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# AGENDA

## ASTORIA CITY COUNCIL MEETING

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March 4, 2013

7:00 p.m.

2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street  
Astoria OR 97103

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **REPORTS OF COUNCILORS**
4. **CHANGES TO AGENDA**
5. **PRESENTATIONS**
  - (a) OSU Extension Team (Kristin Frost-Albrecht, Renia Ydstie, Jennifer Rasmussen, Miki'ala Souza)
6. **CONSENT CALENDAR**

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

  - (a) City Council Minutes of 2/19/13
  - (b) City Council/Planning Commission Work Session Minutes of 1/22/13
  - (c) Boards and Commissions Minutes
    - (1) Library Board Meeting of 1/22/13
    - (2) Parks Board Meeting of 1/28/13
    - (3) Planning Commission Meeting of 1/22/13
    - (4) Traffic Safety Committee Meeting of 1/22/13
  - (d) Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)
  - (e) Public Works Project Status Report
  - (f) Community Development Department Status Report
  - (g) Award of Community Development Block Grant for Astoria Senior Center Revitalization Project (City Manager)
  - (h) Authorization to Award Contract for Spur 12 Timber Sale and Road Improvements 2013 (Public Works)
7. **OLD BUSINESS**
  - (a) Amended City Council Goals for FY2013-14
8. **REGULAR AGENDA ITEMS**
  - (a) Acceptance of City Audit Report for FYE 6/30/12 (Finance)
  - (b) Request to Cut Trees on City Property – 690 17<sup>th</sup> Street (Public Works)
  - (c) Authorization to Bid – Columbia River Maritime Museum Storm Drain Pipe Relocation Project (Public Works)
9. **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE LAMPI, CITY MANAGER'S OFFICE, 503-325-5824.**



CITY OF ASTORIA

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February 26, 2013

MEMORANDUM

TO: ASTORIA CITY COUNCIL

FROM:  PAUL BENOIT, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF MARCH 4, 2013

**PRESENTATIONS**

**Item 5(a): OSU Extension Team (Kristin Frost-Albrecht, Renia Ydstie, Jennifer Rasmussen, Miki'ala Souza)**

Members of the OSU Extension Team will provide Council with an overview of Extension programs and services.

**CONSENT CALENDAR**

**Item 6(a): City Council Minutes**

The minutes of the City Council meeting of February 19, 2013 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 6(b): City Council/Planning Commission Minutes**

The minutes of the joint City Council/Planning Commission Work Session meeting of January 22, 2013 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 6(c): Boards and Commissions Minutes**

Provided for the City Council's review are the minutes for the (1) Library Board meeting of 1/22/13, (2) Parks Board meeting of 1/28/13, (3) Planning Commission meeting of 1/22/13, and (4) Traffic Safety Committee meeting of 1/22/13. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

**Item 6(d): Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)**

The City of Astoria Historic Landmarks Commission is seeking nominations for the Dr. Edward Harvey Historic Preservation Award. The awards will be presented by the Mayor in May. This year's National Historic Preservation Week theme is "See it. Save it. Celebrate it." Anyone wishing to submit a nomination should contact Sherri Williams at the City of Astoria, 503-338-5183 / [swilliams@astoria.or.us](mailto:swilliams@astoria.or.us), or send a nomination to the Community Development Department at 1095 Duane Street, Astoria, OR 97103. Nominations must be received no later than 5:00 p.m. on March 30, 2013.

**Item 6(e): Public Works Project Status Report**

Enclosed is a status report regarding major Public Works projects. This report is provided for information only.

**Item 6(f): Community Development Department – Project Status Report**

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

**Item 6(g): Award of Community Development Block Grant for Astoria Senior Center Revitalization Project (City Manager)**

The State of Oregon Infrastructure Finance Authority (IFA) has notified the City of Astoria that our Community Development Block Grant has been awarded for refurbishing of the Astoria Senior Center. The IFA will provide contract documents which will be brought to a future meeting for Council's approval. This item is provided for information only and requires no action at this time.

**Item 6(h): Authorization to Award Contract for Spur 12 Timber Sale and Road Improvements 2013 (Public Works)**

At the January 22, 2013 meeting, the City Council authorized staff to solicit bids for a timber sale at the City's Watershed. A key aspect of this project involves removal of alder near streams due to the negative impact that decomposing leaves have on the quality of the City's water supply. As part of the project, watershed road Spur 12 would be improved to assure needed access to this area of the watershed. This road provides essential access to the east central area of the watershed. This road has significantly deteriorated over the years and is in need of major repairs to prevent it from becoming unsafe and ultimately unusable. Road improvements would include roadside ditching, culvert improvement,

proper sloping of the road surface, and placement of compacted crushed rock. The cost of the road improvements would be paid from a portion of the proceeds derived from the sale.

The following bids were received and are quoted as the gross revenue based on the advertised volume:

<b>Company</b>	<b>Quote</b>
Sanders Wood Products	\$274,425.00
Hampton Tree Farms	\$257,739.75

The estimated gross revenue from the sale is \$300,000.00.

The road improvement (\$70,000.00) and reforestation costs (\$10,000.00) will result in an estimated net revenue of approximately \$220,000.00, which would be deposited in the Capital Improvement Fund. It is recommended that Council award a contract to Sanders Wood Products for the Spur 12 Timber Sale and Road Improvements 2013.

## **OLD BUSINESS**

### **Item 7(a): Amended City Council Goals for FY2013-14**

Councilor Russ Warr has requested that the City Council Goals for FY2013-14 be amended to include the following language:

“Maintain Advocacy for the Astoria Bypass, for Fishery Issues, and for Business Development/Expansion through the Astoria Downtown Historic District Association Business Development Committee, Columbia Pacific Economic Development District (Col-Pac), and Clatsop Economic Development Resources (CEDR).”

This is for information and comment only. It is anticipated that the proposed Goals for FY2013-14 will be brought to a Council meeting in April for adoption.

## **REGULAR AGENDA ITEMS**

### **Item 8(a): Acceptance of City Audit Report for FYE 6/30/12 (Finance)**

At the February 19, 2013 Council meeting staff handed out the FYE 6/30/12 Audit and SAS 114 letter for the City of Astoria for your review. With the completion of the audit I am pleased to report that we once again have received an unqualified or “clean” opinion regarding the fair presentation of the City’s transactions and financial position. The

Governmental Finance Officers Association Best Practices recommend that the Audit be presented to the City Council upon completion. This best practice is designed to ensure that those charged with decision making within a governmental body receive appropriate and timely feedback from the auditors. By accepting this audit report you are not verifying the detailed numbers but rather are acknowledging the conclusion of the auditors and their findings.

**Item 8(b): Request to Cut Trees on City Property – 690 17<sup>th</sup> Street (Public Works)**

Melissa Yowell of 690 17<sup>th</sup> Street has submitted an application to cut trees on city property to the east of her property. A permit was issued in 2003 that stated that trees had been had been trimmed on this lot for the previous eight years. Ms. Yowell would now like permission to fall 9 Red Alders and Norway Maple saplings with diameters of approximately 8 inches. The applicant had a certified arborist review the proposed activity. Based on the results of the arborist letter, and from a technical standpoint, staff does not see any reason why the falling should not be allowed.

Ms. Yowell has been unable to obtain signatures of adjoining property owners. One of her neighbors concurred verbally and the other neighbor has not. All adjacent property owners will be notified that this request will be heard by the Council at the March 4<sup>th</sup> meeting. Should City Council agree to approve this request, staff highly recommends the following conditions:

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

It is recommended that City Council authorize staff to approve the tree permit submitted by Melissa Yowell.

**Item 8(c): Authorization to Bid – Columbia River Maritime Museum Storm Drain Pipe Relocation Project (Public Works)**

Public Works staff has identified a City storm drain pipe failure immediately adjacent to the Columbia River Maritime Museum (CRMM), near the 18<sup>th</sup> Street right-of-way. The existing 36 inch diameter pipe runs parallel to the south face of the CRMM for approximately 200 feet. A 25 foot long section of the pipe has collapsed next to a building access and a

utility bay door and created a sink hole that damaged several utilities in the vicinity. The depression and utilities have been temporarily repaired. In addition to the failed section, the remaining length of pipe has evidence of significant deterioration.

Public Works staff evaluated repair methods and determined that relocating the pipe would be the best method because it will greatly reduce the risk of damage to the adjacent structure during construction, provides improved access for future maintenance, and is the most cost effective. The preliminary estimate for this work is \$92,000 which includes a 15% contingency.

City staff coordinated with the CRMM and incorporated their requirements into the contract documents. An easement for the existing storm drain line could not be found; consequently City staff will record a new easement for the relocated pipe upon completion of construction. It is recommended that the City Council authorize staff to solicit bids for the CRMM Storm Drain Relocation Project. Funds for this project are available in the Public Works Improvement Fund.

MANAGER/AGENDA/AGENDA MEMO 3-4-13.DOC

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, Finance Director Carlson, Public Works Director Cook, Planner Johnson, Police Chief Curzon, Fire Chief Ames and City Engineer Harrington. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor Van Dusen announced the following to Changes to the Agenda: The addition of Items 4(a) and 4(b), presentations by Councilor Mellin and Mayor Van Dusen, respectively.

#### REPORTS OF COUNCILORS:

**Item 3(a):** Councilor LaMear No report.

**Item 3(b):** Councilor Herzig said he attended the One Billion Rising at Clatsop County Community College on February 14, 2013. This great event was a global demonstration against violence towards women. That same evening, he attended the signing of a petition to include marriage equality in the 2014 ballot in Astoria. Governor Kitzhaber also signed the petition, which was encouraging.

**Item 3(c):** Councilor Mellin announced she has been going to the Column to assist in park clean-up efforts; however, the Column is clean. City Councilors had discussed personally helping with park clean up during its goal-setting session. She does clean up along the road, but thanked the Parks Department for keeping the Column clean. She acknowledged Ernie Barrows, who is 85 years old and partially blind, for taking his own lawn equipment to the Column and Riverwalk to assist with clean-up.

**Item 3(d):** Councilor Warr No report.

**Item 3(e):** Mayor Van Dusen stated that *The Oregonian* published an article about water rates increasing in the City of Portland even though water conservation efforts were working. Astoria has this same issue as system maintenance and the delivery of water contributes to the bulk of the expense, not the gallons of water used. He introduced Officer Ken Hansen from the Astoria Police Department and acknowledged four members of Boy Scout Troop 211 who were also in attendance: Jacob Holte, 14 years old; Jake [inaudible], 15 years old; Nick Hansen, 14 years old and Parker Ivanoff, 12 years old. Mr. Holte explained the Scouts are working towards the Citizenship in the Community Merit Badge which requires observing a City Council meeting.

He also announced that each Council member signed a letter in support of the Job Corps' funding effort. This letter will be sent to all the representatives.

#### CHANGES TO AGENDA:

**Item 4(a):** Presentation by Councilor Mellin

Councilor Mellin noted the City of Astoria has been invited by the Oregon Historical Society to participate in a special centennial celebration of the founding of the Ghadar Party, which was founded in Astoria at the Finnish Socialist Hall in 1913. She presented the history and culture of the Sikh Indians, who originate from Punjab, India. Displaying several pictures, she also described how the Sikhs came to settle in Astoria and Alderbrook, and discussed their involvement in the community, as well as the formation of the Ghadar Party.

- The movie "*Turbans*" was made in Astoria. Many residents of Astoria participated in the film in various ways and several local buildings were used.
- This year marks the 100-year anniversary of the first meeting of the Ghadar Party. The Punjabis are aware that the party began in Astoria, Oregon and the Sikh community wants to honor and recognize Astoria as the birthplace of the Ghadar Party.

- The Oregon Historical Quarterly published an article titled, "*Ghadar Historical Silences and Notions of Belonging, Early 1900s Punjabis in the Columbia River*". The writer of the article, Joanna Ogden, contacted Mayor Van Dusen and the City Council about the celebration.
  - Bruce Lebrack, retired Professor of Anthropology and International Studies at the University of the Pacific School of International Studies and touted as the expert on Indian culture in America met with Ms. Ogden, Lisa Penner and Councilor Mellin to discuss the possibility of hosting a celebration.
- The celebration will take place possibly in September. Sikhs will be coming from India to attend the celebration in Astoria. A Sikh in London has been writing poetry that he would like to share with Astoria.
- The library has a copy of *Making Waves*, by Kartar Dhillon, who was one of the original Sikhs in Alderbrook. The Heritage Center has copies of the book as well.
- The Louis Elias Colias Shack is the only original shack left on what had been Hindu Alley in Alderbrook. This building is listed on the Historic American Buildings Survey. The Zimetkin's have preserved the building.
- As she has talked with members of the community, she learns more stories about the Sikh community in Astoria. She has spoken with Suenn Ho about honoring all the different cultures in Heritage Square. All this history will be presented at the celebration.

Mayor Van Dusen noted Councilor Mellin has been appointed to represent the City with the Oregon Historical Society.

**Item 4(b): Presentation by Mayor Van Dusen**

The 142<sup>nd</sup> Wing Commanders of the Oregon Air Guard designed a logo that has been painted on the nose of an F-15 Eagle jet plane. Mayor Van Dusen will represent the City at the unveiling of this logo on Thursday, February 21, 2013 in Portland. The City of Astoria and other cities have been invited to attend because the community has been so supportive of the military, especially the Air Guard. Each city will have its logo on the nose of an airplane. More information can be found at [www.142fw.ang.af.mil](http://www.142fw.ang.af.mil). This is a real honor for the City and he will report on the event at the next Council meeting.

**CONSENT CALENDAR**

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes 2/4/13**
- 5(b) City Council/Planning Commission Work Session Minutes 1/22/13
- 5(c) Boards and Commission Minutes
  - (1) Historic Landmarks Commission Meeting of 1/15/13
- 5(d) Resolution Adopting Oregon Minimum Wage (City Manager/Finance)
- 5(e) Oregon Department of Fish and Wildlife Grant for Emergency Repair to Salmon Net Pen Access Pier (Public Works)**
- 5(f) Flood Insurance Mapping Partnership Agreement (Community Development)**
- 5(g) Public Works Shops Paving Project (Public Works)

Councilor Warr requested Item 5(f) be removed for further discussion. Councilor Herzig requested Item 5(a) be removed for further discussion. Mayor Van Dusen requested Item 5(e) be removed for further discussion.

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

Councilor Herzig stated for the record that no one on the Council at the 2/4/13 City Council meeting proposed euthanasia as a method of dealing with the abandoned and feral cat population. He was the only one who used the word "euthanasia", which was used as an unacceptable alternative to a scientific and humane approach to dealing with cats. Councilor Herzig apologized for the misunderstanding and that the remark was attributed to other Council members. He reiterated that he considers euthanasia as an unacceptable method and that a scientific and humane approach is best. He regrets that any other Council member had the remark misunderstood and attributed to them.



**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Herzig, to approve Item 5(a) of the Consent Calendar with Councilor Herzig's comments. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Mayor Van Dusen commended Staff for getting the grants to fund the repair of the docks where the fish pens are located. The net pens are important to the economy and the quality of life in the community.

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

Councilor Warr asked about potential dates for the public meeting regarding flood insurance mapping. Planner Johnson stated the dates for the public meetings have not been set. Meetings with City Staff and various agencies are still ongoing. The public will be notified once the dates have been set.

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

**REGULAR AGENDA ITEMS**

**Item 6(a): Award Contract for Astoria Heritage Square – Garden of Surging Waves (Public Works/Community Development)**

On December 3, 2012, City Council authorized staff to solicit bids for the Garden of Surging Waves project. The architect's estimate for construction was between \$900,000 and \$1,100,000. It was stated at the time that if bids received were above the funds raised to date, the project would be modified to reduce cost. The following competitive bids were received on January 15, 2013:

<b>Contractor</b>	<b>Total Bid</b>
Robinson Construction Co.	\$1,287,000
JP Contractors, Inc.	\$1,374,500

The lowest bid received exceeds funding currently available; therefore staff negotiated with the lowest bidder to reduce the project scope and keep within the current budget. A base bid that maintains the integrity of the design, allows for remaining park segments to be installed at a later date, and permits the City to stay within the current budget was negotiated. As funding becomes available, items that have been deferred can be added to the current contract-by-contract amendment.

If adequate donations are received during construction and the remaining work is added to the contract, the park can be completed on time; otherwise, the Contractor may need to re-mobilize to complete the work. The project designer will be at the council meeting to describe the current scope and outline the work that remains to be done as funds become available. The following is a breakout of the proposed sequencing of the construction:

<b>Description</b>	<b>Cost</b>
Sequence A (Base Bid to include site work, lantern, Lin Bi rocks)	\$798,498
Sequence B (Add Pavilion to include Mosaic & Landscaping)	\$137,854
Sequence C (Add Story Screen & Remaining Pavers)	\$190,424
Sequence D (Add Donor Screen, Precast Seating Blocks & Precast Timeline Benches)	\$109,893
<b>Total</b>	<b>\$1,236,669</b>

## **Funds Raised to Date**

A total of \$973,604 (outlined below) has been raised and/or allocated for construction of the Garden of Surging Waves.

Promote Astoria Fund	\$350,000
AEURD Loan (excluding sidewalk project and construction management costs)	\$156,349
Community / Grant Donations	\$267,255
Art DeMuro	\$200,000
<b>Total</b>	<b>\$973,604</b>

The transfer of \$156,349 from the Astor-East Urban Renewal Fund to the project will require action by the Astoria Development (ADC). This will added to a future ADC agenda.

## **Construction Expenses for Sequence A (Base Bid)**

The following table shows a summary of the anticipated construction budget in addition to the base bid:

<b>Description</b>	<b>Total</b>
Construction Costs for Base Bid	\$798,498
Construction Contingency (14.6%)	\$142,106
Special Inspection/Testing	\$ 15,000
Geotechnical Engineering	\$ 10,000
Basalt Timeline Markers (Duane St.)	\$ 8,000
<b>Total</b>	<b>\$973,604</b>

It is recommended that Council authorize the award of a construction contract to Robinson Construction in the amount of \$798,498 for the Heritage Square - Garden of Surging Waves Project. Funds for this project are available from the Promote Astoria Fund, Astor East Urban Renewal District, and donations received for the project.

