



AGENDA

ASTORIA CITY COUNCIL WORK SESSION & REGULAR SESSION

Monday, February 2, 2015
2nd Floor Council Chambers
1095 Duane Street * Astoria OR 97103

6:00 P.M. WORK SESSION

1. CALL TO ORDER
2. ROLL CALL
3. CONTINUATION OF DISCUSSION REGARDING CITY COUNCIL RULES
4. ADJOURNMENT TO REGULAR SESSION

7:00 P.M. REGULAR SESSION

5. REPORTS OF COUNCILORS
6. CHANGES TO AGENDA
7. PROCLAMATIONS
 - (a) Tongue Point Job Corps Center Week
8. PRESENTATIONS
 - (a) Police Officer Kenny Hansen 25 Year Service Pin
 - (b) Enterprise Zone
9. 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 1/5/15
 - (b) Boards and Commissions Minutes
 - (1) Parks Board Meeting of 12/10/14
 - (2) Planning Commission Meeting of 12/17/14
 - (c) Second Amendment to Land Lease Agreement with Verizon Wireless (Police)
 - (d) Authorization to Issue Request for Proposals (RFP) for Special Inspection and Materials Testing Services for the Astoria Senior Center Renovation Project (Community Development)
10. REGULAR AGENDA ITEMS
 - (a) Authorization to Purchase Generator (Public Works)
 - (b) Public Hearing and Ordinance Amending Astoria City Code Sections 8.825 through 8.885 Pertaining to Merchant Policemen, Watchmen, and Guards (1st reading) (Police)
 - (c) Request to Adjust Combined Sewer Overflow (CSO) Project Timeline (Public Works)

11. **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**
12. **EXECUTIVE SESSION**
 - (a) ORS 192.660(2)(d) – Labor Negotiation Consultations

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.



January 29, 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. – WORK SESSION

Item 3: Continuation of Discussion regarding City Council Rules

The Council will continue their discussion to develop City Council Rules.

7:00 P.M. – REGULAR MEETING

PROCLAMATIONS

Item 7(a): Tongue Point Job Corps Center Week

The Mayor will declare the week of February 2-9, 2015 as Tongue Point Job Corps Center Week.

PRESENTATIONS

Item 8(a): Police Officer Kenny Hansen 25 Year Service Pin

Police Officer Kenny Hansen will be presented with his 25 year service pin.

Item 8(b): Enterprise Zone

Alejandro Bancke from Clatsop County and Kevin Leahy of Clatsop Economic Development Resources (CEDR) will make a presentation on efforts to possibly create an Enterprise Zone which would include portions of the City.

CONSENT CALENDAR

Item 9(a): City Council Minutes

The minutes of the City Council meeting of January 5, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 9(b): Boards and Commissions Minutes

The minutes of the (1) Parks Board meeting of December 10, 2014, and (2) Planning Commission meeting of December 17, 2014 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 9(c): Second Amendment to Land Lease Agreement with Verizon Wireless (Police)

City Staff, along with the Friends of the Astoria Column, have been working with Verizon Wireless to relocate the communication facility that is located on Coxcomb Hill. Verizon Wireless (formerly GTE Wireless) entered into a five year lease with three additional five year extensions. The final extension on that lease expired August 31, 2012. Prior to its expiration in August 2012, Council entered into an extension of the existing lease that extended the lease to August 31, 2015. In 2012 prior to the lease extension negotiations the cost to Verizon Wireless was \$1,208 per month. Staff negotiated an increase to \$1,705 per month with a 3% annual cost escalator. It is not expected that the work of relocating the tower from Coxcomb Hill will be accomplished by August 31, 2015. It is anticipated that it will be accomplished by August 31, 2016. Verizon Wireless has prepared a one year lease extension that continues the 3% annual increase for a lease of \$1,912.27 per month terminating on August 31, 2016. The City Attorney has approved the lease as to form. It is recommended that Council approve the lease and authorize the Mayor to sign the lease extension.

Item 9(d): Authorization to Issue Request for Proposals (RFP) for Special Inspection and Materials Testing Services for the Astoria Senior Center Renovation Project (Community Development)

In April of 2013, the City of Astoria received a \$1.5 million Community Development Block Grant (CDBG) to renovate the Astoria Senior Center. The Senior Center Board of Directors and its patrons have committed an additional \$95,000 in funding to augment the overall project budget. On January 5, 2015 Council formally authorized staff and its consultants to seek competitive bids for the renovation of the Astoria Senior Center. On January 15, 2015 Invitation to Bids were issued for the renovation of the Astoria Senior Center, bids are due on February 26, 2015.

As part of the renovation of the Astoria Senior Center Project, the City is required to provide third party special inspection and materials testing services as defined within the project construction documents and as an Oregon Structural Specialty Code requirement. Staff will publicly solicit proposals from consultants for these services. Proposals will be qualification based as a means of selection. This method of selection is consistent with past City of Astoria solicitations for these types of services and current State statutes. Staff will review the proposals and present their recommendation to Council for the execution of a contract for these services at the March 16, 2015 City Council meeting. It is recommended that the

City Council authorize staff to solicit proposals for the Special Inspection and Materials Testing Services for the Astoria Senior Center Renovation Project.

REGULAR AGENDA ITEMS

Item 10(a): Authorization to Purchase Generator (Public Works)

The domestic water that supplies Astoria citizens originates at the slow sand filter in the City's watershed above Svensen. There are several water sources that supply the sand filter with water by gravity. During the drier part of the year, additional water needs to be pumped from Main Lake to supplement the flow from the creeks. Two three-phase pumps are used to produce the volume of water needed to the filters from Main Lake. In order to produce the required three phase power for the pumps, a roto-phase converter is utilized and a three phase diesel generator is used to power the second pump. In 1996, a used three phase Cummins diesel generator was purchased to power these pumps. This generator has over 6,000 hours of run time, and is in need of major repairs that are not cost effective.

At the November 5, 2014 City Council meeting, Council authorized joining the Houston-Galveston Area Council (HGAC) in order to facilitate the purchase of a pumper truck for the Astoria Fire Department. Cummins Power Generation Inc., is a contract vendor to the HGAC. Staff has researched various replacement options and determined it would be advantageous to purchase a new three phase Cummins diesel generator. Funds have been budgeted in the Public Works Improvement Fund for this purchase. It is recommended that the City Council authorize the purchase of one new 80 KW three phase Cummins diesel generator through HGAC for \$22,711.80.

Item 10(b): Public Hearing and Ordinance Amending Astoria City Code Sections 8.825 through 8.885 Pertaining to Merchant Policemen, Watchmen, and Guards (1st reading) (Police)

The Police Department proposes changes to the Astoria City Code regulating Security Guards. The State was given regulatory authority over security guards many years ago creating a much more robust regulation of Security Guards. The current Code is a duplication that refers to sections of the Code which have been previously repealed. This amendment would bring the City Code into alignment with State law. An ordinance implementing the amendments is included for Council's review. It is recommended that Council hold the public hearing and conduct the first reading of this proposed ordinance.

Item 10(c): Request to Adjust Combined Sewer Overflow (CSO) Project Timeline (Public Works)

In November 2010, an Amended Stipulation and Final Order (ASFO) was signed by the City of Astoria and the Department of Environmental Quality (DEQ)

establishing deadlines and criteria for the Combined Sewer Overflow (CSO) Program. The ASFO requires the City to work to eliminate all CSO discharges from specific discharge points, except during storm events that exceed the stated criteria in the agreement. As stipulated in the ASFO, the City is required to control outfalls by a certain date according to the following schedule:

	Phase	ASFO Completion Deadline	Number of Outfalls Controlled
✓	1	Dec 1, 2006	9 outfalls
✓	2	Dec 1, 2007	9 outfalls
✓	3	Dec 1, 2013	6 outfalls
	4	Dec 1, 2016	11 outfalls
	5	Dec 1, 2022	3 outfalls
		TOTAL	38 outfalls

Phases 1 through 3 are complete and have controlled 24 outfalls. The upcoming 16th Street CSO Separation Project will control 5 outfalls as part of Phase 4. The remaining 9 outfalls that need to be controlled are the most challenging due to infrastructure configurations and lack of monitoring data. It has become clear that meeting current ASFO timelines is not feasible. Staff met with DEQ and discussed adjusting the timeline. DEQ staff was supportive and has asked that a formal request be submitted. An administrative amendment will then be executed by DEQ for the new timeline.

Staff recommends extending the final deadline for the remaining 9 outfalls from December 1, 2022 to December 1, 2028. This timeline will allow monitoring to occur between projects to evaluate system response and collect data for developing the best and most cost effective solutions for future projects. Extending the deadline for final completion will also allow the City to repay several of the initial project loans, which will reduce the peak CSO Surcharge rate.

Staff has prepared a formal request which has been reviewed by the City's environmental attorney. If approved by DEQ, the final ASFO amendment will be presented to Council for final authorization at a future meeting. It is recommended that City Council authorize staff to formally request an administrative amendment to the Amended Stipulation and Final Order from DEQ to adjust the CSO Program completion timeline.

EXECUTIVE SESSION

Item 12(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 and may want to reconvene to take action.



