



AGENDA

ASTORIA CITY COUNCIL

March 2, 2015

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. **PROCLAMATION**
 - (a) First Annual Astoria High School Graduate Day
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 2/2/15
 - (b) City Council Work Session Minutes of 2/2/15
 - (c) Boards and Commissions Minutes
 - (1) Historic Landmarks Commission Meeting of 1/20/15
 - (2) Parks Board Meeting of 1/28/15
 - (d) Intergovernmental Agreement with Oregon Department of Land Conservation and Development for Riverfront Vision Plan Implementation (Community Development)
7. **REGULAR AGENDA ITEMS**
 - (a) Consideration of Adoption of Resolution for Creation of Enterprise Zone within City Limits of Astoria (Community Development)
8. **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**
9. **EXECUTIVE SESSION**
 - (a) ORS 192.660(2)(e) – Real Property Transactions

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.



February 26, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF MARCH 2, 2015

PROCLAMATIONS

Item 5(a): First Annual Astoria High School Graduate Day

Kim Raichl, Chairperson of the Astoria High School Safe Senior Graduation Party Committee, Spencer Nelson, Astoria High Senior Class President, and Miranda Dietrich, Astoria High Scholar Society President, will be in attendance to discuss the "First Annual Astoria High School Graduate Day" Proclamation and the proposed community support day.

CONSENT CALENDAR

Item 6(a): City Council Minutes

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

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

The minutes of the (1) Historic Landmarks Commission meeting of January 20, 2015, and (2) Parks Board meeting of January 28, 2015 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 6(d): Intergovernmental Agreement with Oregon Department of Land Conservation and Development for Riverfront Vision Plan Implementation (Community Development)

In 2008-2009, the City of Astoria worked on a Riverfront Vision Plan 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 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 39th Street), and Neighborhood Greenway (39th Street to east end of Alderbrook Lagoon). In April 2014, the City Council adopted code amendments for Phase 1 for the Civic Greenway Area (16th to 41st Street). Phase 2 would include development of land use codes and or new zones in the Bridge Vista Area (Port to 2nd Street). Phase 2 has begun and is pending public hearing before the Planning Commission on April 7, 2015. A status update to the City Council will be presented at the March 16, 2015 Council meeting. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area (41st to Alderbrook Lagoon). The Phase 3 project would include intensive public involvement with work sessions before the Astoria Planning Commission. The final product would be a code amendment and/or land use zoning map amendment to be presented to the Planning Commission and City Council for consideration of adoption.

At its September 2, 2014 meeting, the City Council approved submittal of a funding application to the Department of Land Conservation and Development (DLCD) to fund code writing activities for Phase 3, the Neighborhood Greenway Area of the Riverfront Vision Plan. The funding would be through the Department of Land Conservation and Development (DLCD) Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle. The funding was approved by DLCD for \$9,925. The grant requires a \$10,725 match from the City. The match would be met by current staffing and other in-kind activities for the project. Volunteer hours associated with the project such as Planning Commissioner time can also be applied to meet the match. Planner Rosemary Johnson will do much of the Code work with some technical assistance from Angelo Planning Group. Grant funds need to be expended by December 31, 2015. The draft Technical Assistance Grant Agreement with DLCD, including the proposed Scope of Work, is attached for Council consideration. The Agreement has been reviewed as to form by the City Attorney. It is recommended that the Council authorize the City Manager to sign the Technical Assistance Grant Agreement with DLCD for the Phase 3 Riverfront Vision Implementation code assistance project.

REGULAR AGENDA ITEMS

Item 7(a): Consideration of Adoption of Resolution for Creation of Enterprise Zone within City Limits of Astoria (Community Development)

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.

The proposed Enterprise Zone has a total area of approximately 2,910.96 acres or 4.55 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 1,004.36 acres or 1.57 square miles and is shown in the attached map. A copy of a PowerPoint presentation explaining Enterprise Zones and a draft resolution supporting the application is also attached to this memorandum.

At their first Council / Board meetings of March, each of the four jurisdictions will be considering resolutions supporting the creation of an Enterprise Zone. 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 could continue, should those entities pass their own resolutions. 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.

EXECUTIVE SESSION

Item 9(a): ORS 192.660(2)(e) – Real Property Transactions

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



CITY OF ASTORIA

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PROCLAMATION

WHEREAS, a recent article in the January 30, 2015 *Daily Astorian* stated that Oregon's high school graduation rate is 68.7% and Astoria High School's percentage is 68.1; and

WHEREAS, the Astoria High School "Safe Senior Graduation Party" Committee believes as a community we can help our high school by creating a community supported day dedicated to the students who persevere and work hard to receive their diplomas; and

WHEREAS, the Safe Senior Graduation Party is held graduation night and is a drug and alcohol free event where all graduating students, including Tongue Point graduates, can enjoy a night of games, prizes, music, and dancing; and

WHEREAS, the Graduation Committee suggests offering an opportunity that on the first Monday of Spring Break all Astoria businesses show their support for the students by banding together and creating an event where they would donate a tax deductible 5% of all sales to the "Safe Senior Graduation Party"; and

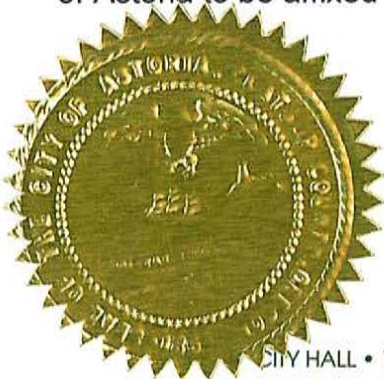
WHEREAS, each business that participates will receive a sign to place in their window notifying customers that they support our graduating seniors; their business names will be listed in the *Daily Astorian* newspaper, posted on Facebook, and a public announcement will be aired on local radio stations.

NOW, THEREFORE, I, Arline LaMear, Mayor of Astoria, do hereby proclaim Monday, March 23, 2015 as the

FIRST ANNUAL ASTORIA HIGH SCHOOL GRADUATE DAY

and I encourage the community to show their support by patronizing the businesses that will be helping to raise the Astoria High School graduation rate to the highest level in Clatsop County and beyond!

IN WITNESS WHEREOF, I have herewith set my hand and caused the Seal of the City of Astoria to be affixed this 2nd day of March, 2015.



Mayor

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, City Support Engineer Moore, Fire Chief Ames, Interim Planner Morgan, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS:

Item 5(a): Councilor Nemlowill reported that Astor School would be participating in Jump Rope for Heart to raise about \$3,000 for the American Heart Association and she would accept donations. She toured the Police Department earlier that week and learned the police coordinates with schools and works all over the community to keep Astoria safe. There has been an increase in 911 calls which has not been offset by an increase in resources. She was proud of Astoria's Police Department and thanked Chief Johnston and his staff for the great work.

Item 5(b): Councilor Herzig had no reports.

Item 5(c): Councilor Price reported that she and Mayor LaMear volunteered at Project Homeless Connect in Seaside the previous week. This year, there have been 30 percent to 50 percent fewer people looking for services, which could have been because people were finding services on their own or because of good weather. Many people are in need of glasses. The Lion's Club helps with this need by using proceeds from newspaper recycling to provide glasses to people in need. She encouraged people to donate newspapers to the Lion's Club, noting that they have a donation box in front of the veterinary hospital on 31st Street. February would be a good month for arts and culture. The Second Saturday Art Walk falls on Valentine's Day and the Astoria Downtown Historic District Association (ADHDA) has done a great job working with the businesses on window displays for the holiday. The ADHDA held its volunteer appreciation night on January 29th at Buoy Beer, where several people were given cleverly named awards, such as The Voice of Reason Award that was given to City Manager Estes.

Item 5(d): Mayor LaMear reported that she attended the opening of the teen center at the Astoria Recreation Center. Having a place specifically for teenagers is a great new addition to the community. The teen center is close to the high school and is open from the time school gets out until 7:00 pm on weekdays. She volunteered at Project Homeless Connect, where she noticed that in addition to glasses, many people needed a haircut or an identification card. She also attended the ADHDA's award night, which was fun. The volunteers have worked hard for the city. Astoria is built on volunteers and it is nice to give them recognition.

CHANGES TO AGENDA:

Mayor LaMear said Municipal Court Judge Chris Kaino requested the addition of Regular Agenda Item 10(d): Appointment of Municipal Court Judge Pro Tem. The agenda was approved with changes.

PROCLAMATIONS:

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

Mayor LaMear read the proclamation declaring the week of February 2-9, 2015 as Tongue Point Job Corps Center Week.

Mayor LaMear said she had been lucky to work with Job Corps students in the Citizens Helping Improve Parks (CHIP-in) program. The students also helped the City plant 200 trees during its bicentennial. She thanked the

Tongue Point staff for their work and congratulated them on their 50th year. She presented Tita Montero and the Student Government Association President with the proclamation.

PRESENTATIONS:

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

Chief Johnston explained that the City honors employment with the City in five-year increments and it is a rare opportunity for the City to recognize 25 years of employment. The four officers at the meeting had a combined total of 80 years of police experience. Officer Hansen has served as a detective and school resource officer for the City, and worked on drug enforcement as Chief Johnston's partner in the 1990s. He and Mayor LaMear presented Officer Hansen with a 25-Year Service Pin.

Item 8(b): Enterprise Zone

Scott Summers, Clatsop County Manager, and Alejandro Bancke, Clatsop County Public Works made the following presentation on efforts to possibly create an Enterprise Zone:

- Clatsop County, Astoria, Warrenton, and the Port of Astoria would co-sponsor an application to Business Oregon for an enterprise zone in the region.
- The zone would offer opportunities for businesses growing or relocating to Oregon by:
 - Exempting businesses from local property taxes on new investment
 - Serving as a focal point for local development efforts
 - Encouraging home-grown entrepreneurs by prompting bigger reinvestments, accelerating reinvestment expansion and hiring
 - Expanding employment
 - Bolstering early success of business projects
 - Attracting investments in facilities
 - Promoting higher levels of employee compensation
- Businesses eligible for total exemption from property taxes normally assessed on new facilities and new equipment for three to five years generally include non-retail businesses, but exceptions do allow some hotels and motels. Qualified property includes new buildings and structures, modifications, additions, newly installed machinery and equipment, but not land.
 - Businesses not eligible for the tax exemption would be most retail, construction, or financial institutions.
 - During the basic three-year exemption period, a business would need to increase its full-time permanent employment by the greater of one job or 10 percent of its total force within the zone, maintain a minimum employment level, enter into a first source agreement with a local job training provider, and satisfy any additional local conditions.
- The zone must be no more than 15 square miles big, no more than 25 miles from one point to another, and no more than 15 miles between non-contiguous areas.
- Establishment of an enterprise zone would not amend local land use zoning or permitting requirements.

Mr. Summers showed slides of what the proposed zone could look like and noted the zone would be located in the northern areas of the county, which are generally industrial areas. The County would work with the City to amend the proposed boundaries of the zone, which is proposed to include part of the Port of Astoria's property, Astoria's downtown corridor, and Tongue Point. Earlier that day, a meeting invitation was sent to all of the local taxing jurisdictions that overlap the proposed zone. This was required as part of the application for the zone and the meeting has tentatively been scheduled for February 24, 2015. A resolution adoption has been tentatively scheduled for the co-sponsoring jurisdictions so that resolution consideration would occur on the first Council meeting of March. This will allow time to amend the resolution at the second meeting in March, if necessary. The application is due by April 10, 2015.

Mayor LaMear asked if the County would conduct a public hearing. Mr. Summers said a public meeting was required, and the County would function as the location for that meeting; however, each jurisdiction must consider its own resolution. He added the public meeting on February 24th would be an opportunity for the public and taxing jurisdictions to ask questions. City Manager Estes clarified that the County would like each jurisdiction to consider a resolution at its first meeting in March, which would be Astoria's March 2nd City Council meeting.

