



AGENDA –Tuesday, June 20, 2023

7:00 p.m. City Council Meeting

In-Person and Zoom Webinar

Meeting ID: 829 2381 4826

Password: 123456

7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Phillips, Council Member Svendsen, Council Member Phelps,
And roll call	Council Member Murry, Council Member Reddy & Council Member Coleman

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to three minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

CONSENT AGENDA – TAB A

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, June 5, 2023, Regular Meeting
- Payment Approval List for Warrant Registers – 61572-61601 & 91046-91135 for \$331,334.67

- **AB 23-29 – Resolution 2023-05 – Six Year Transportation Improvement Plan -PUBLIC HEARING – TAB B**
- **AB 23-30 – WA State Parks Agreement for Beach Approach Maintenance – TAB C**

DEPARTMENT HEAD ORAL REPORTS CORRESPONDENCE AND WRITTEN REPORTS

- **Staff Report for VAC 2023-01**

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop.
July 3, 2023, August 7, 2023 & August 21, 2023

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Administrator at the meeting.

TAB - A

LONG BEACH CITY COUNCIL MEETING

June 5, 2023

6:00 COUNCIL WORKSHOP

Mayor Phillips, C. Svendsen, C. Phelps, C. Reddy, and C. Coleman were all in attendance. C. Murry was absent.

WS 23-09 Water Rate Study

David Glasson, City Administrator, presented the workshop bill. The purpose of this workshop is to review the city funded water rate study that included scenarios and recommendations from our engineer.

- **No decisions or motions were made at this time.**

7:00 CALL TO ORDER

Mayor Phillips called the meeting to order.

ROLL CALL

David Glasson, City Administrator, called roll with Mayor Phillips, C. Svendsen, C. Phelps, C. Reddy, and C. Coleman in attendance. C. Murry was absent.

PUBLIC COMMENT

There were numerous public comments.

CONSENT AGENDA

Minutes, May 15, 2023, Regular Meeting

Payment Approval List for Warrant Registers – 61550-61571 & 90970-91045 for \$297,425.63

C. Svendsen made the motion to approve the Consent Agenda. C. Phelps seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

BUSINESS

AB 23-23 B – Ordinance 1016 - Floodplain Management

Ariel Smith, Community Development Director, presented the agenda bill. The Department of Ecology coordinates CAC – Community Assistant Calls for jurisdictions to make sure they are in compliance with ECY and FEMA regulations. The amendments to this ordinance were minor and were mostly related to permits (templates). The city doesn't issue many floodplain certificates as the V zone only borders the 1980 line (westernmost buildable line). ECY was pleased with the changes that the city made, approved it, the city attorney reviewed, and the city confirmed that commerce doesn't need to review prior to approval.

C. Svendsen made the motion to approve Ordinance 1016, updated requirements surrounding development in the floodplain. C. Coleman seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

AB 23-24 – Resolution 2023-04 – Setting a Hearing Date for Street Vacation

Ariel Smith, Community Development Director, presented the agenda bill. Property owner Barry Hess is requesting to vacate the north portion of 19th St SE. The petition was received on May 10, 2023. Mr. Hess hopes to build a 6,000 SF commercial building on the property to the north of the proposed vacation.

Pursuant to **11-6C-2 and RCW 35.79.10**, when an adequate vacation petition is received, the Council shall by resolution set a date when the petition will be heard and decided upon. The hearing may be no more than sixty (60) days nor less than twenty (20) days after the date of such resolution passage. Resolution 2023-04 accomplishes this, setting a hearing date of July 3, 2023.

Staff intends to deliver a detailed staff report on this matter at the next Council meeting on June 20, 2023.

C. Reddy made the motion to pass Resolution 2023-04. C. Coleman seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

AB 23-25 – Ordinance 1017 – Relating to Creating Service Facility Buffer Zones

David Glasson, City Administrator, and Mayor Phillips presented the agenda bill. An ordinance relating to public health and safety, creating Service Facility Buffer Zones for social services providers, shelter and temporary housing providers, and other high impact areas and amending Title 6 of the Long Beach Municipal Code by enacting a new Chapter 6.10 LBMC.

C. Svendsen made the motion to adopt Ordinance 1017. C. Reddy seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

AB 23-26 – Ordinance 1018 – Relating to Public Consumption of Controlled Substances

David Glasson, City Administrator, and Mayor Phillips presented the agenda bill. This ordinance duplicates the state code and increases the chance of getting state funding in the future related to controlled substance abatement.

C. Svendsen made the motion to pass Ordinance 1018. C. Reddy seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

AB 23-27 – Small Works Roster Bid Award

David Glasson, City Administrator, presented the agenda bill. The city put out a small works roster bid for the concrete work at the city shop. The bids were due on June 2nd, after the publication of the agenda.

Due to the weather, staff would like to get approval to move forward with the lowest bidder so that the work can be scheduled.

C. Coleman made the motion to authorize Mayor Phillips to enter into an agreement with the lowest bidder (Newton All Phases of Concrete). C. Phelps seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

AB 23-28 – Ordinance 1019 – Public Disclosure

Ariel Smith, Community Development Director, presented the agenda bill. The city finds it is necessary to outline the public records request process in the city code. This is specifically applicable to body camera footage and outlines a process for staff to follow.

C. Reddy made the motion to approve Ordinance 1019 that establishes a public disclosure portion of the Long Beach city code. C. Svendsen seconded the motion; 4 Ayes; 1 Absent (C. Murry), motion passed.

