

A work session of the Astoria Common Council was held at the above place at the hour of 7:03 pm.

Councilors Present: Nemlowill (via telephone), Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

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

COMMUNICATIONS TOWER

The agenda packet included a memorandum outlining the history of replacing the City of Astoria communication facilities at Astor Park. In order to move forward with plans to address the issue, direction is requested from the City Council.

Chief Johnston said staff wanted input from City Council on several issues. He gave a Power Point presentation on staff's perspective of the communications tower issues, the City's goals, the City's relationship with Verizon, and the four policy options listed on Page 5 of the memorandum. He asked Council to provide feedback about staff's goals and direction on how to move forward.

Mayor LaMear believed staff's goals were right for the City and she supported Option 3. She confirmed that staff should continue trying to reduce costs and maximize revenues for as long as the City can make money from the cell tower. She understood the revenue would go to the Parks and Recreation Department. Chief Johnston clarified that the Shively Park lease stated proceeds from the tower would go into the Parks Operations Fund.

Councilor Nemlowill said she supported maximizing revenue, but on the last proposal, aesthetics weighed heavier. The City has learned that a wireless communications facility is not compatible with a historic park. Unfortunately, the option presented moved a cell phone tower from one historic park to another. She supported Options 3 and 4.

Councilor Herzig believed Option 3 was the most interesting. He understood Chief Johnston had not finished the presentation and added that public input should be one of the goals.

Councilor Price believed City Council was always looking to minimize costs and maximizing revenue is not always the right thing to do. Aesthetic impact is important, as are impacts to neighborhoods, residents, and historic parks. The Friends of the Astoria Column have put some political pressure on the City. The tower at Astor Park cannot be seen from anywhere in the City or from across the river, but she understood the interest of the Friends and the majority of the Council. Therefore, she believed Option 3 was the best. She did not believe the City wanted to find funding for an \$800,000 project. She understood the City was currently receiving about \$42,000 in lease payments.

Chief Johnston clarified that \$42,000 was the amount of the existing lease for Shively Park. The City would not have received any revenues from the reservoir site for the first five years in consideration of Verizon building the tower and allowing the City's facilities to be on the tower for free.

Councilor Price said Option 4 did not seem possible and Options 1 and 2 were not politically possible.

Councilor Warr believed Shively Park was the ideal option because it provided the best coverage. In today's market, cell service is like any other utility. Coming across the bridge from Warrenton, two large cell towers can be seen. However, cell towers are like telephone poles; even though they are a bit obnoxious, they provide for the greater good for the most people. He strongly believed that the Shively Park option would serve the

community better than any of the other options. Therefore, he found it difficult to support any of the four options listed in the memorandum.

Chief Johnston continued with his presentation by reviewing the history of staff's efforts to resolve communication tower issues, the Friends involvement, and how the process led to recommending Shively Park as the only viable location for a tower.

Councilor Herzig said the consultants stated Shively Park was not the only possible place for a tower, but it was the best among the candidates they surveyed. The consultants had said they did not exhaust all of the possibilities. Chief Johnston said Shively Park was the only realistic site. There are other sites that will serve a tower, but every other site is a poor substitute for Shively. Councilor Herzig disagreed. At first, the consultants said the tower needed to be of a specific type, a specific design, and in a specific location. When the City said no, the consultants said maybe a slightly different pole and a slightly different location would work. Therefore, he does not believe that there is no wiggle room anymore. This is not staff's fault. The consultants have showed that sometimes, the City believed it was dealing in good faith but the consultants were bluffing. Chief Johnston said because of his perspective as staff, he strongly believed that every other option would result in a significant decrease in Verizon services. He remembered Councilor Herzig's reaction to the presentation and believed Converge spoke poorly during that presentation. Converge's comments did not match his own perception of reality. Since the appeal process, staff has understood that City Council does not want any tower structure in any park. He asked if this was accurate.

Councilor Herzig said what the public wants is more important. He believed the public was opposed to a tower in Shively Park and wanted the City to seriously consider any communication structure proposed for any historic site or public park. The City should be completely transparent with the public about its intentions and the public should be asked for their option before the City moves on any decision.

