



AGENDA

ASTORIA CITY COUNCIL

October 6, 2014

7:00 p.m.

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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. REPORTS OF COUNCILORS**
- 4. CHANGES TO AGENDA**
- 5. PROCLAMATIONS/PRESENTATIONS**
 - (a) Domestic Violence Awareness Month
 - (b) Dr. Lawrence Galizio regarding Clatsop Community College Bond Measure
 - (c) Heritage Square EPA Grant Update
- 6. CONSENT CALENDAR**

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

 - (a) City Council Minutes of 9/2/14
 - (b) Fiscal Year 2014-15 Dispatch Service Agreements (Police)
- 7. REGULAR AGENDA ITEMS**
 - (a) Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16th to 41st) Area of the Riverfront Vision Plan (adoption) (Community Development)
 - (b) Ordinance Vacating 19th Street and Franklin Avenue Rights-of-Way (2nd reading & adoption) (Public Works)
 - (c) Bear Creek Dam Seismic Study Phase 2 (Public Works)
 - (d) Oregon Department of Transportation Cooperative Improvement Agreement for Crosswalks and Downtown Street Signs (Public Works)
 - (e) CSO Rate Resolution (Finance)
 - (f) Water Rate Resolution (Finance)
- 8. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**

RECESS TO EXECUTIVE SESSION

- 9. EXECUTIVE SESSION**
 - (a) ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents

RECONVENE TO REGULAR SESSION

10. REGULAR AGENDA ITEMS

- (a) Police Department Sergeants' Pay (City Manager/Police)

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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October 2, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF OCTOBER 6, 2014

PROCLAMATIONS/PRESENTATIONS

Item 5(a): Domestic Violence Awareness Month

The Mayor will proclaim October 2014 as Domestic Violence Awareness Month.

Item 5(b): Dr. Lawrence Galizio regarding Clatsop Community College Bond Measure

Dr. Lawrence Galizio, President of Clatsop Community College, will give a PowerPoint presentation regarding the Patriot Hall Redevelopment Project bond measure.

Item 5(c): Heritage Square EPA Grant Update

Carrie Rackey, Senior Environmental Scientist from AMEC Environment & Infrastructure, will be presenting on the current status of the EPA Grant funded Heritage Square Site Assessment and Remediation Project. AMEC has just completed the Phase 2 Environmental Site Assessment and Carrie will be describing the cleanup strategy that has been developed for the project.

CONSENT CALENDAR

Item 6(a): City Council Minutes

The minutes of the City Council meeting of September 2, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 6(b): Fiscal Year 2014-15 Dispatch Service Agreements (Police)

The subscribers for Police and Fire emergency communications services have completed their annual agreements with the City. It is recommended that the City Council consider approval of these Service Agreements.

REGULAR AGENDA ITEMS

Item 7(a): Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16th to 41st) Area of the Riverfront Vision Plan (adoption) (Community Development)

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon). City Council accepted the Riverfront Vision Plan in December 2009. Since that time, the City Council has set goals regarding implementation of the Riverfront Vision Plan. Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

Proposed map amendments will include: 1) extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area; and 2) apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.

Proposed text/code amendments will include: 1) add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development; 2) add a new Civic Greenway Overlay Zone to address the standards for over-water and land development and river access requirements; 3) add new provisions for Cottage Cluster Development for compact residential development; 4) add new "clear and objective" design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area; and 5) make "housekeeping" amendments related to the new CR Zone and CGO Zone.

The Planning Commission held a public hearing at the May 27, 2014 and June 24, 2014 APC meetings. At its July 22, 2014 meeting, the Astoria Planning Commission unanimously recommended that the City Council adopt the proposed amendments. A public hearing on the Amendment was held at the August 18, 2014 City Council meeting. The Council closed the public hearing and held a first reading of the text and map amendment ordinance. As noted in the August 25, 2014 memo, the City Attorney advised that since the Council had made several substantial changes to the ordinance as presented, that a new first hearing needed to be held. The Council held the additional first reading of the ordinance at their September 2, 2014 meeting.

