

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 pm.

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Parks and Recreation Director Cosby, Finance Director Brooks, Financial Analyst Snyder, Fire Chief Ames, Interim Planner Morgan, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**REPORTS OF COUNCILORS:**

**Item 7(a): Councilor Nemlowill** had no report.

**Item 7(b): Councilor Herzig** reported the Lower Columbia Diversity Project (LCDP) hosted a panel discussion on wage inequality, discussing how women make less than men. Shawna Sykes from Oregon Labor gave some great statistics, which indicated that women in Clatsop County make less than men in every occupation and in every age range. In some occupations, the wage gap is narrower than in others. Oregon Secretary of State, Jeanne Atkins, was part of the panel and it was inspiring to hear what is being proposed in the legislature. Raahi Reddy explained during the discussion that everyone suffers when women make less than men. He spread bark mulch at Tapiola Park on Sunday as part of the Citizens Helping in Parks (CHIP-In) program. He worked alongside a Coast Guard engineer named Morgan who had been trying to find community service projects for two years. This made him realize the City was not doing a good job of getting the word out about community service opportunities. He learned a lot about what it takes to work as an engineer on a cutter. On his way to the Council meeting, he saw a traffic incident at 8<sup>th</sup> and Irving that almost resulted in an accident. A driver, heading south on 8<sup>th</sup> Street, did not realize traffic on Irving does not stop. The driver pulled out in front of another vehicle. He hoped the City would take this intersection seriously someday. Astoria has a number of intersections where cross traffic does not stop. These intersections need some type of labeling, particularly in the summer when Astoria has many visitors from out of town. He sees many risky maneuvers because people do not see that cross traffic does not stop.

**Item 7(c): Councilor Warr** had no report.

**Item 7(d): Councilor Price** had no report.

**Item 7(e): Mayor LaMear** reported that she pulled weeds during the CHIP-In event. She explained that once a month, volunteers are invited to help clean up one of the City's parks. Parks Director Cosby told her there were 63 volunteers at Sunday's event, many from Tongue Point Job Corps. She thanked the students, noting they were a wonderful resource for the community. The students do great things and she was proud that they help. She spoke with a Coast Guard member who said they wanted to volunteer. Getting the Coast Guard involved would be wonderful because they are another great resource. At Tapiola Park, 98 yards of playground chips were put down, weeding was done, the sandboxes were filled, the playground was pressure washed, the Flavel House play structure was repainted, and trees were mulched. The next CHIP-In will be on Sunday, May 17<sup>th</sup> from 1:00 pm to 4:00 pm at Oceanview Cemetery. The cemetery really needs some help and she hoped many volunteers would participate. She thanked Director Cosby, Janice O'Malley Galizio, Jonah Dart-McLean, and new staff member Matt Baum, who worked very hard. She introduced the new Finance Director, Susan Brooks, who has a lot of experience after working at Tongue Point for six years. She is a great resource and the City appreciates her joining the Staff.

## CHANGES TO AGENDA:

City Manager Estes suggested Council add an item to follow up the work session. The agenda was approved with the addition of Item 11(h): Library Site Work Session Follow-Up.

## PRESENTATIONS:

### **Item 9(a): Pacific Power**

Sheila Holden, Regional Community Manager for PacifiCorp, explained that Pacific Power is required to give an annual report on gross and net revenues, the City's franchise fees, and future plans. Because so many upgrades have already been done in Astoria, no projects are scheduled for the upcoming year and maintenance was the only work necessary over the last year. She handed out a flyer with information about revenues from the last year.

City Manager Estes noted that Staff would have more copies of the flyer available and could send the information via email.

Ms. Holden presented Pacific Power's 2014 Annual Report as follows:

- Pacific Power serves about 23,254 customers in Clatsop County, 5,363 of which are in the City of Astoria. Not all residents are customers of Pacific Power.
- Pacific Power paid \$23 million in property taxes to the State and a little more than \$490,000 in property taxes to Clatsop County.
- Franchise fees paid to Clatsop County were \$1.2 million, and a little more than \$349,000 was paid to the City of Astoria.
- Gross revenues for the area totaled \$10 million. Net revenues were \$9.9 million.
- Pacific Power was born in Astoria in 1910 and is proud to be in the city. She thanked the community for being so prudent with its payments compared to other communities. Pacific Power is a sponsor for the 90<sup>th</sup> Anniversary of the Liberty Theatre. She listed other organizations and events in the community that Pacific Power has sponsored, including the Astoria and Clatsop County ham radio operators, Astoria Downtown Historic District Association (ADHDA), the holiday lighting, the Regatta, Clatsop Economic Development Resources (CEDR), Clatsop Community Action (CCA), the food bank, and Clatsop Community College. In 2014, Pacific Power celebrated its 100,000<sup>th</sup> Blue Sky customer. She explained that Blue Sky customers voluntarily donate money to the company so it can afford the advancement of technology in local communities for renewable resources. Astoria was the first small city and one of the first cities to have an end line hydroelectric turbine, which will produce about 30 kilowatts of power. This is enough power to operate the water treatment plant for the city, the equivalent of powering 16 homes for one year. She knew it took eight years to complete the project and commended the City for making it happen. She noted Staff and Senator Betsy Johnson did a great job of pulling the project together.