Suenn Ho, Project Designer, Mulvaney G2, briefly presented via PowerPoint details about the project and the sequencing that would occur in Phase 1 of Heritage Square, which encompassed the Garden of Surging Waves; Phase 2 would include the amphitheater. She described the construction work planned for each sequence, which included these comments:

- Sequence A: Involved a lot of earthwork, including many sub grade improvements and site work to prepare the site for construction. Foundations, footings and trench drains will be completed. Catch basins and electrical conduit will also be installed. Once the underground work is complete, paving and concrete work will begin, including installation of linear concrete pavers, symbolizing the long wood planks of fish canneries. Peripheral landscaping, railroad rails and some art work, including the dragon lantern, will be installed during Sequence A.
- Sequence B: The pavilion will be constructed and will include dragon columns and the timber structure. Construction of the pavilion could damage any landscaping, so the landscaping will be completed after the pavilion. A salmon glass lantern and sturgeon mosaic will also be installed. Permanent landscaping will be completed during Sequence B.
- Sequence C: Involved installation of the story screen, where quotes from different families will be put on the wall. Bronze scrolls and the remaining pavers will be installed.
- Sequence D: Includes installation of the concrete, precast seating blocks and the timeline benches.
- She started work on this project in 2006, which has been a privilege. The City of Astoria has become like an extended family for her. She conveyed a message from Gerry Lee, Chairman of the Board at Mulvaney G2 saying that this is a very special landmark project, similar to the Astoria Column, it takes a lot of community support. She noted Mulvaney G2 does a lot of charitable work and put a lot of extra effort into this project. Mr. Lee stated that for what has been achieved today, even though it seems like the project is taking forever,

it is a journey that requires everyone to take small steps forward. The project is on its final lap and it is really impressive and Mr. Lee sent his congratulations to the community. Ms. Ho said she is fortunate to be part of this incredible project and the all the community's efforts.

Mayor Van Dusen gave a brief summary of the Garden of Surging Waves project, noting the purpose is to honor the Chinese in Astoria because their historical contributions have never been recorded. The project commemorates U.S. and Astoria history. The Chinese worked in the fish processing plants and canneries and built the river wall and jetties, and also worked on the railroad, but their story was never told. This project was a Bicentennial gift to the City of Astoria.

City Manager Benoit explained that \$798,498 will cover Sequence A of Phase 1. The bid for the entire project is almost \$1.3 million.

Mayor Van Dusen explained that the bids exceeded funding currently available, but each sequence will be completed as funds become available.

**City Council Action:** Motion made by Councilor Mellin, seconded by Mayor Van Dusen to authorize the award of a construction contract to Robinson Construction in the amount of \$798,498 for the Heritage Square - Garden of Surging Waves Project. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

**Item 6(b): ODOT Walkway/Bikeway Project Intergovernmental Agreement for 8th and Commercial Intersection (Public Works)**

City staff has been working with the Oregon Department of Transportation (ODOT) to develop pedestrian enhancements and improved durability for the US Route 30 8th Street and Commercial intersection. The design of these improvements has been incorporated into the upcoming 11th Street Combined Sewer Overflow (CSO) Separation Project. ODOT has agreed to contribute \$100,000 of Quick Fix Bicycle and Pedestrian program funds toward the intersection improvements, which will reduce the burden on the loan funds for the 11th St CSO Separation project. It is recommended that Council enter into an Intergovernmental Agreement to accept \$100,000 in ODOT Quick Fix Bicycle and Pedestrian program funds to construct pedestrian enhancements as part of an upgrade to the Commercial Street and 8th Street intersection.

Public Works Director Cook explained all four corners of the intersection will be reinforced concrete to withstand the turning motion of heavily loaded trucks.

City Manager Benoit clarified ODOT will grant the funds from its Quick Fix program for bicycle and pedestrian improvements and the crossings at this intersection will include pedestrian improvements.

Public Works Director Cook confirmed the concrete will be two-toned, dyed to look like asphalt outside of the crosswalks. Eighth and Commercial will be closed for 21 days due to the complexity of the project. Not only will the concrete be poured but a number of utilities also run underneath the intersection. Construction will begin and end in April 2013. The overall CSO project will be completed by December 2013.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Mellin to enter into an Intergovernmental Agreement to accept \$100,000 in ODOT Quick Fix Bicycle and Pedestrian program funds to construct pedestrian enhancements as part of an upgrade to the Commercial Street and 8th Street intersection. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Mayor Van Dusen commended Staff for acquiring yet another grant for the City and an important intersection in town.

**Item 6(c): Astoria Public Safety Building Improvements Project – Final Pay Adjustment (Police)**

The purpose of this pay adjustment is to account for work not covered in the bid items or revised following the bid process. This pay adjustment amount constitutes total compensation for the changes as listed in the enclosed memo. The contract completion date remains the same. While an overall project budget contingency

of 15% (\$200,000.00) was established to cover project needs in terms of changes related to additional services required, unforeseen conditions, scope changes/additions and owner driven changes, the contingency total has been increased to \$250,000 based on available project funds acquired by under spending in other project budget categories. The contingency is part of the overall established budget, not an additional cost burden from City funds. If approved, Final Pay Adjustment #4 in the amount of \$92,989.00 will leave a grant balance of \$22,971.00. It is recommended that Council authorize Final Pay Adjustment #4 for the Public Safety Building Improvements Project. All costs associated with the pay adjustment are covered by grant funding.

City Manager Benoit emphasized this project has cost Astoria taxpayers almost nothing. The building has been fully renovated and is seismically secure. Once the police have moved back in, tours will be given.

**City Council Action:** Motion made by Councilor Mellin, seconded by Councilor LaMear, to authorize Final Pay Adjustment #4 for the Public Safety Building Improvements Project. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Mayor Van Dusen complimented Chief Curzon and his entire staff for the hard work on the project.

**Item 6(d): 17<sup>th</sup> Street Dock Replacement Project – Pay Adjustment #3 (Public Works)**

In August, 2010, the Oregon Transportation Commission awarded a Connect Oregon III grant to the City in the amount of \$3,804,800 for the design and reconstruction of the 17<sup>th</sup> Street Dock. The grant required a \$1,000,000 match. The City secured a \$1,250,000 loan from the Infrastructure Finance Authority (IFA) for a total of \$5,054,800. A \$4,266,137.00 construction contract was awarded to Bergerson Construction on June 25, 2012. Construction commenced on September 1, 2012 and is tentatively scheduled to be completed in mid-April, 2013. Pay adjustment #3 consists of additional utility work and guardrail enhancements identified by the project designs. A contingency of \$400,000 was allotted for this project. Pay adjustments currently total \$38,691.02, leaving a balance of \$361,308.98 or 90% of the contingency in place. COP (Change Order Proposal) #017 refers to the contractor's request for a 30-day extension to address a design issue with the main structure. The Contractor suggested staging the concrete deck pours in a way that adds no cost to the project but requires additional time. Staff and our construction manager believe that this is the best solution to resolve this issue. It is recommended that the Astoria City Council authorize Change Order #3, which will result in a contract increase of \$50,053.18.

Councilor Warr believed Bergerson Construction was doing a good job on this project.

City Manager Benoit agreed Bergerson Construction has been outstanding and even found savings that reduced their contract. City Engineer Harrington noted that in addition to the savings, new pilings were added for the floating dock, as well as the steel and concrete east ends and the gate.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor LaMear to authorize Change Order #3 which will result in a contract increase of \$50,053.18. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

**NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS**

Councilor Herzig suggested City Staff prepare signs for the Garden of Surging Waves to share the construction timeline with the public because people are speculating about what is happening with the empty lot. As a community project, signage could help get the community involved. Perhaps the signs could suggest how citizens could participate in fundraising for Sequence B, C, and D.

The Council agreed such signage is a good idea.

Councilor Warr asked for an update on the crosswalk flags. City Manager Benoit stated the flags are being used at the intersections of 10<sup>th</sup> and Commercial Street and 10<sup>th</sup> and Marine Drive. In one week, 27 flags have been taken. Other communities have also experienced theft of the flags.

Councilor LaMear suggested posting something in the newspaper asking the public not to take the flags, as they save lives. City Manager Benoit explained that signage appears with the flags that explains their purpose. The *Daily Astorian* has also covered this issue, so he does not believe people think the flags are souvenirs.

Councilor Warr noted that the trees and shrubs at the 13<sup>th</sup> and 14<sup>th</sup> Street bulb outs have grown enough to impede pedestrian visibility. He suggested replacing these plants with lower growing shrubs. Mayor Van Dusen understood the intersection of 11<sup>th</sup> and Marine Drive had the same issue. Councilor Warr showed photographs of the trees. City Manager Benoit stated Staff would look into it.

Councilor Mellin asked Council to prepare a proclamation naming 2013 as the centennial of the founding of the Ghadar Party in Astoria. She agreed to help develop some language for the document.

Betty Stenick, West Marine Drive, Astoria, stated her first concern about the cats had been addressed, adding Rita Smith is doing a fine job, just leave her alone. She expressed her appreciation of the police chief and his department, noting that the speeding log trucks on West Marine Drive have slowed down a lot. She noted that on the east end of the roundabout at Hamburg and Taylor there are wheelchair ramps, but no crosswalk. She asked if installing a crosswalk is possible. Public Works Director Cook explained that ODOT controls crossings at that roundabout.

Don Webb, 3555 Harrison Drive, Astoria, stated the crosswalk at Columbia Memorial Hospital used to have LED lights that would flash when pedestrians cross. He noted towns in Idaho had used red flags for crossing that were misused. He believed flashing LED lights would work better than flags at crosswalks. Although the lights cost more than the flags, they are solar powered.

**ADJOURNMENT**

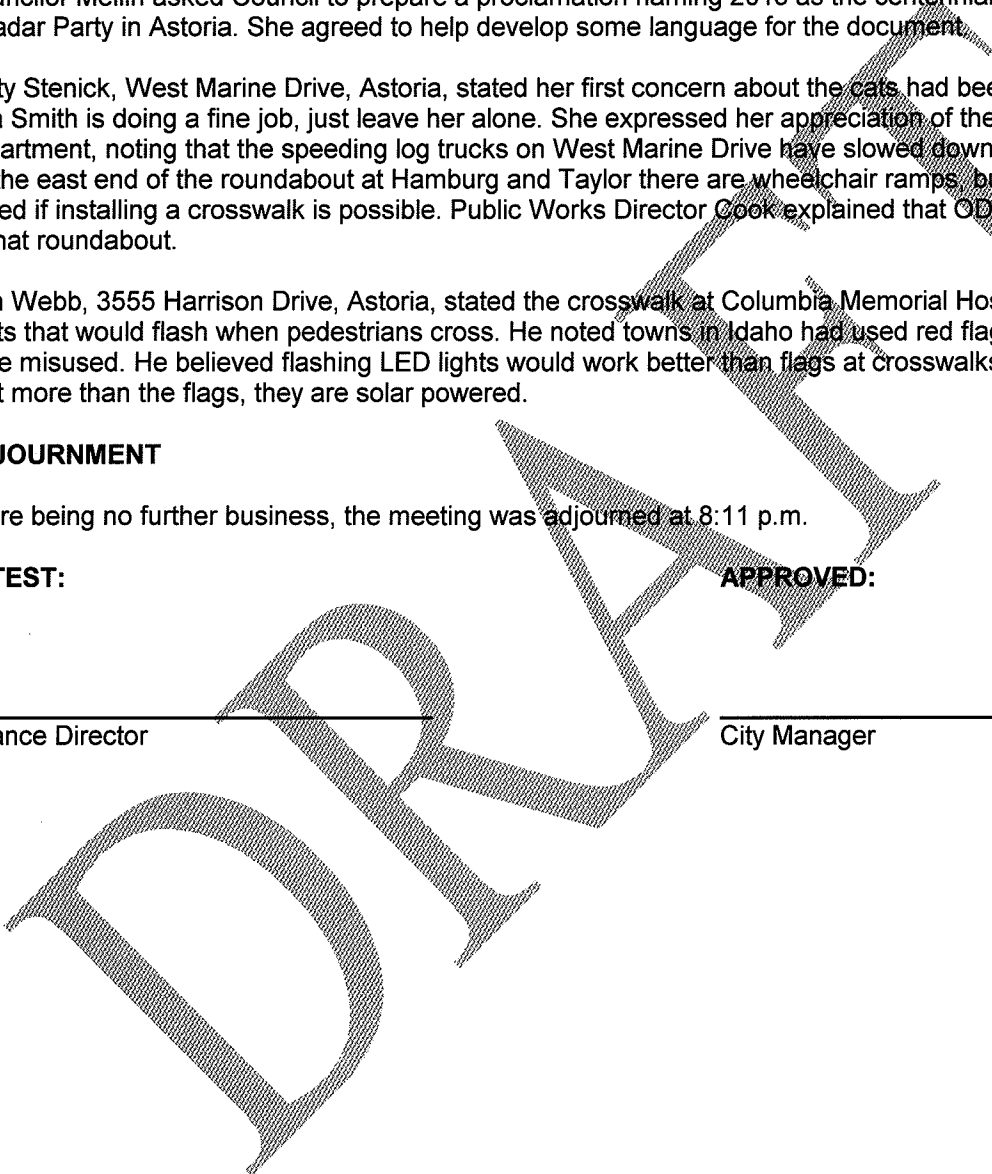
There being no further business, the meeting was adjourned at 8:11 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
City Manager



**ASTORIA CITY COUNCIL AND PLANNING COMMISSION (ACTING AS THE TRAFFIC SAFETY COMMITTEE) JOINT WORK SESSION**

Astoria City Hall  
January 22, 2013

**CALL TO ORDER:**

Mayor Van Dusen called the meeting to order at 5:30 p.m.

**ROLL CALL:**

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

Commissioners Present: President Zetty Nemlowill, Commissioner Cary, Commissioner Innes, Commissioner Tollefson, Commissioner Pearson and Commissioner Norgaard

Staff Present: City Manager Benoit, Community Development Director Estes, Police Chief Curzon, Deputy Chief Johnston, Police Sergeant Aydt, Officer Hord, Public Works Director Ken Cook, City Engineer Harrington, and Planner Johnson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**REGULAR AGENDA ITEMS**

**Item 3(a): Pedestrian Safety Discussion**

City Manager Benoit explained that over the past few months the Planning Commission, acting in its role as the Traffic Safety Committee (TSC), has been discussing the issue of pedestrian safety. Representatives from the Public Works, Police, and Community Development Departments have been addressing questions and issues raised by the TSC. Chris Maciejewski from DKS & Associates, the firm working on Astoria's Transportation System Plan (TSP) update, will present information and discuss issues regarding pedestrian safety within the City of Astoria.

Chris Maciejewski, Traffic Engineer, DKS & Associates, presented an overview of the pedestrian safety issues within the city via PowerPoint, reviewing statistics and information about pedestrian related accidents over the last ten years and noting key factors that lead to such incidents. He also reviewed a toolbox of pedestrian safety improvements used by communities around the country to generate ideas about what tools would fit well for Astoria and help improve pedestrian safety. He explained that his goal is to get a good dialogue started about pedestrian safety and what changes people are interested in seeing. His key comments and responses to questions from Council and the Commission included:

- Pedestrian crash statistics are generated by a report being filed with the police or the DMV, which are copied to ODOT. There could be more close calls or unreported incidents.
- Lighting seems to be a leading factor in pedestrian related accidents, as more accidents occur during the winter months, when there is less light each day, and around dusk during most of the year.
- Most accidents occur in Astoria's downtown core, where most pedestrian traffic occurs. Accidents have also been occurring on the highway west of downtown, which is currently being discussed at the TSP meetings as crossing that four-lane section of highway is difficult.
- The majority of crashes occur at unsignalized crossing locations in the downtown area with the key contributing factors being lack of driver visibility and motorists failing to yield to pedestrians.
  - Pedestrian accidents on the highway west of town occurred at both unsignalized and signalized intersections and as a result of jaywalking, again, lack of visibility and failure to yield to pedestrians were the key causes. A couple accidents resulted from excessive speed.
- In the downtown core area, improvements at signalized intersections could include countdown timers, leading pedestrian intervals and a pedestrian scramble.
  - Countdown timers that tell pedestrians how long they have to get across the intersection. Due to the number of reduced crashes, Manual on Uniform Traffic Control Devices standards now require that all traffic signals have a countdown timer installed. ODOT may decide to programmatically upgrade signals region wide with the timers over the next few years.

- Leading pedestrian intervals give pedestrians an additional three to five seconds before drivers are given a green light, which improves visibility of pedestrians. This is an effective, low-cost option and could be discussed with ODOT for the highway.
- A pedestrian scramble stops all vehicles while allowing pedestrian traffic in all directions to cross an intersection. This reduces the efficiency of vehicle traffic flow and is most effective in areas where moving large numbers of pedestrians is the priority. This option would be used at specific times, like when the cruise ships are in Astoria. It might not be practical year round.
- Improvements at unsignalized intersections include:
  - Curb extensions, which help improve the visibility of both drivers and pedestrians and the chance that drivers will yield to pedestrians. Curb extensions are relatively expensive and can affect storm water drainage, reduce parking space, and impact the turning movements of large vehicles at intersections.
  - Installing waist-high, metal tubes or markers in areas where on-street parking reduces visibility. These markers are installed diagonally across the parking space closest to the pedestrian crosswalk, providing better visibility at a lower cost than curb extensions without impacting storm water drainage
    - Astoria may have parking spaces closer than the required 25 feet distance from intersections. Curb extension and metal tube markers could help improve compliance and safety.
    - Each intersection could lose up to eight parking spots, depending on the street configuration, so the City will need to consider the parking supply downtown and whether to mitigate the loss of parking.
- Improvements that may improve driver yielding behavior include:
  - In-pavement flashers, which are lights installed in the pavement that light up when a pedestrian pushes the crosswalk button. The lights are visible during the day and night. Jurisdictions using the flashers have replaced them with other treatment options as installation can be tricky and maintenance can be expensive. Snow plows and water can damage the lights.
  - A sign placed in the center of the road instructing drivers to watch for pedestrians, which can improve yielding behavior from 13 percent to 46 percent. While a low-cost option, the signs can be easily hit by vehicles, increasing maintenance costs.
  - Median refuge islands, which allow pedestrians to cross a road in two stages. The intersection must be large enough to accommodate an island, where signs and landscaping can be installed. Refuge islands work well at T intersections where no left turn pocket exists.
- Enhancing intersections with signs, striped crosswalks, and street lighting are effective overall treatments.
- The described improvement methods should only be used at certain intersections, otherwise the improvements tend to be ignored. The City needs to be selective when deciding which method to use at which intersection. Federal guidelines can help the City determine which method is best at each intersection. Improvements inappropriate for a given intersection can decrease pedestrian safety.
- Improvements that address the problem of speeding include:
  - Driver speed feedback signs, which are placed near speed limit signs and tell drivers how fast they are going. Studies show these to be as effective as speed bumps in neighborhoods; however, once the feedback sign is removed, speeding increases. A permanently installed feedback sign may cost less than the mobile option.
  - A road diet involves narrowing the road by reducing the number of lanes in a specific location. This allows space to install bike lanes, median islands, and center turn lanes. In areas with heavy through traffic, a road diet can increase congestion.
- General, citywide improvements include:
  - Improved street lighting, including the location and type of street lighting used. LED lighting allows for more control of lighting levels and patterns to help eliminate shadows and reduce visibility.
  - Rectangular rapid flashing beacons at pedestrian crosswalks are a low cost option and research shows them to be effective at improving driver yielding behavior.
  - High-intensity activated crosswalk beacons flash lights when a pedestrian is present and stops traffic in both directions. These are typically used at major pedestrian crossings like at a school and more expensive option than the rapid flashing beacon. High-intensity activated crosswalk beacons are only used on city streets and are not approved for highways.
  - Flags or paddles can be carried across the intersection by pedestrians to increase visibility. Limited research shows the flags improve driver compliance by an average of 65 percent. While inexpensive, theft is a big issue. Seattle discontinued using the flags because pedestrians were not using them.
  - Coordinating with the Police Department about changes to the system is recommended so that spot enforcement can magnify that a different behavior is required. Costs for enforcement can be high depending on the strategy or programs implemented.