Councilor Nemlowill said it was nice to see this approach to economic development. She asked how the Oregon Business Development Department (OBDD) was involved in the process of establishing a new enterprise zone. She also asked if there were successful examples of enterprise zones in the local area.

Mr. Summers explained that the OBDD offers its Enterprise Zone Program to municipalities and tribal governments. Any jurisdiction could apply for an enterprise zone and the application is approved by OBDD. Once the zone is established, it is self-policing and the County would like to appoint Kevin Leahy as the local zone administrator. Qualified businesses that move into the zone would automatically be exempt from paying taxes on new investments. Columbia County has an enterprise zone, which includes Wauna Mill because the zone crosses the county line in such a way that the mill was able to take advantage of the tax benefits. The Portland Development Commission adopted a new enterprise zone in 2012 for the east Portland area. Clatsop County looked to the City of Newberg as an example because they have a good enterprise zone. There are about 60 to 70 enterprise zones throughout the state.

Councilor Price said she did not know much about enterprise zones and had just begun to research them. However, she understood the main purpose of an enterprise zone was to increase employment levels in distressed economic areas. In December 2014, Clatsop County's unemployment rate was six percent, which was only slightly higher than the national rate and lower than the state's overall rate. She believed businesses were not generally deterred by higher taxes and businesses were most interested in the education of the labor force, access to transportation, and local purchasing power. Otherwise, enterprise zones had not shown to be very effective in California, Colorado, or Oregon for anything other than very large existing industries that are looking to expand. Despite various waivers from the minimum employment requirements, the inclusion of Wauna Mill in the enterprise zone cost Columbia County a four-year legal battle and the taxing districts a total of \$2.5 million after losing the legal dispute. The 10-year loan, which began in 2012, has cost the City of Astoria about \$250,000 and the Astoria School District about \$350,000. It seemed as if enterprise zones shifted employment to low-wage, low-skilled industries and were incompatible with localism because 80 percent of the jobs created were not newly created, but moved in from other locations by businesses that just wanted to move where rent was lower within the same community. The job creation cost of an enterprise zone is high because of the tax revenue the taxing districts lose. She hoped Astoria could sustainably rebuild its City Staff, pay attention to deferred maintenance, and upgrade financial and other systems. According to Astoria's 2013 audit, 64 percent of the General Fund revenue comes from property taxes, but the League of Oregon Cities determined Astoria's property tax revenue to be 78 percent of the General Fund. She did not want to give up any of that tax revenue unless it could really be a great benefit for Astoria.

Mr. Summers clarified that the tax revenue exemption would only be on new investments. Clatsop County owns the North Coast Business Park, which is not being taxed and sits vacant. The enterprise zone would provide an incentive for a business to come in to the park and do some investment. Enterprise zones are an additional tool for creating investment and jobs. The tax base would remain the same because the tax exemption is not available for land. Buoy Beer has done some recent investment in the community and their baseline tax has already been set. In an enterprise zone, if Buoy Beer wanted to expand, this and any other new investment would be tax exempt for three years. The established baseline would still be taxed at the current rate. No jurisdiction would give up any of the taxes it is already collecting. The exemption is only on new investment. Even if a private developer owned the business park and paid property taxes on it, the tax base would not change because land does not qualify for the exemption. If the County could provide an incentive for a qualifying business to expand into the area, their equipment and new building would exempt from taxes for three to five years. When the exemption period expires, the equipment and building would be taxed. Enterprise zones are not meant to be a silver bullet, but to serve as a tool. While the coastal areas do have some good things going, the area is not very close to Interstate 5 and does not always have the qualified labor force being sought. The County regularly works with Clatsop Community College's Small Business Development Center to improve and increase the labor pool. This area needs to work with a variety of tools and avenues at the same time and the enterprise zone would be one more tool for the area to use. If Astoria is not interested in participating, the enterprise zone would still be able to move forward with the other co-sponsors. The City is not required to participate in the zone.

Councilor Herzig confirmed that establishing the zone would not require land use and permitting laws to be amended, noting that Astoria was currently going through a very long process of adopting policies for its riverfront. He believed people wanted reassurance that an enterprise zone would allow their newly adopted policies to remain in effect. Mr. Summers said the zone might provide incentives for redevelopment in the areas Astoria wants redevelopment to occur. Astoria's zoning would remain the same.

Mayor LaMear encouraged everyone to attend the February 24th meeting to learn more about the proposed enterprise zone and give feedback.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 9(a) City Council Minutes of 1/5/15
- 9(b) Boards and Commission Minutes
 - (1) Parks Board Meeting of 12/10/14
 - (2) Planning Commission Meeting of 12/17/14
- 9(c) Second Amendment to Land Lease Agreement with Verizon Wireless (Police)
- 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)

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

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. Several water sources 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.

City Manager Estes explained that HGAC is a cooperative procurement agency that facilitates contracts between member jurisdictions and member manufacturers.

Councilor Price asked if the generator would last a long time. Director Cook replied the City has over 15 generators located at various facilities throughout the city, most of which are Cummins. Cummins generators are very reliable.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price, to authorize the purchase of one new 80 KW three phase Cummins diesel generator through HGAC for \$22,711.80. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

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.

Mayor LaMear opened the public hearing at 7:37 p.m. and called for anyone wanting to address the City Council on the ordinance amendments to come forward. Hearing none, she closed the public hearing at 7:37 p.m. and called for Council discussion and deliberation.

Councilor Herzig explained that the Code amendments would enforce the State law requiring uniformed guards to be licensed. No one could pretend to be a security guard or police officer. The law ensures that security guards are fully trained and licensed, and part of a real operation.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Herzig to conduct the first reading of the Ordinance amending Astoria City Code Sections 8.825 through 8.885. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Director Cook conducted the first reading of the ordinance amending Astoria City Code Sections 8.825 through 8.885.

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.

City Support Engineer Moore said she had been tracking the CSO project for quite some time. DEQ administers the Clean Water Act on behalf of the Environmental Protection Agency. Astoria entered into the ASFO

agreement in 2010 with a timeline. Phases 1 through 3 of the project timeline are complete and Phase 4, the 16th Street CSO Project, is underway. Construction on the 16th Street CSO Project will begin in the summer and when complete will control 5 of the 11 outfalls that must be controlled by the end of Phase 4. Once the 16th Street CSO Project is complete, only 9 of the 38 outfalls will remain uncontrolled. She showed a map marking the locations of the last 9 outfalls, noting that they are the most challenging, and Staff has not yet determined what work will be needed on the 9 outfalls. She displayed a graph showing how the costs of the program are related to the City's level of control. Staff completed the easiest work that would control the largest volume of outfalls during the first phases of the project, so 50 percent of the outfalls were controlled after the first project. When the 16th Street CSO Project is complete, the City will be almost 90 percent controlled at a cost of about \$31 million. The City is required to have 96 percent of its outfalls controlled and this last 6 percent will cost the City between \$10 and \$15 million. As Staff tracked the program, it became clear that Astoria would not meet the 2016 deadline to have all 11 outfalls controlled and it would be challenging to meet the 2022 deadline of Phase 5. Staffing, funding, technical information, and monitoring after projects are complete have made these deadlines unattainable. Staff would like the Phase 5 deadline extended to 2028. The DEQ was supportive of this new deadline and believed 6 years was a reasonable extension. However, DEQ did warn the City not to ask for much more of an extension. The DEQ was supportive because the City has already made so much progress and has been diligent about meeting deadlines. Staff would like City Council's permission to submit the formal request to DEQ for the extension. The DEQ would respond with an official amendment to the agreement. Before Staff signed the official agreement, they would like to have a work session with City Council to discuss the details of the program.

City Manager Estes said at the goal setting session, City Council received a request for a work session to discuss CSO rate increases anticipated to complete the project. The current projected high rate is 163 percent of the sewer rate. However, if the deadline extension is approved by DEQ, the adjusted timeline would result in a reduced peak surcharge of 105 percent of the sewer rate. The additional time would allow the City to pay off some of the loans associated with the older CSO projects prior to taking on new debt. Staff can discuss the details of the surcharge with Council at a work session.

Councilor Herzig asked if the remaining 9 outfalls of Phase 4 would be included in the timeline extension. Engineer Moore said yes and explained the request is to eliminate the phases in the original agreement. Staff can negotiate an intermediate deadline if DEQ requires one, as established in the original agreement. City Council would be asked if any intermediate deadlines were reasonable. Councilor Herzig understood that the new timeline would require all remaining outfalls to be complete by 2028, which gives Staff a lot more flexibility. He added that everyone is concerned with the surcharge to the sewer rates and Staff is looking for other ways of funding the project. Currently, the City is paying a very low interest rate, which seems to be the best option. However, Staff continues to work on the issue because one of City Council's goals is to keep Astoria affordable for Astorians. The CSO project is federally mandated, so Astoria must find a way to move forward. He thanked Engineer Moore for her work on this project and said it would be nice if DEQ approves the request.

Councilor Nemlowill asked if the \$10 to \$15 million cost to complete the project was more than what the City originally anticipated. Engineer Moore said the program was originally estimated to cost \$40 million and this cost has never been adjusted for cost of living or inflation. Staff has recently taken a more proactive approach at rebuilding intersections and streets than it did when the program began. Therefore, some costs included in the program are not just for installing new storm pipe and have resulted in an increase. Expenses to date are \$31 million and the City expects total project costs to be between \$40 and \$50 million. However, with more data, Staff can scope projects better and provide an estimate of total program costs. Councilor Nemlowill believed Engineer Moore had good rationale for the project. It would be a relief to the citizens to pay a reduced surcharge. She asked if extending the deadline would cost the City more in the long run. Director Cook said construction costs typically increase about three percent each year. Therefore, additional inflation would not be so significant that the extension request should be denied by Council. This is similar to extending a 20-year mortgage to 30 years. City Manager Estes added that while there may be some escalation in costs as time goes on, the City could absorb those costs better and without increasing the originally projected surcharge of 163 percent of the sewer rate. The extension will allow the City to pay off earlier loans before taking on new debt, which would impact the rate payers.

Councilor Herzig understood that the enhanced monitoring and data collection would allow Staff to be more efficient as the project moves forward. This could possibly save money. Engineer Moore added with better data, Staff can better characterize the system it is trying to control.

Councilor Price asked if the interest rate on the loans was locked in. She believed the City could borrow up to \$40 million for this project and anticipated interest rates would be higher on loans taken out five or ten years from now. Staff said the City negotiates with the Infrastructure Finance Authority (IFA) each time there is a new project. Along with securing loans, the City is also working to secure grants. The interest rates on current loans range from zero percent to four percent, including a grant that provided \$2 million in grant funds and a \$2 million zero interest loan. The method of combining grants with loans would not be possible with a revenue bond. The early loans were at four percent interest, but the City also has one, two, and three percent fixed rate loans. Each time the City begins a new phase of the project, it negotiates with the IFA.

City Council Action: Motion made by Councilor Herzog, seconded by Councilor Nemlowill to authorize Staff to request an administrative amendment to the Amended Stipulation and Final Order from DEQ to adjust the CSO Program completion timeline. Motion carried unanimously. Ayes: Councilors Price, Herzog, Nemlowill, and Mayor LaMear; Nays: None.

Item 10(d): Appointment of Municipal Court Judge Pro Tem

This Item was added to the Agenda during Item 6: Changes to the Agenda.