Mayor LaMear asked if there were plans to install light emitting diode (LED) lighting in Astoria. Ms. Holden said about five or six years ago, Pacific Power conducted a pilot program for LED lighting in Clatsop County. Cannon Beach was the first city to use LED lighting. Pacific Power will pay for the cost of installing LED lights in a new light source. However, installing LED lights in an existing source is paid for by the customer. Astoria does have LED lights and the prices are coming down because the market is becoming saturated with them. She offered to have a Pacific Power employee work with the City to install LED lights. LED lights are low maintenance and have low operation costs, but installation costs are high.

Mayor LaMear said she would like to discuss LEDs with Pacific Power.

### **Item 9(b): Friends of the Column**

Mayor LaMear said the Friends of the Column take care of the facilities at the Column. The City is grateful for their work. She asked the Friends of the Column board members to stand for recognition.

Jordan Schnitzer, President of the Friends of the Column, said Columbia Memorial Hospital (CMH) has donated a defibrillator and training to use the device to the Column. The Column was one of only seven locations to receive this donation from CMH. He thanked the hospital. He said Director Cosby has been a very competent partner and she has a great working relationship with the Column's caretakers, Sheri and Jay Mitchell. He gave

a PowerPoint presentation on the Friends, which included a brief history of the Friends and outlined their accomplishments over the last year, as follows:

- Revenues for the last year were \$542,000, a 28 percent increase over 2013. Most of the revenues come from the marketing done by Ms. Mitchell. The new point of sale (POS) system keeps track of sales and inventory. Ms. Mitchell has been working with the Maritime Museum and the Flavel House to purchase merchandise that customers prefer. Gift shop sales were more than \$375,000, a 14 percent increase over 2013.
- After signing a memorandum of understanding with the City, the Friends is now funding \$35,000 each year into the Parks Department to help pay for staffing. Prior to the agreement, the City spent between \$46,000 and \$50,000 on grounds keeping. While the City still pays for the utilities, the City is saving about \$60,000 to \$70,000.
- Capital Improvements at the Column included \$46,000 in improvements to the caretaker's house to make it code compliant and installing cameras and a security system in the gift shop. Jay Mitchell manages maintenance at the Column while working full-time for the Coast Guard. He works weekends on grounds keeping, cleaning restrooms, and emptying garbage.
- The Friends are researching two projects, a major renovation of the plaza, which is estimated to cost between \$150,000 and \$200,000, and energy efficient LED lighting that allows the light's colors to be changed.
- Outreach activities include improved social media marketing, a new website, working with tourism groups, updating the calendar of events, sponsorships, and a parade float for the Regatta.
- The Friends worked with many people to resolve issues with the Verizon monopole project. The communications tower will no longer be located at the Column. The Friends have spent \$70,000 to help the City negotiate with Verizon.
- He reviewed the history of the maintenance done on the Column throughout the years and explained why the medallions have worn more than other elements of the Column. The Column is in stable condition, but some areas need work. He listed the necessary treatments, which would be completed from April through August. If this work is not completed in 2015, the Column will deteriorate further and repairs will be more expensive. The maintenance schedule will allow the Column to remain open for three of the five months and on the big holidays.
  - The Friends have raised \$250,000 from the community in anticipation that Council would approve the necessary repairs. He thanked the citizens for their donations, which included some multi-year commitments. He hoped to raise \$750,000 before starting the public fundraising campaign. He reviewed past fundraising campaigns that funded maintenance and repairs.
- The Friends' communication plan includes press releases and a fundraising campaign, if Council approves the necessary repairs.

Councilor Herzig thanked the Friends for their help relocating the monopole, which benefits everyone. The City needed the help of someone who could make a deal. Helping the City negotiate was a real service to the community. Mr. Schnitzer said Thane Tienson and Mike Lindberg led the effort to relocate the monopole. The Friends were careful not to overstep their bounds because the monopole was on City property. He appreciated the lack of ego. Mike Lindberg added that thanks to City Manager Estes and Police Chief Johnston, the process was amazingly smooth.

Councilor Herzig said the City appreciated the Friends allowing the Column to be lit teal in April for Sexual Assault Awareness Month. The color changes will be easier when the City gets LED lights. During a previous restoration, the staircase was removed. The educational aspect of the upcoming renovation should be documented and recorded and he hoped the Friends would assist with this. The Column is part of Astoria's history and the City wants to preserve it. The Column embodies so much of what Astoria represents and the Friends make its preservation possible.

Councilor Nemlowill thanked Mr. Schnitzer for his time and donations. The Column is important to her and her family because her father was one of the artists who worked on the restoration in 1995. She takes her children to the Column and every time she goes to the Column to exercise, she is reenergized about the vision for Astoria because the Column is a magical place.

Councilor Price said she started coming to Astoria in 1995. The first picture of Astoria shown to her was of the restoration being done at the Column. She is always asked for directions to the Column and it is the first place she takes her visitors. She thanked Mr. Schnitzer and the Friends. She was sure the community would help with

the fundraising. She noted the Friends could consider using scaffolding the same way as that used at the Washington Monument and the Capital, so the Column would look great even while under wraps.

