

**AGENDA SEASIDE CITY COUNCIL MEETING
JULY 8, 2013 7:00 PM**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **RECOGNITION – 4TH OF JULY PARADE**
6. **COMMENTS – PUBLIC**
7. **DECLARATION OF POTENTIAL CONFLICT OF INTEREST**
8. **CONSENT AGENDA**
 - a) **PAYMENT OF THE BILLS – \$399,455.65**
 - b) **APPROVAL OF MINUTES – JUNE 24, 2013 REGULAR MINUTES**
 - c) **TSUNAMI BARREL DISTRIBUTION OF EXPIRED ITEMS**
9. **UNFINISHED BUSINESS:**
10. **NEW BUSINESS:**
 - a) **LIQUOR LICENSE APPLICATION – TAQUERIA CASA DEL SOL, 1313 S. ROOSEVELT DR.**
 - b) **RESOLUTION #3805 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS**
 - **PUBLIC COMMENTS**
 - **COUNCIL COMMENTS**
 - **MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED**
 - **MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED**
 - c) **RESOLUTION #3806 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING COMPLIANCE WITH THE FEDERAL FAIR HOUSING AMENDMENTS ACT OF 1988**
 - **PUBLIC COMMENTS**
 - **COUNCIL COMMENTS**
 - **MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED**
 - **MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED**

d) **ORDINANCE 2013-04 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY (1374 13TH AVENUE – PROPERTY ADJACENT TO 13TH AVENUE AND NORTH WAHANNA)**

- **OPEN PUBLIC COMMENTS**
- **CLOSE PUBLIC COMMENTS**
- **COUNCIL COMMENTS**
- **MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED**
- **MOTION TO ADOPT – ROLL CALL VOTE**

11. **COMMENTS FROM THE COUNCIL**

12. **COMMENTS FROM THE CITY STAFF & PUBLIC**

13. **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** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.
- Present: Mayor Don Larson, Council President Don Johnson, Councilors Stubby Lyons, Randy Frank, Tita Montero, and Dana Phillips.
- Absent: Councilor Jay Barber
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Joey Daniels, Seaside Fire Chief; and Nancy McCarthy, Daily Astorian.
- AGENDA** Motion to approve the June 24, 2013 agenda; carried unanimously. (Lyons/Johnson)
- 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 \$221,688.07; June 10, 2013, regular minutes; Resolution #3802 – A Resolution of the City of Seaside, Oregon, Authorizing Interfund Borrowing; and Resolution #3803 – A Resolution of the City of Seaside, Oregon, Adjusting the 2012-2013 City of Seaside Budget; carried unanimously. (Lyons/Montero)
- PUBLIC HEARING** This was the duly advertised time and place to hold a public hearing regarding a Resolution Adopting and Appropriating the 2013-2014 Seaside Road District.
- Mark Winstanley, City Manager, explained the Resolution adopted and appropriated the 2013-2014 Seaside Road District Budget. The Road District Budget Committee met and the budget was referred to the Council. The legal publications that were required had been made and the resolution was now ready for Council to adopt.
- RESOLUTION #3798** A RESOLUTION ADOPTING AND APPROPRIATING THE 2013-2014 SEASIDE ROAD DISTRICT
- Mayor Larson opened the public hearing.
- There were no public comments and Mayor Larson closed the public hearing.
- Mayor Larson asked for Council comments, there were no Council comments.
- Motion to read Resolution #3798 by title only; carried unanimously. (Frank/Lyons)
- Motion to adopt Resolution #3798; carried unanimously. (Frank/Lyons)
- RESOLUTION #3799** A RESOLUTION OF THE CITY OF SEASIDE, OREGON, SEASIDE ROAD DISTRICT, LEVYING AND CATEGORIZING AD VALOREM TAXES FOR THE TAX YEAR 2013-2014
- Mr. Winstanley explained the Resolution would levy and categorize ad valorem taxes for the road district in the tax year 2013-2014. This was the companion resolution for the previous resolution.
- Mayor Larson asked for public comments, there were no public comments.
- Mayor Larson asked for Council comments.
- Councilor Lyons asked if there could be an explanation of Ad Valorem.
- Dan Van Thiel, City Attorney, stated Ad Valorem meant real property according to value.
- Motion to read Resolution #3799 by title only; carried unanimously. (Johnson/Montero)
- Motion to adopt Resolution #3799; carried unanimously. (Johnson/Frank)

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding a Resolution Adopting and Appropriating the 2013-2014 City of Seaside Budget.

