AGENDA SEASIDE CITY COUNCIL MEETING
SEPTEMBER 12, 2016 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. RECOGNITION - SEASIDE PUBLIC WORKS DEPARTMENT FROM THE SEASIDE DOWNTOWN DEVELOPMENT ASSOCIATION (SDDA)

6. COMMENTS FROM STUDENT REPRESENTATIVE, Lizzie Barnes

7. COMMENTS – PUBLIC – (please keep speaking time to four minutes)

8. DECLARATION OF POTENTIAL CONFLICT OF INTEREST

9. CONSENT AGENDA

   a) PAYMENT OF THE BILLS – $817,158.72

   b) APPROVAL OF MINUTES – August 8, 2016

10. UNFINISHED BUSINESS:

    a) PUBLIC HEARING - CONTINUANCE FOR APPEAL 16-041VA PLANNING COMMISSION VARIANCE APPROVAL AT 341 S. PROM

    b) VACANCY - CITY TREE BOARD
       SEASIDE CIVIC AND CONVENTION CENTER COMMISSION

11. NEW BUSINESS:

    a) LIQUOR LICENSE APPLICATION - OREGON MARKETPLACE, 2480 S. ROOSEVELT

    b) CITY OF SEASIDE LEAD AND COPPER SAMPLING REPORT, Dale McDowell

    c) BID RESULTS - SEASIDE VISITORS BUREAU BUILDING MAINTENANCE PROJECT

    d) UPDATE - NORTH HOLLADAY DRIVE IMPROVEMENT PROJECT

12. COMMENTS FROM THE CITY STAFF

13. COMMENTS FROM THE COUNCIL

14. COMMENTS FROM THE MAYOR

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.

CITY OF SEASIDE
NOTICE OF PUBLIC HEARING CONTINUANCE
APPEAL OF PLANNING COMMISSION APPROVAL

This is a follow up notice to property owners and parties to the decision of a pending land use decision that will be made by the Seaside City Council.

At their last meeting, the City Council left the record open to accept additional written testimony concerning appeal 16-041VA of the Planning Commission variance approval 16-017V. The Council will accept any additional written testimony submitted by 5:00 p.m. on September 7, 2016.

On **Monday, September 12, 2016** at 7:00 p.m. the public hearing continuance will be held by the Seaside City Council at Seaside City Hall, 989 Broadway, to review any additional written testimony regarding Avrel Nudelman & Susan Calef's appeal (16-041VA) of the Planning Commission's approval of the following item:

16-017V: A request by Antoine Simmons for a variance to the allowed building height and required side yard setbacks at 341 S Prom. (6 10 21AC TL: 11900, 11100, 10900). The property is zoned Resort Residential (R-R) and the zone currently allows a defined building height of 45 ft. The applicant is requesting to build up to a defined height of approximately 60 ft. on the western portion of the property but the apparent height would be approximately 52 ft. due to a below grade story. The eastern portion of the building would be setback 3 ft. along a portion of the southern property line and 3' along a portion of the northern interior property line where the zone requires an 8' setback. The applicant intends to develop a 48 unit motel. The review will be conducted in accordance with Article 7 and Article 10 of the Seaside Zoning Ordinance, which establishes the review criteria and procedures for a Variance.

Written testimony submitted by the September 7th deadline will be provided to the Council prior to the hearing. Comments may be delivered to the Community Development Department located at 1387 Avenue U or mailed to 989 Broadway, Seaside, Oregon 97138.

All interested persons are invited to attend the meeting and be available to answer any questions that may be asked by the Council during their review and deliberation. During the hearing, individuals may be called to a microphone by the Mayor to answer questions concerning any information submitted by the submittal deadline or any other information already in the record. A copy of the application, applicable criteria, documents, and evidence relied upon by the applicant or appellant are available for review at no charge. These materials can be reviewed at the Community Development Department. Copies of these materials will be provided at a reasonable cost.

Failure to raise an issue or failure to provide sufficient details to afford the City Council or parties an opportunity to respond to an issue will preclude appeal to the Land Use Board of Appeals on that issue.

For more information, contact Seaside Planning Director Kevin Cupples at 503-738-7100.