Councilor Warr said he has worked closely with Mr. Schnitzer through his business. The things he and the Friends have done for the community are amazing. He thanked the Friends and said the community appreciates their work very much.

Mayor LaMear said the Column is the symbol of the city. She believed everyone agreed the Column was an amazing place. She appreciated all of the Friends' efforts.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Herzig, to approve repairs and maintenance at the Column. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Mr. Schnitzer thanked Council for their support and said it was nice to hear the Friends efforts are appreciated. However, the Friends are honored to be involved and have the opportunity to lend a hand towards a legacy that will continue on. There is no greater joy in life than giving back, especially to something so substantial and that touches so many lives. It has been 20 years since the last restoration and an average of 400,000 people visit each year, even though no advertising is done. There have been 8 million steps on the pavers. He thanked the City for its support, noting the Friends look forward to working with the City. He added some wonderful summer events have been planned and the Friends welcome any new ideas.

#### **CONSENT CALENDAR:**

The following items were presented on the Consent Calendar:

- 10(a) City Council Minutes of 3/16/15
- 10(b) City Council Work Session Minutes of 3/16/15
- 10(c) City Council Special Meeting Minutes of 3/6/15
- 10(d) Boards and Commissions Minutes
  - (1) Historic Landmarks Commission Meeting of 3/17/15
  - (2) Planning Commission Meeting of 1/27/15
  - (3) Traffic Safety Committee Meeting of 1/27/15

- 10(e) Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Nemlowill, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

#### **REGULAR AGENDA ITEMS**

**Item 11(a): Motion to Intervene Out-of-Time – Oregon LNG Liquefied Natural Gas Terminal and the Oregon LNG and Washington Expansion Project Pipelines (City Council)**

Councilor Cindy Price has requested that the Motion to Intervene Out-of-Time regarding Oregon LNG and the Washington Expansion Project Pipelines be placed on the Council's April 20, 2015 agenda for consideration. Mayor LaMear subsequently coordinated with City Attorney Henningsgaard regarding this matter. A draft Motion to Intervene is included in the packet for Council consideration.

Councilor Price explained that in 2006, the City Council passed this same Motion to Intervene Out-of-Time regarding the Bradwood Landing Project. This Motion to Intervene makes Astoria a party to the lawsuit so that Astoria can submit comments in the future. The original public comment period has passed. This motion asks the court to allow Astoria to comment out-of-time. There is no guarantee this motion will be approved by the court, but this is a common request that is usually allowed. The motion asserts that the City of Astoria has an interest in the project and does not approve or deny any permits.

Councilor Herzig thanked Councilor Price for bringing this issue to Council.

Mayor LaMear called for public comments on the Motion to Intervene.

Roger Rocka, 362 Duane Street, Astoria, said he appreciated the Motion to Intervene. He believed the City and its citizens would be impacted by Oregon LNG and it is appropriate for the City to have a say. He heard from Geologist Tom Horning that the terminal is planned in the worst possible location on the Columbia River and the terminal and pipeline are unlikely to remain intact during a Cascadia subduction zone earthquake and tsunami. Even without the expected environmental damage done by scouring out the salmon spawning area at the mouth of the Skipanon River, the effects of the terminal will slop over, impeding existing river uses like fishing, crabbing, recreation, and tourism. This will take away uses and jobs the community has now. Oregon LNG tries to distract from this by saying the terminal will create jobs while ignoring the jobs that will be lost. Oregon LNG has promised 30 to 35 jobs, which is a joke compared to the hundreds of jobs generated in the past decade by local businesses because Astoria is what it is. The breweries employ several hundred people. The local jobs do not kill or hinder existing jobs like the LNG restrictions on the Columbia River would. Oregon LNG has talked about thousands of construction jobs, but Astoria's construction industry is already pretty busy. Most of the LNG construction workers will not be from Astoria. He questioned where these workers would live and what they would do when not working. He asked Council to consider what history has taught about this type of influx into a community. Astoria should intervene and he hoped Council would consider a resolution opposing Oregon LNG in the future. Support for LNG is so lacking in this area that Oregon LNG had to bus in people to speak on their behalf at hearings. He urged Councilors to support their constituents overwhelming opposition by passing a resolution opposing Oregon LNG.

