - Panorama Lodge - Parts and Labour - RWP LLC - Seven Oaks Bed and Breakfast - Sheila Shearer, LMT, LMP - Silverado - Small Planet Trading - Sparkling Creations - Tangent Properties - That's Swank - The Enchanted Alpaca - Tofurky - Turtle Island Foods - Twiggs - Springhouse Cellar - **JACKSONVILLE:** Wood 'n I - **JEFFERSON:** Alternative Journal of Nursing - **KLAMATH FALLS:** Green Way Ecomart - **LAKE OSWEGO:** Business Equipment Loans LLC - Cup of Joe - Dipinto a Mano, LLC - Dyke Vandenberg Jewelers - Fusion Flowers - Gemini Bar & Grill - Graham's Book & Stationery - Gusto Bistro & Marketplace - Haberdashers - Hair Salon - Kitchen Equity Group - Lady Di's British Store - Lake Oswego Shoe Repair - Lakeside Bicycles - Lakeside Home & Gift - Octopus Ink Tattoo - Oswego Nail Company - R Blooms - Richard Howells & Associates - Salon Olivia - Sisters of the Holy Names of Jesus and Mary - The Pine Needle - Trent Edward Salon - **LEABURG:** Brooks & Company - **LINCOLN CITY:** Pacific Chiropractic Clinic - **MAUPIN:** Bischoff's Fly Fishing - **MILWAUKIE:** Asia-Pacific Productions - Blue Water Indexing - Kellogg Creek Woodworks - **MOSIER:** Art For the Sky - GTS Enterprises - Margit Elken - Phelps Creek Vineyards - **MT. HOOD / PARKDALE:** Pampered Palette Catering - Mt Hood Hamlet B&B - **NEWBERG:** Two Bears Pottery - **OAK GROVE:** Adjuvant Consulting - WJB, Ph.D. - **OREGON CITY:** Acs Software - BDC Advertising - Butcher Block Meats, Inc. - Caufield House - Clarity Communications, Inc. - Designer Nails - Get & Go - Josie Planton Insurance Inc. - Laura Edmonds Farmers Insurance - LEED - Mi Famiglia - Natural Specialties - Northwest Hydroponics - Oregon City Chiropractic Clinic - Quality Farm Toys & Hobbies - Robinson Financial Group - Sunset Mortgage - Totally Unique Hair Design - Winstead & Associates - Wynona Studios - **PHOENIX:** KCB LLC - **PORTLAND:** A Balanced Evolution - Apropros - Astrophyllite, Inc. - Atomic Sky: Design Visualization Studio - Badrick Consulting - Baumberger Studio - BOX Playhouse - Carlson Communications - Cascadia Law P.C. - Center of Design for an Aging Society - Colonnade Realty - Color Wave Painting Inc. - Communitecture, Inc - CPH. Corp - Create Plenty - d'Oink Music - D'rizzle Productions - Daisy Rock - Designs by Gracie - Don Jacobson Photography - Elemental LED - Equinox Accounting & Tax - Ethier Studio - EvolvNet Consulting - Fat Cat Hats and Sacks - Feather & Fin Productions - Gracewood Design - Hands of Freedom Healing - Hankbuilt - Hennebery Eddy Architects - Infinity tattoo - International House of Copy - J. Christopher Wines - John Vareldzis Consulting - Keyka Lou - Kirk deFord Consulting, LLC - Knox & Dimone, LLC - Laurelwood Art - Little Shop of Drawers - McGilvra Design LLC - Mirador Community Store - Mountain Spring Health Clinic, LLC - Ms. Starry Art - Mt Scott Ear, Nose and Throat, & Sleep Medicine - Nancy Cushwa LLC - Nicole Linde - People's Food Coop - Petrauskas Design - Raleigh Apartments - Rare Earth Project - Reed College Bookstore - Rockshields, LLC - Roots Realty - Rose Technical Graphics, INC - Salamander Designs - Sasha Samuels Designs - Scantlebury Creative Services - self - SisterSpirit - Smoke and Mirrors, Inc. - Stellar Cellars - Stites Design - Surgery Consultants - Susan Overback Bodyworks - Suzanne Owens-Duval - Synergo - The One Stop Sustainability Shop - The Wisdom Keepers Project - Underwood Services, Inc - Vickie Golab, MACOM, LAc - Wentworth Subaru - WildRose Consulting, LLC - Wizard Technical Staffing Inc. - YogaofAwareness.org - Your Personal Ceremony - Equinox Accounting & Tax - Ahearne Cycles - Nibbit Properties LLC - **REDMOND:** Go for Control - Peggy Roberts - **SALEM:** AIRO-LLC - Brown Enterprises Inc. - Connie Williams, LMT - Mark Atkinson Real Estate INC - Polarity Center of Salem - Saffron Supply Co. - Similand Technology - Werewolf Productions - LifeSource Natural Foods - **SEAL ROCK:** Windermere WCP RE Gallery - **SILVERTON:** Crossfire Lasertag LLC - **SWEETHOME:** Demelza Costa, Private Practice - **TALENT:** David Lorenz Winston Photography - **TIGARD:** 2EZ Computers - Ash Creek Forest Management LLC - Scholls Valley Native Nursery LLC - Bob Rees' Fishing Guide Service - **TROUTDALE:** Dancing Roots Farm - Premier Anesthesia Services, L.L.C. - **WEST LINN:** GF Design - Ripping Glass Entertainment - **WILSONVILLE:** Cynthia Whitcomb & Co., Inc.

