

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, Warr, Mellin, Mayor Van Dusen

Staff Present: City Manager Benoit, Community Development Director Estes, Public Works Director Cook, Police Chief Curzon, City Attorney Henningsgaard, Library Director Tucker, Fire Chief Ames and Finance Director Carlson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor Van Dusen welcomed Jordan Schnitzer, Former Mayor Edith Henningsgaard and all the Friends of the Astoria Column who were present.

REPORTS OF COUNCILORS:

Item 3(a): Councilor Herzig announced that the presentation by the Lower Columbia Diversity Council with ODOT and the U.S. Coast Guard was very successful. The event received great media coverage with the *Daily Astorian* as well as the Oregon Public Broadcasting website. The next event will be on sexual assault at City Hall on Saturday, April 6, 2013 at 2:00 p.m. He and Councilor Mellin attended a discussion on tsunami debris with Congresswoman Suzanne Bonamici at Clatsop Community College. Astoria is lucky that it does not have to deal with the marine debris like the rest of the coastal cities. However, the City still needs to prepare for Cascadia earthquakes. The Map Your Neighborhood Program was interesting and everyone should get involved. One of the most basic ways to prepare for emergencies is to get to know your neighbors and share resources.

Item 3(b): Councilor Mellin reported that Congresswoman Bonamici's discussion was a round table event. Pat Corcoran reminded that the next earthquake will cause havoc in Astoria. People who live along the coast are cleaning up debris from the tsunami in Japan. Councilor Mellin suggested that Astoria assist with cleanup efforts. She suggested volunteers help pick up debris. SOLVE has already picked up 88,300 pounds of tsunami debris. On Friday, March 29, 2013, the library hosted Acustica World Music as part of their Library After Hours Program. The event was a great way to use the library.

Item 3(c): Councilor LaMear represented the City of Astoria at the Clatsop Economic Development Resources (CEDR) Awards on March 20, 2013. As one of the representatives, she was able to talk about the wonderful things going on in Astoria. City Council participated in the announcement of the \$8.4 million grant for the river front bridges on March 27, 2013. This grant is the largest grant Astoria has ever received. She thanked Staff for their work on receiving the grant. City Engineer Harrington and Public Works Director Cook went to Salem to testify. Astoria was the only city that sent representatives to testify. The City received \$8.4 million out of \$30 million given throughout the entire state.

Item 3(d): Councilor Warr reported that on Tuesday, March 26, 2013, he toured the watershed area where the timber sale will occur and was fascinated at the beauty and number of large trees in the area.

Item 3(e): Mayor Van Dusen inquired about the construction on 8th and Commercial, which has stopped. Director Cook explained initially, the City was told that the trolley tracks lines along Commercial had been removed, but they had not. Oregon State law mandates that work cease upon finding anything of archeological significance. An archeologist will prepare a report that the State will use to either grant a permit allowing construction to continue or require the City to work around the tracks. The City anticipates receiving a permit by 2:00 p.m. on Tuesday, April 2, 2013 and plans to resume work on Wednesday, April 3, 2013 because the construction company needs to notify its workers that the project is resuming. He confirmed that portion of the track is between the post office and courthouse and not directly in the intersection. However, utilities will be replaced in that location. He explained that work will continue in other areas as 8th Street is part of a bigger project. If the tracks are deemed not of historical significance, they will be removed and may be offered to the historical society. City Council can direct the Public Works department on what to do with the tracks.

Councilor Warr asked if there was another way to replace the utilities, should the tracks have to stay in place. Director Cook explained the utilities do not currently sit under the driving surface of the intersection. Asphalt could be used in this area if necessary.

Mayor Van Dusen announced that he represented the City of Astoria at the Duncan Law Memorial at the Liberty Theatre. There was a large discussion about the Garden of Surging Waves. He asked for an update on fundraising. City Manager Benoit stated the City currently has enough funding in hand to complete Sequence 1 of the project, which includes the entire infrastructure, the lantern, rocks, and planter beds. Additional funding needs to be raised for all the other work. Director Estes added Sequence 1 should take about four months to complete.

Mayor Van Dusen asked for an update on repairs to the railroad crossings on Portway Street. Director Cook stated Staff is currently looking at beginning design work and will recommend their selection to the Astoria Development Commission on May 6, 2013.

CHANGES TO AGENDA: No changes.

PROCLAMATIONS:

Item 5(a): National Public Safety Telecommunications Week

Mayor Van Dusen read the proclamation declaring the week of April 14 through 20, 2013 as National Public Safety Telecommunications Week.