- Education campaigns can be low cost. ODOT has materials available for the City to utilize and the City can work with the school district and other agencies to implement an education program.
- He clarified he has not seen any studies about diagonal versus parallel parking and pedestrian safety. That discussion usually comes up with bicycle safety rather than pedestrian safety.

Comments and questions from the Councilors and Commissioners were as follows with responses by Staff and ODOT representatives as noted:

- It is unfortunate that the blinking lights that extend across the intersection are so difficult to maintain because they increase visibility, especially at night and in fog. The flags are an inexpensive way to increase visibility.
- At one time, Uniontown seemed to have a high number of pedestrian accidents where an older version of the rectangular rapid flash beacon (RRFB) is installed. It is expected that upgrades will be done on that existing beacon to match the unit used at 36<sup>th</sup> Street when sufficient funds are available. That existing beacon was requested by Uniontown Association after a pedestrian was struck. Adding LED lights will be more effective in this area because they are brighter and focused better. High intensity signals are typically used at fire stations where a red light is used to stop traffic. The beacon in Uniontown uses a flashing yellow light to warn drivers.
- Center lane signs seem to be a good idea. The flags may not be practical, but are cost effective.
- This presentation gives the City many site specific tools to consider. Some tools may work in one area and another tool may work best in another area.
- Director Estes explained the TSP process began more than a year ago and has involved gathering data. This next year will include more analysis in order to plan for pedestrian and bike needs and vehicular traffic flow. This will include more public meetings to get feedback about the ideas presented. A draft of the TSP should be presented for review by the Planning Commission and City Council by fall of 2013.
- Trends in pedestrian-related accidents have been difficult to determine. Some immediate action should be taken to increase pedestrian safety because measures in the TSP will take time to implement. Gathering data will not solve the problem.
- Visibility is a real problem when pedestrians step out from behind parked cars. Reducing parking spaces is a small price to pay compared to losing a pedestrian.
- As indicated on Slides 3 and 4, November and January have the largest number of accidents, which is when the sun blinds drivers at sunset.

Mayor Van Dusen called for public comment.

Pamela Mass McDonald, 687 14<sup>th</sup> Street, Astoria stated that many of the public trails maintained by the Parks Department are dangerous for pedestrians. While well-constructed, many public trails are not well maintained and are hazardous. She identified several public trails that need attention and is concerned someone would be hurt.

Jeff Daily, 2380 Ocean Vista Drive, suggested using a reflective paddle that is carried across the intersection by pedestrians, as flags are more expensive and lights can be ignored. Studies have shown that non-typical visual aids increase driver compliance. He urged the City to experiment with using the paddles on any intersection in Astoria to see if the concept would work. Sponsors could advertise to decrease cost on the paddles. He did not believe theft would be an issue, especially with businesses advertising placed on the inexpensive paddles. He demonstrated how a pedestrian might carry the paddle across an intersection. He chose using paddles versus flags for several reasons, including the wind, price per flag and overall expenses involved. He agreed using flags or paddles, combined with an education program, could result in changes in both driver and pedestrian behaviors.

Dane Jacoenetti, 1594 4<sup>th</sup> Street, Astoria said he wears a bright green vest or neon green jacket when he walks around town. He also carries a 6-foot pole that he uses when walking in slippery conditions. Motorists avoid the pole, even when cutting him off as he crosses an intersection. The pole keeps the vehicle about two feet from him. He recently began using a crutch and wearing a black jacket, which has actually resulted in more motorists stopping to allow him to cross an intersection. Just being visible does not promote yielding behavior. Most accidents occur at dusk because people are in a hurry to get home after work and school, so yielding behavior needs to be addressed.

- To address pedestrian safety now, he believed KMUN would air public service announcements on pedestrian safety immediately.



- Tinted windows make eye contact between pedestrians and motorists difficult, especially for children and seniors. One cannot see which way the driver is looking. The behavior of the motorist must be addressed.
- Perhaps ODOT could do a campaign like "Click-it or Ticket" that promotes, "Stop Merging with Pedestrians."
- When merging with traffic, drivers aim for the empty spot and keep moving to avoid being hit. Drivers do the same thing in crosswalks, aiming for the empty spot where the pedestrian will not be by the time they get there. Accidents occur when the driver is distracted, their timing is off or the pedestrian moves in an unexpected manner. KMUN could make Stop Merging announcements on the radio to help these behaviors.

Suzanna Gladwin did not believe trucks should be allowed in the downtown area. She suggested developing a truck route with a 30 mph speed limit on Wicks Road from John Day to the fairgrounds, which should be included in the County's TSP. She confirmed that the City of Astoria favors such a truck route and noted ODOT has found that a truck route would not decrease visitors to Astoria. She explained that the Clatsop County Planning Commission has been discussing the possibility of a truck route.

Mayor Van Dusen noted that having a truck route has been a City Council goal for 30 years. ODOT Area Manager Larry McKinley noted a draft environmental statement was completed for the project and at that time, the State told ODOT that further funding was not available.

Councilor Herzig believed the leading pedestrian interval would be easy and quick to implement at a couple signaled intersections on Commercial with cooperation from ODOT. He suggested moving two on-street parking spaces on a temporary basis using pylons at certain unsignalized intersections on Commercial Street. The flags could be made by high school students at Tongue Point as part of their senior project, which could be part of a community education event as well.

Jerry Wilson, 1445 Duane, Astoria, stated it is important that motorists look at the pedestrian's background because pedestrians wearing dark clothing against a dark background are hard to see.

City Manager Benoit suggested the City immediately begin implementing some low cost options, which could probably happen quickly, such as adjusting the signals, which will have to be discussed with ODOT, and using flags or paddles. Removing parking is a big issue for downtown, but it could be done experimentally.

Following a brief discussion, City Council and Planning Commission directed Staff to research the various options for increasing pedestrian safety at intersections and consented to implement the use flags or paddles with reflective material at certain intersections.

Councilor Mellin noted jaywalking is also a problem. Chief Johnson explained the City's Ordinance prohibiting jaywalking in specific areas, and noted that sting operations do occur, but determining when a pedestrian is jaywalking can be difficult. Most pedestrian accidents occur at intersections, which is the problem with delaying traffic signals because crashes occur when a driver is attempting to make a right turn. The driver is looking for oncoming traffic rather than pedestrians. The delayed signals can give a false sense of security. He suggested allowing pedestrians to cross on certain sides of the intersection to avoid conflicts with drivers making a right turn.

Larry McKinley, 350 W. Marine Drive, ODOT Area Manager, agreed to follow up and review several of the suggestions made, including the flexible markers on the centerline, delayed traffic signals, and lighting. He noted candlesticks placed along the center line leading to work zones are effective for ODOT. Some traffic signals may not have been engineered to hold additional lighting. Illumination could be installed separately from the traffic signal to increase visibility. He used the intersection on 33<sup>rd</sup> at Safeway as an example and suggested that lighting be installed in the parking lot.

Officer Hord agreed visibility is poor on Commercial Street near downtown and shared his experiences and ideas regarding pedestrian safety in Astoria.

Mr. McKinley noted the speed to get through the signals using the east and west through lanes on Commercial and Marine is set at about 21 miles per hour. The white time displayed at the crosswalk tells pedestrians how many more seconds they have to safely step out of the curb. Pedestrians still have sufficient time to get to the other side of the intersection if they are in the crosswalk when the signal turns orange or red.

Mayor Van Dusen announced that Director Brett Estes and his wife, Tiffany Estes, were just awarded the George Award for Outstanding Volunteerism by the Astoria Chamber of Commerce.

**Item 3(b): Solar Power Presentation**

City Manager Benoit noted the Planning Commission has been working for more than a year to develop a land use ordinance to govern the installation of solar facilities on buildings. During the Commission's work, questions were raised about the direction of solar technology and the need for more information on the future of solar technology to aid in developing the Code. Robert Delmar, a State expert on solar technology, has been invited to update the Council and Commission on solar technology trends.

Robert Delmar, Senior Solar Project Manager, Energy Trust of Oregon described various solar technologies and displayed pictures via PowerPoint to show recent developments, trends, and the direction solar technology is taking. His key comments and responses to questions were as follows:

- Germany has installed solar more than any other country and their solar resource is about the same as Astoria. The cost of installing solar systems in Germany is half the cost in the United States due to the permitting, taxes, overhead and labor costs in the U.S. Permitting and ordinances can help the industry have straightforward guidelines about how to install solar on buildings and help reduce these soft costs.
  - Rather than increasing efficiencies, new technologies are focused specifically on reducing the overall installation cost and time for solar.
- Welding flexible panels to flat roof membranes reduces efficiency when puddles form that collect dust and pollen. Panels should be installed at a 15 degree angle to allow the rain to clean the panels and alleviate problems with shading, which can be caused even by pollen accumulating on the panels.
  - Understanding the hazards of perfectly flat installations is the purchaser's responsibility. Property owners taking advantage of performance based financial incentives can be assured that panels are mounted at a slope.
- Ballasted systems are installed without any roof penetrations, which preserves the integrity of the roof. However, these systems are designed for lower wind loads and would be challenging to install on the coast. Ballasted systems are typically installed inland on commercial buildings.
  - Standing seam metal roofs last about 50 years on the coast when installed correctly. Peel and stick solar collectors are installed in between the ribs, however, this is half as effective as installing panels with clips that grab the seam to provide a mounting base for panels.
- Panels should face within 30 degrees of south for maximum efficiency, and shadows throughout the day need to be considered when deciding where to place a solar system on a roof. Proper placement of solar panels on buildings that face north and south depends on whether the property is east or west of the Cascades. Properties east of the Cascades get more sun in the morning and thunderstorms in the afternoon so solar systems are placed on the east facing roof. Properties on the coast generally place solar systems on the west facing roof.
- Installing solar systems on the south facing roof is best, as 20 percent is lost when placed on the west facing roof. Prohibiting people from placing solar on a south facing roof, due to visibility from the street for example, is essentially prohibiting them from having solar at all.
- Shading is another big impact. A tree shading just one or two collectors could eliminate 90 percent of production.
- In the next session, a bill before the State legislature will allow solar gardens where people without good solar roofs can buy shares in a central solar installation. States that allow solar gardens refer to this as virtual net metering where residents receive the benefits of a solar system not installed on their properties.
  - Solar gardens may be a good solution for communities on the coast where mature trees or poor building orientation would prevent roof mounting. The concept is also worth considering in areas with many historic properties.
- Solar water heating on breweries is popular because breweries use a lot of gas and electricity, even Wet Dog, a coastal brewery, has experienced tremendous savings.
- Solar shingles, while aesthetically pleasing, are difficult to install and have not taken off.
- He described the various equipment options used for residential solar systems, adding that commercial installations can also require a myriad of equipment. Code regulates how this equipment is used. As the equipment gets less expensive, labor costs will also decrease.
- Most all residential installations use conventional, photovoltaic (PV) modules mounted on an aluminum frame flush against the roof. This type of installation reduces wind loads and looks nice. Oregon's Solar

Installation Specialty Code gives a prescriptive structural solution for mounting these collectors flush on the roof, which reduces soft costs.

- Solar water heating systems have a small visual impact and look like a skylight when installed. The industry has come a long way to make these installations meet professional roofing standards.
  - Solar Rating and Certification Corporation (SRCC) gives credibility to the industry and provides a third party test for performance. Third party certifications make approving the systems easier for jurisdictions.
  - Traditionally, about 250 Oregon residences install a solar water heating system each year and about 1,200 residential PV systems are installed.
- Good tools, guides, and resources are available for planners. Technical specs have been created for putting solar on National Park properties and a guide is available for installing solar on historic buildings.
- Each study on the effect of solar energy systems on property values has found that solar energy improves property values.
- Financial incentives offered by the State will remain in effect through 2018 and have been extended every year since about 1978. At this time, Federal tax credits are available until 2016, but could be eliminated before that, which will have a big impact on the industry. The Energy Trust of Oregon is offering incentives for at least another five years; hopefully the technology will become cheap enough that incentives are not needed.
  - Commercial properties have struggled with State and Federal incentives. The Federal tax credit has been extended for one more year. The State tax credit, once defunct, is now back, but difficult to use so commercial properties are struggling to install solar. Residential properties are the real market for solar.
- A residential PV system installation would take approximately 30 years to pay back with no financial incentives. With incentives, residential systems can take less than 10 years to pay back. Solar water heating systems are cheaper to install, but they do not have as generous of incentive package. Compared to PV systems with about a six year payback with incentives, solar water heating is about eight or ten years with incentives. Without incentives, both systems would take more than 20 years to pay back.
- PV systems come with a 25-year warranty and will still produce 80 percent of their original power production after 25 years. The systems will fail if hit with a rock, tree branch or baseball, but the laminated glass prevents shattering. PV systems will withstand hail storms in Oregon.
  - Solar water heating systems are made of glass and copper and typically come with a 20-year warranty.
- With regard to concerns about rooflines and visibility, he confirmed that angled panels do not significantly improve the energy produced as originally believed. A flat mounted panel will produce 85 to 90 percent of what a south facing panel angled at an ideal 30 degree slope can achieve.
- The State Installation Code has addressed issues concerning firefighter safety by requiring access paths for firefighters to ensure the roof can be vented on either the north or south side. The Code mandates having walkways at the side of the panel and along the ridge of the roof.
  - The State Fire Marshall and the firefighting community helped develop the State Installation Code.
  - Installing systems according to this State Code would be required if the local jurisdiction has adopted that code as its local requirement.
- The electricity production per panel is measured in watts per square meter. Efficiencies are improving; a conventional-sized panel, approximately 30-inches wide by 5-feet tall, produces about 250 watts. Five years ago, that same panel would have been a 220-watt panel.
- Improved efficiency enables a property owner to install a certain amount of solar in a smaller footprint. Most of the time, standard efficiency systems are installed because the price is lower, and more panels are added to get receive more efficiency, resulting in a bigger footprint. High efficiency technologies are only being used in areas where space is limited.

Commissioner Innes thanked Mr. Delmar for the information. She believed the presentation has provided a lot of ideas to consider as the Commission focuses on residential solar power installation code.

## **ADJOURNMENT**

There being no further business, the work session was adjourned at 7:30 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
City Manager

Astoria Public Library  
Astoria Library Board Meeting  
January 22, 2013  
3:30 p.m.

**Present:** Library Board members David Oser, Arline LaMear, Gregory Lumbr, Susan Brooks, and Emily Hill; ALFA representative Charlotte Langsev; and Staff Library Director Jane Tucker.

**Guests:** City Councilor Drew Herzig

**Call to Order:** Chairman David Oser called the meeting to order at 3:30 p.m.

**Approval of Minutes:** The minutes of November 27, 2012 and December 20, 2012 were approved as presented.

**Approval of Agenda:** The agenda was approved as submitted.

**Library Director's Report:** Director Tucker passed out and reviewed an article from the Advocates Corner of the American Library Association (ALA), which offered suggestions about supporting libraries. Her additional comments included:

- The Passport Program has begun with the Clatsop County Community College Library and Astoria Library as two local participants. Only about three passport cards have been issued statewide. The Astoria Library recently sent out a press release and Staff has talked to people, who seem to be excited about the program. Any member of a participating library can participate in the Passport Program.
  - The start of the program was delayed due to technological issues.
  - Seaside will evaluate the program following the summer tourism season.
  - About 45 or 50 libraries in the State of Oregon are participating in the Passport Program.
  - She clarified the Passport Card was created for the Astoria Library due to the technical issues, but every library would handle the program individually, allowing library patrons access to other participating libraries. Each library is required to keep statistics on the program. Individual libraries have the authority to control the authentication of each Passport user.
- Key library statistics for December 2013 included a \$111,846 value to the community and a total of 82.8 transactions per open hour.
  - She also noted statistics reports from past years were available for the Board.

Greg Lumbr noted the State of Illinois celebrates National Library Day by encouraging library supporters to call local representatives. The event, known as Legislative Day, is effective at keeping library support in the forefront of legislators. Director Tucker agreed to send the information about Oregon's event to Board members via email. Mr. Lumbr believes the Passport Program will be successful once more people know about the program. Passports will be an advantage to tourists in the summer time.

**Board Reports:**

Chairman Oser suggested that Arline LaMear's liaison report regarding City Council and library issues be a standing item under the Board Reports section of the agenda. As discussed, it is critical that the Library Board keep in sync with City Council, especially with regard to the library renovation.

Councilor Arline LaMear reported that City Council will hold a goal setting session on Friday, January 25, 2013. Presentations featuring library concepts by University of Oregon (U of O) student panels to the Council and general public have been tentatively set for February 2013. A contract with a library planner futurist will be brought to Council for consideration in February or March of 2013. She is not sure if a request for bids would be used.