DEPARTMENT HEAD ORAL REPORTS

CORRESPONDENCE AND WRITTEN REPORTS

- Short Plat Approval for Chan
- Lodging Tax Collections
- Sales Tax Collections
- Transportation Benefit District Collections
- Police Chief's Report for May 2023

ADJOURNMENT

Mayor Phillips adjourned the meeting at 7:30 p.m.

Mayor

City Clerk



Warrant Register

Check Periods: 2023 - June - First

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member	Council Member	Council Member	Clerk/Treasurer
61572	61573	61574	61575
61576	61577	61578	61579
61580	61581	61582	61583
61584	61585	61586	61587
61588	61589	61590	61591
61592	61593	61594	61595
61596	61597	61598	61599
61600			
Bel, Helen S	Binion, Jacob M	Brown, Kaime E	Collins, Benjamin S
Cox, Mallory E	Cutting, Griffen G	Goulter, John R	Huff, Timothy M
Kaino, Kris A	Kemmer, Larry L	McCord, Brendon M	Murry, Del R
Padgett, Timothy J	Phelps, Larry A	Quitner, Jonathan H	Reddy, Patrick E
Svendsen, Sue M	Wright, Flint R	AFLAC	Association of WA Cities
Awc - ST & Life	City of Long Beach - Fica	City of Long Beach - FWH	Council Gift Fund
Dept of Labor & Industries	Dept of Retirement Systems	Dept of Retirement Systems Def Comp	Employment Security Dept
Employment Security Dept	Unemployment		
6/5/2023	6/5/2023	6/5/2023	6/5/2023
\$392.89	\$2,324.78	\$1,336.16	\$1,665.96
\$651.10	\$1,225.24	\$2,214.97	\$2,167.28
\$1,010.92	\$1,941.16	\$1,435.83	\$265.63
\$2,229.92	\$265.63	\$2,229.92	\$265.63
\$1,144.34	\$257.53	\$265.63	\$1,144.34
\$265.63	\$265.63	\$265.63	\$265.63
\$3,400.39	\$378.35	\$32,610.87	\$802.68
\$16,598.52	\$12,752.46	\$60.00	\$2,578.44
\$16,249.99	\$2,715.00	\$477.77	\$217.50

Execution Time: 27 second(s)

61601	WEX Health, Inc.	6/5/2023	\$150.00
91046	Kemmer, Larry	6/7/2023	\$121.00
91047	Glasson, David	6/5/2023	\$737.95
91048	Phillips, Jerry	6/5/2023	\$792.30
91049	Underwood, Joel	6/12/2023	\$250.00
91050	Gray, Karen	6/12/2023	\$220.19
91051	Archer, Jeff	6/13/2023	\$25.00
91052	Glasson, Katie	6/13/2023	\$15.00
91053	Holmes, Greg	6/13/2023	\$15.00
91054	Jewell, Kyle	6/13/2023	\$150.00
91055	Jewell, Zach	6/13/2023	\$120.00
91056	Lopez, Daniel	6/13/2023	\$25.00
91057	McNabb, Cahlin	6/13/2023	\$15.00
91058	Mendez, Jose	6/13/2023	\$435.00
91059	Mendez, Moises	6/13/2023	\$90.00
91060	Miller, Matt	6/13/2023	\$60.00
91061	Nagy, Branden	6/13/2023	\$15.00
91062	Noonan, Jennifer	6/13/2023	\$15.00
91063	Oglesby, Julia	6/13/2023	\$360.00
91064	Phillips, John	6/13/2023	\$195.00
91065	Spitz, Katja	6/13/2023	\$200.00
91066	Williams, David	6/13/2023	\$50.00
91067	Long Beach Commercial Security	6/14/2023	\$2,988.64
91068	Allen, Jordan	6/16/2023	\$107.50
91069	Achilles, Jim	6/16/2023	\$250.00
91070	Airgas USA LLC	6/16/2023	\$71.76
91071	All Things Fun Sports!	6/16/2023	\$1,200.00
91072	ALS Group USA, Corp.	6/16/2023	\$100.00
91073	AlSCO-American Linen Div.	6/16/2023	\$259.88
91074	American Printing & Publishing	6/16/2023	\$1,887.39
91075	American Society of Safety Professionals-Dues	6/16/2023	\$200.00
91076	ASR - Advanced Sports & Recreation, Inc.	6/16/2023	\$3,560.04
91077	Astoria Janitor & Paper Supply	6/16/2023	\$4,561.92
91078	Bailey's Saw Shop	6/16/2023	\$390.16
91079	Basket Case Nursery LLC	6/16/2023	\$2,837.12
91080	Bell, Helen	6/16/2023	\$126.94
91081	Cascade Columbia Distribution CO	6/16/2023	\$4,516.15
91082	CenturyLink	6/16/2023	\$692.22
91083	Chinook Observer	6/16/2023	\$2,357.43
91084	Cintas	6/16/2023	\$76.26
91085	Coastal AG LLC	6/16/2023	\$76.27
91086	Columbia Steel & Welding Supply	6/16/2023	\$176.09
91087	Coro Medical	6/16/2023	\$13,836.80
91088	Cox, Mallory	6/16/2023	\$238.63
91089	CXT Incorporated	6/16/2023	\$10,512.36

