

City Council Chambers
February 4, 2013

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 p.m.

Councilors Present: LaMear, Herzig, Mellin, Warr, Mayor Van Dusen

Staff Present: Acting City Manager Estes, Fire Chief Ames, Police Chief Curzon, Support Engineer Moore, Library Director Tucker, and Public Works Director Cook. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS:

Item 3(a): **Councilor LaMear** reported that the City Council goal setting session held the previous week gave Council an opportunity to broadly understand issues in a way not possible during regular City Council meetings. She attended the dedication of the Barbey Maritime Center at the Maritime Museum, which will be a great new addition to Astoria for meetings and for the preservation of the community's historic maritime life. Jack Applegate and Brett Estes presented the Derelict Building Code for the Astoria Rotary. It is exciting to see the derelict buildings that have been upgraded and to know that something is being done to address such properties.

Item 3(b): **Councilor Herzig** reported the Lower Columbia Diversity Project hosted a great event with a great turnout on prison systems and alternatives. On February 28, 2013, an event on Buddhism and religious diversity will be held. He invited the public to another Meet the Public event that will be at Astoria Middle School in the library on February 12, 2013 at 7:00 p.m.

Item 3(c): **Councilor Warr** reported that he and Councilor LaMear attended the Clean Energy Works meeting. He also attended a meeting with area gill net fishermen, who are considering their options, including legal action, in light of the vote on Measure 81. He believes Council's goal setting session was successful.

Item 3(d): **Councilor Mellin** agreed the goal setting session was productive. She attended the Coast Guard City unveiling, and the train depot dedication. The Parks Board meeting on January 28, 2013 at 6:45 a.m. was interesting and dynamic, as some of the City's goals were shared with the Parks Board. The Lower Columbia Diversity Project event on prisons was excellent. She believes the information received can be shared with the Oregon legislators.

Item 3(e): **Mayor Van Dusen** introduced Seaside City Councilor Tita Montero and students from Tongue Point. Many of the students attended the dedication regarding Astoria's designation as a United States Coast Guard City. He introduced Coast Guard Captain Len Tumbarello.

CHANGES TO AGENDA:

Acting City Manager Estes proposed the addition of Item 8(g) Consideration of a Contract for Emergency Repairs for the Net Pen Access Pier, which the Council approved.

PROCLAMATIONS:

Item 5(a): **Tongue Point Job Corps Center Appreciation Week**

The Mayor proclaimed the week of February 4-10, 2013 as Tongue Point Job Corps Center Appreciation Week.

Mayor Van Dusen stated that the Tongue Point Job Corps is the second oldest Job Corps in the United States. The students and the City of Astoria received a national award as the Best City and Job Corps Relationship of Any Municipality and Job Corps in the United States. Due to budget cuts, the Job Corps is unable to accept any more students at this time. The students have taken a cut in pay and a graduation bonus has been eliminated.

He suggested that City Council write a letter to Congress, asking the budget constraints of the Job Corps be considered.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig, to draft a letter to Congress regarding the budget constraints of the Job Corps. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

Mayor Van Dusen spoke about the importance of the Job Corps and its impact on both the students and the community. He read the proclamation declaring the week of February 4-10, 2013 as Tongue Point Job Corps Center Appreciation Week.

Angel Eneli, President, Tongue Point Student Council Association, thanked the City and community for offering opportunities to strive for the students' best in the community.

Mayor Van Dusen presented the signed proclamation to Ms. Eneli.

PRESENTATIONS:

Item 6(a): City Council Draft Fiscal Year 2013-2014 Goals

Attached is a list of proposed City Council goals for the Fiscal Year 2013-2014. The draft goals were developed during a work session on January 25, 2013. The goals are presented for further consideration and possible adoption.

Acting City Manager Estes read each of the thirteen proposed goals designated as being of equal importance.

Councilor Warr noted that economic and business development was discussed at length at Council's goal setting session. The City is currently involved in two ongoing programs that promote economic development by financially supporting the CEDR Program and working closely with the Astoria Downtown Historic Development Association (ADHDA). Acting City Manager Estes had suggested adding economic development to the goals to let the public know that economic development has not been overlooked. Councilor Warr believed Council should add "Continue vigorous support of economic development" as a goal.