Frequently Asked Questions about the Great Pacific Cleanup campaign

Is the garbage patch really "twice the size of Texas?"

No. The phrase "twice the size of Texas" is visual metaphor. In reality plastic pollution is in all of the oceans. An oceanic current called a "gyre" spins the North Pacific Ocean in a clockwise direction, concentrating ocean trash into an area between Oregon and Hawaii that is about twice the size of Texas. However, plastic trash is essentially everywhere in all oceans and it is most concentrated wherever a gyre exists.

Is the garbage patch really an island?

No. The phrase "island of trash" is another visual metaphor. Instead, the garbage patch is "soup" of broken down plastic bits. Because plastic never biodegrades but only photodegrades into small and smaller bits called "microplastics," the garbage patch is more accurately a "soup" of broken-down plastic bits. In fact, in the Pacific Garbage Patch, plastic outnumbers plankton 40 to 1. These plastic bits usually don't float, but rather suspend in the water column down to 90 feet in depth.

Why is the garbage patch toxic?

The following is from the National Oceanic and Atmospheric Association's FAQ on marine debris:

There have been a number of studies on persistent organic pollutants (POPs) binding to plastic debris in the oceans. One of the leading scientists on the topic is Dr. Richard Thompson (Marine ecologist, University of Plymouth, UK), who along with other experts in this topic area, was invited to an international workshop on the occurrence, effects, and fate of microplastic debris in September of 2008 hosted by the MDP and the University of Washington - Tacoma. You can find additional information, including a proceedings document of this workshop, [here](#).

Recent studies have focused on the uptake potential of organic contaminants from the marine environment to plastic debris.

Plastic debris can transport organic contaminants in the oceans.

Plastics have the potential to adsorb organic contaminants from the marine environment. It is possible, though not proven, that plastics could also desorb these contaminants to biota that ingest plastics.

Plastic debris attracts and accumulates hydrophobic organic toxins such as PCBs (polychlorinated biphenyls) up to 100,000-1,000,000 times ambient seawater concentrations (Mato et al., 2001).

Research on benthic-feeding invertebrates suggests that toxins may be transferred from plastics, to sediment, to the organism. Further research is needed, taking into consideration the range of contaminant types, types of plastic, and environmental exposure effects (Teuten et al., 2007).

<http://marinedebris.noaa.gov/info/plastic.html>

How can we cleanup the garbage patch?

There is no good way to clean up the garbage patch. It's too big, too deep, and too diffuse. That's why the best thing we can do is to stop putting so much plastic trash in the ocean. Fortunately, the gyre naturally kicks out a portion of the plastic trash onto our shores. Thus, if we stop putting plastic in our oceans, we can just cleanup our beaches until the plastic is gone.

