



AGENDA

Long Beach City Council Workshop at 5:00 p.m.
Long Beach City Council Meeting
Regular City Council March 17, 2014 at 7:00 p.m.
Long Beach City Hall - Council Chambers
115 Bolstad Avenue West

5:00 PM CALL TO ORDER

+ WS 14-03 – Skate Park concepts - TAB – A

7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order Mayor Andrew, Council Member Linhart, Council Member Hanson,
And roll call Council Member Perez, Council Member Murry, and Council Member Phillips

CONSENT AGENDA - TAB - B

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, March 3, 2014 Regular City Council meeting.
- Payment Approval List for Warrant Registers 53953 - 5400 & 75849–75927 for \$225,885.47

BUSINESS

- AB 14-21 – Case No. SUP 2014-01 request for outdoor vending – TAB - C
- AB 14-22 – Outrunning Poverty 5K run/walk – TAB –D
- AB 14-23 – Continuation of Public Hearing on street vacation – TAB – E
- AB 14-24 – Permit for Temporary Land Use (event) in S3R Zone – TAB – F
- AB 14-25 – Outdoor vending for Fireworks Case No. SUP 2014-03 – TAB – G
- AB 14-26 – Request for additional funding for Kite Museum – TAB – H
- AB 14-27 – Firewood harvesting hold harmless agreement – TAB - I

ORAL REPORTS

- City Council Mayor City Administrator Department Heads

CORRESPONDENCE AND WRITTEN REPORTS – TAB – J

- Correspondence – Police monthly report
- Correspondence – Note of appreciation
- Business License – Big Tuna; Ocean Park
- Business License – Clint Carter; 107 3rd St SE
- Business License – Pacific Inspector LLC; Chinook, WA

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 commencing at 6:00 PM.

April 7, 2014 – 7:00 pm – City Council Meeting

April 21, 2014 – 7:00 pm- City Council Meeting

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not 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 five 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.

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 Clerk at the meeting.

TAB - A



**CITY COUNCIL
WORKSHOP BILL
WS 14-03**

Meeting Date: March 17, 2014

AGENDA ITEM INFORMATION

SUBJECT: Skate Park concepts	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A	Other: Council Member Murry	DM

SUMMARY STATEMENT: I believe everyone has the memo from a couple of weeks ago...thanks Gene

TAB - B

LONG BEACH CITY COUNCIL MEETING

MARCH 3, 2014

CALL TO ORDER

Mayor Andrew called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance.

ROLL CALL

Gene Miles, City Administrator, called roll with C. Linhart, C. Hanson, C. Perez, C. Murry and Mayor Andrew present. C. Phillips was absent.

CONSENT AGENDA

Minutes, February 18, 2014 Regular City Council meeting
Payment Approval List for Warrant Registers 53913-53952 & 75872-75848 for \$183,178.70
C. Linhart made the motion and C. Hanson seconded to approve the consent agenda. 4 Ayes 0 Nays 1 Absent (C. Phillips), motion passed.

BUSINESS

AB 14-18 4th of July Fireworks Contract 2014

Gene Miles, City Administrator, presented the agenda bill. Staff believes the city has had excellent service and a great show in the past. **C. Hanson made the motion to approve the contract with C. Linhart seconding the motion. 4Ayes 0 Nays 1 Absent (C. Philips) motion passed.**

AB 14-19 Visitor Bureau Contract 2014

Gene Miles, City Administrator, presented the agenda bill explaining the contract is basically the same as the contract that was agreed upon last year and updated to include 2014 budgeted items. **C. Hanson made the motion to approve \$155,000 with the Special Projects section totaling \$20,000 needing more clarification. C. Linhart seconded the motion. 4 Ayes 0 Nays 1 Absent (C. Phillips) motion passed.**

AB 14-20 9th Street Northeast Partial Street Vacation – Public Hearing

Gayle Borchard, Community Development Director, presented the agenda bill. Mayor Andrew opened the public hearing and asked for comments. Mary Kay Ramage is in favor of the street vacation. The agenda bill will be continued to March 17, 2014 city council meeting.

AB 14-21 Peninsula Poverty Response 5K Run

Alanna Shea, representing Peninsula Poverty Response 5K run, is asking that the Bolstad beach approach be closed April 26, 2014 from 7:30 a.m. to Noon. **C. Hanson made the motion to approve with C. Linhart seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Phillips) motion passed.**

ORAL REPORTS

C. Murry, C. Perez, Mayor Andrew, Gene Miles, City Administrator, Gayle Borchard, Community Development Director and Ragan Myers, Events Coordinator presented oral reports.

CORRESPONDENCE AND WRITTEN REPORTS

Sales and Lodging Tax Reports for February 2014
Drinking Fountain and Foot Wash Station at Sid Snyder Restrooms
Correspondence – 2014 AWC Board of Directors Recruitment
Correspondence – Loyalty Days 2014 Table Sponsorship
Correspondence – Clam Festival Request
Business License – Dr. Roof, Inc. -1819 Pacific Avenue South
Business License – Milguard Manufacturing – Outside City Limits

PUBLIC COMMENT

Robyn Schneider, Clam Festival Co-Chair, spoke on the Clam Festival.

ADJOURNMENT

**C. Linhart made the motion to adjourn at 7:47 p.m. with C. Hanson seconding the motion. 4 Ayes
0 Nays 1 Absent (C. Phillips) motion passed.**

Mayor

ATTEST:

City Clerk



Warrant Register

Check Periods: 2014 - March - 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.

Number	Name	Print Date	Clearing Date	Amount
53953	Andrew, Robert E.	3/5/2014		\$395.45
53954	Bell, Helen S	3/5/2014		\$878.14
53955	Binion, Jacob	3/5/2014		\$1,511.36
53956	Bledsoe, Linda	3/5/2014		\$817.64
53957	Bonney, Matthew T	3/5/2014		\$919.43
53958	Booi, Kristopher A	3/5/2014		\$934.95
53959	Borchard, Gayle	3/5/2014		\$1,966.26
53960	Cutting, Jeffrey G.	3/5/2014		\$2,126.28
53961	Fitzgerald, Rick E.	3/5/2014		\$1,424.64
53962	Gilbertson, Bradley K	3/5/2014		\$1,351.61
53963	Glasson, David R.	3/5/2014		\$2,492.90
53964	Goulter, John R.	3/5/2014		\$1,564.81
53965	Gray, Karen	3/5/2014		\$736.44
53966	Hanson, natalie	3/5/2014		\$262.81
53967	Huff, Timothy M.	3/5/2014		\$1,466.64
53968	Kaino, Kris	3/5/2014		\$1,015.75
53969	Kirby, Gary E	3/5/2014		\$861.35
53970	Kitzman, Michael	3/5/2014		\$2,099.53
53971	Linhart, Steven P	3/5/2014		\$266.95
53972	Luehe, Paul J	3/5/2014		\$1,459.49
53973	Meling, Casey K	3/5/2014		\$1,728.54
53974	Miles, Eugene S	3/5/2014		\$2,530.86
53975	Mortenson, Tim	3/5/2014		\$2,118.62
53976	Murry, Del R	3/5/2014		\$266.95
53977	Myers, Ragan S.	3/5/2014		\$1,541.79
53978	Nawn, Rodney J.	3/5/2014		\$1,555.19
53979	Ostgaard, Loretta G	3/5/2014		\$1,392.81
53980	Padgett, Timothy J	3/5/2014		\$1,549.04
53981	Parker, Michael T	3/5/2014		\$1,686.52

Number	Name	Print Date	Clearing Date	Amount
53982	Phillips, Gerald S	3/5/2014		\$266.95
53983	Ross, Steven J	3/5/2014		\$1,393.54
53984	Russum, Richard	3/5/2014		\$1,603.01
53985	Scott, Mark G	3/5/2014		\$1,088.92
53986	Turner, Michael S.	3/5/2014		\$793.80
53987	Payroll Vendor	3/5/2014		Void
53988	Wright, Flint R	3/5/2014		\$2,368.23
53989	Zuern, Donald D.	3/5/2014		\$2,033.39
53990	Warner, Ralph D.	3/5/2014		\$2,312.95
53991	AFLAC	3/7/2014		\$219.63
53992	Association of WA Cities	3/7/2014		\$20,639.77
53993	City of Long Beach - Fica	3/7/2014		\$10,925.68
53994	City of Long Beach - FWH	3/7/2014		\$8,984.93
53995	Council Gift Fund	3/7/2014		\$50.00
53996	Dept of Labor & Industries	3/7/2014		\$1,637.54
53997	Dept of Retirement Systems	3/7/2014		\$9,524.90
53998	Dept of Retirement Systems Def Comp	3/7/2014		\$1,083.00
53999	Massmutual Retirement Services	3/7/2014		\$375.00
54000	Teamsters Local #58	3/7/2014		\$181.00
75849	Northwest Festival & Events Convention	3/3/2014		\$380.00
75850	Postmaster	3/4/2014		\$342.24
75851	Visa	3/4/2014		\$10.73
75852	Verizon Wireless	3/4/2014		\$30.02
75853	Haskin, Katie	3/4/2014		\$571.60
75854	Pacific County Auditor	3/5/2014		\$72.00
75855	Subway	3/5/2014		\$75.46
75856	AlSCO-American Linen Div.	3/7/2014		\$562.67
75857	Tangly Cottage Garden	3/10/2014		\$468.93
75858	Coit's Manufacturing Company LLC	3/12/2014		\$450.00
75859	A-1 Redi Mix	3/14/2014		\$608.80
75860	Active Enterprises, Inc.	3/14/2014		\$670.75
75861	Addy Lab, Llc	3/14/2014		\$217.50
75862	Airgas USA LLC	3/14/2014		\$22.49
75863	AlSCO-American Linen Div.	3/14/2014		\$65.67
75864	American Public Works Association	3/14/2014		\$468.00
75865	Arts Auto Parts Inc.	3/14/2014		\$87.28
75866	Astoria Janitor & Paper Supply	3/14/2014		\$1,096.58
75867	Bailey's Saw Shop	3/14/2014		\$32.87
75868	Basket Case Greenhouse	3/14/2014		\$23.09
75869	Beach Batteries	3/14/2014		\$8.54
75870	Beachdog.com Inc.	3/14/2014		\$250.00
75871	Bergman Photographic Services, Inc.	3/14/2014		\$750.00
75872	Blumenthal Uniforms	3/14/2014		\$64.67
75873	Bonney, Matt	3/14/2014		\$200.00
75874	Century Manufacturing	3/14/2014		\$351.43
75875	CenturyLink	3/14/2014		\$1,364.74

Number	Name	Print Date	Clearing Date	Amount
75876	Chinook Observer	3/14/2014		\$145.20
75877	CHINOOK SALES & RENTALS	3/14/2014		\$1,360.80
75878	Coast Rehabilitation Services	3/14/2014		\$292.00
75879	Columbia Steel Supply	3/14/2014		\$77.94
75880	Cottage Bakery	3/14/2014		\$267.15
75881	CURRAN-McLEOD, INC	3/14/2014		\$2,200.00
75882	Cutting, Jeff	3/14/2014		\$297.17
75883	D & S Sales, Inc	3/14/2014		\$5,193.45
75884	Day Wireless Systems	3/14/2014		\$572.66
75885	Dennis Company	3/14/2014		\$740.50
75886	Dr. Roof, Inc	3/14/2014		\$161.70
75887	Ellyson, Sue	3/14/2014		\$49.99
75888	Englund Marine Supply	3/14/2014		\$346.36
75889	Evergreen Septic Service	3/14/2014		\$252.00
75890	Ferrellgas	3/14/2014		\$91.63
75891	Ford Electric	3/14/2014		\$199.29
75892	Glock Professional, Inc.	3/14/2014		\$195.00
75893	Goelz, Doug	3/14/2014		\$1,500.00
75894	Holiday Inn	3/14/2014		\$512.55
75895	Industrial Hearing Service, Inc.	3/14/2014		\$450.00
75896	Interstate Battery	3/14/2014		\$93.73
75897	K & L Supply, Inc.	3/14/2014		\$381.81
75898	Kulbel, Jim	3/14/2014		\$110.75
75899	L.N. Curtis & Sons	3/14/2014		\$2,237.56
75900	Lakeside Industries, Inc.	3/14/2014		\$521.11
75901	Lindstrom Construction	3/14/2014		\$62,583.65
75902	Loyalty Days	3/14/2014		\$560.00
75903	Mullins, Duane	3/14/2014		\$280.00
75904	Oman & Son Builders	3/14/2014		\$2,177.33
75905	One Call Concepts, Inc.	3/14/2014		\$18.48
75906	Ostgaard, Loretta	3/14/2014		\$351.00
75907	Pacific Art & Office Supply	3/14/2014		\$21.11
75908	Pacific Office Automation	3/14/2014		\$1,632.18
75909	Pacific Public Safety & Communications	3/14/2014		\$974.26
75910	Peninsula Landscape Supply	3/14/2014		\$137.43
75911	Peninsula Sanitation	3/14/2014		\$906.73
75912	Peninsula Visitors Bureau	3/14/2014		\$11,250.00
75913	Penoyar, William	3/14/2014		\$1,000.00
75914	Radio Shack	3/14/2014		\$80.83
75915	Recall Secure Destruction Services	3/14/2014		\$108.93
75916	Sea Western Fire	3/14/2014		\$1,679.99
75917	Sid's Iga	3/14/2014		\$52.18
75918	SUNSET AUTO PARTS, INC	3/14/2014		\$1,213.25
75919	U.S. Cellular	3/14/2014		\$352.49
75920	Usa Blue Book	3/14/2014		\$224.78
75921	Visa	3/14/2014		\$2,503.39

Number	Name	Print Date	Clearing Date	Amount
75922	Visit Seattle	3/14/2014		\$960.20
75923	Wiggins, Marilaine	3/14/2014		\$271.21
75924	Wilcox & Flegel	3/14/2014		\$1,780.09
75925	Wilcox & Flegel Oil Co.	3/14/2014		\$1,049.61
75926	Wirrkala Construction	3/14/2014		\$814.95
75927	World Kite Museum	3/14/2014		\$1,000.00
	Total		Check	\$225,885.47
	Grand Total			\$225,885.47

TAB - C



**CITY COUNCIL
AGENDA BILL
AB 14-21**

Meeting Date: **March 17, 2013⁴**

AGENDA ITEM INFORMATION

SUBJECT:	<i>Originator:</i>	
Case No. SUP 2014-01 Request by Don Lee for Outdoor Vending of Fireworks for July 2014 and December – January 2014-15	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		

SUMMARY STATEMENT: *Attached is a request for a fireworks stand for Mr. Don Lee dba Fireworks Superstore for the 4th of July and New Year. Also attached are the relevant sections of City Code for Council review. This is the first request for a fireworks stand special use permit this year. Mr. Lee has sold fireworks on these two holidays for several years, and has been a good vendor – no problems.*

RECOMMENDED ACTION: *Approve SUP 2014-01 allowing temporary outdoor merchandising in the C1 zone and declare the 4th of July as a festival for fee purposes. [Note: In past years Council has approved up to four (4) such stands.]*

TEMPORARY USE: A land-use activity that occurs for a specific and limited period of time, typically authorized by a special use permit.

