



# AGENDA

## ASTORIA CITY COUNCIL

Tuesday, September 2, 2014

7:00 p.m.

2<sup>nd</sup> 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. **PRESENTATIONS**

- (a) Bob Johnson 25 Year Service Pin (Fire)
- (b) GIS Mapping Update (Public Works)

6. **PROCLAMATIONS**

- (a) Constitution Week

7. **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 8/4/14
- (b) Boards and Commissions Minutes
  - (1) Planning Commission Meeting of 7/22/14
  - (2) Traffic Safety Committee Meeting of 7/22/14
- (c) Community Development Department Status Report
- (d) Authorization to Apply for Ready to Read Grant for 2014-2015 (Library)
- (e) Approve Oregon Department of Transportation (ODOT) Letter of Understanding for OR202 Sidewalk Project (Public Works)
- (f) Building Code Services Contract for Fiscal Year 2014-2015 (Community Development)

8. **REGULAR AGENDA ITEMS**

- (a) Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16<sup>th</sup> to 41<sup>st</sup>) Area of the Riverfront Vision Plan (1<sup>st</sup> reading) (Community Development)
- (b) Ordinance regarding Amendment Request (A14-03) by Normadic Properties LLC on behalf of Cannery Loft Condominium Owners Association to the Land Use and Zoning Map to Rezone an Area from GI Zone (General Industrial) to S-2A (Tourist Oriented Shoreland) (2<sup>nd</sup> reading & adoption) (Community Development)
- (c) Department of Land Conservation and Development (DLCDD) Grant Request for Riverfront Vision Plan Implementation Phase 3 (Neighborhood Greenway) (Community Development)

- (d) Management Agreement between The Friends of the Astoria Column and the City of Astoria (Parks)
- (e) Bowpicker Fish & Chips LLC Lease Agreement (Public Works)
- (f) Resolution Scheduling Public Hearing for Proposed Vacation of 19<sup>th</sup> Street (Public Works)
- (g) Liquor License Application by Banga Investments LLC, Adip Singh, dba Astoria Downtown Market at 1020 Commercial Street, Astoria for a Change of Ownership for an Off-Premises Sales License (Finance)
- (h) Request to Light the Astoria Column Pink for the Month of October in Recognition of Breast Cancer Awareness Month (Parks)
- (i) Astoria City Service Fair (City Manager)
- (j) Recreational Marijuana Sales Tax (Councilor Herzig)

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

**10. EXECUTIVE SESSION**

- (a) ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents


**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.**



August 28, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: ASTORIA CITY COUNCIL MEETING OF SEPTEMBER 2, 2014

**PRESENTATIONS**

**Item 5(a): Bob Johnson 25 Year Service Pin (Fire)**

Fire Lieutenant Robert Johnson will be presented with his 25 year service pin.

**Item 5(b): GIS Mapping Update (Public Works)**

Over the past few years the City of Astoria has been upgrading the Geographical Information System (GIS). This effort has proven to be a larger task than originally anticipated. The GIS is designed to capture, store, manipulate, analyze, manage, and present all types of spatial or geographical data. The Public Works Department uses the system for tracking the location and features of the City's infrastructure.

Staff has contacted other communities that were currently doing the same work to find ideas that may help with the effort. One tool other cities find helpful is ground LiDAR (Light Detection and Ranging). LiDAR is a remote sensing method used to examine the surface of the Earth. A power point presentation will be provided at the City Council meeting to demonstrate the project. With LiDAR equipment street surface features such as water meters, manhole lids and catch basins can be mapped. With this information discrepancies in the maps can be compiled, verified and corrected. The software will be used by staff to perform field investigations from their office computer saving time and effort. Other benefits include a reduction in consultant time when assisting the City with infrastructure projects and in development review research by City staff.

The overall scanning effort is expected to take one day. Scanning would begin downtown and then proceed to residential areas during the hours of 7:00 a.m. to 4:00 p.m. on Tuesday, September 9, 2014. The proposed work includes the following items:

- Item 1 – Field Scanning (\$5,000)
- Item 2 – Data Processing (\$1,200)
- Item 3 – Software (\$5,000)
- Item 4 – Training (\$600)
- Item 5 – Expenses (less than \$1,200)

It is recommended that City Council authorize the City Manager Pro Tem to execute a goods and services contracts with The PPI Group for individual items that will total up to an amount not to exceed \$13,000 for the GIS Ground LiDAR Project.

## **PROCLAMATIONS**

### **Item 6(a): Constitution Week**

The Mayor will proclaim September 17-23, 2014 as Constitution Week.