Councilor Nemlowill understood the desire to work with Verizon up until this point to create a much-needed new facility for the City's emergency communications. However, the City's attempt to partner with Verizon has not succeeded. She wanted the City to separate itself from the responsibility of finding a site for Verizon. If Verizon went out on its own to find a site, the site might not be in Astoria or on City property.

Councilor Price said Astoria has 64 parks and she did not know where about 20 of them were located or what they look like or how big they are. Therefore, she believed staff's question about the appropriateness of a tower in a park was not useful.

Chief Johnston said Options 1 and 4 are separate from Verizon. Staff believes partnering with Verizon would result in huge cost reductions because the City's facilities could be upgraded for free.

Mayor LaMear agreed with Councilor Warr that Shively Park is the best option. She heard from people who were saying Astoria needs better cell phone coverage and supported a tower at Shively because it would provide better coverage. While Shively Park is her first choice, her second choice is to explore the options with Verizon.

Councilor Warr said City Council heard from people who live near Shively Park that opposed the tower. If he lived near Shively Park, he may have been opposed for a few weeks, but then he would not see the tower anymore. However, the people he has spoken with supported a tower at Shively Park. He did not agree that the public was against a tower at Shively Park.

Chief Johnston understood that saying no park ever was too broad a statement, that City Council wanted public input, staff needed to be very transparent if a tower in a park were considered, and that it would be nice if Astoria could resolve these issues without Verizon. He confirmed that if Astoria does not put up a tower in cooperation with Verizon, the City would still have a tower in a historic park or incur substantial debt from building a new tower.

Councilor Warr was sure the City would not take on more debt at this time. He believed the City needed to decide which park to put a tower in.

Councilor Nemlowill asked how much money the City made from leases with colocators on the tower at the Column. She wanted to consider Option 4 in more depth because some of the construction costs of the reservoir

site could be offset and the City could generate revenue in the future. Chief Johnston explained that the reservoir site would cover a very small area for Verizon, AT&T, Sprint, and any other company the City tried to collocate on that tower. Some of those carriers have almost no coverage in the area, so those carriers would find the reservoir site more attractive than Verizon does. However, it would be ambitious to try to estimate those numbers. The City does not currently have anyone on staff to recruit tenants and manage leases. Therefore, generating the leases will incur costs and the City would have to pursue leases aggressively to maximize any benefits.

Councilor Price believed the City was currently getting about \$24,000 a year from leases.

Councilor Herzig said it was important to remember that technology continues to advance and that Verizon will not walk away from this market. Verizon has an investment in the area and they want to keep their customers. When the Friends began dealing more aggressively with Verizon, Verizon was willing to accommodate the reservoir site. He believed Astoria should continue to be strong for the citizens. Verizon will provide the better cell phone coverage the citizens want, but the City cannot give away the farm too rapidly. Advances in technology and realizing that Verizon wants to stay in Astoria means the City does not have to make deep concessions. Chief Johnston noted that staff has been strong on this issue for eight years now and he does not have the energy to continue. Staff is running out of capacity for this project.

Councilor Warr said Astoria has been very rough on Verizon since this process began. The City has forced Verizon to do things they did not want to do. By trimming down a proposal that Verizon felt good about, Astoria has cut off its nose to spite its face. He believed the proposal was a good proposal. Chief Johnston added that Verizon representatives have said it is unusual for Verizon to go this far. The City got Verizon to move from a \$500,000 investment to \$1.5 million investment. Verizon is still willing to stay at the reservoir and try to fill the small void left by Shively Park, but Verizon's efficiency within the City will decrease. Verizon is a private company and this is not an altruistic business for them either. However, Astoria does not know the financial data.

Councilor Price did not believe there was a downside to Option 3. The City had extensive public hearings on Shively Park. Verizon and the Friends attended the hearings and the public listened to the proposals. The recordings are available for anyone who wants to listen to them again and the minutes of the meetings are available. She believed Verizon, the Friends, and everyone in the room had a good idea why Shively Park was off the table. She supported Option 3. She understood staff's request for more guidance, but said City Council could not make land use decisions ahead of the Historic Landmarks Commission (HLC) and Planning Commission. Putting a tower outside of city limits was a good idea because then Verizon would not have to deal with either body. Option 3 takes the City out of Verizon's job to find a location. However, it is possible that Astoria would not have tower within the city limits that could be rented to collocators for additional revenue. She asked if there were any other downsides to Option 3.