91090	Dennis Company Ace (Westlake Hardware, Inc.) WA-133	6/16/2023	\$4,401.82
91091	Department of Licensing - Firearms Section		
91092	Dept of Ecology	6/16/2023	\$18.00
91093	DGA First In Disc Golf	6/16/2023	\$440.00
91094	DMT Auto Parts, Inc	6/16/2023	\$8,105.00
91095	Englund Marine Supply	6/16/2023	\$1,341.14
91096	Environmental Resource Associates	6/16/2023	\$528.27
91097	Evergreen Septic Inc	6/16/2023	\$233.88
91098	Fastenal Company	6/16/2023	\$350.00
91099	Flukinger, Ashley	6/16/2023	\$89.99
91100	Ford Electric	6/16/2023	\$1,700.00
91101	Granich Engineering Products, Inc	6/16/2023	\$4,884.47
91102	Gunarama Wholesale, Inc.	6/16/2023	\$15,154.43
91103	H. D. FOWLER	6/16/2023	\$54.15
91104	Iron Mountain	6/16/2023	\$604.48
91105	Kaino, Kris A.	6/16/2023	\$297.71
91106	L.N. Curtis & Sons	6/16/2023	\$452.18
91107	Mallory Safety and Supply LLC	6/16/2023	\$677.80
91108	MANSFIELD ALARM CO, INC	6/16/2023	\$115.00
91109	Meiing, Casey	6/16/2023	\$142.96
91110	Mettler-Toledo, LLC	6/16/2023	\$123.63
91111	Oman & Son Builders	6/16/2023	\$339.94
91112	Pacific County Emergency Management Agency	6/16/2023	\$1,062.02
		6/16/2023	\$4,249.00
91113	Pacific Office Automation	6/16/2023	\$1,091.39
91114	Parke, Greg	6/16/2023	\$250.00
91115	Peninsula Sanitation	6/16/2023	\$4,285.41
91116	Peninsula Visitors Bureau	6/16/2023	\$28,500.00
91117	Phillips, John	6/16/2023	\$296.95
91118	Postmaster	6/16/2023	\$178.00
91119	Powell, Seiler & Co., P.S	6/16/2023	\$11,685.00
91120	PPG - Ennis-Flint, Inc.	6/16/2023	\$1,549.34
91121	Pro-Vac	6/16/2023	\$32,923.20
91122	Public Utility District 2	6/16/2023	\$1,784.03
91123	Quill Corporation	6/16/2023	\$149.07
91124	Sea Western Fire	6/16/2023	\$908.42
91125	Symbol Arts	6/16/2023	\$3,189.98
91126	Systems Interface Inc.	6/16/2023	\$12,163.55
91127	Taft Plumbing	6/16/2023	\$220.49
91128	Tangly Cottage Garden	6/16/2023	\$1,069.46
91129	Tri-Tech Forensics, Inc.	6/16/2023	\$498.00
91130	Visa	6/16/2023	\$6,419.55
91131	Wahkiakum West Internet	6/16/2023	\$595.00
91132	Washington State Criminal Justice Training Commission	6/16/2023	\$100.00
91133	Wex Bank	6/16/2023	\$3,000.00

Execution Time: 27 second(s)

91134
91135

Wilcox & Flegel Oil Co.
Wirkkala Construction

6/16/2023
6/16/2023

\$3,027.91
\$7,367.11

Total
Grand Total

Check
\$331,334.67
\$331,334.67

TAB - B



**CITY COUNCIL
AGENDA BILL
AB 23-29**

Meeting Date: June 20, 2023

AGENDA ITEM INFORMATION

**SUBJECT: PUBLIC
HEARING Resolution
2023-05 – Six-year
Transportation
Improvement Plan**

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Police Chief

Public Works Director

BL

COST: N/A

SUMMARY STATEMENT: RCW 35.77.010 requires Cities to adopt a “Six Year Street and Arterial Street Plan” each year. This is the updated Resolution for 2024.

RECOMMENDED ACTION: Adopt Resolution 2023-05 approving the six-year transportation improvement plan 2024-2029.

RESOLUTION 2023-05

WHEREAS, pursuant to the requirements of Section 35.77.010 of the Revised Code of Washington, the City of Long Beach, Washington did prepare a revised comprehensive street and arterial street program for the ensuing six years; and,

WHEREAS, pursuant to said RCW, the City Council of the City of Long Beach, did hold a public hearing on June 20th, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON, that the Six Year Street and Arterial Street Plan, as attached to this Resolution, is hereby adopted and that a copy of said plan shall be filed with the Department of Transportation. Further this resolution amends all resolutions in conflict herewith.

Adopted this 20^h Day of June, 2023.

AYES

NAYS

ABSENT

Jerry Phillips, Mayor

ATTEST:

Jessie Hermens, City Clerk

A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, ADOPTING THE
SIX YEAR TRANSPORTATION IMPROVEMENT PLAN
FOR THE PERIOD JULY 2023 THROUGH JUNE 2029

PROJECT ITEM	DETAIL	ESTIMATED COST	FUNDING YEAR	POTENTIAL SOURCES FOR FUNDS	COMMENT
Single Layer Chip with Fog Coat/Seal	Ocean Beach Blvd – 51 st Place (City Limit) to 10 th Street South (Sid Snyder)	\$25,175	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	Ocean Beach Blvd – 10 th Street S (Sid Snyder) to Bolstad Avenue	\$31,541	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	Ocean Beach Blvd – Bolstad Avenue to 3 rd Street N	\$12,483	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	Ocean Beach Blvd – 3 rd Street N to Pioneer Avenue	\$62,822	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	3 rd Street N – Ocean Beach Blvd to Pacific Avenue	\$4,161	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023