12-11-14: SPECIAL USE PERMIT: For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the city council. The city council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.



Case No. SUP 2014-01

Location Map

Don Lee dba Fireworks Superstore
101 12th Street-southeast corner of 12th SE and Pacific Highway S
Special Use Permit: Fireworks Stand in the C1 Zone

FIREWORKS SUPERSTORE
PO BOX 1081
PHILOMATH, OR
541 738-6981
WA UBI 603 0770 424

RECEIVED
MAR 03 2014
CITY OF LONG BEACH

City of Long Beach
Ms Gayle Borchard
115 Bolstad West
PO Box 310
Long Beach, WA 98631

2/25/14

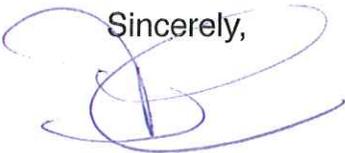
Dear Gayle,

I would like to request a Special Use permit for the sale of consumer fireworks from June 28 thru July 5, 2014 and December 27 thru December 31, 2014. The stand location is 101 12th SW.

Submitted are the following documents:

2014 Washington Fireworks License
Certificate of Liability Insurance naming the City of Long Beach additional Insured
2014 renewal of City business license
Washington State Resellers permit
Letter of Authorization from landlord

Sincerely,



Don Lee

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

Washington State Fireworks License

Fireworks Stand License

15931

License is Non-Transferable and Valid for Only One Stand

Licensee Information
Fireworks Superstore
Post Office Box 1081
Philomath, OR 97370

License Number: WSPFL-02349

Stand Information

Contact Person: Don Lee
Phone Number: (541) 738-6981
County: Pacific
Stand Number: SN-08388

Date of Expiration: January 31, 2015
Date of Issue: February 6, 2014

Stand Location: 101 12th SW LONG BEACH, WA 98631
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)

[Signature]
State Fire Marshal Signature
Detach this wallet card and carry with you for verification of certification.

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal
ANNUAL FIREWORKS STAND LICENSE
15931
Fireworks Superstore
Contact Person: Don Lee
License Number: WSPFL-02349
Stand Number: SN-08388
Date of Expiration: January 31, 2015
Location: 101 12th SW LONG BEACH WA
[Signature]
State Fire Marshal Signature
Licensee Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/18/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114		CONTACT NAME: PHONE (A/C, No. Ext): 216-658-7100 FAX (A/C, No.): 216-658-7101 E-MAIL ADDRESS:	
INSURED 2567 Jake's Fireworks Inc. 1500 E 27th Terr. Pittsburg KS 66762		INSURER(S) AFFORDING COVERAGE INSURER A: Maxum Indemnity Company 26743 INSURER B: Everest Indemnity Insurance Co. 10851 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 1207555199** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		SI8GL00320-141	2/15/2014	2/15/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
	GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS HIRED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE		EXC6018367	2/15/2014	2/15/2015	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 104, Additional Remarks Schedule, if more space is required)
Sales Location: 101 12th SW, Long Beach, WA 98631;
Land Owner: Kristi Eler, P.O. Box 341, Long Beach, WA 98631; City of Long Beach, P.O. Box 310, Long Beach, WA 98631;
Term: February 15, 2014 through February 14, 2015
The Certificate Holder and the above listed are Additional Insureds with respects to General Liability policy as required by written contract.

CERTIFICATE HOLDER Fireworks Superstore Don Lee P.O. Box 1081 Philomath OR 97370	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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STATE OF
WASHINGTON

BUSINESS LICENSE

Sole Proprietorship

DON ALAN LEE
FIREWORKS SUPERSTORE
101 12TH SW
LONG BEACH WA 98631

Unified Business ID #: 603 077 424
Business ID #: 1
Location: 2
Expires: 02-28-2015

TAX REGISTRATION

CITY LICENSES/REGISTRATIONS:
LONG BEACH GENERAL BUSINESS

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue



STATE OF
WASHINGTON

RESELLER PERMIT

Washington State Department of Revenue

PO Box 47476 • Olympia, WA 98504-7476 • 1-800-647-7706

Issued to:

603 077 424
LEE DON A
FIREWORKS SUPERSTORE
PO BOX 1081
PHILOMATH OR 97370 1081

Permit Number: A22 5141 17

Effective Date: 01-14-2013

Expiration Date: 01-13-2017

Business Activities:

ALL OTHER MISCELLANEOUS STORE RETAILERS (EXCEPT
TOBACCO STORES) (PT)

This permit can be used to purchase:

- Merchandise and inventory for resale without intervening use
- Ingredients, components, or chemicals used in processing new articles of tangible personal property produced for sale
- Feed, seed, seedlings, fertilizer, and spray materials by a farmer
- Materials and contract labor for retail/wholesale construction
- Items for dual purposes (see Purchases for Dual Purposes on back)

This permit cannot be used to purchase:

- Items for personal or household use
- Promotional items or gifts
- Items used in your business that are not resold, such as office supplies, equipment, tools, and equipment rentals
- Materials and contract labor for public road construction or U.S. government contracting (see Definitions on back)
- Materials and contract labor for speculative building

This permit is no longer valid if the business is closed.

The business named on this permit acknowledges:

- It is solely responsible for all purchases made under this permit
- Misuse of the permit:
 - Subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and penalties imposed (RCW 82.32.291)
 - May result in this permit being revoked

Notes (optional): _____

Important: The Department of Revenue may use information from sellers to verify all purchases made with this permit were qualified.

Reseller: Keep this original permit on file. Provide copies to sellers from which you make purchases.

LETTER OF AUTHORIZATION

City of Long Beach
115 Bolstad West
P.O. Box 310
Long Beach, WA 98631

To Whom It May Concern,

Kristi Eler grants permission to Fireworks Superstore/ Don Lee, to occupy Pacific County parcel # 73026060007, Seaview 060 07, Lot 8, Township-Range-Section 1011222. Site address 101 12th SW. The occupancy term shall be from June 15 thru July 8, 2014 and December 20, 2014 thru January 5, 2015.



Kristi Eler

Dated: 01-23-14

TAB - D



**CITY COUNCIL
AGENDA BILL
AB 14-22**

Meeting Date: March 17th, 2014

AGENDA ITEM INFORMATION	
SUBJECT: "Outrunning Poverty" 5K Run/Walk April 26 th , 2014	<i>Originator:</i>
	Mayor
	City Council
	City Administrator
	City Attorney
	City Clerk
	City Engineer
	Community Development Director
	Finance Director
	Fire Chief
	Police Chief
	Streets/Parks/Drainage Supervisor
COST:	Water/Wastewater Supervisor
	Other: Events Coordinator
<p>SUMMARY STATEMENT: Peninsula Poverty Response would like to host a 5K Run/Walk on Saturday April 26th, 2014 and would like to close the Bolstad Beach Approach from 7:30am – Noon. The start and finish of the race will be the Arch on Bolstad.</p>	
<p>RECOMMENDED ACTION: Approve Request for Road Closer and allow staff to work with event organizers and city crew.</p>	

TAB - E



**CITY COUNCIL
AGENDA BILL
AB 14-23**

Meeting Date: **March 17, 2014**

AGENDA ITEM INFORMATION

SUBJECT: *Continuation of Hearing for Cases No. 2014-01 and -02, partial vacation of 9th Street NE*

Originator:

Mayor	
City Council	
City Administrator	
City Attorney	
City Clerk	
City Engineer	
Community Development Director	GB
Finance Director	
Fire Chief	
Police Chief	
Streets/Parks/Drainage Supervisor	
Water/Wastewater Supervisor	
Other:	

COST: N/A

SUMMARY STATEMENT: This is a continuation of a hearing opened on March 3, 2014 and continued to this date.

RECOMMENDED ACTION: *Take public comment, close hearing, consider input, and grant street vacation as petitioned and as analyzed and recommended in the staff report. Adopt Ordinance No. 896.*

City of Long Beach
Department of Community Development

STAFF REPORT

TO: Long Beach City Council
FROM: Gayle Borchard, Community Development Director
SUBJECT: Cases No. VAC 2014-01 and VAC 2014-02
Vacation of Right-of-Way – 9th Street Northeast
PETITIONER(S): Mary Kay Ramage (-01); Dan Hickey for Kathleen Maxson (-02)
SITE ADDRESS: Northern six and one-half (6.5') of the right-of-way of 9th Street NE, west two hundred feet (200') from Washington Avenue North; Block 33, Lots 1-4, Tinker's Third Addition to Long Beach, Pacific County, Washington
DATE: Petitions submitted January 29 (-01) and January 30 (-02), 2014
Hearing conducted March 3 and 17, 2014

BACKGROUND

The petitioners have has petitioned [petitions attached] the City of Long Beach to vacate the northerly 6.5' of the 75'-wide 9th Street Northeast right-of-way (ROW) just west of Washington Avenue North. The area to be vacated is currently ROW encompassing a developed public street, with utilities as follows: water on the south side of the street; sanitary sewer in the center of the street; a catch basin on the north side of the street outside the area to be vacated; and a guyed telephone pole on the northwest corner with the pole outside the area to be vacated and the guy possible inside the area (pending confirmation from CenturyTel). Four fifty-foot (50') wide lots front on the ROW in the area proposed for vacation. Petitioner Ramage would like to acquire this land in order to cure a 6.5' encroachment along the north side of her two lots from the neighbor to the north (Mr. Freddie Black built his fence 6.5' onto Ms. Ramage's property). Mr. Hickey would simply like to have identical frontage to Ms. Ramage, should her vacation be granted (if not, he would withdraw his petition). [Location map attached.]

Staff has reviewed the petitions, conducted an analysis, and recommends Council grant the requested 6.5' wide by 200' long partial vacation.

PROPERTY DETAILS

Comprehensive Plan Map Future Land Use Designation of Adjacent Property: Single Family Residential

Shoreline Master Program: Not applicable

SEPA: Not applicable

Zoning of Adjacent Property: R1 – Single Family Residential

Site Description: The Ramage proposed ROW vacation comprises the northern 6.5’ of 9th Street NE from Washington Avenue North westerly 100 feet. The Hickey-Maxson proposed ROW vacation is the northern 6.5’ of 9th Street NE from the western edge of Ms. Ramage’s property westerly 100’ to the undeveloped ROW of Oregon Avenue North. Each proposed ROW vacation area measures 100’ east-west and 6.5’ north-south, encompassing an area of approximately 650 square feet (SF), or a total for both proposed vacations of 1,300 SF. The property would be joined with the property located immediately north, which is four approximately 50’ X 100’ residential lots. The area is residential in nature, with houses all around, except a child’s softball playfield across 9th Street NE to the south.

Vicinity Characteristics:

AREA	LAND USE PLAN	ZONING	EXISTING CONDITIONS
NORTH	Single Family Residential	R	Residence
SOUTH	Public	P	Softball field
EAST	Single Family Residential	R	Residence
WEST	Residential-Commercial	RC	Undeveloped (west of Oregon Avenue)

Utilities and Services:

Water: City water available

Sewer: City sewer available

Transportation: Property has frontage on 9th Street NW; western Hickey lot also fronts on undeveloped Oregon Avenue to the west; eastern Ramage corner lot also fronts on Washington Avenue North

Public Education: Ocean Beach School District

Electricity: PUD No. 2 electricity available at site

Storm water and Drainage: City of Long Beach drainage available at site

Cable: 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.
<u>Public Parks and Recreation Area (s):</u>	Numerous park and recreation areas within the City of Long Beach and within Pacific County; within walking distance to the beach and ball fields directly across the street
<u>Public Transit:</u>	Pacific Transit District service available including Dial-A-Ride
<u>Flood Zone:</u>	Zone B – 100 Year Shallow (undetermined) Flood

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

All dates refer to the year 2014.

January 29, 30: Petitions (Ramage, then Hickey) received by City

- January 30: The Director of Community Development notified the City Administrator two petitions were received, thus filing the petitions with the Administrator.
- February 3: The City Council considered and passed Agenda Bill (AB) 14-07, which approved Resolution 2014-03 [both attached], establishing March 3, 2014 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. The City posted public notice [attached] at the subject property, Long Beach City Hall, the United States Post Office, and the Long Beach Police Department.
- March 3: The Council opened the public hearing, took public input, and decided to continue the hearing to March 17, 2014.
- March 17: This is the date slated for the Council to make a decision on this matter.

Materials Submitted

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

- Petition via e-mail received by City January 29 (Ramage) and 30 (Hickey for Maxson).
- Several e-mails from petitioner Ramage [attached].

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 on 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 inform 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 Glasson has no comments and identified no issues with the requested vacation.

Staff recommends that 6.5' by 200' be vacated as proposed.

Water and Sanitary Sewer Department Head Zuern states there are no water or sanitary sewer facilities located in or planned for that portion of the ROW to be vacated that that could be negatively affected and does not anticipate any issues regarding the vacation as proposed.

Parks, Streets, and Drainage Department Head Kitzman states there are no drainage or recreation facilities located in or planned for that portion of the ROW to be vacated that could be negatively affected and does not anticipate any issues regarding the vacation as proposed.

Chief of Engineering and Operations for Public Utilities District (PUD) No.2 of Pacific County, Jason Dunsmoor, states there are no existing or planned electrical facilities that would conflict with the proposed partial vacation, although future electrical services may have to cross one or more of the properties near the edge of the ROW.

II. Comprehensive Plan

Comprehensive Plan Goal 5-4: Use trails, green streets and greenways to link elements of the park system. 9th Street NE is a designated a green street. [Plan section 5.3.a and Map A-4, Parks and Open Space]

Appendix G of the Comprehensive Plan, Green Street Cross Sections, indicates that green streets can be achieved within a ROW as little as 30' in width. The vacation as requested and recommended by staff conforms to the Comprehensive Plan.

