

**AGENDA SEASIDE CITY COUNCIL MEETING
AUGUST 23, 2010 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION – NATIONAL PATRIOTISM WEEK
SEASIDE FIREFIGHTERS APPRECIATION WEEK
6. COMMENTS – PUBLIC
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$701,096.85
 - b) APPROVAL OF MINUTES – JULY 26, 2010 REGULAR MINUTES
9. UNFINISHED BUSINESS: NONE
10. NEW BUSINESS:
 - a) PRESENTATION – SEASIDE CHAMBER OF COMMERCE, 4TH OF JULY COMMITTEE,
LARRY KRIEGSHAUSER
 - b) DISCUSSION – SEASIDE POLICE DEPARTMENT FOR NO PARKING DESIGNATION
LOCATIONS
 - c) RESOLUTION #3716 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
RECOGNIZING THE UPDATED FLOOD PLAIN MAPS
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
 - d) RESOLUTION #3717 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
REGARDING THE CLATSOP ECONOMIC DEVELOPMENT RESOURCES
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
11. COMMENTS FROM THE COUNCIL
12. COMMENTS FROM THE CITY STAFF
13. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall.*

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.

CITY of SEASIDE

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

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

PROCLAMATION

Whereas, The Benevolent and Protective Order of Elks, through its Constitution, is a Patriotic Order, and

Whereas, The Order promotes the ideals that the citizens of this nation live in freedom, won through the great sacrifices and many tribulations which have provided the foundation for a free, prosperous and independent life, and

Whereas, We realize that each generation must work to maintain this freedom, otherwise, through carelessness or indifference, the rights and liberties enjoyed may vanish, and

Whereas, It is fitting and proper to recognize this freedom and to honor the nation, which provides it,

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim September 6-12, 2010, as

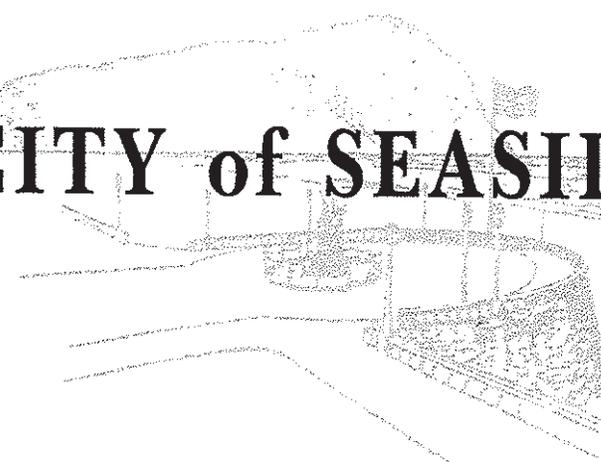
NATIONAL PATRIOTISM WEEK

and during this event, urge all citizens to join with the Benevolent and Protective Order of Elks in expressing gratitude for the privilege of Americanism Citizenship with appropriate celebrations and observances.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 23rd day of August, 2010.



DON LARSON, MAYOR



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

PROCLAMATION

Whereas, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage, and selfless concern for the welfare of our citizens; and

Whereas, in addition to their daily service to communities, firefighters throughout the state and across the nation have joined the Muscular Dystrophy Association for the past several years in the fight against neuromuscular diseases; and

Whereas, the Muscular Dystrophy Association (MDA) is extremely grateful to the firefighters of Seaside whose "Fill the Boot" campaign will assist MDA in providing medical services at local clinics, summer camp, research grants, support groups and public education seminars at no cost to local children and families; and

Whereas, it is appropriate for all Seaside citizens to join the Muscular Dystrophy Association in this tribute to our Firefighters.

NOW, THEREFORE, I, Don Larson, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim the week of August 22, 2010 as

SEASIDE FIREFIGHTERS APPRECIATION WEEK

and commend the firefighters of Seaside for the efforts on behalf of the Muscular Dystrophy Association.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 23rd day of August, 2010.