FROM THE DESK OF

TED J STENSLAND

September 2, 2016

09-07-16 08:12 AM RCVD

City Council
City of Seaside, Oregon
989 Broadway
Seaside, OR 97138

Dear Council Members,

Thank you for the opportunity to provide written comments on the Nudelman/Calef appeal, (16-041VA.) This appeal is of the Planning Commission's approval of the request for a variance by Antoine Simmons on height and setback requirements, (16-017V) for a proposed hotel complex at 341 S. Prom.

I am the current owner of the vacant property located at 321 S. Prom, and have entered into a conditional agreement to sell this property to Mr. Simmons. I have seen Mr. Simmons preliminary plans for the construction of a new hotel complex, and I believe that this offers the city the best option for development under the current zoning restrictions. With the renewed commitment to the improvement and expansion of the convention center, the need for upscale temporary lodging in the core business area is critical, as well as offering a source of revenue for both the city and supporting businesses.

In 2005 after a number of years of working with the city planning staff, my late father was granted a similar variance to construct a multi-story condominium complex including an actual above ground height of of 55', and property line setbacks. Reference Conditional Use 05-025CU and Variance 05-011V. Unfortunately, my father was diagnosed with and subsequently died of cancer the next year before he could finalize the project.

I am not surprised that two adjacent property owners would prefer that my vacant lot remain so indefinitely, and have filed appeals seeking to overturn the work of both Mr. Simmons design team and the Planning Department and Commission. However, I fail to understand how the slight variances approved by the Commission would significantly exacerbate the impacts of construction that might occur within the

current requirements. It is my understanding that both appellants obtained/inherited their respective properties after our large multi-story home tragically burned to the ground during construction of the time share complex next door, so they may have not experienced the former view. I do not believe that their views will be significantly different if the current proposed complex is constructed with the slight variances, or another building were to eventually be built within the current restrictions. They have provided no documentation to substantiate a loss of property value. And they have every right to be concerned about potential damage to their properties if construction occurs next to them. However, construction will occur, some day, either with the approved variances or without, and Mr. Simmons has a vested interest in preventing any damage that he of course would be potentially liable for.

I applaud the work of the Community Development Department, the Planning Commission, and all of you on the Council for your on-going efforts to improve the city while upholding reasonable standards of design. I have worked in local government for over 34 years, and understand the need to fully vet proposals, solicit input from the public, and render decisions that are not unanimously supported. However, I agree with the Planning Commission's opinion that Mr. Simmons proposal is reasonable and should be approved in the best interests of the city.

Sincerely yours,

Ted J. Stensland

Ted J. Stensland

(425) 293-1852

ted.stensland@comcast.net

09-06-16A11:33 RCVD

September 6, 2016

RE: Decision File Reference Number 16-017V

Dear Honorable Mayor and Seaside City Council Members:

On Aug 22 you heard me speak in support of my appeal to the variance granted by the Seaside Planning Commission regarding 341 S Prom . At that meeting I addressed only the subject of my appeal per the specific instructions given at the beginning of the meeting. However Mr. Simmons spoke at considerable length about his background and family, to which you were very attentive. This has prompted me to do the same.

My home at 340 Beach Drive was built in 1908. It was purchased in 1940 by my grandparents, Dr.and Mrs. Harry Semler. The ramp on Avenue A leading to the beach is named Semler Avenue. Prior to 1940 my grandparents had rented the same home and other homes in the neighborhood during the summer. My grandfather was a well- known and much loved dentist in Portland. During the Great Depression he was the only dentist in the area who extended credit interest free to the down and out. Patients from all over Oregon came to my grandfather. Often they would pay a nickel a month to pay off their dental care bill. My mother and her three siblings spent their summers growing up in this house. Later in life when my grandfather was ill, this home was the place he would come to regain his strength. I have spent every summer of my life in this home as did my brother and many of my cousins . I grew up in a charming neighborhood. The carousel and amusement rides were just down the street. I would fall asleep to the sound of either the carousel music to the east or the ocean to the west. To the north was the Penny Arcade and the old Natatorium where I learned to swim. I took my first steps in the front yard and learned to ride a bike in the driveway. Only a half block from my back door was the best playground you could have, the Prom where I learned to roller skate, and the beach where I learned to dig for clams and Pypo board . My home is much more to me than a piece of land. It has been part of my family for 76 years. It is alive with the memories of my grandparents, my parents, my aunts, uncles, and cousins. This is where I come to be with family and friends. This is where I come to escape the stress of everyday life. This is where I come to find serenity and peace. This is where I come to nourish my soul. My home is a tremendous source of happiness and well-being in my life.