## **CONSENT CALENDAR**

### **Item 7(a): City Council Minutes**

The minutes of the City Council meeting of August 4, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

### **Item 7(b): Boards and Commissions Minutes**

The minutes of the (1) Planning Commission meeting of 7/22/14, and (2) Traffic Safety Committee meeting of 7/22/14 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

### **Item 7(c): Community Development Department Status Report**

Enclosed is a status report regarding major Community Development Department projects. This report is provided for information only.

### **Item 7(d): Authorization to Apply for Ready to Read Grant for 2014-2015 (Library)**

The Ready to Read Grant Program, administered by the Oregon State Library, is to “establish, develop, or improve library services for children” ages birth to five. All legally established public libraries in Oregon are eligible to apply. Astoria Public Library has consistently applied for these funds. Grant funds cannot be used to replace funds appropriated locally. Libraries are encouraged to use these grant funds in a number of “best practices” related to children and libraries. Staff has written the 2014 grant to help more high risk children access early literacy materials. Mini libraries of Spanish/English bilingual books will be

made available to locations frequented by Spanish speaking families in the Astoria area. The collections will include titles intended to be read by parents to children ages birth through age five. The grant award is based on population and determined by the Legislature. The State Library administers the funds. The 2014-2015 award is expected to be \$1,304. It is recommended that Council approve the Ready to Read Grant Application.

**Item 7(e): Approve Oregon Department of Transportation (ODOT) Letter of Understanding for OR202 Sidewalk Project (Public Works)**

The City has been working towards the goal of continuous sidewalk around the peninsula from 45<sup>th</sup> Street near the Alderbrook neighborhood to 7<sup>th</sup> Street past the Old Youngs Bay Bridge. There are two small segments of this stretch that do not have sidewalk, which are on OR202: from Dresden Ave to the Department of Motor Vehicles (DMV) driveway and from the Astoria High School (AHS) driveway to 4<sup>th</sup> Street.

In November 2013, the City submitted an application for construction of the entire stretch of remaining sidewalk on US202 to the Oregon Department of Transportation (ODOT) for funding as part of the State Transportation Improvement Program (STIP). During evaluation of project applications, the City was encouraged to reduce the scope of the project to increase the likelihood that the project would be funded. Therefore, the final scope submitted consisted of constructing a sidewalk from the AHS driveway to Hanover Street. This segment of highway is an important link between neighborhoods, multifamily units, parks, AHS and sports facilities.

ODOT estimated the total cost for this project to be \$2,243,250 with a 10.27% City match of \$256,750. The City's contribution will come from the Surface Transportation Program (STP) funds. The City received official notification from ODOT that this project has been placed on the ODOT STIP preliminary award list. While this project will not be officially awarded final approval by the Oregon Transportation Commission, ODOT has requested that the City sign a Letter of Understanding outlining the project details, timeline for moving forward and funding match. The attached Letter of Understanding is not a legal agreement. Construction of this project is currently scheduled for summer 2018. It is recommended that Council approve the Letter of Understanding with ODOT for the US202 Sidewalk Project.

**Item 7(f): Building Code Services Contract for Fiscal Year 2014-2015 (Community Development)**

In the past, City Council approved a contract with Jim Brien to provide building inspection services for vacation and emergency coverage. This contract expired June 30, 2014. In March 2014 the City approved an Intergovernmental Agreement with Clatsop County to provide backup assistance. The purpose of this request is to renew the former contract for services with Jim Brien for one year to cover emergency situations when City or County staff is

unavailable for coverage thereby providing additional backup. The contract rate for services will be \$65.00 per hour for all services. This is well in line with other previous private inspection agency fees with a continued significant reduction in City costs by not having to pay for mileage and travel time as was done with the previous out of town consultants. There is no increase in the previously approved \$65.00 per hour rate. It is recommended that Council approve the attached contract with Jim Brien, Complete Inspection Services Incorporated, to provide inspection services for the 2014-2015 Fiscal Year.

## **REGULAR AGENDA ITEMS**

### **Item 8(a): Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16<sup>th</sup> to 41<sup>st</sup>) Area of the Riverfront Vision Plan (1<sup>st</sup> reading) (Community Development)**

At its August 18, 2014 meeting, the City Council held a public hearing on the Amendment to implement the Riverfront Vision Plan in the Civic Greenway Area between 16th and 41st Streets. The Port requested that the City consider adding language to the draft ordinance to establish a process for adoption of an East Basin Plan District to allow flexibility in the proposed codes for the area between 35th and 41st Street for the East End Mooring Basin. In addition, at the meeting, staff proposed language to address potential non-conformity of the existing over-water buildings and uses within the Civic Greenway Area. Staff also clarified that a variance from height would not be allowed within 500' of the shore in the Port area. The Council closed the public hearing and made several changes to the draft ordinance as presented. Council agreed that the Plan District area should be included for the land and water area between 35th and 39th Street, and the water area between 39th and 41st Street. At the Council's direction staff also eliminated "eating and drinking establishments" as an allowable use over-water. With the addition of the East Basin Plan District, revised findings of fact were developed as noted in the Council memo on this matter.