Laurie Caplan, 766 Lexington Avenue, Astoria, thanked Council for taking an interest in this issue. She urged Councilors to support the motion so that the City has legal standing in future matters regarding LNG terminals and pipelines proposed for Warrenton. The City should intervene because Astorians will be seriously affected by this project. Astorians would be breathing the toxins emitted from the gas processing and the night sky would be lit by security lighting and flames from the eight-story tall gas burn-off structure. Access to the river would be determined by LNG tanker schedules, not tides, fisheries, or the weather. The streets would be jammed with construction vehicles hauling supplies from Tongue Point, which is projected to be a staging area for the pipeline. She could not imagine the big trucks on 8<sup>th</sup> and Commercial Streets. An emergency situation would put Astoria at further risk because much of Astoria is within the three-mile gas vapor hazard zone. When LNG leaks into the air, it is invisible and odorless, stays close to the ground, and can be ignited by a lit cigarette or an engine spark. If a problem occurred at the terminal, leaked gas would be in Astoria in 10 or 15 minutes. Astoria would bear the costs of fire and police responding to gas fires or explosions at the terminal or along the pipeline, as well as costs for additional training, equipment and staffing. Oregon LNG has a documented history of submitting inaccurate, incomplete, and misleading information to local governments and state and federal agencies. Therefore, she believed it was very important for Astoria to have standing. She encouraged Council to support a resolution against Oregon LNG and the proposed pipeline and terminal. She handed out maps and information at the dais.

Suzanna Gladwin, 82316 Highway 103, Seaside, said she reviewed the project application that Oregon LNG submitted to the City of Warrenton. The geological section of their report states a significant tsunami would affect the facility with a return period of 2,475 years. The southern third of the Gorda plate has about a 250-year reset cycle. The plate reset 300 years ago, so it is considerably overdue. Three situations could occur if the Gorda plate resets: 1) the entire zone, up to Vancouver Island, will be destroyed, 2) the zone would simply reset itself, or 3) the plate would reset zonally. The Gorda plate could reset any day. Oregon LNG wants to put a massive facility with tankers at a turning point in the shipping channel. She said Captain Paul Amos, President of the Columbia River Pilots, indicated in the Waterway Suitability Assessment that he was concerned about the facility's impact on upriver operations, ports, and related traffic, and the weather data as it related to mooring vessels. He indicated there was a lack of adequate and reliable data used to predict potential forces of wind and currents on vessels while at berth, as the data does not accurately reflect real world conditions experienced in the area. Millions of feet of dredging will occur at the turning basin where the ships moor alongside the shipping channel, changing the downriver currents. This is another set of complicated unknowns that will be created and no one can predict how the river currents will be affected. She has heard the cruise ships do not want to come in alongside the tankers, which could total 125 each year. The tankers will be moored and if caught in a tsunami, they will slam into Youngs Bay Bridge, break apart near the high school, or end up in downtown Warrenton. There will be a 20-foot berm built to protect the area from a tsunami. However, the crustal plate will subside 7 feet and the city could move 10 feet to the west in an earthquake similar to the earthquake in Chile. She gave Council a list of the chemicals and contaminants that would come off the operation phase of the facility.

Councilor Price said she hoped Astoria would follow in the footsteps of other cities in Oregon that are making resolutions to oppose LNG facilities. City Council still needed more information.

Mayor LaMear thanked those who spoke, noting that Council appreciated their input.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Herzig, to approve the Motion to Intervene Out-of-Time and allow Mayor LaMear to sign the motion. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Councilor Herzig said the audience's presence and support was duly noted.

**Item 11(b): Authorization to Purchase Equipment Trailer (Public Works)**

The Public Works Department has a 1973 Hyster tilt-bed trailer to transport the bulldozer, backhoe, pipe, and other equipment from town to the watershed, job sites, or occasionally out of town for equipment repair. The trailer has reached the end of its useful life and is becoming a safety hazard. Staff researched the market and found the Interstate Trailer Model 40DLA Beavertail Trailer would best meet the needs of the Department. This trailer is available from Sonsray Machinery in Portland through the Houston-Galveston Area Council. Funds for the trailer are included in the current fiscal year budget. On April 9, 2015, a notice of the City's intent to establish a contract for an Interstate Trailer Model 40DLA Beavertail Trailer through HGAC was advertised in *The Daily Astorian*. No comments were received. City Attorney Blair Henningsgaard has approved the process. It is recommended that Council approve that Public Works staff purchase a Beavertail trailer for \$23,400 from Sonsray Machinery.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Herzig to approve the purchase of a Beavertail trailer for \$23,400 from Sonsray Machinery. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 11(c): Astoria Headworks Hydroelectric Project Pay Adjustment #2 (Public Works)**

On July 21, 2014, the City Council awarded a construction contract for \$348,400 to PCR, Inc., for the Astoria Headworks Hydroelectric Project. The project was funded by grants from the Oregon Energy Trust, Pacific Power's Blue Sky Program, and the Oregon Infrastructure Finance Authority. The project is now complete and the hydroelectric generator is fully operational. On-line monitoring may be accessed on the City website at [www.astoria.or.us](http://www.astoria.or.us) by clicking the "Current Projects" button located on the lower left corner of the home page.

During the course of the project, there were adjustments and changes required to complete the work. Following is a description of the change orders that were required:

Pay Adjustment #1 (paid earlier in the project):

- \$7,968.88 - Additional meter base and disconnect

Pay Adjustment #2:

- \$1,361.65 - Additional conduit due to vault orientation
- \$740.00 - Permit fees
- \$14,395.14 - Re-route drain line
- \$1,062.15 - Move Disconnect around corner
- \$952.81 - Additional support anchors
- \$328.95 - Added Flashing/Heat Shield

It is recommended that the City Council authorize Pay Adjustment #2, which will result in a contract increase of \$18,840.70.

