

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

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

Councilors Excused: LaMear

Staff Present: City Manager Benoit, Police Chief Curzon, Deputy Fire Chief Gascoigne, Library Director Tucker, City Engineer Harrington, Parks Director Cosby, Community Development Director Estes and Finance Director Carlson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor Van Dusen announced that the next City Council meeting will take place at the Liberty Theatre in the McTavish Room on June 17, 2013 for the ribbon cutting of the theatre's new renovation. The City of Astoria provided a grant for the renovation in the amount of \$386,000.

REPORTS OF COUNCILORS:

Item 3(a): Councilor Warr reported that he had welcomed the seamen from *The HMCS Oriole*, a Canadian ship, which will be the only military ship to attend the Rose Festival in 2013.

Mayor Van Dusen circulated a gift that was presented to the City of Astoria by the crew of *The Oriole*.

Item 3(b): Councilor Mellin reported that she attended the Irving Avenue Bridge presentation. The drawings were very interesting. Irving Avenue will be under construction for a long time, but the bridge will be beautiful. She also attended the Friends of the Astoria Column luncheon and met the prospective architectural landscaper, Mr. Laurie Olen. She visited the new Oregon Film Museum for the first time on Sunday and it was fantastic. She encouraged people to visit the museum.

Mayor Van Dusen noted that he researched the film museum on the internet. Their website stated that the museum was located in the historic jail, but the picture on their website showed a picture of the current jail. He notified Mac Burns, who corrected the website.

Item 3(c): Councilor Herzig reported that *The Oriole* is the oldest ship in the Canadian Navy. Before the ship was in the Navy, it was a bootleg ship that ran alcohol from the United States to Canada across the Great Lakes during the Prohibition. The ship is available for tours until 8 p.m. tonight.

Mayor Van Dusen stated the United States military has reduced spending. In years past, many naval ships would attend the Rose Festival. This year, *The Oriole* is the only military ship stopping in Astoria for the festival. Very few naval ships will pass Astoria for the Rose Festival this year. This year, the Coast Guard will not be able to perform a helicopter fly-over for the Regatta, which has been done for many years.

Item 3(d): Mayor Van Dusen reported that at CoastLiving.com, a coastal food magazine, an article was published about the Bow Picker restaurant and Astoria. The feature article in a pilot's magazine was titled, "*The Official Coast Guard City Astoria Oregon*", so Astoria is getting a lot of good publicity. City Council rode the Astoria Riverfront Trolley from the new train depot to the Maritime Museum on Sunday, June 2, 2013.

Councilor Herzig described the celebration when the 500,000th passenger, Louise from Salem, boarded the trolley. It was her second time on the trolley. Mayor Van Dusen had congratulated her and gave her a City of Astoria Plate, hats and t-shirts. Horns and bells were going off and photographs were taken.

Mayor Van Dusen noted that the trolley is operated by volunteers. He represented the City Council at the annual banquet for the hospital on Saturday, June 1, 2013. The City will have a new building for cancer radiation treatment. A cancer patient told her story at the banquet, saying she would have to get up at 5 a.m. to travel by bus to Longview, WA for radiation treatments five days a week. The partnership with Columbia Memorial Hospital, Oregon Health and Science University (OHSU), Dr. Park, and the City of Astoria raised a total of

\$155,000 at the banquet with the auction raising \$105,000 and \$50,000 that was donated. OHSU only agreed to become a partner if there would be room for a future hospital expansion. He noted it was a privilege to represent City Council at the banquet.

CHANGES TO AGENDA: There were none.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

5(a) Boards and Commission Minutes

(1) Historic Landmarks Commission Meeting of 4/16/13

(2) Library Board Meeting of 4/23/13

5(b) Contract Award -Astoria Senior Center Renovation Grant Management (Community Development)

5(c) Intergovernmental Agreement with Oregon Department of Transportation for Old Youngs Bay Bridge Temporary Construction Easement (Public Works)

5(d) Resolution Closing Fund 156, the Aquatic Facility Activity Fund (Finance)

5(e) Resolution Declaring Intent to Receive State Shared Revenues (Finance)

Councilor Herzig requested Item 5(b) removed from the Consent Calendar.