The Council closed the public hearing and held a first reading of the ordinance by title only. The associated map amendment for the Compact Residential rezone did not have a first reading at the last Council meeting. After the meeting, the City Attorney advised staff that since there were a number of changes to the proposed text of the ordinance, that the changes would have had to be read in full and not just by title, or that the City Council would need to conduct a new first reading after the revised draft was available to the public as required by City Charter Section 8.2 concerning ordinance adoption by Council. Since that meeting, the revised draft has been available at City Hall and was included in the City Council packet. Therefore, it would be in order for the Council to hold another first reading of the ordinance by title only. It is recommended that the Council consider adoption of the ordinance as amended. If the Council is in agreement with the recommendation of the Planning Commission as amended by City Council, it would be in order for Council to

hold a first reading of the Ordinance to amend the Astoria Development Code Pertaining to the Civic Greenway Area issues.

**Item 8(b): Ordinance regarding Amendment Request (A14-03) by Normadic Properties LLC on behalf of Cannery Loft Condominium Owners Association to the Land Use and Zoning Map to Rezone an Area from GI Zone (General Industrial) to S-2A (Tourist Oriented Shoreland) (2<sup>nd</sup> reading & adoption) (Community Development)**

This proposed ordinance received its first reading at the August 18, 2014 Council meeting. The area proposed to be rezoned is located on the north side of Abbey Lane east of 39th Street. It is two of three platted lots approved for development with three Cannery Loft Condominium buildings and is developed with two condominium buildings. The site was originally zoned S-1 (Marine Industrial Shoreland) but was rezoned to GI (General Industrial) in 1992 as the parcels were not feasible for shoreland activities. The current GI Zone limits the variety of commercial uses allowed and mainly focuses on general industrial uses, but does allow multi-family dwellings above the ground floor under a conditional use permit. The existing buildings are developed with multi-family dwellings above the first floor and with professional office, ministorage, and several vacant general industrial use units on the ground floor. A maximum of 20% of the ground floor may be developed with other than general industrial use. The property to the west of 39th Street (Hampton Inn & Suites) was changed from S-1 Zone (Marine Industrial Shoreland) to S-2A Zone (Tourist Oriented Shoreland) to allow for the development of the new hotel which would support the East End Mooring Basin activities. The vacant property to the east was also recently rezoned from GI to S-2A Zone. The request to rezone the parcels at 3930 Abbey Lane and 3990 Abbey Lane to S-2A would continue with the tourist oriented shoreland possibilities while also allowing the multi-family dwellings. The requested zone change to S-2A would return the property to a waterfront zoning while allowing more flexibility in the range of commercial and tourist-oriented uses allowed. The City Council held a public hearing and first reading of the ordinance at the August 18, 2014 Council meeting. It is recommended that Council conduct a second reading and adopt the ordinance.

**Item 8(c): Department of Land Conservation and Development (DLCD) Grant Request for Riverfront Vision Plan Implementation Phase 3 (Neighborhood Greenway) (Community Development)**

The City was recently notified that there is funding available through the DLCD Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle. Staff has prepared an application for a proposed Code Assistance Project for implementation of Phase 3 of the Astoria Riverfront Vision Plan. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area (41st to Tongue Point) of the Riverfront Vision Plan. The 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. The development of codes for Phase 3 could be mostly completed by staff with some additional assistance from a consultant such as Angelo Planning Group (APG). APG is currently working on the Phase 1 Civic Greenway Area and potentially on the Phase 2 Bridge Vista Area, should the City be given final grant approval by the Oregon Transportation Growth Management Program. The subject grant request requires a 1:1 match. The total requested DLCDC grant is \$11,000 which would require an \$11,000 match from the City. The match would be met by current staffing and other in-kind activities for the project. It is recommended that Council authorize submittal of the grant request to the Department of Land Conservation and Development in the amount of \$11,000 for a Coastal Management Technical Assistance Grant.

**Item 8(d): Management Agreement between The Friends of the Astoria Column and the City of Astoria (Parks)**

The Astoria Column was constructed in 1926, is listed on the National Register of Historic Places, and is located in a wooded 30 acre city park on the highest point within the City of Astoria. Since 1988 The Friends of the Astoria Column, an Oregon non-profit corporation established to assist the City in preserving, improving and publicizing the Column and the Park, have diligently provided support and vision by raising and spending over \$3,000,000 in restoring the Column and the Park. Furthermore, the Friends of the Astoria Column have announced its willingness to assume responsibility for the day-to-day operation and maintenance of the Column and Park. This assumption of operation and maintenance is estimated to reduce the Parks and Recreation Department's operating expenses annually by \$25,000 and allow for greater care, maintenance and improvement of the Park. During the July 7, 2014 City Council meeting, Jordan Schnitzer, Friends of the Astoria Column Board Chariman, presented an annual report to the City Council and reviewed the contents of the Management Agreement. Following this presentation, on July 23, 2014 the City of Astoria Parks Advisory Board reviewed and supported the Management Agreement. Due to the Friends of the Astoria Column's ability and long term commitment to the Astoria Column, the positive financial impact to the Parks and Recreation Department, and opportunity to allow for greater care, maintenance, and Park improvements, it is recommended that the City Council approve the management agreement.