Mr. Winstanley explained the Resolution adopted and appropriated the 2013-2014 City of Seaside Budget. The resolution would adopt the City of Seaside Budget.

RESOLUTION #3800 A RESOLUTION ADOPTING AND APPROPRIATING THE 2013-2014 CITY OF SEASIDE BUDGET

Mayor Larson opened the public hearing.

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

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

Motion to read Resolution #3800 by title only; carried unanimously. (Frank/Montero)

Motion to adopt Resolution #3800; carried unanimously. (Lyons/Frank)

RESOLUTION #3801 A RESOLUTION OF THE CITY OF SEASIDE, OREGON, LEVYING AND CATEGORIZING AD VALOREM TAXES FOR THE TAX YEAR 2013-2014 AND CATEGORIZING THE 2013-2014 ASSESSMENTS ON THE PROPERTIES IN THE DOWNTOWN MAINTENANCE DISTRICT

Mr. Winstanley explained the Resolution would levy the property taxes for the City of Seaside as well as levy the Downtown Maintenance Assessment on property owners in that area. This was the companion resolution for the previous resolution.

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

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

Motion to read Resolution #3801 by title only; carried unanimously. (Lyons/Montero)

Motion to adopt Resolution #3801; carried unanimously. (Johnson/Montero)

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding an Ordinance of the City of Seaside, Oregon, Annexing Certain Territory East of the City (1374 13th Avenue – Property Adjacent to 13th Avenue and North Wahanna)

Mr. Winstanley explained there was a property owner at 13th Avenue and Wahanna Road that would like to annex into the City of Seaside. The Public Works Department and the Planning Department reviewed the request for annexation and saw nothing that would keep the City of Seaside from annexing the property located at 1374 13th Avenue, Seaside.

ORDINANCE #2013-04 AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY (1374 13TH AVENUE – PROPERTY ADJACENT TO 13TH AVENUE AND NORTH WAHANNA)

Mayor Larson opened the public hearing.

Merlin Humpal, 2481 Oregon, Seaside, asked why the property owner wanted to be annexed.

Neal Wallace, Public Works Director, stated the property in question was a lot in the subdivision of Stanley Acres and there had been a sewer system installed near that location. The owner had the property for sale and the couple that wanted to purchase the property wanted to hook into the sewer system. The plan was being followed for Stanley Acres by adding that property to the City of Seaside system.

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

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

Motion to place Ordinance 2013-04 on its first reading by title only; carried unanimously. (Frank/Lyons)

Motion to place Ordinance 2013-04 on its second reading by title only; carried unanimously. (Frank/Lyons)

**BID RESULTS – METER
READER SERVICE**

Mr. Wallace stated bids for Metereaders Services were accepted on June 18, 2013. The City received one bid from Metereaders, LLC, who was the City's current provider and the current charges for reading meters was \$.75 per meter. The bid received from Metereaders, LLC, was July 1, 2013 through June 30, 2015 was \$.77 per meter; July 1, 2015 through June 30, 2016 was \$.78 per meter; July 1, 2016 through June 30, 2017 was \$.79 per meter; July 1, 2017 through June 30, 2018 was \$.80 per meter; and July 1, 2018 through June 30, 2019 was \$.81 per meter. Mr. Wallace further stated staff recommended accepting Metereaders, LLC, bid for six years beginning July 1, 2013, and ending June 30, 2019.

Motion to accept the bid from Metereaders, LLC, for Meter Reader Service from July 1, 2013 through June 30, 2019; carried unanimously. (Lyons/Frank)

COMMENTS – COUNCIL

Mayor Larson stated he had invited Terry Williams to the City Council meeting to talk about the Ham Operators event at the North end of Seaside this last weekend. Mayor Larson further stated the event went very well and he had counted six different states attending the event.

Councilor Phillips thanked the fire department for the wonderful dinner and mustache contest. Councilor Phillips stated it was wonderful meeting other members of the fire department. Councilor Phillips invited everyone to the Miss Oregon Program which started Wednesday, June 26, 2013 through Saturday, June 29, 2013. This was for Miss Oregon and Miss Oregon Teen and there were approximately \$500,000.00 worth of scholarships that would be presented. Councilor Phillips was very proud of the organization and extremely proud of the wonderful support of the City.