PRESENTATIONS:

Item 6(a): Jordan Schnitzer, Friends of the Column

Jordan Schnitzer, President, Friends of the Column, 1121 SW Salmon, Portland, stated the Friends have been honored to partner with the City on restoration, maintenance, and preservation of the Column over the last 72 years. He recalled past issues with the Column, noting funds have been raised over the years to restore the Column, make it seismically sound, install temporary restrooms, and repair the stairs.

- Today, the medallions on the Column are deteriorating. The original artist completed some maintenance on these medallions in 1935. Over the years, the City used other materials to the Column, such as a special paint, which has caused unexpected deterioration to the medallions.
 - Frank Preusser, an expert, was called in and he concluded that past maintenance efforts were insufficient. Restoration would cost about \$500,000 and would include fixing the medallions and touching up other areas of the Column. This work would take about four months. A five-year maintenance cycle would then be implemented.
 - The Friends of the Column Board has requested a formal proposal from Frank Preusser. Work would begin in the spring of 2014 at the earliest. Some funds are available; however, fundraising would also be needed.
 - The Friends of the Column would like to host events and offer programs for the community. Previously, a Parks Service grant provided for two park rangers to work at the Column who welcomed visitors and talked about the history. It would be great to have park rangers again. They would also like to make improvements to the gift shop.
- Creating a master plan has also discussed, not just for the Column site, but for the entire City parcel, which is about 150 to 200 acres. Ideally, a long-term master plan would include a sustainability plan and a view corridor plan. The view of the Columbia from the top of the Column is gorgeous; however, many people are unable to get to the top of the Column.
 - The Friends never anticipated that the temporary restrooms would remain for seven or eight years.
 - Having caretakers live in the caretaker house is important for security reasons.
 - Mr. Schnitzer had several conversations with Interim Parks Director Moss, who had some good ideas, and he is excited to meet the new parks director.
- The Friends of the Column proposed taking over the entire responsibility for the Column site, including continued restoration and maintenance of the Column and surrounding site, the caretaker residence, and programs designed to increase activity at the Column. Also proposed was that parking fees be split 50/50

with the City. He noted that the City has been providing the maintenance, grounds keeping, and janitorial work in the restrooms. The Column has reciprocated by giving parking fees to the City, which has been about \$25,000 per year. The actual cost to the City in 2012 was \$37,000.

- The collection of parking fees needs to be improved. He suggested consulting with parking operators to find solutions for this issue, about which Council would be notified. Automated equipment would increase parking revenue and provide the City some flexibility in how residents are charged for the parking. He believes residents should have free access to the Column. That captured parking revenue would also enhance the Friends' ability to enhance and maintain the site.
- Interior Architect and Designer, Phil Check created some improvement plans for the caretaker residence. He distributed pictures of the designer's work, noting the ideas would also need to be added to a master plan.
 - The Friends would like to have a covered picnic area so people could have picnics during inclement weather. The picnic area could include a fireplace or barbecue. This would welcome people and allow for more activity in the area.
 - The restrooms are serviceable and portable. He displayed a plan of a permanent restroom facility and reiterated that all of these suggestions are subject to a master plan.
 - The caretaker house consists of two trailers that were installed on a concrete foundation. There is no insulation in the walls and the kitchen and bathroom needs work. A master plan could determine the right location for the caretaker's house.
 - The view from the Column is amazing, and ideally, nothing should interfere with the 360-degree view. Perhaps, below grade ramps could lead to new restrooms and a caretaker residence. He emphasized the importance of having a caretaker couple or individual on site.
 - The proposed these improvements would greatly enhance the visitor experience.
- The Friends of the Column is the most efficient non-profit in the State, as they have a nice endowment and a balanced budget each year. The Friends would like their revenue spent on serving the community and visitors. He anticipates hiring an individual or couple to provide more administrative assistance while also living on site.
- The Friends would like have a representative present for any operations meetings held between the Maritime Museum, Flavel House, Heritage Museum and Fort Clatsop, to discuss schedules and share resources. More is done in partnership together than alone.
- The Friends is also working to update the Column's website and a proposal is being prepared for this project. Maintenance of the website must also be addressed.
- He distributed a letter describing the plans proposed by the Friends of the Column to Council.

Mayor Van Dusen noted that the report completed by Frank Preusser has been distributed to City Council.

Councilor LaMear asked if the caretaker couple would also be working at gift shop. Mr. Schnitzer stated a couple was interviewed earlier today. The woman currently works in the gift shop and her husband is preparing to retire from the U.S. Coast Guard. More interviews will be conducted and references must be checked. He briefly noted the couple's qualifications. The job opening has not yet been advertised.

