



AGENDA

ASTORIA CITY COUNCIL

WORK SESSION & REGULAR SESSION

March 16, 2015

*** 6:00 p.m. ***

2nd Floor Council Chambers
1095 Duane Street * Astoria OR 97103

6:00 P.M. WORK SESSION

1. CALL TO ORDER
2. ROLL CALL
3. DISCUSSION OF THE CSO PROGRAM AND ANTICIPATED SURCHARGE AMOUNTS
4. ADJOURNMENT TO REGULAR SESSION

7:00 P.M. REGULAR SESSION

5. REPORTS OF COUNCILORS
6. CHANGES TO AGENDA
7. PROCLAMATION
 - (a) Sexual Assault Awareness Month
8. 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 2/17/15
 - (b) City Council Work Session Minutes of 2/17/15
 - (c) Acceptance of Donation for Library (Library)
 - (d) Authorization to Light the Astoria Column a Teal Hue for the Month of April in Recognition of Sexual Assault Awareness Month (Parks)
9. REGULAR AGENDA ITEMS
 - (a) Consideration of Adoption of Resolution for Creation of Enterprise Zone within City Limits of Astoria (Community Development)
 - (b) Riverfront Vision Plan Update (Community Development)
 - (c) Approve Request to Trim Trees on City Property Adjacent to 255 W. Grand Avenue – Palmberg (Public Works)
 - (d) 16th Street CSO Separation – Authorization to Bid (Public Works)
 - (e) 16th Street CSO Separation Project – Authorize Contract Amendment with Gibbs & Olson for Archaeological Services (Public Works)
 - (f) Authorization to Award CSO Monitors Project (Public Works)
 - (g) 11th Street CSO Separation Project Closeout – Pay Adjustment #9 Final Reconciliation (Public Works)
 - (h) City Council Rules (Council)

10. **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**
11. **EXECUTIVE SESSION**
 - (a) ORS 192.660(2)(h) – Legal Counsel

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



CITY OF ASTORIA

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March 12, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF MARCH 16, 2015

6:00 P.M. WORK SESSION

Item 3: Discussion of the CSO Program and Anticipated Surcharge Amounts (Public Works)

In January 1993 the City of Astoria executed a Stipulation and Final Order (SFO) with the Oregon Department of Environmental Quality (DEQ). Since that time, the City has taken substantial positive steps toward significantly reducing combined sewer overflows (CSO) into the Columbia River and Youngs River. The Council work session will include a brief history of the CSO Program, completed and future projects, monitoring, modeling, and finances. The goal of the work session will be to provide the Council with history, current status and future direction of the CSO Program.

7:00 P.M. REGULAR SESSION

PROCLAMATIONS

Item 7(a): Sexual Assault Awareness Month

The Mayor will proclaim April 2015 as Sexual Assault Awareness Month.

CONSENT CALENDAR

Item 8(a): City Council Minutes

The minutes of the City Council meeting of February 17, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 8(b): City Council Work Session Minutes

The minutes of the City Council Work Session meeting of February 2, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 8(c): Acceptance of Donation for Library (Library)

The Astoria Public Library is in receipt of a bequest in the amount of \$10,000 from the S. C. von Reibold Trust. These funds have been designated to “buy books duly selected by its Board or designated employees thereof”. Susanna von Reibold passed away in Florida in 2014. Before her permanent move to Florida, she was a regular user of the Astoria Library in the summer months. “Goin’ to the Library”, the mural painted by Dorothy Danielson located at the Exchange Street entrance to the Library, was a gift from Susanna von Reibold. It is recommended that Council accept the \$10,000 bequest.

Item 8(d) Authorization to Light the Astoria Column a Teal Hue for the Month of April in Recognition of Sexual Assault Awareness Month (Parks)

In partnership with the Domestic Violence Council, the Harbor, and the Friends of the Astoria Column, the Parks and Recreation Department is requesting permission to change the lighting color on the Astoria Column to a teal hue for the month of April 2015 in recognition of Sexual Assault Awareness Month. It is recommended that City Council authorize the change in lighting at the Astoria Column to a teal hue for the month of April 2015 in recognition of Sexual Assault Awareness Month.

REGULAR AGENDA ITEMS

Item 9(a): Consideration of Adoption of Resolution for Creation of Enterprise Zone within City Limits of Astoria (Community Development)

At the March 2, 2015 City Council meeting, the topic of the creation of an Enterprise Zone within the Astoria city limits was discussed. City Council was not able to consider a resolution establishing an Enterprise Zone since seven days had not passed since a required meeting of all taxing entities. City Council discussed the Enterprise Zone concept at their last meeting and consideration of a resolution has been scheduled for the March 16, 2015 Council meeting. The Oregon Enterprise Zone Act, ORS 285C.045-250, authorizes the designation of Enterprise Zones and provides that property tax abatements and job creation are desirable to stimulate economic development in economically depressed areas. The Enterprise Zone (“E-Zone”) program allows for industrial and other qualifying firms making substantial capital investments an exemption of 100 percent of real property taxes attributable to the new investment(s) for up to a five-year period.

