

CITY OF GEARHART —

ON BEHALF OF THE GEARHART ST. VINCENT
DE PAUL FOOD PANTRY, THANK YOU FOR THE
GENEROUS GRANT.

YOUR SUPPORT OF OUR CAUSE WILL
MEAN FOOD ON THE TABLE FOR MANY IN
OUR LOCAL COMMUNITY.

WE FEEL VERY FORTUNATE TO BE ABLE
TO PASS ALONG THE HELP YOU PROVIDED
TO US.

THANK YOU!

SINCERELY,

Dona Marcina

ST. VINCENT DE PAUL FOOD PANTRY

September 15, 2021

Mayor Paulina Cockrum
Gearhart City Council
698 Pacific Way
Gearhart, Oregon 97138

Re: Proposed Noise Ordinance Amendment
Response to Brent Warren's letter dated September 5, 2021

Dear Mayor and City Council:

This letter is to respond to Councilor Warren's letter dated September 5, 2021 that was personally mailed to me. (copy enclosed) This apparently was not authorized by the rest of the city council. I find this action self-serving and not in the city's interest.

My contention was he had a conflict of interest, but it wasn't a direct monetary benefit. I should have used the term ex parte, to describe Warren's relationship with Sheila Nolan, who was the chief petitioner with the proposed noise ordinance. Ex parte contact involves bias, which is decided by a judge without requiring all the parties to the dispute to be present.

Moreover, the event of an actual or potential conflict of interest, a public official shall announce the nature of the conflict before taking any action thereof, refrain from participating in any discussion, vote or debate on the issue. (ORS ann. Chapter 244. 120)

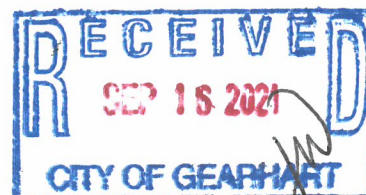
A page from the League of Oregon Cities, Ethics, Decorum, Outside Statements, states that complying with state ethics law, all members of the council shall refrain from taking action which benefits special interest groups or persons at the expense of the city as a whole and conducting themselves in a manner so as to bring discredit upon the government of the city.

I questioned how twenty people could change an ordinance by simply submitting a petition to the council. The 14th Amendment Due Process Clause prohibits state and local governments from depriving persons of life, liberty and property without fair procedure. The Equal Protection Clause requires each state to provide equal protection under the law to all people, including non-citizens. This clause has been the basis for many decisions rejecting irrational or unnecessary discrimination against people belonging to various groups.

The Noise Ordinance Amendment only affects general and landscape contractors. Imposing unreasonable requirements affects their right to earn a living. The 2014 Noise Ordinance was very well written and should not be changed. Thank you for considering these comments.

Sincerely,

Deanna Mancill
Deanna Mancill
2945 Hwy 101 North
Seaside, Oregon 97138
(503) 738-3021



September 5, 2021

Deanna Mancill
2945 Hwy 101 North
Gearhart, OR 97138

Dear Ms. Mancill,

Thank you for your letter to the City Council dated August 8, 2021. I hope you were able to attend the September 1 meeting remotely, but in case you did not I wanted to let you know that the letter was included in the City Council 9/1/2021 meeting packet and I was able to address some of the points you raised.

We have several points of agreement. The people of Gearhart deserve high standards of integrity in their government. Actual and potential conflicts of interest must be disclosed, and conflicted parties must recuse themselves from voting.

When the initial proposal to prohibit construction on Saturdays, Sundays and holidays was first brought forward by a large group of citizens from all over Gearhart, I ***DID*** disclose in an open city council meeting that my wife was one of the people actively involved in the initiative. As a relatively new city council appointee, I asked our city attorney for guidance regarding conflicts and voting recusal. The City Attorney asked, "Will you or your wife receive or potentially receive any financial benefit based on the outcome of the issue?" To which I responded, "No. we would not." The city attorney stated that I did not have any conflict of interest on this issue and that my wife did not give up her rights because her husband was a city councilor.

Our City Attorney went on to explain that generally all issues coming before the council broadly benefit the community and even though they may ***incidentally*** benefit council members, these situations cannot be considered conflicts of interest. Otherwise, almost all issues coming before the council would result in conflicts.

Thank you for your participation in our community.

Sincerely,



Brent Warren

CHAPTER 8 – Ethics, Decorum, Outside Statements

- I. Ethics.** All members of the council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:
- A. Disclosing confidential information.
 - B. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
 - C. Expressing an opinion contrary to the official position of the council without so saying.
 - D. Conducting themselves in a manner so as to bring discredit upon the government of the city.
- II. Decorum.**
- A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council.
 - B. Members of the council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
 - C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members of council.
- III. Statements to the Media and Other Organizations**
- A. Representing City. If a member of the council, to include the mayor, appears as a representative of the city before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council.
 - B. Personal Opinions. If a member of the council, to include the mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

Fwd: Gearhart zipcode issue

1 message

Chad Sweet <chadsweet@cityofgearhart.com>
To: Krysti Ficker <krysti@cityofgearhart.com>

Thu, Sep 9, 2021 at 3:50 PM

Add to correspondence

Chad

----- Forwarded message -----

From: **Mayeda, Ali VZ** <ali.mayeda@mail.house.gov>

Date: Thu, Sep 9, 2021 at 1:42 PM

Subject: Gearhart zipcode issue

To: Chad Sweet <chadsweet@cityofgearhart.com>, councilorcockrum@cityofgearhart.com <councilorcockrum@cityofgearhart.com>, Brent Warren <councilorwarren@cityofgearhart.com>

Hello Gearhart friends,

Councilor Warren brought the Gearhart zipcode issue to my attention- I'm sorry this has been so frustrating. It is possible to request a "zipcode boundary review" by writing to the District Manager for the region. The boundary review process requires any municipality and community group seeking a ZIP Code change to submit the request in writing to the manager of the district, with any rationale and

justification. This request can only be made once every ten years.

