

**AGENDA SEASIDE CITY COUNCIL MEETING
JUNE 10, 2013 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS – PUBLIC
6. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
7. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS – \$1,038,258.78
 - b) APPROVAL OF MINUTES – MAY 27, 2013 REGULAR MINUTES
 - c) RESOLUTION #3797 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE 2012-2013 CITY OF SEASIDE BUDGET
8. UNFINISHED BUSINESS:
9. NEW BUSINESS:
 - a) PUBLIC HEARING - RESOLUTION #3795 – A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE SHARING
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED
 - b) PRESENTATION – DOGAMI INUNDATION MAPS, LIANNE THOMPSON
 - c) RESOLUTION #3796 – 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
 - d) APPROVAL – LIBRARY POLICY MANUAL

- e) RESOLUTION #3804 – A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING PARTICIPATION IN THE OREGON DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION GROWTH MANAGEMENT GRANT PROGRAM (Regarding the planning of Avenue 'S' and Wahanna Road)
 - PUBLIC COMMENTS
 - COUNCIL COMMENTS
 - MOTION TO READ BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION TO ADOPT – ALL IN FAVOR AND OPPOSED

 - f) APPROVAL – OREGON PARKS AND RECREATION INTERGOVERNMENTAL AGREEMENT

 - g) BID FINAL – 12th AVENUE AND WAHANNA ROAD IMPROVEMENTS PROJECT

 - h) BID RESULTS – WASTEWATER TREATMENT PLANT CLASS 'A' DRYER BUILDING CONSTRUCTION PROJECT
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- 10. COMMENTS FROM THE COUNCIL

 - 11. COMMENTS FROM THE CITY STAFF & PUBLIC

 - 12. 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; and Nancy McCarthy, Daily Astorian.

AGENDA Mark Winstanley, City Manager, explained originally the agenda had an item for Council to consider a bid for new building at the Sewer Treatment Plant that would house the Seaside Class 'A' Dryer. After the bids were received the engineers needed more time to review the bids and a decision on awarding the bid had not been made. The bid results were removed from the Council Agenda and would be presented at the June 10, 2013 City Council meeting. Mr. Winstanley further stated there was a late request from Safeway with the project that was being done and two vaults were being put underground but would encroach on the public right-of-way. The resolution had been placed on the agenda to allow for an easement on the public right-of-way and Council would need to amend the agenda for approval.

Motion to approve the May 27, 2013 agenda as amended; carried unanimously. (Phillips/Montero)

COMMENTS - PUBLIC Dale McDowell, 3760 Sunset Blvd., Seaside, stated he was hoping Neal Wallace, Public Works Director, would be attending the meeting. Mr. McDowell further stated he would like to have a meeting scheduled with Neal Wallace, Mayor Larson, Mark Winstanley, and himself regarding procurement of services and goods.

Terry Williams, Vice President Seaside Tsunami Amateur Radio Society, stated the Seaside Tsunami Amateur Radio Society which was the Ham Operators would have the third annual Spaghetti Feed on Friday, May 31, 2013, 5:00 pm at the Bob Chisholm Community Center. This was a joint effort by three Ham Radio Clubs which was Astoria, Seaside, and Cannon Beach. The Ham Radio Club welcomes all and to bring money because all the proceeds went back into the three clubs for education, speakers, and equipment especially for emergencies. Ms Williams further stated this was an official invitation for Council and the public.

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 \$94,522.13; and May 13, 2013, regular minutes; carried unanimously. (Lyons/Phillips)

LIQUOR LICENSE APPLICATION Mayor Larson stated there was a liquor license application from Buddha Kat Winery located at 37 N. Edgewood. The owner was applying for a Winery Liquor License. Mayor Larson asked if the owner Lorie Dilley was present at the meeting.

Lorie Dilley, Buddha Kat Winery owner, stated Buddha Kat Winery was based out of Sandy Oregon and approximately three years ago she purchased a vacation house in Seaside and really liked the town and decided to open up a tasting room and wine bar. The location of Buddha Kat Winery was the old book store at 37 N. Edgewood.

Councilor Montero asked if Ms. Dilley made her own wines.