Councilor Herzig said he was glad to hear that sight lines are being considered. Even when one stands on the ground level, a lot can be seen. He hopes any new structure would sit below the horizon as it would be a shame to block the view. Mr. Schnitzer added large trees currently block the view of the river. A master plan is necessary so work does not get done haphazardly. Visitors are being denied venues to and up the Columbia. He is excited about the new communications tower that will replace the current tower.

Councilor Herzig stated the current parking fee is \$1.00 per year, which is generous and shows Astoria's hospitality. Automated equipment might make it difficult to track parking fees. Mr. Schnitzer explained software would track resident versus nonresident fees and provide better data tracking. It was up to the City to decide if residents should be charged. With 350,000 to 400,000 visitors in Astoria each year, parking revenue could be increased if visitors were charged more than residents. This would provide funds to put back into the site and offset other City costs.

Councilor Mellin believed it was important to have caretakers on site. There is a big blank wall provides an opportunity for graffiti. She believes many people do not pay the parking fee. Having someone on site would be a comfort. Nearby residents hear cars drive up to the Column at night and are unable to sleep until they hear the cars come back down. This area needs to be protected. She thanked Mr. Schnitzer for all of his work.

Councilor Warr said he appreciates all the work, effort, and vision Mr. Schnitzer has provided over the years. Mr. Schnitzer stated the work has been a joy. Mayor Van Dusen believes the Column is better now that the Friends have taken over.

City Council and Staff unanimously agreed to continue working with the Friends of the Column. Staff will return with a proposal.

Dick Magathan, 35079 Reith-Larson Lane, asked when the Friends would completely take over the Column.

Mr. Schnitzer stated if Council approved the proposal tonight, the Friends would look to hire an architect with land use experience to look at the scope of the master plan, which he hopes to have completed in 90 to 120 days. The plan to restore the caretaker residence will cost about \$140,000. A plan to tear down the caretaker residence and restrooms would allow structures to be rebuilt below ground. The picnic area might fit well where the tower currently sits, which would allow views of the river and the bay. He was unsure if it would be better to restore or remove the caretaker residence. The Friends would like to hire caretakers quickly. The couple be currently being considered rent and could begin working for the Column without living on site. If City Council votes tonight, the Friends would meet with Parks Department Staff to discuss maintenance and develop a scope of work. The Parks Department has done a good job. The Friends of the Column would like to find out how much it will cost to maintain the Column. They intend to take over maintenance immediately.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr, to accept the plans presented by Friends of the Column. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

Mr. Schnitzer introduced Paula Bue, who has done a great job working at the gift shop for 11 or 12 years. He introduced other members of the Friends of the Column, including Eric Paulson, Tinson, Theron, Edith Henningsgaard Miller, Harold Snow, and Tess. Pam Lung, Mike Lindberg, Gayle Timmerman and Karen and Brad Whitman are also members, but did not attend the City Council Meeting.

Councilor LaMear asked if the motion needed to include direction to complete a request for proposal (RFP) for the master plan. Mayor Van Dusen suggested Councilor LaMear make a motion for the RFP.

City Council Action: Motion made by Councilor LaMear seconded by Councilor Mellin, to authorize Friends of the Column to proceed with a request for proposal for a landscape architect. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

Item 6(b): Deputy Chief Brad Johnston: Emergency Communications – Astoria Column

Deputy Chief Brad Johnston, 555 30th Street, Astoria, reviewed the background and history of the communication site at the Astoria Column. The Column is not the best place to have a communications site. The City has discussed other possible locations with Verizon for the last couple of years, but Verizon refuses to move to another site. The City did consider several other sites; however, none offered the same level of functionality as the current location and developing a new site would cost the City about \$500,000.

- Verizon has proposed to build a monopole behind and to the north of the existing tower near healthier trees. They would own the tower and lease the land and access to the tower from the City. Requiring Verizon to rent access to the tower allows the City to restrict their access to other areas.
- Before and after photos were displayed of the existing and proposed communications site. The monopole would be painted to blend in with its surroundings. The photo uses green; however, any color can be used to disguise the tower. Other photos depicted how the area would look with all of the proposed work completed.
 - Antennas will be added to the site to allow Verizon to provide 4G data service to the area. The 4-foot microwave dish will be moved from the caretaker house to the tower to make microwave communications more reliable and to clean the site up a bit. Verizon also plans to replace the chain link fence with a cedar privacy fence and plant some more mature trees to better screen the area.

