

ORDINANCE NO. 2017-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, PURSUANT TO ORS 223.112-223.132, SETTING A PUBLIC HEARING, EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE "DOWNTOWN MAINTENANCE DISTRICT"; REPEALING ORDINANCE NO. 2016-03, AND ALL ORDINANCES IN CONFLICT, AND DECLARING AN EMERGENCY.

WHEREAS, the current Downtown Maintenance District expires on June 30, 2017; and

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

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

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

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

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

SECTION 3. COSTS. The cost of the Downtown Maintenance District is estimated to be \$92,051.00 annually. Based on the total assessed linear footage of 10,409.3 feet, the benefited properties within the Downtown Maintenance District will pay \$8.843150 per front foot.

SECTION 4. TERM OF DISTRICT. Assessments will be levied to the benefited property owners for a maximum of one (1) year, starting July 1, 2017, to provide for the Downtown Maintenance District.

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

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

Notice shall be mailed out to affected property by May 8, 2016, announcing the intention of the Council to extend the Downtown Maintenance District and to assess the benefited property for all the cost. A public hearing will be held on Monday, June 12, 2017, at 7:00 PM at City Hall, 989 Broadway, at which time affected property owners may appear to support or object to the proposed extension of the district.

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

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

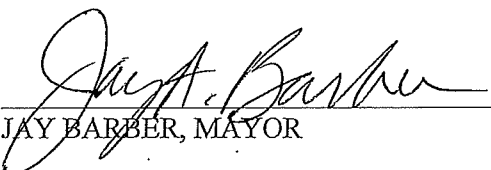
SECTION 8. REPEAL. Ordinance No. 2016-03, adopted May 24, 2016, is repealed.

SECTION 9. EMERGENCY CLAUSE. That inasmuch as this Ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the City of Seaside, and to assure compliance with existing state law within time constraints; an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the City Council and approved by the Mayor. This emergency clause is due to the necessity to provide appropriate notice to Clatsop County, Oregon, with an effective date of July 1, 2017.

ADOPTED by the City Council of the City of Seaside on this 12 day of June, 2017, by the following roll call vote:

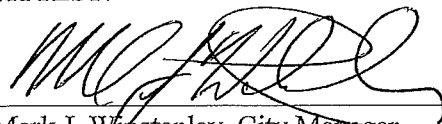
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|----------|---|
| YEAS: | BARBER, MONTERO, WRIGHT, PHILLIPS, HORNING, FRANK |
| NAYS: | NONE |
| ABSTAIN: | NONE |
| ABSENT: | MORRISEY |

SUBMITTED to and **APPROVED** by the Mayor on this 13 day of June, 2017.



JAY BARBER, MAYOR

ATTEST:



Mark J. Winstanley, City Manager