City Manager Estes noted the change orders totaled \$26,809.58, which is 7.7 percent of the original bid amount. Construction costs are less than the grant amount received. Therefore, if Council approves the pay adjustment, excess funds will be used for project development costs like permitting and engineering.

Mayor LaMear believed it was exciting and amazing that the construction costs were less than the grant.

**City Council Action:** Motion made by Councilor Herzig , seconded by Councilor Warr to authorize Pay Adjustment #2 in the amount of \$18,840.70 for the Astoria Headworks Hydroelectric Project. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 11(d): Spur 14 Water Line – Public Hearing for Design Service Contract Amendment (Public Works)**

The Public Works Department has been working with the Oregon Health Authority - Drinking Water Program to comply with the United States Environmental Protection Agency's (USEPA) on Phase 1 of the Disinfectant and Disinfection Byproducts Rule. Phase 2 of this rule recently went into effect. This phase more stringently regulates the levels of byproducts formed when disinfectants (typically chlorine) react with naturally occurring materials in the water. The USEPA supports regulation of disinfection byproducts (DBP) based on a potential association with chlorinated drinking water and some health risks.

On two occasions, the City slightly exceeded the limit of one regulated DBP. The primary reasons for this exceedance include the characteristics of our source water and the significant retention time associated with our reservoirs. Because of this, the City enlisted the technical assistance of CH2M Hill to evaluate methods to reduce DBP levels. City staff and CH2M Hill have developed a plan to collect water from Spur 14, the best available location within the watershed, which currently feeds the Middle Lake Reservoir and a tributary to Bear Creek. The project would allow a portion of water to be directly piped to the existing Middle Lake Pipeline allowing direct use of our highest quality water source.

CH2M Hill was initially chosen to assist on this project because of their familiarity with our system past experience with DBPs, and available resources. CH2M Hill provided a proposed scope and fee for completion of design and bidding assistance for the Spur 14 Water Line Project. A summary of project costs related to design and bidding services are as following:

<b>Task</b>	<b>Status</b>	<b>Amount</b>
Topographic Survey – HLB Otak	Completed	\$5,000
Preliminary Design and Report – CH2M Hill	Completed	\$9,000
Final Design and Bidding – CH2M Hill	Proposed	\$53,000

Funding for these services is available in the Public Works Improvement Fund. Construction of the Spur 14 Water Line Project is estimated to cost \$210,000 and fees for construction support services will be presented when staff requests authorization to bid the project. Staff strongly believes that it is in the best interest of the City to process a contract amendment with CH2M Hill for the Spur 14 Water Line engineering services needed. In order to directly appoint CH2M Hill, the City Council will need to approve an exemption from the Competitive Solicitation Requirements after holding a public hearing to take comments on the exemption, as identified in the Astoria City Code. The City Attorney has approved of the City using this exemption to the competitive solicitation process. City staff and the City Attorney have been working with CH2M Hill on resolution of several minor contract modifications that if approved will be incorporated into the contract amendment.

It is recommended that City Council conduct a public hearing for the purpose of taking public comment on the findings for exemption from the competitive solicitation requirements and adopt findings that authorize the direct appointment to process a contract amendment with CH2M Hill to provide design engineering and bidding services for the not-to-exceed amount of \$53,000. This will be contingent upon the resolution of several minor contract modifications.

Mayor LaMear opened the public hearing and called for public testimony regarding the direct appointment of a contract with CH2M Hill instead of implementing the competitive solicitation process. Hearing none, she called for comments from the Council.

Councilor Herzig said he was surprised to hear this was an ongoing concern because the issue has not come before Council in the past. He understood the monitoring just began in 2013. However, he was surprised to see this item on the agenda. He wanted more information about the location of Spur 14. He also wanted to know why Spur 14 had not been accessed before, especially if it provides the best source of water in the watershed. He

asked if Staff was working towards reducing retention time to help alleviate the problem. Director Cook said currently, Spur 14 water enters the treatment system by diversion. Water from Spur 14 contains the least organic compounds that react with chlorine because there are not many Alder trees in the area and the water travels a very short distance. Staff wants to take the water directly from the creek and get it into the Middle Lake pipe where it will not be exposed to organic material in the lake. The work will secure higher quality water with less organic compounds. The new pipe will connect with the existing middle lake pipeline that takes water to the treatment plant. He confirmed that the longer the water sits with chlorine and organic compounds, more contaminants must be removed.

Councilor Nemlowill asked if the new process would allow the City to use fewer disinfectants. Director Cook said Staff tries to keep disinfectant levels as low as possible. However, the entire process is meant to suppress pathogens that might pass through the filters. The lower the disinfectant levels, the less the reaction with organics in the water. The organic compounds primarily consist of tannic acid from Alder leaves that fall into the water. Organic material can only be filtered out with a large charcoal plant. He confirmed that tannic acid is not a pathogen and the disinfectant used is chlorine.

Mayor LaMear said the annual water quality report seems to indicate that Astoria has very good water. Director Cook said yes, and the regulations are very strict. Astoria's water is of very high quality.