Councilor LaMear asked what would happen to the sheds near the tower. Deputy Chief Johnston stated that no plans or upgrades to the sheds have been proposed. The Verizon shed is fairly modern. The City shed could use some upgrades. They would remain in place as they hold communications gear. Replacing the building would incur a substantial expense and he did not believe Verizon would be willing to assist with this.

Councilor Herzig stated he would like to see the microwave dishes behind some trees and asked if this were possible. Deputy Chief Johnston explained the best placement is on top of a hill with no trees. The microwave dishes that currently sit at a lower elevation require a line of sight. Some adjustments could be made; however, the microwave dishes and their site paths will always dictate placement to some degree. They cannot be placed behind trees.

Councilor LaMear stated she has become used to seeing the cell towers all over. They are just a part of modern life and are not terribly ugly. These towers bring Astoria needed technology.

Mr. Schnitzer added that the views are gorgeous. With the right expert, the trees can be thinned. The Column is a jewel and the City has worked hard with the Friends over the years to maintain it; it is the soul of the community. Placing this equipment in the middle of such a pristine place will be an eyesore. He asked about the other sites' locations that were deemed too expensive. Deputy Chief Johnston explained Verizon simulated a 100-foot tower on a potential site east of Astoria. The testing revealed that the downtown area of town would not receive service. That site would work for the City; however, the cost to develop the site is prohibitive. Mr. Schnitzer believed the Friends of the Column could consider assisting with the cost of developing a new site.

Unknown used one of the photographs to point out a high elevation location that may be appropriate for the communications site. Deputy Chief Johnston stated that is the exact spot Verizon tested and Verizon was adamantly against using this site after testing.

Councilor Herzig asked if a relay could be installed elsewhere to allow Verizon's tower to provide service to downtown. Deputy Chief Johnston reiterated that Verizon was not willing to consider that site at all after testing it. Councilor Herzig said if the City insists the tower will not be located at the Column Verizon may reconsider. Mr. Schnitzer suggested the City purchase the site and remove the equipment. There could be a way to relocate the communications site to a lower elevation and add another site elsewhere.

Mayor Van Dusen asked how much of a financial contribution is made by Verizon. Deputy Chief Johnston stated Verizon pays about \$12,000 per year on their lease, which was recently renegotiated. Deputy Chief Johnston confirmed if the City refused to allow Verizon to use the current site, the City would lose \$12,000 per year and would have to pay the cost of developing a new site, which would be between \$500,000 and \$650,000. The new site would not provide Verizon service to downtown Astoria. The City would only relocate public safety radios to the new site.

Mr. Schnitzer asked where AT&T's site is located. Deputy Chief Johnston explained that AT&T has a few locations downtown that are hidden on building rooftops. This is why AT&T service is not as good as Verizon's in Astoria. Verizon has the only hilltop site in the city.

Paula Bue asked if the water tower on Skyline was on City property. Deputy Chief Johnston replied the City has modest radio equipment in that location. The City owned property on the top of the hill is a very small, narrow piece of land about 50 feet wide and not buildable. The City owns several acres below that on the hillside.

Councilor Herzig understood the importance of emergency communication. However, \$12,000 per year is not sufficient compensation from Verizon. Despite the expense, the City should explore other possibilities before allowing Verizon to add a tower to the Column, especially considering the plans made by the Friends of the Column. He would like to find an alternate location.

Mr. Schnitzer asked how long the lease with Verizon will be in effect. Deputy Chief Johnston answered the lease will last for four more years.

Mayor Van Dusen agreed with Councilor LaMear, the tower does not bother him. His priority is public safety for police and fire services rather than better cell phone service. If the Police and Fire Departments support an alternate location, City Council should make that a priority over helping a private company provide better cell phone service. Deputy Chief Johnston explained that if the City had funds for a capital improvement project to move the communications site that would have been discussed already. All thoughts have centered on the stand of trees remaining there until tonight; this is the first proposal that suggests removing trees in the area. Given the current environment, the City has always planned to leave the trees standing to hide the equipment. Mayor Van

Dusen sympathized with Deputy Chief Johnston, as he is in a difficult position, noting one proposal will cost the City \$500,000 and one will bring in \$1,000 a month. Deputy Chief Johnston clarified this is not about money, adding he is not opposed to Verizon building a tower in another location. He understood the City needs to tell Verizon that this is not an acceptable site.