City Council Action: Motion made by Councilor Warr seconded by Councilor Herzig, to approve Items 5(a), 5(c), 5(d) and 5(e) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

Councilor Herzig stated the City is hiring a grant administrator to manage the Senior Center Renovation Grant. Because this is an important public project involving the City, the Senior Center and the Loaves and Fishes Meals for seniors, he wanted to make sure the public remained informed at all times. A grant administrator is an important aspect of this project and will make sure all of the rules of the grant are followed. The City Manager does not have the time or skill set to do this work so hiring a grant administrator is important.

City Council Action: Motion made by Councilor Herzig seconded by Councilor Mellin, to approve Items 5(b) on the Consent Calendar. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

REGULAR AGENDA ITEMS:

Item 6(a): Public Hearing and Resolution Adopting Supplemental Budget for FYE June 30, 2013 (Finance)

Oregon Revised Statute (ORS) 294.471 / 473 provides that a municipality may adopt a supplemental budget by publishing a notice, holding a hearing on the supplemental budget, and adopting the budget by resolution. The supplemental budgets are necessary for the following reasons: As approved by Council, the Promote Astoria Fund received proceeds of \$350,000 for a borrowing from Clatsop Community Bank. The purpose of the borrowing is to support the development of the Heritage Square project. The supplemental budget will transfer funds to the Parks Project Fund to continue the Heritage Square project. The Parks Project Fund requires a supplemental budget to appropriate the transfer described above and to receive additional funds from the Astor East Urban Renewal District (AEURD) so that the funds may be expended. It is recommended that Council hold the public hearing and adopt the proposed resolution.

Mayor Van Dusen opened the public hearing at 7:13 p.m. and called for public testimony regarding the Supplemental Budget. Hearing none, Mayor Van Dusen closed the public hearing at 7:14 p.m.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to approve the resolution adopting the Supplemental Budget for FYE June 30, 2013. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

Item 6(b): Public Hearing and Resolution Adopting Budget for Fiscal Year 2013-2014 (Finance)

Oregon Local Budget Law requires that the City Council hold a public hearing on the budget, as approved by the Budget Committee. Notice of this hearing, scheduled for June 3, 2013, was published in the Daily Astorian on Friday, May 17, 2013. The Budget Committee approved the FYE June 30, 2014 budget at its meeting on April 25, 2013. The only adjustments by the Budget Committee to the Proposed Budget were related to the distribution of funds in response to requests by community organizations and the set aside of \$30,000 in the Promote Astoria fund for organizations promoting Astoria. Copies of the budget were previously distributed to the Council and Budget Committee. Copies are available from the Finance Department upon request and are posted on the City's website. It is recommended that Council conduct the public hearing and adopt the proposed resolution.

Mayor Van Dusen opened the public hearing at 7:14 p.m. and called for public testimony regarding the 2013-2014 Budget. Hearing none, Mayor Van Dusen closed the public hearing at 7:15 p.m.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to approve the resolution adopting the budget for Fiscal Year 2013-2014. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

Item 6(c): Ordinance regarding Amendment Request (A13-01) by Rising Tide Enterprises LLC to the Land Use and Zoning Map to Rezone an Area at 16th and Exchange Streets from C-3 to R-3 (2nd reading & adoption) (Community Development)

This proposed ordinance received its first reading at the May 20, 2013 City Council meeting. The ordinance amends the Land Use and Zoning Map to rezone an area at 16th and Exchange Streets from the C-3 Zone to the R-3 Zone. It is recommended that the City Council conduct a second reading and adopt the ordinance.

Director Estes conducted the second reading of the ordinance regarding Amendment Request A13-01.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to adopt the Ordinance regarding Amendment Request A13-01 by Rising Tide Enterprises LLC to the Land Use and Zoning Map to rezone an area at 16th and Exchange Streets from C-3 to R-3. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Item 6(d): Ordinance regarding Amendment Request (A13-02) by Cannery Loft Holdings LLC to the Land Use and Zoning Map to Rezone a Parcel from GI to S-2A (2nd reading & adoption) (Community Development)

This proposed ordinance received its first reading at the May 20, 2013 City Council meeting. The ordinance amends the Land Use and Zoning Map to rezone a parcel from the GI Zone to the S-2A zone on the north side of Abbey Lane east of 39th Street. It is recommended that the City Council conduct a second reading and adopt the ordinance.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr to conduct a second reading of the Ordinance regarding Amendment Request A13-02 by Cannery Loft Holdings LLC to the Land Use and Zoning Map to rezone a parcel from GI to S-2A. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