Ms. Dilley stated they did make their own wines in Sandy, Oregon and those wines would be sold in the Seaside location.

Motion to approve the Winery Sales License for Buddha Kat Winery, located at 37 N. Edgewood; carried unanimously. (Phillips/Lyons)

RESOLUTION #3791 A RESOLUTION ADOPTING AND APPROPRIATING SUPPLEMENTAL BUDGET OF LESS THAN 10 PERCENT TO THE 2012-2013 CITY OF SEASIDE BUDGET

Mr. Winstanley explained the resolution was adopting and appropriating supplemental budgets of less than 10 percent to the 2012-2013 budget. The good news was that room tax was up quite a bit. The room tax ordinance distributed money out of the room tax fund to a number of other funds.

The room tax was up and the City had under budgeted the amount of distribution money going out to other funds. Mr. Winstanley further stated in addition there was also money received from the insurance settlement for the fire truck that was destroyed on Highway 26. Mr. Winstanley further stated the City had also partnered with a number of agencies with the tower on Tillamook Head and the money being paid was added to the budget. The City of Gearhart, City of Cannon Beach, and Medics Ambulance also used the tower and were charged for the use which was added to the budget.

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 #3791 by title only; carried unanimously. (Montero/Johnson)

Motion to adopt Resolution #3791; carried unanimously. (Phillips/Montero)

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding a Resolution Adopting and Appropriating Supplemental Budget of more than 10 Percent to the 2012-2013 City of Seaside Budget.

Mr. Winstanley explained the resolution required a public hearing and was a resolution adopting and appropriating supplemental budget of more than 10 percent to the 2012-2013 City of Seaside Budget. The resolution would allow the grant money received from the Federal Aviation Administration (FAA) to be budgeted. Mr. Winstanley further stated there was also an interfund loan that was taking place between the System Development Water Fund and Community Development.

RESOLUTION #3792

A RESOLUTION ADOPTING AND APPROPRIATING A SUPPLEMENTAL BUDGET OF MORE THAN 10 PERCENT TO THE 2012-2013 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 #3792 by title only; carried unanimously. (Frank/Lyons)

Motion to adopt Resolution #3792; carried unanimously. (Montero/Johnson)

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding a Resolution Adopting and Appropriating Budget Reductions for the 2012-2013 City of Seaside Budget.

Mr. Winstanley explained the resolution adopted and appropriated a budget reduction which was strictly a housekeeping issue this year. The general fund had budgeted the first payment that needed to be made on Full Faith and Credit Bonds that were sold this year to do Sewer Improvements. The City thought the first principal payment was due this fiscal year but the payment was actually due in August and that would be the next fiscal year.

RESOLUTION #3793

A RESOLUTION ADOPTING AND APPROPRIATING BUDGET REDUCTIONS FOR THE 2012-2013 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 #3793 by title only; carried unanimously. (Lyons/Frank)

Motion to adopt Resolution #3793; carried unanimously. (Lyons/Johnson)

RESOLUTION #3794

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING THE ENCROACHMENT OF TWO PRIVATE STORM SEWER VAULTS WITHIN THE AVENUE 'E' RIGHT-OF-WAY

Mr. Winstanley explained the resolution would simply allow the Contractor for the Safeway Project to add two Storm Sewer Vaults to encroach within the Avenue 'E' right-of-way. The first vault would encroach by approximately 2.34 feet while the second vault would encroach by approximately .92 feet. The resolution would allow for those vaults to be placed.

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 #3794 by title only; carried unanimously. (Lyons/Frank)

Motion to adopt Resolution #3794; carried unanimously. (Lyons/Frank)

COMMENTS – COUNCIL Councilor Lyons stated he appreciated the opportunity for the Seaside Football Squad to use the parking lot by the Chamber of Commerce Restrooms which made approximately \$4,000.00.

Council President Johnson stated the Mayor did a wonderful job at the Memorial Day services.

Mayor Larson stated that was a great crowd at the American Legion on Memorial Day.

Councilor Frank thanked all Veterans.