Councilor Herzig asked if Staff was considering replacing the Alders with evergreens to prevent an ongoing source of tannic acid in the water. Director Cook said part of the program includes relocating stands of Alder, especially near creek beds, and Staff does not replant Alder trees.

Mayor LaMear called for public testimony.

Chris Farrar, 3023 Harrison Avenue, Astoria, said the only way to keep the water quality good is to allow a canopy of real forest to grow back throughout the watershed. The Alders exist because people keep clear cutting conifer forests, which come in early. Conifers grow fast and add nitrogen into the soil. The number of Alders indicates the forest is still out of balance. Therefore, Astoria should get its forest in balance and the water will be of better quality with less expense and work.

George McCartin, 490 Franklin Avenue, Astoria, believed Council's habit was to approve contracts with the same vendors repeatedly. He was unsure if CH2M Hill was local, but wanted Council to consider whether a competent local person could do the work and whether there was a competitor. While it is legal to award a contract to a company that Astoria has had a good experience with in the past, he did not believe this should be the reason to offer the same company another contract. Council should offer these opportunities to local people.

Sue Skinner, 511 Jerome, Astoria, said she knew about CH2M Hill because they are a huge defense contractor that does business all over the world. The company destroyed Iraq and is in Afghanistan and all over Africa. CH2M Hill is not a local company and she questioned whether a local company could do the work. The company is a notorious weapons manufacturer. She encouraged Council to read about the company on the internet.

Mayor LaMear closed the public hearing.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Nemlowill to adopt findings that authorize the direct appointment to process a contract amendment with CH2M Hill to provide design engineering and bidding services for the not-to-exceed amount of \$53,000. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

#### **Item 11(e): Arial Fire Truck Options (Finance/Fire)**

At the April 21, 2014 City Council meeting, Fire Chief Ames made a presentation regarding the need for new Fire Department apparatus. The Chief cited the need for a replacement pumper fire engine as well as a ladder truck. At the October 13, 2014 Council meeting, City Council authorized the purchase of a new Pierce Arrow XT pumper truck in the amount of \$488,251. Funds to acquire the pumper truck are coming from lease revenue from the 17th Street Dock Fund. There was also City Council discussion about the possibility of placing a bond measure on the November 2014 ballot for the purchase of the ladder truck. Ultimately, it was decided to hold off until a later date to determine if a bond should be placed on a future ballot or if other financing measures should



be used. During the 2015-16 City Council Goal Setting session, staff stated that options would be brought to the City Council in spring 2015 to receive direction as to how to move forward on this matter. The options are as follows:

#### Lease of Ladder Truck

One option for the acquisition of a new ladder truck is to enter into a lease purchase agreement with Oshkosh financing as the City did for the pumper fire engine. The proposal price on the April 9, 2015 quote from Pierce is \$929,650. As indicated in the proposed General Fund budget for FYE June 30, 2016, the fund is projected to have a beginning fund balance of \$2,500,000. The increase in the beginning fund balance is attributed to a combination of increased revenues over the past several years of expenses from vacant positions, particularly the City Manager, Finance Director and Community Development Director positions. It is proposed to transfer \$500,000 of the beginning fund balance to the Capital Improvement Fund as a down payment on a replacement aerial truck for service in the Fire Department. This would significantly reduce the financed amount and, thereby, make the annual lease payments more manageable. Subsequent annual payments on a lease would be made from the Capital Improvement Fund. It is anticipated that these payments would be made from the carbon credit proceeds that would be deposited in the Capital Improvement Fund. Staff has not pursued the details of this option. If Council gives direction in this regard, staff will follow up to get more information.

#### Bond Measure

If the City Council chooses to pursue a bond levy for the purchase of a new aerial ladder truck, the City would have the option of two dates in 2015. The first option is a special election scheduled to be held on September 15, 2015. Filing for this election would require a Ballot Title for publication of notice by June 26, 2015, and a Notice of Measure Election by July 16, 2015. The second option is the regular election scheduled for November 3, 2015. Filing for the November 3, 2015 regular election requires a Ballot Title for publication of notice by August 14, 2015, and a Notice of Measure Election by September 3, 2015.

It is recommended that Council consider the two options for acquisition of an aerial ladder truck and provide direction as to a preferred approach.

City Manager Estes noted that if Council approves the lease option, Staff would move forward only after an agreement was signed between the City and the climate trust. He explained that pursuing a bond levy would require the City to engage bond council and a bond broker, which would increase costs.

Councilor Warr asked how many times the ladder truck was used for firefighting in the last 10 years. Chief Ames said in the last two years and four months, the truck has been used four times for two chimney fires, a structure fire in Astoria, and a structure fire in Warrenton. Compared to the total number of structure fires, the ladder truck is used fairly often. Currently, Seaside has the only ladder truck in the county.