Single Layer Chip with Fog Coat/Seal	4 th Street N – Ocean Beach Blvd to Pacific Avenue	\$1,087	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	5 th Street N – West End to Pacific Avenue	\$16,249	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Moved to 2023 from 2025. Asphalt overlay to Single Layer Chip with Fog Coat
Single Layer Chip with Fog Coat/Seal	5 th Street N – Pacific Avenue to Washington Avenue	\$4,941	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	9 th Street N – Ocean beach Blvd to Pacific Avenue	\$1,087	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	9 th Street N – East End to Pacific Avenue,	\$8,125	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	
Single Layer Chip with Fog Coat/Seal	12 th Street N – Ocean Beach Blvd to Pacific Avenue	\$1,087	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip	12 th Street N – Pacific Avenue to Washington Avenue	\$4,941	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation	Added in 2023

with Fog Coat/Seal					Benefit District, City Funds – Streets, Property Taxes	
Single Layer Chip with Fog Coat/Seal	12 th Street N – Washington Avenue to East End	\$2,445	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	18 th Street N – Ocean Beach Blvd to Pacific Avenue	\$1,087	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	18 th Street N – West End to Ocean Beach Blvd	\$3,433	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	22 nd Street N – Pacific Avenue to Washington Avenue	\$4,447	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	23 rd Street N – Pacific Avenue to Washington Avenue	\$6,086	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	25 nd Street N – Pacific Avenue to Washington Avenue	\$4,447	2023		TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023

Single Layer Chip with Fog Coat/Seal	26nd Street N – Pacific Avenue to Washington Avenue	\$4,447	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023
Single Layer Chip with Fog Coat/Seal	Pioneer Road – East City Boundary to Ocean Beach Boulevard	\$11,999	2023	TIB Grant with County Resources (Interlocal Agreement), Transportation Benefit District, City Funds – Streets, Property Taxes	Added in 2023, County will be doing a Single Layer Chip on Pioneer from Sandridge to City Line. City will do their portion from City Line to Ocean Beach Blvd
Single Layer Chip with Fog Coat/Seal	4th Street N – Oregon Avenue to Washington Avenue	\$2,223	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Delay 2024. Single layer chip seal with fog coat.
Zipper Grind with Double Chip Seal & Fog Coat	5th Street N – East End to Washington Avenue	\$15,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Delay 2024. Consider a Zipper grind, reset base, double chip with fog coat. (County)
Zipper Grind with Double Chip Seal & Fog Coat	7th Street N – East End to Washington Avenue	\$15,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Delay 2024. Asphalt Overlay to Single Layer Chip with Fog Coat or Zipper grind, reset base, double chip with fog coat. (County)

Single Layer Chip with Fog Coat/Seal	22 nd Street N – Ocean Beach Blvd to Pacific Avenue	\$988	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Hold Off / Consider for 2024 or 2025, after OB Blvd Pioneer to 26 th Project
Single Layer Chip with Fog Coat/Seal	23 rd Street N – Ocean Beach Blvd to Pacific Avenue	\$988	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Hold Off / Consider for 2024 or 2025, after OB Blvd Pioneer to 26 th Project
Asphalt Overlay	4 th Street S – Oregon Avenue to Washington Avenue	\$38,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Delay to 2024. Relatively unimproved. Single lane. Possible change in tactic for maintenance solution.
Asphalt Overlay	11 th Street S – Ocean Beach Blvd to California Avenue	\$46,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Delay to 2024. Consider possible change in tactic for maintenance solution. Single Layer Chip Seal with Fog Coat.
Asphalt Overlay	Shoreview Drive – 14 th Street N to 16 th Street N	\$114,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	Oregon Avenue – 10 th Street N to 13 th Street N	\$166,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	11 th Street S – Idaho Avenue to Washington Avenue	\$46,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	17 th Street S – Idaho Avenue to Washington Avenue	\$46,000	2024	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.

Asphalt Overlay	Washington Avenue – Pioneer Road to 26 th Street N	\$240,000	2025	Transportation Improvement Board (Low Interest Loan), TBD, City Funds – Streets, Property Taxes	Delay. Moved to 2025, may consider an alternative method for street restoration. Need to determine road base condition. Utility infrastructure improvements needed.
Asphalt Overlay	28 th Street N – Pacific Way to West End	\$246,000	2025	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	26 th Street N – Pacific Way to Breakers	\$84,000	2026	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	15 th Street S – Washington Avenue to West End	\$46,000	2026	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	15 th Street S – California Avenue to Ocean Beach Blvd	\$46,000	2026	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	3 rd Street S – Oregon Avenue to Pacific Way	\$58,000	2027	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	7 th Street S – Oregon Avenue to Pacific Way	\$56,000	2027	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	8 th Street S – Oregon Avenue to Pacific Way	\$56,000	2027	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.

Asphalt Overlay	Washington Avenue – 3 rd Street N to Sid Snyder	\$610,000	2028	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
Asphalt Overlay	Washington Avenue – 16 th Street N to 3 rd Street N	\$610,000	2029	Transportation Improvement Board, TBD, City Funds – Streets, Property Taxes	Possible change in tactic for maintenance solution.
	Project Year – Estimated Total Cost	\$212,090	2023		
		\$490,199	2024		
		\$486,000	2025		
		\$176,000	2026		
		\$170,000	2027		
		\$610,000	2028		
		\$610,000	2029		
		\$2,754,289	All Years		
	Updated 6/1/2023 - BL Next Amendment – 1Q 2024				

TAB - C



**CITY COUNCIL
AGENDA BILL
AB 23-30**

Meeting Date: June 20, 2023

AGENDA ITEM INFORMATION

***SUBJECT: WS Parks
beach approach
maintenance agreement.***

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

AS

Public Work Director

Fire Chief

Police Chief

COST: \$22,000

SUMMARY STATEMENT: Attached is an interagency agreement with Washington State Parks and Recreation to have the city maintain the Bolstad and Sid Snyder approaches for calendar years 2023 through 2025. This agreement has been in place for 20 plus years and has worked well for both parties. The duration and terms of the agreement have stayed the same.