Director Tucker noted that she and Community Development Director Brett Estes created an estimated timeline to assist City Council with goal setting to know when certain amounts of work will fall. She confirmed the date and time of the student presentations would appear on the City Council agenda, and that she would inform the Board.

Councilor LaMear stated that between March through June of 2013, the library planner futurist will take concepts from the U of O students and conduct a more detailed assessment of the library's needs, and then work with the City Council and Library Board to develop a plan on which the City Council would move forward. That plan is anticipated to include an estimated budget. In July 2013, Staff will work with City Council and the Library Board to implement concepts identified by the library planner futurist, which could include development of a fundraising program.

**Update on ALFA Activities:** Charlotte Langsev reported that the ALFA balance is \$3,714.66. A donor asked ALFA to concentrate on popular fiction authors from the Northwest. A corporation fee of \$50 was paid to the State of Oregon. Patty Skinner and Ami were provided funds for their programs. Ami will use the funds to provide a Kindle for the adult winner of the Read in the New Year program.

### **New Business:**

#### **Item 7(a): Budget for the 2013-2014 Fiscal Year**

Chairman Oser noted the Library Board does not approve the budget, but understanding the budget and the resources available to the library is very useful for the Board.

Director Tucker presented the proposed draft budget, which is essentially the same as that presented last year, with these key additional comments:

- No increase in materials and services has been requested from last year.
- Travel expenses have increased due to the Public Library Association (PLA) Biannual Conference being held in Indianapolis in March 2014. The budget conservatively estimates costs for two people to attend the conference, which is beneficial for library specialists and trustees.
  - The differences between ALA and PLA were discussed.

Susan Brooks noted that having the library's actual budget comparisons would help the Board better understand the budget process. Chairman Oser explained he has reviewed the budget with Director Tucker and the library's incomes and expenses are on target for the year overall. However, there are considerable variances in various line items, some of which are due to timing. Director Tucker confirmed there are no indicators that the library's budget will be off track by the end of the year.

Ms. Brooks asked when the comparison data would be received. Director Tucker explained she did not have the clearance to obtain this information; the Finance Department must create a special report. Ms. Brooks stated it is difficult to justify the budget in the categories without this report.

Director Tucker added that the Astoria Budget Meetings are on the same nights as the Oregon Library Association meeting, which creates a scheduling conflict for her. Chairman Oser explained that last year, the Board believed additional funds were necessary in certain categories. He, Ms. Brooks, and Mr. Lumbra attended the budget hearing and answered questions about the library's needs. After considering the City's current financial situation and the upcoming library renovation, the library should be able to comply with the City's request to keep spending flat for the 2013-2014 fiscal year. Therefore, he did not believe having Board members at the budget hearing is as critical.

Director Tucker noted City Manager Benoit asked the library to prepare for a 5% cut and a 10% cut in its budget, and she had done that.

Chairman Oser did not understand to what extent the City maintains a capital budget for the library or other departments to cover the library's major repairs or equipment replacement. Director Tucker said she included a capital expense in the first proposed budget draft for the servers that will need replacement in 2014. This is a necessary expense. The library could convert to cloud space or purchase new servers at an estimated cost of about \$14,000. Cloud space cost \$11,600 two years ago.

Ms. Brooks was concerned that without a reporting function, the library would have no means of keeping track of funds donated through the City for the renovation. Chairman Oser believed this would be discussed during Old Business, including how to create, when to create, and the relationship between separate fundraising entity and the City.

Chairman Oser noted patrons can print tax forms directly from the IRS website. The library charges \$0.10 per page for printing. Director Tucker did not believe the IRS forms are available yet for printing this year.

**Old Business:**

**Item 8(a): Naming the Fundraising Non-Profit**

Chairman Oser noted all the advice received by the Board pointed to having a separate fundraising non-profit because many funders, both individual and foundations, are loath to give to governments where the tracking and managing of donated funds may be questioned. A separate capital campaign by a separate non-profit is preferred. Attorney Heather Reynolds has offered to assist the Board on a pro-bono basis to keep costs minimal. Ms. Reynolds advised that the non-profit needs a good name.

- One issue for the Board from an organizational point of view is to not get too far ahead of the Council in the process.
- He suggested using the word "revitalization" in the name because it accurately reflects the project.
- While it is unclear how much time establishing the non-profit organization will take, several aspects of the process can begin while the non-profit is being established. In waiting for the legal paperwork, other details can be discussed, such as how things should be organized, the delegation of duties, etc.
- This non-profit organization will be an entity separate from the Library Board.

The Board briefly debated about whether the 501(c)(3) organization should be a foundation or used as a capital campaign because the purposes of these two structures differed. A capital campaign is used for short-term projects, like the renovation itself, while a foundation supports needed upgrades, such as furniture, as well as the ongoing maintenance and repair of the building.

- The Forest Grove Library formed its foundation after its renovation to pay for upgrades like new furniture.
- An endowment fund would enable the library to tend to changing needs like technology; however, only the interest can be spent from an endowment fund. The Oregon Community Foundation only provides two distributions of income each year and does not allow the principal to be spent.

Chairman Oser believed one entity should be created as the vehicle to serve two purposes: to collect capital campaign funds for the renovation; and then reform to serve as a foundation after the building is built to raise additional monies for capital improvements and repairs. These funds or reserves will be used for large necessary expenditures that the City may not be able to cover for a building as heavily used as a library. The tax base should support the normal operations of the library.

Chairman Oser stated this item would remain on the Board's agenda and that a name for the non-profit would be determined in March 2013. He is reading the *Oregon Non-Profit Handbook* and reminded that Ms. Reynolds will assist with the legal aspects of forming the non-profit organization.

The Board agreed that understanding the purpose of the non-profit will make it easier to develop a name.

Councilor Herzig excused himself from the meeting.

**Item 8(b): Newspaper Column**

Chairman Oser noted the Board's previous discussion about creating a monthly column for *The Daily Astorian*, and perhaps other local papers, to publicize library events and the library's value to the community. This would make the library more visible to the public as the revitalization process and renovations begin.

Director Tucker noted the Professional Services Fund would be used to cover the costs of hiring someone to create the column's template as a marketing and advocacy tool and incorporating more visual aids.

Ms. Brooks suggested that the Astoria Library submit an article to the coastal business journal in collaboration with the Seaside Library who recently campaigned for building funds. Seaside could talk about their success and Astoria could discuss the launch of its capital campaign or building renovation.

Director Tucker stated that having a clear purpose and a template will make the process easier. Visual aids should be used in the column.

- She requested that a work plan be created in consideration of Staff's time, which is already at capacity. The plan should include the working hours required each month to complete the column, coordinate with Staff's existing tasks, and consider what trade-offs may result when allocating more Staff time. Implementing a media plan requires much work which also must be factored into Staff's time and work load.

Comments and discussion regarding the newspaper column continued with these key comments:

- Once the purpose of the column is defined, everything else will follow accordingly. Originally, the Board proposed the column to let people know what the library has done and is doing.
- The purpose of the column is to inform the public of the library's value to the community on a regular basis and to develop the library brand. This statistical information is already available, minimizing any additional time required of Staff.
  - The purpose must be intentional; right now, the brand might be revitalization and the newspaper column would promote that concept.
  - This purpose would evolve over time to inform the public of the library's goals and needs, which will help when fundraising for the renovation.
  - Publishing the statistics, schedule of events and two or three paragraphs would not take a lot of time. The Board and Staff will work to get the column started, and then the Board will continue to maintain the column. Others will likely step up to contribute as writers of the column.
  - Having Board members submit the column will carry a lot more credibility.
  - Form follows function, so determining the function of the column will define its form.
  - The Board needs to find out what *The Daily Astorian's* requirements are for visual aids.
- Multiple media outlets should be utilized, if possible.
- Some of the less popular programs, like the Passport Program, could be advertised in the column.
  - Many programs and events are not advertised because they are at capacity and space is limited. Overcrowding creates a negative experience for some library patrons.
- The column should develop the story, providing the monthly statistics and discussing the library's success to lay the groundwork for explaining why the renovation/revitalization is needed and to help with fundraising.

Reading "Public Relations, Promotions and Communications: A Big Media Plan" may help the Board. Board members were asked to bring examples of visual aids that catch their eye to the next meeting. The Board would think about the column's purpose and the various media venues to be used for discussion at the next Library Board meeting.

Arline LaMear excused herself from the meeting at approximately 4:38 p.m.

**Board Member Comments:** None

**Public Comments:** None

**Items for Next Meeting's Agenda:**

Board Reports will now include updates from Arline LaMear about City Council. Old Business will continue to include the Naming the Fundraising Non-Profit and the Newspaper Column. The next meeting will be on February 26, 2013.

**Adjournment:** There being no further business, the meeting was adjourned at 4:50 p.m.

Respectfully submitted,

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Library Director

## Parks Advisory Board Meeting Minutes

January 28, 2013

Present- Norma Hernandez, Grace Laman, Brad Johnston, Ron William, Lynn Jackson (representing Howard Rub), JP Moss, Tammy Loughran, Karen Mellin, and Jay Flint

Absent: Howard Rub

Staff- Phil Elkins, Terra Patterson, and Mark Montgomery

Meeting was called to Order at 6:50am by chairperson Norma Hernandez.

Brad Johnston moved to approve the minutes from the Nov. 26 meeting and Ron Williams seconded the motion. The minutes from November's meeting were approved.

Norma reviewed the board's goal of each member selecting a park to check in on regularly. Councilor Melin reported that City Council has set a new goal for each council member to adopt a park in 2013.

Ms. Hernandez introduced new board member, Jay Flint.

Director JP Moss reviewed a list of Items for Board Feedback-

1. Recently, the department has run short of space to add additional benches on the River Walk. JP asked for board feedback on adding additional spaces or branching in to other park areas.
  - The option of donating a shelter for a bench was suggested. Brad Johnston pointed out this would add a need for more security and police patrols.
  - Tammy Loughran suggested alternate options to benches such as community art.
  - Jp suggested fee structure so that the few remaining spots have a higher fee.
  - Jay Flint suggested working with the Port of Astoria to add new benches to their section of the River Walk.
2. The old Shelter across the street from the batting cage at Tapiola Park was discussed. It either needs to be repaired and renovated or removed. Ron Williams suggested removing it.
3. The old batting cage structure at Tapiola Park between the Niemi fields and the main baseball field was discussed. Parks staff receive phone calls from time to time complaining about the condition of the structure. Ron Williams informed the board that the baseball foundation would like to see the structure come down.
  - The board suggested putting picnic tables in its place.
  - The origins of the structure were discussed. It is believed that the container was donated by Nygard Logging and the Astoria High School built the rest of the structure.



- JP Moss said he will inform the baseball foundation of the department's intent to remove the structure and then staff will remove it if there are no issues within the baseball community.
4. JP Moss discussed the rising power bill from the concession stand at Columbia Field, considering that the stand is used almost exclusively by the Cal Ripken association for fundraising purposes, Mr. Moss' suggestion was to have the association pay for the power bill.
    - Ron Williams suggested turning the power off in June as the association uses the concession stand from March through the beginning of June.

### **Old Business**

JP discussed the process for the new Parks Director. The selection process has narrowed candidate down to 7 finalists who will be interviewed for the position. Interviews will be held in late February.

A short update on maintenance at the Column was given. The doors on the garage need to be replaced. Staff have received bids for 2 new doors. The Friends of the Column have offered to pay for half of the expense.

### **New Business**

1. The department's new program guide for winter and spring was reviewed. JP highlighted the parks map with updated locations. Norma asked the board to review it and said they would be discussing its contents at the next meeting.
2. The winter news letter was also reviewed
3. Parks maintenance projects were discussed. Staff Elkins reviewed a report of new projects the department had been working on and discussed each project. Staff Mark Montgomery discussed the new sign structure at Cathedral Tree Trail.
  - The Sign was donated by Astoria Granite Works
  - The gate at the park also needs to be renovated but it is owned by Public Works.

Maintenance staffs are now planning to put signs in all parks with the goal of renovating and cleaning up the entry way at many parks.

The Fort Astoria Park was recently made over. Phil showed the board before and after pictures. Access from the Ft George business was discussed. An entry to the park will be added from the business side of the park, the old Column stairs will be used in this project.

Recently added Memorial benches to the River Walk were discussed.

New picnic tables and renovating old picnic tables at several parks was reviewed. Staff plans to renovate picnic tables at all parks that need repair.

Phil reported that the large boulders at Tapiola Park next to the batting cage area have been removed.

Recently at LaPlante Park, ten volunteers planted 100 potted plants.
4. Staff Elkins Reviewed upcoming park projects
5. Phil also discussed new and upcoming projects
  - Several lights have been analyzed at the aquatic center as well as multiple light switches replaced which run on a sensor. The goal of this project is to save on electrical costs at the facility.

- The plan to install a well at the Ocean View Cemetery was discussed this would give the facility a dramatic cost reduction in use of water from the City of Warrenton. It is estimated that the savings from installing a well would pay for the new system within the first year.
  - Staff are also researching purchasing a portable tent and software system for the cemetery.
  - Utilizing Coast Guard volunteers for a project with Garden of Surging Waves was discussed.
  - Other volunteers currently working with the department were reviewed. This includes a Trails Group, a boy scouts group, and work crew groups.
6. Phil reviewed a list of Fix- it projects his staff completed recently.
  7. JP reviewed the top 5 challenges and successes for the department currently.
  8. Staff Patterson review a few new programs the department has seen success with recently and the process of creating these new classes. Programs reviewed included the 1<sup>st</sup> and 2<sup>nd</sup> grade basketball program, cheerleading and gymnastics.
  9. The new website the city is working on launching was discussed.
  10. After hours entry into parks facilities was discussed by JP. A new policy has been enacted to prevent any potential misuse of Parks facilities.
  11. Tammy Loughran discussed some of the recent work done by the Parks Foundation and the recent grant the foundation has completed.
  12. The recent meeting between Parks Director Moss, Staff Elkins and Friends of Trees group leader Bob Goldberg was discussed. The group had planted approximately 100 trees two years ago and many have died since then. JP discussed possible removing the dead ones and purchase 40 new trees in a targeted area which would make watering and upkeep easy for the maintenance department. easily accessible\
    - Brad Johnston shared his concerns of funding this project which has struggled with volunteers to do the upkeep.
    - Jay Flint suggested getting input on volunteers maintaining the project.
    - Ronnie Williams said he felt the trees need to be removed if they are dead regardless of who is responsible for them.
  13. Norma Hernandez thanked the board for coming to the meeting. She also discussed the role of board members and board input at the meetings.
  14. Tammy Loughran asked about the March meeting which is scheduled over spring break. The board agreed to change the date of that meeting to Monday, March 11<sup>th</sup>.

**ASTORIA PLANNING COMMISSION MEETING**  
**Astoria City Hall**  
**January 22, 2013**

CALL TO ORDER:

President Nemlowill called the meeting to order at 7:38 p.m.

INTRODUCTION OF NEW MEMBER:

Commissioner David Pearson stated he has served on the Historic Landmarks Commission (HLC) for 15 years and currently works at the Maritime Museum as the Deputy Director. He explained how he came to live in Astoria and work at the museum.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice-President Mark Cary, McLaren Innes, Al Tollefson, David Pearson, and Thor Norgaard.

Commissioners Excused: Annie Oliver

Staff Present: Planner Rosemary Johnson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

The Planning Commission proceeded to Agenda Item 5(a) Approval of Minutes and moved Item 4(a), Election of Officers to after the public hearings.

APPROVAL OF MINUTES – ITEM 5(a):

President Nemlowill asked for approval of the minutes of the November 27, 2012 meeting. Vice-President Cary moved to approve the minutes, seconded by Commissioner Innes. Motion passed unanimously.

ELECTION OF OFFICERS, ITEM 4(a) [Planning Commission elected officers after Public Hearing Items 6(a)]

In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the APC needs to elect officers for 2013. The 2012 officers were President Zetty Nemlowill, Vice-President Mark Cary, and Secretary Sherri Williams

President Nemlowill moved to elect Sherr Williams to continue serving as Planning Commission Secretary for 2013, seconded by Commissioner Norgaard. Motion passed unanimously.

Commissioner Norgaard nominated Zetty Nemlowill to continue as 2012 Planning Commission President; seconded by McLaren Innes.

President Nemlowill nominated McLaren Innes to serve as 2013 Planning Commission President; seconded by Commissioner Cary. Commissioner Norgaard withdrew his nomination. McLaren Innes was unanimously elected 2013 Planning Commission President.

Commissioner Nemlowill passed the gavel to newly elected President McLaren Innes.

President Innes nominated Mark Cary to continue to serve as Planning Commission Vice-President, seconded by Commissioner Norgaard. Mark Cary was unanimously elected 2013 Planning Commission Vice-President.

PUBLIC HEARINGS:

President Nemlowill explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 6(a):

CU12-05 Conditional Use CU12-05 by Brian Reichert to operate a drive-through food service as a temporary use in an existing commercial building at 230 - 37th Street in the S-1, Marine Industrial Shorelands zone.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. President Nemlowill asked if any member of the Planning Commission had a conflict of interest or any ex parte contacts to declare. None declared.

Planner Johnson reviewed the written Staff report. No correspondence has been received and Staff recommends approval of the request with conditions.

Commissioner Innes expressed concern about access to the food stand would be from 37<sup>th</sup> Street as noted on Page 4 of the Staff report. She believed most people would turn into the lot from Lief Erikson Drive. Planner Johnson explained that drivers would turn onto 37<sup>th</sup> from Lief Erikson Drive to get to the building; access would not be directly from Lief Erikson Drive. ODOT regulates driveways that directly access a State highway. There are fewer requirements for driveways that directly access from side streets.

Commissioner Norgaard stated he could not recall approving the condition to remove the outdoor grill with the last permit extension. Planner Johnson clarified that removal of the grill was not a condition of approval, but the Planning Commission directed Staff to have the grill removed because the City was receiving complaints about the smoke. She confirmed that the locomotive had been a food grill.

President Nemlowill opened the public hearing and called for testimony from the Applicant.

Brian Reichert, 4743 Cedar St., stated he is requesting permission from the HLC to install an exhaust fan on the roof to remove heat and steam from the building. No smoke will be emitted from the building. A self-contained frying unit with an integrated air filtration system and fire suppression system will be used. The smell of french fries cooking will be the only smell emitted from this unit. The hood inside the building is designed to remove excess heat. A double-sided flat grilling Panini machine is the only other cooking device that will be used in the building. This grill will only emit steam and heat. The Applicant will be serving 100% plant-based products. No meat or dairy products will be sold. The menu will change on a daily basis.