Councilor Herzig believed adding "sustainable" or "community based," not just economic development to fit the character of Astoria. Councilor Warr explained this would not be a call to action item, just a reminder to the community that the City will continue to financially support the CEDR Program and cooperate with ADHDA. Acting City Manager Estes stated he would ensure the goals are available on the City website if they were not included in the City Council packet. The goals will be discussed further at the next City Council meeting.

Item 6(b): Astoria Parks, Recreation and Community Foundation

Coast Guard Captain Len Tumbarello and Dr. Tracy Erling, ND introduced and discussed the Astoria Park, Recreation and Community Foundation.

Captain Tumbarello, 1950 SE 2nd St., distributed information about the Astoria Parks, Recreation and Community Foundation to the Councilors. He explained that the mission of the Foundation is to enhance the recreational health and overall enrichment children, teens, adults and seniors within the community. The Foundation's vision is to create partnerships, charitable opportunities, and funding for community parks, open spaces and recreational activities. Working with the City and the Parks Department, the Foundation has achieved many successes in the community. Captain Tumbarello listed several organizations that the Foundation has been able to financially support. The Foundation was awarded the Meyer Memorial Grant for \$40,000, which they plan to spend on laser tag and other equipment for the Astoria Recreation Center. The Oregon Community Foundation Grant for \$250,000 will be spent on equipment for the Aquatic Center.

The Foundation's goals include increasing its visibility in the community through published articles and radio interviews. They also intend to increase membership and raise funding through business donations.

Mayor Van Dusen noted that while members of the Coast Guard risk their lives for the community, they also provide quality volunteerism to Astoria. News of the Coast Guard City Celebration has been seen in Washington D.C., where Columbia River Sector Commander Captain Bruce Jones has been receiving congratulations. Captain Tumbarello stated that the monument means a great deal to him, as it is a legacy that the City and the Coast Guard can enjoy.

Item 6(c): Irving Avenue: 19th Street Bridge Replacement – Design Evaluation and Recommendation

The Irving Avenue Bridge near 19th Street is a steel structure that was built in 1946. It has deteriorated and has required emergency repairs to keep it functional. This bridge serves as part of an alternate route for State Highway 30 and provides access to downtown for residents on the east side of Astoria.

On July 19, 2010, Council approved staff's request to enter into an Intergovernmental Agreement with ODOT to secure funding for the replacement of the bridge. Project costs are estimated to be \$5,877,000. The agreement provides funds in the amount of \$5,273,432 with the City being responsible for a match of \$603,568. David Evans and Associates (DEA) are the design engineers and have prepared a 15% design report.

DEA, ODOT and City staff met to discuss the alternatives and select recommended alternatives to present to Council. The alternatives below will be described in more detail during the Council presentation:

Bridge replacement alternatives

- Option A: Multiple span bridge costing \$5,179,000
- Option B: Single span costing \$4,592,000
- Option C: Retaining walls with lightweight fill costing \$5,080,000
City staff recommends Option B.

Bridge railing alternatives

- Option 1: Combination Rail with Ornamental Railing costing \$250/foot
- Option 2: ODOT Three Tube Railing costing \$140/foot
- Option 3: Texas Railing (similar to Franklin Bridge) costing \$300/foot
City staff recommends Option 3.

Temporary traffic control alternatives

- Option 1: Full closure detour
- Option 2: Staged construction
- Option 3: On-site detour
City staff recommends Option 1.

At the 15% level of completion, the total project cost for the recommended alternative is \$4,592,000, which includes 30% contingency. Council will be kept informed as the design is further developed and the associated construction cost estimates are refined. It is recommended that Council authorize David Evans and Associates to commence work on bridge design Option B with Texas railing allowing for full closure detour for the Irving Avenue 19th Street Bridge Replacement project.

Public Works Director Cook introduced the project team, noting their work experiences and credentials.

Support Engineer Cindy Moore provided a brief update on the project, noting that the preliminary engineering, survey, and geotechnical study are complete. She presented the preliminary details of the project via PowerPoint. The Engineering Department has been working with Transportation System Plan (TSP) consultants to modify one section and add 5-foot sidewalks on both sides of the street. In order to add sidewalks without increasing cost, traffic lanes would need to be narrowed.