City Engineer Harrington conducted the second reading of the ordinance regarding Amendment Request A13-02.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin, to adopt the Ordinance regarding Amendment Request A13-02 by Cannery Loft Holdings LLC to the Land Use and Zoning Map to rezone a parcel from GI to S-2A. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Item 6(e): Authorization to Award 5th and Duane Street Landslide Clean Up (Public Works)

In December 2012, a landslide occurred on City owned property impacting the south side of Duane Street between 5th and 6th Street. Movement continued over the next several weeks bringing several large trees and a more substantial volume of soil onto the road. Landslide Technology (on-call Geotechnical firm) helped evaluate the slide and provided recommendations to guide the clean-up effort.

Since mid-February, the area has remained relatively stable. Public Works staff has developed a project to address additional debris removal and erosion control. The project includes loose slide debris removal, removal of concrete blocks and installation of erosion control measures, and hydro seeding.

Staff used the Request for Quotes process (RFQ) as the Engineer's estimate for the project is \$20,000 with a 15% contingency.

Contractor	Total Bid
TFT Construction Inc.	\$13,618.00
North Pacific Excavation	\$15,817.82
Bergeman Construction	\$28,034.20
Big River Construction	\$32,030.00

It is recommended that Council authorize a contract for \$13,618.00 with TFT Construction Inc., for the 5th and Duane Street Slide Clean-up Project. Funds for the project are available in the Capital Improvement Fund.

Councilor Herzig noted that several residents living near the site were in the audience. Mayor Van Dusen asked if any member of the community would like to comment on the landslide cleanup.

Chris Wright, 510 Duane Street, Astoria, stated that a memo left on his doorstep suggested that the hill would be hydro seeded, but did not clarify what vegetation would be planted. He understood that hydro seed is grass seed. His research has revealed that a variety of root depths is necessary to prevent future landslides and asked for more clarification on the hydro seeding.

City Engineer Harrington explained the current plan is to grade off any unstable material that remains, clean up the concrete blocks, install erosion control geotubes in straw waddles, then hydro seed the area. This process was recommended by the geotech. He understood that planting will look nicer. All of the soft material has fallen off of the hillside, leaving hard material. Larger vegetation may not grow in or help stabilize the hard material; however, grass could be established. He agreed this is not the most aesthetically pleasing. He hopes native vegetation in the area will come back, and if not, that option could be revisited. Currently, the goal is to plant something that will stabilize the hill.

Mr. Wright stated that as a homeowner, aesthetics are a concern. He has done a lot of research online, which he forwarded to Assistant City Engineer Nathan Crater. He has not yet received a response. Mr. Wright said he would like to see the geotech's recommendation. He is anxious about the project because his research states that a variation of root depth is necessary. He would like to hear directly from the professional that grass is a good option.

City Engineer Harrington added that one advantage of grass is that it can be sprayed from the bottom of the hill. This prevents the need for people to walk on the hill and dig holes to plant, which is disruptive. Once grass is established, the City hopes to come back and do some planting.

Mr. Wright found some spray seed options that are more than just grass and include a stronger root system. He is not concerned with aesthetics, even though it is a factor. He is concerned that another slide will occur after grass is planted. He would like the City to be proactive about this issue. He asked for the geotech's contact information. He attempted to contact the company through phone numbers found online, but could not determine who to talk to about this project.

City Engineer Harrington explained that the City is using a seed mix developed by Oregon State University. The Forest Service and many other organizations also use this seed mix. It is a diversified mix of seed, which

provides assurance that it will grow. He offered to contact Mr. Wright prior to applying the seed mix to see if the addition of another type of seed might be helpful.

Mayor Van Dusen suggested Mr. Wright work directly with City Manager Benoit and Staff. The area is City property, which is directly across from Mr. Wright's front porch and is 200 feet high. Doing this research is the City's responsibility, not Mr. Wright's. Going through City Manager Benoit gives Mr. Wright a direct path and allows City Council to remain more informed about the details of the project.

Mr. Wright added that the road is still in bad shape. He did not know if roadwork was part of the contract with TFT Construction. The memo did not mention road repair. He asked if this was a separate issue.