Councilor Nemlowill understood Option 3 was the most popular with City Council and asked if staff believed Option 3 was the best. Chief Johnston said Option 3 would be the least amount of work for staff and the City would still end up with emergency communications facilities in a safe area.

Councilor Herzig said he appreciated the work staff had done, but noted that when work began the City was not fully staffed. The City now has a Community Development Director and a City Planner. He did not believe Chief Johnston would have to carry the workload alone and believed the Community Development Director and Planner should be involved. City Manager Estes said he was the Community Development Director and Rosemary Johnson was the City Planner when this project began. She was retained after she retired to continue working on this project for continuity. The Community Development Department is reviewing this project from a land use perspective and other individuals are doing the negotiating. Therefore, it would not be appropriate to have Director Cronin negotiate. A permit is already in place for Option 3. If other sites in the city limits were to be reviewed, Director Cronin and Planner Ferber would conduct the reviews.

Chief Johnston noted that the tower at Astor Park was currently overburdened and Reservoir Ridge offers the City public safety opportunities. Verizon will not go forward with the current lease, so the City will receive reduced income; however, staff should be able to minimize costs. The lease was based on the future development at both sites because the lease had to be approved before the permits. With the permits for Shively Park denied, Verizon is not willing to move forward with Reservoir Ridge. However, Verizon is willing to renew the lease at Astor Park for another year. Staff has been asked to consider a broadcast site off Pipeline Road. Both of the

City's land mobile radio vendors have looked at the site and determined the site should be avoided because of the geography of the area. The site would decrease the City's land mobile radio coverage, which violates the principle that this process should not result in a decrease of public safety radio. The site does not offer any ability to expand. Expansion would require a tower too tall for the wind loads. The location of this particular location cannot suit Astoria's current or future needs. The Friends of the Column have requested that no lease extensions be granted. This will allow staff to convey a sense of urgency when negotiating; however, Astoria's flexibility will be restricted. The City needs to make a decision and move forward on this issue quickly because public safety infrastructure is being damaged. The temperature inside the emergency communications building at the Column cannot be controlled and the open ventilation allows too much dirt inside. This was okay when the City had two based and solid state radios, but the room now looks more like a server room than a radio room because it holds switches, microwave radios, and networked equipment. The longevity of the equipment is decreasing and every time the power goes out the temperature inside the shed rises. He appreciated City Council's input and asked for a firm recommendation on one of the policy options.

Councilor Herzig asked if the Friends were opposed to the lease extension that would be required to move forward with Option 3. Chief Johnston said staff would have to ask, but he believed the Friends would understand if they recognized the end result. Councilor Herzig said the Friends wanted the tower removed from the Column and a lease extension would delay this.

Councilor Nemlowill believed the City could move forward with better public safety facilities without taking the historic facilities. She hoped everyone would agree. If the lease needs to be extended for another year or two, the Friends should be reassured that the City intends to move the tower away from the Column. Councilor Price agreed.

Mayor LaMear confirmed that City Council wanted staff to move forward with Option 3, but only after public input and presentations from Verizon and the Friends of the Column. She called for public comments.

Shel Cantor, 1189 Jerome, Astoria, said he understood that the site at Reservoir Ridge would provide better coverage for Astoria's needs than the site at Astor Park. He asked if this was true. Chief Johnston said Reservoir Ridge would provide radio coverage equivalent to Astor Park. However, Reservoir Ridge would also provide Astoria the opportunity to connect to remote sites through a microwave connection that cannot be reached from any of the existing sites.

Mr. Cantor said this would be an improvement from Astoria's point of view. During the hearings, Verizon's lawyer had said this process was not what Verizon normally liked to do. He had explained that Verizon normally goes out on their own to look for a site that serves their purposes and then they attempt to negotiate with the property owner for a lease. Verizon is not altruistic and does not provide charity. This is clearly to Verizon's advantage as they were willing to spend \$1.5 million. He was concerned about Astoria building its own tower at Reservoir Ridge. The design of the tower would need to be decided in advance. He asked if the tower would accommodate other providers, if so how many, and what those providers would need. All of these decisions would need to be made in advance or Astoria would need to build the minimum requirements to accommodate the City's needs. This concerned him because Astoria does not have the staff to investigate and negotiate. City Manager Estes said Astoria's Development Code requires colocation. If towers were constructed, providing colocation sites would minimize the need for additional towers. Chief Johnston added that the City would end up hiring a contractor to do the necessary work.