Councilor Frank thanked the City and Bob Gross, Seaside Police Chief, for the help with the Seaside Downtown Development Association (SDDA) Hotrod Event in Seaside which was a great event for Seaside.

Councilor Lyons stated there were forty-six entries for the 4th of July Parade this year. For the City Council there would be eight dedicated fire department volunteers that would help in handing out the candy and the flags at the parade.

Councilor Phillips stated she would be out of town and would not be able to attend the 4th of July Parade. Councilor Phillips further stated the Miss Oregon Parade was Saturday, June 29, 2013, 2:00 pm.

Councilor Montero stated she had the opportunity to ride in the Seaside Helicopter over to Tongue Point to take aerial shots. Councilor Montero further stated she took pictures on the way over and on the way back.

**COMMENTS – CITY
STAFF AND PUBLIC**

Chief Gross stated he was ready for the Miss Oregon event and would be leading that parade and he was also ready for the 4th of July parade. There had been discussions for a number of years about candy in the parades. There had been safety issues with the children in the parade and now candy and other items would be handed out instead of thrown from the vehicles and floats.

Councilor Phillips stated Miss Oregon was bringing back an old tradition and that was to re-crown Miss Oregon at the turnaround on Sunday, June 30, 2013, 11:00 am.

Councilor Montero asked if the fireworks safe zones on the beach would be widened even more this year.

Chief Gross stated to go further out would be counter productive since it was difficult enough to monitor the safe zone now. The fireworks safe zones would be the same as last year.

Joey Daniels, Seaside Fire Chief, stated the fire department hosted a dinner for the Red Knights Motorcycle group which was police and fire fighters. There were motorcycle riders from Canada and Maryland and Seaside was the location that was selected this year. Chief Daniels thanked Councilor Montero for the invitation to lunch at Tongue Point which was a great lunch. Chief Daniels further stated the department was preparing for the 4th of July Parade and fire season was right around the corner.

Mr. Winstanley thanked Council for all the hard work on the budget which was now completed until next year. Mr. Winstanley reminded everyone there was only four days left in the fiscal year.

ADJOURNMENT

The regular meeting adjourned at 7:22 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR

June 24, 2013

Memo

To: Mayor and City Council
From: City Manager's Office
CC: Kim Jordan
Date: July 8, 2013
Re: Expired Tsunami Barrel Materials

There are materials originally purchased for the Tsunami Barrels that have expired. Recently the Tsunami Barrels were restocked and all expired items were removed and replaced. The following items are expired:

SOS bars (3600 calories each) – 2 pallets, 2400 bars
Datrex bars (2400 calories each) – 1 pallet, 2400 bars
Petroleum jelly, 1oz tubes – 120 tubes
Acetaminophen, 2 pills per packet – 120 Ziploc baggies of 20 packets each
Baking soda – 120 boxes
Batteries – 480 D's, 720 AAA's, and AA's

With Council's approval Staff proposes the following distribution of these materials:

Acetaminophen and petroleum jelly – Donate to Helping Hands for use by program participants

SOS bars and Datrex Bars – Donate to regional Clatsop County Food Bank for distribution throughout Clatsop County as emergency supplies. (I spoke to South County Community Food bank first, and they recommended we give them to regional because the quantity is too high for the local pantry to manage)

Baking Soda – Donate to South County Community Food Bank in Seaside

Batteries – Distribute to Seaside Public Works Department for use by city employees

LIQUOR LICENSE APPLICATION

Raymundo & Lacey Melo-Santiago
Taqueria Casa Del Sol
1313 S. Roosevelt Dr.
Seaside

This business has applied for a Limited On-Premises Sales Liquor License. This would be for a new outlet.

Limited On-premises sales license – allows the sale of malt beverages, wine, and cider for consumption at the licensed business, and the sale of kegs of malt beverages to go. Licensees can cater small scale and large-scale private events if they have pre-approval from OLCC.