RECOMMENDED ACTION: Authorize staff to sign the agreement



INTERAGENCY AGREEMENT
Between
WASHINGTON STATE PARKS AND RECREATION COMMISSION
And
CITY OF LONG BEACH

AGREEMENT NO. IA 325-002

THIS AGREEMENT is made and entered into by and between the Washington State Parks and Recreation Commission, hereinafter referred to as "State Parks," and City of Long Beach hereinafter referred to as the "City".

This agreement is authorized to be entered into through Chapter 39.34 RCW, the Interlocal Cooperation Act.

IT IS THE PURPOSE OF THIS AGREEMENT to provide the professional expertise that does not exist within the limited staff availability of State Parks and that the City can perform on a mutually beneficial basis.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

The City shall furnish the necessary personnel, equipment, material, and/or services and otherwise do all things necessary for or incidental to the performance of the work set forth in the below scope of work:

The Ocean Beach Approach (OBA) roads, defined as the section of the OBA that provides beach access between the November 11, 1889 line, or ordinary high tide, or westerly from the last point of development or private access, whichever is furthest west and the existing high tide line as is now, or may be.

The City shall continue to maintain all OBA's at the expense of the City. State Parks, subject to the availability of State funds, shall reimburse the City for City maintenance during the fiscal years of 2023-2024 and 2024-2025, ending June 30, 2025, for the OBA's as follows:

City of Long Beach

- (1) Bolstad - fifty (25) foot centerline of OBA
- (2) 10th Street – seventy-five total width, (37.5) feet centerline of OBA

The City will maintain the OBA's designated by this Agreement for public access as needed for each individual OBA. The amount of expected public usage will determine the degree of maintenance for an OBA. The City maintenance policy is to keep the OBA's accessible when the OBA has high demand for usage and to not maintain when usage falls to low demand.

State Parks shall post the OBA's with the necessary signs, covering such regulations of the State as are now in effect, provided that the City will contact State Parks to put up warning signs, if the City notices that an OBA is dangerous for current use, at any given time.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on July 1, 2023, and be completed on June 30, 2025, unless terminated sooner as provided herein.

This Agreement shall automatically expire on June 30, 2025, unless otherwise extended by amendment.

PAYMENT

Compensation for the work provided in accordance with this agreement has been established under the terms of RCW 39.34.130. The parties have estimated that the cost of accomplishing the work herein will not exceed **Twenty-Two Thousand, and No/100ths Dollars (\$22,000.00)**. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree to a higher amount prior to the commencement of any work which will cause the maximum payment to be exceeded.

BILLING PROCEDURE

The City shall submit invoices no more often than monthly. Payment to the City for approved and completed work will be made by warrant or account transfer by State Parks within 30 days of receipt of the invoice. Upon expiration of the contract, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

RECORDS MAINTENANCE

The parties to this contract shall each maintain books, records, documents and other evidence which sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the services described herein. These records shall be subject to inspection, review or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration and the Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period.

Records and other documents, in any medium, furnished by one party to this agreement to the other party, will remain the property of the furnishing party, unless otherwise agreed. The receiving party will not disclose or make available this material to any third parties without first giving notice to the furnishing party and giving it a reasonable opportunity to respond. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties.

RIGHTS IN DATA

Unless otherwise provided, data which originates from this Agreement shall be "works for hire" as defined by the U.S. Copyright Act of 1976 and shall be owned by the state of Washington. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights.

INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

AGREEMENT ALTERATIONS AND AMENDMENTS

This agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

TERMINATION

Either party may terminate this Agreement upon 30 days' prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

INDEMNIFICATION

Each party shall be responsible for the actions and inactions of itself and its own officers, employees, and agents acting within the scope of their authority.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within fifteen (15) working days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, contract terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

GOVERNANCE

This contract is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this agreement shall be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- a. applicable state and federal statutes and rules;
- b. statement of work; and
- c. any other provisions of the agreement, including materials incorporated by reference.

ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

WAIVER

A failure by either party to exercise its rights under this agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

PROJECT MANAGEMENT

The project representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Project Representative for City is: David Glasson, City Administrator, (360) 642-4421

The Project Representative for State Parks is: Jay Carmony, Assistant Region Manager, (360) 725-9773

IN WITNESS WHEREOF, the parties have executed this Agreement.

City of Long Beach

Washington State Parks and
Recreation Commission

By: _____

By: _____

Title: _____

Manager, Contracts,
Title: Grants & Procurement Services

Date: _____

Date: _____

Approved As To Form:
William Van Hook
Asst. Attorney General
02/20/07

TAB - D

City of Long Beach
Department of Community Development

STAFF REPORT

TO: Long Beach City Council
FROM: Ariel Smith, Community Development Director
SUBJECT: Case No. VAC 2023-01
Vacation of Right-of-Way—north portion of 19th ST SE
PETITIONER: Barry Hess
SITE ADDRESS: Northern 25 feet of 19th Street Southeast from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 4,875 square feet.
The subject property is located on Block 76, Lots 1, 2, 5 & 6 , Plat of Seaview 2nd Addition, of Long Beach, Pacific County, Washington.
DATE: June 20, 2023

BACKGROUND

The owner of 1820 Pacific Ave S has petitioned to vacate the north side of 19th ST SE Right-of-way between Pacific Highway and Washington Ave S (ROW) [location map attached]:

- Northern twenty-five feet (25') of the right-of-way of 19th Street Southeast, from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 4,875 square feet.