Mr. Cantor understood, but wanted to know if colocation would require an extra 100 feet or 150 feet, or support for an extra 3,000 pounds or an extra 50 pounds. The City cannot know how much to provide for colocation without additional information. Chief Johnston noted that Verizon has already done this work.

Mayor LaMear confirmed there were no more public comments and called for a presentation from the Friends of the Astoria Column.

David Olson said he was a Friends of the Astoria Column board member and the Friends asked him to speak. However, he would not represent the Friends until City Council has made a decision because the Friends must consider City Council's decision first. The board asked him to explain what the Friends have been up to in this process, which was well described by Chief Johnston. He was the Cable Communications Director for the City of Portland for about 30 years and served under five mayors. He was involved with all of Portland's wireless siting

issues, which are difficult issues for everyone involved and all over the country. There has been an enormous spike in wireless use for recreation, public safety, education, and health care. The Federal Communications Commission (FCC) is refiguring their spectrum to accommodate the demand.

- After April 1, 2013, when the last proposal for a monopole at Coxcomb was presented to City Council, he was brought in by the Friends to help. In the last year, he took a friend to see the Column lit up at night. The friend said the Column was beautiful and fantastic. He took his friend back to the Column the next day and she asked why the communications facilities were located at that site. He has had the same reaction even though he is sympathetic to the conflicting facilities.
- In May 2013, he sent the Friends a memorandum saying technical solutions were always an option. In June 2013, Verizon agreed to consider spending three times more than they had imagined to move facilities out of one of the most historic locations in Oregon. He wrote the request for proposals for the Friends and the competitive bidding process resulted in hiring Converge to work with Verizon on a solution.
- In 2014, Verizon's team began this enormous project. In the mean time, a new City Council was elected. Code changes, designs, and engineering had to be done. The tower was engineered possibly four times by independent engineering teams. The Friends were very gratified when this came to City Council in August 2015 and the majority of the Council indicated this would be a great solution.
- The goals of the Friends remain the same, to support City Council and the City in finding ways to remove conflicting wireless facilities, particularly from critical historic parks. He heard Councilors say Astoria does not want conflicting wireless facilities in historic parks and Council has adopted this as a policy. However, Astoria currently has conflicting wireless facilities in a historic park that attracts 400,000 visitors each year. This is significant and he knows people want the facilities removed. The Friends want to complete a master planning process with Astoria for Astor Park, open up views to the northeast, and possibly build facilities that benefit the visitors. None of this is possible with the existing facilities. The City has a contractual agreement that cannot be executed as long as the facilities remain in that location. The Friends are very supportive of the City's work and the situation the City faces. These wireless issues are difficult because wireless has spiked all over the country and the City's public safety needs must be met. He urged Council to refrain from presuming that just because the facilities have always been in Astor Park they cannot be seen anymore. By the City's own criteria, the facilities need to be moved. He agreed that much of this work could have been done more publicly and he would have been delighted to explain each step of the process and the results of the engineering study. Everyone has the right to know the engineering work that was done on the site locations. He agreed with the Councilors that said Astoria should not have conflicting facilities. In the early stages, it was tough to get one of the largest wireless companies in the country to spend three times as much they ever imagined in order to accommodate the most significant historic site in Oregon. The Friends support meeting the wireless needs of customers in Astoria, but also support the City's efforts to move the conflicting facilities out of the most historic park in Oregon and benefit the community. There is nothing lovely about a power pole, lines, and facilities sitting in the City's streets. And if these facilities remain long enough, they become part of the landscape. However, people react when something changes. There are not many ways to make communications facilities look better, but there are design methods and many other things that can be done.
- The Friends have a master planning process the City is committed to completing, but the master plan cannot be done with the facilities at Astor Park. He believed the Friends would be sympathetic to a temporary extension while a permanent solution was being worked on. The City did the public process and educated people about the trade-off. He believed the Friends would be sympathetic to any solution that worked for the City and the public to move facilities off the hill while accommodating the public safety facilities if the City had a definite and fixed process. Verizon has stepped up with a lot of persuading and he was sorry that the process was not more public. The Friends primary interest is to complete the master planning and move conflicting facilities off the hill.