City Engineer Harrington stated that the current plan is to repair the pavement when other pavement work is completed. The contract with TFT is limited to specialized work. A separate paving project will be coordinated and a paving subcontractor will be hired. It will be more efficient to repair the pavement when all of the other pavement work is done. Public notices regarding pavement work will all be sent out at the same time. Mayor Van Dusen added that Mr. Wright should go through the City Manager's office regarding his paving concerns.

City Engineer Harrington stated that the landslide cleanup has cost about \$50,000.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to authorize a contract for \$13,618.00 with TFT Construction Inc., for the 5th and Duane Street Slide Clean-up Project. Motion carried unanimously. Ayes: Councilors LaMear, Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Item 6(f): Pay Adjustment #2 - Garden of Surging Waves, Sequence A (Community Development)

The City Council previously authorized the award of a construction contract to Robinson Construction Company in the amount of \$798,498 for the first sequence of the Garden of Surging Waves. One pay adjustment has been processed to date with the second presented in this memo for consideration. Adjustment #2, in the amount of \$6,223.64, addresses the need for additional electrical junction boxes within the project site. Not all of the site light fixtures are going to be installed within Sequence A. In order to install these fixtures in later Sequences, the added junction boxes are needed at this time. The junction boxes will facilitate the smooth connection and pulling of electrical wire, thereby avoiding additional costs for installation during a later Sequence. The total pay adjustments would be a 2% change in the contract amount. The pay adjustment would be paid from the budgeted project contingency of \$142,106 and would leave approximately 89% of the contingency remaining. It is recommended that the City Council authorize Pay Adjustment #2 in the amount of \$6223.64 with Robinson Construction for the Garden of Surging Waves.

Councilor Herzig asked Director Estes to give an update on the progress of the project. He read that work had been temporarily suspended and has since resumed.

Director Estes stated that an article was published in the newspaper a few weeks ago about suspension of construction. The retaining wall along Duane Street was constructed in 2012. The soil behind the wall contains more gravel than the original design called for, and so, to save on costs, minor changes to the landscaping were made. Landscaping is still within appropriate tolerances specified by the landscape architect. For example, instead of spacing plants six inches apart, they are spaced 8 inches apart. Today, the contractor removed some of the gravel from the back side of the retaining wall so that trees can still be planted in that area. Construction is moving forward. Councilor Herzig said he was glad to hear that the trees will still be planted.

Mayor Van Dusen explained he told the newspaper trees would not be planted along the sidewalk because he believed this was the case due to the hollow sidewalk. The newspaper is not at fault for printing misinformation.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to authorize Pay Adjustment #2 in the amount of \$6223.64 with Robinson Construction for the Garden of Surging Waves. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Item 6(g): Irving Avenue: 19th Street Bridge Replacement - Pedestrian Access through the Construction Site (Public Works)

On July 19, 2010, Council approved entering into an Intergovernmental Agreement with ODOT to secure grant funding through the Highway Bridge Program (HBP) for the replacement of the Irving Avenue Bridge. The total estimated project cost is \$5,877,000. The agreement provides HBP grant funds in the amount of \$5,273,432 with the City being responsible for a match of \$603,568. In February, Council authorized staff and the engineering consultant, David, Evans and Associates (DEA), to commence work on a single-span bridge design. On May 20, 2013, City staff and DEA updated Council on the design, showcasing a photo simulation of the completed bridge. A public open house was held the following evening at the Astoria Recreation Center. According to the sign-in sheet, nine people attended and were in support of the project. One person inquired about pedestrian access during construction and the project team explained the estimated cost of \$300,000 for a formal pedestrian access through the construction site that must meet Federal requirements. This person agreed that the cost was not worth the temporary inconvenience to pedestrians during construction.

DEA will evaluate the possibility of sequencing construction activities to allow pedestrians on the new bridge as soon as possible. It is recommended that Council authorize DEA to continue bridge design without pedestrian access through the construction site for the Irving Avenue: 19th Street Bridge Replacement project.

Councilor Herzig stated that the City held an open house to receive input from residents living in the area and one pedestrian expressed concern and acknowledged that \$300,000 for access was cost prohibitive. The City has been diligent in including pedestrians in this discussion. Pedestrians agree that \$300,000 is not an appropriate use of funds for a temporary pedestrian walkway.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to authorize DEA to continue bridge design without pedestrian access through the construction site for the Irving Avenue: 19th Street Bridge Replacement project. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Mayor Van Dusen thanked Staff for looking into the pedestrian access.