Jeff Parker, David Evans & Associates, 1115 W. Bay Dr., Olympia, WA, presented the three proposed bridge replacement alternatives via PowerPoint. He noted Option A would provide the shortest walls and longest bridge. Currently, residents access the bridge by driving directly on to the side of the bridge, which would still be a challenge with this option. The walls would be approximately 20 feet high. Option B is the simplest bridge design.

The price of this option can vary. This type of single-span bridge can accommodate movement better than multiple span bridges, which would be beneficial as four landslides in the vicinity of this project site are being accommodated. Option C would involve filling the ravine and building a roadway embankment rather than a bridge. The ravine rarely carries water, as the water is captured by a drain tile that pipes the water to the city sewer. This option would require significant excavation and bridge funding could be jeopardized if Option C is chosen. ODOT would have to approve the use of Option C. Mr. Parker showed sketches of the three options and explained the details of each.

Support Engineer Moore noted there will be limited visibility of the finished bridge, so the presented options stemmed from engineering not aesthetic issues as with the Franklin Bridge project. She explained the details of the bridge railing options and showed photos of each. Three alternative traffic routes have been proposed; the details of each were presented.

Mayor Van Dusen asked about detour routes for pedestrians. Support Engineer Moore responded that only brief discussions regarding pedestrian traffic have occurred as the plans have not considered that level of detail. Any pedestrian access must be ADA accessible as a requirement of using federal funds. This would be a challenge; however, pedestrian access is being considered.

Support Engineer Moore reviewed City Staff's recommendation of Option B for the bridge replacement, the Texas railing, which is similar to the Franklin Bridge, and traffic control. David Evans and Associates recommends beginning construction in the summer due to land movement concerns.

Councilor Warr questioned whether using the Texas railing would be worth the extra money if the bridge is not very visible. Support Engineer Moore replied that was Council's consideration, adding that Staff believed using the Texas railing would provide consistency with the recent Franklin Bridge replacement. She confirmed she was referring to the visibility of the project from underneath the bridge. Mayor Van Dusen believes the railings would be more visible because Irving receives more traffic.

Councilor LaMear asked about the height of the railings and if the weight was an important factor. Support Engineer Moore clarified the railings would be about 48 inches high. The weight of the railing would be factored into the design of the bridge.

Mayor Van Dusen asked how traffic would get from Tongue Point to the roundabout if there is a road closure on Marine Drive. Support Engineer Moore replied that scenario had not been discussed yet, but an alternative route would be established. Mayor Van Dusen noted other streets that might be used, noting that several things could cause Marine Drive to close, which would leave limited options for traffic. Director Cook confirmed that the Public Works gates could be opened to traffic if required. He explained this is one reason the bridge is being rebuilt. Strengthening the bridge will allow the city to use it as a bypass should Marine Drive be closed to traffic.

Support Engineer Moore reviewed a slide of the project schedule, noting that 30 percent design documents should be completed by mid-March 2013. A neighborhood open house will be scheduled. Final design documents will be completed in November 2013. Construction should begin in the summer of 2014 and should be complete early in 2015.

Mayor Van Dusen opened the meeting to public comments and questions.

Rose Grafton, 2078 Irving, Astoria, asked why a sidewalk on both sides of the bridge is necessary. The sidewalk on the east side would not continue past the bridge. Building a sidewalk on only one side of the bridge would cost less. Support Engineer Moore explained that two sidewalks would not cost more than one sidewalk. The design life of the bridge is 75 years, so a connecting sidewalk could be built in the future.

Sonya Cox, 3429 Harrison, agreed one sidewalk would be adequate. Sidewalks do not currently run throughout the Irving area. She has a hard time believing that an additional sidewalk would not incur a greater expense.

Dean Peterson, 3552 Irving, Astoria, recalled emergency personnel had access via a walkway on the Franklin Street Bridge when that bridge was closed for construction. He asked if this option will be considered for the 19th Street Bridge. Support Engineer Moore replied there will be access for emergency vehicles. There was always

one of lane of traffic open during the Franklin Street Bridge construction. The City would work closely with the fire and police departments and notify them of bridge closures and detours.

Mr. Peterson asked if the width of the bridge would be the same as the roadway on each side, or would a bottleneck still exist. Support Engineer Moore explained the roadway width is different on each side of the bridge, so each side would be different, but the new bridge will be wider than the current bridge. A standard roadway width will be used.