Commissioner Innes believed the Applicant would get foot traffic from the River Walk and asked how these customers would eat without any tables or chairs available. Mr. Reichert explained he would be providing a carryout service, similar to an espresso or coffee shop. Without restroom facilities, he is unable to put tables and chairs outside. Customers could use benches along the River Walk or take the food to another location. Parking spaces have been leased from the Port, so his customers do not have to pay for parking on Port property.

President Nemlowill noted that no one else was in the audience and closed the public hearing.

Commissioner Norgaard stated he was glad the building was going to be used, adding the location would benefit trolley riders wanting something to eat.

Vice-President Cary noted he owns a self-contained frying unit and confirmed the only time smells are emitted is when the grease needs to be changed. He supported the application.

Commissioner Pearson noted it is a temporary use for an underutilized site and the application meets all of the criteria, so he also supported the application.

President Nemlowill agreed the application would have minimal impact as it is not a change from the conditional uses previously approved for the site.

Commissioner Pearson moved that the Astoria Planning Commission adopt the Findings of Fact and Conclusions contained in the Staff report and approve CU12-05 by Brian Reichert; seconded by Commissioner Cary. Motion passed unanimously.

President Nemlow will read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS:

This agenda item was addressed following Item 4(a) Election of Officers.

Planner Johnson stated she had sent the Commission's draft of the Solar Code to Robert Delmar of Energy Trust of Oregon for their review and feedback. The draft already addresses many of the items discussed during Mr. Delmar's solar energy presentation at the City Council/Planning Commission Joint Work Session earlier that evening. The Planning Commission must ensure the Solar Code complies with new State regulations.

- Rather than trying to allow for every potential type of solar facility, the ordinance should discourage or prohibit systems and installation techniques that are not aesthetically pleasing or have poor efficiency.
- The State solar installation code regulates the technical aspects of installing a solar system, but does not address aesthetic issues. In compliance with the State code, the Commission's proposed draft states that solar systems which meet the State code are not required to have a City permit. Not all solar installations are exempt from permits and the non-exempt systems would be regulated by the City standards and permitting. The City's draft ordinance also exempts some other systems from City permits.

Commissioner Nemlow will expressed concern about excessive regulations, paperwork, and other requirements contributing to higher costs with regard to solar systems. Planner Johnson explained she is working towards making the approval process administrative, so an applicant would not be required to go through a public permitting process with the Planning Commission or Historic Landmarks Commission.

President Innes asked about State installation guidelines overriding the City's goals. Planner Johnson explained that State laws involve building codes, or the mechanics of installation, that will always apply to every city in Oregon. The City of Astoria has adopted the International Building Code with the Oregon amendments, which is part of the Code the City building inspector enforces. The proposed Solar Code regulates those applications that do require permits by State codes and addresses the aesthetics of solar facilities. President Innes liked the idea of a solar cooperative farm on a separate lot as mentioned by Mr. Delmar to preserve the look of historic buildings.

Commissioner Nemlow will questioned the relevance of solar power in Astoria. She would have liked to have asked Mr. Delmar more about his comparisons of Astoria and Germany, where solar power is prevalent.

Vice-President Cary said he would like to know how much money Clatsop County Community College saves on electricity by using solar power. He noted the comment that it takes 30 years to pay back on a residential installation, but the life of the panels is 25 years. He does not have a problem with panels installed along the slope of a roof as they are unnoticeable. Planner Johnson noted that initially, the Planning Commission's direction was to not consider cost efficiency nor the energy efficiency of solar compared to alternative methods. Some cities offer energy efficiency audits to residents, but the Commission agreed some people may want to install alternative energy facilities simply for the good of the environment; whether or not they break even or make a return on that investment is not the City's issue.

Commissioner Nemlow will reiterated she is concerned with the relevance of solar power and implementing too many restrictions, especially when the environment is already so prohibitive. It would be good to see another, more effective method of tapping into the sun's energy. Planner Johnson said the City could consider doing a brochure showing the various options available. She noted most proposed Code restrictions focused on historic properties.

President Innes believed it would be difficult for the Commission to advise about actual choices and mechanics. Planner Johnson noted that Staff would refer residents to a professional.

Commissioner Pearson stated the HLC typically deals with skylights and must consider any visible impact to the neighborhood. While it is nice to say no one will see a solar facility, their location can create a visual impact. Planner Johnson noted that most of the City's proposed Solar Code came from National Park Service standards for historic properties. Commissioner Pearson added many historic buildings are using solar gardens where the facilities are placed in a contemporary structure behind vegetation, along with HVAC and other utilities.

President Innes noted it is surprising to learn how many buildings already have solar systems. Planner Johnson noted the solar system on the Wet Dog was approved administratively as rooftop mechanical equipment that was not visible from the streetscape. President Innes noted that the State does not allow solar panels to be installed on public pools.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:12 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Planner

**ASTORIA TRAFFIC SAFETY ADVISORY COMMITTEE**

**Astoria City Hall**

**January 22, 2013**

**CALL TO ORDER:**

President Nemlowill called the meeting to order at 7:36 p.m. and welcomed new Committee Member David Pearson.

**ROLL CALL:**

Commissioners Present: President Zetty Nemlowill, Vice President Mark Cary, McLaren Innes, Al Tollefson, David Pearson, and Thor Norgaard

Commissioners Excused: Annie Oliver

Staff Present: Planner Rosemary Johnson, Police Sergeant Brian Ayt and Engineer Technician Steve Ruggles. The meeting is recorded and will be transcribed by ABC Transcription Services Inc.

**APPROVAL OF MINUTES – ITEM 3(a):**

Vice President Cary moved to approve the November 27, 2012 minutes as noted; seconded by Commissioner Innes. Motion passed unanimously.

**REPORTS OF OFFICERS/COMMISSIONERS:**

No reports.

**PUBLIC COMMENT:**

No comments.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:37 p.m. to convene the Planning Commission meeting.

**ATTEST:**

**APPROVED:**

Secretary

Planner



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

February 14, 2013

TO: MAYOR AND CITY COUNCIL

FROM:  PAUL BENOIT, CITY MANAGER

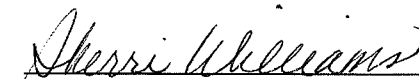
SUBJECT: DR. EDWARD HARVEY HISTORIC PRESERVATION AWARD  
NOMINATIONS

The City of Astoria Historic Landmarks Commission is seeking nominations for the Dr. Edward Harvey Historic Preservation Award. This year's National Historic Preservation Week theme is *See it. Save it. Celebrate it.* As is customary, the theme of the Dr. Edward Harvey Historic Preservation Award theme will be the same. The award is presented each year to recognize a property owner(s) who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. The work must have been completed within the last two years. Nominations may include residential, commercial, public, and other types of buildings.

The awards will be presented by the Mayor in May.

Anyone wishing to submit a nomination should contact Sherri Williams at the City of Astoria, 503-338-5183 / [swilliams@astoria.or.us](mailto:swilliams@astoria.or.us), or send a nomination (no form required) to the Community Development Department, City of Astoria, 1095 Duane Street, Astoria OR 97103. Nominations must be received no later than 5:00 pm on March 30, 2013.

By:



\_\_\_\_\_  
Sherri Williams,  
Administrative Assistant

Through:



\_\_\_\_\_  
Brett Estes, Community Development Director /  
Assistant City Manager





**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

February 25, 2013

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  PAUL BENOIT, CITY MANAGER

SUBJECT: **PUBLIC WORKS PROJECT ACTIVITY STATUS REPORT**

The following are brief summaries of Public Works major projects and/or activities:

**TRANSPORTATION**

**Irving Avenue: 19<sup>th</sup> Street Bridge Replacement**

- David, Evans and Associates is working on 30% design
- Public meeting expected to be held in March/April 2013
- Construction anticipated to begin in summer 2014

**Pedestrian Crosswalk Flag – pilot project**

- Flag holders and flags installed at the intersections of 10<sup>th</sup> St and Commercial and 10<sup>th</sup> St and Marine Dr. on February 15, 2013
- Flags are replenished on business days

**Trolley Trestle Repair**

- Annual inspection of the City trestles has just been completed
- Recommended repairs to existing structure are necessary consisting primarily of pile repair
- Work will be coordinated around trolley schedule

**CSO**

**11<sup>th</sup> St. CSO Separation Project**

- Bid documents completed by Gibbs & Olson
- Bid advertisement currently underway with bids due on March 5<sup>th</sup>
- Construction is expected to begin on April 1<sup>st</sup> at the 8<sup>th</sup> St and Commercial intersection

**SEWER**

**Wastewater Treatment Plant Effluent Treatment Upgrades**

- Construction contract awarded to R&G Excavating
- Construction is planned to commence in the summer of 2013

- Operational completion no later than December 1, 2013

#### **7<sup>th</sup> Street and Astor Sanitary Sewer Disconnect**

- The Engineering Division is currently developing a plan to disconnect an existing building's sanitary sewer from the storm drain main

#### **27<sup>th</sup> Street and Franklin Sanitary Sewer Relocation**

- Engineering Division is currently developing a plan to relocate a failed sanitary sewer line.

#### **6<sup>th</sup> to 7<sup>th</sup> Street and Olney Ave. Sanitary Sewer Repair**

- Engineering Division is currently developing a plan to repair several damaged portions of a sanitary sewer line in this area.

### **STORM**

#### **Columbia River Maritime Museum Storm Drain Relocation Project**

- Engineering Division developed a plan to relocate a failed storm drain line that is in very close proximity to the museum
- Authorization to bid this project is on the current Council agenda
- Construction is scheduled for spring or fall to avoid summer traffic

### **WATER**

#### **Slow Sand Filter**

- Engineering and Operations staff are currently working on a plan to optimize cleaning operations and appropriate methods of algae control in order to extend the life of the filter sand

#### **Bond Street Waterline**

- City staff is coordinating the completion of contractor warranty items with the waterline trench on Marine Dr. due to premature settlement and pavement surface defects

#### **Pipeline Road Waterline Relocation**

- In-house design is approximately 90% complete
- OEM/FEMA will fund 75% of the design and construction of the re-route project when Federal funds have been allocated for construction
- Construction is planned for summer of 2013

### **OTHER ACTIVITIES**

#### **17<sup>th</sup> Street Dock**

- Construction contract was awarded to Bergerson Construction
- Construction is currently underway and can be viewed on the project webcam
- Construction completion anticipated by the end of April 2013

#### **Landfill Closure**

- DEQ has determined there is minimal work required by City to decommission landfill
- Columbia Memorial Hospital is working on a redevelopment plan for the landfill site
- City is coordinating with stakeholders to work toward closure and successful redevelopment
- Council has approved a contract with a solid waste design engineering consultant to assist the City with specialized closure tasks as required by the DEQ
- Staff is coordinating closure tasks with DEQ and our consultant

**2014 Paving Project**

- Limited maintenance paving will be conducted in summer 2013
- Major Paving Project has been postponed until summer 2014 due to staff availability and to avoid further disruption to the public beyond the 11<sup>th</sup> St CSO Separation project.

**Net Pen Access Repair**

- Repairs are necessary on the Yacht Club Dock due to storm damage
- A grant has been received from Oregon Dept. of Fish and Wildlife for the majority of the costs

**Emergency Riverbank Stabilization**

- Repairs were necessary along the riverbank due to storm damage
- Construction substantially complete
- Project closeout underway

**Shops Yard Paving**

- A portion of the Public Works Shops yard will be paved
- Construction is expected to begin in May and completed by July

Submitted By:

  
Ken P. Cook, Public Works Director

Prepared By:

  
Cindy Moore, City Support Engineer

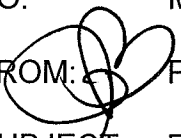
# 17<sup>TH</sup> STREET DOCK RECONSTRUCTION PROJECT





**CITY OF ASTORIA  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

## **MEMORANDUM**

DATE: February 25, 2013  
TO: MAYOR AND CITY COUNCIL  
FROM:  PAUL BENOIT, CITY MANAGER  
SUBJECT: PROJECT STATUS REPORT – COMMUNITY DEVELOPMENT  
DEPARTMENT

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The following are summaries of Community Development Department projects and activities.

### **PLANNING PROJECTS**

#### **Astoria Transportation System Plan Update**

Following the initial committee meeting in May 2011, DKS and their consultant team collected data and assessed the current conditions of the Astoria transportation network. In addition, they worked closely with Astoria, Clatsop County, and ODOT staff to update future forecasts of regional population, employment, and the corresponding traffic that will use Astoria's roadways. This step in the process was critical, as the traffic forecasts will influence the types of solutions that the project team and the community will identify and evaluate in the TSP.

In October 2011, it was determined that the base traffic model needed to be revised. This caused schedule delays in the TSP. City and County staff have collected the necessary data and provided it to ODOT for model development; new maps and model data has been developed.

In May 2012, a community open house was held at Astoria High School to gather information from the public on vehicular, bike and pedestrian issues. Additionally, stakeholder interviews were also held to gather input from various organizations and focus areas. Issues raised have been analyzed by the consultant team and the project advisory committee has been discussing this analysis at several meetings over the last few months. A public meeting to discuss TSP issues is scheduled for April 2013. No date has been set at the time of preparation of this memorandum but should be announced shortly.

A project website has been developed for the TSP update as noted below:

[www.wix.com/dksassociates/astoriatsp](http://www.wix.com/dksassociates/astoriatsp).

The website link can also be found on the City of Astoria Community Development Department webpage. We want to encourage everyone to participate in the TSP update process via the project website. The website will help citizens keep up to date with progress, enter additional comments about Astoria's transportation network, and access project-related documents as they become available.

### Trails Master Plan

In 2006, the City completed a Recreational Trails Master Plan which identified existing trails and future trail improvements. Unfortunately, after the December 2007 storm a number of trails were severely damaged. In 2012, the National Park Service, Lewis and Clark National Historic Park, partnered with the City of Astoria to develop a new Trails Master Plan. The Park hired a graduate student as a seasonal employee / intern to prepare the City's Plan along with other duties for the Park. Along with City staff, NPS employee Kristina Koenig has spent the last year inventorying the existing trails, holding stakeholder meetings, preparing trails maps, and conducting public outreach events to develop the new Master Plan. The update will build upon the current Plan and address future needs.

The City partnered with agencies that own or maintain land that currently have trails in or near Astoria. These agencies include Clatsop County, Oregon Department of Forestry, and Lewis and Clark National Historical Park. Community Development staff has worked closely with the Parks and Recreation Department staff on all aspects of the project and has been updating the Parks Board and Planning Commission on the project throughout development.

Public outreach has included an initial survey to determine the desires and concerns of the public. The survey was available through an on-line survey engine, on the City's website, and hard copies were available at various public facilities around the City. Additionally, Ms. Koenig and Community Development staff hosted a booth at the Astoria Sunday Market, and at a public event at Fort George Brewery. Two radio talk show broadcasts encouraged people to complete the survey. Over 200 surveys were completed and the information was compiled into a draft set of recommendations for trail management and a map of potential new trails.

Second rounds of public events were held to present the draft recommendations to the public and get their input on prioritization of the recommendations and new trails. These included an event at Pier 39 / Coffee Girl and a booth at Sunday Market. Materials were also posted on the City's web site. Two radio talk show broadcasts encouraged people to comment on the draft.

The draft Master Plan was presented to the Parks Board at their meeting on February 25, 2013 and was recommended for adoption. The draft will then be presented to the

Astoria Planning Commission as an Amendment to the Development Code to adopt the Plan, and to the Comprehensive Plan at the March 26, 2013 Planning Commission meeting. It is anticipated that the draft Master Plan will be presented for consideration to the City Council for a public hearing and possible adoption at the April 15 and May 6, 2013 meetings.

### Flood Insurance Maps

Over the last few years, the Federal Emergency Management Agency (FEMA) and Department of Geology and Mineral Industries (DOGAMI) have been developing new flood zone maps for the entire nation. In 2010, new FEMA maps were adopted with the knowledge that additional mapping would soon be completed by DOGAMI for coastal communities to better identify the "at risk" areas of each community. DOGAMI has completed a LIDAR survey of the entire Oregon coast, including Astoria, and had prepared a set of maps to identify potential hazard areas and to eliminate areas that were previously thought to be a hazard based on old, less detailed information. With the LIDAR survey, the maps now can identify the specific elevation of the land in more detail thereby removing guess work from the equation.

FEMA and DOGAMI requested that the local communities enter into a Partnership Agreement. The Partnership Agreement represents a good-faith effort by all parties to share data, communicate findings, and plan mitigation activities to reduce the exposure of the citizens within the communities to hazard risk. It is intended to provide a common strategy to address hazards and increase resilience within the communities. While communities are not required to sign the Agreement, it is encouraged that all participants sign and enter into the Agreement. At their meeting on February 19, 2013, the City Council authorized the Mayor to sign the agreement.

Staff continues to work with FEMA and DOGAMI to assure that the information and maps for Astoria reflect the issues and concerns specific to our community. These new maps were presented to City staff for review at a County-wide meeting in October 2012. Staff have reviewed the maps and associated documents and will be presenting them to the Planning Commission and City Council for consideration once they are finalized by FEMA.

### Building Blocks for a Successful Downtown (Downtown Master Plan)

In May 2012, the Astoria Downtown Historic District Association (ADHDA) sponsored a public meeting which focused on successful revitalization techniques for downtowns. This event featured Michelle Reeves (a well-respected downtown revitalization professional) as a guest speaker and included a panel of local property and business owners discussing the specifics of downtown Astoria. Approximately one hundred people were in attendance. This event spearheaded community discussion of potential revitalization techniques which could be applied in downtown Astoria.

Many downtown property owners, merchants, as well as citizens expressed an interest in better understanding the strengths and weaknesses of downtown, setting a vision for downtown, and developing a set of recommendations to implement that vision. ADHDA

subsequently decided they would like to retain the services of Ms. Reeves to conduct a more in-depth analysis of Astoria's downtown and develop the set of recommendations.

ADHDA worked with Ms. Reeves and Sheri Stuart, Director of Oregon Main Street, to develop a scope of work. In order to fund this project, ADHDA has secured a grant in the amount of \$7,500 from Astoria Sunday Market and has committed \$2,500 from their budget. ADHDA also has a commitment in the amount of \$2,500 from Pacific Power. The City Council approved financial assistance by contributing the remaining needed \$7,500.