Item 6(h): Authorization of Contract for Specialty Inspection and Material Testing Services for Wastewater Treatment Plant Effluent Treatment Upgrades (Public Works)

The upcoming Wastewater Treatment Plant (WWTP) Effluent Treatment Upgrades project includes the following improvements:

- Dechlorination equipment and instrumentation
- Chlorine contact chamber upgrades
- Wastewater effluent flow meter replacement
- Wastewater effluent pH adjustment equipment and instrumentation
- Chlorine feed system upgrades and instrumentation

In November 2012, R&G Excavating (R&G) was awarded a construction contract for the project. They have been working through the submittal process and procuring long-lead time equipment. On May 22, 2013, R&G mobilized to the site and began installing fill material that will need to settle over the next month or so. Primary construction activities will take place during the summer months when the flows to the treatment plant are at their lowest point.

To ensure quality control during construction, specialty inspection and materials testing will need to be performed. Staff requested a scope and fee from Mayes Testing Engineers, Inc., in the amount of \$10,600 to provide these services. It is recommended that the City Council award the specialty inspection and materials testing services contract for the WWTP Effluent Treatment Upgrades project to Mayes Testing Engineers, Inc., for \$10,600. Funds are available for this project through IFA funding.

City Manager Benoit explained that contractors are required to meet certain standards relative to strength of concrete, strength of compaction underneath facilities, and specialty welding testing. This engineering firm specializes in this type of work and will document that the project is done according to standards.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to award the specialty inspection and materials testing services contract for the WWTP Effluent Treatment Upgrades project to Mayes Testing Engineers, Inc., for \$10,600. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None

Item 6(i): Request from Melissa Yowell of 690 17th Street to Top/Trim Trees on City Property (Public Works)

Melissa Yowell of 690 17th Street has submitted an application for permission to top trees on city property. The city owned property is to the east of Ms. Yowell's property and includes Tax Lot 2800, Map 80908DC. On March 4, 2013, Council denied a tree cutting permit submitted by Ms. Yowell. The primary reason for the denial was an adjacent neighbor's opposition. Ms. Yowell was not present at the meeting to respond to her neighbor's concerns.

In a newly submitted permit, Ms. Yowell is requesting permission to top or trim nine Red Alders and Norway Maple saplings with diameters of approximately 8 inches as per her arborist's professional judgment. Based on arborist's recommendations and from a technical standpoint, staff supports the proposed topping/trimming. All adjacent property owners will be notified that this request will be heard by the Council at the June 3, 2013 meeting.

It is recommended that the City Council either reconsider its decision on the original request or approve the current modified proposal for trimming/topping. In either case, we recommend that any approval be conditioned as follows:

- 1) Applicant will provide a letter of concurrence from the project arborist certifying that the work was completed in strict compliance with all recommendations of the report and our permit.
- 2) Applicant shall employ any erosion control measures recommended by the project arborist and take any other measures required to stabilize all disturbed areas and assure that new growth is fully established.

Melissa Yowell, 690 17th Street, Astoria, stated she would like the trees removed to enhance her view. The trees were cut in 2003 with permission from the Public Works Director. This did not kill the trees or cause any landslide. Cutting the trees will save the hillside because the trees could be uprooted during wind and rain. Her neighbor, Rebecca Norman, remains indifferent to cutting down the trees, but wants the company hired to cut the trees to have insurance. Ms. Yowell assured her neighbor the company would have insurance. She was unaware that the Gunn's were considered adjacent owners so she did not include them on the application. She spoke to the Gunns on June 2, 2013 and the Gunn's have no problem with the trees being cut.

- Her arguments to support the application are support from the neighbors, a letter of support from the arborist and the recommendations of Staff. She added that one neighbor, Karl Johnson, stated he would support the application if Ms. Yowell topped the trees in her yard. These are the same heritage trees that grow along 7th Street at the Flavel House. Mr. Johnson does not like the leaves of the trees falling onto his back porch. She does not recall him ever stating that he had a problem with reception. In an effort to accommodate Mr. Johnson, Ms. Yowell hired an arborist to prune her trees in the fall of 2011. She specifically asked the arborist to do as much as he could on the north side to prevent leaves from falling on to Mr. Johnson's porch. She originally filed her application with the City in April 2012.