Comprehensive Plan Goal 6-1: Plan for a multi-modal transportation system that supports and enhances the land uses envisioned in this Comprehensive Plan.

Partial vacation of 9th Street NE will allow petitioner Ramage to remedy an encroachment and petitioner Hickey to enjoy the same street frontage as neighbor Ramage. All parcels would continue to be accessed by public ROWs. The ROW vacation as proposed would not impede this Comprehensive Plan goal, and would result in land uses envisioned in the Plan served by

public ROW as envisioned in the Plan. The proposed vacation conforms to the Comprehensive Plan.

Comprehensive Plan Goal 6-2: Plan for a street and pathway system that facilitates safe and convenient vehicular, pedestrian, and bicycle movement throughout Long Beach.

Partial vacation of 9th Street NE will continue to allow existing safe and convenient vehicular access to residential properties. The vacation as proposed and recommended by staff conforms to the Comprehensive Plan.

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 at 11-6C-1(A), (C)]

On January 29 and 30, 2014, the applicants, who are also the owners of property abutting the ROW of 9th Street NE, filed petitions with the City via e-mails requesting partial street vacations, and describing that property desired to be vacated. On January 30, 2014, the City Administrator was provided notification of this petition. The petition as submitted conforms to code.

If the petition is signed by the owners of more than two-thirds (2/3) of the property 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 at 11-6C-2]

The petitioners own 100% of the property adjoining that portion of 9th Street NE proposed to be vacated, and the City Council is required to set a date for a public hearing on the matter. On February 3, 2014, the Long Beach City Council approved AB 14-07, passing Resolution 2014-02. 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 February 4, 2014 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 once on the property proposed to be vacated. 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 petitioners are the abutting property owners, and no objections were raised. The City may proceed with the public hearing and decision.

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 March 17, 2014. After that hearing, should the City decide to pass an ordinance and vacate a portion of the subject ROW, the applicants shall cause to 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 ½ the market value. The Council may request easements; however, according to Department Head input, no City utilities or other infrastructure exist within the area to be vacated, and sufficient area exists within the remaining ROW for installation of same, should it be required.

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 Lighthouse Realty, which fixed the full market value at \$4 a SF, which is what Ms. Ramage recently paid for the adjacent property. With ½ market value as the maximum amount allowed to be charged, the amount to be charged would be \$4 per SF / 2, or \$2 per SF. That would mean the maximum amount owed would be 6.5' X 100' X 2= \$1,300 per area vacated (Ramage and Hickey would each owe this amount).

Petitioner Ramage has expressed a concern with this amount, comparing this vacation to a vacation she acquired several years ago, and finding the current amount too high. Also, Ms. Ramage has expressed the idea that the City is in part to blame for the encroachment by her neighbor Mr. Black, and so should reduce the amount of the vacation or vacate the property at no cost.

The amount a petitioner must pay for vacated ROW is entirely up to Council. Staff provides no recommendation as to the amount to be paid. However, staff does wish to remind Council that planning and building applications are assumed to be complete, accurate, and truthful, and compliance with setbacks and the accurate placement of buildings on sites are the responsibility of the contractor, not the City.¹

The City does not require applicants to have a qualified surveyor stake the corners of property prior to building. Rather, the City relies on the professionalism of the building community to place structures correctly, which we are always assured is the case. And except occasionally,

¹ Attached is *Pierce v. Yakima County*, a fairly recent Washington case reiterating the limits of liability for a building inspector. An inspector operates under the public duty doctrine whereby there is a general duty to protect the public and there is no duty of care to an individual citizen which may result in liability. There are two main exceptions to this standard that could be relevant: "failure to enforce" and "special relationship." "Failure to enforce," means the inspector clearly knew something was not code compliant and did not act to make the contractor correct the nonconformity. "Special relationship" occurs when 1) some form of privity or direct contact between the building inspector and the applicant sets the applicant apart from the general public; 2) the building inspector gave the applicant specific assurances that resulted in the inspector undertaking a duty; and 3) the applicant justifiably relied upon those assurances. Neither exception applies in this case.

this approach has worked well. Council may wish to consider whether a policy change to require staking of corners is in order. This will increase the cost of all development, but may avoid the occasional future contractor error.

In any case, whether Council decides that ½ market (the allowed maximum) or something less is required in this case, staff cautions that a price less than the maximum is not justified on the basis of building inspector liability, and that basing a reduced cost on inspector liability would be counter to Washington law and has the potential to be a very expensive and onerous precedent.

Record Ordinance: A certified copy of the ordinance must be recorded by the city clerk-treasurer with the Pacific County auditor. [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 the costs of recording.

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 that portion of the ROW of 9th Street NE 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 that portion of the ROW of 9th Street NE requested, that property would be zoned R1 – Single Family Residential.

SUMMARY

The applicants petitioned the City to vacate the northern 6.5' of 9th Street NE, from the western ROW of Washington Avenue North westerly approximately 200', and area of approximately 650

SF, for a total of 1,300 SF. This creates no problems for City facilities and functions, and staff recommends the vacation as proposed. No other staff or PUD suggestions were made; a response from CenturyTel had not been received at the time of this writing. Analysis of the proposal against the City's Comprehensive Plan goals and regulations does not indicate that a 6.5'-wide partial vacation would conflict with City plans or regulations.

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 as input to the Council's own evaluation of Case No. VAC 2014-01 and -02. 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 An e-mail from petitioner Ramage received January 29 and from Petitioner Hickey January 30, 2014.
 - 1.2 All other information contained in Case Files No. VAC 2014-01 and -02.
2. **Procedures.** The Council finds the following procedures were followed:
 - 2.1 On January 29 and 30, 2014 petitions (Ramage and Hickey, respectively) were received by the City.
 - 2.2 Soon after receipt of petitions, the Community Development Director consulted with City Department heads, Public Utility District No. 2 of Pacific County, and CenturyTel regarding this ROW.
 - 2.3 On February 3, 2014, the City Council approved Resolution 2014-02 setting the time and place for a public hearing on the matter.
 - 2.4 On or soon after February 3, 2014 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 notice included a statement of the proposal, a description of the land proposed to be vacated, as well as a map. The notice also included instruction on how to submit comments on the proposal.
 - 2.5 On March 3, 2014, the Long Beach City Council opened and conducted a public hearing at or soon after 7 pm to take public comment on this matter. The hearing was continued to March 17, 2014.

3. **Proposal.** The City Council finds the following regarding the proposed project:
 - 3.1 The petitioners request and City staff recommend that Council vacate approximately 6.5' by 200 feet of the north side of the ROW of 9th Street NW (approximately 1,300 square feet), with transfer of title to the petitioners and all rights thereto.
 - 3.2 The petitioners shall pay for all costs associated with this proposal, including and not limited to noticing fees and appraisal costs.
 - 3.3 The petitioner shall pay the City a maximum of 50% of the appraised value of the subject property.

4. **Property characteristics.** The City Council finds the following regarding the subject property:
 - 4.1 The subject property is the north 6.5' of the ROW of 9th Street Northeast from the western ROW of Washington Avenue North westerly to the eastern ROW of Oregon Avenue. The subject property is located directly adjacent to and south of Block 33, Lots 1-4, Tinker's Third Addition to Long Beach, Pacific County, Washington.
 - 4.2 Characteristics of the property to which the vacated land would become part are as follows:
 - 4.2.1 Each of the four parcels is 50' X 100'.
 - 4.2.2 Lot 1 is developed, Lots 2-4 are undeveloped, but graded.
 - 4.2.3 All four parcels are located within the B flood zone.
 - 4.2.4 All four parcels are essentially flat.
 - 4.2.5 All four parcels are served with City and utility services.

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 R1 - Single Family Residential zone pursuant to the City's zoning regulations.
 - 5.2 The subject property is located adjacent to property designated Single Family Residential 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	Single Family Residential	R	Residence
SOUTH	Public	P	Softball field
EAST	Single Family Residential	R	Residence
WEST	Residential-Commercial	RC	Undeveloped (west of Oregon Avenue)

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 the City of Long Beach.
- 7.3 Transportation
 - 7.3.1 Existing Washington Avenue North and 9th Street NE are the primary ingress/egress for the subject property.
 - 7.3.2 The ROW of 9th Street Northeast is designated a Green Street in the Long Beach Comprehensive Plan.
- 7.4 Public Education is provided by the Ocean Beach School District.
- 7.5 Electricity is available from Pacific County PUD No. 2.
- 7.5 Solid Waste is available from Peninsula Sanitation, and service is already provided on Boulevard North.
- 7.6 Police and Fire are provided by the City of Long Beach Police and City of Long Beach Fire Departments.
- 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 City staff identified 6.5' as the appropriate width of the property to be vacated.
- 8.2 City staff did not identify any conflicts regarding City services or utilities.
- 8.3 The PUD did not identify any conflicts regarding electrical services or facilities.
- 8.4 Century Tel had not responded to the City's request for input regarding telephone facilities at the time of this writing.

9. **City's Comprehensive Plan.** The City Council finds the proposed project complies with the following relevant portions of the City's Comprehensive Plan:
 - 9.1 Parks, Open Space and Recreation Goal 5-4.
 - 9.2 Mobility Goals 6-1 and 6-2.
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 to the Council's own evaluation of Case No. VAC 2014-01 and -02. 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 2014-01 and VAC 2014-02:

1. Cases No. VAC 2014-01 and -02 comply with relevant portions of the City's Comprehensive Plan, adopted via Ordinance 838, as may be amended.
2. Cases No. VAC 2014-01 and -02 comply with relevant portions of the Unified Development Regulations, adopted via Ordinance 848, as may be amended.

SUGGESTED ACTION

Based on the analysis and suggested findings of fact and conclusions of law, above, staff recommends the City Council adopt the above finding of fact and Ordinance No. 879 and **CONDITIONALLY APPROVE** Case No. VAC 2014-01 and Case No 2014-02, including vacation of the northern 6.5' feet of the 9th Street Northeast ROW from the western ROW of Washington Avenue North westerly 200', incorporating the following conditions of approval:

1. The petitioner shall pay for all costs associated with this partial ROW vacation.
2. The petitioner shall cause to have a market-value appraisal made of the subject property at petitioner's expense, or alternatively agree to use the results of a recent valuation based on petitioner Ramage's recent purchase of adjacent property.
3. The petitioner shall pay the City of Long Beach up to 50% of the market value of the subject property.

ATTACHMENTS

1. Petitions received January 29 and 30, 2014
2. Location map
3. AB 14-07
4. Resolution 2014-02
5. Notice of public hearing
6. Emails from petitioner Ramage
7. Pierce v. Yakima County

To: 'Long Beach Realty'

Subject: RE: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

You are on the agenda for Monday night, 7 pm-ish. Your Case No. is VAC 2013-01 I talked w/Dan H. about the Maxson property as well. Gayle

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]

Sent: Wednesday, January 29, 2014 1:35 PM

To: planner@longbeachwa.gov

Subject: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

To the City of Long Beach

I am asking the City of Long Beach to Vacate 12.5 Feet of 9th NE, & give to Blk 33, Long Beach, Lots 3 & 4, to Mary Kay Ramage.

This is for Building the two houses that I have building permits for.

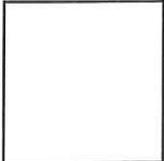
This is due to the 6.5 foot encroachment of the North neighbor on my property. I need this additional footage for the footprints of the houses.

They Survey of said property has been completed.

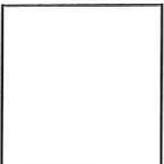
Thank you,

Mary Kay Ramage

360 749 0345



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

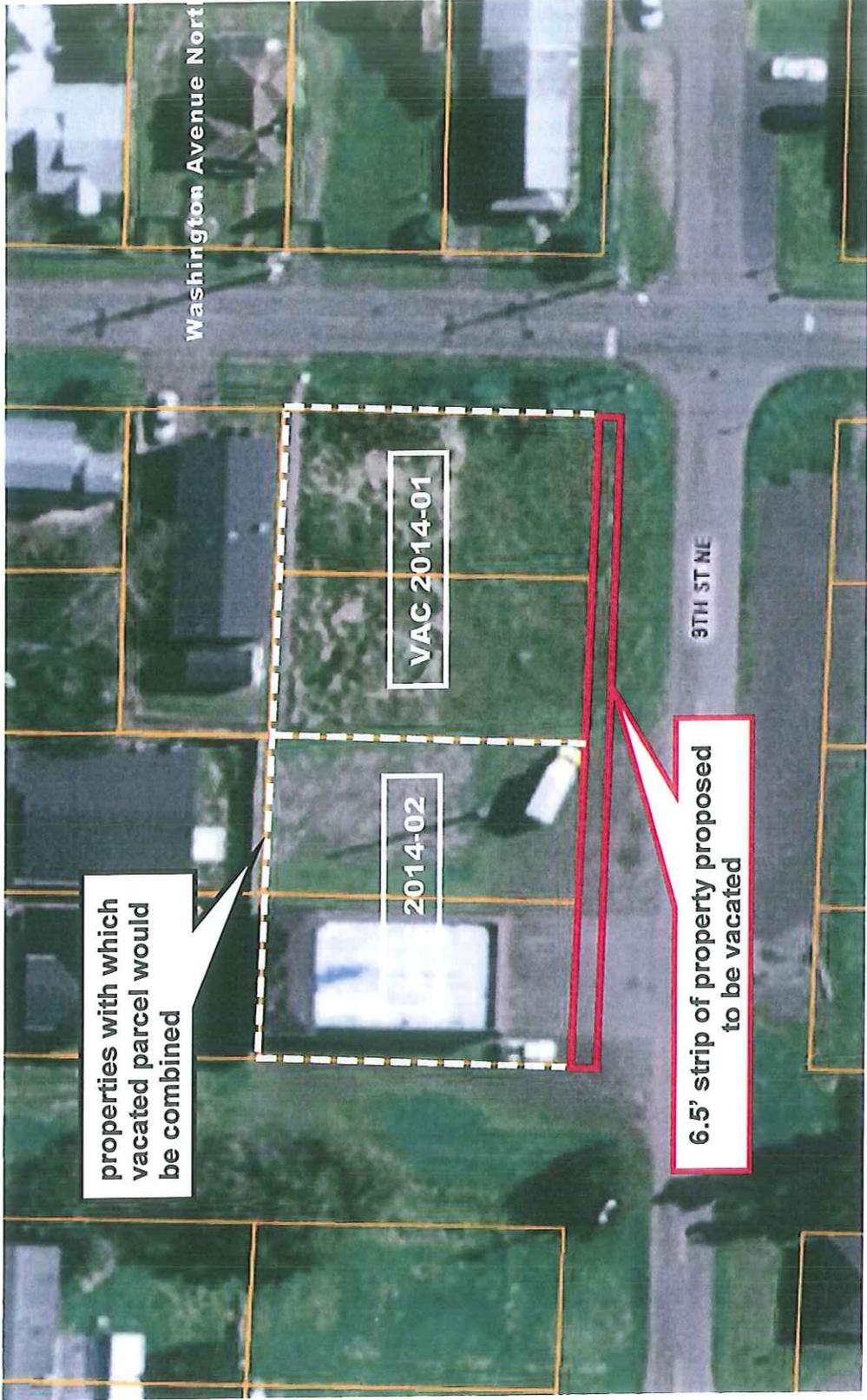


This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Gayle Borchard

From: Dan Hickey <djhickey1@gmail.com>
Sent: Thursday, January 30, 2014 2:01 PM
To: planner@longbeachwa.gov
Subject: Vacate portion of 9th St N

Yes Gail, please place a request for the Maxson property also on the agenda. Thank you...Dan



• *Not to scale

Cases No. VAC 2014-01 and VAC 2014-02; Location Map
Mary Kay Ramage; Dan Hickey for Kathleen Maxson
Partially vacate 9th Street NE; combine with properties to north



**CITY COUNCIL
AGENDA BILL
AB 14-07**

Meeting Date: February 3, 2014

AGENDA ITEM INFORMATION

SUBJECT: Resolution 2014-03 - Set Public Hearing for Partial Vacation of the Right-of- Way of 9th Street NE (Cases No. VAC 2014-01 and VAC 2014-02)	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: N/A	Water/Wastewater Supervisor	
	Other:	

SUMMARY STATEMENT: Property owner Mary K. Ramage owns two adjacent parcels at the northwest corner of Washington Avenue North and 9th Street NE (see attached). Ms. Ramage is trying to correct for an encroachment on the north side of her property by adding footage to the south side of her property.