For more why actual "cleanup" isn't practical, read this series by Stiv Wilson of the [5 Gyres Project: Part 1](#).

How many birds and animals die every year?

There have been numerous documentations of birds and marine animals being starved, suffocated, entrapped, and strangled by plastic pollution. Unfortunately, there is no perfect data on the number of animals effected. While we state that plastic ocean pollution "kills a million seabirds, 100,000 sea turtles and marine mammals, and countless fish every year," these stats are from old, isolated reports on marine debris. There is now way to accurately account for the loss of marine life due to plastic pollution, but in reality we're probably understating the problem by several factors. For a more in-depth discussion of the accounting, read the National Oceanic and Atmospheric Administration's [FAQ on marine debris](#).

How do plastic bags end-up in the ocean?

Only 5% of plastic bags are recycled in America. Most of the remaining 95% are probably properly disposed of by consumers. However, some are littered and are either caught by the wind or washed away by storm drains, streams, and rivers. In addition, even when properly disposed of, plastic bags can be carried off by the wind from a landfill.

Are you trying to ban plastic trash liners and bags?

We are just working to ban single-use plastic shopping bags that are given away for free at retail checkout stands in Oregon.

Are you trying to ban the plastic produce bags at grocery stores?

We are just working to ban the single-use plastic shopping bags that are given away for free at retail checkout stands in Oregon.

Can you see the garbage patch?

The garbage patch is not easily visible. Because it's not an island and it's mostly broken down plastic bits suspended in the water column, it is very difficult to observe.

When did we start using plastic bags at checkout stands?

Plastic bags were first introduced to checkout stands in 1977 and widely adopted in the mid-1980s. The amount of plastic in our ocean has tripled since the 1980s.

Will banning plastic bags really matter?

According to [SOLV](#), plastic bags represent 12% of the items of marine debris on Oregon's beaches. This is similar to worldwide numbers, where plastic bags represent 11% of the items of marine debris, [according to the Ocean Conservancy](#). Although bags represent a smaller portion of the total mass of plastic, they are the number one item of plastic found on our beaches.

Because plastic bags are thinner than other items, they break down faster and aren't found as much in the Pacific Garbage Patch. However, many plastic bags drop in-tact straight to the ocean bottom where whales feed on diatomaceous plankton. During the spring of 2010, a beached grey whale in the Puget Sound was found to have 20 plastic bags in its stomach.

How many plastic bags do Oregonians use? How much oil would we save by banning plastic bags?

Estimates vary considerably. One estimate puts the number of plastic bags Oregonians use annually at 39 million. According to this same source, we would save 150,000 barrels of oil each year by banning plastic bags. However, many of Oregon's plastic bags are actually made with a by-product of natural gas extraction. In addition, a bag ban could increase in paper bag use, which actually requires more oil for production. Thus, the important thing isn't how much oil we'd save, but rather how many sea birds, sea otters, whales, and fish we'd save.

What are the alternatives to plastic bags?

Both paper and reusable cloth bags are better alternatives to plastic bags.

Why can't we use biodegradable plastic bags?

While there are plastic bags that biodegrade in hot compost heaps, these plastic bags do not biodegrade in cool environments like the ocean.

Aren't paper bags worse?

Opponents to a ban on plastic bags frequently claim that a ban will increase the use of paper bags, the manufacture of which emit more greenhouse gases and require more trees to be cut down. The fact is, however, that the science is unsettled as to whether paper, plastic, or reusable bags emit more greenhouse gases. But even if plastic bags emit less greenhouse gases, this completely misses the point. The choice of paper or plastic at checkout stands has a marginally small difference compared to the overall problem of global warming. On the other hand, the choice of paper or plastic can make a huge difference for ocean pollution.

Regardless, the best option is to reduce both plastic and paper bag use. The Northwest Grocers Association wants the inclusion of a five-cent charge on paper bags with the plastic bag ban. Environment Oregon supports such a charge. In Washington, D.C., a 5-cent fee on both plastic and paper bags reduced bag consumption 85% and raised \$150,000 for river cleanup in the first month of implementation.

For a full environmental analysis of paper v. plastic v. reusable, [read this report by Green Cities California](#).