At the September 2, 2014 meeting, the Council directed staff to exclude coal, oil, and liquefied natural gas from the list of allowable over-water uses. In

developing the proposed language, it was recommended that the terms “fossil fuel and petroleum product” be used to encompass all forms of these products so that it is clear what is being prohibited. At the September 15, 2014 meeting, the Council directed staff to include language to also not allow variances from the building height for the overwater area greater than 500’ from shore. The Council held a second reading by title and with the amended language read in full. The City Attorney advised that adoption of the ordinance would need to wait 12 days. If the Council is in agreement, it would be in order for Council to adopt the Ordinance as amended to amend the Astoria Development Code Pertaining to the Civic Greenway Area issues, and amend the Astoria Land Use and Zoning Map to apply the Civic Greenway and Gateway Overlay Zones.

Item 7(b): Ordinance Vacate a Portion of the 19th Street & Franklin Avenue Rights-Of-Way (Public Works)

The City has received a request from the Astoria School District (ASD) for the vacation of 57,600 square feet of the 19th Street and Franklin Avenue rights-of-way located within John Warren Field. The School District will be transferring ownership of the property to Columbia Memorial Hospital (CMH) in the near future for the expansion of the hospital. Staff has reviewed the application and is in support of ASD’s request, with the following conditions:

- Existing utilities would no longer be maintained by the City and would become the property of the ASD.
- The Alley on the 19th Street South boundary shall not be vacated.

Due to the public benefit that will be provided by the vacation, staff is recommending that an assessment be waived for this proposal. The applicant will be charged actual costs for processing the request. At their September 19, 2014, meeting, the City Council conducted the public hearing and first reading of the ordinance of vacation. It is recommended that Council conduct the second reading and adopt the ordinance to vacate a portion of the 19th Street and Franklin Avenue rights of way.

Item 7(c): Bear Creek Dam Seismic Study Phase 2 (Public Works)

The City of Astoria’s Bear Creek Dam is a 90-foot high concrete gravity dam built in 1912 and raised in 1953. The Oregon Water Resources Department (OWRD) has classified the Dam as a high hazard dam due to the dam’s proximity to human population areas downstream. The classification is not a result of the dam’s age or condition, but the age and current condition does affect the possibility of failure during a significant seismic event.

The OWRD has determined that the City should initiate a seismic failure analysis. A previous study completed in 1993 did not include enough detail to determine the actual risk of failure as a result of a Cascadia Subduction Zone earthquake. Staff has been working with the State Dam Safety Engineer to develop a strategy to move forward. The first step was to hire a consultant to determine if the dam is at risk, and if so, what steps to take to reduce the risk of

damage and potential failure at the time of a significant seismic event. On September 24, 2013, Council approved the following approach to the dam investigation:

- Phase 1 – Site Investigation (Complete)
- Phase 2 – Seismic Failure Analysis (Current Proposal)
- Phase 3 – Develop Design Recommendations (Future phase if needed)

At the September 24, 2013 Council also authorized a contract with Cornforth Consultants for the Phase 1 study. This work was completed in March of 2014. The investigation found that ground conditions at the site were better than the 1993 study assumed. With Phase 1 complete, it is now time to start Phase 2. The Cornforth's quote for this phase is \$147,000 and has been budgeted in the Public Works Improvement Fund. The OWRD has awarded a \$32,000 grant has indicated that an additional \$20,000 in grant funding will be available. The estimated City contribution is estimated to be \$95,000. Staff will bring the second grant agreement f to Council in October when it is received. It is recommended that City Council execute a contract with Cornforth Consultants for a total not to exceed amount of \$147,000, for geotechnical and structural engineering services on Phase 2 of the Bear Creek Dam Seismic Analysis Project. It is also recommended that Council accept the Oregon Water Resources Department grant for \$32,000.

Item 7(d): Oregon Department of Transportation Cooperative Improvement Agreement for Crosswalks & Downtown Street Signs (Public Works)

Crosswalks

As an effort to improve pedestrian safety on Marine Drive and Commercial Street, the City requested that the Oregon Department of Transportation (ODOT) replace worn out crosswalks at various locations with new continental crosswalks. ODOT determined that the crosswalks that were no longer being maintained by ODOT were not approved by the State Traffic/Roadway Engineer. Staff then requested and the State Traffic Engineer approved the crosswalk locations so that the crosswalks could be reinstalled.

Street Name Signs

The Astoria Downtown Historic District Association (ADHDA) requested that the City replace existing street name signs within the Downtown National Register Historic District with historic street name signs. Engineering staff worked with ADHDA on design concepts for the new signs. In February, City Manager Brett Estes presented City Council with two options, the only difference being variations of the City logo.