Pursuant to **11-6C-2** and **RCW 35.79.10**, when an adequate vacation petition is received, 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 2014-03 does this.

Please note that on January 30, 2014, Dan Hickey, representing the property owner due west of Ms. Ramage's property, Kathy Maxson petitioned the City for a partial vacation as well. That is Case No. 2014-02, herein included.

RECOMMENDED ACTION: Pass Resolution 2014-03.

City of Long Beach
Notice of Public Hearing
To Consider Partial Vacation of 9th Street Northeast

VACATION OF A PORTION OF 9TH STREET NORTHEAST; CASES NO. VAC 2014-01 and VAC 2014-02. Notice is hereby given that Mary Kay Ramage and Kathleen Maxson filed petitions with the City of Long Beach on January 29 and February 3, 2014, respectively, requesting the City vacate a portion of the right-of-way of 9th Street Northeast. The petition seeks vacation of up to the northern 12.5 feet of 9th Street Northeast from the west side of Washington Avenue North 200 feet westerly, encompassing an area of approximately 2,500 square feet in the R1 – Single Family Residential zone. **The subject property is located directly adjacent to and South of Block 33, Lots 1 through 4, Plat of Long Beach Tinker’s Third North Addition), NW ¼ of the NW ¼ of Section 16, Township 10 North, Range 11 West, Willamette Meridian, Pacific County, Washington.**

The Long Beach City Council passed Resolution 2014-01 fixing the time, date, and location of a Public Hearing on these petitions as **7:00 pm or soon thereafter on Monday, March 3, 2014 in the City Council Chambers at Long Beach City Hall, 115 Bolstad Street West, Long Beach WA 98631.**

Any person interested in this request may speak for or against the request at the public hearing or submit written comments prior to the public hearing. **Written comments should be addressed to: Gayle Borchard, Community Development Director, P.O. Box 310, Long Beach, WA 98631. Written comments must be received by the end of the public hearing.**

The Meeting Room is ADA accessible. For those planning to attend who have special accessibility requirements, please contact the City of Long Beach by phone, 360.642.4421 or at the address below at least ten (10) days in advance.

Responsible Official:	Gayle Borchard
Position/Title:	Director, Community Development
Phone:	(360) 642-4421
Address:	P.O. Box 310 Long Beach, WA 98631
Notice Date:	February 4, 2014

RESOLUTION 2014-03

**A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON SETTING
THE TIME AND PLACE FOR A PUBLIC HEARING FOR CONSIDERING A
PARTIAL STREET VACATION OF 9TH STREET NORTHEAST**

WHEREAS, Mary Kay Ramage and Kathleen Maxson have filed petitions for the partial vacation of 9th Street Northeast; and,

WHEREAS, RCW 35.79 requires passage of a resolution setting the time and place for a public hearing to consider vacation of a public street and the posting of public notices, such public hearing to be scheduled not less than twenty (20) nor more than sixty (60) days from passage of said resolution;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE LONG BEACH CITY COUNCIL that a public hearing shall be held in the Council Chambers at Long Beach City Hall for the purpose of considering the partial street vacation of approximately 200 feet by 6.5 feet from Washington Avenue North westerly along the north side of 9th Street Northeast. Said hearing shall be held on March 3, 2014 at 7:00 PM or shortly thereafter in the Long Beach City Council chambers.

The required notice shall be placed at 9th Street Northeast on the subject property, Long Beach City Hall, the United States Post Office in Long Beach, and the Long Beach Police Department.

Passed this 3rd day of February 2014.

Ayes _____ Nays _____

Robert E. Andrew, Mayor

Attest:

David Glasson, Clerk

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Phone:	(360) 642-4421
Address:	P.O. Box 310 Long Beach, WA 98631
Notice Date:	February 4, 2014

Gayle Borchard

From: Gayle Borchard <planner@longbeachwa.gov>
Sent: Monday, February 3, 2014 4:26 PM
To: 'Long Beach Realty'
Subject: RE: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

Thanks Mary Kay. Following up on our conversation, Bill Stidham spoke with Mr. Black who states he is willing to move his fence. I understand you want the Council to still consider the street vacation, so will put it forward. Regards, Gayle

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
Sent: Monday, February 3, 2014 1:14 PM
To: Gayle Borchard
Subject: Re: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

Hi Gayle,
I will not be able to be at the meeting tonite. I will bring you a copy of the recorded Survey, that shows the encroachment.
Thank you,
Mary Kay Ramage
360 749 0345

From: [Gayle Borchard](#)
Sent: Thursday, January 30, 2014 12:40 PM
To: '[Long Beach Realty](#)'
Subject: RE: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

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From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
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Thanks Gayle,
Should I be there Mon. nite? I am putting off starting the foundation, until I know what they say.
Do you have any feed back from anyone yet?
Also, you should take a look at the Survey marker on Washington and see how far his fence is out on City Property. A LOT !!
Mary Kay

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Sent: Thursday, January 30, 2014 9:22 AM

Gayle Borchard

From: Gayle Borchard <planner@longbeachwa.gov>
Sent: Tuesday, February 4, 2014 11:09 AM
To: 'Long Beach Realty'; 'Dan Hickey'
Subject: RE: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

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This is due to the 6.5 foot encroachment of the North neighbor on my property. I need this additional footage for the footprints of the houses.
They Survey of said property has been completed.

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From: Gayle Borchard <planner@longbeachwa.gov>
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Are you not open to giving him an easement for maintenance?

GB

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Hi Gayle,

I have talked with Mr. Black and he does not want to move his fence. If he did, he would not have access to the South side of his house for upkeep and maintenance.

Therefore, I need a minimum of 6.5 feet from the City, so that I can give that to Mr. Black for his required setback. Please go forward with my request & contact Ruth Ann Hocking for her to do a BPO, as she has always done them for the City at no charge.

Thank you,

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From: Long Beach Realty <LGBCHRTY@willapabay.org>
Sent: Thursday, February 6, 2014 1:13 PM
To: Gayle Borchard; lgbchrty@willapabay.org
Subject: Re: Vacate 12.5 feet of Blk 33, long beach, lots 3 & 4

Hi Gayle,

Mr. Black and I have talked. He is a very nice gentleman. I explained to him that if he simply took his fence down, that would not solve his encroachment problem. He would be listed as non-conforming.

That would effect the sale of his property down the line, even if he dies and his heirs have to deal with it. That greatly reduces the value of it.

He was living in So. California when the house was set up. They took out all of the required permits, and everything was inspected, approved & signed off by the building inspector. Mr. Black had no idea of the problem.

Someone made a mistake.

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Long Beach Realty

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Date: Thursday, February 6, 2014 1:12 PM
To: "Gayle Borchard" <planner@longbeachwa.gov>; <lgbchty@willapabay.org>
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GB

TO: CITY OF LONG BEACH

RE: Vacation of 6 ft. 6 inches of 9th Street NE. , Long Beach, Washington, 98631

TO THE CITY OF LONG BEACH,

I am asking that the City of Long Beach vacate 6 ft. 6 inches of the north side of 9th Street NE,

To Blk 33, Long Beach, lots 3 & 4, at no cost.

I am requesting this to resolve the 6 foot 6 inch encroachment of my house and cyclone fence

On the North property line of Blk 33, Long Beach, lots 3 & 4, that belong to Mary Kay Ramage.

I do not want to remove my fence, as it devalues my property and I would not have access to

The South side of my home for upkeep and maintenance. I took out all of the required permits

And they were all signed off and approved by the City of Long Beach.

Mary Kay has agreed to do a property line adjustment of the 6'6", on the North side of her property, that I need to resolve this problem, at no Cost.

Mary Kay Ramage and myself have agreed to split the cost of a new survey to remark the corners

And for recording.

Thank You,

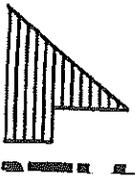
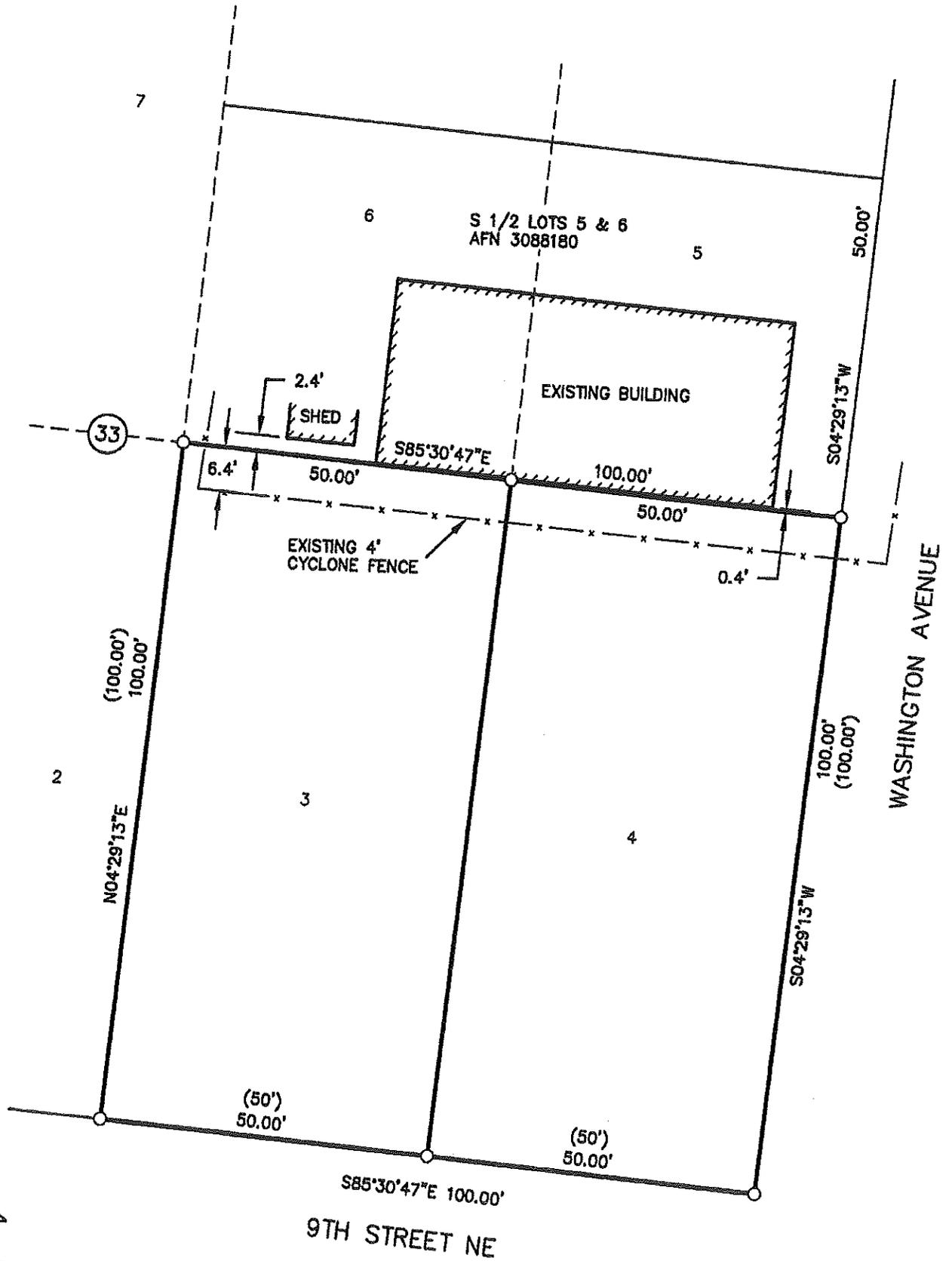
Freddie Black

PH # 642-3379

BOUNDARY SURVEY

IN THE NW 1/4 OF SECTION 16, T10N, R11W, W.M.
PACIFIC COUNTY, WASHINGTON

DATE: JANUARY 29, 2014 SCALE 1" = 100'



Gayle Borchard

From: Long Beach Realty <LGBCHRTY@willapabay.org>
Sent: Tuesday, February 18, 2014 1:21 PM
To: Gayle Borchard
Subject: Re: Ruth Ann/BPO

Hi Gayle,

I bought 20 feet X 320 ft. from the City & paid \$11,400. for it.
20'X320'= 6400 sq.ft. \$11,400. divided by 6400 dollars= \$1.78 per sq.ft.
This is the Waterfront property price & it added value to my property on the South side.
The purchase gave me the 3rd lot in the Short Plat.