Mayor Larson stated the Chamber of Commerce puts on a Chamber after hours twice a month from 5:00 to 7:00 pm and it would be great if Council members could start attending the Chamber after hours.

**COMMENTS – CITY
STAFF AND PUBLIC**

Laurie Oxley, Seaside Downtown Development Association, stated SDDA added 64 beautiful flower baskets in the downtown area. There was a great turn out for the Wine Walk downtown.

Councilor Frank thanked Bill Carpenter for the letter that was written to Representative Deborah Boone and Senator Betsy Johnson concerning the flags for Pearl Harbor Veterans.

Bill Carpenter, 700 N. Prom, stated he spoke with Representative Boone and she was still working on the request.

ADJOURNMENT The regular meeting adjourned at 7:20 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR

RESOLUTION #3797

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE 2012-2013 CITY OF SEASIDE BUDGET

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adjusts the 2012-2013 budget, as follows:

	General Expenditures		
	<u>Present</u>	<u>Changes</u>	<u>New</u>
Mayor & Council	\$ 17,685	\$ 1,000	\$ 18,685
City Attorney	40,914	0	40,914
Business Office	431,357	(1,000)	430,357
Library	573,566	0	573,566
Non-Departmental	267,150	0	267,150
Community Center	47,050	0	47,050
Debt Services	173,533	0	173,533
Interfund Transfers	3,008,585	0	3,008,585
Contingency	15,919	0	15,919
Ending Fund Balance	<u>388,900</u>	<u>0</u>	<u>388,900</u>
Total	<u>\$ 4,964,659</u>	<u>\$ -</u>	<u>\$ 4,964,659</u>

The purpose of this adjustment is to provide for costs associated with contractual services and travel for the Mayor and Council.

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

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

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

RESOLUTION #3795

**A RESOLUTION DECLARING THE CITY'S ELECTION
TO RECEIVE STATE REVENUE SHARING**

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

SECTION 1. Pursuant to ORS 221.770, the City hereby elects to receive State Revenue Sharing for fiscal year 2013-2014.

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

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

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

I certify that a public hearing before the Seaside Budget Committee was held on April 29, 2013, and a public hearing before the Seaside City Council was held on June 10, 2013, giving citizens an opportunity to comment on the use of State Revenue Sharing.

Mark J. Winstanley, City Manager

Date

Memo

To: Mayor and City Council
From: City Manager's Office
CC: Kim Jordan
Date: June 10, 2013
Re: Collection Rates

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

Recology Western Oregon is proposing a rate schedule that reflects an adjustment to the current collection rates. The rates for most services will be adjusted by the contractual CPI adjustment of 0.80% to be effective July 1, 2013. Recology Western Oregon was proposing to change the rates for contracted services to reflect changes in the rates charged to us by those contractors. These include medical waste rates (2.0% increase), and the drop box ton rate for recyclable materials (now \$94.00 per ton – or less, based on current market pricing, with \$94.00/ton being the maximum possible charge per ton).

Examples of the impact for Curbside Service:

32 gallon cart weekly was \$15.42 per month and now will increase to \$15.54 per month which is a difference of \$.12.

90 gallon cart weekly was \$25.70 per month and now will increase to \$25.91 per month which is a difference of \$.21.

2 Yd. container 1x/week was \$273.94 and now will increase to \$276.13 which is a difference of \$2.19.

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

RESOLUTION #3796

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
Curbside: 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	\$ 16.40
Each Additional Can Weekly	\$ 16.40
32 Gallon Cart Weekly	\$ 15.54
90 Gallon Cart Weekly	\$ 25.91
1 Can Every Other Week	\$ 10.66
Each Additional Can Every Other Week	\$ 10.66
32 Gallon Cart Every Other Week - Curbside	\$ 10.12
90 Gallon Cart Every Other Week - Curbside	\$ 16.85
1 Can Once a Month	\$ 5.76
Each Additional Can Once a Month	\$ 5.76
32 Gallon Cart Once a Month - Curbside	\$ 5.44
90 Gallon Cart Once a Month - Curbside	\$ 9.06
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.	\$ 4.09
Extra 90 Gallon Cart Pick Up	\$ 6.47