But emotion and history aside, my house is also an investment in my future. It took me five years to buy this house from my brother. I have put blood, sweat, and tears into updating it and making it the way I like. I count on it as part of my financial security. I rent out my garage to help pay expenses. I and my family have been paying property taxes for 76 years. While Mr. Simmons has the right to build a hotel on his property, I have the right to enjoy

my home without its livability substantially diminished nor its property value caused to significantly decrease. The Pearl project should be built according to the City of Seaside Zoning side setback ordinance. I hold to the information already provided in my appeal and supported by my attorney Mr.Sean Malone. Mr. Simmons' property does not create an exceptional or extraordinary circumstance that causes undue or unnecessary hardship. As far as needing a variance for sufficient parking, Mr. Simmons presently owns property at 341 Beach drive (The Gilbert Inn) which could be accessed, or he could explore buying the two duplexes just to the south (383 -393 Beach Drive) as a parking option. The Pearl could easily be reconfigured into a smaller structure that would require less parking and be built within RR zoning setbacks. The Planning Commission was not justified in granting its decision in so far as it did not follow the decision criteria listed in the City of Seaside Zoning Ordinance. Please refer to my attorney's Memorandum of Support as to why this is the case.

Please know that I will exercise every avenue afforded to me by the Land Use Laws of Oregon to protect the enjoyment and property value of my home. I again respectfully request that you reverse the decision made by the Seaside Planning Commission to grant a variance from 8 to 3 feet on the northern property line of the proposed Pearl development adjacent to my property. The City of Seaside Zoning Ordinance and State Land use laws exist for good reasons. Please uphold them.

Respectfully,

Avrel Nudelman

Avrel Nudelman , OD

09-07-16P03:15 RCVD
2:45pm Emailed Debbie - Planning

September 7, 2016

Re: Decision File Reference Number 16-017V

Dear Honorable Mayor and Seaside City Council Members:

Let me begin by thanking you for the respectful reception we received at the August 22, 2016 meeting. I would also like to note that our dealings with Antoine Simmons have continued to be civil and pleasant.

This is a considerable improvement over our previous dealings with the owners of the vacant property adjacent to us. The elder Mr. Stensland, apparently now deceased, developed plans that, at least at one point, included putting a dumpster in front of our downstairs living room window. Although I'm sure his children would have seen a more pleasant side of him, our dealings with him were well short of pleasant, civil, or even respectful.

As we have stated all along, we are not opposed to development. We simply want our house to continue to be a pleasant and welcoming place to stay. The former Montag House that was in front of us was a two story building, running perpendicular to the Prom, that allowed light and air into our smaller house. This scale and placement of new construction would not cause us significant problems.

If the issue turns on economic viablity of the proposed hotel (which we do not believe is a criteria for allowing a variance), then the loss of utility to our house should also be considered. Ours is not a commercial enterprise. Our family has used the house exclusively for over 70 years. We continue to use the house, and anticipate that the next generation will as well. Clearly, a small house enterable only by running across a driveway in the permanent shadow of a large decorative tower will not give the next generation the fond memories of Seaside that we have.

Sincerely your,

Susan and Dan Calef

(503) 492-6204
calef1.1@juno.com

Kimberley Jordan

From: Debbie Kenyon <dkenyon@cityofseaside.us>
Sent: Thursday, September 08, 2016 8:35 AM
To: kim JORDAN; KEVIN CUPPLES
Subject: FW: Nudelman Appeal

September 7, 2016
I received this at 4:57pm last night,

Hope you have an awesome day!
Debbie Kenyon
Administrative Assistant
1387 Avenue U
Seaside, OR 97138
503-738-7100

From: Avrel Nudelman [mailto:efraimlevi526@gmail.com]
Sent: Wednesday, September 07, 2016 4:57 PM
To: dkenyon@cityofseaside.us
Subject: Nudelman Appeal

Debbie please include this in the Appeal to City Council, thank you, Avrel Nudelman

AVREL NUDELMAN, OD

September 7, 2016
City
Council
Seaside, Oregon
Broadway, Seaside, OR 97138
RE: Decision File Reference Number 16-017V
Dear Honorable Mayor and Seaside City Council Members:

City of
989

I would like to bring your attention to some additional points in a letter addressed to you from Ted J. Stensland dated September 2, 2016.
As Mr. Stensland states, he is the current owner of the vacant property located at 321 S. Prom. He has a conditional agreement to sell his property to Mr. Simmons. This substantiates what I have written in my Appeal dated August 1, 2016 on p.2 1E : Had the applicant not planned a structure of such magnitude in ADVANCE of even acquiring the adjacent vacant property, there would be no need for the amount of parking required and therefore no need for a variance affecting my property line. Because the Pearl project was designed to the scale it is prior to acquisition of 321 S. Prom, the applicant and not the land is creating the special conditions and circumstances which are requiring a variance. You may also refer to my attorney's memorandum section IV: LUBA has held that the "exceptional or extraordinary circumstances or conditions" requirement is a "demanding standard". (case sited) The exceptional and extraordinary circumstances must "arise out of conditions inherent in the land" (case sited)
Mr. Stensland states he is "not surprised that two adjacent property owners would prefer that my vacant lot remain so indefinitely...." Had he read my letter to the Seaside Planning Commission dated June 2, 2016 and my letter to the City Council dated September 6, 2016

he would have known that I am categorically NOT opposed to a development on his vacant lot. I reiterated this in person at the Planning Commission meetings and was quoted as saying so in The Daily Astorian.
As is obvious Mr. Stensland clearly stands to gain financially from the sale of his property. This should not influence the City Council as it definitely precludes the legal aspects of my appeal. Please refer to p.2 paragraph 2 and page 4 section 4B of my attorney Sean Malone's Memorandum of Support .
Thank you for your time and consideration,

Sincerely,
Avrel Nudelman, OD

Kimberley Jordan

From: Debbie Kenyon <dkenyon@cityofseaside.us>
Sent: Thursday, September 08, 2016 8:26 AM
To: KEVIN CUPPLES; kim JORDAN
Subject: FW: City of Seaside: 16-041VA - 341 S Prom - Simmons
Attachments: 20160907174833026.pdf

This just came in this morning.

Hope you have an awesome day!
Debbie Kenyon
Administrative Assistant
1387 Avenue U
Seaside, OR 97138
503-738-7100

From: Steve Ungar [mailto:steve@angelilaw.com]
Sent: Wednesday, September 07, 2016 7:57 PM
To: Debbie Kenyon
Cc: Dana Brown; Mark Tolan; Jeff Wirkkala; efraimlevi526@gmail.com; seanmalone8@hotmail.com; Steve Ungar
Subject: City of Seaside: 16-041VA - 341 S Prom - Simmons

Debbie,

I sent this to you yesterday and requested a confirmation, but looking over my emails (which I wasn't able to check until this evening) -- I don't see it. I'm sending it again and appreciate your distributing it to the appropriate parties for the meeting and making it part of the record for the above zoning matter. Thanks and do not hesitate to call with any questions.

Best,

Steven Ungar

ANGELI UNGAR
LAW GROUP LLC

121 SW MORRISON STREET
SUITE 400
PORTLAND, OR 97204

STEVEN B. UNGAR
steve@angelilaw.com

www.angelilaw.com

[cell] 503.701.3888
[direct] 503.954.2248
[f] 503.227.0880

VCARD

Steven B. Ungar
Attorney at Law
2128 SE Ladd Avenue
Portland, OR 97214

September 6, 2016

City of Seaside
Attention: Debbie Kenyon
Administrative Assistant
1387 Avenue U
Seaside, OR 97138

RE: Seaside Variance Request: 16-041VA - 341 S Prom – Simmons

Dear Debbie,

I want to thank you for your diligence in responding to my request for information as well as delivering my late-arriving letter to the City Council at the last meeting.

I greatly appreciate the Council's willingness to grant my and others' requests for additional time to study this variance application and the vote following the Planning Commission's recommendation to allow it.

This will be a much more brief communication, as all of the legal points have been adequately covered by Avrel Nudelman's attorney Sean Malone, which I incorporated and continue to rely upon in my own objection to the variance requested by Mr. Simmons. The immediate request made in my letter of August 22, 2016 was for an extension. The message of that letter, however, is re-emphasized here in more plain terms.

The zoning ordinances which were duly enacted by the City and which govern commercial development and other activities in Seaside today were well thought out and reflect a *balance*, between a developer's *financial return* on the use selected for any given property when weighed against impact upon surrounding landowners and the community at large. The latter considerations include quality of life, development consistency and proportionality, and what is ultimately at issue here, the size of the project and anticipated impact on neighbors, traffic and the character of the community both nearby and overall.