DON LARSON, MAYOR

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.
- Present: Mayor Don Larson, Council President Tim Tolan, Councilors Don Johnson, Jay Barber, and Larry Haller.
- Absent: Councilor Stubby Lyons
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Dale Kamrath, Seaside Fire Chief; Jeremy Ruark, Seaside Signal; Jeff Nelson, KAAT; and Rebecca Herren, The Coast Times.
- AGENDA** Motion to approve the July 26, 2010, agenda; carried unanimously. (Haller/Johnson)
- PROCLAMATION** Bob Gross, Seaside Police Chief read a proclamation on National Night Out.
- Chief Gross stated he hoped to see everyone at National Night Out which would be held at Broadway Park and Cartwright Park.
- COMMENTS – PUBLIC** None
- CONFLICT** Mayor Larson asked whether any Councilor wished to declare a conflict of interest.
- No one declared a conflict of interest.
- CONSENT AGENDA** Motion to approve payment of the bills in the amount of \$198,111.69; and July 12, 2010, minutes; carried unanimously. (Johnson/Tolan)
- PUBLIC HEARING –** This was the duly advertised time and place to hold a public hearing regarding the Charter Communications Franchise Agreement – Falcon Video Communications, L.P., Locally known as Charter Communications request to renew the franchise agreement for the operation of Cable Television System within the City of Seaside, Oregon.
- Trish Downey, Human Resource Department, stated City staff had for some time, been working on a draft franchise renewal agreement with Charter Communications. Staff had finally ironed out issues that were important to the City. Ms. Downey further stated the term of the agreement would be seven years, and the franchise fee would be five percent of the annual gross revenue. A sentence was included so that subsequent changes to the franchise fees in the Cable Act were incorporated in the agreement. Ms. Downey further stated the Community Programming (PEG channel) was to be used by the City for non-commercial, video programming for public, education and government access programming. The City must utilize the channel with locally produced programming seventy percent of the available broadcast time with distinct non repetitive programming. The City did not at this time have the means or equipment to use the channel, but a provision was included in the agreement so that if in the future the City was in a position to utilize the channel Charter would make one PEG Channel available for the City's use within twelve months if the City's request. Ms. Downey further stated of considerable concern to the City was restoration of damaged or disturbed public ways or streets as a direct result of Charter's operation. The City and Charter agreed that the City would be notified prior to making any excavation in the public way and Charter would restore the area to a condition in accordance with City specifications through the permit process. Ms. Downey further stated the agreement provided one free outlet of Basic Service to each state accredited Public School and Library, and would include the Clatsop Community South County Campus. Ms. Downey further stated staff submitted the proposed Charter Communications Franchise Agreement for a public hearing and Council consideration for approval. Ms. Downey introduced Marian Jackson, who was the newly appointed Charter Communications Government Relations person.
- Mayor Larson opened the public hearing.
- Merlin Humpal, 2481 Oregon Avenue, Seaside, asked if Charter Communications had to follow the guidelines with the underground utilities on the North Holladay Project.
- Ms. Jackson stated for any undergrounding of utilities Charter Communications was subject to the same rules.
- There were no other public comments and Mayor Larson closed the public hearing.
- Mayor Larson asked for Council comments.
- Councilor Johnson asked what encompassed the gross revenue.
- Ms. Jackson stated the gross revenue came from the cable services but not internet or telephone services.
- Council President Tolan asked how the seven years for the term of agreement was decided.
- Ms. Downey stated the term of the agreement was negotiated.

Council President Tolan asked if the five percent franchise fee was also negotiated.

Ms. Jackson stated there were some city's who took less but the maximum amount permitted by the Federal Communication Commission (FCC) was five percent.

Councilor Barber asked how much time was left on the seven year agreement.

Ms. Jackson stated the agreement would be active on the effective date which would be after the agreement was signed.

Motion to approve the Charter Communications Franchise Agreement; carried unanimously. (Tolan/Barber)

RESOLUTION #3715

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ESTABLISHING THE CITY OF SEASIDE AS A WELCOMING COMMUNITY, WHERE EVERYONE FEELS VALUED, ACCEPTED, RESPECTED, AND SAFE.

Mayor Larson stated the Mayors in the County had been meeting for several years and there had been four or five meetings concerning diversity. To ensure that each City promotes, cooperates, and has respect for all people in the community the resolution was established. The resolution recognized the City of Seaside as a welcoming community, where everyone feels valued, accepted, respected, and safe. Mayor Larson further stated the City Council of the City of Seaside accepted the responsibility to encourage a strong diverse community connected by a shared commitment to mutual respect, understanding, and dignity for all. The City Council was committed to protecting the civil and human rights of all citizens. The City Council challenged and encouraged all residents and visitors to act at all times in ways consistent with the values of equality, justice, civility, and fairness in personal and family lives; in neighborhoods, where working, playing, and worship; In schools; and in civic lives through clubs, associations and other institutions. The City Council urged those who feel they have been victims or witnesses of harassment, intimidation, or discrimination, to report such incidents to the appropriate enforcement agencies. The City Council would make a commitment to follow up on all reports of discrimination.

Mayor Larson asked for public comments.

Mr. Humpal agreed with the resolution but stated the City needed to be very careful in how the resolution was promoted.

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

Motion to read Resolution #3715 by title only; carried unanimously. (Barber/Johnson)

Motion to adopt Resolution #3715; carried unanimously. (Haller/Johnson)

COMMENTS – COUNCIL None

COMMENTS – STAFF Mark Winstanley, City Manager, encouraged the public to attend National Night Out.

ADJOURNMENT The regular meeting adjourned at 7:25 PM

Kim Jordan, Secretary

DON LARSON, MAYOR

Memo

To: Mayor and Council

From: City Manager's Office

CC: Kim Jordan

Date: August 17, 2010

Re: Presentation – Larry Kriegshauser

Larry Kriegshauser representing the Seaside Chamber of Commerce "Forth of July Committee" will present a thank you plaque to the member of City Council and Jon Rahl with the Visitors Bureau for assistance in providing \$9,000.00 from the Tourism "Signature Event" Grant Program for the "Fourth of July Celebration".