Won't a bag ban just increase the number of paper bags used?

Environment Oregon supports a proposal by the Northwest Grocers Association to put a mandatory 5-cent charge on paper bags alongside the ban on plastic bags. Washington, D.C., put a 5-cent fee on both plastic and paper bags starting in January 2010 and saw an 85% reduction in bag consumption in the first month.

Instead of banning plastic bags, why not tax them?

No single plastic bag should harm marine life forever. A bag tax would not eliminate plastic bags but only limit the number used.

Why isn't recycling a solution?

Only 5% of plastic bags are recycled in America. There are many reasons for this low recycling rate.

First, all plastic is "down-cycled" when recycled - meaning it becomes of lower quality. Because plastic bags are of low quality to begin with, there aren't many uses for "recycled" plastic bags. Many of these "recycled" plastic bags in Oregon are in fact shipped in bales to China where they are burned by recyclers for onsite electricity.

Second, plastic bags are extremely difficult to manage in the waste stream. Plastic bags and other plastic film are the number one operating cost to material recovery facilities in Oregon -- 30 to 40% of their operating costs. Far West Fibers estimates it costs them \$50,000 to \$60,000 each month.

I like returning my plastic bags to the recycle bins available Portland grocery stores for used plastic film. If the bag ban passes, what will happen to these recycle bins?

Don't worry, there's plenty of other plastic film to fill-up these recycle bins. We'll be working with the grocers to assure this effort continues. Besides, what makes more sense: recycling 5% of plastic bags or not using & wasting them in the first place?

Who else has banned the bag?

Hundreds of countries, counties, and cities around the world and the United States have banned or put significant fees on plastic checkout bags.

Do Oregonians support a bag ban?

While Environment Oregon has not conducted a scientific poll of public opinion, we have talked with more than 50,000 Oregonians and have received an overwhelming positive response.

During the summer of 2009, the American Chemistry Council defeated the City of Seattle's 20-cent fee on plastic bags. The ACC cites this defeat as public opposition to laws that reduce the use of plastic bags. In reality, the ACC created a front group called "Save the Plastic Bag," spent \$1.4 million compared to the \$80,000 of bag fee supporters, and called the bag fee a "tax on poor people who use food stamps." Despite this compelling message and significant outspending, the bag fee was defeated merely 53%-47%. Based on our experience in Oregon and the fact we're pursuing a ban rather than a fee, we feel confident Oregonians strongly support our effort.

What will the effect be on small businesses and the cost of groceries?

Giving away free bags at checkout stands cost grocers money. That's why grocers support a ban on plastic bags paired with a mandatory charge on paper bags. This way they can recover their costs.

A mandatory charge on paper bags would have a minimal cost to the consumer. For example, take a hypothetical situation where a 5-cents is charged per bag and a consumer uses 5 paper bags for \$50 worth of groceries. The net cost would be 0.5% of the overall grocery bill. However, grocers right now account for the cost of giving away "free" checkout bags by including the cost of the groceries. Thus, it's unclear whether there will be any net impact to the consumer.

Oregon businesses clearly understand that whatever small sacrifice may be involved in banning the bag is outweighed by the importance of protecting our oceans. More than 300 businesses have endorsed the campaign.

If grocery stores already support the bag ban, why do we need a law?

While grocery stores support a plastic bag ban connected to a fee on paper bags, they need a law to establish an equal playing field. Otherwise, some grocers will always give away free plastic bags, putting the good grocers at an economic disadvantage. Luckily, a few grocers in Portland like New Seasons, Fred Meyer on Hawthorne, Whole Foods, and several co-ops don't carry plastic bags anyways.

Who opposes the bag ban?

The main opposition is from the chemical and plastics industry, who is represented by the industry associations American Chemistry Council and Film and Bag Federation (or "Society of the Plastics Industry"). The ACC created front groups such as the "Coalition in Support of Recycling Plastic Bags" and the "Progressive Bag Affiliates," and coordinated efforts with the "Save the Plastic Bag Coalition," an industry group of plastic bag manufacturers and distributors, to fight bag bans and fees. Almost all plastic bags used in Oregon are manufactured outside of the state. There is no other significant opposition to a bag ban in Oregon.