Don Webb, 3555 Harrison, Astoria, described a detour route designed by several senior citizens in the community that uses 22nd Street in case the 19th Street Bridge gave way. The entire hillside is a slide area. He was concerned about a mound on the north side of the street and asked that it be removed. Also, the streets are not lined up in this area. Mayor Van Dusen stated these concerns are being addressed. The streets will not be perfectly lined up, but they are will be much improved.

Dorothy Olson, 152 Washington St., Astoria, asked what the cost difference would be between closing the bridge and keeping one lane open and having the project take 50 percent longer. Support Engineer Moore replied the difference is approximately \$750,000. Ms. Olson recommended the cheaper, ODOT Three-Tube railing and the full closure detour to get the project done quicker.

Acting City Manager Estes asked Council to choose from the options presented for bridge replacement, railings, sidewalks and temporary traffic control. Design engineers will be able to move forward on the project once these choices have been made.

Mayor Van Dusen stated that many people walk to work and school in this area. He encouraged Council to support a pedestrian detour route.

Councilor Mellin recalled walking a detour route as a child when the bridge was closed. She preferred completing the project as quickly as possible, even though it would still be a terrible inconvenience, rather than drawing the project out over a longer period of time at greater expense.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin, to approve Option B – single-span bridge as the bridge replacement alternative. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

Councilor LaMear believed having sidewalks on both sides of the bridge is more symmetrical and would improve pedestrian safety.

Mayor Van Dusen supported sidewalks on both sides because the traffic lanes will be narrower, which will slow automobile traffic.

Councilor Mellin noted having sidewalks on both sides would prevent pedestrians from having to cross the street to continue on a sidewalk.

Councilor Herzig agreed pedestrian safety is an issue. A sidewalk will be more costly to install in the future.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr, to approve installing sidewalks on both sides of the bridge. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

Councilor Herzig believed spending an extra \$30,000 while the City is experiencing budget shortfalls is not responsible. He suggested that a community group raise funds to pay for the Texas railing. Support Engineer Moore noted that ODOT funding will pay 90 percent of the increased cost of the Texas railing. Councilor Herzig withdrew his concern.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear, to approve Option 3 – Texas railings. Motion carried unanimously Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor LaMear, to approve Option 1 – full closure detour route. Motion carried unanimously. Ayes: Councilors LaMear, Mellin, Herzig, Warr and Mayor Van Dusen. Nays: None.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

7 (a) City Council Minutes 1/22/13

7 (b) City Council/Planning Commission Work Session Minutes 1/22/13

7 (c) Boards and Commission Minutes

- (1) Historic Landmarks Commission Meeting 11/20/12
- (2) Historic Landmarks Commission Meeting 12/18/12
- (3) Library Board Meeting 11/27/12
- (4) Library Board Meeting 12/20/12
- (5) Planning Commission Meeting 11/27/12

Councilor Herzig requested the removal of Item 7(a) City Council Minutes 1/22/13 for one correction.

Acting City Manager Estes noted the City Council/Planning Work Session Minutes 1/22/13 were received earlier in the day and will be brought to the next City Council Meeting for review.

Mayor Van Dusen noted Items 7(b) and 7(c) were for informational purposes only and no motion was needed.

Councilor Herzig corrected the double negative on Page 2 of the 1/22/13 City Council Minutes to state, "Director Cook stated he did not believe that the 10-foot right of way would not block the trail."

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig, to approve the Consent Calendar as corrected. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

REGULAR AGENDA ITEMS

Item 8(a): Ordinance Granting a Nonexclusive Right and Franchise to Lightspeed Network, Inc. (2nd Reading and Adoption) (City Attorney/City Manager)

This proposed ordinance received its first reading at the January 22, 2013 Council meeting. If approved, this ordinance grants a franchise to Lightspeed Networks, Inc., doing business as LS Networks, to operate telecommunications facilities within City rights of way. The ordinance:

- Requires utilities LS NETWORKS to pay a fee to the City equal to 7.0% of the gross revenue earned within the City
- Provides procedures for amendment and renewal of the franchise.
- Imposes certain reporting requirements.

This is the first franchise agreement for LS Networks. LS Networks provides telecommunications services to larger institutional customers such as Columbia Memorial Hospital, Clatsop Community College and the city. The provisions of this franchise are similar to the franchise agreements negotiated with other users of our rights of way. City Attorney Henningsgaard and City Manager Benoit recommend that Council conduct the second reading and adopt this ordinance.

