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RESOLUTION NO. 2023-04

**A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING TEMPORARY STREET
CLOSURE FOR A PORTION OF SW 3rd STREET**

RECITALS

Pursuant to LCMC 10.08.010, the City Council may exercise Traffic Control authority by Resolution of the Council or the City Manager may exercise such authority by written order.

The establishment of traffic controls, including but not limited to temporary closure of a street, is expressly listed as within the authority of the City Council.

In July 2022, the City Council reviewed and approved a public improvement contract for the construction of the SW 3rd and Highway 101 Beacon Project. The Agenda item summarized this +/- \$480,000.00 project as follows:

The project will improve the sidewalk ramps at [SW] 3rd and Hwy 101 to meet ADA requirements. A pedestrian flashing beacon crossing will be added on Hwy 101. SW 3rd Ave will be closed from Hwy 101 to SW Ebb Ave and a concrete plaza will be added from Hwy 101 to the ocean bluff with a raised concrete pedestrian crossing of SW Ebb Ave.

Accordingly, the City Engineer recommends an exercise in parking and traffic control authority by the Council to temporarily close the street during construction

Based on the engineering review, the City Council finds and determines that there exists an engineering and safety basis for an exercise of municipal parking and traffic control authority, specifically to temporarily close a street during construction on the designated portions of SW 3rd Street.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

SECTION 1. RECITALS.

The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. TEMPORARY CLOSURE DURING CONSTRUCTION PERIOD.

For the protection of the public and workers, SW 3rd street as depicted on Exhibit A incorporated herein by this reference, will be temporarily closed to all traffic during the construction period of the SW 3rd Highway 101 Beacon Project. Residents and businesses shall be afforded reasonable access during construction. Signage shall be posted notifying traffic of the temporary closure and / or alternative route.

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SECTION 3. OBJECTORS.

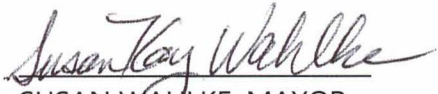
On March 13, 2023 owners of adjacent commercial property appeared with their legal counsel and objected to the Beacon Project and the traffic control resolution, specifically as regards the restriction on vehicular access to SW 3rd Street after completion of the project. Council directs that staff report to Council in an executive session on the comments submitted by objectors and bring back positions/options for the next Council meeting.

SECTION 4. POSTING OF TEMPORARY CLOSURE SIGNAGE

The Public Works Department is directed to erect appropriate signs in the appropriate locations.

SECTION 4. EFFECTIVE DATE. This Resolution is effective as of the date of its adoption.

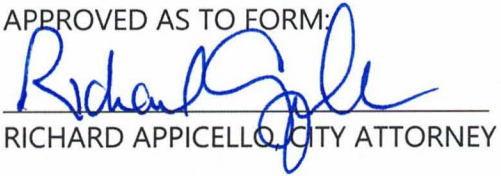
PASSED AND APPROVED by the City Council of the City of Lincoln City, Oregon, this 13th day of March, 2023.


SUSAN WAHLKE, MAYOR

ATTEST:


JAMIE YOUNG, CITY RECORDER

APPROVED AS TO FORM:


RICHARD APPICELLO, CITY ATTORNEY