Mayor Van Dusen asked Ms. Yowell to repeat her two arguments. Ms. Yowell stated that the trees have been cut before with no adverse side effects and the trees could be uprooted in rain or wind, jeopardizing the hillside. Mayor Van Dusen believed Ms. Yowell's most important reason for cutting the trees is her view. The trees block her view of the river and this is important.

Jack Osterberg, 1711 Grand Avenue, Astoria, stated he is an adjacent neighbor of Ms. Yowell, but is not adjacent or next to the property with the trees. He supports the application.

Mayor Van Dusen said he visited with Mr. Johnson and Ms. Yowell earlier in the day and he supports her application as it is written. He noted the neighbors are working on a compromise, which will involve meeting with an arborist. He believed there may be a good compromise, but perhaps not. He noted for the record that even

without a neighborhood agreement Mr. Johnson is not opposed to the application tonight. Mr. Johnson had given him permission to say so tonight. No one was speaking in opposition to the application.

Councilor Herzig commended Mayor Van Dusen for taking the time to speak with Mr. Johnson and Ms. Yowell. He has invested a lot to time and energy to make sure everyone is heard and can be part of a solution.

Councilor Warr stated that Staff recommended two conditions be included in the request and asked if City Council wanted to require these condition be met. He has no opinion on the conditions, which he read for the record.

Ms. Yowell stated she would have a problem with these conditions because the negotiated agreement does not provide for an arborist.

Mayor Van Dusen stated he would like to approve the request without conditions. Councilor Warr and Councilor Mellin agreed with eliminating the conditions.

Councilor Herzig noted that an arborist does not necessarily have to perform the work, but must inspect and certify that the work was done properly. He confirmed that Ms. Yowell planned to have the work inspected by an arborist and agreed to remove the conditions.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Herzig to approve the request from Melissa Yowell of 690 17th Street to Top/Trim Trees on City Property, without the recommended Staff conditions. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

Mayor Van Dusen asked why the diameter of the trees was important. City Manager Benoit stated that large mature trees can sometimes affect a person's opinion. This would not affect Staff's recommendations.

Ms. Yowell stated her lot is 5,500 square feet. She does not know who owns the lot below hers. Mayor Van Dusen stated this does not affect City Council's decision.

Item 6(j): Public Hearing to Exempt Contract from Competitive Solicitation Requirements for Astoria Library Renovation, Resolution Adopting Findings, and Award Contract for Project Consultant (Library/Community Development)

The Astoria City Council Goals for Fiscal Year 2012-2013 included a goal, which states: Develop plans, budget requirements and a projected schedule for renovation of the Astoria Library. Furthermore, at the May 6, 2013 City Council meeting, the Council adopted their goals for 2013-2014, which included a goal to "Continue with Development of Plans for Renovation of the Astoria Library". Over the past few months, the Library Board and staff have been taking steps to move forward with the renovation process.

At the March and April 2013 Library Board meetings, the Board discussed next steps in the renovation process. A key next step recommended by the Board is to secure the services of a library planner / futurist to assist in development of a building program for a potential remodel. The library planner / futurist would be able to provide information on where libraries are headed in the future. Furthermore, they would engage the public to understand the needs and desires of the community. Ultimately, a building program would be developed which would include details as what would occur in the library and the specifications pertaining to adjacencies and spatial requirements for all that will be in the library.

Ruth Metz, MLS of Ruth Metz Associates (RMA) is a seasoned library practitioner and former administrator for libraries in Michigan, Colorado, California and Oregon, including Multnomah County Library. She has been a full time consultant for eight years, specializing in strategic planning, organizational development, and leadership development. The Astoria Library has worked with Ruth Metz for approximately 12 years. She has served as a consultant to the City under a grant federal project to explore creation of a two county library system. In addition, Ruth assisted the City as consultant to Library ROCC, Rural Outreach to Clatsop County youth, and with the University of Oregon programming class students.

Staff believes it to be in the best interest of the City to exempt this contract from the standard competitive bid process and directly appoint RMA. Such an exemption requires a public hearing be held and findings supporting this special solicitation method be adopted. It is recommended that Council conduct a public hearing and consider adopting findings that would authorize the direct appointment, and approve a contract with Ruth Metz Associates to provide library renovation planning services in the amount of \$52,000.