The Police Department has reviewed the applicant and business applying for the liquor license and attached is the information received. The applicant was sent and emailed a copy of the Police Department review.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An un-licensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, child care facility, church, hospital, nursing or convalescent care facility, a park or child oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Seaside Police Department

May 6, 2013

MEMORANDUM

TO: Mark Winstanley, City Manager

FROM: Robert Gross, Chief of Police

SUBJECT: The Taquena Casa Del Sol OLCC Liquor License Application

We have reviewed the liquor application for Taquena Casa Del Sol located at 1313 South Roosevelt. This is a new outlet request of an existing restaurant and the owner is requesting a permit for "Limited On-Premises sales".

Our background check uncovered the following:

1. Criminal records check shows the applicant has a felony conviction of Assault 2nd in 2008.
2. The applicant failed to disclose this conviction on his application.

Under "Criteria for Consideration", The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the eleven conditions exist. In reviewing these conditions, the applicant meets conditions #4 and #7 for an unfavorable recommendation.

4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.

7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.

Based on our background investigation into this OLCC liquor license request, the police department has serious concerns about the applicant. The applicant has made an intentional and materially false statements on his application and has a felony conviction that reflects on the applicant's ability to comply with the State's liquor laws. For these reasons, we DO NOT recommend City Council approval of this application.

If you have any additional questions, please let me know.

Working Together We Can Make A Difference

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Sarah Bronstein, RARE, Public Works Department
Date: July 2, 2013
Subject: Resolution 3805, Adoption of an Excessive Force Policy and Resolution 3806, Fair Housing Resolution for Community Development Block Grant Eligibility

Request Summary:

The City of Seaside is applying on behalf of the South County Community Food Bank for a Community Development Block Grant (CDBG) to purchase and renovate a building for the food bank to operate in. A site has been chosen, and an architect is drawing up initial plans for the project. However, before the city can accept the grant, the Oregon Business Development Department and HUD have a provision in place (Section 906 of the NAHA, subsection 104(1) to the HCDA) that requires every local government to adopt an excessive force policy before any CDBG funds may be allocated.

The policy adopted must prohibit the use of excessive force by law enforcement agencies within our jurisdiction against any individuals engaged in nonviolent civil rights demonstrations. In addition, the policy must require that applicable state and local laws that prohibit physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction shall be enforced.

Without this policy in place, or a similar policy that exactly fulfills these requirements, the city will not be eligible for CDBG funding. Although the city has received CDBG funding in the past, it was prior to this requirement, and therefore this policy is not yet in place.

In addition, every CDBG recipient must also pass a fair housing resolution. The language of the resolution is provided in full by the Oregon Business Development Department for adoption. Once adopted, a Fair Housing Poster and Brochures must be posted at city hall and other public locations in the community. These two requirements must be met 6 months prior to the first draw for non-construction activities.

Recommended City Council Action:

Adopt Resolution 3805 mandating the Seaside Excessive Force policy (attached). Adopt and publish Resolution 3806 with the attached Fair Housing Resolution.

RESOLUTION # 3805

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS

WHEREAS, The City of Seaside is applying on behalf of the South County Community Food Bank for a Community Development Block Grant from the Oregon Business Development Department for the acquisition and renovation of a new food bank building; and,

WHEREAS, Subsection 104(1) of the Housing and Community Development Act in Section 906 of the National Affordable Housing Act mandates the adoption of a policy by a local agency prohibiting the use of excessive force in order for that agency to be eligible for a Community Development Block Grant;

NOW, THEREFORE, THE SEASIDE CITY COUNCIL RESOLVES to adopt the following policy:

- 1) Its law enforcement personnel shall not use excessive force against any individuals engaged in nonviolent civil rights demonstrations, and
- 2) Applicable state and local laws that prohibit physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction shall be enforced.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2013.

SUBMITTED to the Mayor and **APPROVED** by the Mayor this ____ day of _____, 2013.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

RESOLUTION # 3806

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON REGARDING COMPLIANCE WITH
THE FEDERAL FAIR HOUSING AMENDMENTS ACT OF 1988**

WHEREAS, the City of Seaside is applying on behalf of the South County Community Food Bank for a Community Development Block Grant (CDBG) from the Oregon Business Development Department for the acquisition and renovation of a new food bank building; and,

WHEREAS, passage of a Fair Housing resolution, and publication of said resolution, is required 6 months prior to the first draw of funds for non-construction activities by the recipient of a CDBG; and,

WHEREAS, the federal Fair Housing Amendments Act of 1988 prohibits the discrimination in the sale, rental, lease, advertising of sale, rental or lease, financing of housing or land to be used for construction of housing, or the provision of brokerage or rental services because of race, color, religion, sex, disability (physical or mental),

NOW, THEREFORE, THE SEASIDE CITY COUNCIL RESOLVES to adopt the attached Seaside Fair Housing Resolution as written, and implement the Fair Housing Program as described.