Stated simply, the project proposed by Mr. Simmons is too large for the property in question. He purchased this property knowing the limitations of existing zoning limitations. He proposes to demolish the existing structure and construct a much larger development, the details of which the City is well aware. The new structure would house a high-end motel complete with penthouse and extensive accommodations for parking and traffic control. My understanding is that these requirements – to serve the size of the project proposed – trigger the need for greatly reduced setbacks, to only 3 feet.

It bears saying in plain terms: 3 feet is a yard or the length of an average adult's arm. The requested variance would allow one landowner to impose his desire to maximize profit per square foot by what is clearly a corresponding *reduction in both financial and qualitative value* to the residents nearby.

With due respect to the Zoning Commission, which has approved this request, I ask each member of the Council to consider how he or she would judge a request by your current neighbors to build a structure 3 feet away from the boundaries of your property – whether it be residential or commercial. I believe that this is not an unreasonable way to deliberate on the request, in addition to technical aspects of the request which the Zoning Commission has undoubtedly analyzed.

My personal position is not complex. I purchased a condominium in the property immediately adjacent to that which Mr. Simmons owns and seeks to develop. My unit is on the North side of the Promenade Condominiums, and thus closest to what may be a new development. My property will clearly be negatively impacted by the requested 3 foot setback – *and* by the far greater size and density the owner would be permitted to develop. This is a distinction that does make a difference and would devalue all surrounding properties.

I intend to be present at the upcoming Council meeting where a vote will be taken. I recognize that additional testimony may not be elicited, so I submit this summary of my objection and ask that it be made of record should further proceedings or appeals be required.

Thank you for the opportunity to make these points.

Best regards,

Steven Ungar

SEASIDE CITY TREE BOARD

The purpose of the City Tree Board is to study, investigate, and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets, and in other public areas. The Tree Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities,

(1) Develop criteria for city staff and/or contractors to apply in making decisions entrusted to staff and/or contractor discretion,

(2) Designate Heritage Trees on public and private lands within the city,

(3) Promote the planting and proper maintenance of trees through special events including an annual local celebration of Arbor Day, and

(4) Obtain the annual Tree City USA designation by the National Arbor Day Foundation.

The Board consists of five members, appointed by the City Council for a three-year term, and who are residents, or owners or employees of businesses within the city limit.

The City Tree Board shall schedule meetings as needed and elect a chairperson and a vice-chairperson. No more than 3 unexcused absences allowed in a calendar year.

Tree Board members serve without salary or compensation of any nature.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **July 11, 2016**

   Name: Taylor Barnes

   Commission/Committee: **City Tree Board Committee**

   Resignation Date: **Barnes - June 22, 2016**

   Term Expiration Date: **Barnes - June 30, 2018**

   Wants to be considered again: Barnes - No Resigned

2. **Applicants:**
   Alisa Dunlap
   Ann Tierney-Ornie

3. **Nominations:**

4. **Appointment:**

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: _____

NAME Dunlap (Last) Alisa (First) PHONE 971/219.6698

ADDRESS 2946 Pine Ct. Gearhart OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) P.O. Box 2327 Gearhart, OR 97138

EMAIL ADDRESS alisa.dunlap@pacificorp.com

LENGTH OF TIME IN SEASIDE 2 months ARE YOU A REGISTERED VOTER IN SEASIDE: Yes ☒ No ☐ Gearhart

OCCUPATION Regional Business manager. Pacific Power

PAST OCCUPATIONS government relations

List committee/commissions on which you would like to serve: tree Board

List committee/commissions you are currently appointed to: None w/ city of Seaside → CEDR, SOLVE, Astoria Regatta

List fields in which you have interest or ability:

List employment and volunteer activities, which may relate to service on committee/commissions:

List skills and special knowledge that you may have acquired from these activities:

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No (X) If yes, what offense? _____

When? _____ Please explain: _____

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. **(No City Council Members, Please)**

NAME	RELATIONSHIP	ADDRESS	PHONE
Cheryl Carter	Co-Worker	825 NE Multnomah	503.813.5149
Sarah Dailey	colleague	39 N. Holladay	503.717.1914
Jim Gossett	supervisor	825 NE Multnomah	503.813.5110

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 8.30.16 SIGNATURE Alisa M. Dunlap