City Manager Benoit stated that the resolution was inadvertently omitted from the agenda packet and so copies have been placed at the dais.

Library Director Tucker introduced Library Board Chairman David Oser. Mayor Van Dusen stated he just appointed a new Library Board Member whom he has not yet met. Illiana was highly recommended by Councilor LaMear. Director Tucker stated Illiana has attended her first Library Board meeting.

Mayor Van Dusen opened the public hearing at 8:50 p.m. and called for public testimony regarding the exemption of a contract from the competitive solicitation process. Hearing none, Mayor Van Dusen closed the public hearing at 8:51 p.m.

David Oser, 254 W. Irving, Astoria, Library Board Chairman, assured City Council that the Library Board is wholeheartedly and unanimously in favor of this resolution. The library has worked with Ruth Metz on various projects over many years. She is very familiar with the Astoria Library and libraries in general, specifically within the State of Oregon. The library is particularly happy with some of the work she will be doing to help the library find funding sources for the renovations. The Library Board expects to lead fundraising efforts to supplement City funds already budgeted to the library. Ms. Metz will provide the Library Board with a blueprint and guide on whom to approach.

Mayor Van Dusen thanked Chairman Oser for volunteering his time to serve on the Library Board. This is an exciting time to be on the Library Board. Chairman Oser added the Library Board is excited.

Mayor Van Dusen stated he wished Councilor LaMear was present. She strongly supports this request. Councilor Mellin added that she has met Ms. Metz during library tours and believes she is the right person for this job.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr to adopt the findings that would authorize the direct appointment, and approve a contract with Ruth Metz Associates to provide library renovation planning services in the amount of \$52,000. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS:

Shawn Fitzpatrick, 1044 Grand Avenue, Astoria, stated that Astoria has an issue with homelessness, graffiti and vandalism in the city-owned parking lot, the area under the sidewalks between 12th and 13th Streets on Exchange, and the old hospice building. He and the business owner next to the old hospice building have called police several times to report homeless people sleeping under the sidewalks. On Saturday, June 1, 2013, Mr. Fitzpatrick had to chase off a few young men who insisted they had a right to be on his property, working their way under the sidewalks on city-owned property. He would like to work with the City to find a solution to end the graffiti and remove the homeless from the area.

City Manager Benoit stated that chain-linked fencing has been used in other areas and the City can work with Mr. Fitzpatrick. Mr. Fitzpatrick suggested placing boulders in the area. The chain-linked fence attached to his building in four different areas is being torn apart by people. Boulders would make the area less attractive and uncomfortable for sleeping.

Don Webb, 3555 Harrison, Astoria, stated he has not heard about fire department coverage [during bridge construction] on Irving. It is a large area and fire trucks will have to drive up 35th and backtrack. He did not believe the City had enough personnel to keep two fire trucks in the area should a fire occur. He asked if this had been discussed with the Fire Department.

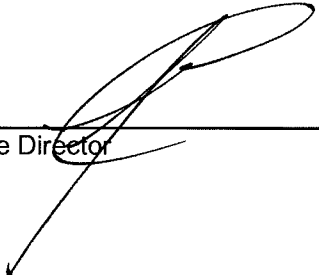
City Manager Benoit stated that public safety has been a key element of the process from the beginning. Deputy Fire Chief Gascoigne said that the Fire Department has not discussed this specific issue. The bridge has been rated several times as inadequate for the Fire Department's heaviest apparatus, so this has been discussed in the past. The new bridge will allow Fire Department equipment to drive over the bridge. Currently, the Fire Department must carefully determine their route to a fire in that area. It is not an ideal situation. Construction in the downtown area is also requiring the department to carefully calculate their routes. He is confident that Staff will make the best decisions. In the event of a larger fire that would require mutual aids from outside the city, the Fire Department will communicate to them which route to take.

Mayor Van Dusen introduced Deputy Fire Chief Gascoigne. Fire Chief Gascoigne replied he has officially served as Deputy Chief for two or three days. He has worked for the Fire Department for 25½ years. Prior to that, he worked as a lifeguard at Tapiola.

ADJOURNMENT:


There being no further business, the meeting was adjourned at 8:00 p.m.

ATTEST:



Finance Director

APPROVED:



City Manager