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# AGENDA

## ASTORIA CITY COUNCIL EXECUTIVE SESSION

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Tuesday, January 20, 2015

**6:00 p.m.**

2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street ° Astoria OR 97103

**1. EXECUTIVE SESSION**

- (a) ORS 192.660(2)(d) – Labor Negotiation Consultations
- (b) ORS 192.660(2)(h) – Legal Counsel
- (c) ORS 192.660(2)(e) – Real Property Transactions



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# AGENDA

## ASTORIA CITY COUNCIL

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Tuesday, January 20, 2015

7:00 p.m.

2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street ° Astoria OR 97103

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. REPORTS OF COUNCILORS**

**4. CHANGES TO AGENDA**

**5. PRESENTATIONS**

- (a) The Friends of McClure Park

**6. CONSENT CALENDAR**

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

- (a) City Council Minutes of 12/1/14
- (b) City Council Minutes of 12/15/14
- (c) Boards and Commissions Minutes
  - (1) Design Review Committee Meeting of 12/4/14
  - (2) Historic Landmarks Commission Meeting 12/16/14
  - (3) Planning Commission Meeting of 11/25/14
- (d) Parks and Recreation Department Status Update
- (e) Public Works Department Status Update

## **CONSENT CALENDAR CONTINUED**

- (f) Library Status Update
- (g) Community Development Department Status Update
- (h) Police Department Annual Report
- (i) City Council Goal Update for Fiscal Year 2014-2015
- (j) Salary Resolution Implementing Cost of Living Adjustment for Astoria Public Safety Association (APSA) (City Manager)

## **7. REGULAR AGENDA ITEMS**

- (a) Public Hearing and Resolution regarding Supplemental Budget Appropriating Loan Proceeds (Finance)
- (b) Public Hearing regarding Appeal (AP14-01) by Steele Architects for Columbia Bank of New Construction Permit (NC14-05) at 1122 Duane Street (Community Development)
- (c) Liquor License Application from Northwest Wild Products, Ron Neva and Amanda Cordero, Located at 354 Industry Street, Astoria for an Additional License for an Off-Premises Sales License (Finance)
- (d) Approve Bear Creek Dam Hydroelectric Power Purchase Agreement with PacifiCorp (Public Works)
- (e) Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2014 Oregon Legislature (2<sup>nd</sup> reading & adoption) (City Attorney/City Manager)
- (f) Approval of Vehicle Setup 2015 Chevy Tahoe (Police)
- (g) Discussion of DUII Issue (City Council)

## **8. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**

## **9. ADJOURNMENT TO WORK SESSION**

- (a) City Council Rules

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE YUILL, CITY MANAGER'S OFFICE, 503-325-5824.**




# CITY OF ASTORIA

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January 14, 2015

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: ASTORIA CITY COUNCIL MEETING OF JANUARY 20, 2015

### 6:00 P.M. – EXECUTIVE SESSION

**Item 1(a): ORS 192.660(2)(d) – Labor Negotiation Consultations**

The City Council will recess to executive session to consult with members of its labor contract negotiating team.

**Item 1(b): ORS 192.660(2)(h) – Legal Counsel**

The City Council will recess to executive session to consult with counsel concerning legal rights and duties regarding current litigation or litigation like to be filed.

**Item 1(c): ORS 192.660(2)(e) – Real Property Transactions**

The City Council will recess to executive session to discuss a real property transaction issue.

### 7:00 P.M. – REGULAR MEETING

#### PRESENTATIONS

**Item 5(a): The Friends of McClure Park**

A presentation will be made by The Friends of McClure Park on the improvements and added amenities the Friends would like to develop within the Park.