The kickoff public meeting was held in November. Additional meetings and stakeholder interviews were held in subsequent months. A bus tour to Mississippi District in Portland was conducted on January 15, 2013 with various ADHDA members, City Councilors, business owners, developers, City Staff, press, and others attending. The most recent work shop was held on February 20, 2013 and was attended by over 80 people. Updates from the public meetings can be found on the ADHDA website ([www.astoriadowntown.com](http://www.astoriadowntown.com)). The final presentation of the plan will occur on April 4<sup>th</sup>, 5:30 PM at the Clatsop Community College Performing Arts Center.

### Downtown Parking Passes

On Tuesday, March 5, 2013 at 6PM the Astoria Downtown Historic District Association (ADHDA) and City of Astoria will jointly host a public meeting to hear from downtown merchants, property owners, and interested citizens about the downtown parking pass program currently in place. The meeting will be held at the Astoria Library Flag Room.

The downtown parking pass program was established in 1990 and provides beauty salons and beauty schools with courtesy permits to allow patrons to park longer than two hours within the parking district. There has recently been discussion about how the courtesy permit program works and the success of that program. It was felt that community input on this program should be obtained.

ADHDA is currently engaged in the Building Blocks for a Successful Downtown project which is a plan for the future of downtown Astoria. The March 5th meeting is being held to collect the thoughts and opinions on the downtown parking pass program. Thoughts and opinions provided at the meeting will be conveyed to Building Blocks for a Successful Downtown consultant, Michele Reeves, for further review, analysis, and incorporation into recommendations being developed for the plan.

## **CODE AMENDMENTS**

### Riverfront Vision Plan Implementation

In August 2012, City Council authorized submittal of a funding application to the Department of Land Conservation and Development (DLCD) for drafting of Development Code and Comprehensive Plan language. This request was submitted to address the Council Goal of Vision Plan implementation. DLCD has explained that this



funding mechanism is not a grant program whereby the City could hire a code writing consultant. Rather, if a request were approved, DLCD would hire a planning contractor to develop the language from their pool of pre-approved consultants. The City would be able to work with DLCD to select an appropriate company.

In October 2012, Community Development staff was notified that DLCD will allocate funding for this project to draft code language for two of the four Riverfront Vision Plan areas. Staff is currently negotiating a scope of work with DLCD and the project consultant, Angelo Planning Group. Under this program, DLCD has pre-selected consultants to complete funded projects. Staff who presently work with Angelo Planning Group were directly involved in completion of the Riverfront Vision Plan, therefore there will be a short learning curve once a contract is set. Once an agreement is finalized with DLCD it will be presented to City Council. It is anticipated this will occur over the next month to month and a half.

### Wind and Solar Energy Amendment

Beginning in 2010, the City saw an increase in inquiries for smaller scale wind energy facilities. Current Development Code language does not specifically address these issues. At the petitioning of a potential wind energy developer, the Planning Commission made an interpretation that wind energy facilities would be allowed similar to "utilities" in the IN Zone (Institutional) and S-2 Zone (General Development Shorelands) but that they needed to comply with the height regulations of those zones or obtain a variance.

The City subsequently received a grant from the Department of Land Conservation and Development (DLCD) to assist in the development of an ordinance to address the location and review procedures for installation of wind and solar energy features in Astoria. DLCD anticipated that the draft ordinance could serve as a model for coastal communities. A number of Planning Commission work sessions have been held with regards to this matter where community members interested in this topic have participated in the discussion. The draft model ordinance was submitted to DLCD in December 2011 and the grant was closed.

This issue was brought back to the Planning Commission in August 2012 for a work session to continue discussions on draft ordinance language. The Planning Commission agreed that the two draft codes (wind and solar) should be addressed separately. Recent legislative changes have impacted how cities can regulate solar facilities. Staff has amended the draft solar energy ordinance to address these changes. However, it is apparent that the industry is quickly changing and evolving. Therefore, a joint work session with the Planning Commission and City Council was held on January 22, 2013 with a presentation on solar energy technology and the changes in the industry. After the solar energy ordinance draft is complete, the Planning Commission will continue work on the wind energy ordinance. Once the Planning Commission has held a public hearing(s) on this code language, it will be forwarded to City Council for final consideration.

## Hillside Development Ordinance Amendment

In order to better address construction in geologic hazard and/or steep hillside areas, staff has been developing possible Development Code revisions to address this issue. Staff initiated this process several years ago but it was not finalized anticipating the integration of LIDAR study results. However, a preliminary draft was circulated among professionals in the field, the Planning Commission, City Council, and staff for review and comment. The LIDAR survey completed by the State Department of Geology and Mineral Industries (DOGAMI) to identify areas of past slides and weak soil areas was completed. Staff has integrated comments received from the earlier draft and has been coordinating with DOGAMI to find the best way to integrate LIDAR information into the draft code language. With this new information/data, it was determined that it would be beneficial to establish "hazard zones" that could be addressed individually based on the severity of the hazard and the nature of the proposed work within the City. Work between the Planning and Engineering Departments continues on the draft ordinance.

## URBAN RENEWAL

### Garden of Surging Waves

At their February 19, 2013 meeting, the City Council approved a contract with Robinson Construction in the amount of \$798,498 to begin construction of the Garden of Surging Waves. The project was divided into four construction sequences. As additional funding is received additional sequences can be added to the contract. Construction on the Garden is anticipated to begin in March.

### Astor-West Incentive Program for Development / Redevelopment

In order to address the City Council goal on this issue, staff has been collecting and reviewing information on City urban renewal programs for building façade grant and/or loan programs. Staff has also been talking to the staff of these Oregon communities to understand what has worked well in their respective cities. Starting in January 2013, staff has been working with City urban renewal consultant Elaine Howard to develop a program for the Astor-West District and will later bring the draft program to the Development Commission for consideration.

## OTHER PROJECTS

### Expansion of River Trail to Alderbrook Neighborhood

At their February 21, 2011 meeting, the Astoria City Council accepted a grant from the Oregon Department of Transportation for expansion of the River Trail east to the Alderbrook neighborhood. Two separate trails have been expanded with this project and work is nearing completion. First, the trail currently in place on the railroad trestle / causeway has been extended east and follows an existing path between the sewer treatment plant and Alderbrook Lagoon. This path connects to Lagoon Road across an

existing footbridge. Secondly, the path currently located on the south side of Alderbrook Lagoon has been extended over to 45<sup>th</sup> Street and then through LaPlante Park connecting to Cedar Street. Construction is now complete.

### Downtown Streetscape Project

In May 2011, the City was notified that an Oregon Department of Transportation (ODOT) Flex Funds grant was approved in the amount of \$247,300 and the City Council subsequently accepted the grant. This program funded new "streetscape" amenities (benches, bike racks, bike lockers, planters, garbage cans, and bus shelters). The streetscape project focused primarily on the downtown core, but improvements ranged from the State Office Building on Marine Drive (west of downtown) to the hospital / medical district (east of downtown). The specific designs of each of the streetscape improvements (benches, planters, bicycle racks, and garbage cans, etc.) were reviewed and accepted by the City Council, Astoria Sunday Market, and Astoria Downtown Historic District Association. Columbia Memorial Hospital and Astoria Sunday Market each contributed \$5,000 towards the project.

The new salmon garbage cans, standard green garbage cans, bike lockers, bus shelters, bike racks, benches, and new planters have been installed by Tongue Point Job Corp students and Public Works staff. The bulb-out planter beds along Marine Drive were also replanted.

The initial project is complete and the local merchants through the coordination of the Astoria Downtown Historic District Association (ADHDA) have assumed maintenance of the planters and ADHDA volunteers maintain the bulb-out planter beds. However, in February 2013, ODOT released some more funds for this project. Additional salmon cans, benches and bike racks will be ordered in early March. These items should be installed by May or June 2013.

### Downtown Mainstreet Program

Staff has been working with the Astoria Downtown Historic District Association (ADHDA) on various components of this program. Planner Rosemary Johnson serves on the Design Committee as a liaison to the City. The Design Committee reviews and suggests ways to improve the aesthetics of the downtown. This committee manages the spring downtown clean up and was instrumental in getting merchants to adopt planters which were installed with the Downtown Streetscape project. The Design Committee is currently looking at developing directional / informational signs for the downtown area. They are currently proposing new street signs for the downtown that indicate that it is a National Register Historic District. The Committee has been in contact with City Engineer Jeff Harrington to coordinate their proposal to the City Council. The Committee has also been assisting downtown property owners in filling vacant storefronts with show window items. The Derelict Building Ordinance (at the request of ADHDA) requires vacant storefronts to have items placed in the windows to create the appearance of active storefronts. This could include historic photos or displays.

Community Development Director Brett Estes serves on the Business Development Committee which assists business owners in developing and / or growing their operations. The Business Development Committee is coordinating the Downtown Planning activities previously discussed.

#### Development of Geographic Information System (GIS)

Development of the City's GIS has been a priority for both the Public Works and Community Development Departments so that paper maps and data can be digitized and accessed by citizens and more easily by City Staff. At their March 21, 2011 meeting, the City Council approved a contract with Mark Scott of Cartomation, Inc. for development of an online GIS whereby citizens can access information such as zoning, property dimensions, and aerial photography. That work is completed and has been added to the City of Astoria website.

Additionally, the Oregon Department of Land Conservation and Development has awarded the City a grant for this project. This grant would fund further inclusion of water, sewer and storm sewer infrastructure data, and historic designation status of properties. A revised contract with Cartomation was approved by the City Council in April 2012 to assist with this work. The addition of public infrastructure and historic information to GIS is progressing well and should be finished by June 2013.

#### Certified Local Government Grant

In alternating years, Certified Local Government (CLG) cities are eligible to submit grant applications to the State Historic Preservation Office (SHPO) for historic preservation related work. On February 6, 2012 the City Council authorized submittal of a grant application, to conduct an updated historic inventory of the Adair-Uppertown Area. Additional work under this grant would include funds to help with historic building consultation on proposed projects by property owners. The grant was approved by SHPO and the City Council subsequently accepted the grant. Work has started on the inventory with the assistance of John Goodenberger. Background data and field investigations are currently being collected with public involvement. A public informational meeting is tentatively scheduled for May 2013 with a public hearing before the Historic Landmarks Commission tentatively set for June.

#### US Coast Guard Housing

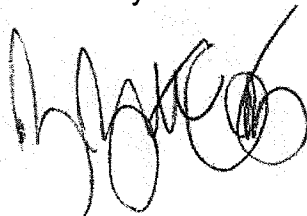
Over the last two years, the City has been working with the US Coast Guard (USCG) concerning potential expansion of their existing housing area on the South Slope. The property was sold by the City to the USCG in 1991 with a Memorandum of Agreement concerning development of the site. The Community Development Department received the Governor's Livability Award in 1995 for the existing housing area and its integration into the community. The USCG proposes to build approximately 50 housing units in two-family, three-family, and multi-family dwellings in two phases. The housing is proposed for the area north of the existing houses and would be accessed from Klaskanine Avenue. The USCG and staff have met several times over the last year to

assure that the new development will comply with the intent of the Memorandum of Agreement and meet the requirements of the USCG. Part of the process will include a potential street vacation for the unimproved Niagara Avenue which is located in the northern portion of the USCG property and a zone change to allow multi-family dwellings. The USCG has submitted an application for the street vacation which is pending in the Engineering Department. The zone change was approved by the City Council at their November 5, 2012 meeting. The USCG anticipates construction of these houses in 2013.

New / Expanding Business Brochure

Staff has been working with Clatsop Economic Development Resources to develop a brochure to address the City development process and provide information on available business development resources within the City. The brochure text has been completed and the brochure should be finalized in early March.

Submitted by:

A handwritten signature in black ink, appearing to read "Brett Estes", is written over a light gray circular stamp or watermark.

---

Brett Estes, Community Development Director



February 20, 2013

The Honorable Willis Van Dusen, Mayor  
City of Astoria  
1095 Duane Street  
Astoria, OR 97103

**RECEIVED**

**FEB 21 REC'D 2013**

**CITY MANAGER**

RE: Award for Community Development Block Grant, Astoria Senior Center Revitalization,  
Project #C12022

Dear Mayor Van Dusen:

Congratulations on your successful application for the above-referenced project! You will be receiving a grant for \$1,500,000 from the Oregon Community Development Block Grant program. This program, administered by Business Oregon Infrastructure Finance Authority, provides grant funds to cities and counties to upgrade public infrastructure, develop community facilities and provide essential services to the workforce and your citizens.

Please note that the legal obligations for funding and for reimbursement of project expenses are subject to execution of a contract between your jurisdiction and the state acting by and through Oregon Business Development Department.

Contract documents will be sent to you shortly for your review and signature. For your convenience, we have enclosed the Grant Management Handbook, explaining how to manage the project in accordance with the requirements of the Oregon Community Development Block Grant Program.


Funds cannot be obligated or spent for any activity until the environmental review process described in Chapter 3 of the Grant Management Handbook has been completed for each activity. Grant administration and engineering are exempt from environmental review and can be started as soon as your Certifying Officer completes a Finding of Exemption for those two activities.

We encourage you to expand public awareness of your project's purposes and benefits through events and the media. Please notify us of any event celebrating your project.

Honorable Willis Van Dusen  
City of Astoria Senior Center  
February 20, 2013  
Page 2 of 2

We look forward to working as a partner with you to complete this important project. If you need assistance, please contact me at (503) 842-4045 or email: [melanie.olson@state.or.us](mailto:melanie.olson@state.or.us).

Sincerely,

A handwritten signature in black ink that reads "Melanie Olson". The signature is written in a cursive, flowing style.

Melanie Olson, Regional Coordinator  
Infrastructure Finance Authority

Enclosure

c: Paul Benoit, City Manager  
Mike Morgan, Special Projects Planner  
Larry Miller, Manager, Astoria Senior Center  
State Senator Betsy Johnson

### **2012 4th Quarter CDBG Awards:**

The Infrastructure Finance Authority of the Oregon Business Development Department (OBDD-IFA) awarded \$4,639,000 in grants for five (5) city and three (3) county projects. The grants from the Oregon Community Development Block Grant (CDBG) program will assist rural communities with funding for important projects around the State. The eight (8) awards are summarized below:

**City of Rogue River** - The City of Rogue River owns and operates a municipal drinking water system. The city's current water master plan is outdated and does not reflect significant changes which have occurred over the last decade. The city will use the \$150,000 in grant funds to procure and retain the services of a professional engineer to prepare an Oregon Health Authority – Drinking Water Program approved water master plan.

**City of Tillamook** – The City of Tillamook's Wastewater Facilities Plan identified numerous collection system deficiencies. As a result of these collection system deficiencies the city has received two warning letters from the Oregon Department of Environmental Quality. The city will use the \$2,000,000 to complete a wastewater system design and construction project to correct the problems.

**City of Willamina** – The City of Willamina owns and operates a municipal drinking water treatment and distribution system. The city's water master plan is outdated and needs to be updated. The city will use the \$99,000 award to procure the services of a professional engineering firm to prepare an Oregon Health Authority – Drinking Water Program approved water master plan.

**City of Astoria** – The City of Astoria owns a building that is currently being used for a senior center. The building was built in 1946 and does not have a kitchen or an ADA accessible basement. The lack of a kitchen means that the senior meal program is held in a separate building which is also inadequate and cannot serve the current need. The city will use the \$1,500,000 award to remodel the current senior center building including the installation of a new kitchen and dining facility. The facility will exclusively serve seniors age 60+ that live in the City of Astoria.

**Baker County** – Baker County, Union County and Wallowa County have entered into an agreement to sponsor a regional microenterprise program. Baker County will act as the lead. The county will use the \$40,000 CDBG grant to provide classroom training for low and moderate-income clients.

**Lincoln County** – Lincoln County, Lincoln City, Newport and Waldport have entered into an agreement to sponsor a regional microenterprise program. Lincoln County will act as the lead. The county will use the \$50,000 CDBG grant to provide classroom training for low and moderate-income clients.

**Linn County** – The Linn County housing rehabilitation program has a waiting list for owner occupied home repairs. The regional service area includes the unincorporated area of Linn County and cities of Lebanon, Scio, Brownsville, Halsey, Tangent, Harrisburg, Sodaville and Sweet Home. The \$400,000 award will be used to rehabilitate homes for homeowners who qualify as low and moderate-income.

**City of Yoncalla** – The City of Yoncalla's housing rehabilitation program has a waiting list for owner occupied home repairs. The regional service area includes the City of Yoncalla, the City of Riddle and the City of Oakland. The \$400,000 award will be used to rehabilitate homes for homeowners who qualify as low and moderate-income.

### **2013 1st Quarter Competitive Application Process:**

OBDD-IFA is accepting applications until March 31, 2013 for the CDBG program's first quarter, competitive application round. Award decisions for the first quarter will be made in May 2013.



The program serves the non-metropolitan cities and counties of Oregon with funding from the U.S. Department of Housing and Urban Development (HUD).

OBDD reviews applications for funding under the CDBG program on a quarterly basis or until all funds available for the year have been obligated. The department currently has several million dollars to award for 1<sup>st</sup> quarter 2013. You are encouraged to contact the department and allow its regional coordinators to work with you to develop an eligible project.

For further information about the Oregon Community Development Block Grant program, please contact OBDD at (503) 986-0123 or visit <http://www.orinfrastructure.org/>



February 27, 2013

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM: *BB* PAUL BENOIT, CITY MANAGER

SUBJECT: **AUTHORIZATION TO AWARD CONTRACT FOR SPUR 12 TIMBER SALE AND ROAD IMPROVEMENTS 2013**

**DISCUSSION/ANALYSIS**

At the January 22<sup>nd</sup> Council Meeting, Council authorized Staff to solicit bids for a timber sale at the City's Watershed. A key aspect of this timber project involves removal of alder near streams due to the negative impact that decomposing alder leaves have on the quality of the City's water supply. The leaves produce tannic acid compounds that interfere with the disinfection process during final water treatment. As part of the timber removal activities, watershed road Spur 12 would be improved to assure needed access to this area of the watershed well into the future. Watershed road Spur 12 provides essential access to the east central area of the watershed. Sections of this road were poorly constructed over 50 years ago and it has significantly deteriorated over the years despite interim efforts to keep it in service. It is in need of major repairs to prevent it from becoming increasingly unsafe to traverse, and ultimately it will be unusable.