Won't the bag ban just get caught-up in litigation?

The California law requires an environmental assessment for any government action that could negatively affect the environment. A few city bans in California were held up by courts until this assessment was done. Oregon does not have a similar law. As for California, Green Cities California just completed the requisite research and the entire legal question could be moot once the California legislature passes and Governor Schwarzenegger signs a statewide plastic bag ban.

Where can I get a reusable bag?

Most grocery stores sell inexpensive reusable bags and may even provide a discount if you use it. In support of this campaign, the Surfrider Foundation has also given out thousands of reusable bags. You can buy a more expensive durable canvass bag in support of our campaign at our online store.

76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 688

Senate Bill 536

Sponsored by Senators HASS, ATKINSON, Representatives CANNON, GILLIAM (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Prohibits use of single-use checkout bags except in certain cases. Allows Department of Environmental Quality to impose civil penalty. Prohibits local governments from imposing charges on checkout bags or other bags provided to customers. Repeals statute requiring retail establishments that offer plastic bags to customers to also offer paper bags.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to bags; creating new provisions; amending ORS 459.235 and 459A.115; repealing ORS 459A.695; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + As used in sections 1 to 4 of this 2011 Act:

(1) 'Recycled paper checkout bag' means a paper bag made by a manufacturer whose total production of paper checkout bags in the preceding calendar year averaged at least 40 percent recycled fiber.

(2)(a) 'Retail establishment' means any store in this state that sells or offers for sale goods at retail.

(b) 'Retail establishment' does not mean an establishment where the primary business is the preparation of food or drink:

(A) For consumption by the public;

(B) In a form or quantity that is consumable then and there, whether or not it is consumed within the confines of the place where prepared; or

(C) In consumable form for consumption outside the place where prepared.

(3) 'Reusable checkout bag' means a bag with handles that is specifically designed and manufactured for multiple reuse and is

made of:

(a) Cloth or other machine-washable fabric; or

(b) Durable plastic that is at least 2.25 mils thick.

(4) (a) 'Single-use checkout bag' means a bag made of paper, plastic or any other material that is provided by a retail establishment to a customer at the time of checkout.

(b) 'Single-use checkout bag' does not mean a bag made of paper, plastic or any other material that is provided by a retail establishment to a customer at a time other than the time of checkout. + }

SECTION 2. { + (1) Except as provided in subsection (2) of this section, a retail establishment may not provide single-use checkout bags to customers.

(2) A retail establishment may:

(a) Make reusable checkout bags available for sale to customers.

(b) Provide reusable checkout bags at no cost to customers.

(c) Provide recycled paper checkout bags at no cost to:

(A) Customers who use a voucher issued under the Women, Infants and Children Program established in the Oregon Health Authority under ORS 409.600.

(B) Customers who use an electronic benefits card issued by the Department of Human Services.

(d) Provide recycled paper checkout bags to customers if the retail establishment charges not less than five cents for each recycled paper checkout bag.

(e) Provide single-use checkout bags to customers for items marked with protected health information or other confidential information.

(3) The Environmental Quality Commission may adopt rules necessary to implement sections 1 to 4 of this 2011 Act.

(4) The Department of Environmental Quality may require a retail establishment to provide, within a reasonable time, information necessary to ensure compliance with this section. + }

SECTION 3. { + (1) The Department of Environmental Quality may impose a civil penalty on a person for a violation of section 2 of this 2011 Act.

(2) A civil penalty imposed under this section may not exceed \$250.

(3) Civil penalties described in this section shall be imposed in the manner provided in ORS 183.745.