#### CONSENT CALENDAR

**Item 6(a): City Council Minutes**

The minutes of the City Council meeting of December 1, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 6(b): City Council Minutes**

The minutes of the City Council meeting of December 15, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 6(c): Boards and Commissions Minutes**

The minutes of the (1) Design Review Committee meeting of December 4, 2014, (2) Historic Landmarks Commission meeting of December 16, 2014, and (3) Planning Commission meeting of November 25, 2014 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

**Item 6(d): Parks and Recreation Department Status Update**

Enclosed is a status report regarding major Parks and Recreation Department projects. This report is provided for information only.

**Item 6(e): Public Works Department Status Update**

Enclosed is a status report regarding major Public Works Department projects. This report is provided for information only.

**Item 6(f): Library Department Status Update**

Enclosed is a status report regarding major Library Department projects. This report is provided for information only.

**Item 6(g): Community Development Department Status Update**

Enclosed is a status report regarding major Community Development Department projects. This report is provided for information only.

**Item 6(h): Police Department Annual Report**

Enclosed is an annual status report regarding major Police Department projects. This report is provided for information only.

**Item 6(i): City Council Goal Update for Fiscal Year 2014-2015**

Enclosed is a status report for the City Council's Goals for Fiscal Year 2014-15. This is provided for information only.

**Item 6(j): Salary Resolution Implementing Cost of Living Adjustment for Astoria Public Safety Association (APSA) (City Manager)**

As specified in the City Council approved APSA Collective Bargaining Agreement dated March 5, 2014, the following adjustment to the Salary Resolution is proposed: Cost of Living Adjustment (COLA) of 1% percent for APSA employees effective January 1, 2015. It is recommended that Council approve the Salary Resolution implementing the proposed adjustment as included in the approved Collective Bargaining Agreement.

**REGULAR AGENDA ITEMS**

**Item 7(a): Public Hearing and Resolution regarding Supplemental Budget Appropriating Loan Proceeds (Finance)**

ORS 294.473 provides a procedure for a municipality to pass a supplemental budget, if there is "an occurrence or condition that is not ascertained when preparing the original budget." The process is to advertise the supplemental budgets, hold a public hearing for the proposed supplemental budget and, then, consider a resolution that would adopt the proposed supplemental budgets. Now that that sports complex is completed the City has received invoices from CMH. The total amount of the invoices is \$794,471. This amount is commensurate with the amount outlined at the August 18, 2014 Council meeting when Council approved the Oregon Infrastructure Financing Authority (IFA) loan for the project. It should be noted that Council authorized a \$900,000 loan for this project; however, that total amount was not required. CMH is billing the City as they managed the construction contract which also included landfill closure components. The IFA loan was not appropriated in the budget for FY 2014-15 because the loan was not finalized until after the beginning of this fiscal year. The attached resolution appropriates the loan amount to the Improvements Other than Buildings line item of the Public Works Improvement Fund. It is recommended that Council hold the public hearing and approve the supplemental budget that adds the Council approved IFA loan proceeds to the FY 2014-15 budget so that invoices can be paid.

**Item 7(b): Public Hearing regarding Appeal (AP14-01) by Steele Architects for Columbia Bank of New Construction Permit (NC14-05) at 1122 Duane Street (Community Development)**

On September 8, 2014 Steele Associates Architects on behalf of Columbia Bank applied for a New Construction permit (NC14-05) to the Historic Landmarks Commission (HLC) to construct a new commercial building at 1122 Duane Street. On October 21, 2014, the HLC held a public hearing and noted that the proposed standing seam metal roof on the pyramid portion of the roof was not compatible with the adjacent historic buildings within the Downtown National Register Historic District. The HLC continued the hearing to allow the applicant an opportunity to consider alternative roof materials. At the November 18, 2014 meeting, the HLC held a public hearing and approved the request with several conditions. One of

those conditions was that the pyramid roof of the building could not be a standing seam metal roof and would need to be of another acceptable material.

