
AGENDA

ASTORIA CITY COUNCIL MEETING

April 7, 2014

7:00p.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. 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 3/24/14
- (b) Boards and Commissions Minutes
 - (1) Planning Commission Meeting of 2/27/14
- (c) Acceptance of Certified Local Government Grant for Pass-Through Façade Grant (Community Development)
- (d) Continuation of Libraries ROCC! LSTA Grant, Extending Service to the Unserved (Library)
- (e) Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)
- (f) Irving Avenue: 19th Street Bridge Replacement – Consideration of Resolution and Authorization to Purchase Private Easements (Public Works)
- (g) Irving Avenue: 19th Street Bridge Replacement – County Easement (Public Works)
- (h) Pipeline Road Water Line Project Easement (Public Works)

6. REGULAR AGENDA ITEMS

- (a) Public Hearing regarding Amendment Request (A14-01) on Astoria Transportation System Plan and Implementation Ordinances (1st readings) (Community Development)
 - (1) Amending the Astoria Comprehensive Plan Section Pertaining to Background Reports and Transportation Policies
 - (2) Amending the Astoria Development Code Pertaining to Background Reports and Transportation Issues
 - (3) Amending the Astoria City Code Section 2.350 Pertaining to Local Improvements and Section 6.100 Pertaining to Vision Clearance Area
- (b) Riverfront Vision Plan Implementation Update (Community Development)
- (c) Ordinance Imposing a Moratorium on Marijuana Dispensaries (Emergency Adoption) (City Attorney/Police)
- (d) Irving Avenue: 19th Street Bridge Replacement – Surface Transportation Fund Exchange for Construction (Public Works)
- (e) Consider Setting Public Hearing for Estate of Frankye Thompson Property Sales Offer – 100 Block W. Franklin (Public Works)

- (f) Consider Setting Public Hearing for Sale of City Property – 4800 Block of Birch – Olvey (Public Works)
- (g) Consideration of Draft City Council Fiscal Year 2014-2015 Goals

7. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

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



CITY OF ASTORIA

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April 3, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: ASTORIA CITY COUNCIL MEETING OF APRIL 7, 2014

CONSENT CALENDAR

Item 5(a): City Council Minutes

The minutes of the City Council meeting of March 24, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 5(b): Boards and Commissions Minutes

Enclosed are the minutes of the (1) Planning Commission meeting of 2/27/14. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 5(c): Acceptance of Certified Local Government Grant for Pass-Through Façade Grant (Community Development)

On February 3, 2014 the City Council authorized submittal of a \$14,500 grant application to the Certified Local Government (CLG) program of the State Historic Preservation Office (SHPO). The request included funds to provide a pass-through façade renovation grant to residential and commercial property owners who would like to restore portions of their properties that have been modified over the years. The City was recently notified that the application was approved for \$12,000. Individual grants would be processed by staff and reviewed by the Historic Landmarks Commission, if necessary. In addition, staff proposed the CLG grant application include \$1,000 in architectural assistance funds for historic buildings. The architectural assistance funds would be used to hire an architect or historic building designer to assist property owners in rehabilitating the exteriors of their buildings. A 1:1 match from the City is required. The match will be met by current staffing and existing budget items on the above-mentioned projects, Historic Landmarks Commission staff reports, and other general planning activities which are

preservation related. It is recommended that the City Council accept the CLG grant in the amount of \$12,000 and authorize the Mayor to sign the grant agreement.

Item 5(d): Continuation of Libraries ROCC! LSTA Grant, Extending Service to the Unserved (Library)

Libraries ROCC, Rural Outreach in Clatsop County, is a federal grant administered by the Oregon State Library. Since the first Libraries ROCC grant was awarded to the Seaside and Astoria Public libraries, \$318,020 has been received for ROCC grants in 2010, 2011, 2012, and 2013. The main goals of the ROCC grant continue to be to provide a no fee library card to every child in Clatsop County, from ages birth through high school, who is not served by a tax supported library and to engage in resource sharing with the Seaside Library. In 2014-2015, the Warrenton Community Library expects to participate and the City of Seaside will be the fiscal agent. It is recommended that Council authorize a co-application with the Seaside Library of the LSTA Libraries ROCC! Rural Outreach in Clatsop County grant application in the amount of \$98,180.