CITY OF ASTORIA

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**WORK SESSION – ITEM 3
CONTINUATION OF DISCUSSION
REGARDING CITY COUNCIL RULES**

**NO DOCUMENTATION IS INCLUDED
FOR THIS AGENDA ITEM**



PROCLAMATION

WHEREAS, Job Corps is considered the Nation's largest and most successful work force development and youth empowerment program; and

WHEREAS, youth enrolled in Job Corps, receive intensive academic remediation, gain employability through vocational training, learn life skills, and receive job placement assistance; and

WHEREAS, Tongue Point Job Corps Center in Astoria, Clatsop County, Oregon is celebrating Fifty Years of carrying out the Job Corps mission, and

WHEREAS, with annual average enrollment of 800, more than 40,000 youth have received work force and life skills training at Tongue Point Job Corps Center to improve their lives; and

WHEREAS, opening on February 3, 1965 and as the third oldest Job Corps Center in the nation and the largest center in the Northwest, Tongue Point Job Corps Center is highly reputed as one of the most successful Centers in the nation; and

WHEREAS, throughout its five decades of existence, Tongue Point Job Corps Center has partnered with Clatsop Community College, labor representatives and employers throughout Oregon to provide workforce training; and

WHEREAS, with annual average staff levels exceeding 150, Tongue Point Job Corps Center has provided employment to thousands of Clatsop County residents; and

WHEREAS, by virtue of staff and student payrolls, use of local vendors and suppliers for goods and services, and partnerships with Clatsop Community College as well as Sunset Empire Transportation District, Tongue Point Job Corps Center's annual economic infusion to the community has grown, over the 50 years, from \$4 million dollars to in excess of \$11 million dollars; and

WHEREAS, Tongue Point Job Corps Center students have consistently contributed to the enhancement of Clatsop county through fifty years of community service and service learning projects, totaling in excess of 250,000 hours, and has provided contributions and donations in support of fundraising by organizations such as United Way, Columbia Memorial Hospital Foundation, CASA, Providence Hospital Foundation, Clatsop Community Action, The Harbor, and Clatsop Community College Foundation; and

WHEREAS, young adults living and studying at Tongue Point Job Corps Center value being part of the Astoria community.

NOW, THEREFORE, I, Arline LaMear, Mayor of Astoria, do hereby proclaim the week of February 2-9, 2015 as

TONGUE POINT JOB CORPS CENTER WEEK

in Astoria and invite all citizens to join in this observation.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of Astoria to be affixed on this day, February 2, 2015.

Mayor





CITY OF ASTORIA

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**PRESENTATIONS – ITEM 8(a)
POLICE OFFICER KENNY HANSEN 25
YEAR SERVICE PIN**

**NO DOCUMENTATION IS INCLUDED
FOR THIS AGENDA ITEM**



CITY OF ASTORIA

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**PRESENTATIONS – ITEM 8(b)
ENTERPRISE ZONE**

**NO DOCUMENTATION IS INCLUDED
FOR THIS AGENDA ITEM**

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, Price, Mayor LaMear

Councilors Excused: Warr

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

OATHS OF OFFICE:

Item 3(a): Mayor Arline LaMear

Mayor Van Dusen administered the Oath of Office to Mayor-Elect Arline LaMear, who was elected to a four-year term.

Mayor LaMear thanked the citizens of Astoria, saying she was honored and humbled to have been elected Mayor of such a wonderful community. She looked forward to working with everyone, even those who did not vote for her, because everyone wants what is best for the community.

Item 3(b) through (e): Councilors and Staff

Mayor LaMear administered the Oaths of Office to the following:

- Councilor Zetty Nemlowill – Ward 1
- Councilor Cindy Price – Ward 3
- Chief of Police Brad Johnston
- Sergeant Chris McNeary

Councilor Nemlowill said it was good to see so many supporters at the meeting. She introduced her family, who gives her perspective on her job as City Councilor. Mr. Van Dusen appointed her to the Planning Commission, which helped her gain experience working for the City. She appreciated the flowers sent by Senator Betsy Johnson. The support was great and she looked forward to serving the city. She congratulated Mayor LaMear.

Councilor Price thanked everyone for attending. She appreciated the support and planned to work very hard for Ward 3. She asked the community to stay active because the more voices City Council hears, the better the city becomes.

Chief Johnston thanked his family and the Police Department. The badge put on him during his oath of office is an important symbol of authority and responsibility given to him by the community.

Sergeant McNeary looked forward to the opportunity to serve the community.

REPORTS OF COUNCILORS:

Item 4(a): Councilor Price reported that she would be hosting a meet-and-greet on Saturday, January 10, 2015 in the Flag Room of the Astoria Library at 10:15 am and invited everyone to come.

Item 4(b): Councilor Herzig reported that he would also be hosting a meet-and-greet on Saturday, January 10, 2015 in the Flag Room of the Astoria Library at 12:00 pm. In honor of Martin Luther King Day, the Lower Columbia Diversity Project (LCDP) would be hosting a speaker on Friday, January 16 and a candlelight walk on Monday, January 19 at 5:30 pm in front of the Liberty Theatre. The walk would end at Peace Lutheran Church for a soup meal and community gathering. Flyers were available on the table. The Astoria Warming

Center was open five nights the previous week. Community support and the need for the center have been incredible. The center is open when the temperature is below 35 degrees. The stories of those who have used the warming center are incredibly moving. He hoped in time a permanent shelter could be created. He thanked everyone who helped implement the Astoria Warming Center.

Item 4(c): Councilor Nemlowill thanked her father for attending and said it was nice to see so many members of the Planning Commission in the audience. As a new Councilor, she has been getting acquainted with how the City works by touring various departments. During the following weeks, she would be training on land use and with the League of Oregon Cities, and participating in the goal setting session. She hoped her Facebook page, City email address, and phone number would be available via the City's website. Community members may contact her anytime with ideas, preferably by email. She planned to meet with the public on a regular basis outside of City Council meetings.

Item 4(d): Mayor LaMear reported her first Meet the Mayor meeting would be on Wednesday, January 7th, from 12:00 pm to 1:00 pm at City Hall. She invited the community to share their ideas and concerns. If she is unable to answer questions, there would be cards available to fill out so she could contact citizens later with information. She and her husband Cliff volunteered at the warming center on New Year's Eve. It was heartwarming to see people who would otherwise be sleeping under the bridge or along the Riverwalk. The warming center is needed in this community and she commended Councilor Herzig for getting the center going.

CHANGES TO AGENDA:

Mayor LaMear requested the addition of Regular Agenda Item 8(g): Volunteer Applications for Board and Commissions. The agenda was approved with changes.

PRESENTATIONS:

Item 6(a): Ford Family Foundation Teen Center Project (Parks)

The Ford Family Foundation's Lower Columbia River Cohort 3 has received a grant to update the Teen Center located within the Astoria Recreation Center. The project budget is \$12,000 and has consisted of redesigning and purchasing equipment as well as constructing a half-court basketball court on the premises that will provide local youth a safe and supervised location to gather and socialize within our community.

Director Cosby introduced Judi Mahoney and Alana Garner, Ford Family Foundation's Lower Columbia River Cohort 3 members. The Foundation offers leadership training to rural communities in Oregon. Training in Astoria began at the end of January 2014 and now that the training is complete, volunteers have decided to enhance the community by redesigning the Teen Center. When the Teen Center was in the basement of the Recreation Center, it was dirty, not open during the best hours, and did not have very good equipment. Their fundraiser, selling raffle tickets for various prizes, raised more than \$3,500. In-kind donations allowed the Cohort to receive the full grant of \$5,000 from the Foundation.

Judi Mahoney, P.O. Box 1421, Astoria, gave a PowerPoint presentation on the design of the new Teen Center, noting that she was on the design and implementation team. Much of the equipment has already been purchased. The Teen Center will have a noisy area, a quiet area, and a camera allowing the center to remain under constant surveillance by Parks Staff. The door will always be open and Staff will be in an out to check on the area. Many teens and adults attended a painting party on Friday, January 2nd. Teens from Astoria, Warrenton, and Napa gave input through a survey about what they wanted in the Teen Center. Teens indicated they wanted Wi-Fi, which would be available. A set-up day has been scheduled for January 11th to install the equipment.

Alana Garner, 486 12th Street, Suite H, Astoria, invited City Council and the community to the Teen Center's grand opening on Friday, January 23rd from 5:30 to 7:00 pm at the Recreation Center, 1555 West Marine Ave., Astoria. The new Teen Center has been fun to work on and she hoped everyone could attend the grand opening. She explained that a cohort is a group of community members who, in this case, represented the Lower Columbia River Cohort 3 of the Ford Family Foundation. The Cohort included 22 people of all ages from Warrenton, Astoria, Napa, and Seaside. She explained that each cohort works on a different project. Cohort 1 worked on the disc golf course and Cohort 2 extended the course to 18 holes, making it a championship course.

Councilor Price said the Ford Family Foundation completes community projects through cohorts every two years. She and Councilor Herzig had been on Cohort 2 when they worked on Camp Kiwanilong. It was nice to see that Cohort 3 had younger volunteers. She asked where the funding for the new teen center came from. Director Cosby replied the City provided Staff time to help install the basketball court and the materials for the court were paid for with grant funds. The court is an outdoor basketball court on the north side of the Recreation Center.