(4) All penalties recovered under this section shall be paid into the State Treasury and credited to the General Fund and are available for general governmental expenses. + }

SECTION 4. { + A local government, as defined in ORS 174.116, may not impose any tax, fee, assessment, surcharge or other charge on:

(1) Recycled paper checkout bags;

(2) Reusable checkout bags;

(3) Single-use checkout bags; or

(4) Any other bags made of paper, plastic or other material that are provided by a retail establishment to a customer. + }

SECTION 5. { + ORS 459A.695 is repealed. + }

SECTION 6. ORS 459.235 is amended to read:

459.235. (1) Applications for permits shall be on forms prescribed by the Department of Environmental Quality. An application shall contain a description of the existing and

proposed operation and the existing and proposed facilities at the site, with detailed plans and specifications for any facilities to be constructed. The application shall include a recommendation by each local government unit having jurisdiction and such other information the department deems necessary in order to determine whether the site and solid waste disposal facilities located thereon and the operation will comply with applicable requirements.

(2) The Environmental Quality Commission shall establish a schedule of fees for disposal site permits. The permit fees contained in the schedule shall be based on the anticipated cost of filing and investigating the application, of issuing or denying the requested permit and of an inspection program to determine compliance or noncompliance with the permit.

(3) In addition to the fees imposed under subsection (2) of this section, the commission shall establish a schedule of permit fees for the purpose of implementing this section and ORS 90.318, 182.375, 279A.125, 279A.155, 279B.025, 279B.240, 279B.270, 279B.280, 459.005, 459.015, 459.247, 459.418, 459.995, 459A.005, 459A.010, 459A.020, 459A.030 to 459A.055, 459A.070, 459A.110, 459A.115, 459A.475, 459A.480, 459A.500 to 459A.685 { - , 459A.695 - } and 459A.750. The fees shall be based on the amount of solid waste received at the disposal site.

(4) Notwithstanding any other fee or surcharge imposed under ORS 459.005 to 459.437 or 459A.005 to 459A.120, for the disposal of solid waste, in order to encourage the use of suitable material other than virgin material for daily cover at a disposal site, the only fee that may be charged for the disposal of substitute material that is also used for daily cover is the permit fee established under this section.

SECTION 7. ORS 459A.115 is amended to read:

459A.115. (1) From January 1, 1992, to December 31, 1993, the schedule of fees as established by the Environmental Quality Commission under ORS 459A.110 (1) is increased by 35 cents per ton. The portion of the fees attributable to the 35 cents per ton increase shall be deposited into the General Fund and credited to an account of the Department of Environmental Quality. Such moneys are continuously appropriated to the department to implement the provisions of this section and ORS 459.005, 459.015, 459.235, 459.247, 459.418, 459.995, 459A.005, 459A.010, 459A.020, 459A.030 to 459A.055, 459A.070, 459A.110, 459A.500 to 459A.685 { - , 459A.695 - } and 459A.750.

(2) Beginning January 1, 1994, the schedule of fees as established by the commission under ORS 459A.110 is increased by 31 cents per ton and shall be deposited into the General Fund and credited to an account of the department. Such moneys are continuously appropriated to the department to implement the provisions described in subsection (1) of this section, excluding ORS 459.418.

SECTION 8. { + (1) Except as provided in subsection (2) of this section, sections 1 to 4 of this 2011 Act, the repeal of ORS 459A.695 by section 5 of this 2011 Act and the amendments to ORS 459.235 and 459A.115 by sections 6 and 7 of this 2011 Act become operative on November 1, 2011.

(2) The Environmental Quality Commission may adopt rules before the operative date specified in subsection (1) of this section, or take any other action before the operative date specified in

subsection (1) of this section, that is necessary to implement, on or after the operative date specified in subsection (1) of this section, sections 1 to 4 of this 2011 Act, the repeal of ORS 459A.695 by section 5 of this 2011 Act and the amendments to ORS 459.235 and 459A.115 by sections 6 and 7 of this 2011 Act.

(3) (a) Section 4 of this 2011 Act applies to any tax, fee, assessment, surcharge or other charge imposed before, on or after the operative date specified in subsection (1) of this section by a local government on recycled paper checkout bags, reusable checkout bags, single-use checkout bags and any other bags made of paper, plastic or other material that are provided by a retail establishment to a customer.