District Manager William Schwartz

7007 NE Cornfoot Rd. Dept. #100

Portland, OR. 97218-9300

Can the City prepare and send a request and send it to me as well? Then our office can elevate it as needed. The district manager must provide a determination within 60 days. If a request is feasible, USPC conducts a formal survey of customers who would be affected. If a simple majority of respondents support the change, USPS usually grants an approval.

Let me know if you have any questions!

Ali

Ali VZ Mayeda (she/her)

Deputy District Director

Congresswoman Suzanne Bonamici (OR-01)

Please note our office is currently closed and staff are working remotely.

Office: 503-469-6010



Contact: Su Coddington
City of Seaside CERT Team Leader
Phone (503) 440-7193 Cell
(503) 738-8787 Land Line
Alternate Contact: Lora VanNortwick
Phone (503) 440-8151

PRESS RELEASE

Headlines:

"Seaside CERT Team hosts Preparedness Event at Convention Center"

"Local geologist Tom Horning to speak on Earthquake and Tsunami Awareness 2021"

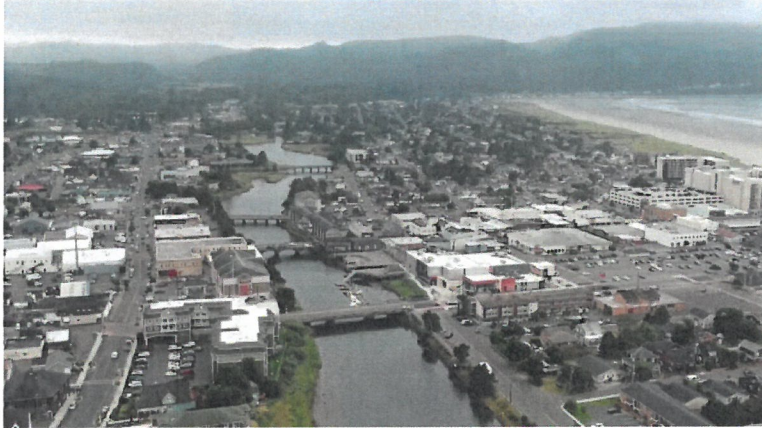
Adults and teenagers are invited to join Geologist Tom Horning for "Preparing for Tsunamis: How Soon and How Big?" on **Tuesday, Oct. 12 at 7 pm** in the Seaside Civic and Convention Center's Riverside Room. This familiar topic will have a new twist as Horning talks about the geology of the Cascadia Subduction Zone in 2021. He'll talk about earthquakes and tsunamis, how they happen, how often they happen and how you, your family and our community can be better "tsunami-prepared." This **free event** is hosted by the City of Seaside CERT team. Doors will open at 6:30.

Horning has a master's degree in geology from Oregon State University. After a varied career as an exploration geologist, he returned to Seaside in 1994 and became a natural hazards and geotechnical consultant doing business as Horning Geosciences. A Seaside native, he experienced the 1964 tsunami as a 10-year-old and is now active in trying to save lives in the tsunami zones in and around Seaside. If you haven't heard one of Horning's presentations on Seaside geology, you're in for an entertaining, eye-opening education. If you're new to the area or an old salt, this forum is a great opportunity to reconnect and hear some new developments on this very important topic.

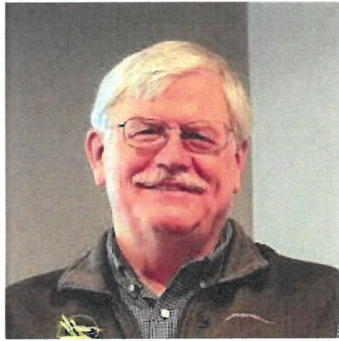
There will be maps and materials to take home as well as an example of an easy-to-assemble grab and go bag. Additionally, the STARS Amateur Ham Radio Club will be on hand to display Ham radio capabilities. CERT believes it is important to know the risks, learn what to expect and develop an emergency action strategy to plan ahead for disasters. Even if it's learning basic first aid, having a grab and go kit, or being "2 weeks ready" to shelter in place, they believe we all should be participants in keeping our community safe and healthy. The public is encouraged to come and join the discussion and new CERT members are always welcome. A question-and-

answer session will follow the presentation. Distancing and masking guidelines will be observed. Note: This event is intended for ages 15 and up. **The Seaside Civic and Convention center is located at 415 1st Avenue in Seaside.**

Graphics



Arial photo of City of Seaside (KOIN)



Tom Horning





To: Mayor Cockrum, City councilors, Chad Sweet.

From: Sharon Kloefer

Regarding: City vegetation

One of our beautiful city's most valuable assets is its mature vegetation, including our magnificent mature spruces. Not only does this vegetation create a pleasing aesthetic and a carbon sink, but it increases our property values by 3-5%.

I am writing because of my concern that this vegetation is being systematically wiped out. Since moving here six years ago, I have seen at least 40 old growth trees cut down and numerous areas of vegetation dug up. Most recently, 2 lots were cut and graded to bare earth on Fifer. This included a spruce that was about 5 feet in diameter, allegedly because it was rotten. If these practices continue, we will eventually have a completely sanitized town.

Our ordinances allow this to happen as they are currently written, so Chad is unable to enforce any protection, except in the Neacoxie Riparian zone. Most importantly, this decimation is not in keeping with the mandates of the Comprehensive Plan, which puts forth wording in many places regarding the value of flora and fauna and the necessity of protecting these assets.

The ordinances should reflect the values of the Comp Plan. A tree board could right this wrong. Please move forward in this direction. Thank-you.