Item 5(e): Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)

The City of Astoria Historic Landmarks Commission is seeking nominations for the Dr. Edward Harvey Historic Preservation Award. The award is presented each year to recognize a property owner(s) who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. The work must have been completed within the last two years. Nominations may include residential, commercial, public, and other types of buildings. The awards will be presented by the Mayor in May. Nominations should be submitted to Sherri Williams in the Community Development Department no later than 5:00 p.m. on April 30, 2014.

Item 5(f): Irving Avenue: 19th Street Bridge Replacement – Consideration of Resolution and Authorization to Purchase Private Easements (Public Works)

As part of the Irving Bridge Replacement project multiple easements are required with private property owners. Temporary construction easements are needed for three of the properties adjacent to the bridge construction. These easements will only be used during construction and the property will be restored to its prior condition when construction is complete. A permanent subsurface easement is necessary for one of the properties in order to place, install and maintain a retaining wall support anchors.

The engineering design firm, David Evans and Associates, the City and ODOT have followed the Federal Highway Administration policy and the ODOT right-of-way manual in acquiring the property easements needed for this project.

Compensation for the easements was based on this guidance and a full appraisal report. A resolution must also be approved by Council to meet these requirements. Each of the property owners has signed the legal documents. Upon Council approval of the easements each property owner will be paid the following:

AIKEN temporary construction easement	\$ 1,015.00
STRYKER permanent subsurface easement	\$ 3,436.00
STRYKER temporary construction easement	\$ 2,214.00
WATSON temporary construction easement	<u>\$ 6,610.00</u>
TOTAL	\$13,275.00

Procurement of easements was included in the project budget. The easements will be recorded within a week of signatures so that the project can bid on schedule on May 1, 2014. It is recommended that City Council approve the attached resolution and authorize the purchase of four easements at a total cost of \$13,275.00 for construction of the Irving Bridge Replacement project.

Item 5(g): Irving Avenue: 19th Street Bridge Replacement – County Easement (Public Works)

As part of the Irving Avenue Bridge Replacement Project, a subsurface drainage pipe will be installed in the ravine below the bridge. Due to the terrain, the subsurface drainage pipe must be located through undeveloped County-owned property in order to connect to the sewer system in the 18th Street right-of-way. An easement is required for the construction of this permanent utility pipe on County property. A 20-foot wide permanent utility easement has been prepared and reviewed by the City Attorney and County representatives. There is no monetary exchange associated with the easement. Upon Council approval, the easement will be presented to the Board of County Commissioners at their April 9, 2014 meeting. The fully executed easement will be recorded within a week of signatures so the project can bid on schedule on May 1, 2014. It is recommended that Council approve the easement from Clatsop County for the Irving Bridge subsurface drainage pipe.

Item 5(h): Pipeline Road Water Line Project Easement (Public Works)

In January 2011, a severe winter storm caused a landslide on Pipeline Road that damaged the City's 21 inch water transmission main. The damaged line connects the City's Headworks (water treatment facility) to Reservoir No.3, and is the sole water supply line for the City. A permanent relocation of the pipe was completed last summer. The transmission main was relocated onto Oregon Department of Forestry (ODF) property to avoid the geologically sensitive area that caused the initial damage to the pipe. A 30 foot wide utility easement has been prepared by ODF for the use of their property. There is no monetary exchange associated with the easement. The easement document

has been reviewed by the City Attorney. Once the easement has been recorded, the City will work with Oregon Emergency Management to complete remaining documentation and close the project. It is recommended that the City Council approve the easement from the Oregon Department of Forestry for the relocation of the City's water transmission main.