Recently, the City of Astoria, Clatsop County, the City of Warrenton, and the Port of Astoria have been discussing a mutual application for designation of an Enterprise Zone within their respective jurisdictions in order to encourage new business investment, job creation, higher incomes for local residents, and greater diversity of economic activity. Clatsop County, the City of Warrenton, and the Port of Astoria have all passed resolutions supporting the creation of an Enterprise Zone.

The proposed Enterprise Zone has a total area of approximately 4,672.92 acres or 7.30 square miles (encompassing all proposed jurisdictional areas), and meets other statutory limitations on size and configuration. The area within the City of Astoria proposed for inclusion is 1,388.34 acres or 2.17 square miles and is shown in the attached map. A draft resolution supporting the application is attached to this memorandum. It should be noted that the area proposed for the Enterprise Zone has increased from the figures provided in the prior Council memo. The County Surveyor suggested inclusion of full lots rather than portions of lots which had both dry land and submerged lands. A map illustrating the map changes in Astoria is also attached to this memo.

The City of Astoria will be considering a resolution which would only support the creation of an Enterprise Zone within its' City limits. Should the Astoria City Council not adopt the draft Resolution, creation of the Enterprise Zone within the jurisdictions of unincorporated Clatsop County and City of Warrenton would continue. It should be noted there are portions of the proposed Enterprise Zone located within the City of Astoria that encumber Port of Astoria lands (in addition to properties not in the Port). In order for Port properties located in the City of Astoria to be included within the proposed Enterprise Zone, the City of Astoria would need to adopt a supporting resolution.

As noted earlier, an Enterprise Zone allows for industrial and other qualifying firms making substantial investments an exemption on property taxes attributable to those investments. One of the other qualifying types of developments could be hotels, motels, and destination resorts. Within the draft resolution, these types of developments are proposed to be included.

The draft resolution also includes a provision that Clatsop Economic Development Resources (CEDR) be appointed as the Enterprise Zone manager. CEDR represents all of Clatsop County and the City of Astoria is a member. If approved by the Council, an application will be submitted to Business Oregon as outlined in the resolution. Should the Astoria City Council wish to establish an Enterprise Zone within the Astoria city limits, it is recommended that Council adopt the attached resolution.

Item 9(b): Riverfront Vision Plan Update (Community Development)

Matt Hastie from Angelo Planning Group will present draft Code amendments for the Bridge Vista Area of the Riverfront Vision Plan, as developed by the Astoria Planning Commission. A public hearing before the Planning Commission is scheduled for April 7, 2015.

Item 9(c): Approve Request to Trim Trees on City Property Adjacent to 255 W. Grand Avenue – Palmberg (Public Works)

Jason Palmberg, owner of the property at 255 W Grand Avenue, has submitted an application to trim trees on City property. The City-owned property is to the north of the Palmberg property and includes Tax Lot 10700; Map 80907CD. Mr.

Palmberg has obtained all signatures of adjoining property owners. The trees to be trimmed are spruce and hemlock and appear to have been trimmed in the past. The applicant will be hiring a certified arborist to do the trimming

Should the City Council agree to approve this request, staff recommends the following conditions:

- 1) Applicant shall employ any erosion control measures required to stabilize all disturbed areas and assure that new growth is fully established.
- 2) Tree height reduction shall be no more than 25%.

It is recommended that the request to trim trees on City property be approved.

Item 9(d): 16th Street CSO Separation – Authorization to Bid (Public Works)

The upcoming 16th Street Combined Sewer Overflow (CSO) Separation Project primarily consists of the installation of new stormwater pipe within the existing roadway infrastructure in established City rights-of-way. It will include replacing existing water and sewer pipe where construction of the new storm pipe compromises the integrity of the existing infrastructure. Most of the intersections will be rebuilt and many of the intersection ramps will be reconstructed within the project area.

Gibbs & Olson have completed the bid documents for this project. The Engineer's construction estimate (including a 10% contingency) is \$5,769,568. City staff is working with Business Oregon Infrastructure Finance Authority (IFA) on a loan amendment to increase to the original loan amount \$5,683,000 to approximately \$6,942,668. The loan amendment amount will be finalized and processed after bids are received and will be presented to Council for approval in conjunction with the construction contract award in May.