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

1 Can Weekly	\$ 17.26
Each Additional Can weekly	\$ 17.26
32 Gallon Cart Weekly	\$ 24.16
90 Gallon Cart Weekly	\$ 39.71
1 Can Every Other Week	\$ 11.22
Each Additional Can Every Other Week	\$ 11.22
32 Gallon Cart Every Other Week	\$ 15.70
90 Gallon Cart Every Other Week	\$ 25.82
1 Can Once a Month	\$ 6.04
Each Additional Can Once a Month	\$ 6.04
32 Gallon Cart Once a Month	\$ 8.45
90 Gallon Cart Once a Month	\$ 13.89
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.
<u>Additional Can & Cart Charges</u>	
Regular customer - Additional can, bag, misc.	\$ 4.31
Extra 90 Gallon Cart Pick Up	\$ 9.93

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
Tires with rims	\$	9.18
Truck tires off rims	\$	11.48
Truck tires with rims	\$	22.96
Service Charge - In Route	\$	22.45
Service Charge - Out of Route	\$	44.86
One Truck - One employee (Per Hour)	\$	131.99
One Truck - Two employees (Per Hour)	\$	197.96
Note: "It's Not Junk" services are based on these rates, including estimated time in minutes + disposal.		
Container Re-Delivery Charge	\$	44.86
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	\$	20.28
10 Qt -- Per Container	\$	23.56
23 Qt -- Per Container	\$	45.87

Steri-Tub Rental and Disposal

21 Gallons -- Per Tub	\$	35.31
48 Gallons -- Per Tub	\$	41.27
Overweight Charge -- Per Tub	\$	121.50

Confidential Document Destruction

9 Gallon Box	\$	37.39
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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)	\$	131.99
Emergency Spill Remediation - per person (per hour) (Supplies billed separately)	\$	199.55
Spill Kit	\$	22.35

**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)	\$	152.75
Additional Dumping Charge - 3 Yd Container	\$	123.60
3 Yd. Rental - Recycling Only	\$	137.48
Additional Dumping Charge - 3 Yd Recycling	\$	111.24
Daily Rental Charge - 3 Yd Container	\$	2.00

Drop Boxes

Delivery charge (Based on hourly truck time)	\$	44.86
Daily Rent - after 48 hrs/excluding weekends	\$	11.47
Rent (per month) - 1 year or longer	\$	136.26
Truck Time (per hour)	\$	131.99
Haul Fee	\$	131.99
Recycling Hauls/Market Hauls (per hour)	\$	131.99

All Industrial/Drop Box Customers

(drop box and compactors)		
Disposal Charge (per ton)	\$	102.61
Disposal Charge to Recycling Facility (per ton)	\$	94.00

Permanent Container Rates

Weekly Service-Containers

1 Yard Container	\$	177.05
1 1/2 Yard Container	\$	226.59
2 Yard Container	\$	276.13
3 Yard Container	\$	375.20
4 Yard Container	\$	474.32
5 Yard Container	\$	573.42
6 Yard Container	\$	672.53
8 Yard Container	\$	816.32

Each Additional Stop per Week - Containers

1 Yard Container	\$	157.05
1 1/2 Yard Container	\$	206.59
2 Yard Container	\$	256.13
3 Yard Container	\$	355.20
4 Yard Container	\$	454.32
5 Yard Container	\$	553.42
6 Yard Container	\$	652.53
8 Yard Container	\$	796.32

Every Other Week Service - Containers

1 Yard Container	\$	102.42
1 1/2 Yard Container	\$	127.19
2 Yard Container	\$	151.97
3 Yard Container	\$	201.51
4 Yard Container	\$	251.05
5 Yard Container	\$	300.60
6 Yard Container	\$	350.16
8 Yard Container	\$	422.05

Once a Month Service - Containers

1 Yard Container	\$	62.23
1 1/2 Yard Container	\$	73.72
2 Yard Container	\$	85.15
3 Yard Container	\$	108.03
4 Yard Container	\$	130.93
5 Yard Container	\$	153.79
6 Yard Container	\$	176.68
8 Yard Container	\$	209.88

Will Call Service - Containers

1 Yard Container	\$	37.92
1 1/2 Yard Container	\$	50.50
2 Yard Container	\$	63.10
3 Yard Container	\$	88.26
4 Yard Container	\$	113.45
5 Yard Container	\$	138.60
6 Yard Container	\$	163.79
8 Yard Container	\$	200.32

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. Residentail accounts are billed once every two months; one in arrears and one in advance.