Fire Chief Ames conducted the second reading of the ordinance granting a nonexclusive right and franchise to Lightspeed Network, Inc.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear to adopt the ordinance granting a nonexclusive right and franchise to Lightspeed Network, Inc. Motion carried unanimously. Ayes: Councilors , LaMear, Herzig, Mellin, Warr and Mayor Van Dusen; Nays: None.

Item 8(b): Ordinance Establishing a Criminal History Records Check Policy (2nd Reading and Adoption) (Police)

This ordinance received its first reading at the January 22, 2013 Council meeting. The City of Astoria currently has no ordinance establishing criminal history record checks to be conducted on applicants for potential employees, liquor license applicants and certain volunteers. To better protect the City and its citizens, City Manager Benoit is proposing that the attached local ordinance be considered for adoption to allow for these types of checks and so that the City is in compliance with applicable Oregon Administrative Rules and Oregon Revised Statutes. If adopted, this ordinance will allow for the City of Astoria to access Oregon State Police criminal offender information through the Law Enforcement Data System (LEOS), for all applicants for employment, public service volunteers with the City of Astoria, and liquor license applicants. Persons in any of these positions must operate with the public's highest degree of trust and confidence. It is recommended that Council hold the second reading and adopt the proposed ordinance.

Police Chief Curzon conducted the second reading of the ordinance.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin to adopt the ordinance establishing a criminal history records check policy. Motion carried unanimously. Ayes: Councilors Herzig, LaMear, Mellin, Warr and Mayor Van Dusen; Nays: None.

Item 8(c): Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2012 Oregon Legislature (2nd Reading and Adoption) (City Attorney/City Manager)

Enclosed is an ordinance implementing "global" readoption of various Oregon Revised Statutes that appear throughout the Astoria City Code. This ordinance received its first reading at the January 22, 2013 Council meeting. It is recommended that Council conduct the second reading and adopt this ordinance.

Library Director Tucker conducted the second reading of the ordinance.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Warr to adopt the ordinance readopting certain state statutes to reflect changes made by the 2012 Oregon Legislature. Motion carried unanimously. Ayes: Councilors Herzig, LaMear, Mellin, Warr and Mayor Van Dusen; Nays: None.

Item 8(d): Liquor License Application – Cervesia Gratis, Inc., dba Fort George Brewery & Public House, located at 426 14th Street and 1483 Duane Street, for a Change License Privilege – Brewery License and an Additional Privilege – Winery License (Finance)

Two liquor license applications have been filed by Cervesia Gratis, Inc., Jack Harris and Chris Nemlowill doing business as Fort George Brewery & Public House, located at 426 14th Street & 1483 Duane Street, Astoria. The applications are a Change License Privilege - Brewery License and an Additional Privilege- Winery License. Copies of the applications are attached. The application request is for a change of license privilege from a Brewery Public House to a Brewery. The second application request is for an additional privilege to add a winery license to their brewery license. The appropriate departments have reviewed the applications. No objections to approval were noted. It is recommended that the City Council consider these applications for approval.

Mayor Van Dusen stated for the record that the company owned by he and his brother sell soft drinks to the Applicant, however he believed he could be objective regarding the issue.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor LaMear to approve the liquor license applications for Cervesia Gratis, Inc. for a brewery license and a winery license. Motion carried unanimously. Ayes: Councilors Herzig, LaMear, Mellin, Warr and Mayor Van Dusen; Nays: None.

Item 8(e): 5th and Duane Street Slide Emergency Response Cost (Public Works)

On December 19, 2012, a landslide occurred on City-owned property, on the south side of Duane Street between 5th and 6th Streets. A second portion of the embankment gave way the next morning. The City worked

closely with Landslide Technology, Bigby's Tree Service and North Pacific Excavation to safely clean up slide debris.

During the first two weeks of January, continued movement deposited more debris in the Duane Street right-of-way and on private property located at 423 6th Street. This debris was removed by North Pacific Excavation. A temporary concrete block wall was constructed along the south side of Duane Street to prevent large rocks and soil from damaging adjacent homes and impacting access.