Councilor Warr understood the Fire Department needed decent equipment, but he believed \$1 million was a huge amount of money. He questioned whether buying a second pumper truck and investing \$40,000 or \$50,000 into the existing ladder truck would be practical. The repaired ladder truck could only be used in emergencies. He asked if this could save the City \$300,000. Chief Ames believed this would work for a while, but could not predict for how long. Unfortunately, the current ladder truck is almost 30 years old. The inside of the ladder, the pump, discharge plumbing, and intake plumbing have all begun to rust from the inside. Replacing the plumbing and a portion of the pump will cost almost \$71,000. However, the repairs provide no guarantees because of the age of the truck. The steel tank is beginning to rust and show signs of stress, as is the frame of the truck.

Councilor Nemlowill said Chief Ames made it clear on her tour of the Fire Department that the ladder truck is an essential tool. She asked Chief Ames to explain the insurance issue. Chief Ames said buildings in downtown Astoria and some surrounding areas are considered particularly hazardous. The City of Astoria currently has an Insurance Service Office (ISO) rating of four, which is partially due to the possession of an aerial ladder truck. When the truck fails, the City will have issues with its insurance rating, which could potentially drive up insurance premiums for commercial and residential buildings in Astoria. He did not know how significant this increase would be, but noted the truck is very significant to the safety of buildings taller than 35 feet.

Councilor Nemlowill wanted to know how much longer the City could get by with the existing truck. She did not understand why an engine and a ladder truck needed to be purchased at the same time. She wanted to wait until the engine was paid off with the 17<sup>th</sup> Street Dock funds, and then use future 17<sup>th</sup> Street Dock funds to purchase a

new aerial truck. Chief Ames confirmed the City could purchase the ladder truck this way. The lease for the engine would be paid off in seven years. However, he was unsure how much money would be needed to keep the ladder truck going or how much longer the ladder truck could be used. The truck must be kept safe for his firefighters and the community to use. He recommended City Council act now. People are always shocked to learn how expensive fire equipment is, but most equipment is replaced after 20 years. If the engine and ladder truck did not need replacing, he would not be making this request.

Councilor Herzig said he supported acquiring a new ladder truck and he believed the lease option was the best. Sending a crew out on a ladder truck that may fail is a burden Council should not ask Chief Ames to bear. Lives could be lost if the ladder truck fails when it is needed.

Councilor Price said using the truck four times in two years and four months did not seem often; however, the ladder truck would be necessary at her house just as it would be at so many other houses in Astoria that are built high above retaining walls and have no driveway access. The state of the economy is unknown, but the Contingency Fund for 2015-2016 is to be used for these types of purchases. Therefore, she supported the lease option.

Mayor LaMear also supported the lease option. The City cannot anticipate the amount of the carbon credits, but if the City receives more than expected, the funds could be used to pay off the lease. She asked if the lease included a pre-payment penalty. Mayor LaMear also supported the lease option. The City cannot anticipate the amount of the carbon credits, but if the City receives more than expected, the funds could be used to pay off the lease. She asked if the lease included a pre-payment penalty. City Manager Estes said the contract for the carbon credits was still being negotiated. Financial Analyst Snyder said he would find out if the lease option included a pre-payment penalty.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Warr to approve the acquisition of a new ladder truck and direct Staff to pursue a lease purchase agreement. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

City Manager Estes reminded that the purchase of this ladder truck would be included in the next fiscal year's budget. Staff wants to get the carbon credit agreement signed before moving forward with the lease option. He appreciated Council giving Staff direction prior to the budget discussions scheduled for next week.

**Item 11(f): Salary Resolution Establishing Basic Compensation Plan Wage Adjustment for Deputy Police Chief (City Manager)**

Staff positions and associated compensation are detailed in the Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided. Whenever there are changes in positions, whether a position is begin deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution.

At its October 20, 2014 meeting, the City Council adjusted the compensation and incentives for Police Sergeants. At that time, wages were increased by 4 percent. This increase, along with adjustments to incentives for certification, was made to relieve the issue of wage compression between Police Officers (represented employees) and Police Sergeants (non-represented employees). Prior to the adjustment, the Department was unable to recruit candidates for the vacant Police Sergeant position. At the time, no adjustment to wage was made to the Deputy Police Chief and Police Chief positions causing compression to occur at this level.

The Department desires to promote a Sergeant to Deputy Police Chief and again finds itself in a position where qualified applicants are dissuaded by the pay differential. With the individual selected to be promoted the change in annual compensation would be \$1,100. Raising the Deputy Police Chief wage 4 percent will cause the difference in annual compensation to be an increase of \$4,500 and place the total compensation available for Deputy Police Chief to be comparable to the compensation for Deputy Fire Chief.

As a clerical matter, the Deputy Police Chief and Police Chief will move from Schedule E2A (they are the only employees on this schedule) to Schedule C with other Police Employees. Similarly, Police Sergeants will move from E2A (they are the only employees on this schedule) to Schedule C. A similar clerical move has been made

with the Fire Department management positions. It is recommended that Council adopt the proposed resolution implementing the pay rate increase for the Deputy Police Chief by 4 percent and simplifying the salary resolution by moving the Police Sergeants, Deputy Police Chief, and Police Chief to Schedule C.

Councilor Price believed Council's number one job was to provide police and fire services to the citizens and the best way to do so is to provide good pay.