SECTION 2. This Resolution shall become effective July 1, 2013.

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

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

DON LARSON, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

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RESOLUTION #3804

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING PARTICIPATION IN THE OREGON DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION GROWTH MANAGEMENT GRANT PROGRAM

(Regarding the planning of Avenue S and Wahanna Road)

WHEREAS, the Oregon Department of Transportation is accepting applications for the 2013 Transportation Growth Management (TGM) Grant Program; and

WHEREAS, the City of Seaside desires to participate in this grant program as a means of planning the design of Wahanna Road and Avenue S from the intersection of Avenue S and South Roosevelt Drive to the intersection of Wahanna Road and North Roosevelt Drive (as indicated on the attached map); and

WHEREAS, Wahanna Road was identified in the city's transportation system plan as bicycle and pedestrian route to serve local traffic and offset congestion on Highway 101, improve healthy lifestyles and encourage multi-modal transportation; and

WHEREAS, Avenue S and Wahanna Road are designated as a local tsunami evacuation route according to Oregon Department of Geology and Mineral Industries evacuation maps; and

WHEREAS, the Necanicum Estuary Natural History Park vision plan identifies the Avenue S and Wahanna Road corridor as a proposed trail route to provide access to Neawanna Creek; and

WHEREAS, the Seaside School District plans to place a levy on the November 2013 ballot to fund the development of a new school campus out of the tsunami inundation zone on property adjacent to Seaside Heights Elementary School; and

WHEREAS, the proposed site for the new school building may cause new traffic impacts on Avenue S and Wahanna Road from the relocation and the creation of a consolidated campus for all elementary, middle and high school students in the district; and

WHEREAS, a strategic plan will facilitate the integration of transportation and land use needs to allow the corridor to serve as a tsunami evacuation route, an outdoor recreation route, and a safe route to school, and

WHEREAS, the applicant hereby certifies that the matching share for this application is readily available at this time.

NOW, THEREFORE, THE SEASIDE CITY COUNCIL RESOLVES that the City of Seaside is authorized to apply for a Transportation Growth Management Grant from the Oregon Department of Transportation to support an existing conditions report, traffic impact study, public involvement process, and proposed corridor design as specified in the grant.

PASSED by the 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

Avenue S and Wahanna Road Strategic Corridor Plan Study Area

City of Seaside
Community Development Department



Corridor Study Area



OREGON PARKS AND RECREATION INTERGOVERNMENTAL AGREEMENT

This agreement is between the State of Oregon, acting by and through its Parks and Recreation Department, hereinafter called OPRD, and the City of Seaside, Oregon, hereinafter called the City.

This agreement shall be in effect from July 1, 2013 through June 30, 2023.

I. Stipulations

- A. OPRD and the City agree that both parties have a mutual goal of consistent rule and law enforcement with regard to natural resources on the Ocean Shore State Recreation Area within the limits of the City of Seaside.
- B. OPRD and the City both have a mutual interest in assuring the Seaside Police Department has the ability to enforce Ocean Shore State Recreation Area Rules as provided by Chapter 736, Divisions 21 and 26 of the Oregon Administrative Rules:
 - a. Reference to Division 26 is limited to OAR 736-026-0015 Beach and Driftwood Removal Policy, Non-State Park Beaches.
- C. OPRD and the City have previously worked to establish a cooperative relationship as demonstrated by adoption of administrative rules to regulate recreational activity on the Ocean Shore within the city limits of Seaside. This is addressed in Chapter 736, Division 30 Special Regulations Affecting Ocean Shores Adjacent to Coastal Cities.
- D. The OPRD Director may enter into cooperative written agreements with local jurisdictions on behalf of the Department:
- E. The City wishes to enter into a cooperative written agreement with OPRD to enforce Ocean Shore State Recreation Area Rules for the purpose of providing its police officers with the means to provide consistent, mutual enforcement of state rules on the Ocean Shore State Recreation Area.
- F. OPRD and the City wish to agree upon select Ocean Shore administrative rule enforcement authority regarding violations as listed in Section B. This will ensure an appropriate jurisdictional tool is made available for Seaside officers when necessary to gain compliance with Ocean Shore State Recreation Area rules.