If you use this comparison, the 6 ft,6 inches X 100 ft. =660 sq. ft. X \$1.78 = \$1,174.80 Total
and that is NOT waterfront property.

In regards to the 6.6 feet on 9th NE, it does not add any value to my lots 3 & 4. What it
does do, is solve the encroachment problem that we have on the North boundary .

I feel that the City should Vacate this 6.6 feet X 100 to me at no cost to resolve this
encroachment problem with the property on the North.

Thank You,
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360 749 0345
108 28th Street NW
Long Beach, Washington
98631

From: [Gayle Borchard](#)
Sent: Tuesday, February 18, 2014 12:26 PM
To: '[Long Beach Realty](#)'
Subject: RE: Ruth Ann/BPO

We'll be using \$4 a SF – your purchase is the best comp we have, and that is what you paid. G

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
Sent: Tuesday, February 18, 2014 11:01 AM
To: planner@longbeachwa.gov
Subject: Fw: Ruth Ann/BPO

Hi Gayle,

Any response to this Email of 2/12/14 ?

I really want to be prepared for this meeting so that I can get going on those houses ASAP.
I need them ready for the Spring market. It's not that far away!

Mary Kay
360 749 0345

From: [Long Beach Realty](#)
Sent: Wednesday, February 12, 2014 10:12 AM
To: planner@longbeachwa.gov
Subject: Ruth Ann/BPO

Hi Gayle,
Have you had an opportunity to call and ask Ruth Ann to do a BPO on that 6.5 feet that I need? David has said that she does not charge the City for these. You can tell her that she can call me and I will furnish her a copy of the Survey & any other information that she may need.
I do not want to get to that meeting on March 3rd, unprepared.
Thank you
Mary Kay
360 749 0345



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Gayle Borchard

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Mary Kay, The property to the west was done by the front foot (because it was treated as ocean front) , not by its area, and it was done during a market that was further down that today's. I did forget the language below from our code which states the amount is ½ the appraised amount, so it would essentially be \$2 a SF. GB

11-6C-4: HEARING; ORDINANCE OF VACATION:

- A. 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 (1/2) 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.

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This is the Waterfront property price & it added value to my property on the South side.
The purchase gave me the 3rd lot in the Short Plat.

If you use this comparison, the 6 ft,6 inches X 100 ft. = 660 sq. ft. X \$1.78 = \$1,174.80 Total
and that is NOT waterfront property.

In regards to the 6.6 feet on 9th NE, it does not add any value to my lots 3 & 4. What it does do, is solve the encroachment problem that we have on the North boundary .

I feel that the City should Vacate this 6.6 feet X 100 to me at no cost to resolve this encroachment problem with the property on the North.

Thank You,
Mary Kay Ramage

360 749 0345
108 28th Street NW
Long Beach, Washington
98631

From: [Gayle Borchard](#)
Sent: Tuesday, February 18, 2014 12:26 PM
To: 'Long Beach Realty'
Subject: RE: Ruth Ann/BPO

We'll be using \$4 a SF – your purchase is the best comp we have, and that is what you paid. G

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
Sent: Tuesday, February 18, 2014 11:01 AM
To: planner@longbeachwa.gov
Subject: Fw: Ruth Ann/BPO

Hi Gayle,
Any response to this Email of 2/12/14 ?
I really want to be prepared for this meeting so that I can get going on those houses ASAP.
I need them ready for the Spring market. It's not that far away!
Mary Kay
360 749 0345

From: [Long Beach Realty](#)
Sent: Wednesday, February 12, 2014 10:12 AM
To: planner@longbeachwa.gov
Subject: Ruth Ann/BPO

Hi Gayle,
Have you had an opportunity to call and ask Ruth Ann to do a BPO on that 6.5 feet that I need? David has said that she does not charge the City for these. You can tell her that she can call me and I will furnish her a copy of the Survey & any other information that she may need.
I do not want to get to that meeting on March 3rd, unprepared.
Thank you
Mary Kay
360 749 0345



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Gayle Borchard

From: Gayle Borchard <planner@longbeachwa.gov>
Sent: Tuesday, February 18, 2014 4:18 PM
To: 'Long Beach Realty'
Subject: RE: Ruth Ann/BPO

Mary Kay, OK -- See you March 3. GB

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
Sent: Tuesday, February 18, 2014 3:36 PM
To: Gayle Borchard
Subject: Re: Ruth Ann/BPO

Hi Gayle,
I can understand the \$2. instead of the \$4. However, in this case, I am still going to ask the City to vacate this 6.6 feet at no charge, due to the encroachment situation.
Thank You,
Mary Kay

From: [Gayle Borchard](#)
Sent: Tuesday, February 18, 2014 12:26 PM
To: '[Long Beach Realty](#)'
Subject: RE: Ruth Ann/BPO

We'll be using \$4 a SF – your purchase is the best comp we have, and that is what you paid. G

From: Long Beach Realty [mailto:LGBCHRTY@willapabay.org]
Sent: Tuesday, February 18, 2014 11:01 AM
To: planner@longbeachwa.gov
Subject: Fw: Ruth Ann/BPO

Hi Gayle,
Any response to this Email of 2/12/14 ?
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Mary Kay
360 749 0345

From: [Long Beach Realty](#)
Sent: Wednesday, February 12, 2014 10:12 AM
To: [planner@longbeachwa.gov](#)
Subject: Ruth Ann/BPO

Hi Gayle,
Have you had an opportunity to call and ask Ruth Ann to do a BPO

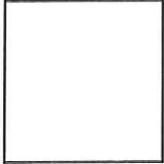
on that 6.5 feet that I need? David has said that she does not charge the City for these. You can tell her that she can call me and I will furnish her a copy of the Survey & any other information that she may need.

I do not want to get to that meeting on March 3rd, unprepared.

Thank you

Mary Kay

360 749 0345



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Court of Appeals of Washington, Division 3.

Conrad F. PIERCE, Appellant, v. YAKIMA COUNTY, Washington, a governmental entity and political subdivision of the State of Washington, Respondent.

No. 29568-1-III.

-- May 12, 2011

Meriwether D. Williams, Kevin James Curtis, Winston & Cashatt, Spokane, WA, for Appellant. Mark Robert Johnsen, Attorney at Law, Seattle, WA, Lawrence Andrew Peterson, Yakima County Prosecuting Attorney, Yakima, WA, for Respondent.

¶ 1 Conrad Pierce appeals the trial court's dismissal under the public duty doctrine of his negligence claims against Yakima County (County). Under the doctrine, the government may not be sued for negligence unless it breaches a duty owed particularly to the plaintiff rather than to the public in general. Mr. Pierce contends the trial court erred in failing to apply the "failure to enforce" and the "special relationship" exceptions to the public duty doctrine. Alternatively, Mr. Pierce contends remaining material facts preclude summary judgment on whether a special relationship has been established. We disagree with Mr. Pierce's contentions, and affirm.

FACTS

¶ 2 In spring 2007, Mr. Pierce contracted to purchase a Yakima home and lease it before closing. Mr. Pierce was responsible to lease or purchase an outside propane tank and the sellers would provide propane supply lines to serve the existing home.

¶ 3 In August 2007, Mr. Pierce applied for a mechanical code permit and a fire code permit to allow installation of a liquid propane storage tank and piping outside the house. Yakima County issued the permits. That month, All American Propane, Inc. (AAP) installed the propane tank, pressure regulator, valves, gauge, piping and propane 60 feet from the home. AAP connected the newly installed piping from the tank to the home without prior approval of the building official. Mr. Pierce called the County the same day to inspect the newly installed tank and its fuel line that was in an open trench leading from the tank to the home. On September 4, 2007, the County Building Inspector Richard Granstrand and Yakima County Deputy Fire Marshal Ronald Rutherford inspected the installation of the propane tank and piping. Mr. Granstrand told Mr. Pierce the propane installation had passed inspection and the piping could be covered in the trench. According to Mr. Pierce, he said, "It looks like everything is done. You are good to go." Clerk's Papers (CP) at 41.

¶ 4 On October 4, 2007, Mr. Pierce installed a section of flexible piping between a valve near the interior wall and the furnace in the house. He opened the gas valve and attempted to ignite the furnace. Unknown to Mr. Pierce, an uncapped gas pipe existed in the attic of the house allowing the gas to escape into the attic and eventually into the living space. The gas exploded, destroying the home and injuring Mr. Pierce. The record is silent regarding any permitting process for the inside piping.

¶ 5 Mr. Pierce sued the home sellers, AAP, and the County for negligence. Yakima County unsuccessfully moved for summary judgment based on the public duty doctrine. Months later, after the other defendants had settled with Mr. Pierce, the County asked the court to clarify its summary judgment denial and identify any remaining factual issues bearing on the County's liability. The court held no issues of material fact remained bearing on the "failure to enforce" exception. The court entered an order summarily dismissing Mr. Pierce's claims against the County, including any claim based on the special relationship exception. The trial court reasoned:

In the present case, the Plaintiff has delineated a number of instances in which the Yakima County building officials either failed to observe violations of the International Residential Code or observed such violations, but took no action. Looking at the proffered facts in the light most favorable to the Plaintiff and without specific reference to the code sections, the evidence could support a finding that at least the following violations were apparent at the time of the inspection: (1) introduction of propane into the system before approval; (2) the use of propane as the testing medium on the leak test; (3) and the connection of the filled storage tank to the house without inquiry as to the integrity of the interior

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pipng. *Coffel v. Clallam County*, 58 Wash.App. 517, 523, 794 P.2d 513 (1990) [knowledge of facts constituting a violation is sufficient to satisfy second prong of the test], *Waite v. Whatcom County*, 54 Wash.App. 682, 775 P.2d 967 (1989) ["circumstantial evidence may support a finding of actual knowledge"].

However, the critical issue is not whether there were code violations which were ignored or passed over, but whether the code mandated corrective action by the Building Official.

In the Court's view, these enforcement sections of the applicable code do not create a mandatory duty to take specific action. They are thus inadequate to support application of the failure to enforce exception.

CP at 60, 62.

¶ 6 The Supreme Court denied Mr. Pierce's request for direct review.

ANALYSIS

¶ 7 The issue is whether the trial court erred in summarily ruling the public duty doctrine precluded Mr. Pierce's negligence claims against the County.

¶ 8 When reviewing a trial court's summary judgment ruling, we engage in the same inquiry as the trial court. *Halleran v. Nu W., Inc.*, 123 Wash.App. 701, 709, 98 P.3d 52 (2004). We will affirm a ruling granting summary judgment if no genuine issue of material fact remains and the moving party is entitled to judgment as a matter of law. CR 56(c). All facts and reasonable inferences therefrom are considered in the light most favorable to the nonmoving party. *Halleran*, 123 Wash.App. at 709-10, 98 P.3d 52. In negligence actions, the determination of whether an actionable duty is owed to a plaintiff represents a question of law reviewed de novo. *Cummins v. Lewis County*, 156 Wash.2d 844, 852, 133 P.3d 458 (2006). Factual issues may be decided as a matter of law when reasonable minds could reach but one conclusion and when the factual dispute is so remote it is not material. *Ruffer v. St. Frances Cabrini Hosp.*, 56 Wash.App. 625, 628, 784 P.2d 1288 (1990).

¶ 9 Washington waived its sovereign immunity to tort suits in 1967, declaring the State may be liable for damages arising out of its tortious conduct "to the same extent as if [it] were a private person or corporation." RCW 4.96.010(1). However, the threshold determination when such a claim is asserted, as in all negligence actions, is whether a duty of care is owed to the plaintiff asserting the claim. *Taylor v. Stevens County*, 111 Wash.2d 159, 163, 759 P.2d 447 (1988).

¶ 10 In determining if a duty of care exists when a claim is asserted against the state, Washington courts consider the "public duty doctrine," which requires a showing that "the duty breached was owed to the injured person as an individual and was not merely the breach of an obligation owed to the public in general." *Id.* (quoting *J & B Dev. Co. v. King County*, 100 Wash.2d 299, 303, 669 P.2d 468 (1983), overruled on other grounds by *Taylor*, 111 Wash.2d 159, 759 P.2d 447; *Meaney v. Dodd*, 111 Wash.2d 174, 759 P.2d 455 (1988)). The doctrine reflects the policy that "legislative enactments for the public welfare should not be discouraged by subjecting a governmental entity to unlimited liability." *Id.* at 170, 759 P.2d 447. The public duty doctrine is a "focusing tool" used to determine whether the state owed a specific duty to a particular individual, the breach of which is actionable, or merely a duty to the "nebulous public," the breach of which is not actionable. *Osborn v. Mason County*, 157 Wash.2d 18, 27, 134 P.3d 197 (2006) (quoting *Taylor*, 111 Wash.2d at 166, 759 P.2d 447).

¶ 11 Four circumstances, referred to as "exceptions" exist to the public duty doctrine: (1) where there is a "legislative intent" to impose such a duty, (2) where the state is guilty of a "failure to enforce" a statutory duty, (3) where the government has engaged in "volunteer rescue" efforts, and (4) where a "special relationship" exists between the plaintiff and the state. *Donohoe v. State*, 135 Wash.App. 824, 834, 142 P.3d 654 (2006); *Babcock v. Mason County Fire Dist. No. 6*, 144 Wash.2d 774, 786, 30 P.3d 1261 (2001).

¶ 12 First, Mr. Pierce contends the County owed him a duty of care under the "failure to enforce" exception applicable when (1) government agents responsible for enforcing statutory requirements possess actual knowledge of a statutory violation, (2) a statutory duty exists to take corrective action, (3) the agents fail to take corrective action, and (4) the plaintiff is within the class the statute is intended to protect. *Halleran*, 123 Wash.App. at 714, 98 P.3d 52; *Smith v. State*, 59 Wash.App. 808, 814, 802 P.2d 133 (1990); *Honcoop v. State*, 111 Wash.2d 182, 190, 759 P.2d 1188 (1988).

¶ 13 The exception is narrowly construed. *Halleran*, 123 Wash.App. at 714, 98 P.3d 52 (citing *Atherton Condo. Apartment-Owners Ass'n Bd. of Directors v. Blume Dev. Co.*, 115 Wash.2d 506, 531, 799 P.2d 250 (1990)). It applies solely if the relevant statute mandates a specific action to correct a violation. *Donohoe*, 135 Wash.App. at 849, 142 P.3d 654. Such a mandate does not exist if the government agent has broad discretion regarding whether and how to act. *Id.*

¶ 14 The County adopted the following state codes: the International Residential Code (2006) (IRC); the International Mechanical Code (2006) (IMC), except standards for liquefied petroleum gas (propane) installations shall be the National Fuel Gas Code (2006) (NFPA 54); the Liquefied Petroleum Gas Code (2004) (NFPA 58); and the International Fire Code (2006) (IFC). Yakima County Ordinance No. 3-2007.