Seaside Police Department

DATE: August 13, 2010
TO: Mark Winstanley, City Manager
FROM: Robert Gross, Chief of Police
SUBJECT: No Parking Designation

Based on our ongoing discussions concerning parking issues in the southwest portion of the city and 12th Avenue, I have provided the current parking restrictions and a proposal to make those areas safer.

Current Parking Restrictions

Existing parking restrictions included "No Parking" signs on the east side of S. Beach from Avenue "A" to Avenue "G", east side of S. Columbia from Avenue "A" to Avenue "I", and east side of S. Downing from Avenue "A" to Avenue "K". Parking further south on these three of these streets is permitted on both sides of the street. Two-way parking is also permitted on Avenue "G" between S. Franklin and S. Beach.

Current parking restrictions on 12th Avenue between N. Holladay and N. Franklin include "No Parking" signs on both sides of 12th Avenue between N. Holladay and Necanicum Drive.

Recommendations:

- **Beach Drive** - "No Parking" signs should be extended on S. Beach from Avenue "G" to Avenue "U" on the east side of the roadway
- **S. Columbia** - "No Parking" signs should be extended on S. Columbia from Avenue "I" to Avenue "N" on the east side of the roadway, where sidewalks end and parking doesn't create problems with two-way traffic.
- **S. Downing** - "No Parking" signs should remain on S. Downing from Avenue "A" to Avenue "K" on the east side of the roadway, where sidewalks end and parking doesn't create problems with two-way traffic.

Seaside Police Department

- **Avenue "G"** - "No Parking" signs should be placed on south side of Avenue "G" between S. Beach and S. Franklin and "No Parking " signs should be placed on both sides of the street between S. Franklin and S. Roosevelt.
- **12 Avenue** - Restrict parking east of N. Franklin on both sides of 12th Avenue 100 feet using signage and yellow curbing and add one additional "No Parking" sign just west of Necanicum Drive before the curb cut in.

Eliminating and limiting parking in these areas should make traveling much safer and ensure emergency response by both police and fire vehicles.

RESOLUTION # 3716

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, RECOGNIZING THE UPDATED FLOOD PLAIN MAPS

WHEREAS, the City of Seaside participates in the National Flood Insurance Program by adopting a Flood Damage Prevention Ordinance that satisfies 44 Code of Federal Regulation (CFR) Section 60.03 (d and e) of the National Flood Insurance Program (NFIP).

WHEREAS, the Federal Emergency Management Agency (FEMA) has undergone a map modernization process and developed new Flood Insurance Rate Maps which must be recognized and utilized as the official floodplain maps for implementation of the City of Seaside's Flood Damage Prevention by September 17, 2010.

WHEREAS, failure to recognize these maps would result in City's suspension from the NFIP and prohibit mortgage loans guaranteed by the Department of Veteran Affairs, insured by the Federal Housing Administration, or secured by the Rural Economic and Community Development Services.

WHEREAS, the City of Seaside is currently in the process of amending the City's Ordinance in order to formally incorporate the newly created Flood Insurance Rate Maps and Flood Insurance Study for Clatsop County and needs to avoid any potential delay in recognizing the new information under the City's Flood Damage Prevention Ordinance.

NOW, THEREFORE, THE SEASIDE CITY COUNCIL RESOLVES that the City of Seaside shall formally recognizes the new Flood Insurance Rate Maps and Flood Insurance Study for Clatsop County, Oregon on their effective date of September 17, 2010; and from said date, utilize these new maps for all implementation decisions under the City's Flood Damage Prevention Ordinance, Code of Seaside Chapter 152.

PASSED by the Council of the City of Seaside this ___ day of ____, 2010.

SUBMITTED to the Mayor and APPROVED by the Mayor this ___ day of ____, 2010.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

RESOLUTION #3717

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON,
REGARDING THE CLATSOP ECONOMIC DEVELOPMENT RESOURCES**

WHEREAS, the goals of Clatsop Economic Development Resources is to expand, retain and recruit business and industry; and

WHEREAS, the targets for expansion and retention include industry clusters, increasing per-capita income, diversifying the economy and promoting managed economic growth through year round family wage jobs, and to lead delivery of professional economic development services by bringing together multi-organizational efforts; and

WHEREAS, the Seaside City Council, has determined that endorsement of the establishment of Clatsop Economic Development Resources would be a benefit to the communities throughout the County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEASIDE:

SECTION 1. The Seaside City Council agrees to partner with Clatsop Economic Development Resources and hereby approves the contribution for the ~~second~~ third year as financial support for this program. *\$ 7500⁰⁰*

PASSED by the City Council of the City of Seaside this ____ day of _____, 2010.

SUBMITTED to the Mayor and **APPROVED** by the Mayor on this ____ day of _____, 2010.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

\$ 7500⁰⁰ each year for the last two years.