Councilor Herzig said there is a lot of concern in this country about community police. The Astoria Police Department has been looking at body cameras and the City is considering cost, effectiveness, and usability.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Price to adopt the proposed resolution implementing the pay rate increase for the Deputy Police Chief by 4 percent and simplifying the salary resolution by moving the Police Sergeants, Deputy Police Chief, and Police Chief to Schedule C. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

#### **Item 11(g): City Council Rules (City Council)**

The Council will discuss the City Council Rules following up from the last meeting. Included in the packet is a revised draft, which includes changes, proposed to address issues raised at the previous Council meeting.

City Manager Estes reviewed the changes and additions made to the draft rules.

Mayor LaMear believed Council agreed to move non-agenda public comments to the beginning of the meeting and move Reports of Councilors to the end of the meeting.

Councilor Herzig noted Council had been meeting for almost three hours and suggested the discussion on City Council rules be postponed. After some discussion, Councilor Price asked Councilor Herzig to list the rules he wanted to discuss. Councilor Herzig wanted to know why the Charter referred to City Council as the Common Council and why the term was only used occasionally. He was also concerned with Section 2.7 Quorum, which refers to compelling the attendance of Councilors. He understood the Charter could not be amended without a public vote, but believed this rule was unnecessary because its meaning is unknown. He wanted to discuss the Charter at a work session to consider the possibility of removing unnecessary language. He was still unclear about Section 2.10 which requires Council to ask questions of staff through the City Manager. He said he could not comply with Section 11.1(a) requiring all communications dealing with City matters to be conducted through City email addresses on City supplied iPads. He does not know how to use the email software and needs serious training; therefore, he could not vote to approve a rule he is unable to comply with.

Councilor Price said this was an instance where Robert's Rules of Order would be appropriate. She would move to adopt the City Council Rules so further discussion could be conducted. After discussion, she would move to amend the rules.

**City Council Action:** Motion by Councilor Price to adopt the City Council Rules for Fiscal Year 2015-2016. Motion failed due to lack of a second.

Councilor Warr asked for an explanation of Section 8.2 Call for Abstentions. City Attorney Henningsgaard explained the rule required the Chair to give members an opportunity to abstain from participation in any public hearing due to bias, prejudice, or ex parte contacts. He confirmed that a Councilor could challenge another Councilor's participation. However, he had never seen this happen in Astoria. Councilor Warr preferred this explanation be better defined in the rules. City Attorney Henningsgaard believed it would be easier for him and City Manager Estes to go over this draft of rules together. He had another set of amendments that were not included in this draft.

Councilor Price made the following suggestions in response to Councilor Herzig's concerns:

- Substitute "Astoria Common Council" with "Astoria City Council."
- Section 2.7 Quorum could simply state "a majority of the Council constitutes a quorum for its business."
- Leave Sections 2.10 and 11.1(a) as is.

- She believed the way Councilor Nemlowill asked City Manager Estes earlier in the meeting if she could speak directly to Staff worked well. Also, Section 11.1(a) states electronic devices other than the City supplied iPad could be used.

Councilor Warr added that he has all of his Council emails forwarded to his personal email because he had the same concern as Councilor Herzig.

Councilor Herzig said if the section is removed from the rules, the email issue would no longer be a concern. He currently forwards emails from his iPad to his personal computer. He was also concerned about Section 8.4 regarding a Councilor's participation being challenged. He wanted to know how far in advance of a public hearing a Councilor's participation could be challenged. City Attorney Henningsgaard confirmed this would occur prior to the opening of the hearing because participation cannot be challenged during or after a hearing. Councilor Herzig believed a timeline should be developed if the Mayor is required to ask if anyone challenges a Councilor's participation. City Attorney Henningsgaard explained that most councils do not encourage those who are challenged to participate. City Manager Estes added that this is part of the script read by the Mayor during land use hearings.

Councilor Nemlowill said it would be nice if the rules were in plain English because the language is difficult to understand. It is important that Council makes it clear to the public how they will be conducting themselves during meetings.

Council agreed to discuss further revisions at the next City Council meeting.

**Item 11(h): Library Site Work Session Follow-Up**

Mayor LaMear explained that prior to the regular session, Council held a work session to discuss possible sites for the new library. Council is trying to agree on a site so Staff can move forward. The discussion and community input went well.

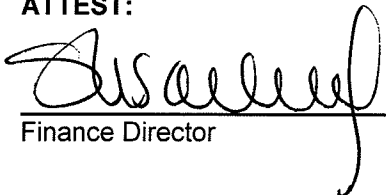
**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Herzig to direct Staff to investigate building a new library at Heritage Square with elements discussed during the work session, including costs, a timeline, parking, the American Legion, options for reuse of the current library building, a public/private partnership, and mixed use including housing for Astorians. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS**

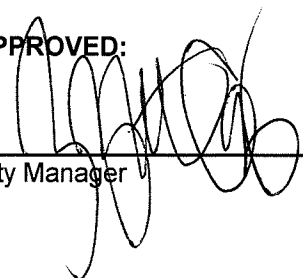
**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:03 pm.

**ATTEST:**

  
\_\_\_\_\_  
Finance Director

**APPROVED:**

  
\_\_\_\_\_  
City Manager