PASSED by the City Council of the City of Seaside this ____ day of _____, 2013.

SUBMITTED to the Mayor and **APPROVED** by the Mayor this ____ day of _____, 2013.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

SEASIDE FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS of the City of Seaside that discrimination in the sale, rental, lease, advertising of sale, rental or lease, financing of housing or land to be used for construction of housing, or in the provision of brokerage or rental services because of race, color, religion, sex, disability (physical or mental) familial status (children) or national origin is prohibited by Title VIII of the federal Fair Housing Amendments Act of 1988. It is the policy of the City of Seaside to support the Fair Housing Amendments Act of 1988 and to implement a Fair Housing Program to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, disability (physical or mental) familial status (1. children and 2. actual or perceived sexual orientation, gender identity or marital status or its members) or national origin. Therefore, the City does hereby pass the following Resolution:

BE IT RESOLVED that within the resources available to the City through city, county, state, federal and community volunteer sources, the City will assist all persons who feel they have been discriminated against because of race, color, religion, sex, disability (physical or mental) familial status (children) or national origin in the process of filing a complaint with the Oregon Civil Rights Division or the U.S. Department of housing and Urban Development, Seattle Regional office Compliance Division, that they may seek equity under federal and state laws.

BE IT FURTHER RESOLVED that the City shall publicize this Resolution and through this publicity shall cause real estate brokers and sellers, private home sellers, rental owners, rental property managers, real estate and rental adviser, lenders, builders, developers, home buyers and home or apartment renters to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances.

THIS FAIR HOUSING PROGRAM, for the purposes of informing those affected of their respective responsibilities and rights concerning Fair Housing law and complain procedures, will at a minimum include, but not be limited to: 1) the printing, publicizing and distribution of this Resolution; 2) the distribution of posters, flyers, pamphlets and other applicable Fair housing information provided by local, state and federal sources, through local media of community contacts; and 3) the publicizing of locations where assistance will be provided to those seeking to file a discrimination complaint.

EFFECTIVE DATE

This Resolution shall take effect July 8th, 2013.

ORDINANCE NO. 2013-04

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,
ANNEXING CERTAIN TERRITORY EAST OF THE CITY
(1374 13th Avenue – Property adjacent to 13th Avenue and North Wahanna)**

WHEREAS, there has been submitted to the City of Seaside, a written proposal for annexation to the City by the owner’s consent, who also owns all of the land in the contiguous territory, described below which real property therein represents all of the assessed value of all real property in the contiguous territory to be annexed:

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

SECTION 1. ANNEXATION AREA –

Survey Records, Clatsop County, Oregon

Stanley Acres Subdivision, Lot 9, Block 10, County of Clatsop, State of Oregon.

Tax ID 10314 Map #6 10 15 CA Tax Lot 02300

Situs Address: 1374 13th Avenue (Adjacent to 13th Avenue and North Wahanna)

SECTION 2. ZONE – The property is zoned SR – Residential/Suburban

SECTION 3. RECORD – The City Auditor shall submit to the Secretary of the State of Oregon: (1) A copy of this Ordinance, and (2) a copy of the Statement of Consent of the landowner in the territory annexed. The City Auditor shall also send a description by metes and bounds or legal subdivisions of the new boundaries of the City of Seaside within ten (10) days of the effective date of annexation to the Clatsop County Assessor, the Clatsop County Clerk, and the Clatsop County Planning Department.

SECTION 4. FIRE PROTECTION – The subject property is hereby withdrawn from the Seaside Rural Fire Protection District and included in the City of Seaside for fire protection purposes.

SECTION 5. ROAD DISTRICT - The subject property is hereby withdrawn from the Clatsop County Road District No. 1 and included in the City of Seaside Road District.