REGULAR AGENDA ITEMS

Item 6(a): Public Hearing regarding Amendment Request (A14-01) on Astoria Transportation System Plan and Implementation Ordinances (1st readings) (Community Development)

- (1) Amending the Astoria Comprehensive Plan Section Pertaining to Background Reports and Transportation Policies**
- (2) Amending the Astoria Development Code Pertaining to Background Reports and Transportation Issues**
- (3) Amending the Astoria City Code Section 2.350 Pertaining to Local Improvements and Section 6.100 Pertaining to Vision Clearance Area**

The City of Astoria Community Development Department is initiating a legislative amendment to adopt the 2013 Transportation System Plan and amend the Development Code, Comprehensive Plan, and City Code to implement the TSP. The Astoria Transportation System Plan (TSP) has been developed to provide direction for transportation systems in the Astoria urban area over the next 20 years, as well as meet Federal, State and local transportation planning requirements. The TSP includes items such as reviewing current traffic conditions, conducting new traffic forecasting models, development of an updated project list, and integration of previously adopted neighborhood transportation plans. The TSP is formatted in two volumes. Further information regarding the Plan is included in the attached memorandum.

At its February 25, 2014 meeting, the Astoria Planning Commission held a public hearing and unanimously recommended that the City Council adopt the proposed amendments. A public hearing on the Amendment has been advertised and is scheduled for the April 7, 2014 City Council meeting. It is recommended that the Council hold a public hearing and adopt the ordinances as recommended by the Astoria Planning Commission. If the Council is in agreement with the recommendation of the Planning Commission, it would be in order for Council to hold a first reading of the three separate Ordinances.

Item 6(b): Riverfront Vision Plan Implementation Update (Community Development)

In 2009 the City of Astoria adopted the Astoria Riverfront Vision Plan. The Riverfront Vision Plan describes a future vision and specific recommended implementation measures related to open space, land use, and transportation plans along the Columbia River waterfront. For purposes of the Riverfront Vision Plan, the City's riverfront was divided into four plan areas: Bridge Vista, Urban Core, Civic Greenway, and Neighborhood Greenway. In 2011-2012 and

2012-2013, the City Council adopted a goal to implement the Riverfront Vision Plan on a Zone by Zone basis. In 2012-2013, the City of Astoria requested and received a Transportation and Growth Management (TGM) Code Assistance grant to develop and write updated Comprehensive Plan language, Development Code text, and map amendments to implement policies and recommendations in the City's adopted Riverfront Vision Plan for the Civic Greenway Plan Area (Phase 1) and Bridge Vista Plan Area (Phase 2). The intent of the implementation process is not to revisit or revise recommendations from the Riverfront Vision Plan which has been adopted by the Astoria City Council.

The project consultant, Matt Hastie, Angelo Planning Group, will be present at the April 7, 2014 City Council meeting to give an overview of the Phase 1 draft amendments as developed with the Astoria Planning Commission. Staff recommends that following the presentation on the proposed amendments to implement the Civic Greenway Area of the Riverfront Vision Plan, Council provide any feedback they may have on the draft amendments.

Item 6(c): Ordinance Imposing a Moratorium on Marijuana Dispensaries (Emergency Adoption) (City Attorney/Police)

In March 2014, the Oregon Legislature passed Senate Bill 1531, which purports to restrict local government regulation of medical marijuana facilities to only time, place, and manner of operation restrictions unless a city or county enacts an ordinance declaring a moratorium and notifies the Oregon Health Authority of such moratorium by May 1, 2014. SB1531 limits the moratorium to May 1, 2015, after which it is replaced by the time, place, and manner of operation restrictions proposed by the city or county. City Attorney Blair Henningsgaard has authored the attached proposed ordinance that satisfies the requirements of Senate Bill 1531. In short, this ordinance will impose a moratorium on marijuana dispensaries conducting business within the City of Astoria. This includes all marijuana dispensary businesses whether currently in operation or pending approval. The proposed moratorium is not intended to provide a position on the issue of marijuana dispensaries, but rather to allow the City additional time to address this issue. It is recommended that the City Council hold a public hearing and conduct the first reading to adopt the ordinance. If the Council is in agreement with the recommendation, it would be in order for Council to conduct the first reading of the ordinance, including declaring an emergency for this ordinance to become effective immediately upon passage for the immediate preservation of the public peace, health, and safety of the public.