Mayor Van Dusen believed the City should consider an alternate site. Deputy Chief Johnston added Verizon has visited three other City sites and they expressed a bit of interest in the Skyline site; however that site had such a small footprint it restricts the City's abilities.

Unknown suggested that the photo of the completed work be published in the paper so the public can provide feedback. Unknown asked if the watershed site, which would cost the \$500,000 to develop, would provide adequate service for public safety communications and Verizon. Deputy Chief Johnston explained the site is adequate for public safety communications, but Verizon would have to make their own arrangements elsewhere.

Unknown asked what Verizon's options are after the lease expires. Deputy Chief Johnston explained that the City works through a consultant and does not negotiate directly with Verizon. He has met with some of the senior executives that have done site visits in Astoria. Unknown suggested the City refuse to renew the lease unless Verizon chooses another site. He believed Verizon would choose to build on another site. Deputy Chief Johnston said he liked Mr. Schnitzer's idea, but, no other hilltop towers exist in Astoria, he guessed it was due to economics. Verizon has the only hilltop site in Astoria.

Chief Curzon explained that the City has been working on this project for about five years. Services at the Column are at critical mass; the overstressed tower is the cornerstone of the City's communications. Communications for public safety must be secured. The Column is the best location the City has; he agreed the area is not pretty, but the City cannot afford to wait five year and cannot afford \$500,000 to \$750,000. The City can make dramatic improvements to the security and safety of the citizens by making some changes to the current site in cooperation with Verizon. The City has come a long way in the last five years to develop the infrastructure that keeps citizens safe. He believed the next presentation will help everyone realize how critical this site is.

Deputy Chief Johnston added this site really is the best site. Alternate solutions have been discussed with Verizon over the last three years. The displayed photos are the tenth or twelfth set of photo simulations from Verizon. These were the first presented to Council because the others were really bad.

Eric Paulson, [inaudible address], asked if the removal of more trees would allow for a smaller tower. Deputy Chief Johnston explained that radio frequencies require vertical spacing so that multiple antennas can be installed on a tower, therefore the equipment needs will not allow for a shorter tower. The antennas must have adequate space between them. The current tower is at optimal height. Removing trees would improve the microwave communications, but would not allow for a shorter tower.

Councilor LaMear recalled strong winds during a storm in 2007. One huge tree was torn out. She was concerned that the next storm would destroy more trees, leaving the tower exposed. Deputy Chief Johnston explained that both blow down and clearcutting would leave the tower exposed.

Mayor Van Dusen noted that the City Council does everything in public, which is good, yet difficult. This has never been discussed before and differences of opinion are healthy. While this is the first discussion regarding this issue, a lot of work has already been completed.

Item 6(c): Deputy Chief Brad Johnston: Overview of Emergency Communication Improvements

Deputy Chief Johnston presented an overview of the Emergency Communication Improvements made following the loss of Coxcomb in the 2007 storm, which included redundant communications and greater coverage due to an increased sharing of resources throughout the County to improve public safety communications. He also described how grant funds paid for the majority of the \$1.55 million in upgrades of which the City paid \$26,000.

- Several improvements and upgrades still needing to be made include: restoring ESE communications due to the dispatch center remodel, which is in the 2014 budget; improvements to Coxcomb, including replacing the generator; and the completion of the receiving and microwave relay sites at the Lewis and Clark School.

City Manager Benoit key challenge to wrapping up the project was to secure the Coxcomb site or find a replacement the Coxcomb site. Verizon is in a position to pay the \$500,000 to \$750,000 cost that the City does not have in the budget. If the City chooses to build a new site, negotiations with Verizon may continue or the City will need to find the funds on its own. While opinions are divided, a decision needs to be made.

Mr. Schnitzer understood the City is in a difficult position, but he believes the issues will be resolved appropriately. He offered to ask the Friends of the Column to assist with funding.

City Manager Benoit added Verizon has strong commercial reasons to invest \$750,000, which is an extreme advantage to the City. Alternative options can be expensive for the City. The City can continue negotiations with Verizon to see if an opportunity to incent them, perhaps with a contribution from the Friends to consider another site; however, Deputy Chief Johnston and Chief Curzon have already had numerous meetings over many years with Verizon on this matter. Many proposals have offered less appealing solutions than this proposal. This was the first proposal that Staff was willing to present to City Council.

Mayor Van Dusen asked Deputy Chief Johnston if the estimated \$750,000 cost of building a new site included building a road. Deputy Chief Johnston replied the estimate included stringing the power from commercial power a quarter of a mile away, building a road, installing a structure and erecting a tower. The cost estimate comes from the County's 2008 project at Wickiup, which cost the County \$500,000.