(b) Paragraph (a) of this subsection does not affect any tax, fee, assessment, surcharge or other charge imposed by a local government on recycled paper checkout bags, reusable checkout bags, single-use checkout bags and any other bags made of paper, plastic or other material that are provided by a retail establishment to a customer that became due before the operative date specified in subsection (1) of this section. + }

SECTION 9. { + This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage. + }

RESOLUTION # 3731

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, SUPPORTING THE OREGON STATE LEGISLATURE IN PASSING LEGISLATION WHICH BANS SINGLE-USE PLASTIC CHECKOUT BAGS

WHEREAS, the use of single-use plastic checkout bags had environmental impacts resulting from their production and disposal, including greenhouse gas (GHG) emissions, litter and ocean pollution, harm to wildlife and marine resources, ground-level ozone formation, atmosphere acidification, water consumption and solid waste generation; and

WHEREAS, the Seaside City Council seeks to conserve resources, reduce the amount of GHG emissions, waste, litter and marine pollution and to protect the public health and welfare as well as to protect wildlife and coastal and marine resources, all of which activities increase the quality of life for Seaside's residents and visitors; and

WHEREAS, the Seaside City Council acknowledges that the City's economy is dependent on clean and healthy ocean resources for commercial fishing, tourism, recreation, etc.; and

WHEREAS, single use plastic checkout bags often enter and clog storm-drains and make their way into our rivers, streams and the Pacific Ocean; and

WHEREAS, single-use plastic checkout bags are difficult to recycle and frequently contaminate material that is processed through the City's curbside recycling program; and

WHEREAS, recycled content paper checkout bags are a high value recyclable collected in the City's curbside recycling program and while paper-making has environmental impacts, when made with more than forty percent (40%) or more recycled fiber, paper bags are believed to have less of an environmental impact than plastic bags; and

WHEREAS, the Seaside City Council acknowledges that many businesses have taken affirmative steps to promote the use of reusable bags and discourage single-use plastic and non-recycled paper checkout bags; and

WHEREAS, reusable bags are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, it is in the public interest for the Oregon State Legislature in promoting the reduction of waste and encouraging sustainability in the State of Oregon, will introduce legislation during the 2011 State Legislative Session to pass legislation banning plastic checkout bags and requires retailers to charge for paper checkout bags; and

WHEREAS, the Seaside City Council promotes the use of reusable bags and discourages single-use plastic and non-recycled paper checkout bags; and

NOW, THEREFORE, BE IT RESOLVED the CITY COUNCIL of the City of Seaside hereby:

Section 1. Council urges the Oregon State Legislature to pass legislation during the 2011 State Legislative Session that promotes the use of reusable bags and bans plastic checkout bags and requires retailers to charge for paper checkout bags.

Section 2. City Staff are directed to provide a copy of the resolution to Senator Mark Hass, Senator Jason Atkinson, Representative Ben Cannon, Representative Vic Gilliam, and appropriate State Legislators representing Clatsop County.

Section 3. This resolution takes effect immediately upon passage.

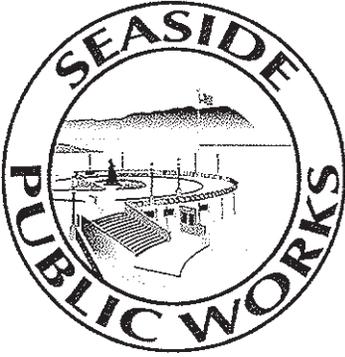
PASSED by the Council of the City of Seaside this ____ day of _____, 2011.

SUBMITTED to the Mayor and APPROVED by the Mayor this ____ day of _____, 2011.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager



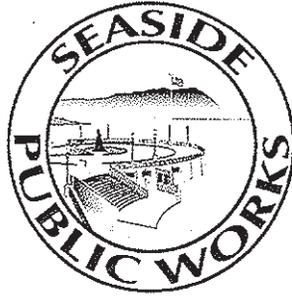
MEMO

From: Neal Wallace
To: The Honorable Mayor and City Council
Re: North Holladay Final #2009-05

April 25, 2011

Big River has issued the one-year warranty for work on the North Holladay Project and has requested to close out the project and have retainage released. The final adjusted contract was \$3,219,807.51. The final adjusted retainage is \$160,990.38. The only item not completed is the as-built survey. CKI, Inc. has been contacted and there is a balance of \$2500.00 owed on the survey work. We will deduct that fee from the retainage to make for a final release payment of \$158,490.38.