Mayor LaMear said Municipal Court Judge Kaino requested that this item be added to the agenda. Ron Woltjer has served as Judge Pro Tem when Judge Kaino was not available; however, Mr. Woltjer is now the Municipal Court Judge in Warrenton and their night court is the same night as Astoria's. Judge Kaino has asked if the City Council would like to appoint a Judge Pro Tem or give him the authority to appoint one. Astoria's Charter states that "City Council may authorize the Municipal Judge to appoint Municipal Judges Pro Tem for terms of office set by the Judge or the Council." Judge Kaino has an appointee in mind who has served as Judge Pro Tem before, but he wants direction from Council about how to move forward.

Councilor Herzog wanted Judge Kaino to submit the names and background information of three people to City Council. Since he has been a Councilor, Astoria has not conducted a performance review of the Municipal Judge, so this could be considered for the future.

Councilor Nemlowill believed she could go along with Councilor Herzog's suggestion; however, Astoria's Charter states the Municipal Judge could appoint a Judge Pro Tem. If Council believes Judge Kaino is doing a good job, she believed he could also do a good job of appointing a Judge Pro Tem.

Councilor Price believed City Council had recourse, but could agree to either the Charter or Councilor Herzog's suggestion.

Mayor LaMear believed Judge Kaino should be allowed to appoint a Judge Pro Tem since the Charter gives the Municipal Judge the authority to do so.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill to authorize Municipal Court Judge Kaino to appoint a Municipal Court Judge Pro Tem. Motion carried 3 to 1. Ayes: Councilors Price, Nemlowill, and Mayor LaMear; Nays: Councilor Herzog.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Joann Wiltrakis, 410 Jerome, Astoria, said in the last two weeks, she has almost been broadsided twice at the intersection of Irving Avenue and 8th Street. In both instances, she was driving west on Irving, attempting to make a left turn on to 8th. There is no stop or yield sign on Irving, and drivers turning off of Irving have the right-of-way. The first time she was almost broadsided, the other vehicle was driving south on 8th Street, up the hill. This driver stopped at the stop sign. She believed the driver expected her to stop as well because the driver simply made eye contact and kept going through the intersection. The second time she was almost broadsided, a car came flying down the hill heading north on 8th Street, ignored the yield sign, and went through the intersection. She asked the City to make the intersection a four-way stop or install signage informing drivers that Irving does not stop.

Councilor Price believed the intersection was a four or three-way stop during the CSO project. Members of the audience said they believed there was an island, the intersection was completely blocked off, and a sawhorse was in the intersection. Director Cook confirmed that a temporary stop sign was in place during the CSO project

to control traffic for the contractor. Councilor Price said she had heard that a number of the neighbors preferred this stop sign, which was on Irving. Director Cook added that the City Engineer is working with a traffic engineer to resolve the issues at this intersection, hopefully within the month. Councilor Nemlowill said she also had two near misses at that intersection recently.

Mayor LaMear said she was hosting Meet the Mayor meetings on the first Wednesday of each month. At these meetings, she has received several requests to discuss traffic safety. Therefore, she planned to devote her entire meeting on March 4th to traffic safety issues, with Director Cook, Engineer Harrington, and perhaps an ODOT representative present. Since Astoria has State highways within its city limits, the City does not always control of some of the streets. She encouraged everyone to attend because there are many traffic safety issues in the city.

Sue Skinner, 511 Jerome, Astoria, said there were all kinds of traffic safety problems in her neighborhood. People are starting to park on the sidewalk again. That night, she saw a truck parked on the east part of 8th Street right at the intersection at Irving Avenue and close to the sidewalk. After many complaints, the police asked people to move their vehicles. However, this only lasted about six months and now all of the vehicles are up on the sidewalk again, leaving no way to walk on the sidewalks. The intersection has always been terrible. The police have asked if she had ever actually seen a wreck in that location, and though she never has, she stops at the intersection regardless of the direction she is traveling. She also sounds her horn anytime a driver runs through the yield or stop sign. She believed many drivers did not even know there were traffic safety issues at that intersection. People who do not live in Astoria definitely would not know of the issues.

Mayor LaMear said it sounded like the Engineering Department was working on the issues, which is good.

Councilor Herzig said people should continue to bring traffic and pedestrian safety issues to the goal setting sessions. He had suggested forming an independent traffic safety committee, but Council voted against this idea. However, Council did agree that people need to bring their concerns to the City Council. The Traffic Safety Advisory Committee only meets quarterly at the start of the Planning Commission meetings and it is not an effective commission when it comes to citizen's concerns. He was glad that people bring the issues to the attention of City Council. The City needs to be much more proactive with pedestrian and traffic safety.

Councilor Nemlowill noted there were a few members of the Traffic Safety Advisory Committee in the audience and said she did not believe the committee was ineffective because of any wrongdoing of committee members. The issue is that the committee members are also Planning Commission members and hold their traffic safety meetings right before Planning Commission meetings.

Councilor Herzig agreed and said the committee was overburdened because they are working through the Riverfront planning process with many meeting that are hours long. It is too much for the Committee to also be tasked with taking citizen's concerns, making decisions, and directing Staff on traffic and pedestrian safety. He really wanted the City to have an independent committee, but this was no reflection on the current committee.

Mayor LaMear recessed the regular session to convene the Executive Session at 8:05 p.m.

EXECUTIVE SESSION

Item 12(a): ORS 192.660(2) (d) – Labor Negotiation Consultations

Mayor LaMear reconvened the regular session at 8:58 p.m.

City Manager Estes explained that the first discussion was about a Letter of Understanding with the Fire Union, which stated there was an opening for a cost of living adjustment in the current contract. The City's negotiating team worked with the union's negotiating team. A 3 percent increase, retroactive to July 1, 2014, and a 2.25 percent increase, retroactive to January 1, 2015, have been proposed. The Fire Union has voted to ratify this proposal.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Herzig to approve and authorize the Mayor to sign the Letter of Understanding between the City of Astoria and the International Association of Firefighters Local 696. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

City Manager Estes said the next item was consideration of a union contract with the Parks General Union. The contract would be in effect for three years, retroactive to July 1, 2014, and would include cost of living adjustments of 2.5 percent for three years, a change in insurance from CIS Insurance to Teamsters Insurance, and would include compensation to a Health Reimbursement Arrangement Voluntary Employees' Benefit Association (HRA VEBA) account of 0.75 percent of the base salary. This contract has been voted on and ratified by the Parks General Union.

City Council Action: Motion made by Councilor Price, seconded by Councilor Herzig to approve and authorize the Mayor to sign the employment agreement by and between the City of Astoria and the General Parks Employees Group, Chauffeurs, Teamsters, and Helpers Local 58. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

City Manager Estes stated the next item was consideration of a resolution that would provide for a seven percent salary split between the Fire Department Lieutenant, Deputy Fire Chief, and Fire Chief. This resolution is similar to one approved last fall for Police Department Sergeants. The resolution provides some continuity in the salary split among union employees and the Fire Department management team. The most recent negotiations between the Fire Department and the union will result in the Deputy Fire Chief making less than the Lieutenants. Staff believed this needed to be addressed. The resolution will reduce the salary split from 16 percent to 7 percent.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill to approve the resolution establishing compensation policy and practice for non-represented Fire Department management in order to achieve equitable pay within the Fire Department and foster career service and merit principles deemed essential to the public interest and authorize the Mayor to sign the resolution. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

City Manager Estes said the last item is a salary resolution that provides for the changes as identified in the Fire Union negotiations, Parks General negotiations, Fire Department compression issues, and an adjust for Astoria's Parks and Recreation Director.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Herzig to approve the salary resolution establishing a basic compensation plan for the employees of the City of Astoria and establishing regulations for the placement of present employees within the wage and salary schedules provided. Motion carried unanimously. Ayes: Councilors Price, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:04 p.m.

APPROVED:

City Manager

A work session meeting of the Astoria Common Council was held at the above place at the hour of 6:00 pm.

Councilors Present: Nemlowill, Herzig, Price, Mayor LaMear

Councilors Excused: Warr

Staff Present: City Manager Estes. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

WORK SESSION - CITY COUNCIL RULES:

This discussion of City Council rules was continued from the work session of January 19, 2015.

City Council and Staff discussed whether the work session should focus on the team agreement or Council rules. Forest Grove's team agreement and Council Rules would be used as a template. Mayor LaMear wanted to discuss both documents because she and Councilor Price had previously submitted comments to Staff about the rules. She believed establishing Council rules would be an evolving process. Councilor Herzig wanted more time to read through the Team Agreement to determine which sections would be applicable to Astoria. However, he was open to discussing both documents. Councilor Nemlowill particularly wanted to discuss any items that differed from how meetings were currently being conducted, including time limits for speakers and ending the meeting by 10:00 pm. Councilor Price agreed and wanted to discuss certain things Astoria does not currently do at meetings. City Manager Estes explained that the team agreement would serve as a set of headings that would be incorporated into the City Council Rules. Therefore, he suggested Council discuss the team agreement and asked for direction from Council about incorporating rules for procedures. Mayor LaMear added that decorum should also be discussed. The public should be allowed to say what they want, but there should also be rules for decorum. She liked the team agreement because it set a tone.

Discussion of Team Agreement:

Councilor Herzig was concerned that Astoria did not have Council Rules because workshops often teach that Councilors should refer to such rules. However, the rules must not contradict the charter because the charter can only be amended through a ballot vote. Astoria has already been observing most of what is in Forest Grove's team agreement at least somewhat regularly, except the time limit for speakers and ending the meetings by 10:00 pm. He believed it might be necessary to hold a work session to discuss formal parliamentary procedures because Astoria has only informally observed those procedures.

Mayor LaMear recalled hearing that Roberts Rules of Order should only be used as a last resort because meetings can be conducted without formal procedures. City Manager Estes believed the team agreement indicated Forest Grove uses an informal process. Councilor Price added that Forest Grove's rules refer to Roberts Rules of Order as their formal procedure and Astoria's charter does not. She would be happy to adopt the team agreement.

Discussion of Time Limits for Public Comments:

Councilor Herzig believed Astoria should adopt the County's structure taking public comments, which requires comments on non-agenda items to be taken at the beginning of the meeting and comments on agenda items to be taken during discussion of that agenda item prior to the vote.

Councilor Nemlowill believed it would be good to improve decorum through rules, but she was unsure if certain procedural formalities were necessary. She had wanted to impose time limits during some Planning Commission meetings, but it seemed inappropriate because time limits were not the norm. She suggested possibly imposing time limits on big issues that would have a lot of testimony because most of the time, time limits are not necessary. Mayor LaMear noted that if Council agrees to implement Councilor Nemlowill's suggestion, the public would need to be notified in advance of the time limit.

Councilor Price said her conversations with people have indicated that they would not feel restricted by a four-minute time limit. She did not agree with the way the County uses a timer at the dais, which ticks while a person is speaking. A flexible four-minute time limit would be appropriate. There have only been a few times when someone has spoken for too long.

Councilor Herzig noted that in the past, the Mayor has asked members of the audience if they wanted to self-impose a time limit, which was the right thing to do. He suggested this method be implemented at meetings with a large number of attendees. Many people have said they would like to make comments on agenda items as the item is being discussed by Council, not after the vote. Allowing public comments on agenda items prior to the vote would improve citizen involvement.

Mayor LaMear was concerned about long meetings and believed they should end by 10:00 pm. She believed a four or five-minute time limit on public comments allowed plenty of time for people to make their point.

City Manager Estes said the team agreement should simply state whether there should be a time limit. The specific amount of time would be stated in the Council Rules. For now, Council should just discuss if time limits should be established. If so, the appropriate amount of time can be set when the rules for procedures are discussed.