The cost of the emergency response and clean-up effort to date is summarized below:

| Contractor/Consultant | Cost |
|--------------------------|-------------|
| Bigby's Tree Service | \$18,807.50 |
| North Pacific Excavation | \$15,835.17 |
| Landslide Technology | \$ 6,640.00 |
| Total Cost | \$41,282.67 |

Continued surface movement is expected especially if intense, prolonged periods of rainfall occur. If future sliding ensues, the City will remove debris that blocks access or poses a threat to adjacent homes per the Geotechnical Engineer's recommendations. A project to provide a more permanent solution will be considered this summer. It is recommended that Council approve "after-the-fact" payment of \$41,282.67 in costs associated with the emergency response and clean-up effort for the 5th and Duane Street slide event.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Warr to approve "after-the-fact" payment of \$41,282.67 in costs associated with the emergency response and clean-up effort for the 5th and Duane Street slide event. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen; Nays: None.

Item 8(f): Feeding of Cats on the RiverWalk

City Councilor Karen Mellin has requested an agenda item to discuss the feeding of cats on the RiverWalk.

Councilor Mellin provided Staff with photographs, which were distributed to the Councilors. She recalled City Council created an ordinance regarding the feeding of deer; however, the ordinance does not apply to cats. A citizen has approached her about now addressing the cat problem, particularly on the RiverWalk. She reviewed an article in *The Oregonian* regarding the danger of feral cats, citing studies that show domestic, stray, and feral cats in the United States kill about 2.4 billion birds and 12.3 billion mammals annually. The domestic cat is considered one of the single greatest human-linked threats to wildlife. While this is a very sensitive subject for cat lovers, the statistics must be considered.

- She explained that she is unable to put bird feeders in her yard because the neighborhood is overrun with cats. She visited the cat village on the RiverWalk near George Brugh's wrecking yard. A posted sign says not to leave food out when the raccoons are present. Raccoons are always present and the concern is that the raccoons are living in the cat houses. If someone were to reach into the cat house to pet a cat, they could be hurt by a raccoon.
- She believes the person maintaining this cat village is a kind-hearted and loving person. However, trays of cat food litter the trail in that area. The train station has been recently renovated and the RiverWalk was beautiful, but the cat village is a blight on the neighborhood.
- A lot of work went into building the cat village and it is cute; however, it is on public property. The area is a mess and dangerous, especially for young children who want to pet the cats. She recommended cutting down the blackberry bushes that the cats live under to prevent the cats from hiding. A No Trespassing sign on the concrete wall is being completely ignored.
- She recommended that Staff be directed to amend the current ordinance or create a new one that addresses the feeding of cats, similar to that passed for deer. She did not expect the law to change immediately as she wanted to allow enough time for the cats in the cat village to be taken care of. She added that feral cats carry all types of diseases.

Councilor LaMear said that she is a cat lover, but objected to such an ordinance. She stated the woman who is feeding the cats on the RiverWalk is also taking them to Dr. Goza to have them neutered and spayed. She believes the cat village is quirky and does not object to it. She noted a letter published in *The Oregonian* today objected to the study mentioned in the article, saying the study was quite overstated. She respectfully disagreed that an ordinance was necessary.

Councilor Herzig agreed with Councilor LaMear. He believes the City is responsible for providing for the cats since the City introduced them into the environment. Council needs to decide to euthanize them or support efforts to feed and neuter them. Humans will continue to introduce cats into the environment. He believes outlawing the feeding of cats would criminalize behavior that the City could not control. He favored a humane coordinated approach to maintain the health and well-being of the cats while controlling their population responsibly.

Councilor LaMear clarified she is not suggesting that the cats be euthanized.

Councilor Herzig explained if serious population control measures are implemented, euthanizing may be necessary. If residents stop feeding cats in one location, the cats will find another location to gather. The issue cannot be addressed site specific; it is a community-wide issue. He was not suggesting euthanasia, but a humane approach to care for the cats' well-being and ensure population control.

Sonya Cox, 3429 Harrison, believed the City/community has created this issue by installing concrete structures on the RiverWalk that created a shelter for the cats. She believes dispersing the cats on the RiverWalk would eliminate the overpopulation issue. When cats no longer have shelter, the issue will be alleviated. She suggested removing the blackberry bushes and concrete structures.