Councilor Herzig added that Recreation Center logo on the tree cutting looks very nice.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 7 (a) Boards and Commissions Minutes
 - (1) Library Board Meeting of 12/2/14
- 7 (b) Resolution Designating Signators for the City of Astoria (Finance)

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

REGULAR AGENDA ITEMS

Item 8(a): Liquor License Application from Clemente's Seafood LLC., Gordon and Lisa Clement, located at 175 14th Street, Astoria for a Change of Location for a Full On-Premises Sales Commercial Establishment License (Finance)

A liquor license application has been filed by Clemente's Seafood LLC doing business as Clemente's Cafe located at 175 14th Street, Astoria. The application is a Change of Location for an existing Full On-Premises Sales Commercial Establishment License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

Councilor Price declared that she is a customer of Clemente's Seafood and she supported Lisa Clement as County Commissioner. However, she did not believe this would prevent her from making a fair decision.

Councilor Nemlowill declared that her family business, Fort George Brewery, sells items to Clemente's Seafood, but she intended to make an objective decision.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price, to approve the Change of Location for a Full On-Premises Sales Commercial Establishment Liquor License for Clemente's Seafood LLC. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Councilor Herzig noticed that White Out had been used on the liquor license application. In the past, there has been a lack of clarity about whose name needs to be on the application as the entity or individual applying for the license. He suggested Staff notify the Oregon Liquor Control Commission (OLCC) that there is considerable doubt about who to list on the application.

Item 8(b): Estate of Ruth Jensen – Contribution to Furnishing the Children's Room of the Renovated/Updated Astoria Library and Resolution Creating the Library Renovation Fund (Library)

On January 6, 2014, the Astoria City Council and the Astoria Library Advisory Board held a joint work session after which Council voted to accept The Astoria Library Renovation Report, Part One. In December of 2014, the Astoria Library received a check from the Estate of Ruth Jensen in the amount of \$7,400. Her daughters, Laurie Turner and Susan McClure, asked that these funds be the first funds to be earmarked for furnishing the children's area in the renovated library and provide a seed for other donations. City Attorney Henningsgaard has recommended that a dedicated renovation fund is needed for this and future donations for the renovation of the library. A resolution is attached that establishes the Library Renovation Fund. It is recommended that Council

adopt the attached resolution to establish the Library Renovation Fund and accept the donation of \$7,400 for furnishing the children's area in the renovated library as the first deposit to the fund.

Mayor LaMear said Ms. Jensen was a close friend and they both served as school librarians. This is a touching gift and she was delighted that the family chose to make this donation to the community.

Councilor Herzig asked if establishing a Library Renovation Fund would require City Council to commit to a specific building plan or location. City Manager Estes said no, only a fund being established by City Council for any future project that comes out of the Library. The word "renovation" in the title of the fund does not commit the Council to any plan or location, but is just a name given to the fund for collection of donations.

City Council Action: Motion made by Councilor Price, seconded by Councilor Herzig to adopt the resolution to establish the Library Renovation Fund and accept the donation of \$7,400 for furnishing the children's area in the renovated library as the first deposit to the fund. Motion carried unanimously. Ayes: Councilors Nemlowill, Herzig, Price and Mayor LaMear; Nays: None.

Item 8(c): Authorization to Bid Astoria Senior Center Renovation Project (City Manager)

In April of 2013, the City of Astoria received a \$1.5 million Community Development Block Grant (CDBG) to renovate the Astoria Senior Center. The Senior Center Board of Directors and its patrons have committed an additional \$95,000 in funding to augment the overall project budget. A decision to delay the bidding process was made by the City Council in June 2014. This was done to take full advantage of seeking bids based a preferable bid climate during the winter months rather than at the height of the construction in the summer months. The anticipated outcome is to receive more competitive (lower) bid outcomes.

City staff and the project consultants have essentially completed all the bid documents for the Astoria Senior Center Renovation Project. The bid solicitation documents will be issued, pending authorization by the City Council, in early January with bids due in the latter part of February. Following review of the solicited project bids, the Council will be asked to provide approval to enter into a contract with the selected qualified low bid general contractor. It is anticipated that a contract for construction will be brought to City Council for consideration in March. Construction is anticipated to begin in March with substantial completion scheduled for late August 2015. It is recommended that the City Council authorize staff to solicit bids for the Astoria Senior Center Renovation Project.

Councilor Herzig said it was painful for the Senior Center to delay the renovation project, but their misfortune enabled the opening of the Astoria Warming Center because the building was empty. The Warming Center has received much support from the Senior Center and he was glad the renovation project was moving forward.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill to authorize staff to solicit bids for the Astoria Senior Center Renovation Project. Motion carried unanimously. Ayes: Councilors Nemlowill, Herzig, Price and Mayor LaMear; Nays: None.

Item 8(d): Request from W. Louis and Mary Ann Larson to Trim Trees on City Property (Public Works)

W. Louis and Mary Ann Larson, residing at 2907 Irving Avenue, have submitted an application to trim trees on City property. The City owned property is to the north of the Larson's property and includes Tax Lot 18300; Map 80909CA. Mr. Larson has obtained all signatures of adjoining property owners. The trees to be trimmed are primarily Big Leaf Maples and appear to have been trimmed in the past. This lot is within a hundred feet of a known slide zone. In May of 2011, an adjacent property owner had a geological evaluation of the City owned lot adjacent to this one for tree trimming. Staff confirmed with Horning Geosciences, that the 2011 report would also be applicable to the current proposal. Staff is requiring that no trees be removed or root systems damaged therefore preserving tree root strength. The applicant has had a certified arborist review the proposed activity. Based on the reports provided, and from a technical standpoint, staff does not see any reason why the tree trimming should not be allowed. Based on the analyses provided by the professional consultants representing the applicant, and staff's visit to the site, it is recommended that the request to trim trees on City property be approved.

Mary Ann Larson, 2907 Irving Avenue, Astoria, said she and her husband simply wanted to preserve what view they had left. She noted they had the trees trimmed about 30 years ago.

City Manager Estes explained for Councilor Herzig that approval of this request would include Staff's conditions as part of the permit, per the memorandum.

Councilor Herzig noted that the geoenvironmental report indicated rainfall, which was approaching the 100-year record, would cause slopes to fail. He asked if this meant Astoria should expect a period of increased rainfall that may destabilize some of the city's slopes. Director Cook said if Astoria received heavy rainfall for several years in a row that increased the groundwater table to a level above the slip line, the soil could move.

Councilor Herzig said the report was completed in 2011 and there have been some saturated slopes that have begun to move over the past few years. He assumed Astoria was in a period of heavy rains that may destabilize some slopes. Director Cook agreed this was always a possibility.

Councilor Price asked for more details about the lot. Director Cook said in order for the City to sell this lot, conditions would need to be placed on the deed, preventing development. However, the City does not have any plans to sell the lot.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price to authorize W. Louis and Mary Ann Larson to trim trees on City-owned Tax Lot 18300, Map 80909CA, per the conditions of the permit. Motion carried unanimously. Ayes: Councilors Nemlowill, Herzig, Price and Mayor LaMear; Nays: None.

Item 8(e): Authorization to Award Contract for Installation of Roofing on Shively Hall (Parks)

Shively Hall is in need of a new roof. The roof is currently in disrepair and leaking, causing damage to the ceiling panels and promoting mold growth throughout the building. Staff has solicited three quotes for the removal of the existing roofing and the installation of new 30-year roofing. It is recommended that the City Council award a contract to the lowest bidder, Weather Guard Inc., in the amount of \$9,230 for the removal of existing roofing and installation of new 30-year roofing on Shively Hall. There are sufficient funds in Capital Improvement Fund to cover the purchase.

City Manager Estes said that while this contract is within his spending authority of \$10,000, it is possible that additional funds would be required, bringing the contract above his spending limit. Any change orders that would put the contract over the limit would be presented to City Council for approval.

Director Cosby clarified for Councilor Price that maintenance of Shively Hall has been included in the Parks and Recreation budget. The Parks Department anticipated roof replacements on Shively Hall and Alderbrook during the next budget season.

City Manager Estes explained for Councilor Price that contracts are awarded in compliance with State law and City Code. Contracts can be awarded based on criteria, rather than price, but the criteria must be spelled out in advance. The standard process is to award a contract to the lowest bidder.

Councilor Herzig asked why the project was being paid for out the Capital Improvement Fund instead of the Parks and Recreation Fund. City Manager Estes said the Capital Improvement Fund is used for long-term facility needs. Since the new roof would be a 30-year roof, it would fall under the purview of the Capital Improvement Fund.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill to approve a contract with Weather Guard Inc. for \$9,230 for the removal of existing roofing and installation of new 30-year roofing on Shively Hall. Motion carried unanimously. Ayes: Councilors Nemlowill, Herzig, Price and Mayor LaMear; Nays: None.

Item 8(f): Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2014 Oregon Legislature (1st Reading) (City Attorney/City Manager)

Enclosed is an ordinance implementing "global" re adoption of various Oregon Revised Statutes that appear throughout the Astoria City Code. It is recommended that Council conduct the first reading of this ordinance.

Councilor Herzig said the resolution stated adoption and approval by the Mayor would be on January 5th. However, only the first reading would be conducted. City Manager Estes confirmed the date would be corrected.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price to conduct the first reading of the ordinance readopting certain State statutes to reflect changes made by the 2014 Oregon Legislature. Motion carried unanimously. Ayes: Councilors Nemlowill, Herzig, Price and Mayor LaMear; Nays: None.