Councilor Price said if time limits are implemented, they should be flexible. Councilor Nemlowill believed Council should consider enforcement of the time limits. Mayor LaMear said she was fine with the wording "may impose or enforce or suggest" and suggested adding "if there is a contentious issue". She did not believe the public should be asked to choose a time limit for every agenda item; Councilor Nemlowill agreed. Councilor Herzig disagreed, saying that most items would be about issues the public would have no comments on. Council's goal is to make sure everyone has the chance to speak and still adjourn the meeting at a decent time.

City Manager Estes understood Council was interested in adopting a team agreement, similar to the Forest Grove model, retaining the language that requires meetings to end by 10:00 pm, adding more specific language to the rules for procedures, and editing the document to state, "Attendance is given. Contact the City Manager if unable to attend.", and adding language allowing the Mayor to impose or suggest time limits on an as-needed basis. Councilor Price wanted to allow meetings past 10:00 pm with unanimous consent of Council. City Manager Estes said this would be built into the rules.

Proposed Changes to the Team Agreement:

Councilor Herzig was uncomfortable with the statement, "Council members agree to avoid saying or doing anything that would discredit or harm the City." There are times when he believes the City is taking an incorrect action and saying so could be interpreted as discrediting the City. He wanted to preserve each Councilor's ability to act as individual representatives of their constituents. Councilor Nemlowill suggested removing the word "discredit". Councilors Herzig and Price agreed.

City Manager Estes understood there was a consensus on the team agreement.

Councilor Nemlowill was concerned that Councilor Warr was not present to give input. City Manager Estes explained that the team agreement and Council Rules would need to be reviewed by the City Attorney, and then adopted at a City Council meeting with all Councilors present. Mayor LaMear added that this work session was just a discussion.

Councilor Herzig also sought guidance on "Call the City Manager with designated [26:25] questions and requests prior to the meeting." There were times when he has been unable to communicate with City Manager Estes and found it difficult to send emails from his touch-screen iPad. City Manager Estes said he was always available and suggested Councilor Herzig speak with him five or 10 minutes prior to meetings.

City Manager Estes reviewed previously submitted comments from Mayor LaMear and Councilor Price

At the request of Mayor LaMear and Councilor Price, the following sections of Forest Grove's Council Rules were discussed, based on comments they submitted prior to the work session, with the following key comments:

- Section 3.3 Saturday Coffee Hour Work Sessions – Forest Grove holds work sessions 1st and 3rd Mondays, Council meetings on 2nd and 4th Mondays, coffee hour work sessions on 1st Saturdays. Astoria City Council should decide when to hold work sessions.
- Councilors discussed what would be the most convenient time. Councilor Herzig reminded the City was required to give a public notice of meetings at least 24 hours in advance.
- City Manager Estes said Forest Groves' charter was more specific than Astoria's and they conduct many different types of meetings. He would need to clean up the language in Forest Grove's rules to make it more consistent with Astoria's charter. City Council can call a meeting whenever necessary, as long as the State's requirements for public notification are met.
- Section 3.13 Telephonic Attendance – Is allowed in Astoria and can be beneficial when a quorum is necessary. Skype could be used, but Staff preferred the telephone because it is easy to plug into the sound system. Council agreed to allow telephonic attendance to meetings in Astoria.
- Section 6.1 Agenda Preparation – City Manager Estes explained Staff's current procedures for preparing agenda, which in accordance with the City's charter is approved by the Mayor prior to the meeting. Staff tries to deliver the final agenda packet to Councilors at least five days prior to the meeting.
- Councilor Herzig requested Councilors be formally informed as soon as an item is officially added to the agenda. This would allow the Councilors more time to prepare for discussions. City Manager Estes said he could send out draft agenda items and reminded that there would be times when the Mayor needs to add or remove items after approving the agenda.
- Councilor Price suggested Staff send Councilors a draft agenda on the Friday or Monday prior to a meeting. City Manager Estes agreed and reminded that agendas tend to be fluid. Councilor Herzig agreed with Councilor Price, noting he hoped the draft agendas would include work sessions and executive sessions.
- Section 6.4 Order of Business – Mayor LaMear and Councilors Price and Herzig proposed moving citizen communications of non-agenda items to beginning of the meeting.
- Councilors discussed a statement from a constituent who preferred non-agenda public comments remain at the end of the meeting. Councilors Herzig said it would not be appropriate to require citizens to sit through an entire meeting only to give them three minutes to speak at the end. However, he did not believe Council was ready to implement universally applied time limits.
- Councilor Priced liked Forest Grove's agenda format. She and Councilor Nemlowill preferred the following order of business: non-agenda public comments at the beginning, public comments on agenda items allowed as each item was being discussed and prior to the vote, and Councilor communications at the end of the meeting. This format would not lengthen meetings and it would be easy to waive Reports of Councilors if the meeting ran long.
 - Councilor Herzig believed the public should be notified if Council agrees to end meetings by 10:00 pm unless by unanimous consent of Council. This would help the public understand that Council is trying to be done within a time that does not punish everybody. He believed the public would be considerate of this.
- Mayor LaMear believed the document would be revolving, not set in stone. Council agreed to try the order of business suggested by Councilor Price to see how it works. The agenda can be adjusted if the format is unsuccessful.
- Comment Cards: City Manager Estes asked if Council wanted speakers to fill out a comment card prior to speaking on non-agenda items. He believed the cards would help meetings run smoother for Staff because Astoria does not have a recorder that calls out the next speaker by reading the cards at the meetings. Council agreed to require comments cards and give people a grace period at first, still allowing people to speak even if they failed to sign up.
- Time Limits: City Manager Estes understood Council wanted time limits to be established on an as-needed basis and the specific amount of time would be determined at the meeting. From the Forest Grove document, Staff would delete all references to specific time limits and a roster, and update the sections as discussed and to comply with Astoria's charter.
- Section 14.4 Council Member Liaisons to Citizen Advisory Boards: Mayor LaMear proposed deleting this section because she believed the position was a disservice to the boards. Boards and commissions look to the liaison as though they have the answers. She encouraged Councilors to attend board and commission meetings, but even as an ex-officio member, commissioners tend to rely on a liaison too much. City Council wants the boards to be independent and make recommendations to Council. Deleting this section would not require a change to the charter. Councilor Nemlowill agreed.
- Councilor Herzig noted that Section 14.1 discussed the Mayor appointing board members with Council's consent. The County Elections Office said it would cost the City between \$500 and \$800 to put this issue on

the May ballot, which is not an outrageous expense. Therefore, it would be most cost effective to put a charter amendment on a regular ballot.

- Section 16.1 City Council Goal Setting: Mayor LaMear and Councilor Price wanted goals adopted prior to budget, but Councilor Herzig did not believe this would give Council enough time to discuss all of the goals. City Manager Estes confirmed that Council goals would definitely be discussed at future work sessions and Council meetings.

City Manager Estes asked Councilors to call or email him with feedback about these items so he could incorporate the comments into updates that would be presented probably at the next meeting.

ADJOURNMENT TO REGULAR SESSION:

There being no further business, the work session was adjourned at 6:52 pm to convene the regular session.

APPROVED:

City Manager

DRAFT

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers
January 20, 2015

CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:15 p.m.

ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Thomas Stanley, Paul Caruana, Mac Burns, and Kevin McHone

Staff Present: Planner Rosemary Johnson and Interim Planner Mike Morgan

ELECTION OF OFFICERS – ITEM 3(a):

In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the HLC needs to elect officers for 2015. The 2014 officers were President LJ Gunderson, Vice President Michelle Dieffenbach, and Secretary Sherri Williams.

Commissioner Stanley moved to elect LJ Gunderson as President, seconded by Kevin McHone. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. Nays: None.

Commissioner Burns moved to elect Michelle Dieffenbach as Vice President, seconded by Commissioner McHone. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. Nays: None.

President Gunderson moved to elect Sherri Williams as Secretary, seconded by Commissioner Caruana. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. Nays: None.

APPROVAL OF MINUTES – ITEM 4(a):

President Gunderson asked if there were any changes to the minutes of the December 16, 2014 meeting. There were none.

Commissioner Caruana moved to approve the minutes of December 16, 2014 as presented; seconded by Commissioner Burns. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, Stanley, and McHone. Nays: None.

PUBLIC HEARINGS:

President Gunderson explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

ITEM 5(a):

NC14-07 New Construction NC14-07 by Joseph Kancharla to construct a 10' x 20' shed at 3080 Grand in the R-2, Medium Density Residential zone.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Gunderson declared that her company manages the property at 3008 Grand, which is listed as one of the nearby historic properties. She did not believe this would affect her decision. She requested a presentation of the Staff report.

Interim Planner Morgan presented the Staff report and recommended approval with conditions. No correspondence had been received. He confirmed for Commissioner McHone that the shed would be partially visible from 31st Street and Grand Avenue and would be placed in a location that is currently used for parking.

Commissioner Osterberg noted Page 2 of the Staff report included an aerial photograph of the site and properties to the south of the site, as well as several historic properties in the area. He asked if there were other historic structures to the north, not shown in the photograph. Interim Planner Morgan clarified there was one historic structure immediately north of the Applicant's property that shares a property line with the subject site, but was not illustrated in the Staff report. Planner Johnson reminded that the HLC had reviewed that historic property previously in the last couple years. She briefly described the details of the project, noting the historic property is visible in the aerial photo of Attachment 2 in the packet. This historic property to the north is at a lower elevation than the Applicant's property. The garage on that historic property would somewhat block the view of the shed. The parking area where the shed is proposed is part of the adjacent lot, also owned by the Applicant, as shown in Attachment 2.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Joseph Kancharla, 4809 Cedar Street, Astoria, said his father, Kruparao Kancharla, owns the property at 3080 Grand Avenue. He and his father have operated an adult foster home at the property for two years. An addition and renovations were recently completed. The parking area on the corner of 31st Street and Grand Avenue is used by the occupants, their visitors, and nurses. The shed would be used to store hospital beds, wheelchairs, extra medical equipment, food, a generator, and other necessary supplies. This would allow him to remain prepared for the residents needs and for emergencies. The shed would allow him to keep the site neat and prevent him from having to take some of the equipment back to his home in Alderbrook.

Vice President Dieffenbach asked if the Applicant could put a 1 over 1 window in the shed. Mr. Kancharla said he planned to purchase the shed from Tough Shed. If Tough Shed was unable to provide a 1 over 1 window, he could purchase one elsewhere and install it himself. He added that he preferred to keep the shed in the corner of the lot, close to the deck and neighboring garage. He had spoken to his neighbors about this, but asked if the HLC preferred that the shed be centered on the property.

Interim Planner Morgan said placing the shed in the corner would not make a significant impact on the neighbor as long as it was placed within the required setbacks. Mr. Kancharla confirmed the shed would not interfere with the parking needs on his property. Interim Planner Morgan added the Applicant originally requested the shed be placed as close to the north property line as possible. This would require a variance from the 15-foot setback and would allow the shed to be placed as close as 5 feet from the north property line.

Commissioner Burns asked if the photograph of the shed in the Staff report showed a 10' by 20' shed. Mr. Kancharla said no, the photograph in the Staff report was the only photograph he could get from the internet or brochures. The photograph in the Staff report shows the style of the shed he intends to build, which will be a smaller size. The shed would be painted to match the house.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Vice President Dieffenbach believed the shed would be appropriate. She did not prefer any particular type of window and would approve either the vertical or the horizontal window because it is such a small component of the shed.

Commissioner McHone believed the shed would look more aesthetically pleasing if it had an eave overhang and horizontal siding. However, he was fine with the Findings in the Staff report.

Commissioner Stanley agreed with Staff's recommendation to install a 1 over 1 vertical window. The building is bleak and anything that can be done to dress it up would be helpful. He had no objections to the application.

Commissioner Burns had no objections and appreciated that the Applicant spoke to his neighbors about the project.