Rita Smith, 842 5th Ave., Hammond, Riversong Foundation, explained that she runs the Foundation's Feral and Stray Cat Program. She works with Clatsop County residents to help them spay and neuter cats as well as finding homes for feral and stray cats. She urged everyone to ignore the statistics cited in *The Oregonian's* article, as it does not include any actual scientific evidence that supports the statistics.

- The cat colony at the RiverWalk is one of hundreds of cat colonies in the county. This particular colony is high profile because of its location. In the fall of 2012, the Riversong Foundation took over the daily care, feeding and management of the RiverWalk colony and 20 abandoned pet cats have been removed and placed in homes or foster care. The Foundation is still working towards spaying and neutering other cats in the colony.
- She explained that in order to resolve this issue, the complicated social structure of cats must be understood. While cats are emotionally and biologically dependent on humans, they still retain deep survival instincts. Without human care, cats will revert to these survival instincts after a few days, making starving or relocating such cats useless. Hungry and stressed out cats go into an accelerated breeding mode. When a cat is euthanized, another cat will move in that is not fixed, continuing the cycle.
- It is necessary to concentrate on the human causes of the overpopulation of cats. She noted the plan she had previously outlined for Council based on science and providing a compassionate solution. She briefly reviewed the details of the plan, noting that when combined, three things will significantly reduce the homeless cat population: an aggressive spay and neuter campaign, spay and neuter ordinances, and a trap, neuter and release program.
- She discussed her successful experiences in rapidly and significantly reducing cat populations with a trap, neuter and release program, with which San Diego has had great success.
- Additionally, a sanctuary could be built for the feral cats currently living in undesirable locations. The Riversong Foundation would be happy to work with the City and County to set up a sanctuary, which could also be used a resource center for residents and an evacuation site for animals.

Councilor Herzig asked if the trap, neuter and release program worked best with a colony of cats or a dispersed population of cats. Ms. Smith explained she has experience trapping cats in both situations. She receives calls about trapping individual feral cats from property owners. Last year, about 25 out of 50 cats were trapped within two square blocks in downtown Astoria.

Dorothy Olson, 150 Washington St., Astoria, stated she would like to see the cats live somewhere other than the RiverWalk. She supported the idea of providing a sanctuary for these cats and suggested posting signs that petition volunteers and refer people to the sanctuary.

Councilor Mellin thanked the Riversong Foundation for their work. She believed citizens will have to come forward and care for the cats in some way. Neither City Staff, the police department nor parks department have the time to work on this issue or clean up the mess. Her concern regarded the feeding of cats on City property, like the RiverWalk, because of the danger to children who try to pet the cats. The City will have a major problem if the children are injured.

City Council consented to have Staff contact the food bank, Riversong Foundation, City Animal Control, local vets, and other County agencies about the issue and then make some recommendations to Council.

Item 8(g): Consideration of a Contract for Emergency Repairs for the Net Pen Access Pier

This item was added to the agenda at Staff's request.

Acting City Manager Estes explained that in December 2012, a windstorm and high tides damaged the Net Pen Access Pier, which is adjacent to the Astoria Yacht Club. A 40-foot long portion of the pier collapsed into Young's Bay, which cut off access to the City's recreational floating dock, Clatsop County net pens and mooring for the gill net boats. The access pier is owned by the City and maintained by the Parks Department, but leased by Clatsop County. Repairing the pier soon would minimize any possible impact to the Clatsop County Fisheries Program. City and County Staff have worked together to develop the repair project and secure emergency funding. Clatsop County Fisheries has applied for emergency funding on behalf of the City through Oregon Department of Fish and Wildlife (ODFW). The City was verbally awarded a grant in the amount of \$31,881.20 on January 31, 2013.; however, the City has not yet had this confirmed in writing.

- City Staff has completed a design for the permanent repair of the pier. Two quotes for the repair were received through the informal request for quotes process. Bergerson Construction's quote was for \$34,901. Tidewater Construction's quote was for \$37,760. A contract needs to be executed prior to finalizing the grant agreement because the timeline of repairs is critical. The City anticipates receiving the written grant agreement in the next two weeks. Staff recommends that Council authorize award of a contract to Bergerson Construction in the amount of \$34,901 for emergency repairs to the Net Pen Access Pier, pending written confirmation of the ODFW grant.