Director Cook conducted the first reading of the ordinance.

Item 8(g): Volunteer Applications for Board and Commissions

This item was added to the agenda during Item 5: Changes to the Agenda.

Mayor LaMear made applications available to the audience, and asked that applications be submitted by first time applicants and board and commission members who would like to be reappointed. This will provide the City with a list of potential new volunteers should a board or commission member resign. Applications are due by January 15th and she hoped to have all appointments made by the end of January. The Planning Commission barely has a quorum and she needs to fill positions quickly. The application includes a description of each board and commission. The City would like a broad spectrum of volunteers. She has asked Staff and department heads to provide recommendations. City Council has also been asked to provide recommendations. The City wants to make this an open and inclusive process. She confirmed that board and commission vacancies would be advertised in the newspaper each time a vacancy occurred.

Councilor Herzig said in December 2014, the Parks and Recreation Board tried to set up an herbicide and pesticide task force, made up of Staff and concerned individuals, to meet about four times to discuss herbicide and pesticide options. Former Mayor Van Dusen believed this would be a commission and he did not want to usurp Mayor LaMear's prerogative by authorizing the commission just before Mayor LaMear took office. He believed a task force that would only meet four times before disbanding would not really be a City commission. However, if the Mayor and City Manager believe this task force is a City commission, it needs to be added to the list of boards and commissions. He reiterated that the task force intended to meet no more than four times and report to the Parks Board. He would like to move forward with the task force and asked City Council to authorize the establishment of this new City commission that would meet and disband in a couple of months.

Mayor LaMear believed this should be discussed during the City Council Goal Setting Session.

Councilor Price commended Mayor LaMear for making the volunteer applications a public process. This is a welcomed change from the past process and she believed many people would appreciate the new process. She encouraged everyone to apply. The next step should be full advice and consent by City Council, which has been requested by voters in Ward 3 for a number of years. Clatsop County and Seaside require council consent of board and commission volunteers. She has been impressed by the thoughtfulness with which the Planning Commission and Historic Landmarks Commission help develop the City of Astoria. However, she also believed the City could be held to higher standards of engagement by City officials. Council approval of board and commission volunteers would add transparency, generate good will, and share the responsibility of appointments among all City Councilors. This could also add strength to the work of the boards and commissions. She understood the City Charter allowed the Mayor to make appointments without full advice and consent of the Council. However, she asked the Mayor to consider asking for Council consent, especially for the commissions responsible for developing the City for the future, like the Planning Commission, Historic Landmarks Commission, and Design Review Board.

Councilor Nemlowill said according the charter, Mayor LaMear has the responsibility of appointing volunteers to the City's boards and commissions. She believed this would be a tough job. The list of vacancies is long and she

appreciated that Mayor LaMear has asked for input from the Council. It can be challenging to find volunteers who meet qualifying criteria and are willing to volunteer a considerable amount of their time.

Mayor LaMear thanked Councilors Price and Nemlowill for their comments. She also thanked the volunteers who served on the boards and commissions. She believed Astoria should be called the City of Volunteers because the City really does depend on volunteers. Astoria's community spirit is wonderful.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Item 9(a): Election of City Council President

Mayor LaMear explained that the City Council President takes the place of the Mayor in the Mayor's absence.

City Council Action: Motion made by Councilor Nemlowill to nominate Councilor Warr as City Council President. Motion died due to lack of a second.

City Council Action: Motion made by Councilor Price to nominate Councilor Herzig as City Council President. Motion died due to lack of a second.

City Attorney Henningsgaard confirmed that the Mayor has the authority to make a second or a motion.

City Council Action: Motion made by Councilor Nemlowill, seconded by Mayor LaMear, to elect Councilor Warr as City Council President. Motion passed unanimously. Ayes: Councilors Nemlowill, Price, and Herzig and Mayor LaMear. Nays: None.

Item 9(b): City Council FY 2015-16 Goal Setting Session

Mayor LaMear announced that the goal setting session had been scheduled for January 23rd and Wes Hare, Albany City Manager, would be conducting the session. Mr. Hare has conducted goal setting sessions for Astoria before and has done a great job. This year, the department heads would be present for the beginning of the session to inform City Council of their priorities for the year, which would allow Council to set goals that coordinate with each department's priorities.

City Manager Estes asked City Council to indicate where they would like to meet and what time they would like the meeting to begin. Mr. Hare would be available as early as 8:00 am on January 23rd.

Councilor Price preferred to meet in Council Chambers, with attendees sitting around a table, rather than making use of the dais.

Councilor Herzig noted that the goal setting session was open to the public; however, no public comments would be taken. He believed it would be valuable for members of the community to see the discussion and debate that occurs at the session.

Councilor Nemlowill had no preferences about the time or place.

City Council agreed to meet in Council Chambers at 8:00 am on January 23rd.

Councilor Price believed Albany's Strategic Plan was a great plan and suggested that Astoria use their plan as a template. She requested this be discussed at the next City Council meeting on January 19th. Using a template might make goal setting a bit easier than just using a long laundry list of tasks, goals, and objectives. She also requested a work session be scheduled to discuss City Council policies and procedures. She would like to have Council rules and policies in place before the goal setting session.

Mayor LaMear said she would be open to a work session. Many other city councils have work sessions prior to or after their regular city council meetings, which could be valuable to Astoria. City Council members are not allowed to talk amongst themselves about issues outside of City Council meetings. Councilors come to meetings without really knowing what other Councilors think. She learns a lot by listening to others and brainstorming, so she planned to schedule more work sessions in the future. The public will be invited to attend the work sessions.

No public comments can be taken, but the public will have the opportunity to hear why each Councilor has taken a particular stand on an issue. She believed this opportunity would be very valuable for the entire community and she has wanted to have a way for Councilors to talk and share ideas for a long time. She has spoken to City Manager Estes about how work sessions are more common in other cities.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he was happy with the changes in City Council. It appears as if Council would be talking much more amongst themselves in ways that are legal. He believed this would lead to much better decisions than in the past. He believed the work sessions were a great idea. He hoped his Councilor, Councilor Warr, fits in to the new program. He was pleased with the work the City has done, under the leadership of City Manager Estes and Director Cook, on the carbon capture program in the watershed. This move towards using Astoria's forest as a means of producing income for the City through growing trees is tremendous. He hoped everyone understood that this is a big step forward for a small town. There are not many cities in the country that have implemented similar programs. The program prevents the planet from being ruined for the next generation. He was also glad to hear, during discussion of Agenda Item 8(d), that proximity to a landslide was taken into consideration. Leaving the roots of large trees in place allows the roots to hold the soil together and consume water, which is important. Nonetheless, he still urged the City to be cautious about how to proceed with tree trimming in landslide areas in the future.

Councilor Herzig announced that on January 6th, from 6:00 to 8:00 pm at the Holiday Inn Express, the Planning Commission would host a public presentation about the Bridge Vista Area along the Riverwalk. He believed it was important for the public to learn what has been planned for the area and provide input. A pedestrian zone has been planned for the Bridge Vista Area, but the Riverwalk impacts the entire community. City Manager Estes added that a brief presentation would begin at 6:16 pm, and then an open house forum would allow citizens to speak to City Staff and consultants.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:12 pm.

APPROVED:

City Manager

**Parks Advisory Board Meeting Minutes
December 10, 2014**

Present- Norma Hernandez, Grace Laman, Councilor Karen Mellin, Tammy Loughran, Brad Johnston, Kim Williams and Howard Rub

Absent- and Jay Flint

Guest- David McElroy, Drew Herzig, Jessica Schleiff and Michelle Bisek.

Staff- Terra Patterson, Pam Pearce, Spencer Johnston, Jonah Dart-McLean, and Janice O'Malley Galizio

Meeting was called to Order at 6:50am by chairperson Norma Hernandez.

Chair Person Section

1. Kim Williams motioned to approve the minutes, Grace Laman seconded the motion. October minutes were approved.
2. What do you hear- Karen Melin discussed positive feedback from the aquatic center her grandchildren gave after visiting. Grace Laman discussed positive changes in boys' basketball program this year, specifically with new referees.

Employee Recognition

1. Angela Cosby and Pam Pearce recognized Spencer Johnston, a lead guard from the aquatic center as the November employee of the month. Terra Patterson was recognized as the December employee of the month.

Old Business

- A. Tammy gave an update on the Parks foundation. The foundation will be assisting with the McLure park project.
- B. The Ford Family Foundation Teen Center Project was reviewed. The group will be holding their grand opening January 23. The parks department will be installing a basketball court and camera monitoring system and their labor counts toward the in-kind donations.
- C. The Silver Sneakers program has begun running at the aquatic center. Norma asked about promotion, Janice will be giving a presentation to the Senior Center next week. Drew discussed upcoming changes in health care providers that could affect the Silver Sneakers.