The vacated property would be joined with the petitioner's parcel(s), APN(s) 73026076001. This ROW would be used to meet landscaping and stormwater requirements. Below is a discussion of existing infrastructure located within the subject ROW.

PROPERTY DETAILS

Comprehensive Plan Map Future Land Use Designation: Commercial

Shoreline Master Program: Not applicable

SEPA: Not applicable

Zoning of Adjacent Property:

- North, south, west are all C1 –Commercial, the property to the east is R2 – Two-Family Residential

Site Description: The proposed ROW vacation is comprised of 4,875 square feet (SF), 25' X 195' trending east-west along 19th ST SE. The vacated ROW(s) would be joined with the applicant's property, which is (100' X 200'). The lot will soon house Napa Auto Parts.

Vicinity Characteristics:

AREA	LAND USE PLAN	ZONING	EXISTING CONDITIONS
NORTH	Commercial	C1	Vacant
SOUTH	Commercial	C1	Auto-Body Shop
EAST	Residential Two-Family	R2	Residential
WEST	Commercial	C1	Restaurant

Utilities and Services:

<u>Water:</u>	City water available
<u>Sewer:</u>	Seaview sewer available
<u>Transportation:</u>	Property has frontage on Pacific Hwy N and Washington Ave S
<u>Public Education:</u>	Ocean Beach School District
<u>Electricity:</u>	PUD No. 2 electricity available at site
<u>Storm water and Drainage:</u>	Drainage requirements will be met on-site
<u>Cable:</u>	Charter Cable and several satellite providers available
<u>Solid Waste:</u>	Area served by Peninsula Sanitation
<u>Police and Fire:</u>	City of Long Beach
<u>Medical and Emergency Facilities:</u>	City of Long Beach EMS, Medix Ambulance Service, and Ocean Beach Hospital District
<u>Library:</u>	Timberland Regional Library in Ilwaco and Ocean Park.

Public Parks and

Recreation Area(s): Numerous park and recreation areas within the City of Long Beach and within Pacific County

Public Transit: Pacific Transit District service available, including Dial-A-Ride

PROCEDURAL INFORMATION

Authorizing Ordinances

Title 11, Unified Development, of the of Long Beach City Code, and more specifically as follows:

City Code Section 11-6C-1 allows an abutting property owner to petition the City Council to vacate all or portions of street or alley ROWs;

City Code Sections 11-6C-2, 3, and 4 set forth procedures for evaluating the vacation of a street or alley; and

City Code Sections 11-6C-6, 7, and 8 set forth how title, zoning, and vested rights are to be handled for vacated property.

This petition is required pursuant to **City Code Section 11-6C-1(A)**. Other applicable City regulations and guidelines are as follows:

- City of Long Beach Comprehensive Plan
- City of Long Beach Unified Development Regulations

Process to Date

May 10, 2023: Petition received by City to vacate the north portion of 19th ST SE [attached],

May 10, 2023: City Administrator notified

May 15, 2023: City Council considered the vacation during an on-site workshop.

May 22, 2023: City looked at utility GIS to determine if ROW vacation interfered with any services; PUD notified the City that there is power service in both ROW(s).

June 5, 2023: City Council considered and passed Agenda Bill (AB) 23-24, which approved Resolution 2023-04 [both attached], establishing July 3, 2023 as the day for a public hearing and possible decision. That hearing date was not less than twenty (20) days and not more than sixty (60) days from the date of the passage of said resolution.

June 6, 2023: The City posted a public notice [attached] at the subject property, Long Beach City Hall, the Long Beach Post Office, and the Long Beach Police Department. The City also requested the Chinook Observer publish the notice on June 14 and June 21, 2023.

July 3, 2023: The Council is expected to conduct a public hearing to take public input and may decide to close or continue the hearing.

July 17, 2023: This is the date slated for the Council to decide on this matter, barring continuation of the public hearing.

Materials Submitted

The petitioner submitted the following in support of the subject request for approval:

- Petition (letter)

ANALYSIS

Regarding street or alley vacations, the Long Beach City Code restricts itself to procedural requirements and provides no guidance regarding what the City Council must consider when deciding whether or not to vacate ROWs. It is left to the City Council to make this decision based on the Council's judgment of what is in the best interest of the City. The following analysis provides input from key staff, identifies procedural requirements, and identifies relevant portions of the City's Comprehensive Plan. This analysis is intended to aid the Council's decision by identifying potential costs and benefits of this proposed partial street vacation. Where City Code or Comprehensive Plan references are relevant, they appear [in brackets].

I. Staff Input

Fire Chief: Chief Kyle Jewell has no comments and identified no issues with the requested vacation.

There would still be a 25' ROW which provides enough access for any fire vehicle. The city is proposing vacating only 10' of the ROW.

Public Works Director, Brian Loos, notes that there are utilities surrounding this property. None of which would conflict with this vacation. Please see attached utility map.

There was a locate called in for the property on June 7, 2023 which called out all the utilities in 19th ST SE. The city would prefer to only vacate the northern 10' to leave access to the current utilities.

II. Comprehensive Plan

This request is consistent with the City's Comprehensive Plan and supports the plan's strategies.