Construction is expected to begin in mid-May. A public open house will be held on Thursday, March 19, 2015 from 5:00 p.m. to 7:00 p.m. at Clatsop Community College, Columbia Hall, Room 219. In addition, there is a project webpage on the City website where people can sign up to receive project update by email. It is recommended that Council authorize staff to solicit bids for the 16th Street CSO Separation project.

Item 9(e): 16th Street CSO Separation Project – Authorize Contract Amendment with Gibbs & Olson for Archaeological Services (Public Works)

As part of the design of the Upcoming 16th Street Combined Sewer Overflow (CSO) Separation Project engineering contract, Gibbs & Olson hired Historical Research Associates (HRA) as a sub-consultant to manage the historic and archaeological aspect of the project. HRA conducted background research and coordinated with the State Historic Preservation Office (SHPO) to better understand the high probability locations for archaeological resources. This

information was used to establish construction protocols that are being finalized based on SHPO review and will be a part of the construction contract documents to reduce delays associated with encountering unknown artifacts. Archaeological monitoring was performed by HRA at which time several historic materials were discovered and documented following the protocols and direction of the State Historic Preservation Office (SHPO).

Based on the research, SHPO is recommending that HRA (on behalf of the City) prepare and submit a permit application that is comprehensive for the entire project on what may be encountered or uncovered during construction. This permit is anticipated to cover the majority of what could be discovered. SHPO does not typically allow this strategy and will typically require a permit each time something significant is uncovered. Fortunately, a blanket permit will allow the Contractor to keep working with significant reduction in delays if an artifact is uncovered.

The effort and cost for preparing this permit application was not anticipated prior to construction because this approach is atypical. Gibbs & Olson is requesting a contract amendment in the amount of \$8,860.00 for the work to prepare and submit the permit to SHPO. The permit application must be submitted to SHPO in March so that the final permit can be issued prior to start of construction in May. It is recommended that Council execute a contract amendment with Gibbs & Olson for a total not to exceed amount of \$8,860.00 for archaeological services for the 16th Street CSO Separation Project.

Item 9(f): Authorization to Award CSO Monitors Project (Public Works)

In November 2014, Council authorized staff to solicit proposals for the purchase and installation of monitors in the CSO diversion structures. Four proposals were submitted for this project from ADS Environmental Services (ADS); HACH Company (HACH); Terra Hydr, Inc., representing Telog; and Terra Hydr, Inc., representing Isco.

The solicitation for proposals on this project established the following selection criteria which were considered with the designated weight:

- Suitability, reliability and user-friendliness of proposed monitoring equipment (includes duration of battery life) (50%)
- Estimated cost (30%)
- Project personnel and reference results (15%)
- Installation timeline (5%)

On the basis of the submitted information, it was determined that ADS and HACH were the most responsive proposals. City staff invited these two firms to participate in a 30-day demonstration period where each firm installed their monitoring equipment in two diversion structures. ADS scored highest on the demonstration evaluation, so a scope and fee has been negotiated for a total not to exceed cost of \$329,408. A phased installation approach is being

recommended since only \$200,000 was budgeted for the work in this fiscal year. Funds are available in the Public Works Improvement Fund for the first phase of this project. It is recommended that Council execute a contract with ADS Environmental Services for a total not to exceed \$199,414.00 for procurement and installation of CSO monitoring equipment.

Item 9(g): 11th Street CSO Separation Project Closeout – Pay Adjustment #9 Final Reconciliation (Public Works)

On March 13, 2013, Council awarded a construction contract to Tapani, Inc., for the construction of the 11th Street CSO Separation Project. Tapani has completed the final punch list items. All work associated with the project is now complete and project closeout documents are being processed. A final pay adjustment is required to reconcile the bid item quantities from estimated quantities to actual quantities.

The final reconciliation pay adjustment is \$31,390.48. To date, inclusive of the final adjustment requested, change orders amount to 12% of the total construction project cost. This is below the Council approved 15% contingency on this project. Total project cost including permits, engineering, construction and construction inspection and management is \$7,345,532; \$628,158 less than the budgeted amount. It is recommended that Council approve the pay adjustment for the 11th Street CSO Separation Project to reconcile bid item quantities in the amount of \$31,390.48.

Item 9(h): City Council Rules (Council)

The Council will discuss City Council rules following the last work session on this matter. Mayor LaMear has also requested further discussion regarding time limits. Additional materials regarding this agenda item will be distributed in advance of the Council meeting.

EXECUTIVE SESSION

Item 11(a): ORS 192.660(2)(h) – Legal Counsel

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