Councilor Herzig understood that some things had to be done in back rooms and all of the work could not have been done publicly. The City should have been checking in and relaying the information to the public more often. This was new territory for everyone.

Mr. Olsen offered to help in any way he could.

Mayor LaMear called for a presentation from Verizon.

Yogi Sandstrom, 3021 SE Briarwood Dr., Vancouver, WA, said he has been working in wireless communications for 13 years and has never seen any situation that required so much effort and time with one particular carrier. Verizon wants to renew the lease at Coxcomb for a one-year extension with the option to renew for an additional year. Now that Shively Park is not an option, Verizon will choose a new site outside of the City of Astoria. He has done project management for Verizon, which has included over 100 sites in Oregon in the last three years and he will be locating the new site once the project is assigned to him. Verizon plans to construct a new tower at the reservoir, which he believed was Option 3. Verizon is currently engineering the new road, the City has already approved permits for the tower, and the lease has already been negotiated. A 50 foot by 50-foot piece of land will be developed and the tower will be engineered to accommodate Verizon, the City, and future colocators. Fiber will be brought 1.2 miles from James Street to the site. Verizon will also remove and dispose of the tower at Coxcomb when the lease has expired and return the land to its pre-1989 condition. This will include foundation removal and landscaping. Verizon will remove all of the City's equipment from the tower at Coxcomb and place it on the new tower, move all of the cabinets from the old shelter to the new shelter, supply the new shelter for the City with a generator and a \$150,000 system, and give ownership of the equipment to the City. Verizon will also provide diagnostics on all of the City's equipment and realign it. The City will get 1.2 miles of fiber, and brand new road, and a tower that the City can get income from via ground leases. Verizon would like free rent for the duration of the lease in exchange. Colocators would sign two separate leases, one with Verizon for facilities placed on the tower that they own and one with the City for the ground facilities. He believed this was a pretty good deal. Verizon was considering four sites to replace the tower at Coxcomb, the Astor Hotel, Shively Park, the reservoir, and stave bolt; however, since Verizon must find a replacement for Shively, they are looking outside of the city. Astoria will never get a new tower with all of the planning restrictions in the city. He confirmed for Councilor Herzig that there is no way Verizon can locate a tower in the city. He will be in charge of finding a replacement site for Shively that is not in the City of Astoria. Verizon is open to Options 1 and 2, but those options are not the best. He preferred Option 3 because it offers some great benefits for the City. He believed the City could still get revenue from the smaller companies.

Councilor Warr asked if Mr. Sandstrom expected a degradation of Verizon service within the city limits. Mr. Sandstrom said Verizon had three different radio frequency engineers work on this project since he got involved. The engineers want to find the best solution and the east end of Astoria will get service from the reservoir site. Astor Hotel will cover another section of town and Verizon will have to find a location that will cover the area Shively Park would have provided service to. Service will not be as good, but Verizon is trying to use four sites to cover the one. Verizon budgeted more than \$2 million for this project.

Councilor Herzig thanked Mr. Sandstrom for all of the work he put into the project. The sites being discussed are Astoria's historic legacy and it is a tribute to the Friends of the Column that this situation was so exceptional. He was thrilled that Verizon was willing to give so much. Mr. Sandstrom added that Verizon wants this project completed as soon as possible and he would be happy to work out the small details with staff. The building permit for the reservoir site is almost ready. Councilor Herzig said no one wanted to drag this out any longer than necessary.

City Manager Estes noted that over the years, the City has had very successful public/private partnerships. He believed in this case, Option 3 would provide the best product because the City would get a brand new tower that will provide better coverage and service for emergency communications. If Council decides to move forward with this option, staff will have to work with Verizon and get specific dollar amounts. He also believed Option 3 was the most fiscally responsible.

ADJOURNMENT

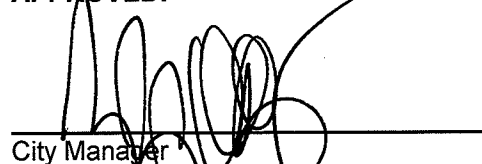
There being no further business, the work session adjourned at 8:21 pm to reconvene the Astoria City Council meeting.

ATTEST:



Finance Director

APPROVED:



City Manager