**Item 8(e): Approve Bowpicker Fish & Chips LLC Lease Agreement (Public Works)**

The City has recently obtained ownership of the property between Marine Drive and Duane Street and 16<sup>th</sup> and 17<sup>th</sup> Streets. The property was formerly owned by the Columbia River Maritime Museum and has been used for Coast Guard Parking for the 17<sup>th</sup> Street Dock under an agreement between the City and the Museum. A portion of the property was also rented to the Bowpicker Fish & Chips business. The business was started in 2000. The Bowpicker was located there before the property was donated to the Museum. The Museum



perpetuated the rental of the space to the Bowpicker owners, Ron and Linda Ford. Now that the City owns the property, a lease with the City of Astoria is needed for the business to remain on-site. The term of the proposed lease is 10 years. The rent will be \$6,000 per year and will be paid prior to or on the first day of July each year. It is recommended that City Council approve the Lease Agreement between the City and the Bowpicker Fish & Chips LLC.

**Item 8(f): Resolution Scheduling Public Hearing for Proposed Vacation of 19<sup>th</sup> Street (Public Works)**

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

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

The City has been working with Columba Memorial Hospital, the Astoria School District and Recology Western Oregon Waste on the improvements identified in the previously approved Four Party Agreement. The transfer of this property is identified in that Agreement and the proposed vacation furthers the intentions and goals of the Agreement. Due to the public benefit that will be provided by the vacation, staff is recommending that an assessment be waived for this proposal; however, the applicant will be charged actual costs for processing the request. It is recommended that Council adopt a resolution of intent to hold a public hearing on September 15, 2014 to take public comment on the proposed vacation.

**Item 8(g): Liquor License Application by Banga Investments LLC, Adip Singh, dba Astoria Downtown Market at 1020 Commercial Street, Astoria for a Change of Ownership for an Off-Premises Sales License (Finance)**

A Liquor License Application has been filed by Banga Investments LLC, Adip Singh, doing business as Astoria Downtown Market at 1020 Commercial Street, Astoria. The application is for a Change of Ownership for an Off-Premises Sales License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

**Item 8(h): Request to Light the Astoria Column Pink for the Month of October in Recognition of Breast Cancer Awareness Month (Parks)**

On February 18, 2014 the Astoria City Council approved a policy to allow the Astoria Column to be colored (through up-lighting) up to two times per year. The approved policy states that lighting events must be in support of causes and must be approved by the City Council. In October 2013, an event was held at the Column to recognize Breast Cancer Awareness Month. It was organized by Columbia Memorial Hospital. The Column was colored pink in October for this event. In February 2014, a request was made by The Harbor (formerly the Women's Resource Center) and the Clatsop County Domestic Violence Council to light the Astoria Column teal for the month of April in recognition of Sexual Assault Awareness Month. This request was approved by the City Council at the same meeting the policy was established. Columbia Memorial Hospital is requesting permission to change the lighting color on the Astoria Column to a pink hue for the month of October 2014 in recognition of Breast Cancer Awareness Month. If approved, this request would be the second time this year where the Column would be lighted a special color for a cause. It is recommended that Council consider the request to light the Astoria Column a pink hue for the month of October in recognition of Breast Cancer Awareness Month.

**Item 8(i): Astoria City Service Fair (City Manager)**

The City of Astoria will hold a Service Fair on Thursday, September 18, 2014, at the Astoria Aquatic Center parking lot from 4:00 p.m. to 7:00 p.m. This City-wide event will give citizens an opportunity to meet elected officials, employees and volunteers; learn about the various departments; and express comments or concerns about the different aspects of City operations. Games, prizes and food will be provided at no charge. In addition, the City has been granted the use of off-street parking lots by Columbia Memorial Hospital, the Columbia River Maritime Museum, and the OSU Seafood Center.

**Item 8(j): Recreational Marijuana Sales Tax (Councilor Herzig)**

Councilor Herzig requested an agenda item to discuss the possibility of establishing a sales tax on recreational marijuana should it become legalized in the upcoming November election.

**EXECUTIVE SESSION**

**Item 10(a): ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents**

The Astoria City Council will meet in Executive Session to discuss the employment of public officers, employees and agents.