Commissioner Caruana did not like the shed because it was prefabricated. He preferred that the siding, trim, fascia, and overhangs match the house. He also wanted to see a picture of what the shed would look like because such a small window on a 20-foot wall might not look appropriate. He might prefer no window, but this was difficult to judge without seeing what the shed would look like. He understood the need for storage, but believed a little more effort should be made to make the shed match the house. He did not want to approve a prefabricated product and planned to vote against the request.

Commissioner Osterberg believed Commissioner Caruana made some valid points. However, because of the proposed location of the shed on the property and it being near a similar structure with no historic properties in the immediate area, he supported the application and the condition requiring the 1 over 1 window.

Commissioner Caruana noted the windows on the house were sliders and he believed the window on the shed should match the windows on the house.

Vice President Dieffenbach added that the detailing on the house is not very different from the proposed shed. However, if the home were historic, she would say the shed was not appropriate. Also, the scale of the shed compared to other nearby structures would not be excessive. The shed would be tucked into the back of the property, allowing the house to be predominant.

President Gunderson agreed, but preferred horizontal siding that matched the house. However, she would be fine with simply painting the shed to match the house.

Commissioner Osterberg moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve New Construction NC14-07 by Joseph Kancharla, with the conditions listed in the Staff report; seconded by Vice President Dieffenbach. Motion passed 6 to 1. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Osterberg, Stanley, Burns, and McHone. Nays: Commissioner Caruana.

President Gunderson read the rules of appeal into the record.

REPORTS OF OFFICERS – ITEM 6:

There were no reports.

OLD BUSINESS – ITEM 7(a):

Update of Appeal AP14-01 by Steve Hockman, Steele Associates Architects for Columbia Bank. City Council will hear the appeal on Tuesday, January 20 after the HLC meeting.

President Gunderson invited the Commissioners to attend the City Council meeting and reminded that they had been asked to refrain from speaking during the appeal.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 5:49 p.m.

ATTEST:

APPROVED:

Secretary

City Manager

**Parks Advisory Board Meeting Minutes
January 28, 2015**

Present- Norma Hernandez, Grace Laman, Jessica Schleif, Peter O'Farrell, Andrew Fick, Tammy Loughran, Eric Halverson, Joe Miltengerger, Jim Holen, and Howard Rub

Guest- Mayor Arline LaMear, Ken Adee, Michelle Bisek and Brad Johnston.

Staff- Angela Cosby, Terra Patterson, and Jonah Dart-McLean

Meeting was called to Order at 6:47am by chairperson Norma Hernandez.

Chair Person Section

1. Grace Laman motioned to approve the minutes, Tammy Loughran seconded the motion. December minutes were approved.
2. What do you hear- Jim Holen talked about the proposed dog park site and feels it will be a great site for the park, Grace asked about letting the homeless people in Astoria shower at the aquatic center, Andrew Fick mentioned he's heard good things about the new Teen Zone and gotten questions about logistics, Jessica mentioned that she had heard that access to the center due to lack of pedestrian access, she also heard questions adding another community garden about and Howard complimented the pool staff on handling a 911 call.

Employee Recognition

1. Terra Patterson recognized Dee Rzewnicki as the January employee of the month.

Old Business

- A. Tammy gave a brief update on the Parks foundation. The foundation assisted with the Ford Family Foundation Teen Zone, it has opened and the grand opening was Friday.
- B. The McLure Park project was reviewed and will go to council in February.
- C. Jonah discussed putting the task force and arranging meeting times for the group to get together, he hopes to be able to report back to the board in February on progress.

New Business

1. Angela reviewed the dog park town hall meeting. The majority of the attendees were Alderbrook residents, They were as a whole, not supportive of the dog park being located in that particular area. She reviewed comments and feedback received at the meeting and went through the survey results.
2. Angela asked the board if they felt comfortable making a recommendation to city council on the Dog Park issue. Howard recommended postponing a vote in fairness to the new board to obtain a little more information. Angela will forward more information and history of the project to the board.
3. The recreation department set new goals for the upcoming 2015-16 fiscal year. Angela reviewed the goal setting process and recommendations made to city council. The top 5 goals set were to adjust to growing pains, aquatic center capital repairs, improve operations at Ocean View Cemetery, establish a Parks and Recreation master plan, and to incorporate a POS and registration software system.
4. Angela reviewed grants submitted for the pedestrian Wayfinding concept plan.
5. Angela discussed the new department website which launched this month.
6. The wireless communications tower relocation from the Column area to Shively Park. Angela reviewed the needs to move the tower and discussed the history of the project. As well as the impact to Shively Park. Police Chief Johnston discussed the location and minimal possibility of trees coming down next to the proposed sight. Brad discussed other options that were explored; this was the most feasible site of all options reviewed. The board discussed feedback, Eric Halverson made a motion to recommend the project to city council, Jim Holen seconded the motion. The board voted, all were in favor but one.
7. Angela reviewed the department reports.
8. Upcoming events were reviewed. Chip-in events will resume in March.

Next meeting will be held Wednesday, February 25, 2015 at 6:45am



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

February 18, 2015

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: INTERGOVERNMENTAL AGREEMENT WITH OREGON DEPARTMENT OF
LAND CONSERVATION AND DEVELOPMENT FOR RIVERFRONT VISION
PLAN IMPLEMENTATION

Background

In 2008-2009, the City of Astoria worked on a Riverfront Vision Plan 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 39th Street), and Neighborhood Greenway (39th Street to east end of Alderbrook Lagoon).

During the Plan development, four community-wide forums, three open houses, and numerous community meetings were held at various locations within the four Plan areas. In addition, staff and/or consultants conducted stakeholder interviews, distributed and tabulated surveys. Development of the Vision Plan was structured to gain as much public input as possible. On December 7, 2009, after holding a final public hearing, the City Council accepted the Riverfront Vision Plan. For Fiscal Years 2011-2012, 2012-2013, 2013-2014, and 2014-2015 the City Council set goals to "Implement Riverfront Vision Plan on a Zone by Zone Basis."

In April 2014, the City Council adopted code amendments for Phase 1 for the Civic Greenway Area (16th to 41st Street). Phase 2 would include development of land use codes and or new zones in the Bridge Vista Area (Port to 2nd Street). Phase 2, has begun and is pending public hearing before the Planning Commission on April 7, 2015. A status update to the City Council will be presented at the March 16, 2015 Council meeting. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area (41st to Alderbrook Lagoon). The Phase 3 project would include intensive public involvement with work sessions before the Astoria Planning Commission. The final product would be a code amendment and/or land use zoning map amendment to be presented to the Planning Commission and City Council for consideration of adoption.

At its September 2, 2014 meeting, the City Council approved submittal of a funding application to the Department of Land Conservation and Development (DLCD) to fund code writing activities for Phase 3, the Neighborhood Greenway Area of the Riverfront Vision Plan. The funding would be through the Department of Land Conservation and Development (DLCD) Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle. These funds can be used for assistance in code writing or other technical assistance needs.

The funding was approved by DLCD for \$9,925. The grant requires a \$10,725 match from the City. The match would be met by current staffing and other in-kind activities for the project. Volunteer hours associated with the project such as Planning Commissioner time can also be applied to meet the match. The matching funds would be accommodated through the Community Development Department budget. Planner Rosemary Johnson will do much of the Code work with some technical assistance from Angelo Planning Group. Grant funds need to be expended by December 31, 2015.

The draft Technical Assistance Grant Agreement with DLCD, including the proposed Scope of Work, is attached for Council consideration. The Agreement has been reviewed as to form by the City Attorney.

Recommendation:

It is recommended that the City Council authorize the City Manager to sign the Technical Assistance Grant Agreement with DLCD for the Phase 3 Riverfront Vision Implementation code assistance project.

By:



Rosemary Johnson, Special Projects Planner

Oregon Department of Land Conservation and Development
FY14-15 Grant Agreement

Date February 9, 2015

Type of Grant Coastal TA

Grantee Name
City of Astoria

Grant No. TA-306-14-003

Street Address
1095 Duane St
Astoria, OR 97138

DLCD Share of Cost
\$9,925.00

Award Period
Date of last signature through December 31, 2015

Recipient Share of Cost (if applicable)
\$10,725.00

Authority State General Fund Federal Fund
CFDA 11.419 X
Coastal Zone Management Administrative Awards
Department of Commerce
National Oceanic and Atmospheric Administration (NOAA)
Federal Grant No. NA14NOS4190078 Award Amount: \$1,992,000

Total Cost
\$20,650.00

Project Title
Riverfront Vision Plan Implementation – Neighborhood Greenway Area

Grantee Representative
Brett Estes, City Manager
503-338-5183
bestes@astoria.or.us

DLCD Grant Manager
Patrick Wingard
503-812-5448
patrick.wingard@state.or.us


This Grant, approved by the Program Manager of the Coastal Program of Department of Land Conservation and Development, acting on behalf of the Land Conservation and Development Commission, is issued in duplicate and constitutes an obligation of funds in return for the work described herein. By signing the two documents, the Grantee agrees to comply with the grant provisions attached.

Upon acceptance by the Grantee, the Grantee shall sign both copies of this agreement and return both signed copies to DLCD within 30 days of the date of this agreement. If not signed and returned, without modification, by the Grantee within 30 days of receipt by the Grantee, the Grant Manager may unilaterally terminate this grant. Upon receipt of the signed agreement the DLCD Grant Program Manager shall sign and return one copy to the Grantee.

The effective date of this grant is the latest date on which all parties have signed this grant. Funds provided in this grant can only be used for expenditures incurred after that date and before the date specified above as the closing date. This grant may be amended according to the policies and procedures of DLCD, and with the agreement of all parties to the agreement.

For the Grantee: Typed Name and Signature of Authorized Official	Title	Date
Brett Estes Signature of DLCD Program Manager	City Manager	
	DLCD Coastal Program Manager	

Approved as to Form:


Digitally signed by
City Attorney
DN: cn=City Attorney, o=City of Astoria, ou=City of Astoria, email=cityatt@astoria.or.us, c=US

City Attorney

ATTACHMENT A
SPECIAL AWARD CONDITIONS

1. This award number TA-306-14-003 supports the work described in the City of Astoria's proposal entitled "Riverfront Vision Plan Implementation – Neighborhood Greenway Area", dated July 27, 2014, which is incorporated into this award by Attachment E. Where the terms of the award and proposal differ, the terms of this award shall prevail.

This award requires the City of Astoria to provide a minimum of \$10,725.00 in project-related matching costs from non-federal sources. The non-Federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the state share. Exceptions to this requirement may be approved by the Grant Manager based on demonstration that the schedule of tasks for the project and the rate of local match for these tasks justify a delayed payout of cash or in-kind contributions. In any case, the **Grantee** must fulfill the non-Federal cost share commitment over the life of the award.

2. The **Grantee** must maintain an accounting for \$20,650.00 in its official records.
3. **Grantee agrees** to perform the following activities.
 - Adoption-ready development code map and text amendments for implementation of Phase III of the Riverfront Vision Plan – Neighborhood Greenway Area.
Due December 31, 2015
4. The cover or the title page of all reports, studies, or other documents supported in whole or in part by this award shall acknowledge the financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, and the Ocean and Coastal Management Program, Department of Land Conservation and Development.
5. Reporting and Payment Schedule:

Product listed above **due December 31, 2015**. Payment to be made upon review and acceptance by Grant Manager and Coastal GIS Specialist, and with receipt of a completed and signed DLCD Reimbursement Request for work performed, subject to Grant Manager approval.
6. **Grantee agrees** to provide at least 1:1 match from non-federal sources and to maintain in its official accounting records an accounting for \$20.650.00.
7. **Grantee agrees** that the final products (with the exception of the "model ordinance"), including, but not limited to, ordinances, maps, data bases, supporting documents, and photographs shall be adopted and/or approved by the governing body.
8. **Grantee agrees** that any notice issued by the grantee, which is eligible for reimbursement under ORS 215.503 (County)/227.186 (City) ["Measure 56"], will not be submitted for reimbursement under this grant.
9. For awards that result in collection or production of geospatial data, (e.g., information for GIS data layers, acquisition of topographic or bathymetric data or other remotely sensed data), the **Grantee** will provide relevant information (e.g., expected dates of data collection, type of collection, flight

lines, etc.) to Grant Manager as early as practicable before data collection commences as required by NOAA OCRM.