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: N/A

NAME Tierney-Ornie Ann PHONE 503/440-3317
Last First

ADDRESS 88746 Blue Heron Rd. Gearhart, Oregon 97138
MAIL ADDRESS (DIFFERENT THEN ABOVE)
EMAIL ADDRESS canntierney@gmail.com
LENGTH OF TIME IN SEASIDE Raised Here ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No
OCCUPATION Front Desk - Hotel / Hospitality Inn of the four Winds - Seaside 2015-Pr
PAST OCCUPATIONS Hotel manager - Inn at Seaside - Seaside 2013-2015
Owner - Ingleague Coffee Company - Seaside 2011-2013

List committee/commissions on which you would like to serve: Tree Board

List committee/commissions you are currently appointed to: n/A

List fields in which you have interest or ability: Plant/tree identification/fungi indut Herbalism / wildcrafting Gardening / fishing

List employment and volunteer activities, which may relate to service on committee/commissions: Listening to the land - NCIC Events Lower Nehalem community trust-event NCIC Land Stewardship Wheeler Oregon Comm. Garden Seaside Oregon Railroad Garden

List skills and special knowledge that you may have acquired from these activities: Land & local geology specific information i.e. Local trees, native plants/shrubs invasive species and personal knowledge of native trees and their soil/location requirements.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No (X) If yes, what offense?

When? Please explain:

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. **(No City Council Members, Please)**

NAME	RELATIONSHIP	ADDRESS	PHONE
Tarana Register	Former Boss	Seaside, OR	503-470-0152
Pam Birmingham	Former Co Worker	Seaside/Jewell OR	503-791-4752
Nicole Balensifer	Lifelong friend	Svensen, OR	503-298-3419

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 8/12/15 SIGNATURE Ann Tierney Ornie

CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

NAME	ADDRESS	PHONE	TERM EXPIRES
NEAL WALLACE	881 S. EDGEWOOD	717-2927	6/30/2017
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2017
MELYSSA GRAEPER	10075 7TH ST. BAY CITY, OR 97107	503-939-9210	6/30/2018
VACANCY			6/30/2018
CRAIG SORTER	840 5TH AVENUE	440-7201	6/30/2019
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	**STAFF REPRESENTATIVE**

SEASIDE CIVIC AND CONVENTION CENTER COMMISSION

The purpose of the Seaside Convention Center Commission is to be an advisory body to make recommendations to the City Council on matters concerning the Civic and Convention Center. The Commission shall make recommendations concerning policy matters related to the Civic Convention Center. The Civic and Convention Center Commission shall advise the Convention Center Manager, City Manager and City Council on all items relating to the operation of the Civic and Convention Center including but not limited to: Contracts; Building Improvements; Employment of Civic and Convention Center Manager; Rentals; and Budget.

The commission consists of seven members who are not employees of the city and shall be residents, or owners or employees of businesses within the city limits of Seaside.

Each year, at the first Commission meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. The center manager shall serve as Secretary to the Civic and Convention Center Commission.

The Commission shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)

The members shall serve without salary or compensation of any nature.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** August 22, 2016

   Name: **Chuck Minor**

   Commission/Committee: Convention Center Commission

   Resignation Date: **August 11, 2016**

   Term Expiration Date: **October 25, 2017**

   Wants to be considered again: **No**

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**

CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

CONVENTION CENTER COMMISSION

Term of Office: 4 years

Number of Members: 7

NAME	ADDRESS	PHONE	TERM EXPIRES
ROGER SCHULTZ	2481 VENICE BLVD.	738-5641	10/25/2016
KAARINA VERA	170 SW BIRCH AVENUE WARRENTON,	717-2282	10/25/2016
JEFF KILDAY*	PO BOX 1031	738-3018	10/25/2017
CHUCK MINER	**2002 MAPLE ST.**	**440-9240**	**10/25/2017**
PATRICK DUHACHEK	89736 SEALS RD.	858-774-4678	10/25/2017
NANCY MCCUNE	PO Box 315	503-260-8905	10/25/2018
TIM TOLAN	PO BOX 911	738-3802	10/25/2018

*CHAIR
**VICE CHAIR

LIQUOR LICENSE APPLICATION

Jodi McCallister
Oregon Marketplace
2480 S. Roosevelt Dr.
Seaside

The application is for an Off-Premises Sales License. This would be for a new outlet.

Off-Premises Sales License – allows the sale of malt beverages, wine, and cider to go in sealed containers.