City Manager Benoit stated that based on tonight's conversation, Staff will meet with Verizon again to find out if other negotiating strategies can be discussed. He suspected City Council will have a very difficult choice to make regarding emergency communications.

Mayor Van Dusen thanked Deputy Chief Johnston for all the work he has done since 2007; noting the City is much better off.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 7 (a) City Council Minutes of 3/4/13
- 7 (b) Boards and Commission Minutes
 - (1) Historic Landmarks Commission Meeting of 2/19/13
 - (2) Library Board Meeting of 2/26/13
 - (3) Parks Board Meeting of 2/25/13

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

REGULAR AGENDA ITEMS

Item 8(a): Pipeline Road Water Line Project Authorization to Bid (Public Works)

In January 2011, a severe winter storm triggered a landslide on Pipeline Road that severely damaged the City's 21" water transmission main. The damaged line connects the City's Headworks (water treatment facility) outside of Svensen to Astoria's Reservoir # 3. The pipe was temporarily repaired and Public Works staff initiated efforts to secure funding in order to design and repair or relocate the transmission line. Because the storm caused damage Statewide and was declared a disaster, it allowed the City to execute an Infrastructure Contract with Oregon Emergency Management (OEM), funded through the Federal Emergency Management Agency (FEMA). The City Council approved funding on April 18, 2011. It provides a grant for 75% of the actual construction costs with a required 25% matching contribution from the City.

A geotechnical report has been completed. The report recommends relocating the transmission main around the slide area. Public Works Engineering Division staff has completed design plans and contract documents based upon these recommendations. The construction cost estimate is \$200,000, including a 10% contingency. It is recommended that Council authorize staff to solicit bids for the Pipeline Road Water Line Project. Funds are

available for the project through the OEM Infrastructure Contract, with a 25% match being provided from the Public Works Improvement Fund.

City Manager Benoit displayed a picture of the landslide along Pipeline Road.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig to authorize Staff to solicit bids for the Pipeline Road Water Line Project. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

Item 8(b): Authorization to Award – Columbia River Maritime Museum Storm Drain Relocation Project (Public Works)

Public Works Operations staff identified a section of City storm drainpipe that has failed immediately adjacent to the Columbia River Maritime Museum (CRMM) near the 18th Street right-of-way. In addition to the failed section, the remaining length of pipe has deteriorated significantly. The project will include installing 200 feet of 30" corrugated HDPE pipe and two manholes, abandoning the existing failed pipe, and associated surface restoration. At the March 4, 2013 City Council meeting, Council authorized staff to request quotes for this project. Because the project cost was estimated at \$100,000, an informal Request for Quotes (RFQ) was solicited. The following competitive quotes were received:

<u>Contractor</u>	<u>Total Bid</u>
Big River Construction	\$ 78,710.50
TFT Construction, Inc.	\$ 78,771.00
North Pacific Excavation	\$101,004.00

It is recommended that Council authorize staff to award a construction contract to Big River Construction in the amount of \$78,710.50 for the CRMM Storm Drain Relocation Project. Funds for the project are available in the Public Works Improvement Fund.

Councilor Herzig asked if the City has ever done business with Big River Construction. City Manager Benoit replied the City has a long history with the company. Public Works Director Cook added Big River completed the resanding of the City's filtration system twice and are a very good local company to work with. The company is also the site civil contractor on the Garden of Surging Waves.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to authorize staff to award a construction contract to Big River Construction in the amount of \$78,710.50 for the CRMM Storm Drain Relocation Project. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

Mayor Van Dusen added that Big River is also working on the closure of the landfill, but that contract is with the hospital and the school district.

Item 8(c): Property Exchange – Williamsport Road and West Kensington Avenue (Public Works)

With the current redevelopment of the City's former landfill property, road and intersection improvements may be necessary to facilitate traffic flow. Such improvements will require use of property owned by Mr. Jim Neikes whose property is located mainly on the west side of Williamsport Road. In order to ensure minimal delays in the redevelopment project, Public Works staff has taken the initiative to approach Mr. Neikes to explore the possibility of a land trade for his property at the intersection of Williamsport Road and Highway 202.