¶ 15 Mr. Pierce argues these fuel and gas codes mandate specific actions by directing the County to notify resident permit holders of noncompliance and to withhold final approval of a fuel system if all tests and inspections have not been done. Specifically, he relies on IRC section R109.1:

For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve the portion of the construction as completed or shall notify the permit holder wherein the same fails to

comply with this code.

CP at 241.

¶ 16 The County responsively argues the IRC vests building officials with discretion to enforce the code but does not place upon them a specific enforcement obligation. It cites IRC section R111.3 which provides that when an official observes a code violation, it "shall have the authority to authorize disconnection," CP at 241, and IRC section R113.2 which provides that the building official "is authorized" to serve a notice of violation or order where a building or structure is in violation of code. CP at 290.

¶ 17 In *Campbell v. City of Bellevue*, 85 Wash.2d 1, 13, 530 P.2d 234 (1975), our Supreme Court found municipal liability where the city's ordinance required the electrical inspector to sever or disconnect nonconforming lighting systems and he solely warned the homeowner of the wiring but did not disconnect it. Injuries resulted. *Id.* at 3-4, 530 P.2d 234. Relying on *Campbell*, the Court in *Bailey v. Town of Forks*, 108 Wash.2d 262, 268, 737 P.2d 1257 (1987), established the failure to enforce exception and identified the statutory duty to take corrective action as an element of the exception. There, a police officer witnessed an intoxicated man drive away from a bar just before causing an accident that killed one person and seriously injured another. *Id.* at 264-65, 737 P.2d 1257. The Court found the element satisfied because a statute required a police officer to detain a publicly incapacitated individual. *Id.* at 269, 737 P.2d 1257. The statute read, "[A] person who appears to be incapacitated by alcohol and who is in a public place or who has threatened, attempted, or inflicted physical harm on another, shall be taken into protective custody by the police or the emergency service patrol." *Id.* at 269, n. 1, 737 P.2d 1257 (citing RCW 70.96A.120(2)).

¶ 18 Later cases clarified that the statutory duty to take corrective action element required a specific directive to the governmental employee as to what should be done. See *McKasson v. State*, 55 Wash.App. 18, 25, 776 P.2d 971 (1989); *Forest v. State*, 62 Wash.App. 363, 369, 814 P.2d 1181 (1991); *Ravenscroft v. Water Power Co.*, 87 Wash.App. 402, 415, 942 P.2d 991 (1997), *aff'd*, 136 Wash.2d 911, 969 P.2d 75 (1998); *Smith v. City of Kelso*, 112 Wash.App. 277, 284, 48 P.3d 372 (2002).

¶ 19 In *McKasson*, no such directive was found in the securities act statutes or the associated regulations. *McKasson*, 55 Wash.App. at 25, 776 P.2d 971. "Instead, the statutes and the regulations are replete with 'mays,' and throughout the statutes, broad discretion is vested in the Director." *Id.* In *Forest*, the element was not met because RCW 72.04A.090 indicates that parole officers "may" arrest for parole violations, but arrest is not mandatory. *Forest*, 62 Wash.App. at 370, 814 P.2d 1181. In *Ravenscroft*, this court focused on whether the statutes and ordinances at issue used the word "may" or "shall." *Ravenscroft*, 87 Wash.App. at 415-16, 942 P.2d 991. There, "[t]he statutes and ordinances at issue . . . [did] not contain the language necessary to invoke the failure to enforce exception to the public duty doctrine." *Id.* at 416, 942 P.2d 991. In *Smith*, Division Two of this court reasoned even though the ordinance at issue required the city engineer to prepare standards, using the language "shall," the language was not specific enough to enforce. *Smith*, 112 Wash.App. at 284, 48 P.3d 372. The duty at issue, to prepare standards, was within the city engineer's discretion. *Id.* But the statutory duty in *Smith* was not an enforcement duty. See *id.*

¶ 20 Here, the trial court concluded this case was unlike *Campbell* and *Bailey*. The "enforcement sections of the applicable code do not create a mandatory duty to take specific action. They are thus inadequate to support application of the failure to enforce exception." CP at 62. We agree with the trial court. The statute does not provide a specific directive to the governmental employee as to what should be done. The statute merely vests discretion in the inspector in this situation. The IRC gives the inspector authority to authorize disconnection and serve a notice or order when a violation is observed. See IRC §§ 111.3, 113.2.

¶ 21 Moreover, the County's permits related solely to connections outside Mr. Pierce's home and no violation was observed outside. No in-home inspection was contemplated in the permits issued. One month after the County inspection, Mr. Pierce improperly attempted on his own to connect the inside furnace to the propane tank. Unfortunately, the inside piping was defective, but the record does not illuminate what the permitting process may have been for the existing inside piping system. Further, Mr. Pierce merely argumentatively asserts the County had actual knowledge of the defect and a corresponding duty, but argumentative assertions on remote facts do not raise material fact issues. *Ruffer*, 56 Wash.App. at 628, 784 P.2d 1288. Reasonable minds could reach but one conclusion on this point. *Id.* Therefore, we do not further consider the parties' actual knowledge arguments.

¶ 22 The parties disagree about the application of *Waite v. Whatcom County*, 54 Wash.App. 682, 775 P.2d 967 (1989), to their case. Though it utilized the failure to enforce exception established in *Bailey*, including the corrective action element, the *Waite* court did not specifically address the corrective action element. *Id.* at 686-88, 775 P.2d 967. Also, when the *Waite* opinion was published, case law had not yet clarified that corrective action meant specific directive. In any event, there is no reference to the statutory language at issue in the *Waite* case. As the trial court here noted, the duty may have been conceded by the parties in that case. Therefore, *Waite* is inapplicable to this case as far as that element is concerned.

¶ 23 Second, Mr. Pierce contends the special relationship exception to the public duty doctrine applies. The exception imposes a duty of care upon the state where (1) a direct contact between a public official and the plaintiff occurs, (2) the public official provides express assurances, which (3) give rise to justifiable reliance on the part of the plaintiff. *Donohoe*, 135 Wash.App. at 835, 142 P.3d 654; *Taylor*, 111 Wash.2d at 166, 759 P.2d 447. An "express assurance" occurs where an individual makes a direct inquiry and the government clearly sets forth incorrect information in response. *Babcock*, 144 Wash.2d at 789, 30 P.3d 1261.

¶24 The County correctly argues Mr. Pierce made no direct inquiry regarding the fuel system as it existed inside the home. The County correctly reasons Mr. Granstrand could not have responded to such an inquiry because he knew nothing about the piping inside the house. Mr. Pierce argues he made a direct inquiry to the County inspectors regarding the use of the propane system and Mr. Granstrand told him he was "good to go." Br. of Appellant at 43. Again, reasonable minds could reach but one conclusion on this point; Mr. Granstrand came to inspect the outside propane tank installation that was the subject of the relevant permits. We are asked to argumentatively and speculatively extend the proposition that because the propane tank installation was good to go, the inside piping was inferably good to go. At best Mr. Pierce asserts Mr. Granstrand gave his general approval for the propane system; this is not close to a specific inquiry about the interior piping that Mr. Pierce candidly acknowledges Mr. Granstrand never saw let alone inspected. The record is silent on the inside piping permitting process.

¶25 Because we are bound by Supreme Court decisions adhering to the public duty doctrine, we decline Mr. Pierce's request to establish new law in this settled area.

¶26 Affirmed.

BROWN, J.

WE CONCUR: KORSMO, A.C.J., and SWEENEY, J.

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ORDINANCE No. 896

AN ORDINANCE OF THE CITY OF LONG BEACH, PACIFIC COUNTY, WASHINGTON, PROVIDING FOR THE VACATION OF A PORTION OF 9th STREET NORTHEAST RIGHT-OF-WAY, AND REPEALING ANY ORDINANCES IN CONFLICT.

WHEREAS, RCW 35.79 allows for the vacation of city streets; and,

WHEREAS, the City of Long Beach has been requested to vacate a section of right-of-way; and,

WHEREAS, the City of Long Beach Unified Development Ordinance provides for a process by which owners of any real property abutting upon any street or alley may petition the City Council to make vacation of the right-of-way; and,

WHEREAS, the City Council adopts the following Findings of Fact:

1. **Petition.** The City Council finds the petition comprises the following:
 - 1.1 An e-mail from petitioner Ramage received January 29 and from Petitioner Hickey January 30, 2014.
 - 1.2 All other information contained in Case Files No. VAC 2014-01 and -02.
2. **Procedures.** The Council finds the following procedures were followed:
 - 2.1 On January 29 and 30, 2014 petitions (Ramage and Hickey, respectively) were received by the City.
 - 2.2 Soon after receipt of petitions, the Community Development Director consulted with City Department heads, Public Utility District No. 2 of Pacific County, and CenturyTel regarding this ROW.
 - 2.3 On February 3, 2014, the City Council approved Resolution 2014-03 setting the time and place for a public hearing on the matter.
 - 2.4 On or soon after February 3, 2014 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 notice included a statement of the proposal, a description of the land proposed to be vacated, as well as a map. The notice also included instruction on how to submit comments on the proposal.
 - 2.5 On March 3, 2014, the Long Beach City Council opened and conducted a public hearing at or soon after 7 pm to take public comment on this matter. The hearing was continued to March 17, 2014.

3. **Proposal.** The City Council finds the following regarding the proposed project:
 - 3.1 The petitioners request and City staff recommend that Council vacate approximately 6.5' by 200 feet of the north side of the ROW of 9th Street NW (approximately 1,300 square feet), with transfer of title to the petitioners and all rights thereto.
 - 3.2 The petitioners shall pay for all costs associated with this proposal, including and not limited to noticing fees and appraisal costs.
 - 3.3 The petitioner shall pay the City a maximum of 50% of the appraised value of the subject property.
4. **Property characteristics.** The City Council finds the following regarding the subject property:
 - 4.1 The subject property is the north 6.5' of the ROW of 9th Street Northeast from the western ROW of Washington Avenue North westerly to the eastern ROW of Oregon Avenue. The subject property is located directly adjacent to and south of Block 33, Lots 1-4, Tinker's Third Addition to Long Beach, Pacific County, Washington.
 - 4.2 Characteristics of the property to which the vacated land would become part are as follows:
 - 4.2.1 Each of the four parcels is 50' X 100'.
 - 4.2.2 Lot 1 is developed, Lots 2-4 are undeveloped, but graded.
 - 4.2.3 All four parcels are located within the B flood zone.
 - 4.2.4 All four parcels are essentially flat.
 - 4.2.5 All four parcels are served with City and utility services.
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 R1 - Single Family Residential zone pursuant to the City's zoning regulations.
 - 5.2 The subject property is located adjacent to property designated Single Family Residential 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	Single Family Residential	R	Residence
SOUTH	Public	P	Softball field
EAST	Single Family Residential	R	Residence
WEST	Residential-Commercial	RC	Undeveloped (west of Oregon Avenue)

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 the City of Long Beach.
- 7.3 Transportation
 - 7.3.1 Existing Washington Avenue North and 9th Street NE are the primary ingress/egress for the subject property.
 - 7.3.2 The ROW of 9th Street Northeast is designated a Green Street in the Long Beach Comprehensive Plan.
- 7.4 Public Education is provided by the Ocean Beach School District.
- 7.5 Electricity is available from Pacific County PUD No. 2.
- 7.5 Solid Waste is available from Peninsula Sanitation, and service is already provided on Boulevard North.
- 7.6 Police and Fire are provided by the City of Long Beach Police and City of Long Beach Fire Departments.
- 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 City staff identified 6.5' as the appropriate width of the property to be vacated.
- 8.2 City staff did not identify any conflicts regarding City services or utilities.
- 8.3 The PUD did not identify any conflicts regarding electrical services or facilities.
- 8.4 Century Tel had not responded to the City's request for input regarding telephone facilities at the time of this writing.

9. **City's Comprehensive Plan.** The City Council finds the proposed project complies with the following relevant portions of the City's Comprehensive Plan:

- 9.1 Parks, Open Space and Recreation Goal 5-4.
- 9.2 Mobility Goals 6-1 and 6-2.
- 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.

WHEREAS, the City Council has adopted Resolution 2014-03 setting the time and place for the public hearing to determine the vacation request; and,

WHEREAS, the City has provided the required notification and publication of the public hearing; and,

WHEREAS, the subject portion of 9th Street Northeast has been part of a dedicated City right-of-way for a period of twenty-five years or more; and,

WHEREAS, the abutting property owner will pay the City of Long Beach up to ½ the fair market value as provided for in RCW 35.79.030 and the City's Unified Development Code at 11-6C-5(C): Payment of Fair Market Value;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH DO ORDAIN AS FOLLOWS:

Section 1. Right-of-Way Vacated

The following described right-of-way, the northerly six and one-half feet (6.5') of 9th Street Northeast from the western right-of-way of Washington Avenue North westerly to the eastern right-of-way of Oregon Avenue lying directly adjacent to and south of Lots 1 through 4, Block 33, Plat of Long Beach (Tinker's Third North Addition), Pacific County, Washington is hereby vacated and ownership shall be transferred to the abutting property owners, Mary K. Ramage (eastern half) and Kathleen Maxson (western half). The area to be vacated comprises approximately 1,300 square feet, 650 feet to each of two petitioners. The legal description for the vacated right-of-way is:

FROM THE POINT OF BEGINNING; THE SOUTHEAST CORNER OF LOT NUMBER 4, BLOCK NUMBER 33 (ALSO KNOWN AS TAXLOT NUMBER 73011033004) OF THE PLAT OF TINKERS THIRD NORTH ADDITION TO LONG BEACH (BOOK D1 PAGE 25).

THENCE; WESTERLY PARALLELING THE EXISTING NORTHERN RIGHT OF WAY OF 9TH STREET NORTHEAST APPROXIMATELY 200.0 FEET TO THE EASTERN RIGHT OF

WAY OF OREGON AVENUE NORTH.