III. City Code

The owners of an interest in any real estate abutting upon any street or alley may petition the City Council to make vacation, giving a description of the property to be vacated. The petition must be filed with the City Administrator. [City Code Section 11-6C-1(A), (C)]

On May 10, 2023, the applicant on behalf of the property owner to the north, filed a petition with the City requesting partial street vacation, and described the property desired to be vacated. At that time, the proper utilities were contacted for a locate to ensure that this vacation would not impact any existing services.

If the petition is signed by the owners of more than two-thirds (2/3) of the properties abutting upon the street or alley sought to be vacated, the City Council shall by resolution set a date when the petition will be heard at a public hearing and decided upon. The date shall be not more than sixty (60) days nor less than twenty (20) days after the date of the passage of such resolution. [City Code Section at 11-6C-2]

The petitioner owns 100% of the property adjoining that portion of 19th ST SE, and the City Council is required to set a date for a public hearing on the matter. On June 5, 2023, the Long Beach City Council approved AB 23-24, passing Resolution 2023-04. That resolution fixed the date of a public hearing to hear input on the proposed vacation and to possibly decide the issue. The resolution as approved conforms to code.

Upon passage of the resolution, the City Administrator must post notice of the petition in three (3) public places in the city and a notice in a conspicuous place on the street or alley sought to be vacated. The notice must contain:

1. A statement that a petition has been filed to vacate the street or alley described in the notice; and
2. A statement of the time and place fixed for the hearing of the petition. [City code at 11-6C-3(A)]

On or about June 6, 2023, the City posted notice of the public hearing, including a description of the property proposed to be vacated, as well as a description of the date, time, and location of the hearing in three (3) public locations in the city, plus one on the property proposed to be vacated. In addition, on June 6, 2023, the City requested the Chinook Observer publish the notice in its June 14th and 21st, editions. The notice as stated and posted conforms to code.

If fifty percent (50%) of the abutting property owners file written objection to the proposed vacation with the City Administrator prior to the time of the hearing, the city will not proceed with the resolution. [City code at 11-6C-3(C)]

The adjacent property owners have not made any comments at this time.

Ordinance Required: The hearing on the petition must be held by the City Council. If the City Council decides to grant the petition or any part of it, the City Council may by ordinance vacate the street or alley. The ordinance may provide that it will not become effective until the owners of property abutting upon the street or alley so vacated will compensate the City in an amount which does not exceed one-half (½) the appraised value of the area so vacated, except in the event the subject property was acquired at public expense. Compensation may be required in an amount equal to the full appraised value of the vacation; provided, that the ordinance may provide that the City retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services. [11-6C-4(A)] The City also requires that vacation of streets that abut water be in the full amount.

The City Council is scheduled to conclude a public hearing on this matter at its regularly scheduled meeting on July 3, 2023. After that hearing, should the City decide to pass an ordinance and vacate a portion of the subject ROW, the applicants shall have conducted an appraisal of the market value of the area to be vacated. Since the subject ROW was not purchased at public expense, and because this ROW does not directly lead to the ocean as

defined in City Code, Council would be allowed to ask the applicant to pay up to a maximum of ½ the market value.

The initiating party shall be responsible for the payment of all costs associated with the vacation, including the appraisal of the property. [11-6C-4(A)(1)]

If Council grants the vacation and passes an ordinance, the petitioners must pay to have an appraisal conducted to establish the value of the property to be vacated. Alternatively, the Council and petitioners may mutually agree to use a recent valuation conducted by Pacific Realty, which fixed the full market value at \$75,900. Therefore, with ½ market value as the maximum amount allowed to be charged, the amount to be charged would be \$37,950. If the city were to only vacate the northern 10' the market value would be \$30,360 and ½ is \$15,180.

The amount a petitioner must pay for a vacated ROW up to the maximum is entirely up to Council.

Record Ordinance: A certified copy of the ordinance must be recorded by the City Clerk-Treasurer with the Pacific County Auditor's Office. [11-6C-4(B)]

This is a staff task, and if the transaction is completed, staff will record a certified copy of the ordinance with Pacific County. The petitioner will pay any recording costs.

Title to Vacated Street or Alley: If any street or alley is vacated by the City Council, the property within the limits so vacated will belong to the abutting property owners. [11-6C-6]

If the City Council vacates the north portion of the 19th ST SE ROW as requested, the property would be owned by the petitioners or subsequent owners of the property to which the vacated land is joined.

Zoning of Vacated Street or Alley: The zoning of vacated ROWs shall be the same as that of the abutting property to which it will belong. [11-6C-7]

If the City Council vacates the north portion of the 19th ST SE ROW as requested, that property would be zoned C1—Commercial.

SUMMARY

Northern 25 feet of 19th Street Southeast from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 4,875 square feet. This could create access issues for utility access, the owner would need to grant easements for those utilities.

SUGGESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW

I. Suggested Findings of Fact

Staff provides the City Council of the City of Long Beach, Washington, the following suggested findings of fact and APPROVE a portion of Case No. VAC 2023-01. If any Findings of Fact herein are deemed Conclusions of Law, they are incorporated into the Conclusions of Law for this decision.