Mr. Neikes has expressed interest in a City-owned property off of West Kensington Avenue. The property is approximately .62 acres, and is surrounded by single-family residential uses. The property is gently sloped and covered with a second growth forest. There are no utilities to the site. An appraisal of each of the properties has been prepared. The City property is valued at \$60,000 and the Neikes property at \$50,000. In order to compensate for this difference, Mr. Neikes has offered to transfer some property in the 1st and Commercial slide area to the City. Although the property is unbuildable, it potentially could be useful in the future for utility purposes. If Council is agreement with the proposed exchange, staff will have the proper documents prepared for signature. Adjacent property owners will be notified prior to this item being scheduled to return to Council for

final action. It is recommended that the City Council authorize staff to begin the process of property exchange and return the item to a future Council meeting for final action.

Arial photographs of the land were displayed. Public Works Director Cook indicated the rights-of-way and explained which area is needed to accommodate the street improvements.

Mayor Van Dusen believed Staff did a good job as this will be a very important intersection. He supports the property exchange.

Director Cook confirmed that no photo of the West Kensington site was available. He clarified that the area was not affected by the 2007 storm. He further described the details of the photograph, noting which trees were downed and which are still standing.

Councilor Mellin asked if the land was buildable and if that is why Mr. Neikes is interested. Director Cook confirmed the land was buildable; however, there are no utilities on the site. Mr. Neikes would have to pay for the installation of utilities.

Councilor Herzig asked if the City would be obligated to finish the road. Director Cook replied that would be the responsibility of a developer.

Councilor LaMear believed this would be a good exchange. The City will have to develop the entrance to Williamsport Road and this is a prudent solution. Mayor Van Dusen added one of the City goals is to build inventory.

Terry Wilson, 135 Skyline, Astoria, stated that during the 2007 storm, he lost two lots of green belt blow down from the City of Astoria; now he cannot get into those lots.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear to authorize staff to begin the process of property exchange and return the item to a future Council meeting for final action. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

Item 6(d): Designation of Certifying Officer for Senior Center Renovation Grant (Community Development)

On March 18, 2013, the City Council approved the contract with the Oregon Business Development Department Infrastructure Finance Authority (IFA) for a grant in the amount of \$1.5 million for the renovation of the Astoria Senior Center. The next step in the process is for the City to appoint a Certifying Officer whose role is to attest to the city's compliance with HUD's environmental review procedures. The certifying officer is responsible for the accuracy and validity of the data and the conclusions drawn. The certifying officer is typically the highest elected official, but other City officials may be designated by resolution or motion of the City Council. This individual would be the official signator for many of grant related documents. The City Manager is an eligible position that could qualify as a Certifying Officer. It is recommended that the City Council designate City Manager Paul Benoit as the Certifying Officer for the purposes of this grant.

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City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr to designate City Manager Paul Benoit as the Certifying Officer for the purposes of this grant. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin, Herzig and Mayor Van Dusen; Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Councilor Mellin asked when the ribbon cutting at the 17th Street Dock would occur and for clarification on the City's role in developing the athletic facility on Williamsport Road. Director Cook believed the 17th Street Dock should be substantially complete by the end of April or early May. Securing an electrical transformer has caused some difficulties. A design engineer made an error in specifying the correct size transformer. Ordering transformers is time sensitive and Staff is working out the details of that issue. City Manager Benoit explained the City's primary role is to ensure that the athletic facility project complies with Oregon Department of Environmental Quality (ODEQ) requirements because it was formerly a landfill. Consultants and Engineering Staff are working with Columbia Memorial Hospital and the school district to ensure that the project is DEQ compliant. Additionally there are aspects to that the development that the City will likely be sharing. The City has cleared an area for a future Public Works shop, so potential road improvements and water and sewer line improvements will be necessary. Some of these items' costs will be shared. Work on the project is currently in hibernation. The hospital is working with the school district to develop legal agreements that define the roles and responsibilities of each entity involved. The City owns the land and will have ongoing responsibilities over the next 20 or 30 years. DEQ requires the ground water to be monitored, which the City has been doing since the landfill closed and will continue to do so. Given the brown field status, it is better for the City to retain ownership of the land and enter into a legal agreement with the school district for operations.

Mayor Van Dusen did not believe the project was in hibernation. The trucks are no longer working at the former landfill site, but all the entities are still working together to come to some basic agreements, which includes any facility plans, which need to be vetted through the students, school board, etc. and this takes time. He was sure the City will need to agree in writing to continue fulfilling its obligations to monitor a formal landfill.

City Attorney Henningsgaard agreed, adding the City proposed this project fairly quickly with a simple understanding of what it would take, and the hospital and school district attorneys were uncomfortable with that format and he agreed. At this time, the site is being compacted, which also takes time.