THENCE; SOUTHERLY APPROXIMATELY 6.5 FEET;

THENCE; EASTERLY PARALLELING THE EXISTING NORTHERN RIGHT OF WAY OF 9TH STREET NORTHEAST;

THENCE; NORTHERLY TO THE SOUTHEAST CORNER OF SAID LOT NUMBER 4, THE POINT OF BEGINNING.

Section 2. Severability Clause.

If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. Repeal of conflicting ordinances

All existing Ordinances are hereby repealed insofar as they may be in conflict with this ordinance.

Section 4. Effective Date.

This Ordinance shall be in full force and effect five days from and after its passage, approval, and publication in the manner required by law and shall be contingent upon the following conditions:

1. The petitioner shall pay for all costs associated with this partial right-of-way vacation.
2. The petitioner shall cause to have a market-value appraisal made of the subject property at petitioner's expense or agree to a recent valuation of the property via a real estate professional.
3. The petitioner shall pay the City of Long Beach up to 50% of the market value of the subject property.

Passed this 17th day of March 2014.

AYES

NAYS

ABSENT

ABSTENTIONS

Robert E. Andrew, Mayor

ATTEST:

David Glasson, City Clerk

TAB — F



**CITY COUNCIL
AGENDA BILL
AB 14-24**

Meeting Date: March 17, 2014

AGENDA ITEM INFORMATION		
SUBJECT: <i>Case No. SUP 2014-02 Special Use Permit for a Temporary Land Use (Event) in the S3R Zone</i>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A	Other:	
<p>SUMMARY STATEMENT: Please see staff report. This is the 2nd year for One Nation Under Ink, a temporary land use (an indoor-outdoor tattoo convention) at the Chautauqua Lodge. Last year's event went smoothly, complied with all conditions of approval, and by all accounts was a success that brought a substantial number of visitors to town.</p>		
<p>RECOMMENDED ACTION: <i>Approve SUP 2014-02.</i></p>		

City of Long Beach
Department of Community Development

STAFF REPORT

TO: City Council
CASE No.: SUP 2014-02
Event with Outside Elements in the S3R Zone
APPLICANT: Kevin Fink, Reddog Tattoo
SITE ADDRESS: Chautauqua Lodge
AUTHORITY: Special Use Permit Review by City Council Pursuant to
Section 12-11-14, Long Beach City Code
DATE: March 17, 2014

BACKGROUND

The applicant requests approval of SUP 2014-02, which proposes a temporary land use¹, specifically a publicly-attended entertainment and vending event at the Chautauqua Lodge over two days of the Labor Day weekend. Some of the event will take place inside the Chautauqua event center, and some will take place outdoors in the parking lot immediately south and adjacent to the event center. [Location map attached]

The event includes the following:

1. Set up will occur Friday, August 29. Actual event activities will occur Saturday and Sunday, August 30 and 31.
2. Up to twenty (20) vendors located inside the Chautauqua Lodge conference building will be tattooing, selling sidelines, and competing in challenges.
3. Several outdoor booths will be representing area non-profits, providing food, or vending.
4. An outdoor beer garden will be operated by the Long Beach Lions.
5. There will be live music outside on Saturday and Sunday.

The subject property is located in the S3R – Shoreline Resort Restricted zone.

PROCEDURAL INFORMATION

Authorizing Ordinances: Long Beach City Code Title 12, Zoning Regulations, section 12-11-14: Special Use Permits:

¹ **TEMPORARY USE:** A land-use activity that occurs for a specific and limited period of time, typically authorized by a special use permit. [12-2-1]

For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the City Council. The City Council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.

The applicant requests a temporary use; therefore, review and final action are by Council.

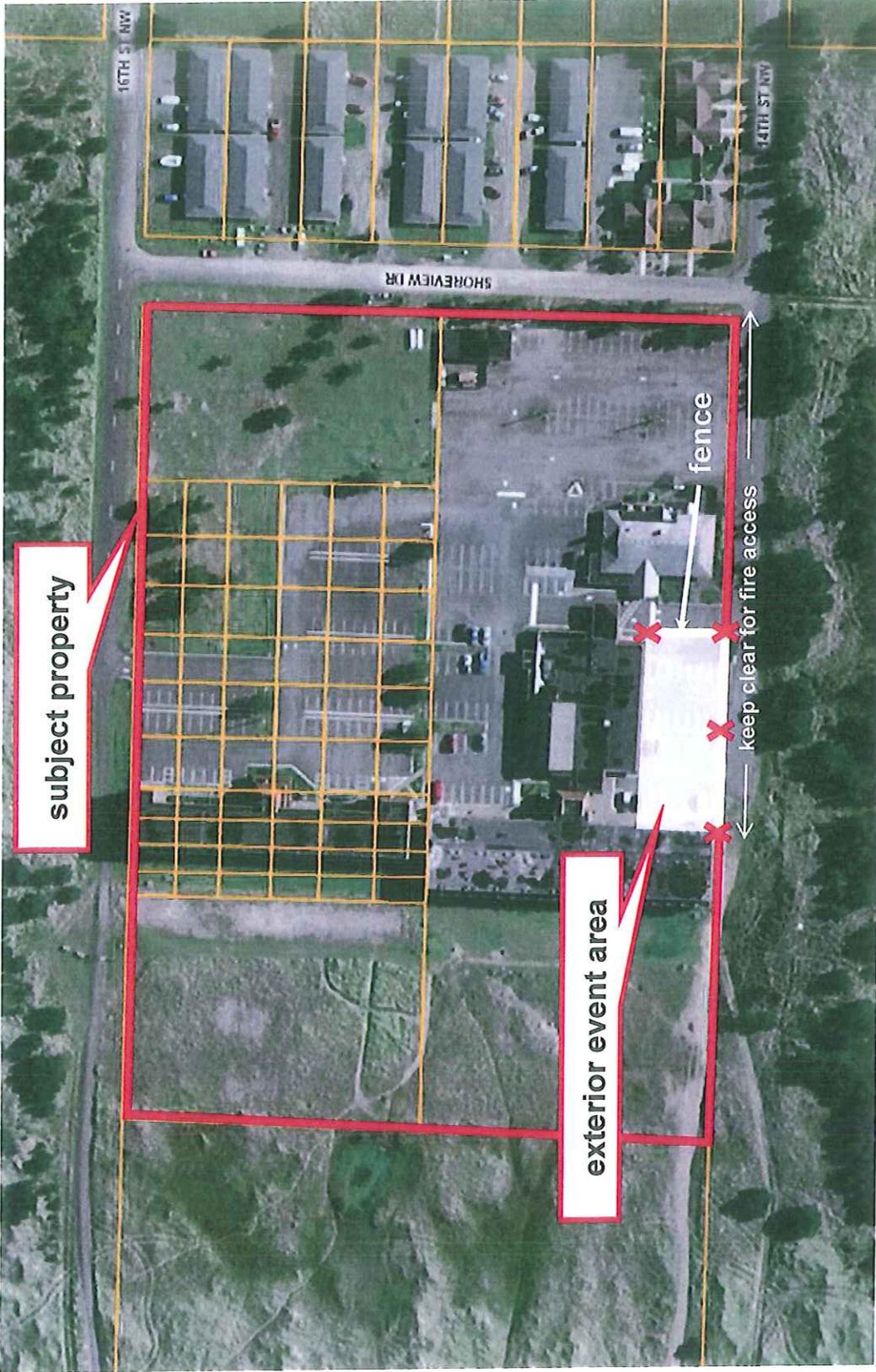
ANALYSIS

Staff reviewed this proposal, and did not identify any issues that could not be addressed via conditions of approval. The only change from last year's event is that the motorcycle rally will not occur. According to staff and Chief Wright, this event caused no trouble last year, and Mr. Fink operated according to his permit conditions.

STAFF RECOMMENDATION

Staff recommends **CONDITIONAL APPROVAL**, based on the applicant's request and description of his event, and subject to the following conditions:

1. The applicant must obtain a two-day itinerant vendor license from the city's finance director prior to the first day of the event. [4-1-3(C)(1)]
2. Music or other outdoor activities that are audible within the living space of nearby residences may not begin until noon and must cease by 10 PM. [5-5-3; 5-5-4]
3. The beer garden may not begin operation before noon and must cease operation by 10 PM.
4. There must be a minimum of two (2) security personnel on site from start of activities until close of activities each day.
5. Each tattoo artist actually creating on site is required to have all necessary state licensing and must be insured.
6. The beer garden must have all proper permits in place and must be adequately insured.
7. Any food vendor must have proper licensing and permits in place.
8. The area encompassing the beer garden and music must be fenced off with temporary 6' fencing as shown on the attached location map.
9. A minimum of two (2) portable restrooms must be provided inside the fenced area and maintained.
10. Fire access along 14th Street must be maintained, and cars may not park along the roadway immediately south of the outdoor portion of the event.



Case No. SUP 2014-02

Location Map

Reddog Tattoo at Chautauqua Lodge

Special Use Permit: Tattoo Convention in the S3R Zone

TAB - G



**CITY COUNCIL
AGENDA BILL
AB 14-25**

Meeting Date: March 17, 2013

AGENDA ITEM INFORMATION

SUBJECT:	Originator:	
Case No. SUP 2014-03 Request by Brooke Ostgaard for Outdoor Vending of Fireworks for July 2014 and December -January 2014-15	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		

SUMMARY STATEMENT: Attached is a request for a fireworks stand for Ms. Brooke Ostgaard dba Thunder Fireworks and Jake's Fireworks for at least the 4th of July and possibly New Year. Also attached are the relevant sections of City Code for Council review. Ms. Ostgaard sold fireworks on the 4th of July last year for the first time. Both Chief Wright and Chief Glasson report there were no problems with her operation and that she was a good vendor. Per Chief Glasson, there is some information lacking from Ms. Ostgaard's application that he will pursue, but he states a provisional approval now would allow the flexibility to approve with the information or deny if it is not obtained in a reasonable period of time.

RECOMMENDED ACTION: Provisionally approve (pending addition information to be obtained by Chief Glasson) SUP 2014-03 allowing temporary outdoor merchandising in the OT zone and declare the 4th of July as a festival for fee purposes. [Note: In past years Council has approved up to four (4) such stands. This is the second application made for this fireworks season.]

TEMPORARY USE: A land-use activity that occurs for a specific and limited period of time, typically authorized by a special use permit.

12-11-14: SPECIAL USE PERMIT: For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the city council. The city council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.



FIRE PROTECTION BUREAU
 FIREWORKS LICENSING PROGRAM
 PO Box 42600
 Olympia WA 98504-2600
 (360) 596-3914 FAX: (360) 596-3934

2014-03



APPLICATION FOR RETAIL FIREWORKS STAND PERMIT

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	2-26-14
Applicant Name		Address, City, State	
Brooke Ostgaard		3757 N. Wenas Rd. Selah, WA	
Sponsor (If other than applicant)		Address, City, State	
Location of proposed fireworks stand [Enclose drawing of stand location]			
101 7th St. SE Long Beach, WA			
Manner and place of storage prior, during, and after sales dates			
Storage at 5207 187th St. E Tacoma, WA 98446			
State-Licensed Fireworks Supplier			
Thunder Fireworks + Jake's Fireworks			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: _____
 (Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from _____ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4th

Sales for December 31st

From: _____
 To: _____

From: _____
 To: _____

Sponsor _____

Location _____

/s/ _____ /s/ _____
 Signature of Official Granting Permit Signature of Applicant

Title _____ Agency _____

Date _____ Permit Number _____

Licensee Name _____ License Number _____

#1 - Coastal Inn

↑
7th St. SE



Google earth



8th St.



TAB - H



**CITY COUNCIL
AGENDA BILL
AB 14-26**

Meeting Date: **March 17, 2013**

AGENDA ITEM INFORMATION

SUBJECT: Request for additional funding for Kite Museum, background and information.	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	GM
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	COST: \$12,500	Water/Wastewater Supervisor
	Other:	

SUMMARY STATEMENT: *The Kite Museum Board made a request to the Long Beach Marketing Committee for additional funds to support the hiring of a new development director. The request is to restore the amount first approved for the 2013 Budget year which was \$17,500 for three (3) years.*

You may recall that the Museum hired a director in 2013 but that situation did not work out and the Kite Museum used only about \$3,000 of the money earmarked for the new director in 2013.

They would like to move forward with fill a newly designed position of "Development Director" and I have attached a copy of the job description they have developed for this position.

A major difference at this point in time is the new Director will not only work with the museum but also be a major player in the Kite Festival event.

The request is for \$17,500 for this year, since we are half way through the year this would be less for 2014, and that total amount for 2015 and 2016.

I have also attached a copy of the Lodging Tax budget for 2014 as adopted back in December 2013.