On December 3, 2014 Steele Associates filed a Notice of Appeal on the decision of the HLC on New Construction Permit NC14-05. The Notice of Appeal only appealed the condition that the pyramid roof be constructed of a material other than standing seam metal. As this is the only item appealed, the balance of the permit and conditions have been approved and are not part of the hearing before the City Council. A complete record of the request has been compiled and is attached for your information. A public hearing on the Appeal has been advertised and is scheduled for the January 20, 2015 City Council meeting.

It is recommended that the City Council hold the public hearing on the appeal and consider whether to uphold or reverse the Historic Landmarks Commission decision to approve the Request with the condition that the roof be of a material other than standing seam metal and adopt corresponding Findings of Fact.

**Item 7(c): Liquor License Application from Northwest Wild Products, Ron Neva and Amanda Cordero, Located at 354 Industry Street, Astoria for an Additional License for an Off-Premises Sales License (Finance)**

A liquor license application has been filed by Amanda Cordero doing business as Northwest Wild Products located at 345 Industry Street. The application is for an additional licensee, Ron Neva. Northwest Wild Products has an existing Limited On-Premises and Off-Premises Sales Licenses. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

**Item 7(d): Approve Bear Creek Dam Hydroelectric Power Purchase Agreement with PacifiCorp (Public Works)**

As part of the installation of a small hydroelectric generator at Bear Creek Dam, the City is required to enter into a Power Purchase Agreement with PacifiCorp. This agreement allows the utility to purchase the excess power generated by the turbine, and feed power back into the system. The turbine is estimated to generate an average of 154,645 kilowatt hours (kWh) annually. The City's water treatment system utilizes approximately 90,000 to 100,000 kWh annually, at a cost of about \$9,000. This charge would be eliminated by the power generated by the turbine and excess power would be sold to PacifiCorp at regulated rates. These "buy back" rates are significantly lower than the amount the City is paying, so it is advantageous to "reverse the meter" to use power generated by our hydroelectric facility before selling the power back into the system. The draft agreement has been reviewed and approved as to form by City Attorney Henningsgaard.

Please note that City Council approved the original agreement on June 2, 2014; however, when the agreement was sent back to PacifiCorp, it was determined that some minor modifications were needed. Modifications to the agreement consist of the following:

- 1) Date changes under RECITALS section B & C.
- 2) The estimated annual energy sold back under RECITALS section D was increased to be more accurate.
- 3) Section 2.4 was changed from 15 years to an actual date of December 18, 2029.
- 4) Sections 4.2 and 4.3 were modified to include a revised power production value due to modified power generation calculations.
- 5) Exhibit D-1, SELLER'S MOTIVE FORCE PLAN was updated to include more accurate average energy generation numbers.

It is recommended that the City Council approve the revised Power Purchase Agreement and authorize the Mayor to sign the document.

**Item 7(e): Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2014 Oregon Legislature (2<sup>nd</sup> reading & adoption) (City Attorney/City Manager)**

The first reading of this ordinance was held at the January 5, 2015 City Council meeting. This ordinance implements "global" re-adoption of various Oregon Revised Statutes that appear throughout the Astoria City Code. It is recommended that Council conduct the second reading and adopt this ordinance.

**Item 7(f): Approval of Vehicle Setup 2015 Chevy Tahoe (Police)**

The Police Department is requesting permission for an expenditure of \$11,800 for the purchase and installation of emergency equipment for the previously approved 2015 Chevy Tahoe. This purchase does include the transfer of some equipment that will be repurposed from the current police vehicle which is being decommissioned. Funding for this project was anticipated and is included in the Capital Improvement Fund budget in the vehicle lease payments line item. It is recommended that Council approve the purchase of equipment and installation through Cascade Mobile in the amount of \$11,800.

**Item 7(g): Discussion of DUII Issue (City Council)**

Mayor LaMear has requested a Council discussion regarding this matter.

**ADJOURNMENT TO WORK SESSION**

**Item 9(a): City Council Rules**

The Council will discuss and possibly develop City Council Rules.