10. **Grantee agrees** to comply with GIS standards and contents requirements per Attachment C. GIS products will comply with State of Oregon Standards as defined in Attachment C.
11. **Grantee agrees** that DLCD may display appropriate products on its web interface and/or incorporate GIS data generated as part of this grant and any additional data provided that is not specifically restricted into state agency databases, acknowledging that the grantee and agents of the grantee are not responsible for the accuracy of said data. DLCD may also share the data specifically generated with grant funds with other agencies and organizations, as this is data that DLCD owns.
12. **Grantee agrees** the city will share all GIS products, produced during and subsequent to the grant period, with DLCD. The charge to DLCD for such data shall be limited to the city's actual cost of reproduction (printing or electronic copy).

13. Activities of the Oregon Coastal Management Program lead to extensive leveraging of resources in the coastal zone. Past requirements were to report only federal funds used, and matching dollars required. Matching dollars reported should be limited to the amount identified in the grant. Grantee is now required to include in all reports submitted under this grant the amount of funding leveraged as well as funding received and matched. See definitions which follow:

DEFINITIONS

RECEIVED dollars are funds received for work under this grant agreement.

MATCHED dollars are funds used to match received dollars.

LEVERAGED dollars are funds in addition to received and matched dollars that are spent on an OCMP funded project. For example, a project where a grantee partners with a private consultant to develop a greenway plan for a coastal community. The city planning department provides the required OCMP match. During the project, the city's recreation department contributes staff time to conduct visioning and public outreach for the greenway project. The cost to the recreation department to conduct the visioning and outreach activities can be considered leveraged project dollars.

Additionally, resources in excess of the required match should be considered as leveraged dollars. One example is a grant written for \$1,000.00 has a required match of \$1,000. You are using the planning director's time as match. The value of the time the project director spent working on the project was \$3,000. You would consider \$1,000 of that \$3,000 as match and the remaining \$2,000 would be considered leveraged dollars. This is just one example. Please remember, however, that Matching funds and services, and Leveraged funds and services both must qualify as allowable as stated in the Office of Management and Budget Circular A-87.

If there are questions about matching and leveraging, please direct them to Diana Evans at diana.evans@state.or.us or 503-934-0038.

ATTACHMENT B
STANDARD AWARD CONDITIONS

1. **DLCD Funds:** DLCD certifies that at the time this grant is written sufficient funds are available and authorized.
2. **Reporting:** At any time during the grant period, when requested by the DLCD Grant Manager, **Grantee** shall provide a written report on the status and progress of work performed under this grant.
3. **Payments:** DLCD payments to **Grantee** shall be made in accordance with the grant payment schedule described in paragraph 6 above. Payment is contingent upon DLCD's acceptance of the products produced under the grant. **Grantee agrees** that reimbursement of all payments is contingent upon compliance with all the terms and conditions of this grant agreement.
4. **Penalty:** Payments to **grantee** may be withheld, reduced, or reverted if DLCD determines that work performed under the grant is unsatisfactory, based on the best professional judgment of the DLCD Grant Manager, or if one or more terms or conditions of this agreement have not been met.
5. **Termination:**
 - a. DLCD's Right to Terminate at its Discretion. At its sole discretion, DLCD may terminate this Grant Agreement:
 - i. For its convenience upon thirty (30) days' prior written notice by DLCD to **Grantee**;
 - ii. Immediately upon written notice if DLCD fails to receive funding, appropriations, limitations, allotments or other expenditure authority at levels sufficient to pay for the Work or Work Products; or
 - iii. Immediately upon written notice if federal or state laws, regulations, or guidelines are modified or interpreted in such a way that the DLCD's purchase of the Work or Work Products under this Grant Agreement is prohibited from paying for such Work or Work Products from the planned funding source.
 - b. DLCD's Right to Terminate for Cause. In addition to any other rights and remedies DLCD may have under this Grant Agreement, DLCD may terminate this Grant Agreement immediately upon written notice by DLCD to **Grantee**, or at such later date as DLCD may establish in such notice, or upon expiration of the time period and with such notice as provided below, upon the occurrence of any of the following events:
 - i. **Grantee** is in default because **Grantee** institutes or has instituted against it insolvency, receivership or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis;
 - ii. **Grantee** is in default because **Grantee** commits any material breach or default of any covenant, warranty, obligation, or agreement under this Grant Award, fails to perform the Work under this Grant Award within the time specified herein or any extension thereof, or so fails to pursue the Work as to endanger **Grantee's** performance under this Grant Award in accordance with its terms, and such breach, default or failure is not cured within 14 calendar days after DLCD's notice, or such longer period as DLCD may specify in such notice.
 - c. **Grantee's Right to Terminate for Cause.** **Grantee** may terminate this Grant Award with written notice to DLCD upon the occurrence of the following events:
 - i. DLCD is in default because DLCD fails to pay **Grantee** any amount pursuant to the terms of this Grant Agreement, and DLCD fails to cure such failure within thirty (30) calendar days after **Grantee's** notice or such longer period as **Grantee** may specify in such notice; or

- ii. DLCD is in default because DLCD commits any material breach or default of any covenant, warranty, or obligation under this Grant Agreement, fails to perform its commitments hereunder within the time specified or any extension thereof, and DLCD fails to cure such failure within thirty (30) calendar days after **Grantee's** notice or such longer period as **Grantee** may specify in such notice.
 - d. Return of Property. Upon termination of this Grant Award for any reason whatsoever, **Grantee** shall immediately deliver to DLCD all of DLCD's property (including without limitation any Work or Work Products for which DLCD has made payment in whole or in part) that is in the possession or under the control of **Grantee** in whatever stage of development and form of recordation such **Grantee** property is expressed or embodied at that time. Upon receiving a notice of termination of this Grant Agreement, **Grantee** shall immediately cease all activities under this Grant Award, unless DLCD expressly directs otherwise in such notice of termination. Upon DLCD's request, **Grantee** shall surrender to anyone DLCD designates, all documents, research or objects or other tangible things needed to complete the Work and the Work Products.
6. **Failure to Comply:** If **Grantee** fails to comply with any of the requirements or conditions of this agreement, DLCD may, without incurring liability, refuse to perform further pursuant to this agreement. DLCD shall make no further reimbursement to **Grantee** and **Grantee** shall upon demand by DLCD promptly repay DLCD.
7. **Accounting and Fiscal Records:** Using standard accepted accounting and fiscal records, the **Grantee** shall maintain records of the receipt and expenditure of all funds subject to this grant agreement for a period of three years after the closing date. Grant accounting records will be separately maintained from other accounting records.
8. **Closeout report:** The **Grantee** shall submit a closeout report to DLCD within 30 days after termination of the grant period.
9. **Subsequent funding:** Eligibility for subsequent funding is contingent upon receipt of such reporting by DLCD.
10. **Closeout Penalty:** DLCD reserves the right to reduce or withhold final payment if a closeout report is not submitted to DLCD after the 30 days, as referenced in Standard Condition Number 8. DLCD shall authorize payment to the **Grantee** within 90 days of the time all required work is accepted by the DLCD Grant Manager after review for compliance with the grant conditions.
11. **Audit:** The Attorney General of the State of Oregon and the Director of DLCD or any other duly authorized representative of the department, shall have access to and the right to examine any records of transactions related to this agreement for three years after the final payment under this agreement is authorized by the department.
12. **Indemnity:** City/County and DLCD each shall be responsible, to the extent permitted by the Oregon Tort Claims Act (ORS 30.260-30.300), only for the acts, omissions or negligence of its own officers, employees or agents.
13. **Appropriate use of funds:** Grant funds cannot be used for any purpose other than that stated in the work plan before the beginning date, or after the end date of the grant.
14. **Amendments:** Amendments must be facilitated by the DLCD Grant Manager. An amendment may be initiated at any time during the grant period, but not past 30 days prior to the end date on a grant period of one year or less.

15. **Travel:** DLCD will reimburse **Grantee**, within the not-to-exceed amount identified in the budget as appended to this award, for travel only when the travel is essential to the normal discharge of DLCD's responsibilities. **Grantee** shall conduct all travel in the most efficient and cost-effective manner resulting in the best value to the DLCD. The travel must comply with all the requirements set forth in this section and must be for official DLCD business only. **Grantee** shall provide DLCD with receipts for all travel expenses except meals. All **Grantee** representatives will be limited to economy or compact-sized rental vehicles, unless **Grantee** personally pays the difference. DLCD will reimburse travel and other expenses of the **Grantee** at rates set forth in the Oregon Accounting Manual as of the date **Grantee** incurred the travel or other expenses. The Oregon Accounting Manual is available at http://www.oregon.gov/DAS/SCD/SARS/oam_toc.shtml .

ATTACHMENT C

DLCD Content Standard and Requirements For the GIS Grant Products For the City of Astoria TA-306-14-003

The State of Oregon and the Coastal Program of the Department of Land Conservation and Development are using the Federal Geographic Data Committee (FGDC) standards of Geographic Information Systems (GIS) metadata. This attachment incorporates by reference, the standards specified FGDC Content Standard for Digital Geospatial Metadata into the attached grant agreement.

The standards can be found on the state website <http://gis.oregon.gov>

Additionally, DLCD requires the following:

- All grant products are publicly useable.
- The grant product is submitted in electronic form compatible with Environmental Systems Research Institute's (ESRI) ArcGIS (coverage, shapefile, or geodatabase).
- Data should be free of topological errors.
- The projection of the data may be determined by the grantee. All data shall have the projection defined within the dataset and must be documented in the metadata.
- Include the FGDC compliant metadata in an electronic file.
- For collection or production of geospatial data, (e.g., information for GIS data layers, acquisition of topographic or bathymetric data or other remotely sensed data), the **Grantee** will provide relevant information (e.g., expected dates of data collection, type of collection, flight lines, etc.) to Grant Manager as early as practicable before data collection commences

If you have any questions, please contact your Grant Manager.

ATTACHMENT D

DLCD Contact Information

For the City of Astoria TA-306-14-003

For questions regarding the scope of work of your grant, please contact:

Grant Manager:

Patrick Wingard
Tillamook Regional Solutions Center
Tillamook, OR 97141

patrick.wingard@state.or.us

Phone: 503-812-5448

Program Manager:

Patty Snow
DLCD
635 Capitol St NE, Suite 150
Salem, OR 97301-2540

patty.snow@state.or.us

Phone: 503-934-0052

Fax: 503-378-6033

For questions regarding the processing of paperwork and payments, please contact:

Grant Coordinator

Diana Evans
DLCD
635 Capitol St NE, Suite 150
Salem, OR 97301-2540

diana.evans@state.or.us

Phone: 503-934-0038

Fax: 503-378-6033

**2014-2015
APPLICATION
OREGON COASTAL MANAGEMENT PROGRAM
TECHNICAL ASSISTANCE/PRIORITY PROJECT GRANT**



Please type or print clearly

Date: 8-27-14 **REVISED 10-7-14**

Applicant: City of Astoria
 Address: 1095 Duane Street City: Astoria OR Zip: 97103
 Phone: 503-338-5183 Fax: 503-338-6538
 Contact Person, Title: Brett Estes, Community Development Director
 E-mail address(es): bestes@astoria.or.us
 Amount Requested from DLCD: \$ 9,925 Grantee Share \$10,725

Project Title: Riverfront Vision Plan Implementation – Neighborhood Greenway Area
 BRIEF description of the project, 50 words or so. Be sure to state the expected results

The proposed Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. The Plan establishes the desires and needs of the community relative to development along the Columbia River waterfront. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area. The project would include intensive public involvement. The final product would be a code amendment and/or land use zoning map amendment to be presented to the City Council for consideration of adoption.