SECTION 6. POLICE PROTECTION – The subject property is hereby withdrawn from the Clatsop County Law Enforcement District and included in the City of Seaside for police protection purposes.

SECTION 7. WATER PROVISION – The subject property is hereby withdrawn from the Stanley Acres Water District and included in the City of Seaside for the purpose of providing water.

SECTION 8. FINDINGS – The City Council makes the following findings pertinent to the annexation:

- A. The City of Seaside has an acknowledged Comprehensive Plan.
- B. The subject property is within the City’s adopted Urban Growth Boundary.
- C. The properties are contiguous to the City Limits.
- D. There is unanimous consent of the property owners.

SECTION 9. EFFECTIVE DATE – The effective date of this Ordinance is August 7, 2013, in accordance with ORS 222.040 and 222.180.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2013, by the following roll call vote:

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

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2013.

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

APPLICATION FOR ANNEXATION
CITY OF SEASIDE
989 BROADWAY
SEASIDE OREGON 97138
(503) 738-5511

1. Applicant(s) (Please Print) Craig R Calder

2. Applicant's mailing address:
Street 1500 Oster Rd
City Gresham
State OR Zip 97138

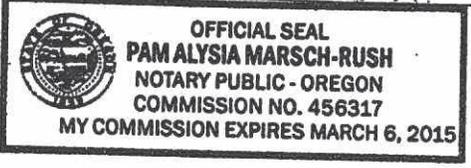
3. Telephone Numbers:
Home 503 738 2082
Work 503 460 0182

4. Legal description of property requested to be annexed (as a minimum attach a Tax Map): 6-10-15 CA 02300
legal Stanley Acs Subd Lt 9 BLK 10

5. In the event this proposed annexation is approved, are you aware of the zoning on the subject property? Please briefly explain:

Signature of Applicant:
Craig R Calder

State of OREGON; County of CLATSOP Signed or
attested before me on MAY 2, 2013 (date)
by CRAIG R. CALDER (name(s) of person(s))



Pam Rush
Notary Public for Oregon
VP.
Title
My commission expires: 3-6-15

SEAL

NOTE: PROCESS WILL TAKE FROM 60 TO 120 DAYS

Tax Account: 10314 Account Status: Active
 Property Address:
 Owner of Record:

Owner's Address:

Map: 6-10-15 CA 02300
 Legal: STANLEY ACS SUBD LT 9 BLK 10
 Book/Page: 496/900 Other source:
 Market Land: 24,200 Assessed Land: 9,019
 Market Improv: 0 Assessed Improv: 0
 Market Total: 24,200 Assessed Total: 9,019
 2007 Taxes: 106.38 Tax Code Area: 1003
 Lot Size: 0.11 acres Property Class: 100
 Year built: 0 Stat class:
 Zoning: SR (Per county records)

Land Valuation:

Land Use	Land Class	Size	Zoning	Base Value	RMV
Residential	VHS	0.11	SR	18,000	24,201.58

Land Details:

Category	Description
Neighborhood	Urban
Off-Site Improvement	Asphalt-Concrete Street, Public Access

Tax History:

Tax Year	Market Value	Assessed Value	Taxes
2007	24,200.00	9,019.00	106.38
2006	18,333.00	8,757.00	103.50
2005	9,245.00	8,502.00	95.06
2004	8,255.00	8,255.00	88.55
2003	7,644.00	7,644.00	81.92

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any error in this record.

T&N ROW SEC 15CA WM
CLATSOP COUNTY
Scale 1:1200

100' 50' 25' 12.5' 6.25'

Cancelled
Assessed

- 2008
- 2007
- 2006
- 2005
- 2004
- 2003
- 2002
- 2001
- 2000
- 1999
- 1998
- 1997
- 1996
- 1995
- 1994
- 1993
- 1992
- 1991
- 1990
- 1989
- 1988
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(OREGON AVE)

3

50'
2800

53.35'
2700

100'
2600

50.11'

12

2500

50.11'

15

50'
14

13

46.65'

11

6

50'
7

53.35'
8

2400

50.11'

10

0

2200

9

2300

50.11'

50'

46.65'

P AVE)

AVENUE

3600

3401

3500

50.11'

12

This map is made solely for the purpose of assisting in locating lease premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

11 14

13 11

STREET

220.49'

550
2.03



FIDELITY AND SURETY COMPANY