II. Terms of Agreement

- A. OPRD permits the City of Seaside Police Department to enforce General Ocean Shore State Recreation Rules as provided by Chapter 736, Divisions 21, and 26 of Oregon Administrative Rules.
 - a. Reference to Division 26 is limited to OAR 736-026-0015 Beach and Driftwood Removal Policy on Non-State Park Beaches.

- B. This agreement becomes effective July 1, 2013 or upon final signature of all parties to the agreement.
 - a. The duration of this agreement shall be for ten (10) years and will expire on June 30, 2023.
 - b. This agreement may be extended for an additional ten (10) years if agreeable to both parties and affirmed by signature of both parties.
- C. OPRD assumes no financial responsibility for costs incurred for Ocean Shore rule enforcement deemed necessary by the City.

III. Indemnity

The City shall defend, save, and hold harmless the State of Oregon and OPRD, its officers, agents, employees and members, from all claims, suits, or actions of whatever nature resulting from or arising out of the activities of the City or its employees under this agreement.

IV. Changes

No changes to or waivers of provisions of this agreement will be valid until they have been reduced to writing, approved, and signed by both parties.

V. Retention of Records and Reports

The City agrees to maintain records of citations issued pursuant to this Agreement. All records and other documents relevant to this agreement shall be retained for:

- A. Three years after the end of the fiscal year during which they were created; or
- B. Any longer period which may be required to resolve pending court cases.

VI. Access to Records

- A. OPRD, the Secretary of State's Office of the State of Oregon, the Federal Government and their duly authorized representatives shall have access to the books, documents, papers, and records of the City which are directly pertinent to this agreement for the purpose of making audit, examination, excerpts, and transcripts.

VII. Termination

- A. This agreement may be terminated by mutual consent of both parties, or by either party for any reason whatsoever effective thirty (30) days after written notice by either party.

AGREED:

CITY OF SEASIDE

STATE OF OREGON by and through
it's Parks & Recreation Department

Name

Name

Title

DIRECTOR

Title

Date

Date



PUBLIC WORKS MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Geoffrey Liljenwall PE, City Engineer
DATE: June 10, 2013
RE: 12th WAHANNA IMPROVEMENT

Bob McEwan Construction has completed the paving, storm drainage, and concrete work for the intersection of 12th Avenue and Wahanna. Final Inspection has been completed and accepted by Public Works.

Original Contract Bid Amount was for \$78,723.30. Final contract amount was for \$97,390.82. This increase in contract total cost is for the change orders and additional material needed for completion of the project. See attached spreadsheet for additional information.

Staff recommends Council to accept the final construction project and release retainage of \$4,869.55 to Bob McEwan Construction, Inc.



PUBLIC WORKS MEMORANDUM

To: Mayor and City Council
From: Neal Wallace
Date: June 10, 2013
Re: Seaside Class 'A' Dryer Project

The bid opening was held at Seaside City Hall on May 23, 2013 at 2:00 pm. And there were four responsive bids submitted:

Contractors, Inc -	\$1,113,500.00
Helligso Construction -	\$1,127,702.00
Boede Construction -	\$1,267,789.00
Rognlins Construction	\$1,301,929.05

Staff anticipated receiving bids closer to \$800,000. We are reviewing changes that we can make to the project to bring costs more in line with those anticipated. There are a number of items that will save money including leaving the belt press mounted the way it is now, using painted and galvanized steel in some applications instead of stainless, utilizing a different type of roll-up door, and leaving some interior finish work to be completed by staff as time allows.

Making changes of this nature affects the bid to the point that staff feels it must be rebid. Therefore, staff recommends Council reject all bids and staff will prepare new bid documents and rebid the project in the next few weeks.