Keywords

(Check those that apply to the project)

- | | | |
|--|--|---|
| <input type="checkbox"/> Information technology | <input type="checkbox"/> Coastal hazards | <input type="checkbox"/> Stormwater management |
| <input checked="" type="checkbox"/> Economic development | <input checked="" type="checkbox"/> Wetland & riparian resources | <input type="checkbox"/> Resource and land inventories |
| <input checked="" type="checkbox"/> Estuarine resources | <input type="checkbox"/> Marine resources | <input checked="" type="checkbox"/> Special Area Planning |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Public involvement | <input type="checkbox"/> Capital improvements planning |

SUBMITTAL

Please submit all application information by US Mail, FAX, or e-mail to:
 Diana Evans, OCMP Grants Coordinator diana.evans@state.or.us FAX 503-378-6033
 Department of Land Conservation and Development
 635 Capitol St. NE Suite 150 Salem OR 97301

Project Narrative

Please provide the information requested under each item. Although extensive, detailed information is not necessary, you need to provide enough information to help OCMF understand the project and make grant funding decisions.

1. Goals and Objectives:

State the goal(s) or overall purpose of the project. What is the problem, need, or opportunity that the project will address? Describe planning, technical, or information objectives that will help achieve the goal(s).

On December 7, 2009, the City of Astoria adopted the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. 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). In 2013-2014, the City began development of implementation ordinances for the Civic Greenway and Bridge Vista areas. The project would include development of ordinance language for design review, landscaping, and development standards for the Neighborhood Greenway area. With the work completed with the assistance of the consulting firm of Angelo Planning Group on the Civic Greenway Area and the proposed work on Phase II for the Bridge Vista area, staff is ready to proceed with in-house development of Phase 3 for the Neighborhood Greenway Area with minimal assistance from the consultant.

The goal of the project is to protect the Columbia River and riverfront areas from incompatible development based on the vision established in the RVP. The City has identified specific needs and visions for each area within the RVP with different design and landscaping guidelines to protect the character of the area and the broad vistas and views of the River while recognizing the need for employment development on portions of the River. The process would include public involvement and some design / graphics assistance from a consultant. For Fiscal Years 2011-2012, 2012-2013, and 2013-2014, the City Council set goals to "Implement Riverfront Vision Plan on a Zone by Zone Basis."

Implementation of the Plan would require development of new codes and land use zones, and/or revision of existing codes and land use zones that would address the various recommendations in the Plan. The City has identified the Neighborhood Greenway Plan area as the third area to be addressed due to the fact that this area is mostly a residential area with natural features with limited to no redevelopment of waterfront parcels for commercial uses. This area was identified in the Plan as critical to protect as public open space and therefore needs to have the codes in place to establish that protection. With the current codes and zoning, these areas could currently be developed in a manner contrary to the concepts and recommendations in the Riverfront Vision Plan. With the ever shrinking amount of buildable land in Astoria, and the magnetism of the Riverfront for development, there is an immediate need to proceed to the next phase of the Vision Plan to create codes that would encourage good development while protecting public open spaces. It is imperative that the concepts developed in the Plan be implemented with written codes before development occurs. The Astoria Riverfront is a complex area of conflicting and complementary developments. Both the previous Murase Waterfront

Plan and the new Riverfront Vision Plan set a goal to maintain Astoria's "working waterfront" while allowing and encouraging public access to the River. The diversity of uses along the waterfront include retail, office, residential, boat moorage, fish processing, breweries, tourist attractions and museums, and much more. The existing River Trail was established using the Federal Rail-to-Trails Act and has been an example to other communities on how to development public access and amenities through commercially and residentially developed area. Many public/private partnerships were required to make this a success. The Riverfront Vision Plan takes this River Trail to the next level of success by protecting even more of the aesthetics that make it such a popular destination feature of Astoria. The River Trail is flat and handicap accessible making it conducive to many modes of use including pedestrian, bicycle, skateboards, dog walking, and nature watching, with connections to the City transit system and Recreational Trail System.

This portion of the City is mostly residential and referred to in the Riverfront Vision Plan as the "Neighborhood Greenway Area". The goals for this area are to highlight the river's natural edge, emphasize natural features and beauty, and use plantings and landscaping that provide riverbank restoration and increase habitat. Protection of the environment, natural beauty, and the character of the residential neighborhood are essential goals of this project.

2. Scope of Work, Products, and Budget (attach additional pages if necessary):

a. Describe the scope of work to be performed. If the project is in phases, please note.

Develop code language for building design; site design; riverfront development; landscaping recommendations focused on protection of views, use of native vegetation, protection of shoreland and wetlands; and transportation elements for Phase III of the RVP Implementation. The work would be primarily completed by City staff with some assistance from a consultant specifically for graphics, design assistance, selection of recommended landscape species, etc. Public work sessions would be held with the Planning Commission. Public hearings before the Planning Commission and City Council for possible adoption of the ordinance would complete the project.

b. Schedule (e.g. when will work begin, project milestones, project end):

The project would start upon notification and acceptance of grant award and be completed by December 2015. Milestones would include:

December 2014 to June 2015	development of draft ordinance and graphics
July to September 2015	draft sections of the ordinance presented to the Planning Commission for public work sessions
October to December 2015	public hearings before the Planning Commission and City Council for proposed adoption.

c. Total Budget

Please use the Budget Summary form on the next page, and any

additional information as indicated in the footnotes.

See attached details.

3. Project Partners

List any partners such as other local governments, special districts, state agencies, or other entities Briefly describe the role of each (e.g., will perform work under the grant; will advise; will contribute information or services, etc).

CREST – Council of governments organization specializing in estuary resources and restoration. CREST would be consulted on estuary and wetlands issues and proposed landscaping.

ANGELO PLANNING GROUP (potential additional consultant) – Consultant who wrote the Riverfront Vision Plan and assisted the City with development of implementing ordinances for the Civic Greenway and Bridge Vista areas of the RVP. Angelo Planning Group (or other possible consultant) would provide design assistance and graphics for the proposed ordinance.

CITIZENS – Citizens of Astoria are an essential part of the process to implement the Riverfront Vision Plan. There would be public open houses and meetings, public hearings, and coverage in the local newspaper and radio.

4. Match, Cost-Sharing, and Local Contribution (see page 4)

1:1 cost-sharing (match) is required on federally-funded coastal grants. Describe the type and list the amount of local contributions for the grant (see page four of this application). List other funding sources, if any, and amounts that support this project.

Match of 1:1 would be provided by City staff expenses including salaries, public notices, postage, volunteer hours, etc. Funding would be from the City’s General Fund budgeted for the Community Development Department.

5. Will work be performed by a consultant/contractor for all or part of this project?

X Yes No

If yes, please describe the work to be performed by the consultant, list the anticipated amount of the contract, and provide name of prospective firm/consultant(s), if known, including address and telephone number.

Much of the work would be completed by a temporary City staff person in the Community Development Department. Astoria City Planner Rosemary Johnson is retiring at the end of August 2014. Ms. Johnson would return as a temporary employee to work on this project. A consultant would be utilized for a portion of the project. The preferred consultant, Angelo Planning Group, wrote the Riverfront Vision Plan and assisted the City with development of implementing ordinances for the Civic Greenway and Bridge Vista areas of the RVP. Angelo Planning Group (or other consultant) would

Department of Land Conservation and Development
provide design assistance and graphics for the proposed ordinance.

2007-2008

Angelo Planning Group (APG) mhastie@angeloplanning.com (503) 542-3403
921 SW Washington Street, Suite 468
Portland OR 97205

Grant Budget Summary

NOTE: Please use the format in this table when developing a more detailed budget.

	Grant Request (from DLCD)	Grantee Match (Required)	Total Budget
Personal Services ¹	_____	<u>\$8,365</u>	<u>\$ 8,365</u>
Supplies (if any)	<u>\$</u>	<u>\$2,360</u>	<u>\$ 2,360</u>
Contract Services ²	<u>\$ 9,925</u>	_____	<u>\$ 9,925</u>
Other ³	_____	_____	_____
TOTAL⁴	<u>\$ 9,925</u>	<u>\$10,725</u>	<u>\$20,650</u>

Budget notes:

- 1 List all personnel who will work on the project. Compute costs on the basis of the number of expected person-hours, hourly rate, and related payroll expenses for each.
- 2 Total Contract Services. Provide additional information on expected contract services under item 5 on page 2, above.
- 3 List Other expenses (e.g. printing or publishing, travel): NOTE: all travel supported by this grant must conform to state travel rates (e.g. mileage, meals, etc).
- 4 The Total grantee match above will equal the Total Grant Request from DLCD (1:1 match). See attached for description of local contribution.

GRANT APPLICATION

Grantee Share Cost (Match) Information

Local or state “match” of Federal grants (CZM funds) may consist of:

- a. **Cash** contributed by the grantee from non-federal revenues or donated to the grantee by non-federal third parties.
- b. **In-kind** contributions (see below) made by grantee and non-federal third parties.

Cash “match” must be:

- a. Identifiable from the grantee's records;
- b. Not included as contributions for any other grant or contract;
- c. Necessary and reasonable for proper and efficient accomplishment of project objectives; and
- d. Not borne by the federal government directly or indirectly under any federal grant or contract.

For instance, funds awarded to a local government from the US Army Corps of Engineers or US Fish and Wildlife Service cannot be used as “match” against this grant.

In-kind contributions are non-monetary goods and services, as listed below, specifically identifiable to the project. In-kind contributions may be made by the grantee, other public agencies, private organizations, appointed members of advisory committees, or individuals who work on the project, and include such items as:

- a. Volunteer services will be valued at different rates depending on the volunteer function. For specialty or professional services, use wage rates consistent with compensation paid for similar work in state and local government or at rates that reflect the grantee's local labor market. For volunteers who attend or participate in committees, workshops, please use the values established by http://www.independentsector.org/programs/research/volunteer_time.html.
- b. Materials include office supplies, lumber, paper, or other supplies directly related to the project. Contributed material value should be reasonable and based on fair market value.
- c. Equipment, building, land, or office space, including depreciation and use-charges for equipment and buildings and fair rental charges for land.
- d. Employees of other organizations at regular rates for which employees are normally paid, including fringe benefits (OPE) but excluding overhead.

Establishing the value of “in-kind” should use normal accounting procedures to establish value as follows:

- a. Services - Maintain a record of volunteer services: who, when, where, and why.
- b. Documentation - Document your method of computing at the hourly rate for personal services and the cost of materials, equipment, buildings and land charges.

Rate of local match paid out: Your non-federal share (match), whether cash or in-kind, is expected to be paid out at the same general rate as the state share (as per federal requirements on OCMP). In other words, at the half-way point in the project about half of the in-kind match shall have been expended. Exceptions to this requirement may be approved by the Grants Officer based on demonstration that the schedule of tasks for the project and the rate of local match for these tasks justifies a delayed payout of cash or accounting of in-kind contributions. In any case, the recipient must fulfill the non-federal cost share commitment over the life of the award.