Proposed road improvements would include roadside ditching, culvert improvement, proper sloping of the road surface, and placement of compacted crushed rock. The cost of the road improvements would be paid from a portion of the proceeds derived from the sale.

The following bids were received and are quoted as the gross revenue based on the advertised volume:

<b>Company</b>	<b>Quote</b>
Sanders Wood Products	\$274,425.00
Hampton Tree Farms	\$257,739.75

With the addition of the Alder volume, which was not listed as a bid species, it is estimated that the gross revenue will be \$300,000.00


The road improvement (\$70,000.00) and reforestation costs (\$10,000.00) will result in estimated net revenue of approximately \$220,000.00, which would be deposited in the Capital Improvement Fund.

The City Attorney has reviewed and approved as to form the attached contract.

**RECOMMENDATION**

It is recommended that the City Council award a contract to Sanders Wood Products for the Spur 12 Timber Sale and Road Improvements 2013.

Submitted By Ken P. Cook  
Ken P. Cook, Public Works Director

Prepared By MIKE BARNES   
Mike Barnes, Forrester

**CITY OF ASTORIA**  
**CONTRACT FOR Spur 12/Cedar Creek Timber HARVEST 2013**

This Contract, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and Sanders Wood Products, PO Box 169, Molalla, OR 97038, hereinafter called "PURCHASER".

WITNESSETH

WHEREAS, the CITY sells to PURCHASER and PURCHASER buys from CITY trees designated and described in Scope of Work; and

WHEREAS, PURCHASER is able and prepared to harvest designated timber as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. PURCHASER SERVICES

A. PURCHASER'S responsibilities are defined solely by this Contract and its attachment and not by any other contract or agreement that may be associated with this project.

B. The PURCHASER'S work shall be performed as expeditiously as is consistent with safety and the orderly progress of work. All work shall be completed no later than **October 31, 2013**.

2. PAYMENT TO CITY

A. PURCHASER agrees to pay CITY:

\$435.00 per mbf for Douglas-fir  
\$303.00 per mbf for Hemlock/Pacific Silver Fir

\$300.00 per mbf for Alder Sawlogs  
\$120.00 per mbf for Sitka Spruce  
\$ 7.00 per ton for Pulp logs

B. An initial payment of \$27,442.50 shall be made to the City prior to commencement of activities.

C. Payment schedule shall be based upon terms as outlined in Section 17 of the attached Scope of Work.

3. TITLE TO TREES

- 1) During the period of this Contract, and any extension, PURCHASER shall have the right to cut and remove designated trees. Such right shall be conditioned upon PURCHASER complying with the provisions of this Contract. PURCHASER shall be listed as timber owner on the Notification of Operation, as filed with the Oregon Department of Forestry.

Any right of PURCHASER to cut and remove the trees shall expire and end at the time this Contract, or any extension, terminates. All rights and interests of PURCHASER in and to trees and logs remaining in the project area shall, at that time, automatically revert to and revest in the CITY, without compensation to PURCHASER.

4. PURCHASER IDENTIFICATION

PURCHASER shall furnish to the CITY the PURCHASER'S employer identification number, as designated by the Internal Revenue Service, or PURCHASER'S Social Security number, as CITY deems applicable.

5. PURCHASER'S REPRESENTATIVE

For purposes hereof, the PURCHASER'S authorized representative will be Kirk Harrison.

6. CITY'S OBLIGATIONS

In order to facilitate the work of the PURCHASER as above outlined, the CITY shall furnish to the PURCHASER access to all relevant maps, aerial photographs, reports and site information which is in the CITY'S possession concerning the project area. In addition, the CITY shall act as liaison for the PURCHASER, assisting the PURCHASER with making contacts and facilitating meetings, as necessary.

7. PURCHASER IS INDEPENDENT PURCHASER

A. PURCHASER'S performance shall be under the general supervision of CITY'S project director or his designee, but PURCHASER shall be an independent PURCHASER for all purposes and shall be entitled to no compensation other than the compensation provided for under Section 2 of this Contract.

B. PURCHASER acknowledges that for all purposes related to this Contract, PURCHASER is and shall be deemed to be an independent PURCHASER and not an employee of the CITY, shall not be entitled to benefits of any kind to which an employee of the CITY is entitled and shall be solely responsible for all payments and taxes required by law; and furthermore in the event that PURCHASER is found by a court of law or an administrative agency to be an employee of the CITY for any purpose, CITY shall be entitled to offset compensation due, or, to demand repayment of any amounts paid to PURCHASER under the terms of the Contract, to the full extent of any benefits or other remuneration PURCHASER receives (from CITY or third party) as result of said finding and to the full extent of any payments that CITY is required to make (to PURCHASER or a third party) as a result of said finding.

C. The undersigned PURCHASER hereby represents that no employee of the CITY of Astoria, or any partnership or corporation in which a CITY of Astoria employee has an interest, has or will receive any remuneration of any description from the PURCHASER, either directly or

indirectly, in connection with the letting or performance of this Contract, except as specifically declared in writing.

8. **ASSIGNMENT OF CONTRACT.**

PURCHASER shall not assign, sell, or transfer rights, or delegate responsibilities under this Contract, in whole or in part, without the prior consent of the CITY. CITY will consent only when assignment is consistent with CITY'S fiduciary duties. No such written approval shall relieve PURCHASER of any obligations under this Contract, and any transferee shall be considered the agent of the PURCHASER and bound to perform in accordance with the Contract. PURCHASER shall remain liable as between the original parties to the Contract as if no assignment had occurred.

9. **SUBCONTRACTING**

PURCHASER acknowledges and agrees that if PURCHASER subcontracts all or any part of the Operations, such subcontracting shall in no way relieve PURCHASER of any responsibility under this Contract. PURCHASER shall notify CITY in writing of the names and addresses of each subcontractor prior to the commencement of any Contract work by the subcontractor.

10. **CANCELLATION FOR CAUSE**

CITY may cancel all or any part of this Contract if PURCHASER breaches any of the terms herein or in the event of any of the following: Insolvency of PURCHASER; voluntary or involuntary petition in bankruptcy by or against PURCHASER; appointment of a receiver or trustee for PURCHASER, or any assignment for benefit of creditors of PURCHASER. Damages for breach shall be those allowed by Oregon law, reasonable and necessary attorney's fees, and other costs of litigation at trial and upon appeal. PURCHASER may likewise cancel all or any part of this contract if CITY breaches any of the terms herein and be therefore entitled to equivalent damages as expressed above for CITY.

11. **ACCESS TO RECORDS**

*CITY shall have access to such books, documents, papers and records of contract as are directly pertinent to this contract for the purposes of making audit, examination, excerpts and transcripts.*

12. **FORCE MAJEURE**

Neither CITY nor PURCHASER shall be considered in default because of any delays in completion of responsibilities hereunder due to causes beyond the control and without fault or negligence on the part of the party so disabled provided the party so disabled shall within ten (10) days from the beginning such delay notify the other party in writing of the causes of delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation.

13. **NONWAIVER**

The failure of the CITY to insist upon or enforce strict performance by PURCHASER of any of the terms of this Contract or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its right to assert or rely upon such terms or rights on any future occasion.

14. ATTORNEY'S FEES

In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

15. APPLICABLE LAW

The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

16. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the proposal of the PURCHASER, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

17. INDEMNIFICATION

With regard to Comprehensive General Liability, PURCHASER agrees to indemnify and hold harmless the CITY of Astoria, its Officers, and Employees against and from any and all loss, claims, actions, suits, reasonable defense costs, attorney fees and expenses for or on account of injury, bodily or otherwise to, or death of persons, damage to or destruction of property belonging to CITY, PURCHASER, or others resulting from or arising out of PURCHASER'S negligent acts, errors or omissions in services pursuant to this Agreement. This agreement to indemnify applies *whether such claims are meritorious or not; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of PURCHASER and The CITY of Astoria this indemnification and agreement to assume defense costs applies only to the extent of the negligence or alleged negligence of the PURCHASER.*

With regard to Personal Liability, PURCHASER agrees to indemnify and hold harmless the CITY of Astoria, its Officers and Employees from any and all liability, settlements, loss, reasonable defense costs, attorney fees and expenses arising out of PURCHASER'S negligent acts, errors or omissions in service provided pursuant to this Agreement; *provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of PURCHASER and the Client, this indemnification and agreement to assume defense costs applies only to the extent of negligence of PURCHASER.*

*With respect to Commercial Liability and Personal Liability, PURCHASER reserves the right to approve the choice of counsel.*

18. INSURANCE

PURCHASER shall obtain and maintain the following insurance: \$2,000,000 Commercial General Liability, \$1,000,000 Automobile Liability, \$1,000,000 Logger's Broad Form and \$1,000,000 excess or umbrella policy. CITY will be listed as an "Additional Insured" on each policy. Such insurance shall provide a waiver of subrogation in favor of City. Coverage shall include PURCHASER, Sub-contractors, and anyone directly or indirectly employed by either. The comprehensive general liability shall be combined single limit for broad form liability property

damage and bodily injury. Such insurance shall not be canceled or its limits of liability reduced without thirty (30) days prior notice to CITY. A copy of an insurance certificate in form satisfactory to CITY certifying the issuance of such insurance shall be furnished to CITY. Such insurance shall not be canceled or its limits of liability reduced without thirty (30) days written notice to CITY.

19. WORKMEN'S COMPENSATION

The PURCHASER, its sub-contractors, and all employers working under this Agreement are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers. PURCHASER shall provide proof of worker's compensation coverage to CITY.

20. LABORERS AND MATERIALMEN, CONTRIBUTIONS TO INDUSTRIAL ACCIDENT FUND, LIENS AND WITHHOLDING TAXES

PURCHASER shall make payment promptly, as due, to all persons supplying PURCHASER labor or material for the prosecution of the work provided for this contract.

PURCHASER shall pay all contributions or amounts due the Industrial Accident Fund from PURCHASER or any subPURCHASER incurred in the performance of the contract.

PURCHASER shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

PURCHASER shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

21. PAYMENT OF CLAIMS BY PUBLIC OFFICERS

If the PURCHASER fails, neglects or refuses to make prompt payment of any claim for labor or services furnished to the PURCHASER or a subPURCHASER by any person in connection with the public contract as such claim becomes due, the proper officer or officers representing the municipality may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due the PURCHASER by reason of such contract.

The payment of a claim in the manner here authorized shall not relieve the PURCHASER or the PURCHASER'S surety from obligation with respect to any unpaid claims.

22. PAYMENT OF MEDICAL CARE

PURCHASER shall promptly, as due, make payment to any person, copartnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury to the employees of such PURCHASER, of all sums which the PURCHASER agrees to pay for such services and all moneys and sums which the PURCHASER collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.

23. OVERTIME

Employees shall be paid at least time and a half for all overtime work in excess of 40 hours in any one-week, except for individuals under these contracts who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. sections 201 to 209 from receiving overtime.



24. **NO THIRD PARTY BENEFICIARIES**

This contract gives no rights or benefits to anyone other than the CITY and PURCHASER and has no third party beneficiaries.

25. **SEVERABILITY AND SURVIVAL**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability shall survive termination of this Agreement for any cause.

26. **HARVEST TAX LIABILITY**

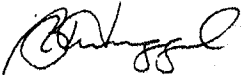
PURCHASER shall be responsible for payment of all Department of Revenue Timber Harvest Taxes.

27. **COMPLETE CONTRACT**

This Contract and its referenced attachments constitute the complete contract between CITY and PURCHASER and supersedes all prior written or oral discussions or agreements. PURCHASER services are defined solely by this Contract and its attachments and not by any other contract or agreement that may be associated with this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

Approved as to form:



Attorney

Digitally signed by Blair Henningsgaard  
DN: cn=Blair Henningsgaard, o,  
ou, email=lblair@astorialaw.net,  
c=US  
Date: 2013.02.19 11:44:00 -08'00'

CITY OF ASTORIA, a municipal corporation of the State of Oregon

BY: \_\_\_\_\_  
Mayor Date

BY: \_\_\_\_\_  
City Manager Date

BY: \_\_\_\_\_  
Purchaser Date

**BID FORM - CORRECTED**

**CITY OF ASTORIA  
SPUR 12 & CEDAR CREEK**

**Bid Opening February 19, 2013  
10:00 AM Pacific Daylight Savings Time**

**Submitted to: City of Astoria  
Public Works Department  
Attn: Ken P. Cook  
1095 Duane St.  
Astoria, Oregon 97103**

The following bid is for timber only described under the terms described in the invitation to bid.

Bidder acknowledges that this offer is for **Timber Only**, "As Is" and that the City reserves the right to reject any and all bids. Bidder has made a careful and independent determination of the conditions requisite to the transaction contemplated herein.

Bidder has submitted a **\$10,000 Bid Deposit**, which must be included with this bid, in the form of a cashier's or certified check.

Bid Species	Douglas-fir	\$ <u>435.00</u> Per mbf	Four Hundred Thirty Five
	Hemlock/Silver Fir	\$ <u>303.00</u> Per mbf	Three Hundred Three

No Bid Species  
Alder Sawlog \$300.00/mbf  
Sitka Spruce \$120.00/mbf  
Pulp Log \$ 7.00/ton

Bidder: SANDERS WOOD PRODUCTS

Tax ID No.: 93-09 44446

Address: P.O. Box 169  
MOLALLA, OR 97038

Phone: 503-829-7200

Authorized Representative Kirk E. Harrison Log Buyer  
(Signature and Title)

Printed Name KIRK E. HARRISON

Date 2/15/13



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

**ASTORIA CITY COUNCIL  
DRAFT GOALS  
FISCAL YEAR 2013-2014**  
(Drafted January 25, 2013)  
*[Amendment Submitted March 4, 2013]*

- **Continue with Development of Plans for Renovation of the Astor Library.**
- **Maintain and Enhance the City's Commitment to the Astoria Column.**
- **Complete the Garden of Surging Waves.**
- **Continue Implementation of the Riverfront Vision Plan.**
- **Maintain Advocacy for the Astoria Bypass and for Fishery Issues.**
- **Continue Enforcement of the Derelict Building Ordinance.**
- **Sell Excess City Properties.**
- **Develop Programs and Projects for Improving Pedestrian and Traffic Safety.**
- **Cooperate and Collaborate with Clatsop County Jurisdictions to Promote Emergency Preparedness.**
- **Support the Astoria Downtown Historic District Association in Development and Implementation of a Downtown Master Plan and in Promotion of the Arts.**
- **Develop a Program to Promote "Citizens Helping in Parks", with Particular Emphasis on Neighborhood Parks and the RiverWalk.**
- **Support Organizations Working to Establish Community Gardens and Operate Farmer's Markets.**
- **Improve Communication with All Astorians.**
- ***Maintain Advocacy for the Astoria Bypass, for Fishery Issues, and for Business Development/Expansion through the Astoria Downtown Historic District Association Business Development Committee, Columbia Pacific Economic Development District (Col-Pac), and Clatsop Economic Development Resources (CEDR).***



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

February 26, 2013

MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM: PAUL BENOIT, CITY MANAGER  
SUBJECT: Acceptance of FYE 06/30/12 Audit

Discussion

At the February 19<sup>th</sup> Council meeting staff handed out the FYE 6/30/12 Audit and SAS 114 letter for the City of Astoria for your review. With the completion of the audit I am pleased to report that we once again have received an unqualified or "clean" opinion regarding the fair presentation of the City's transactions and financial position. The Governmental Finance Officers Association Best Practices recommend that the Audit be presented to Those in Governance upon completion. This best practice is designed to ensure that those charged with decision making within a governmental body receive appropriate and timely feedback from the auditors. By accepting this audit report you are not verifying the detailed numbers but rather are accepting the conclusion of the auditors and their findings.

Recommendation

Staff is asking that the Council consider accepting this report as presented.

By: \_\_\_\_\_


  
Mark Carlson, CPA  
Finance Director



**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

February 25, 2013

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL  
FROM:  PAUL BENOIT, CITY MANAGER  
SUBJECT: **REQUEST TO CUT TREES ON CITY PROPERTY**

**DISCUSSION/ANALYSIS**

Melissa Yowell of 690 17<sup>th</sup> Street has submitted an application for permission to cut trees on city property. The city owned property is to the east of Ms. Yowell's property and includes Tax Lot 2800, Map 80908DC.

The subject property had a permit in 2003 which stated the lot was maintained and the trees had been trimmed for the previous 8 years. The majority of the work requested on the current permit is the falling of 9 Red Alders and Norway Maple saplings with diameters of approximately 8 inches.

The applicant has had a certified arborist review the proposed activity. Based on the results of the arborist letter, and from a technical standpoint, staff does not see any reason why the falling should not be allowed.


The applicant has attempted to receive concurrence from adjacent property owners. The property owner to the north (674 17<sup>th</sup> Street) would not give concurrence and the property owner to the east (1766 Grand Avenue) concurred verbally but would not sign the application. All adjacent property owners will be notified that this request will be heard by the Council at the March 4<sup>th</sup> meeting.

Should City Council agree to approve this request, staff highly recommends the following conditions:

- 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.
- 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.

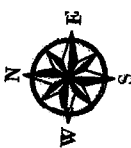
**RECOMMENDATION**

It is recommended that City Council authorize staff to approve the tree permit submitted by Melissa Yowell.

Submitted By   
Ken P. Cook, Public Works Director

Prepared By   
Jeff Harrington, PE, City Engineer

# MELISSA YOWELL REQUEST TO CUT TREES ON CITY PROPERTY



TREE CUTTING AREA  
(9 TOTAL)



CITY  
PROPERTY

CITY  
PROPERTY

690 17TH STREET

Grand-Ave

17th St



January 24, 2013

Melissa Yowell  
690 17<sup>th</sup> Street  
Astoria, OR

Dear Melissa:

Upon your request, I evaluated the immature volunteer trees on the hill side to the east of your house to determine if it would destabilize the hill if they were removed.

On the hill side, approximately fifty feet down the hill from your back porch, there are four volunteer maple trees, six to eight feet tall and one volunteer alder tree, eighteen to twenty feet tall. The alder is already growing up into your view and the maples will be in the near future. Because of the size and age of the trees, my opinion is these trees are doing very little to stabilize the hill. This hill side is not in a slide zone and although I'm not a geotech engineer, I believe these trees can be removed to maintain your view with little or no negative impact to the stability of the hill side.