The Police Department has reviewed the applicant and business applying for the liquor license and the information is attached.

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 unlicensable 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.

MEMORANDUM

TO: Mayor and City Council

FROM: Guy Knight, Seaside Police Sergeant

SUBJECT: **Oregon Marketplace**

The Seaside Police Department has reviewed the liquor application for Oregon Marketplace at 2480 S. Roosevelt Dr. This is a new outlet and the owner is requesting a "Off-Premises Sales" license.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license.

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

CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

September 6, 2016

Jodi McCallister
PO Box 1010
Seaside, OR 97138

Dear Jodi:

This letter is to confirm the Oregon Liquor License application for Oregon Marketplace, 2480 S. Roosevelt, which was submitted to the City of Seaside and is scheduled to appear on the agenda for the City Council meeting Monday, September 12, 2016 at 7:00 PM.

City Council requests the owner or a representative attend the Council meeting as they will be discussing the liquor license application and may have questions to ask. Attached is the Seaside Police Department memorandum that is submitted to City Council for review.

Sincerely,

Kim Jordan
Administrative Assistant

Alexin Analytical LABORATORIES, INC.
Professional Laboratory Services
13035 SW Pacific Hwy
Tigard, OR 97223
Tel.: (503) 639-9311 Fax: (503) 684-1588

ANALYSIS REPORT

ORELAP Accredited Lab#: OR-100013

Reported: 08/09/2016
Received: 07/13/2016
Sampled By: various residence
Work Order: 6195062

CLIENT
Seaside
Attn: John McKevitt
989 Broadway
Seaside OR, 97138
Phone: (503) 738-5112

Project: 2016 Lead & Copper
Project # : N/A
PWSID # : 4100799

Sampling Location: City of Seaside (various)

Lab Number

	Code	Method	Units	Result	MRL	EPA MCL	Analysis Date/ Time
6195062-01	**Sample Name:** 1 2448 Pine Street **Sampled:** 7/5/16 6:00						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-02	**Sample Name:** 5 1036 4th Avenue **Sampled:** 7/5/16 7:00						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-03	**Sample Name:** 11 2517 Pine Street **Sampled:** 7/5/16 7:00						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-04	**Sample Name:** 24 2040 Grove Street **Sampled:** 7/5/16 6:30						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-05	**Sample Name:** 16 1251 S. Downing **Sampled:** 7/6/16 5:30						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	0.055	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-06	**Sample Name:** 8 1309 Ave A **Sampled:** 7/7/16 7:05						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03

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Work Order: 6195062

CLIENT
Seaside
Attn: John McKevitt
989 Broadway
Seaside OR, 97138
Phone: (503) 738-5112

Project: 2016 Lead & Copper
Project #: N/A
PWSID #: 4100799

Sampling Location: City of Seaside (various)

Lab Number

	Code	Method	Units	Result	MRL	EPA MCL	Analysis Date/ Time
6195062-07 Sample Name: 31 520 15th Ave, Sampled: 7/11/16 8:45							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-08 Sample Name: 41 541 S. Edgewood, Sampled: 7/8/16 5:30							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	0.060	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-09 Sample Name: 36 2044 Maple Street, Sampled: 7/11/16 9:00							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-10 Sample Name: 21 1160 7th Ave, Sampled: 7/11/16 8:30							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-11 Sample Name: 13 Chamber of Commerce, Sampled: 7/8/16 7:48							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	0.107	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	0.0028	0.0020	0.015	08/08/16 16:03
6195062-12 Sample Name: 6 1175 Avenue A, Sampled: 7/9/16 8:30							Matrix: Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	0.051	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03

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Sampled By: various residence
Work Order: 6195062

CLIENT
Seaside
Attn: John McKevitt
989 Broadway
Seaside OR, 97138
Phone: (503) 738-5112

Project: 2016 Lead & Copper
Project # : N/A
PWSID # : 4100799

Sampling Location: City of Seaside (various)