ODOT has prepared a Cooperative Improvement Agreement for City approval that will provide \$38,000 in grant funds for crosswalk improvements and \$10,000 in District funds to pay for sign improvements. ODOT anticipates beginning crosswalk improvements the week of October 6th, pending favorable weather conditions. The street signs may take some time to complete design, manufacture and install. Staff estimates City costs for the signs place on City

streets to be approximately \$12,000 and will be paid for through the Streets Fund. It is recommended that Council approve a sign option and authorize the attached Cooperative Improvement Agreement with ODOT to allow placement of both crosswalk improvements and street name signs within the designated area using both grant funding and ODOT district funds.

Item 7(e): CSO Rate Resolution (Finance)

The Budget Message

The FY 2014-15 Budget Message calculation made a mistake by using the bi-monthly basic charge of \$39.11 instead of \$19.56 as the monthly basic charge for this calculation. City staff has made a second adjustment to the CSO projection by changing the estimated amortization term from 20 years to 25 years for the loans that have not yet been closed. The result is that a 9% CSO rate adjustment for FY 2014-15 would result in an average annual increase would be \$47.18 instead of \$66.96.

CSO Financing

There is a debt service payment every year. The CSO surcharge needs to be adequate to meet the debt service requirement. Increases generally have occurred each year so that the increases are averaged out over time. A significant increase in any given year needs to be avoided. The surcharge for FY 2013-14 has been 77% of the sewer bill. Staff is recommending a 9% increase for 2014-15. The CSO surcharge rate would go to 86%. The annual bill impact is described above.

Subsidize the CSO Rate Increase with Timber Sale Resources

Staff has run an analysis for FY 2014-15 to reduce the CSO surcharge proceeds by \$100,000 and budget a transfer of \$100,000 from the Capital Improvement Fund to the CSO Debt Service Fund. This results in a reduction of the CSO surcharge rate increase to 3% (from 77% to 80%) with an annual bill increase of \$15.71 for FY 2014-15.

Issues Related to Using Timber Sale Revenues as a Subsidy for CSO Rates

There are four issues that come up with the notion of using timber sale proceeds to subsidize the CSO surcharge rate: 1- While reducing the amount paid by rate payers for one year, a one year subsidy makes little impact on the overall projection of future CSO surcharge debt. An annual subsidy may not be sustainable addressed as follows. 2- The watershed timber sales for FY 2014-15 are not necessarily typical of the revenues from these sales. The City received a higher than market bid for the timber cut. There is no guarantee that this level of revenue from future sales will occur. 3- The current timber cut is scheduled to be in the range of 1% to 1.5% of timber available. If this were increased to 3%, the impact on the watershed could severely impact on the quality of the City's water supply; 4- The Capital Improvement Fund resources have typically been used for the capital needs of the City's general services. The Capital Improvement Fund has limited resources to meet these needs.

The Capital Improvement Fund has been used to fund major City construction projects and / or other capital intensive needs, such as vehicles. There are several capital intensive projects included in this year's City Council goals. Additionally, there are other items that have been discussed by City Council or have been identified as future needs by staff. There are a variety of uses described in the attached memo.

A resolution implementing the 9% CSO rate increase included in the FY 2014-15 budget is attached to this memorandum for Council's consideration. It is recommended that City Council provide direction as to implementation of the CSO rate increase included in the FY 2014-15 budget.

Item 7(f): Water Rate Resolution (Finance)

Enclosed with this agenda packet is a resolution that sets the water rates for FY 2014-15. It indicates that the consumption charge is \$3.59 per 1,000 gallons of consumption. This charge, along with the demand charge, is the same as the previous fiscal year. There is no change in the water rates. The purpose of providing this resolution is to provide continuity with the rates charged from year to year. It is recommended that Council consider approving this resolution.

RECESS TO EXECUTIVE SESSION

EXECUTIVE SESSION

Item 9(a): ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents

The City Council will recess to executive session to discuss employment of public officers, employees and agents.

RECONVENE TO REGULAR SESSION

REGULAR AGENDA ITEMS

Item 10(a) Police Department Sergeants' Pay (City Manager/Police)

The Police Department has been unable to fill a vacancy for Police Sergeant. The stated reason for this from potential applicants is wages and non-salary related benefits. The difference between top step pay for Officers and top step pay for Sergeants has declined to the point where the difference given total compensation is not sufficient to recruit qualified candidates.