CITY OF ASTORIA
 Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

**REVISED BUDGET 10-7-14
 STAFF HOURS**

Community Development Director	20 x \$57	\$ 1,140
Rosemary Johnson, Temporary Planner	120 x \$55	6,625
Sherri Williams, Administrative Assistant	20 x \$30	600
TOTAL		\$ 8,365

OTHER EXPENDITURES

See Accounting Documents Attached

Public Notices: APC	The Daily Astorian	\$ 130
City Council	The Daily Astorian	\$ 130
Miscellaneous:		\$
Copies: 3 Drafts to APC (30 p) APC packet (50 p) 2 CC packet (50 p) public notices (700 p) misc (260 p) color copies (100 p)	1,200 x \$0.30 (b/w) 100 x \$0.80 (color)	\$ 440
Envelopes 9 x 12: APC		\$
Envelopes 10 x 13	x \$0.18	\$
Postage: APC	33 x \$1.40	\$ 46
Mailed public notices	700 x \$0.49	\$ 340
		\$
Meeting Expense:		\$
Meals		\$
Travel		\$
Minutes: APC	16 hours x \$36	\$ 720
City Council	4 hours x \$36	
Volunteer Hours		\$
APC	56 hours x \$8.40	\$ 470
City Council	10 hours x \$8.40	\$ 84
	TOTAL:	\$ 2,360

TOTALS

Staff Hours	\$ 8,365
Other Expenditures	\$ 2,360
TOTAL PROJECT EXPENSE:	\$ 10,725



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

February 27, 2015

MEMORANDUM

TO: ASTORIA CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: CONSIDERATION OF ADOPTION OF RESOLUTION FOR CREATION OF ENTERPRISE ZONE WITHIN CITY LIMITS OF ASTORIA

DISCUSSION/ANALYSIS

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.

The proposed Enterprise Zone has a total area of approximately 2,910.96 acres or 4.55 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 1,004.36 acres or 1.57 square miles and is shown in the attached map. A copy of a PowerPoint presentation explaining Enterprise Zones and a draft resolution supporting the application is also attached to this memorandum.

At their first Council / Board meetings of March, each of the four jurisdictions will be considering resolutions supporting the creation of an Enterprise Zone. 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 could continue, should those entities pass their own resolutions. 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.

RECOMMENDATION

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.

RESOLUTION NO. 15-_____

**IN THE MATTER OF AUTHORIZING SUBMISSION OF AN APPLICATION
TO THE STATE OF OREGON REQUESTING THE DESIGNATION OF
AN ENTERPRISE ZONE**

WHEREAS, 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;

WHEREAS, 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;

WHEREAS, Clatsop County, the City of Warrenton, the City of Astoria, and the Port of Astoria are co-sponsoring an application for designation of an enterprise zone within Clatsop County, the City of Warrenton, the City of Astoria, and the Port of Astoria;

WHEREAS, Clatsop County, the City of Warrenton, the City of Astoria, and the Port of Astoria are interested in an enterprise zone to encourage new business investment, job creation, higher incomes for local residents, and greater diversity of economic activity;

WHEREAS, the proposed enterprise zone has a total area of approximately 1,004.36 acres or 1.57 square miles, and meets other statutory limitations on size and configuration as shown in the map attached hereto as Exhibit 1;

WHEREAS, the designation of an enterprise zone does not grant or imply permission to develop land within the E-Zone without complying with prevailing zoning, regulatory and permitting processes and restrictions for applicable jurisdictions; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with Comprehensive Plans.

NOW, THEREFORE BE IT RESOLVED, that the City of Astoria requests as a co-sponsor of the Clatsop Enterprise Zone, as shown in the map attached hereto as Exhibit 1, be designated by the Director of the Oregon Business Development Department as an enterprise zone pursuant to ORS 285C.065(3);

BE IT FURTHER RESOLVED, that Clatsop County Manager is authorized to submit the enterprise zone application for Clatsop County, the City of Warrenton, the City of Astoria, and the Port of Astoria and to make any substantive or technical changes to the application materials, as necessary, after adoption of this resolution;

BE IT FURTHER RESOLVED, that the City of Astoria will give priority to the use in the proposed enterprise zone, if designated, of any economic development or job training funds received from the federal government, consistent with ORS 285C.065(3)(d);

BE IT FURTHER RESOLVED, that the City of Astoria, as a sponsor of the proposed Clatsop Enterprise Zone, exercises its option herewith under ORS 285C.070 that qualified property of and operated by a qualified business as a hotel, motel or destination resort may receive a property tax exemption in the E-Zone;

BE IT FURTHER RESOLVED, that the City of Astoria will comply with the requirements and provisions of ORS 285C.105 and otherwise fulfill its duties under ORS 285C.050 to 285C.250;

BE IT FURTHER RESOLVED, that the City of Astoria appoints Clatsop Economic Development Resources (CEDR) as enterprise zone manager of the proposed Clatsop E-Zone;

BE IT FURTHER RESOLVED, that the City of Astoria has consulted with local taxing jurisdictions in compliance with ORS 285C.067.

Section 1. Effective Date. This Resolution is effective on the date of its passage.

ADOPTED BY THE CITY COUNCIL THIS 2ND DAY OF MARCH, 2015.

APPROVED BY THE MAYOR THIS 2ND DAY OF MARCH, 2015.

Mayor

ATTEST:

City Manager

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

CLATSOP ENTERPRISE ZONE

Cosponsors: Clatsop County, City of Warrenton, City of Astoria, and Port of Astoria

Contact: Scott Somers, County Manager, Clatsop County
Clatsop County Manager's Office

800 Exchange Street
Suite #410

Astoria, Oregon 97103
503. 325. 1000

ssomers@co.clatsop.or.us
<http://co.clatsop.or.us/>



OVERVIEW

- Enterprise Zones offer an excellent opportunity for businesses growing or relocating in Oregon
- Enterprise Zones exempt businesses from local property taxes on **NEW** investment
- Enterprise Zones typically serve as a focal point for local development efforts

ENTERPRISE ZONE OBJECTIVES

- Encourage homegrown entrepreneurs
- Prompt bigger (re)investments
- Accelerate investment, expansion, and hiring
- Expand employment
- Bolster early success of business projects
- Attract investment and facilities
- Promote higher levels of employee compensation

HOW IT WORKS...

- Eligible businesses (generally non-retail) can receive total exemption from property taxes normally assessed on new plant and equipment for at least 3 years, but up to 5 years
- Qualified property includes new buildings and structures, modifications, additions, newly installed machinery and equipment, but not land

ELIGIBLE BUSINESS

- Manufacturers
- Processors
- Shippers
- Call centers
- Headquarter-type facilities

INELIGIBLE BUSINESS

- Retail
- Construction
- Financial
- Certain other defined activities

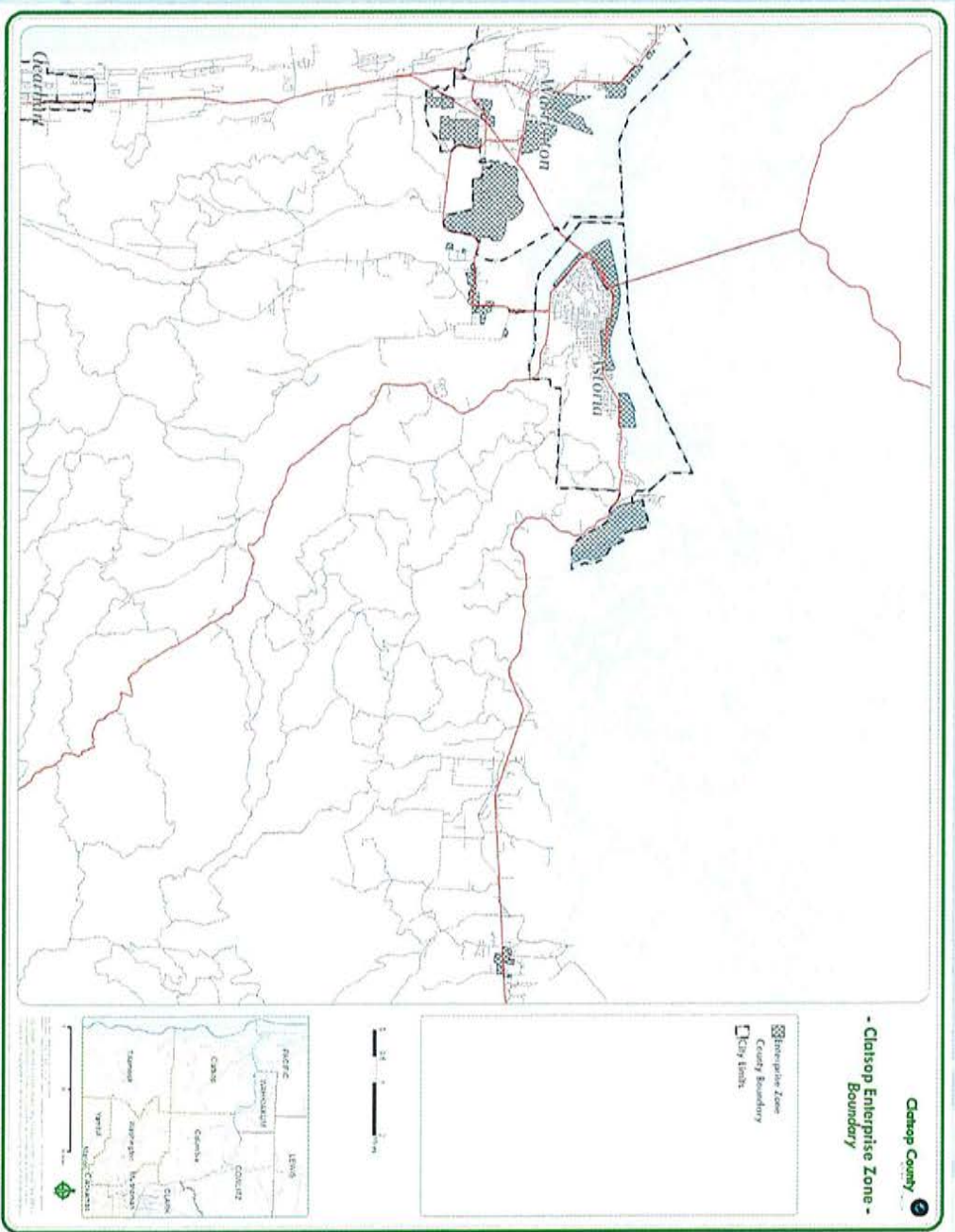
CRITERIA FOR QUALIFYING PROJECTS

- Basic 3 year enterprise zone exemption period
- Business needs to:
 - Increase full-time, permanent employment by the greater of one new job or 10% (or less with special-case local sponsor waivers)
 - Generally no concurrent job losses outside zone boundary inside Oregon
 - Maintain minimum employment level during exemption period
 - Enter into 1st source agreement with local job training providers
 - Satisfy any additional local conditions

PHYSICAL EZ CRITERIA

- No more than 15 total square miles
 - No more than 25 miles from greatest point to point
 - No more than 15 miles between non-contiguous areas
- ❖ Establishment of an Enterprise Zone **does not** amend local land use zoning

GLATSOP ENTERPRISE ZONE



EZ ADOPTION SCHEDULE

- Send notice/invitation to local taxing districts February 2nd
- Public meeting with local taxing districts February 24th
- Co-Sponsor Resolution Adoption Schedule
 - City of Astoria March 2nd
 - Port of Astoria March 3rd
 - Clatsop County Board of Commissioners March 11th
 - City of Warrenton March 10th
 - E-Zone application DUE APRIL 10th

QUESTIONS... COMMENTS...

Cosponsors: Clatsop County, City of Warrenton, City of Astoria, and Port of Astoria

Contact: Scott Somers, County Manager, Clatsop County
Clatsop County Manager's Office
800 Exchange Street
Suite #410
Astoria, Oregon 97103
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