New Business

1. Angela discussed the Wayfinding project. She reviewed changes to the map in the packet and discussed notes from the ADHDA. She reviewed the plan will be going to upcoming council meeting on Monday and she would like to see Parks Boards' continued support.
2. Angela reviewed the results from the Dog Park public survey. She reviewed a map of Alderbrook discussing the new proposed location in this neighborhood. It would need more parking and also has the potential to add water and bathrooms down the road if the Friends group would like to fund raise for these things. Brad Johnston reviewed pros and cons for the location. Angela did point out that the location would be kept in native landscaping which would minimize the amount of maintenance needed. Kim asked about the next steps in the development. Angela discussed getting public feedback and taking the location to council for their approval. Grace asked about the trails through the area and where would they be in proximity to the fenced area. Parks board is supportive of the proposed location.

3. Angela discussed the wireless communications tower moving from the Column area to Shively Park. She reviewed the proposed relocation and how this would affect vegetation and trees in the park. Brad Johnston discussed the tradeoffs of moving this tower from Astor Park to Shively Park. Questions raised from the board pertained to trees coming down that might affect the tower at Shively. Police Chief Johnston discussed the location and minimal possibility of trees coming down next to the proposed sight. Brad reviewed the look of the new tower and how visible it would be in the park. It will not be in a primary view sight and plans are being made to make it blend somewhat into the surrounding area. Karen Melin discussed the problems that arose in 2007 and the city lost communication for several days, moving the tower will help to keep this from happening again.
4. Jonah discussed the Herbicide/ Pesticide Task Force Plans. He discussed background and need for changes in the parks. He reviewed what the task force would do, the task force would have seven members, two from parks board. There would be four meeting and the task force would come up with a proposal in February. Angela asked the board to give ideas on task force members. Jessica Schleiff, Howard Rub, and Norma Hernandez will be on the task force. Howard discussed a few people from the school district that would have appropriate knowledge for the project.
5. An Ocean View Cemetery update was given by Angela. The department has received some negative feedback regarding the site. Concerns have been brought to city council and Angela will be bringing a presentation to the council. Angela reviewed some challenges the department has faced at the cemetery. The department is dealing with these issues and will keep the board informed as changes are made.
6. Angela reviewed the parks maintenance report.
7. Angela discussed grants and awards the department has recently applied for. Drew gave some suggestions on letters of support for the National Endowment for the arts grant.
8. Staff discussed upcoming events including Breakfast with Santa, an upcoming swim meet at the aquatic center, the Wellness Challenge at the ARC, the basketball court going in at the ARC and the Half Marathon coming up in May.
9. Norma asked for input from visitors to the parks board. Norma also inquired about the status of the McLure Park project. Angela told the board that this presentation will go to council once the new mayor and board members are in place in January.

Next meeting will be held Wednesday, January 28, 2015 at 6:45am

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
December 17, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Kent Easom, Peter Gimre, David Pearson, and Sean Fitzpatrick

Commissioners Excused: McLaren Innes, One Vacancy

Staff and Others Present: City Manager Brett Estes, Planner Rosemary Johnson, and Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

ITEM 3(a): November 25, 2014 Work Session

President Nemlowill asked for approval of the minutes of the November 25, 2014 work session. Commissioner Gimre moved that the Astoria Planning Commission approve the minutes as presented; seconded by Commissioner Easom. Motion passed unanimously.

PUBLIC HEARINGS:

President Nemlowill explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

CU03-04 Permit Extension for Conditional Use CU03-04 by Elisabeth Nelson to request a one-year extension for a temporary use, to August 26, 2015, to operate the Astoria Conservatory of Music in the existing church structure at 1103 Grand Avenue in the R-3, High Density Residential zone.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared that he and Ms. Nelson were friends; he is a member of the First Presbyterian Church, and is a past member of the session. He said City Attorney Henningsgaard had determined that he should recuse himself. He consulted on a real estate transaction that involved Presbytery of the Cascades, which resulted in him being appointed as an elder of Presbytery of the Cascades. This is considered a conflict of interest. He stepped down from the dais.

President Nemlowill declared that her daughter took music classes with Ms. Nelson. However, she has no conflict of interest and would still be voting.

Commissioner Pearson declared that he was a member of First Presbyterian Church and a past session member. However, he has not been actively involved with the church for several years. He believed he could make an objective decision.

President Nemlowill asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

Commissioner Easom asked why this use was still temporary after so many years. Planner Johnson explained that a temporary use permits uses not allowed within a zone for one year, only if the use is deemed appropriate for the location and makes use of an underutilized building. The Planning Commission can deny the permit any time if the use does not meet criteria. City Code allows temporary use permits to be renewed annually, pending compliance with all codes. This use would not otherwise be allowed, and you cannot get a variance from a use.

President Nemlowill said each year, very few people renew temporary use permits. She believed it made sense to give Staff the ability to approve these permits administratively. The Planning Commission could still review renewals for which complaints had been received or a change in use or ownership had been requested. She suggested the City create a process for administrative approval of temporary use permits.

City Manager Estes explained he had asked Planner Johnson to find codes that need to be updated with minor housekeeping type changes. A code amendment could implement President Nemlowill's suggestion and Planner Johnson would add it to the updates.

President Nemlowill opened the public hearing and called for a presentation by the Applicant. There was none. She called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff. There were none. She closed the public hearing and confirmed there was no Commission discussion or deliberation.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Permit Extension for Conditional Use CU03-04 by Elisabeth Nelson, with conditions; seconded by Commissioner Pearson. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

Commissioner Fitzpatrick returned to the dais.

ITEM 4(b):

CU14-14 Conditional Use CU14-14 by Michelle Green to continue use of the existing drive-through coffee shop as a temporary use for one year at 230 37th Street in the S-1, Marine Industrial Shorelands zone.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, she asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

President Nemlowill opened the public hearing and called for a presentation by the Applicant. There was none. She called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she closed the public hearing and called for Commission discussion and deliberation.

Commissioner Gimre said the Applicant was the fifth owner of the business since 2003 and he hoped she could do something different from the previous owners.

Commissioner Gimre moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-14 by Michelle Green, with conditions; seconded by Commissioner Easom. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

ADJOURNMENT TO WORK SESSION:

There being no further business, the meeting was adjourned at 6:45 pm to convene the Work Session.

ITEM 6(a): Riverfront Vision Plan – Bridge Vista Area

Matt Hastie, Angelo Planning Group, gave a presentation on recommended code amendments necessary to implement design guidelines within the Bridge Vista Area, as noted in the memorandum included in the agenda packet. During the presentation, he and Staff responded to questions and comments from the Planning Commission as follows:

- The Commission and Staff discussed the possibility of a facade improvement loan or grant program for the Astor-West Urban Renewal District, which would require the implementation of design guidelines. Staff noted that they have already developed suggested code language for the program but have not approved or implemented the guidelines yet. Past, current, and future projects within the district were discussed. The facade improvement program would require a property owner to complete certain steps in order to qualify and would include a cap on the maximum funding a property owner could receive. While this type of program is common throughout the State, it would be new to Astoria. It would be up to the Development Commission to decide if the program would offer loans, grants, or both.
 - President Nemlowill believed including both loans and grants in a facade improvement program would be best. Design guidelines for the Urban Renewal District are unprecedented. She asked if design guidelines would need to be discussed for the Astor-East Urban Renewal District as well. Staff said cash flow in the Astor-East District would be a challenge because the majority of the properties are owned by non-profit and public entities that are not taxable. The Astor-East District has existed longer and has already utilized available funds. However, design guidelines for the Astor-East District could be considered by the Development Commission.
- Building Style and Form: Mid-century slipcovers, which have been recommended for removal, could be considered historic depending on the period of the structure and the date of installation. This would be reviewed and decided on a case-by-case basis. Staff explained how the Design Review Committee (DRC) and the Historic Landmarks Commission (HLC) were appointed by the Mayor and explained their authority and jurisdiction as they apply to design guidelines.
 - President Nemlowill preferred alternative opportunities for incentives for existing structures to come into compliance with the design guidelines, rather than a trigger of investment, which she believed could be a deterrent to new construction or redevelopment. Staff said incentives have not been discussed beyond the Urban Renewal Program. Most communities do not usually implement such incentives when adopting design guidelines. However, incentives could be discussed. A parking reduction incentive has been discussed and included in the recommendations. Parking requirements can make building expansions more difficult or impossible when the site is too small to accommodate off-street parking requirements. Height and density incentives could be considered, but Mr. Hastie said he would not recommend those incentives for this area.
- Roof Forms and Materials: Staff believed false mansard should be discouraged as a flat roof form on commercial buildings because it was not used in Astoria until the 1960s or 1970s and would not protect the original historic integrity of a building.
 - Commissioners Easom, Fitzpatrick, and Gimre preferred tighter restrictions on roofing materials and colors on commercial buildings.
- Doors and Windows: Commissioner Easom and President Nemlowill believed doors on commercial and industrial buildings should be compatible with the type of business. Commissioner Easom was concerned that recommended window guidelines for industrial buildings could create construction hardships that would discourage industrial uses in the area. He did not mind solid walls, but suggested requiring a mural to add interest. Allowing flexibility in the industrial zone is important.
 - President Nemlowill agreed with Commissioner Easom that flexibility should be allowed and the windows should be compatible with the business. While some existing buildings without windows have historic ties and create value to the community, the architecture does not fit in with the rest of the area. There are some nice murals in Astoria, but too many could take away from the authentic feel of the City.
 - Commissioner Fitzpatrick supported clear stories in industrial buildings because natural light would be allowed inside and the building would have a better aesthetic exterior.
 - The Commission and Staff discussed design features of buildings in Astoria and agreed it would be appropriate to implement different standards for industrial and commercial buildings.