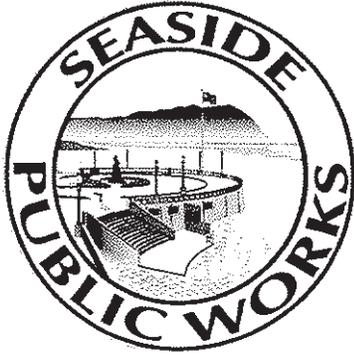
This was certainly a long and challenging project that we are happy to see completed. Staff recommends Council approve Big River's request, accept the warranty, and finalize the North Holladay Project.



PUBLIC WORKS MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Neal Wallace, Public Works Director
DATE: Monday, April 25, 2011
RE: Landscape Maintenance – City of Seaside Facilities

The City of Seaside received one (1) bid for Landscape Maintenance. The contract period shall commence June 1, 2011 and expire May 31, 2011. The project would provide landscape maintenance for the City of Seaside facilities including the Library, City Hall, the Convention Center, the Police Station, the Chamber of Commerce, City Parking Lots, certain planters and intersections, and a portion of Quatat Park. Services include pruning, planting, fertilizing, litter removal within the gardens and miscellaneous related tasks. The apparent low bidder was Natures Helper, Inc. for \$35,816.00. The bidder requested a 3% annual increase for cost of living and materials. Staff recommends Council award the bid to Natures Helper.



MEMO

From: Neal Wallace

April 25, 2011

To: The Honorable Mayor and City Council

Re: MOU Ave. G & The Prom

A few very minor changes to the MOU between the City and Mike Meyer have been proposed by one of the abutters to the project. This was the agreement that allowed the four land owners along the Prom just south of Avenue G to construct a concrete driveway and do limited landscaping to dress up the area in front of their homes. The language change simply addressed access at all times to the southernmost lot, but because there is a change to a formal agreement staff felt a new MOU should be approved. Staff recommends accepting the changes and adopting the Memorandum of understanding.

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT made and entered into on _____, 2011, by and with the City of Seaside, hereinafter called "CITY" and MIKE MEYER, Property Owner at 757 S. Prom, Seaside, hereinafter called "OWNER."

In consideration of the agreement to Pave the Gravel Access at Avenue "G" and the Prom; with the following conditions:

1. Owner agrees the City of Seaside is the rightful owner of the public right-of-way that fronts the Prom at Avenue "G" which is used as an access area for the four (4) lots immediately south of the Avenue "G." The City does not relinquish its rights to use the right-of-way in the best interest of the public at any time.
2. Owner agrees upon Public Works' approval; to upgrade the gravel access by building a concrete driveway that will include adequate drainage. The driveway will be ten (10) feet in width and approximately 175 feet long and will service four (4) lots. Adequate drainage can be attained by constructing a 2% cross slope in the driveway draining to the west.
3. Owner agrees to add landscaping, clean up frontage and will delineate the driveway from Avenue "G" and to maintain that area. Landscaping will be largely lawn area, but will include shrubs not over 42" in height planted in a spacing to restrict vehicular turning areas.
4. Owner agrees that access to all four properties using the driveway shall be maintained at all times. No curbs, plantings or obstructions will be located within 10 feet of the west edge of the concrete driveway to allow uninterrupted ingress and egress, regardless of the presence of other vehicles. The land east and west of the driveway may be used for loading and unloading but will not be used at any time as a parking area for vehicles.
5. All of the undersigned agree to maintain the area contiguous to their property between the Prom and their west boundary line.

PROPERTY OWNER:

CITY OF SEASIDE:

Mike Meyers

Don Larson, Mayor

Date

Date

ATTEST:

Mark J. Winstanley, City Manager

PROPERTY OWNER: 721 S. PROM

PROPERTY OWNER: 741 S. PROM

IRENE HARROWITZ

JOAN DALLAS

Date

Date

PROPERTY OWNER: 761 S. PROM

PROPERTY OWNER: 781 S. PROM

LARRY BLAKELY

LESLIE WATTERS

Date

Date