Thank you for the opportunity to evaluate your property and if you have any questions, please let me know.

Best regards,

Luke Colvin  
ISA Certified Arborist, PN#6331A  
PNW-ISA Certified Tree Risk Assessor, CTRA#1451  
President, Arbor Care Tree Specialists

Cc: Steve Ruggles, City of Astoria





City of Astoria  
1095 Duane  
Astoria, OR 97103

FOR CITY USE ONLY:  
Permit No. \_\_\_\_\_  
Date: \_\_\_\_\_

Engineering Department

Phone: 503-338-5173

Fax: 503-338-6538

**APPLICATION FOR PERMISSION TO FELL/CUT TREE(S) ON  
\*CITY PROPERTY OR \*\*UNOPENED CITY RIGHT-OF-WAY**

Check All that Apply

Reason: View  Shades Property  Hazardous  Firewood  Other

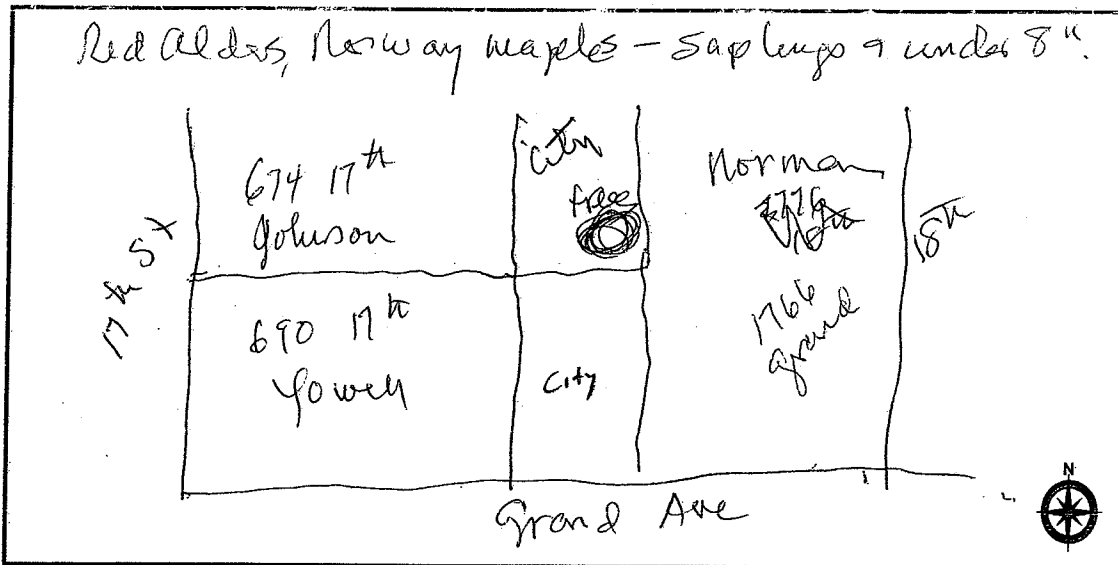
Method: Fall  Top  Trim

Applicant: Melissa Yowell Owner  Renter

Address: 690 17<sup>th</sup> Street Phone: 503-325-1892

Site Location: \_\_\_\_\_ Map/Tax Lot 80908 DCO 2900  
80908 DCO 2800

Work to be performed by: Arbor Care  
Mailing Address: 86946 Youngs River Fax: \_\_\_\_\_  
Phone: 503-791-0853 Insurance Company: Red Shield Policy #: CNT 014632  
503-791-8010



- Sketch Area Showing:
1. Location, size, and species of tree(s).
  2. Your property.
  3. Adjacent property owners as listed below.

**SIGNATURE BELOW INDICATES CONCURRENCE WITH TREE CUTTING (REQUIRED ON CITY PROPERTY ONLY)**

Signature	Address	Phone	Remarks
1. Karl Johnson	674 17 <sup>th</sup> St.		will not sign
2. Rebecca Norman	1766 15 <sup>th</sup> Street	503-325-6218	OK, but will not sign if City calls will say OK
3.			
4.			
5.			
6.			

Over →

**APPLICATION FOR PERMISSION TO FELL/CUT TREE(S) ON CITY PROPERTY**

This is a permit to fell/cut 10 tree(s) from Lot (s) \_\_\_\_\_ Block (s) \_\_\_\_\_  
Addition Shively, to the City of Astoria to the City of Astoria and to fell/cut \_\_\_\_\_ tree(s)  
from \_\_\_\_\_ Street(s) in the City of Astoria.

**GENERAL CONDITIONS**

Tree(s) to be felled/cut in a careful manner under the supervision and responsibility of the applicant and as specified by the City Engineer. Applicant is to remove within \_\_\_\_\_ days of cutting all such felled/cut tree(s) and all resulting debris from such City property, Streets or Alleys and to hold the City of Astoria harmless from any and all damages or claims of damages as a result of such felling or cutting. Permit expires December 31<sup>st</sup> of dated year. Permit may be revoked at any time with notice. All ordinances of the City of Astoria shall be complied with\*.

**SPECIAL CONDITIONS OR REMARKS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_  
Conditions Accepted and Approved

Permit Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**\*Astoria Code 2.500 Permit for Removing Trees from Unopened City Right-of-Way**

1. Prior to removing trees from unopened city rights-of-way, the owner of the underlying fee shall obtain a permit for the city engineer. In granting a permit, the city engineer shall make a written finding that one of the following criteria exists:
  - (a) Necessity to remove tree(s) which pose a safety hazard;
  - (b) Necessity to remove diseased tree(s) weakened by age, storm, fire, or other injury;
  - (c) Need for solar access, or the obtaining of views which cannot be accomplished by pruning;
  - (d) Commercial harvesting is appropriate and removal of the trees poses no threat to the physical integrity of the right-of-way or adjacent property;
  - (e) Necessity of the owner of the underlying fee to temporarily use a portion of the right-of-way for purpose of access to their property.
2. A denial of a permit may be appealed to the city council if notice of such appeal is filed with the finance director within 15 days of the date of denial.

**\*\*City of Astoria Administrative Practice Tree Removal Policy on City Property**

**Section 1.01 – Purpose**

This administrative practice defines the practice and procedures to be used in cutting trees on City property.

**Section 1.02 – Dangerous Trees**

Removal of dangerous trees will be a staff decision.

**Section 1.03 – Other Trees**

Proposed removal of any tree or trees, other than dangerous trees, will be placed on the agenda of a City Council meeting for City Council consideration.



**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

February 21, 2013

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  PAUL BENOIT, CITY MANAGER

SUBJECT: **AUTHORIZATION TO BID – COLUMBIA RIVER MARITIME MUSEUM  
STORM DRAIN PIPE RELOCATION PROJECT**

**DISCUSSION/ANALYSIS**

Public Works Operations Staff identified a City storm drain pipe failure immediately adjacent to the Columbia River Maritime Museum (CRMM), near the 18<sup>th</sup> Street right-of-way. The storm drain pipe drains an area that starts under the 18<sup>th</sup>/Irving Bridge and ends at the Columbia River. In addition to conveying street drainage, it accommodates runoff from most of the adjacent commercial parking lots and residential lots along its alignment. It also serves as a combined sewer overflow.

The existing 36 inch diameter corrugated metal pipe runs parallel to the south face of the CRMM for approximately 200 feet. A 25 foot long section of pipe has collapsed next to a building access and a utility bay door. The collapsed portion of pipe created a sink hole that damaged several utilities in the vicinity. The depression and utilities have been temporarily repaired. In addition to the failed section, the remaining length of pipe has evidence of significant deterioration including rust and deformation.


Public Works Engineering and Operations Staff have evaluated several repair methods and determined that relocating the pipe is the best method to pursue. Relocating the pipe will greatly reduce the risk of damage to the adjacent structure during construction, provide improved access for future maintenance, and is the most cost effective solution. The relocation will include the installation of 200 feet of 30" corrugated HDPE pipe, two manholes, abandoning the existing failed pipe, and associated surface restoration. The preliminary estimate for this work is \$92,000 which includes a 15% contingency.

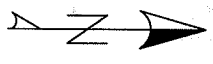
City Staff coordinated the relocation effort with the CRMM and implemented their requirements into the contract documents. An easement for the existing storm drain line could not be found; consequently City Staff will record a new easement for the relocated pipe upon completion of construction.

**RECOMMENDATION**

It is recommended that City Council authorize staff to solicit bids for the CRMM Storm Drain Relocation Project. Funds for this project are available in the Public Works Improvement Fund.

Submitted By Ken P. Cook  
Ken P. Cook, Public Works Director

Prepared By: NATHAN CRATER   
Nathan Crater, Assistant City Engineer



**COLUMBIA RIVER  
MARITIME MUSEUM**

**TO COLUMBIA  
RIVER**

APPROXIMATE LOCATION  
OF EXISTING 36" STORM DRAIN

LOCATION OF  
COLLAPSED PIPE

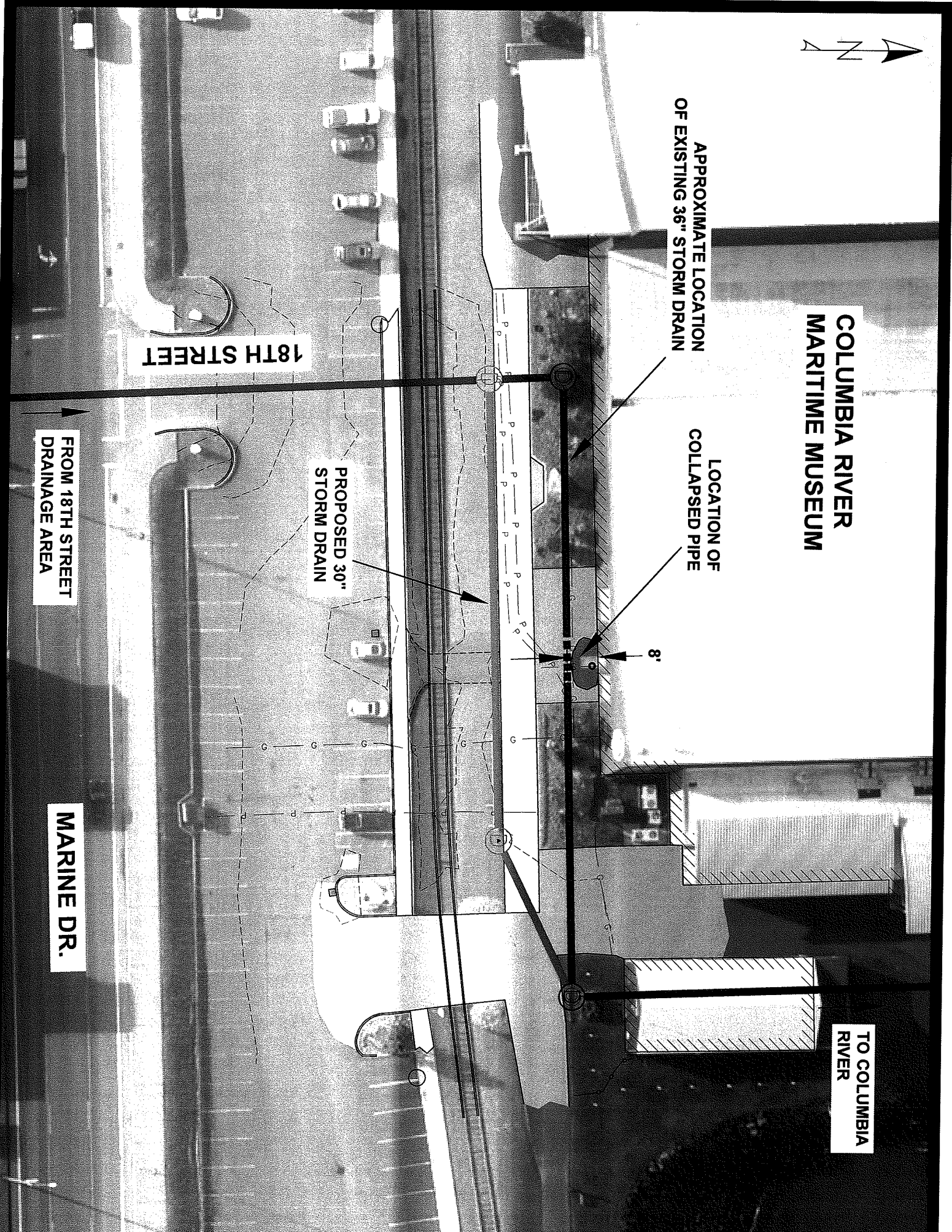
8'

PROPOSED 30"  
STORM DRAIN

**18TH STREET**

FROM 18TH STREET  
DRAINAGE AREA

**MARINE DR.**



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# **AGENDA**

## **ASTORIA DEVELOPMENT COMMISSION MEETING**

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**March 4, 2013**  
**Immediately Follows City Council Meeting**  
**Astoria City Hall – 1095 Duane Street**  
**Astoria OR 97103**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. REPORTS OF COMMISSIONERS**
- 4. CHANGES TO AGENDA**
- 5. CONSENT CALENDAR**  
The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the Astoria Development Commission requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.  
(a) ADC Minutes of 12/17/12
- 6. REGULAR AGENDA ITEMS**  
(a) Acceptance of ADC Audit Report for FYE 6/30/12 (Finance)

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE LAMPI, CITY MANAGER'S OFFICE, 503-325-5824.**



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

February 26, 2013

MEMORANDUM

TO: ASTORIA DEVELOPMENT COMMISSION

FROM: *PB* PAUL BENOIT, CITY MANAGER

SUBJECT: ASTORIA DEVELOPMENT COMMISSION (ADC) MEETING OF MARCH 4, 2013

**CONSENT CALENDAR**

**Item 5(a): ADC Minutes**

The minutes of the ADC meeting of December 17, 2012 are enclosed for your review. Unless there are any corrections, it is recommended that the ADC approve these minutes.

**REGULAR AGENDA ITEMS**

**Item 6(a): Acceptance of ADC Audit Report for FYE 6/30/12 (Finance)**

At the February 19, 2013 Council meeting staff handed out the FYE 6/30/12 Audit and SAS 114 letter for the Urban Renewal Agency of the City of Astoria for your review. With the completion of the audit I am pleased to report that we once again have received an unqualified or "clean" opinion regarding the fair presentation of the City's transactions and financial position. The Governmental Finance Officers Association Best Practices recommend that the Audit be presented to the Development Commission upon completion. This best practice is designed to ensure that those charged with decision making within a governmental body receive appropriate and timely feedback from the auditors. By accepting this audit report you are not verifying the detailed numbers, but rather, are acknowledging the conclusion of the auditors and their findings.

MANAGER\AGENDA\ADC MEMO 3-4-13

**ASTORIA DEVELOPMENT COMMISSION**

City Council Chambers  
December 17, 2012

**ADC JOURNAL OF PROCEEDINGS**

A regular meeting of the Astoria Development Commission (ADC) was held at the above place at the hour of 9:03 p.m.

Councilors Present: LaMear, Warr, Mellin, Roscoe and Mayor Van Dusen

Staff Present: City Manager Benoit, Library Director Tucker, Interim Parks Director Moss, Public Works Director Cook, Police Chief Curzon, City Attorney Henningsgaard, Planner Rosemary Johnson, Support Engineer Cindy Moore and Finance Director Carlson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**REPORTS OF COMMISSIONERS:**

No reports.

**CHANGES TO AGENDA:**

No changes.

**CONSENT CALENDAR:**

The following items were submitted on the Consent Calendar:

- 5(a) ADC Minutes of 9/17/12

**Commission Action:** Motion by Commissioner LaMear, seconded by Commissioner Mellin, to approve the Consent Calendar. Motion carried unanimously. Ayes: Commissioners Warr, LaMear Roscoe and Mellin, and Mayor Van Dusen. Nays: None.

**REGULAR AGENDA ITEMS:**

**Item 6(a): Heritage Square Sidewalk Project Pay Adjustment and Contract Closeout (Final)  
(Public Works)**

On July 17, 2012, the ADC awarded a construction contract to Bergeman Construction in the amount of \$169,324.75 for the Heritage Square Vaulted Sidewalk Replacement Project. The project is complete and Pay Adjustment #2 is the final pay adjustment. Pay adjustment #2 addresses additional work required as a result of a DEQ determination after bid award to keep all excavated soils on site. It was determined that the old Safeway basement was the best location for the material and, if the material is found to be free of contamination, it can be reused as fill for the future amphitheater. An EPA grant will fund material testing. The pay adjustment also includes changes resulting from field adjustments and unknown subsurface conditions. The adjustment also includes bid item deductions for actual quantities that were less than the estimated bid quantities. The total of Pay Adjustment #2 is \$16,057.72 and the final contract amount is \$201,673.43 which will result in a revised contract amount of \$217,731.15. It is recommended that the ADC authorize Pay Adjustment #2 in the amount of \$16,057.72 for the Heritage Square Vaulted Sidewalk Replacement Project.

**Commission Action:** Motion by Commissioner Mellin seconded by Commissioner Warr, to approve the resolution. Motion carried unanimously. Ayes: Commissioners Warr, LaMear, Roscoe and Mellin, and Mayor Van Dusen. Nays: None.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:05 p.m.

**ATTEST:**

**APPROVED:**



Secretary

City Manager

DRAFT



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

February 26, 2013

MEMORANDUM

TO: CHAIRMAN AND COMMISSIONERS  
FROM: PAUL BENOIT, CITY MANAGER  
SUBJECT: Acceptance of FYE 06/30/12 Audit

Discussion

At the February 19<sup>th</sup> Council meeting staff handed out the FYE 6/30/12 Audit and SAS 114 letter for the Urban Renewal Agency of the City of Astoria for your review. With the completion of the audit I am pleased to report that we once again have received an unqualified or "clean" opinion regarding the fair presentation of the City's transactions and financial position. The Governmental Finance Officers Association Best Practices recommend that the Audit be presented to Those in Governance upon completion. This best practice is designed to ensure that those charged with decision making within a governmental body receive appropriate and timely feedback from the auditors. By accepting this audit report you are not verifying the detailed numbers but rather are accepting the conclusion of the auditors and their findings.

Recommendation

Staff is asking that the Council consider accepting this report as presented.

By: \_\_\_\_\_

  
Mark Carlson, CPA  
Finance Director