1. **Petition.** The City Council finds the petition comprises the following:
 - 1.1 A letter from petitioner Andrew Gunther on owner Barry Hess' behalf , May 10, 2023.
 - 1.2 All other information contained in Case File No. VAC 2023-01.
2. **Procedures.** The Council finds the following procedures were followed:
 - 2.1 On May 10, 2023, petition (completed) was received by the City.
 - 2.2 On May 10, 2023, the City Administrator was notified.
 - 2.3 On May 22, 2023 the City Administrator consulted with City Department Heads, Public Utility District No. 2 of Pacific County, and CenturyTel regarding this ROW.
 - 2.4 On June 5, 2023, the City Council approved Resolution 2023-04, setting the time and place for a public hearing on the matter.
 - 2.6 On or soon after June 6, 2023, the City posted notice of the hearing at the subject site, the Long Beach Post Office, the Long Beach Police Station, and Long Beach City Hall. The City also requested the Chinook Observer publish the notice in its June 14 and June 21, 2023 issues. The notice includes a statement of the proposal, a description of the land proposed to be vacated, as well as a map. The notice also includes instruction on how to submit comments on the proposal.
 - 2.7 On July 3, 2023, the Long Beach City Council opened and conducted a public hearing at or soon after 7 PM to take public comment on this matter.

3. **Proposal.** The City Council finds the following regarding the proposed street vacations:
- 3.1 The petitioner's request and City staff recommend that Council vacate the following, with transfer of title to the petitioners and all rights thereto:
- Northern 25 feet of 19th Street Southeast from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 4,875 square feet.
- 3.2 The petitioners shall pay for all costs associated with this proposal, including but not limited to noticing fees and appraisal costs if granted.
- 3.3 The petitioner shall pay the City up to a maximum of 50% of the appraised value of the subject property if granted.
4. **Property characteristics.** The City Council finds the following regarding the subject property:
- 4.1 Northern 25' feet of 19th Street Southeast from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 4,875 square feet in the C1 –Commercial zone. The subject property is located on Block 76, Lots 1, 2, 5 & 6 , Plat of Seaview 2nd Addition, of Long Beach, Pacific County, Washington.
- Characteristics of the property to which the vacated land would become part are as follows:
- 4.2.1 The parcel(s) is 100' X 195'.
- 4.2.2 The lot currently is undeveloped.
- 4.2.3 The parcel is essentially flat.
- 4.2.4 The parcel is served with City and does not currently have utility connections.
5. **Subject property land use and zoning.** The City Council finds the following regarding the land use and zoning of the property proposed for vacation:
- 5.1 The subject property is located adjacent to the C1—Commercial zone pursuant to the City's zoning regulations.
- 5.2 The subject property is located adjacent to property designated C1—Commercial on the future land use map of the Long Beach Comprehensive Plan.
- 5.3 The current land use of the subject property is undeveloped.

6. **Surrounding property land use and zoning.** The City Council finds the following regarding the land use and zoning of surrounding property:

AREA	LAND USE PLAN	ZONING	EXISTING CONDITIONS
NORTH	Commercial	C1	Vacant
SOUTH	Commercial	C1	Auto-Body Shop
EAST	Residential Two-Family	R2	Residential
WEST	Commercial	C1	Restaurant

7. **Services.** The City Council finds the following regarding services and utilities available to serve the proposed project:

- 7.1 Water is available from the City of Long Beach.
- 7.2 Sewer is available from Seaview Sewer District
- 7.3 Transportation: Existing from Pacific Hwy S
- 7.4 Public Education is provided by the Ocean Beach School District.
- 7.5 Electricity is available from Pacific County PUD No. 2.
- 7.6 Solid Waste is available from Peninsula Sanitation and service is already provided.
- 7.7 Police and Fire are provided by the City of Long Beach Police and City of Long Beach Fire Department.
- 7.8 Medical and Emergency Facilities are provided by the City of Long Beach EMS, Medix Ambulance Service, and Ocean Beach Hospital District No. 3.

8. **City Staff and PUD Input.** The City Council finds the following regarding staff and PUD input:

- 8.1 There is a power pole in the ROW with service to the city's sign.

9. **City's Comprehensive Plan.** The City Council finds the proposed project does comply with the City's Comprehensive Plan.

10. **City's Unified Development Regulations.** The City Council finds the proposal complies with the following relevant portions of the City's Unified Development Regulations:

- 10.1 11-6C-1(A), (C): Petition by owner.
- 10.2 11-6C-2: Setting date for hearing.

- 10.3 11-6C-3: Notice of hearing.
- 10.4 11-6C-4: Hearing; ordinance of vacation.
- 10.5 11-6C-6: Title to vacated street or alley.
- 10.6 11-6C-7: Zoning of vacated street or alley.

II. Suggested Conclusions of Law

Staff provides the Long Beach City Council the following suggested conclusions of law as input and APPROVE Case No. VAC 2023-01. The conclusions of law herein are made in reliance upon and with specific reference to and adoption of the Findings of Fact stated above, which are incorporated herein in their entirety by reference. If any Conclusions of Law herein are deemed Findings of Fact, they are incorporated into the Findings of Fact for this decision.

The City Council of the City of Long Beach, Washington, concludes the following regarding Case No. VAC 2023-01:

1. Case No. VAC 2023-01 complies with relevant portions of the Unified Development Regulations, adopted via Ordinance 848, as may be amended.

SUGGESTED RECOMMENDATION AND ACTION

Based on the analysis and suggested Findings of Fact and conclusions of law, above, staff recommends the City Council adopt the above Findings of Fact and APPROVE Case No. VAC 2023-01, including vacation of the following:

- Northern 10 feet of 19th Street Southeast from the southwestern property corner of parcel No. 73026076001 to the southeastern property corner of said parcel approximately 195 feet, encompassing an area of approximately 1,950 square feet.

ATTACHMENTS

1. Location map
2. Petition (letter)
3. AB 23-24
4. Resolution 2023-04
5. Notice of public hearing