- Signs: Staff explained that monument signs were not considered appropriate for the pedestrian-oriented area because they can be up to 10 feet tall. The Planning Commission could allow monument signs and limit their size. However, most monument signs are scaled so that drivers can see them easily as they pass by in a car. Commissioners and Staff discussed typical uses for monuments signs and possible limits that could be implemented to ensure the signs looked appropriate in the area. Staff noted that way finding, highway, road, directional, and interpretive signs generally placed in rights-of-ways are exempt from sign regulations in the code. However, signs placed on private properties behind the sidewalk would have to comply with sign regulations.
- Setbacks: Commissioner Easom believed the recommended maximum setbacks were inappropriate for the north side of the River Trail. The Plan requires the encouragement of industrial uses in this area and the recommended setbacks would make it difficult for businesses to create access.
- Landscaping: Staff explained the process they used to determine which trees should be recommended for landscaping standards. The list of recommended species was finalized after the Planning Commission approved the Civic Greenway Area, so Staff planned to forward the list to the Commissioners for review.
 - President Nemlowill supported pedestrian amenities, like benches, being counted towards landscaping requirements, as was done in the Civic Greenway Area. Such an incentive would encourage companies to think about how the outside of their buildings would be used by the public.
- Off-Street Parking: Commissioner Fitzpatrick agreed with the recommendation to reduce off-street parking requirements. Commissioner Easom was concerned that the reduction in requirements could create parking issues. Staff explained that their recommendations were based on existing uses and buildings. Currently vacant buildings in the area have not been able to redevelop because the buildings encompass the entire lot and cannot provide parking. Staff explained the differences in off-street parking requirements between the Bridge Vista Area and Downtown which does not require off-street parking. The Planning Commission must decide if off-street parking requirements should be reduced for the entire Bridge Vista Area or just in the pedestrian-oriented portion of the area.

Mr. Hastie said a town hall meeting had been scheduled for January 6, 2015 at the Cannery Pier Hotel, to publicly share and receive feedback on work session discussions about the Bridge Vista Area. The meeting would be held in the evening, but the exact time was yet to be determined. He and Staff are updating their recommendations to reflect Planning Commission feedback in preparation for the meeting. The meeting will be publicized through public service announcements, media releases, and notifications to property owners in the area, emails, and flyers. Standards and guidelines, updated to reflect feedback received at the town hall meeting, would be presented to the Planning Commission at their January 27, 2015 meeting.

Planner Johnson stated for the record that the Planning Commission had letters from Russ Farmer, Anne Meyers, Mike and Marion Soderberg, and George Hague. The letters included comments based on the draft recommendations currently available.

President Nemlowill called for a recess at 7:56 pm and reconvened the work session at 8:02 pm.

City Manager Estes stated that during the recess, he was informed the town hall meeting might be relocated.

President Nemlowill opened the work session for public comments.

Drew Herzig, 628 Klaskanine Avenue, Astoria, said the term pedestrian-oriented zone had not yet been defined and he believed decisions were being made between meetings that were shaping the zone. At the last meeting, the Planning Commission was told the zone would be anything the Commission wanted to make it. However, at this meeting, the zone was being referred to as a benchmark for decisions and he did not understand this.

President Nemlowill understood the pedestrian-oriented zone to be a geographical area.

City Manager Estes reminded that at the last meeting, a possible area for the zone was identified. He explained that in this area, the buildings are already built out to the sidewalk and have more of an urban feel similar to Downtown. The Planning Commission could establish guidelines for this area that would require buildings to be of a scale and design that would be friendly and inviting to pedestrians. Staff will be better prepared to explain the concept of the pedestrian-oriented zone at the town hall meeting.

President Nemlowill closed the work session to public comments and called for the Commission to give Staff and Mr. Hastie feedback and direction.

Window Glazing Standards

Mr. Hastie understood that the Commission supported less window glazing standards be applied to industrial uses even within a pedestrian-oriented zone. Staff explained that more glazing in a pedestrian-oriented zone was important because buildings without windows were not inviting to pedestrians. Windows open the building up to the public space on the street. Tinting on windows has also been addressed in the recommendations because dark windows can also be uninviting to the public.

Commissioners Fitzpatrick and Pearson agreed with the recommended standards. President Nemlowill agreed the standards should be considered for the proposed pedestrian-oriented zone, even if the new zone is not implemented.

Siding and Wall Treatments

Planner Johnson listed some specific examples of materials that Staff believed should be discouraged or prohibited such as corrugated metal, false stone veneer, etc. Commissioner Easom noted that some of the buildings were historic and he believed corrugated metal should be allowed on all buildings along the south side of the River Trail. In an industrial area, even if the building were a commercial building, the corrugated metal would be appropriate. Commissioner Gimre believed other metal materials should be defined because some metal materials are not corrugated.

The Commission and Staff discussed buildings in Astoria that had metal siding and considered regulating the color of metal materials. The Commission agreed that buildings facing West Marine Drive should not be allowed to use metal materials. Staff said they would research the use of other metal materials.

The Commission and Staff discussed the pros and cons of regulating colors. A specific color may seem appropriate to one person and not to another, making the regulation of specific colors subjective. Additionally, being too specific about which colors are allowed could lead to a monochromatic look. Staff recommended that neon, fluorescent, bright, and primary colors be discouraged or prohibited. The Commission discussed issues created by the use of inappropriate colors on other buildings in Astoria. Mr. Hastie said he would prepare some alternative recommendations for regulating colors. Commissioner Easom believed colors should be regulated. However, Commissioner Gimre did not believe it was appropriate for the Planning Commission to play a role in part of the design process. Even the Design Review Committee does not design the building with the Applicant. Staff noted that most other communities do not regulate colors, and the communities that do say it is a nightmare because colors are so subjective and easily changed. Color has been defined by the Supreme Court as a form of freedom of speech. President Nemlowill believed that color can change the look and character of a building, but also agreed that colors were too subjective to be regulated. City Manager Estes said Staff would work on code language that would require some uniformity. The Commission agreed that specific colors should not be regulated.

Signs

The Commission agreed pole-mounted signs should be prohibited and monument signs should be regulated to their historic nature and/or height, at least in the geographical area where the pedestrian-oriented zone has been proposed.

Landscaping

Commissioner Pearson was concerned about the maintenance of trees. Trees can outgrow their space, but the public tends to complain when trees are trimmed. In the fall, foliage that has fallen from the trees clogs up the sewer system. He was concerned that City may not have the ability to maintain more trees when there are already issues maintaining the existing trees.

Mr. Hastie agreed that the City should have a process in place for maintaining trees. However, street trees have a lot of value because they can do more to improve the look of a street than anything else can. Commissioner Pearson believed this was true only as long as the trees can be maintained.

City Manager Estes noted that much of the landscaping in this area would be on private property, so the property owners would be responsible for maintenance. However, fall foliage falling into the street would still be an issue for the City.

Off-Street Parking

The Commission agreed with Staff's recommendations to reduce the off-street parking requirements in some circumstances.

NOT ON THE AGENDA

President Nemlowill noted that this was the last Planning Commission meeting for Planner Johnson, Commissioner Gimre, and herself. Planner Johnson said she would continue to work on the Riverfront Vision Plan and certain code amendments, so she would still be attending some meetings in the future. Commissioner Gimre said his time on the Planning Commission has been very rewarding. President Nemlowill said it has been a pleasure to serve the public and she felt lucky to have worked with such a thoughtful Commission. She looked forward to seeing the Commissioners at City Council meetings. Even though Commissioners have had different views from time to time, all of the Commissioners care a lot about Astoria. She thanked the Commissioners for their work.

ADJOURNMENT:

There being no further business, the work session adjourned at 8:30 pm.

ATTEST:

APPROVED:

Secretary

City Manager


DRAFT



CITY OF ASTORIA
POLICE DEPARTMENT

January 26, 2015

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: LEASE EXTENSION, VERIZON WIRELESS

DISCUSSION/ANALYSIS

City Staff, along with the Friends of the Astoria Column have been working with Verizon Wireless to relocate the communication facility that is located on Coxcomb Hill. Verizon Wireless (formerly GTE Wireless) entered into a five year lease with three additional five year extensions. The final extension on that lease expired August 31, 2012. Prior to its expiration, in August 2012, Council entered into an extension of the existing lease that extended the lease to August 31, 2015. In 2012 prior to the lease extension negotiations the cost to Verizon Wireless was \$1,208 per month. Staff negotiated an increase to \$1,705 per month with a 3% annual cost escalator.

It is not expected that the work of relocating the tower from Coxcomb Hill will be accomplished by August 31, 2015. It is anticipated that it will be accomplished by August 31, 2016. Verizon Wireless has prepared a one year lease extension that continues the 3% annual increase for a lease of \$1912.27 per month terminating on August 31, 2016.

The City Attorney has approved the lease as to form.

RECOMMENDATION

It is recommended that Council approve the lease and authorize the Mayor to sign the lease extension.

A handwritten signature in black ink, appearing to read "Brad Johnston".

Brad Johnston
Chief of Police
Assistant City Manager

SECOND AMENDMENT
TO
LAND LEASE AGREEMENT

This SECOND AMENDMENT TO LAND LEASE AGREEMENT ("Amendment") is made this ____ day of _____, 2015 by and between City of Astoria ("City") and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless ("Verizon Wireless").