Councilor Herzig explained the net pens in Young's Bay are used to raise salmon and are owned by the County. The pier is owned by the City. The County cannot access the net pens until the pier is repaired. The net cost of repairs to the City would be about \$5,000.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig, to authorize award of a contract with Bergerson Construction in the amount of \$34,901 for emergency repairs to the net Pen access pier, pending written confirmation of the ODFW grant. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Mellin, Warr and Mayor Van Dusen. Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Cecilia Davis, 1354 Miller Ln., confirmed that staff would consult with the Riversong Foundation when preparing recommendations regarding the cat issues.

Nick Clark, 229 West Marine Dr., Nature's Choice Alternative Medicine, announced that the Hemp Festival will be held at the fairgrounds on Labor Day Weekend, August 31 and September 1, 2013. He offered use of the fundraising dunk tank to raise funds for the community, including cat program and laser tag. The Hemp Festival was held in Longview in 2012.

Don Webb, 3555 Harrison, Astoria, noted *The Daily Astorian* has reported that the costs of the Chinese Garden and some City expenses are soaring, indicating that Council is not keeping up with these increasing costs. Bids have come in between \$300,000 and \$500,000 in the last month. People want to know what the final cost will be.

- The loss of parking on the Safeway property is also a concern as people will drive to other areas where parking is more plentiful and deter them from spending money in Astoria.
- He noted that unpaid business taxes are also an issue which he estimated to be between \$30,000 and \$40,000.

- He recalled comments made by Councilor LaMear that the City should not be trying to raise more money, especially with the financial hits the City is expected to take in the next fiscal year. According to the newspaper, the City has about \$300,000 to \$400,000 in that account, which used to be about \$1 million.
- The City should consider building a parking lot rather than a park. The senior center and Meals on Wheels do not have sufficient parking once they move from the Peace Lutheran Church.

Mayor Van Dusen noted the quotes in the newspaper came from a public meeting. He corrected that City funds have not decreased. The City has about \$1 million to spend on the garden project and bids came in at \$300,000 above that. The \$300,000 is a shortfall, not a budget overrun. The City does not have enough money to build the entire project with a turn-key operation.

Dolores Skillstad, 2314 SE Front Rd., Williamsport, OR, understood the 19th Street Bridge Project would include the installation of a French drain. She explained that a stream runs through the area and there are landslides on the hill. Installing a French drain that empties into the sewer would be expensive. Director Cook clarified that a French drain already exists and a new one would need to be constructed. The drain will empty into the combined line. Future CSO projects.

Councilor Herzig asked if Staff tracks grant applications being submitted by partner groups. He is concerned about the City competing with itself for similar grants. Acting City Manager Estes explained the City's departments do ensure that efforts are not duplicated and that applications for grants do not compete with one another.

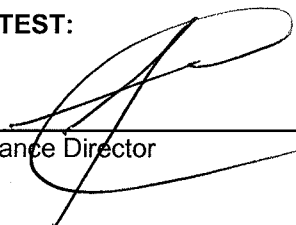
Councilor Mellin reminded that the Oregon Historical Society contacted her regarding the Sikh community in Astoria. The Historical Society is encouraging the City to recognize the formation of the Ghadar Party, which began in Astoria. She briefly reviewed the history of the Sikhs and the Ghadar Party, noting their significance to the community and the world. She noted certain worldwide organizations, including the Indian London Times, is looking at Astoria. The Historical Society is not only going to support the City, but some funding may also be available. She will be meeting with the Historical Society to discuss venues and suggested holding an event at Astoria City Hall. She clarified that the Sikh Indians are from Punjab, India, near Pakistan and the Himalayan Mountains. An article in the *Oregon Historic Journal* gave a detailed history of the Sikhs that lived in the Columbia River area. The proposed celebration would be held in May 2013. Events have already been held in San Francisco and in Yuba City, CA.

Mayor Van Dusen announced that he will be absent from the first City Council meeting in March 2013, so Councilor Mellin will facilitate the meeting in his absence.

ADJOURNMENT

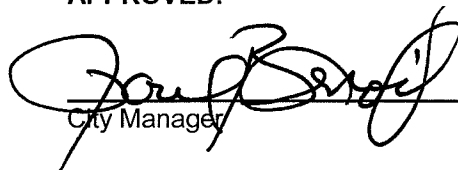
There being no further business, the meeting was adjourned at 8:53 p.m.

ATTEST:



 Finance Director

APPROVED:



 City Manager