Item 6(d): Irving Avenue: 19th Street Bridge Replacement – Surface Transportation Fund Exchange for Construction (Public Works)

The Irving Avenue Bridge near 19th Street was built in 1946 and serves as part of an alternate route for State Highway 30. Federal funding has been secured from the Bridge Replacement and Rehabilitation program to replace the bridge.

This project is scheduled to begin bid advertisement on May 1, 2014. The construction cost estimate for the project at the final design stage is \$5,158,000. The expected total cost of this project is \$6,187,000 with the City's 10.27% match expected to total \$635,404.90. ODOT requires a deposit of 110% of the City's match for construction costs so that a construction contract can be awarded if the lowest bid is above the engineers estimate. The City's current estimated contribution is \$582,700. If any deposited City funds remain at the end of the project, it will be returned to the City's STP account.

In May 2011, Council authorized transfer of Surface Transportation Program (STP) funds in the amount of \$123,506 for the City's contribution of the engineering phase of the project. Since then the City has accumulated \$330,787 in additional STP funds. ODOT exchanges these Federal funds for State funds at a rate of 94 cents on the dollar; therefore, a total of \$310,939.78 in STP funds is available for this project. An agreement to allocate \$310,939.78 in STP funds for a portion of the City's match has been prepared. The remaining City contribution of \$271,760.22 is proposed be paid for out of the Local Fuel Tax. It is recommended that Council authorize entering into a 2014 Fund Exchange Agreement with ODOT to allocate \$310,939.78 in STP Funds to be used toward the construction of the Irving Bridge Replacement project.

Item 6(e): Consider Setting Public Hearing for Estate of Frankye Thompson Property Sales Offer – 100 Block W. Franklin (Public Works)

The City has received an offer from Lisa M. Stevenson and Greta Thompson Sangder, devisees of the estate Frankye Thompson, for a City-owned lot in the 100 block of West Franklin Street. The lot is west of the house owned by the estate. The original price set by Area Properties was \$25,000. The offer, which was accepted by City staff, is \$15,000. The estate's attorney has stated that the purchase offer includes a condition that the property be dedicated and maintained in perpetuity as open space. Thus, no construction or building will occur on the property once it is purchased from the City. The deed would recite that the open space would be titled "Denny and Frankye Thompson Open Space". It is recommended that the City Council hold a public hearing at its April 21, 2014 meeting to consider the purchase.

Item 6(f): Consider Setting Public Hearing for Sale of City Property – 4800 Block of Birch – Olvey (Public Works)

Area Properties listed the vacant City lot in the 4800 block of Birch, Block 17, Alderbrook, for \$19,000. The property was identified on "City Owned Properties for Potential Sale" list updated February 6, 2014, as "In Price Negotiations". Following the February 18, 2014 City Council meeting a list of properties currently under negotiation was prepared. That identified 10 properties which were eligible to continue under the property sale program after City Council suspended the property sale program. The 4800 Block of Birch property was included on this list. This list was subsequently updated and the 4800 Block of Birch property was identified erroneously on the March 5, 2014 "Current Status

of Properties Under Negotiations" list as "withdrawn". The property had never been withdrawn by the potential purchaser, but was unfortunately confused by the City's real estate team with the 4900 Block of Birch (west). Leroy Olvey, the adjacent property owner originally made an offer of \$8,000 in October, 2013. Staff countered with the price of \$12,000, which has been accepted by Mr. Olvey. It is recommended that the Council schedule a public hearing on this purchase at their May 5, 2014 Council meeting.

Item 6(g): Consideration of Draft City Council Fiscal Year 2014-2015 Goals

The City Council held a work session to set goals for Fiscal Year 2014-2015 on February 17, 2014. From that work session a list of Council goals was drafted. The draft goals were discussed at the Council meeting of February 18, 2014 and an article reviewing the goals was published in the February 18, 2014 edition of *The Daily Astorian*. The final draft of the goals has been posted on the City website. The goals are presented for further consideration and possible adoption.