RECITALS

A. This Amendment pertains to that certain Land Lease Agreement dated July 8, 1992, together with all exhibits, extension agreement, amendments and addenda thereto (collectively, the "Agreement") for the lease of certain property (the "Premises") located in Astoria, County of Clatsop, State of Oregon, on property legally described as set forth on Exhibit "A" to the Agreement, and attached hereto as Exhibit "A" and made a part hereof.

B. The parties desire to amend the Agreement to extend the term of the Agreement following the expiration of the Agreement's current term on August 31, 2015.

NOW, THEREFORE, in consideration of the foregoing and mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

AGREEMENT

1. Recitals. The foregoing recitals are incorporated herewith as if fully set forth herein.

2. Extensions. The City and Verizon Wireless agree to extend the term of the Agreement. The Agreement shall automatically be extended for one (1) additional year from September 1, 2015 through August 31, 2016, and shall continue to be paid in equal monthly installments in the amount of \$1,912.27, as provided in the Agreement.

3. Full Force and Effect. Except as expressly amended herein the Agreement is unmodified and remains in full force and effect. In the event of a conflict between the terms of the Agreement and this Amendment, the terms of this Amendment shall be controlling. In addition, except as otherwise stated in this Amendment, all initially capitalized terms will have

the same respective defined meaning stated in the Agreement. All captions are for reference purposes only and shall not be used in the construction or interpretation of this Amendment.

CITY: City of Astoria

By: _____
Name: Arline LaMear
Title: Mayor
Date: February 2, 2015

By: _____
Name: Brett Estes
Title: City Manager
Date: February 2, 2015

VERIZON WIRELESS: Verizon Wireless (VAW) LLC d/b/a Verizon Wireless

By: _____
Brian Mecum
Area Vice President Network
Date: _____



Digitally signed by
com.apple.idms.appleid.prd.49317566476
d4a3867754144546f59324e744d354e773d
3d
DN:
cn=com.apple.idms.appleid.prd.49317566
476d4a3867754144546f59324e744d354e7
73d3d
Date: 2015.01.16 09:21:33 -08'00'

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at a point on the South line of Shively's Astoria said point being S 85 ° 32' W 84.61 feet from the Southeast corner of Block 100 Shively's Astoria;
thence continuing South 85 ° 32' West along the South line of Shively Astoria to a point 19.77 ' West of the Southeast corner of Block 97 Shively's Astoria;
thence South 0 ° 14' East to the North line of Pipeline Road to a point South 0 ° 14' East from the point of beginning, said point being West 185 feet more or less, from the Section line between Sections 16 and 17;
thence North 0 ° 14' West to the point of beginning.

Excepting therefrom Coxcomb Hill Road.



January 16, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR SPECIAL INSPECTION AND MATERIALS TESTING SERVICES FOR THE ASTORIA SENIOR CENTER RENOVATION PROJECT

DISCUSSION/ANALYSIS

In April of 2013, the City of Astoria received a \$1.5 million Community Development Block Grant (CDBG) to renovate the Astoria Senior Center. The Senior Center Board of Directors and its patrons have committed an additional \$95,000 in funding to augment the overall project budget.

On January 5, 2015 Council formally authorized staff and its consultants to seek competitive bids for the renovation of the Astoria Senior Center.

On January 15, 2015 Invitation to Bids were issued for the renovation of the Astoria Senior Center, bids are due on February 26, 2015.

As part of the renovation of the Astoria Senior Center Project, the City is required to provide third party special inspection and materials testing services as defined within the project construction documents and as an Oregon Structural Specialty Code requirement. These services include but not limited to reinforced concrete and masonry inspection and associated material testing, mechanical anchors and epoxy anchorage inspections, structural steel fabrication and erection inspection. These services will be provided by a third party specialty consulting firm.

Special inspection and testing services monitor and test the materials to ensure the work and materials are in accordance with the project plans and specifications in addition to analyzing the workmanship that is critical to the integrity of the building structure. The special inspection and testing process supplements those duties conducted by the municipal building inspector. Communication between the special inspector, designers, contractors and building department officials is essential to project quality assurance.

Staff will publicly solicit proposals from consultants for these services. Proposals will be qualification based as a means of selection. This method of selection is consistent with past City of Astoria solicitations for these types of services and current State statutes. Staff will review the proposals and present their recommendation to Council for the execution of a contract for these services at the March 16, 2015 City Council meeting.

RECOMMENDATION

It is recommended that the City Council authorize staff to solicit proposals for the Special Inspection and Materials Testing Services for the Astoria Senior Center Renovation Project.


By: _____
Al Jaques, Construction Manager



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

January 26, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: **AUTHORIZATION TO PURCHASE GENERATOR**

DISCUSSION/ANALYSIS

The domestic water that supplies the citizens of Astoria begins at the slow sand filter located in the City's watershed above Svensen. There are several water sources that supply the sand filter with water by gravity. During the drier part of the year, additional water needs to be pumped from Main Lake to supplement the flow from the creeks. Two three-phase pumps are used to produce the needed volume of water to the filters from Main Lake. Pacific Power supplies single phase electrical power to the watershed. In order to produce the required three phase power for the pumps, a roto-phase converter is utilized to change power from single to three phase to run one pump, and a three phase diesel generator is used to power the second pump. The need for the generator is two-fold. First, the Pacific Power utility lines that run from Svensen to the Headworks are of insufficient power capacity to run both pumps at the same time. Secondly, in the event of a power failure, the generator can run both pumps.

A used three phase Cummins diesel generator was purchased in 1996 to power the pumps that supply water from Main Lake to the sand filter. This generator has over 6,000 hours of run time, and is in need of major repairs that are not cost effective given the age of this generator.

The Public Works Department maintains 19 backup generators that power various buildings as well as pump and lift stations in the event of power outages. Of those, all but four are Cummins generators.

At the November 5th City Council meeting, Council authorized joining the Houston-Galveston Area Council (HGAC) in order to facilitate the purchase of a pumper truck for the Astoria Fire Department. Cummins Power Generation Inc., is a contract vendor to the HGAC. The Houston Galveston Area Council (HGAC) is an interstate cooperative procurement agency that facilitates contracts between member jurisdictions and member manufacturers.


On January 16, 2015, a notice of the City's intent to establish a contract for a Cummins generator was advertised in The Daily Astorian. No comments were received.

Staff has researched various replacement options and determined that in order to be consistent with current operations, parts availability, and mechanic staff familiarity; it would be advantageous to purchase a new three phase Cummins diesel generator. The City Attorney has agreed that the use of the HGAC is appropriate for this purchase.

Funds have been budgeted in the Public Works Improvement Fund for this purchase.

RECOMMENDATION

It is recommended that the City Council authorize the purchase of one new 80 KW three phase Cummins diesel generator through HGAC for \$22,711.80.

Submitted By: 
Ken P. Cook, Public Works Director

Prepared By: 
Ken B. Nelson, Public Works Superintendent



CITY OF ASTORIA
POLICE
DEPARTMENT

January 26, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: PUBLIC HEARING AND ORDINANCE AMENDING ASTORIA CITY
CODE SECTIONS 8.825 THROUGH 8.885 PERTAINING TO
MERCHANT POLICEMEN, WATCHMEN, AND GUARDS

DISCUSSION/ANALYSIS

In the 1990s the Oregon Department of Public Safety Standards and Training (DPSST) was given regulatory authority over security guards by the Oregon Legislature. This change created a licensing structure that was more rigorous than that of the City Code and created an unnecessary duplication. Amending the City Code removes the unnecessary duplication. The City Attorney has reviewed the revisions and concurs.

RECOMMENDATION

It is recommended that Council hold the public hearing and conduct the first reading of this ordinance.

A handwritten signature in black ink, appearing to read "Brad Johnston", is written over a horizontal line.

Brad Johnston
Chief of Police
Assistant City Manager

ORDINANCE NO. 15-_____

AN ORDINANCE AMENDING THE EXISTING SUBTITLE AND SECTIONS 8.825 THROUGH 8.885 PERTAINING TO "MERCHANT POLICEMEN, WATCHMEN, AND GUARDS" AND ENACTING NEW SECTIONS 8.825 THROUGH 8.850 REGARDING "LICENSED SECURITY GUARDS" OF THE ASTORIA CODE

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria City Code Sections 8.825 through 8.850 are amended by deleting the existing subtitle and sections and replacing them as follows:

"Licensed Security Guards"

- 8.825** **Definitions.** In Sections 8.825 through 8.850 of this code the following terms mean:
- (a) Security Guard. Any person engaged in the business of watching, guarding or protecting any premises, property or persons who is certified by the Oregon Department of Public Safety Standards and Training Department.
- 8.830** **License Required.** It shall be unlawful for any person to own or operate a security guard business or engage in business as a security guard, except as provided in and authorized by this chapter and without having first obtained a license from the city. Licenses as required by this chapter shall be in addition to those required by the Astoria Code Sections 8.000 through 8.035.
- 8.835** **Licenses – Nontransferable.** No business license granted under the provisions of this chapter shall be transferable.
- 8.840** **Periodic Investigations by Chief of Police.** It shall be the duty of the chief of police to make periodic investigations of the activities of any licensee under this chapter and to ascertain any and all information which may be of benefit to the council in determining whether or not such license should be continued in force and effect.
- 8.845** **Rules and Regulations.** The city manager, with the approval of the city council, may issue and promulgate from time to time rules and regulations to protect the health, safety and peace of the citizens of the city in relation to the merchant police business. Such rules may require reports to be furnished to the chief of police concerning the licensee and those employed by the licensee. *[Section 8.875 added by Ordinance No. 66-05, enacted July 18, 1966.]*
- 8.850** **Uniforms, Badges, Buttons, etc.** Every person desiring to provide services of a security guard, as authorized and licensed under provisions of this code, shall provide or cause to be worn at any and all times that such employee is

actually engaged in the duties as specified in this code, a distinctive uniform. It shall be unlawful for any security guard regulated under this code, and not a member of the police or fire department, to wear a uniform, cap, badge, or buttons similar to or in imitation of the official uniform, cap, badge, or buttons at the time in use by the members of the police and/or fire department. It shall further be unlawful for any person to wear any officially approved and designated uniform, or part thereof, of any security guard unless such person is actually employed by a bona fide agency licensed under this chapter or to misrepresent himself as being an agent of such.”