RECOMMENDED ACTION: *Move approval.*

**CITY OF LONG BEACH
REVENUES**

20

DESCRIPTION	2014 Budget	2013 Budget
LODGING TAX FUND - 103		
BEGINNING FUND BALANCE	195,512	229,137
TOTAL BEGINNING FUND BALANCE	195,512	229,137
HOTEL-MOTEL TAXES, ORIGINAL 2%	191,000	185,000
HOTEL-MOTEL 3%	291,000	280,000
INVESTMENT INTEREST	200	500
FUND CONTRIBUTIONS	100	
TROLLEY CONTRIBUTIONS	1,000	1,000
MISCELLANEOUS REVENUE		1,000
TOTAL REVENUES	483,300	467,500
PACIFIC COUNTY CONTRIBUTION		
CONTINGENT REVENUE		
TOTAL OTHER FINANCING SOURCES	-	-
TOTAL LODGING TAX FUND	678,812	696,637

EXPENSES

LODGING TAX FUND - 103

FESTIVAL SALARIES	75,000	69,087
FESTIVAL BENEFITS	35,500	34,476
OPERATING SUPPLIES	3,000	1,000
UTILITIES	2,800	1,600
REPAIRS & MAINTENANCE	10,000	10,000
EQUIPMENT	1,500	3,400
VISITORS BUREAU - OPERATIONS	70,000	67,500
VISITORS BUREAU - PUBLIC RELATIONS	25,000	25,000
VISITORS BUREAU - WEBSITE	20,000	20,000
VISITORS BUREAU - MARKETING	20,000	
MISCELLANEOUS	500	500
SOCIAL NETWORKING	-	19,440
PACKAGE TOURS	6,000	14,000
"BIG STAGE"	10,000	10,000
ADVERTISING		6,725
ADVERTISING - BEACH PLANNER	10,000	10,000
ADVERTISING - CONTINGENCY		
ADVERTISING - DISCOVERY TRAIL MAP		18,800
ADVERTISING - OTHER		
ADVERTISING - SPECIAL PROJECTS	5,000	
ADVERTISING - TELEVISION	15,000	
ADVERTISING - VB 2009		
ADVERTISING - WSTP	10,000	8,000
ADVERTISING - WSTP		
ANNUAL FIREWORKS	22,500	20,000
BANNERS	3,000	3,000
BEACH TO CHOWDER	5,000	10,000
BOARDWALK REPAIR	25,000	
CONVENTION CENTER - PROF SERV.		-
DIRECT MARKETING PROGRAMS	-	25,000
DOGGIE OLYMPICS	4,000	4,000
EDC ANNUAL DONATION	1,000	1,000
FARMERS MARKET	6,377	-
FESTIVAL SECURITY	30,000	31,000

**CITY OF LONG BEACH
REVENUES**

20

DESCRIPTION	2014 Budget	2013 Budget
HALF MARATHON	5,000	
Holiday Lights	15,000	
HOLIDAYS AT THE BEACH	6,000	4,000
ILWACO CHARTER ASSOCIATION	1,000	
JAKE'S BIRTHDAY	5,000	5,000
KIOSK		-
KITE FESTIVAL	10,000	10,000
KITE MUSEUM	5,000	17,500
LB MERCHANTS TRAILER	20,351	
LONG BEACH BLUE GRASS FEST		
LOYALTY DAY PARADE	7,500	7,500
MISCELLANEOUS EXPENDITURES	3,000	1,000
NEW RESTROOM	25,000	
OUR COAST VISTOR'S GUIDE	200	
POCKET CALENDARS		-
PROFESSIONAL SERVICES		-
RAZOR CLAM FESTIVAL	6,000	
RODEO	4,000	4,000
SAND CASTLE CONTEST	10,000	10,000
SITE IMPROVEMENT RESERVE		-
STAGE	-	15,000
SUMMERFEST	30,000	23,350
SURF PERCH DERBY	500	500
TRAINING FROM WA REST ASSOC.	3,500	
TROLLEY	3,000	5,000
TROLLEY REPAIRS & MAINTENANCE		-
WATER MUSIC FESTIVAL	1,000	1,000
WIFI FOR FESTIVALS - TRIAL	7,500	-
TOTAL EXPENDITURES	584,728	517,378
LOAN TO C.E.		
Property Purchase (principal)	33,234	40,837
Property Purchase (interest)	7,785	
LOAN REPAY - CURRENT EXPENSE		
REPAY LOAN TO 105-CAPITAL IMP.		
TOTAL NON-EXPENDITURES	41,019	40,837
TOTAL LODGING TAX FUND	625,747	558,215
TOTAL ENDING FUND BALANCE	53,065	138,422

Development Director

Position Title: World Kite Museum Development Director

Museum Name: World Kite Museum & Hall of Fame (WKM)

Location: Long Beach, Washington
98631 United States
360-642-2040

Contact Person: Jim Sayce or Blaine Walker, WKM board of directors.

Mission: The World Kite Museum & Hall of Fame (WKM) is dedicated to the thrill, art, science, sport, history of kites and kite flying worldwide. The museum's collections, exhibits and educational events celebrate the kite as a multicultural art form with displays, events and programs that are educational, artful and interactive.

Facility: The museum houses artifacts, archives and displays in a 10,350 sq. ft. two-story 10-year-old facility. For more information, please see the World Kite Museum's website; www.worldkitemuseum.com

Location: info@worldkitemuseum.com
360-642-4020
303 Sid Snyder Drive
World Kite Museum
POB 964
Long Beach, Washington 98631

Reporting Relationship: This position reports to the WKM board of directors.

Position Description: The Development Director is responsible for assistance in creating/developing and carrying out the plans and policies of the museum. This person is responsible for managing the events, exhibits, collections, displays and overseeing the museums operations - including, but not limited to business, finance, and facility operations. This management is for achieving the Museum's mission and annual goals and objectives. This position will supervise staff and volunteers.

The Development Director will be responsible for the management and production of the Washington State International Kite Festival (WSIKF) and developing the successful integration of WKM and WSIKF.

Specific Duties

1. Washington State International Kite Festival
 - a. Directly manage and develop the annual WSIKF by:
 - i. Coordinating and managing partnerships with
 1. City of Long Beach
 2. City of Long Beach Merchants
 3. WSIKF leadership, committees, and volunteers
 4. WKM
 - b. Develop and implement a plan for growing the media presence of WSIKF and WKM.
 - c. Serve as the primary contact for the Washington State International Kite Festival and provide a high degree of community visibility and viability.
 - d. Other duties as agreed to by the Board and Partners of WSIKF.

2. World Kite Museum
 - a. Develop and manage exhibits, educational programs, and events to attract retain and increase membership and visitors.
 - b. Develop and manage the marketing, promotion, quality of programs, products, services and successful use of social media.
 - c. Collaborate with constituencies, including support groups and the community, to develop unique programs.
 - d. In close coordination with the Board, develop, implement, and manage museum fund raising plan(s) to identify opportunities and sources/prospects.
 - e. Draft an annual budget that meets development goals.
 - f. Develop (with Board President) and present agenda of board meetings.
 - g. Other duties as agreed to by the Board.

Requirements:

The candidate must be energetic and possess community conscious leadership qualities, and event planning and production experience as well as demonstrated organizational skills, and the ability to motivate staff, volunteers and community partners.

He/she must be adept at problem solving, leading through process rather than mandate. They should have the ability to manage and advance several priorities at the same time.

The successful candidate will set an example with a strong work ethic. A candidate should have a congenial approach to fellow workers, be a good listener, have a sense of humor and a commitment to learning.

TAB - I



**CITY COUNCIL
AGENDA BILL
AB 14-27**

Meeting Date: March 17, 2013

AGENDA ITEM INFORMATION		
SUBJECT: Firewood Harvesting Hold harmless agreement	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: N/A	Water/Wastewater Supervisor	
	Other:	

SUMMARY STATEMENT: Attached is a hold harmless agreement approved by the city attorney. Staff has had some inquiry regarding cutting shore pines on city property for firewood. As this might be a cost effective way to remove shore pines, staff recommends trying this as an option. Staff will outline the location for tree removal and work with individuals wishing to try this.

RECOMMENDED ACTION: *Authorize individuals to cut shore pines with staff oversight.*

Hold Harmless Agreement

For and in consideration of the use of City property for the purpose of harvesting firewood, the undersigned as an individual and as representative for

being of lawful age and the proper representative of _____ hereby fully and forever releases and discharges the City of Long Beach and every employee or assignee thereof from any claim for any injury, loss, or damage of any nature whatsoever arising from the operation of harvesting firewood. In further consideration of said use described above the undersigned for himself or herself and as a representative of

hereby agrees to save and hold harmless and indemnify the City of Long Beach and every employee or assignee thereof from any and all expenses arising because of any claim which may hereafter be presented by anyone for loss or personal injury of any nature whatsoever including but not limited to attorney fees and costs incurred for the investigation and resolution of any claims as a result of the use of the City property by

_____.

I agree to the above provisions personally and as the authorized representative of

Name

Title

Date

TAB - J

Long Beach Police

P.O. Box 795
Long Beach, WA 98631

lbpchief@centurytel.net

Phone 360-642-2911
Fax 360-642-5273

03-01-14

Page 1 of 2

To: Mayor Andrew and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for February 2014

During the month of February the Long Beach Police Department handled the following cases and calls:

Long Beach

607 Total Incidents
Aid Call Assists: 5
Alarms: 5
Animal Complaints: 2
Assaults: 6
Assists: 99
(Includes 10 Law Enforcement Agency Assists Outside City Boundaries)
Burglaries: 2
Disturbance: 17
Drug Inv.: 2
Fire Call Assists: 2
Follow Up: 128
Found/Lost Property: 8
Harassment: 8
Malicious Mischief: 8
MIP – Alcohol: 0
MIP – Tobacco: 0
Missing Person: 0
Prowler: 0
Runaway: 0
Security Checks: 186
Suspicious: 29
Thefts: 16
Traffic Accidents: 3
Traffic Complaints: 4
Traffic Tickets: 1
Traffic Warnings: 43
Trespass: 5
Warrant Contacts: 13
Welfare Checks: 11

Ilwaco

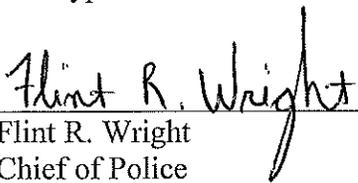
254 Total Incidents
Aid Call Assists: 0
Alarms: 4
Animal Complaints: 0
Assaults: 5
Assists: 37
Burglaries: 0
Disturbance: 5
Drug Inv.: 1
Fire Call Assists: 0
Follow Up: 78
Found/Lost Property: 1
Harassment: 5
Malicious Mischief: 2
MIP – Alcohol: 0
MIP – Tobacco: 0
Missing Person: 0
Prowler: 1
Runaway: 1
Security Checks: 67
Suspicious: 16
Thefts: 4
Traffic Accidents: 1
Traffic Complaints: 4
Traffic Tickets: 4
Traffic Warnings: 7
Trespass: 5
Warrant Contacts: 0
Welfare Checks: 6

Officer Casey Meling attended a conference in Washington D.C. It was the "Community Anti-Drug Coalition's of America" conference. He was there February 3rd – 6th. Some of the topics covered at the conference were drug trends, the latest strategies to fight substance abuse, prescription drug abuse, the dangers of marijuana, drug testing in the workplace and issues involving meth. These were just a few of the topics. Casey received a scholarship to attend this conference that covered the cost of the conference and his hotel room. Well Spring Community Network paid for his airline tickets and the city paid for meals.

On the 5th I ordered the new patrol vehicle from Ford. It should be here within a short time.

Officer Jeff Cutting attended training locally as part of the "Fire Investigation Team" on February 10th. Jeff was trained in scene diagramming and photography and fire scene examination.

On the 11th the department received word from the Washington Association of Sheriffs and Police Chiefs that we had been awarded an equipment grant for \$2,988.00. This grant will be used to purchase an advanced speed measuring device called a "LIDAR". This type of device uses a laser beam instead of radar to track vehicles.



Flint R. Wright
Chief of Police

To: City of Long Beach, Mayor,
Council and Employees

words can't begin to express
our appreciation for what
everyone did for us during
this extremely difficult time
we have come through. It's
because of friends & family
like you that we did make
it. we take one day at a
time! Thank you too for
everyone who has continued to
check on us. That's what
family does.

Love

Rick, Micaela

& Family

Report: AGY064P2
710-LBL BLS020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 03 04 2014
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor
Legal Entity Name : LACEY ANN GRIGGS-BAUTISTA

UFI Number : 603 391 114 001 0001
Application ID : 2014 062 5350
Application Received Date: 03 03 2014

Firm Name : BIG TUNA CONSTRUCTION

Fees : \$125.00
Expiration Date: 03 31 2015

Location Phone/FAX: (360) 665-3705 (000) 000-0000

First Date of Business: 03 15 2014

Location Address : 3407 238TH PL
OCEAN PARK WA 98640 3714

Mail Addr: PO BOX 1574
OCEAN PARK WA 98640 1574

In City Limits: Y

Product/Serv Desc: Services
Services THE REPAIRING/REMODELING OF RESIDENTIAL STRUCTURES
. THE CONSTRUCTION OF DECKS, SHEDS, ADDITIONS, ECT.

Operator Comments:

Square Footage: 0

Applying as Non Profit Business: N
501(C) Received: -

Email Address: Emeltb@btuna.com

Additional Business Activities:

General/Specialty Contractor #

Unable to verify Contractor license number in the Contractor database.

Account Status: Pending Approval

Zoning	<u>NA</u>	Fire	
	<u>CP</u>		
	<u>3/11/14</u>		
Building		Police	
Finance		Planning	
Comments:			

Report: AGY064P2
710-LBL ELSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 03 07 2014
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor
Legal Entity Name : CLINT E CARTER

UBI Number : 602 390 415 001 0003
Application ID : 2014 066 4442
Application Received Date: 03 07 2014

Firm Name : CLINT E CARTER

Fees : \$125.00
Expiration Date: 03 31 2015

Location Phone/FAX: (360) 642-8667 (000) 000-0000

Business Open Date: 04 15 2014

Location Address : 107 3RD ST SE
LONG BEACH WA 98631 2635

Mail Addr: PO BOX 855
TUMACO WA 98624 0855

In City Limits: Y

Product/Serv Desc: Retail
Retail FOOD AND BEVERAGES, PRIMARILY SEAFOOD AND SANDWICH
ES, SOFT DRINKS AND BEER

Operator Comments:

Previous Business License: N

Square Footage: 0

Applying as Non Profit Business: N
501(C) Received: -

Conducting Business From Residence: N

Hazardous/Flammable Materials:

Emergency Contact 1: CLINT CARTER
Emergency Contact 2: LAURIE CARTER

(360) 665-0894
(360) 665-0894

Email Address: imperial schooner@reachphone.com

Additional Business Activities:

Account Status: Pending Approval

Zoning	OT SB	Date	3/11/14	Fire	Date
Building		Date		Police	Date
Finance		Date		Planning	Date
Comments:					

Report: AGY064P2
710-LBL BLS020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 03 07 2014
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC
Legal Entity Name : PACIFIC INSPECTOR LLC

UFI Number : 603 352 728 001 0001
Application ID : 2014 066 4331
Application Received Date: 03 07 2014

Firm Name : PACIFIC INSPECTOR LLC

Fees : \$125.00
Expiration Date: 03 31 2015

Location Phone/FAX: (360) 777-8880 (360) 777-8866

First Date of Business: 03 07 2014

Location Address : 620 STATE ROUTE 101
CHINOOK WA 98614 1337

Mail Addr: PO BOX 233
CHINOOK WA 98614 0233

In City Limits: N

Product/Serv Desc: Services
Services HOME INSPECTIONS & ENERGY AUDITS

Operator Comments:

Previous Business License: N

Square Footage: 0

Applying as Non Profit Business: N
501(C) Received: _

Email Address: lesscolvin1@gmail.com

Additional Business Activities:

Account Status: Pending Approval

Zoning	<u>MS</u>	<u>SPS</u>	<u>3/11/14</u>	Fire	_____	Date	_____
Building	_____	_____	_____	Police	_____	Date	_____
Finance	_____	_____	_____	Planning	_____	Date	_____
Comments:	_____						