Mayor Van Dusen stated that members of the school board, hospital board, OHSU, and Recology all want a joint meeting with the City to look at the plans together. This could be a public meeting; while no decisions will likely be made it would provide opportunity to ask questions. This meeting should take place sometime within the next month.

Councilor Mellin recalled some discussion several years ago about installing a wind turbine on Wickiup Mountain, but the idea was dismissed because there was no way to transmit the energy. She asked if energy transmission would still be an issue. Director Cook explained that a feasibility study revealed two primary issues; the turbine could not be delivered to the site because of its size and the transmission line would be cost prohibitive. A smaller turbine would not produce enough energy to recoup the cost of the transmission line. Councilor Mellin understood that at one point, the City believed a turbine would pay for the cost of electricity at the site. Director Cook replied the City is now pursuing a hydro turbine. He will likely be testifying in Salem for a bill that will exempt small installations, like the City is proposing, from extensive and expensive mitigation measures on streambeds.

Councilor Herzig spoke about a man who committed several offenses in the city on Saturday, March 30, 2013. The police approached this man several times, only to charge and release him even after his second offense. This man went on to commit a third offense and was charged and released again. He asked why the man was not arrested after his second offense, which would have prevented him from committing the third offense. Deputy Chief Johnston explained that these offenses occurred over two separate days, March 30 and 31, 2013, he was arrested and released on March 30, 2013 for criminal trespassing. On March 31, 2013, he was first cited, and then arrested. He clarified that City Code violations are addressed using citations, not incarceration.

Councilor Herzig believed some municipalities charge public urination as public indecency, which goes on the offender's record. He would reread it as he believed all the offenses were listed in the newspaper as occurring on March 30. Deputy Chief Johnston explained that the public indecency ordinance is not the same as the state statute for public indecency, which has to do with a sexual violation.

Mayor Van Dusen asked if the street between the courthouse and post office could be used for parking during the 8th and Commercial CSO work. Public Works Director Cook stated that Staff has evaluated that, but because

the road comes to a dead end, not enough room exists to turn around and it would be unsafe to back out of that area onto 7th Street.

Sonya Cox, 3429 Harrison, Astoria, asked what site has been selected to replace the landfill and recycling center that is closing. Mayor Van Dusen replied that the actual landfill has not been used for 28 years so garbage has been transferred to another location. The landfill was never properly closed, so the City has been working with ODEQ for the last 28 years to legally close the landfill by covering it. The proposed football field and sports complex will cover the landfill. The transfer station and recycling will not change; the road will split in two directions.

Silvia Davis, 2775 Steamwhistle Way, Astoria, believed the Riverwalk is not appreciated by the Parks Department. It is never mowed or maintained. For two weeks, tourists have used the trolley and walked along the Riverwalk and it looks dreadful. She added that homeless people are now sleeping where the cathouses used to be. The area is covered with cardboard and looks awful. The Riverwalk should be one of the top priorities for lawn mowing.

Dolores Skillstad, 2314 SE Front, Williamsport, believed it is wrong that the public has not been notified that Mr. Neikes' property will be turned into a road. The road is part of the City's DEQ problem as all the seepage from the transfer station exits the culvert under the house on Mr. Neikes' property and empties into Youngs Bay. The area is polluted. She did not believe this had been taken into consideration. She recalled that the transfer station was closed when the garbage started going to Arlington because no more filling was allowed. At this time, burning brush was allowed for about three years. As the brush was burned, the old growth timber started to be destroyed, which is why burning is no longer allowed. Filling has continued, but no one has paid attention. This should all be discussed prior to making any decisions about this property; the public is unaware of this matter. People do not have a clue unless they attend Council meetings. She asked what arrangements have been made for Heron Rookery during construction. The [inaudible] has been completely destroyed it should have been protected. The trees have all been cut down and this needs to be addressed; this should not be pushed through. The City has been negligent on this issue.

The meeting was recessed at 8:50 p.m. to convene the Executive Session.

EXECUTIVE SESSION

The City Council Executive Session was convened at 8:50 p.m.

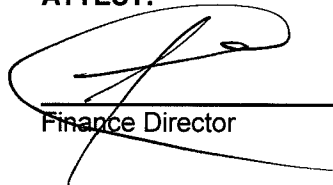
Item 8(a): ORS 192.660(2)(d) – Labor Negotiation Consultations

The City Council Executive Session was adjourned at 9:17 p.m. to reconvene the regular City Council meeting.

ADJOURNMENT


There being no further business, the meeting was adjourned at 9:20 p.m.

ATTEST:



Finance Director

APPROVED:



City Manager