Section 2. Effective Date. This ordinance will be effective 30 days following the date of its passage by the City Council.

ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2015.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2015.

Mayor

ATTEST:


City Manager

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor Nemlowill			
Herzig			
Price			
Warr			
Mayor LaMear			



January 23, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: **REQUEST TO ADJUST CSO PROGRAM TIMELINE**

DISCUSSION/ANALYSIS

In November 2010, an Amended Stipulation and Final Order (ASFO) was signed by the City of Astoria and the Department of Environmental Quality (DEQ) establishing deadlines and criteria for the Combined Sewer Overflow (CSO) Program. The ASFO requires the City to work to eliminate all CSO discharges from specific discharge points, except during storm events that exceed the stated criteria in the agreement. As stipulated in the ASFO, the City is required to control outfalls by a certain date according to the following schedule:

	Phase	ASFO Completion Deadline	Number of Outfalls Controlled
✓	1	Dec 1, 2006	9 outfalls
✓	2	Dec 1, 2007	9 outfalls
✓	3	Dec 1, 2013	6 outfalls
	4	Dec 1, 2016	11 outfalls
	5	Dec 1, 2022	3 outfalls
		TOTAL	38 outfalls

Phases 1 through 3 are complete and have controlled 24 outfalls. The upcoming 16th Street CSO Separation Project will control 5 outfalls as part of Phase 4. The remaining 9 outfalls that need to be controlled are the most challenging of all due to existing infrastructure configurations and lack of monitoring data to characterize the existing performance.

It has become clear that meeting the deadlines of the ASFO is not feasible for a variety of reasons including issues related to monitoring equipment and monitoring data, funding, time to refine the program approach and staff capacity. City staff met with DEQ to discuss these challenges and options that are available to adjust the deadlines while continuing to be environmentally responsible and comply with DEQ deadlines. DEQ staff was supportive of the City's initial proposal to adjust the CSO Program deadlines to allow for a more successful outcome to the final projects. The City has been informed that a formal request needs to be submitted, then an administrative amendment will be executed by DEQ for the agreed upon deadlines.

City staff recommends extending the final deadline for the remaining 9 outfalls to from December 1, 2022 to December 1, 2028. This timeline will allow monitoring to occur between projects to evaluate system response and collect data for developing the best and most cost effective solutions for future projects. Extending the deadline for final completion also allows the City to pay off several of the first project loans, which reduces the peak CSO Surcharge rate. Instead of rising to a currently projected high of 163% of the sewer rate, the adjusted timeline is projected to result in a reduced peak CSO Surcharge of 105% of the sewer rate.

A formal request has been prepared by City staff and is attached to this memo. This letter has been reviewed by the City's environmental attorney. If approved by DEQ, the final ASFO amendment document will be presented to Council for final authorization and signature at a future meeting.

RECOMMENDATION

It is recommended that City Council authorize staff to formally request an administrative amendment to the Amended Stipulation and Final Order from DEQ to adjust the CSO Program completion timeline.

Submitted By: 
Ken P. Cook, Public Works Director

Prepared By: CINDY D. MOORE 
Cindy Moore, City Support Engineer



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

January 27, 2015

Mike Pinney, PE
Oregon DEQ NW Region
2020 SW Fourth Ave, Suite 400
Portland, OR 97201

Re: Request for Administrative Amendment

Dear Mike,

REQUEST FOR ADMINISTRATIVE AMENDMENT:

As per our discussions with you and the Agency, the City is here requesting an administrative amendment to the Stipulation and Final Order WQMW-NWR-92-247 (ASFO) that was signed in November 2010, extending the deadline for control of the final 9 outfalls to December 1, 2028.

DISCUSSION:

The ASFO requires the City to work to eliminate all untreated combined sewer overflow (CSO) discharges from specific discharge points, except during storm events that exceed the stated criteria in the agreement. Since the original Stipulation and Final Order that was signed in 1993, the City has been working diligently in accordance with the approved schedule towards reducing CSOs. To date, 10 major capital improvement projects have been constructed that include thousands of feet of new storm piping, and two major CSO storage facilities. The City has spent over \$25 million on the program thus far, with the total cost of the program currently estimated at \$40-50 million. An important achievement is that approximately 85-90 percent of the CSO volume has been controlled, removing over 300 million gallons of combined sewer overflows to Young's Bay and the Columbia River annually.

The 16th Street CSO Separation Project is the next major project in the program and is currently being designed with construction scheduled to begin in May 2015. An estimated \$5.7 million will be spent on this project bringing the total expenditures for the CSO Program to over \$31 million. The City has been awarded \$3 million in grants for the CSO Program from several sources over the years, but the remaining \$28 million has been funded by loans. Funding for repayment of these loans is generated from a surcharge on the City customer's sewer rate, referred to as the CSO Surcharge.

As stipulated in the ASFO, the City is required to control outfalls by a certain date according to the following schedule:

	Phase	ASFO Completion Deadline	Number of Outfalls Controlled
✓	1	Dec 1, 2006	9 outfalls
✓	2	Dec 1, 2007	9 outfalls
✓	3	Dec 1, 2013	6 outfalls
	4	Dec 1, 2016	11 outfalls
	5	Dec 1, 2022	3 outfalls
		TOTAL	38 outfalls

Phases 1 through 3 are complete and have controlled 24 outfalls. The upcoming 16th Street CSO Separation Project will control 5 outfalls as part of Phase 4. The remaining 9 outfalls that need to be controlled are the most challenging of all due to existing infrastructure configurations and lack of monitoring data to characterize the existing performance.

Completing the final phases of the CSO Program within the ASFO deadlines has been complicated by a complex number of factors; issues related to monitoring equipment and monitoring data, funding, program approach, and staff capacity.

As we discussed with you, the City has struggled with the quality and reliability of monitoring equipment and remote communication to transmit data due to AT&T discontinuing 2G cellular service. Proposals are currently being evaluated to replace the existing equipment and purchase additional monitors at a cost of \$200,000 to \$300,000. Additional monitors will be installed in uncontrolled outfalls for the purpose of calibrating the hydraulic/hydrologic model that is used for scoping future projects. Quality data from that monitoring is critical for developing the best and most cost effective project scope to achieve the required control requirements. Since separation projects affect the entire CSO system, it is important to obtain monitoring information during at least one winter season after the completion of each of the projects in order to refine the scope of the next future project. The City intends to fix the monitoring problems and then collect additional reliable data that will then guide the rest of work on the final 9 outfalls.

Funding for this program is generated from a surcharge on the sewer rates. This CSO Surcharge is currently 77% of the sewer rate, and to meet the current ASFO deadlines this surcharge is projected to eventually rise to 163% of the sewer rate. It has been determined that if the final ASFO deadline is extended to December 1, 2028, then the CSO surcharge is projected to reach a reduced peak of 105% of the sewer rate because several of the original loans will be paid off. Reducing the peak rate would provide significant relief to customers in our economically distressed community.

City staff capacity is stretched to the limit in order to manage all the components of the CSO Program that includes monitoring, reporting, scoping, funding, designing, constructing, and communicating with the public. Success of the CSO Program depends on intensive City staff involvement during all stages of the process allowing less time for work on other critical existing aging infrastructure. Like almost all communities in Oregon, Astoria has aging infrastructure issues which the City is working to address that go beyond the CSO Program and which are also important components of the City's efforts to protect the environment.

Balancing the challenges described above with the importance of being environmentally responsible and complying with DEQ deadlines, the City respectfully requests an amendment to the ASFO extending the deadline for control of the final 9 outfalls to December 1, 2028. As we mentioned, 85 to 90 percent of overflows have been successfully controlled to date and the next major project starts construction in May. It is anticipated that 3 major capital improvement projects remain after the 16th St CSO Separation Project is completed, so if intermediate deadlines are necessary in conjunction with this requested extension, please coordinate with Cindy Moore, City Support Engineer, to establish these dates.

Thank you for your consideration of this important request.

Sincerely,

THE CITY OF ASTORIA

Ken P. Cook
Public Works Director

cc: Tiffany Yelton-Bram, DEQ
Cindy Moore, City of Astoria