Lab Number

	Code	Method	Units	Result	MRL	EPA MCL	Analysis Date/ Time
6195062-13	**Sample Name:** 14 615 Indian Way **Sampled:** 7/10/16 6:00						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-14	**Sample Name:** 2 111 Broadway **Sampled:** 7/11/16 8:00						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-15	**Sample Name:** 23 21 N. Columbia **Sampled:** 7/3/16 9:30						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-16	**Sample Name:** 37 130 Broadway **Sampled:** 7/11/16 8:25						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-17	**Sample Name:** 17 2047 Fernwood **Sampled:** 7/9/16 6:00						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	0.073	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	0.0060	0.0020	0.015	08/08/16 16:03
6195062-18	**Sample Name:** 26 1146 Avenue F **Sampled:** 7/11/16 7:00						**Matrix:** Drinking Water
Metals (Total)							
†Copper	1055	SM3111B	mg/L	0.077	0.050	1.3	08/08/16 13:10
†Lead	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03

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ANALYSIS REPORT

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Work Order: 6195062

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Seaside
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989 Broadway
Seaside OR, 97138
Phone: (503) 738-5112

Project: 2016 Lead & Copper
Project # : N/A
PWSID # : 4100799

Sampling Location: City of Seaside (various)

Lab Number

	Code	Method	Units	Result	MRL	EPA MCL	Analysis Date/ Time
6195062-19	**Sample Name:** 20 1261 Downing **Sampled:** 7/12/16 8:00						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-20	**Sample Name:** 35 440 15th Ave **Sampled:** 7/12/16 7:15						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	0.059	0.050	1.3	08/08/16 13:10
†*Lead*	1030	EPA 200.9	mg/L	ND	0.0020	0.015	08/08/16 16:03
6195062-21	**Sample Name:** 19 761 S. King St. **Sampled:** 7/12/16 8:10						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/03/16 16:19
†*Lead*	1030	EPA 200.9	mg/L	0.0021	0.0020	0.015	08/03/16 17:32
6195062-22	**Sample Name:** 25 3257 Bayview Terrace **Sampled:** 7/12/16 6:25						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	ND	0.050	1.3	08/03/16 16:19
†*Lead*	1030	EPA 200.9	mg/L	0.0030	0.0020	0.015	08/03/16 17:32
6195062-23	**Sample Name:** 38 1199 S. Wahanna Rd Apt B **Sampled:** 7/13/16 6:30						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	0.091	0.050	1.3	08/03/16 16:19
†*Lead*	1030	EPA 200.9	mg/L	0.0041	0.0020	0.015	08/03/16 17:32
6195062-24	**Sample Name:** 34 521 Broadway **Sampled:** 7/13/16 8:45						**Matrix:** Drinking Water
Metals (Total)							
†*Copper*	1055	SM3111B	mg/L	0.107	0.050	1.3	08/03/16 16:19
†*Lead*	1030	EPA 200.9	mg/L	0.0023	0.0020	0.015	08/03/16 17:32

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Attn: John McKevitt
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Project: 2016 Lead & Copper
Project # : N/A
PWSID # : 4100799

Sampling Location: City of Seaside (various)

Lab Number

ND = None detected at the MRL **MRL** = Minimum Reporting Limit **MCL** = Maximum Contamination Limit
†All procedures for this analysis conform to NELAC standards.

Approved by: _____
Adriana Gonzalez-Gray
Laboratory Director

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MEMORANDUM

TO:	Honorable Mayor & City Council
FROM:	Jon Rahl, Assistant GM & Tourism Marketing Director, Seaside VB & CC
DATE:	Thursday, September 01, 2016
RE:	City of Seaside Visitors Bureau Building Maintenance Project
Project No:	2016-01/SVB

The Visitors Bureau received three informal bids from the following contractors for needed siding and window improvements on east and south facing walls of the Visitors Bureau and Chamber Building.

Dale Kamrath	*Seaside, Oregon – not enough time to complete project*
Airrun Construction	*Seaside, Oregon – participated in process but did not submit final bid*
Helligso Construction Co	***Astoria, Oregon – submitted bid of $36,383***

The Visitors Bureau, assisted by City Engineer Geoffrey Liljenwall, spent late July and early August reviewing proposals and going over specifications for a much needed building improvement project at the Visitors Bureau.

Although three contractors participated in the early facets of this project, only one contractor submitted a complete bid. It is the recommendation of Mr. Liljenwall and Mr. Rahl that we accept this bid and immediately move forward with this improvement project. This will sustain the building and help us continue to welcome visitors to our town.

The Visitors Bureau has outlined eight line items within its advertising, postage and printing budget to pull money from in order to make this project happen. This will be combined with a previously established budget of $7,500 in the building maintenance line item. Barring unforeseen circumstances, this will allow us to satisfactorily meet the budget needs of this project.

Thank you.