

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

Councilors Present: Brownson, Rocka, Herman, and Mayor Jones.

Councilors Excused: Councilor West

Staff Present: City Manager Estes, City Planner Ferber, Parks and Recreation Director Williams, Finance Director Brooks, Fire Chief Crutchfield, Police Chief Spalding, Public Works Director Harrington, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor Jones introduced the new Fire Chief, Dan Crutchfield. Fire Chief Crutchfield provided details about his personal background and professional experience.

PRESENTATIONS

Item 3(a): Astoria Downtown Historic District Association (ADHDA) Annual Report

Sarah Lu Heath, ADHDA Director, presented the ADHDA's annual report dated July 2018 to December 2018, which was included in the agenda packet. Her presentation also included a PowerPoint with photographs. The report provided information on ADHDA's Board members, the efforts of their promotions, design, organization, and business development committees, events, marketing, membership, initiatives, the results of their recent membership survey, and their ongoing work to complete a strategic plan.

Item 3(b): Downtown Parking Study

Sarah Lu Heath, ADHDA Director, gave a detailed presentation via PowerPoint of the work done to date on the ADHDA's parking study. She noted the parking study was not yet complete as the ADHDA decided to expand the scope of the survey after they began working on it. The ADHDA wanted to do some more in-depth investigation before the study was published. She provided an overview of the occupancy survey, which showed parking levels during a variety of days and times. She also shared information on the inventory of private parking lots in downtown, efforts to lease vacant parking spots in those lots, and the estimated cost to build a parking structure. The ADHDA was still gathering additional information on ride sharing services and transportation alternatives. The final report should be complete within the next month.

City Manager Estes explained how the ADHDA came to have a deputized community outreach officer to provide resources and information to shoppers and parking enforcement in the downtown core. Filling this officer position increased the capacity of the Police Department and saved the City money.

Ms. Heath stated that the parking survey indicated there were no parking problems at this time. However, the ADHDA still needs to look for transportation options and parking solutions during events that create acute parking problems.

Councilor Brownson agreed that there was usually a place to park in the downtown area. People feel inconvenienced when they are unable to park directly in front the place they are going. Parking is impacted more in the summer.

Mayor Jones said the community has an expectation problem, not a parking problem. However, he wanted to make sure there were enough handicap parking spaces. He never had a problem finding a place to park at any time of day within a couple of blocks, even at peak times. Twenty years ago, when the economy was not doing as well as it is now, people could park in front of the location they wanted to visit. The community wants the economy to be thriving and that might mean people have to walk two blocks from their car. He was happy to hear the ADHDA was exploring ride sharing options.

Ms. Heath noted that anyone with a handicap license plate or placard can park anywhere downtown without time restrictions. The organization that the ADHDA had been working with was a non-profit out of Austin, Texas called Ride Austin.

Mayor Jones thanked the ADHDA for getting an estimate on the cost of a parking garage because people ask about that frequently.

Ms. Heath added that the only way to pay for a parking garage was to also charge for parking elsewhere in the city. She did not believe the community wanted the parking meters to return to Commercial St. and Duane St. Although, the ADHDA was looking into what that would cost just to get the details into the report.

REPORTS OF COUNCILORS

Item 4(a): **Councilor Herman** reported that when she moved back to town in 2016, she was pleased to find that the ADHDA was still around and thriving. The organization does so much for the entire community. She was looking forward to seeing the mural in the 13th Street alley. She reported that she attended the town hall meeting with Representative Tiffany Mitchell, who reported on the work she had been doing and answered questions about poor funding for education in Oregon, the Clean Energy Jobs Bill, and a bill requiring parents to vaccinate children so they could attend school. She had asked Representative Mitchell about a bill that would ban communities like Astoria from restricting vacation rentals. Representative Mitchell's response was that she understood the bill to be dead. She had been unable to find any information on the bill online, which she believed was a good indication that the bill was no longer being considered. She reported that she sat in on two City budget subcommittee meetings that are recommending grants to about 20 community organizations. It was a privilege to help decide how to dole out \$120,000. The recommendations will be presented to the City Budget Committee in April and the City Council in June.

Item 4(b): **Councilor Brownson** reported he held a Meet the Councilor event, which is every third Saturday at 9:00 am at Three Cups of Coffee. Only a few people attended and he encouraged everyone to attend because he wanted feedback. He also attended the Clatsop County Board of Commissioners meeting. The County has started on the household hazardous waste facility at the transfer station, which could open as soon as June. The County was also considering an ordinance for tobacco retail licensing to address issues with vape usage. Licensing fees would fund better enforcement of age restrictions. He reported the City Council held a work session on the school district's success with their bond sale. The District received an A-1 rating. The bond would only add \$0.92 to every \$1000 in annual property taxes. The work session also included a discussion on issues at the Port of Astoria.

Item 4(c): **Councilor Rocka** reported that the Cascadia Chamber Opera would be moving to Astoria from Eugene. He attended a dance recital at the Liberty Theatre. He congratulated Coast Community Radio on a successful membership drive. He attended the Conservation and Working Landscapes Community meeting at Camp Rilea to discuss managing Oregon landscapes more broadly over the long term. He spoke to Steve Fick of Fishhawk Fisheries about the riverfront, volunteered at the Warming Center, and went to Vancouver to see his granddaughter's school production.

Item 4(d): **Mayor Jones** reported the City Council had a good discussion with Jim Knight of the Port at the work session. The Councilors asked candid questions that made the meeting productive. The Port is an important part of the region and the City needs to have a great relationship with the Port. He reported his next Meet the Mayor event was scheduled for Wednesday, March 27th at 4:00 pm in the Flag Room at the library. He reported that he took his grandkids to Tapiola Park, which has a nice playground. The playground was built by volunteers and the park has an amazing view of the bay and mountain. He reported the next work session was scheduled for Thursday, March 28th to continue goal setting and discuss a possible vision statement.

CHANGES TO AGENDA

There were none.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 02/19/19

- 6(b) Liquor License Application from Diana Gulley, for a New Business as Gulley's Butcher Shop, located at 1255 Commercial St. for a New Outlet for Off Premises license
- 6(c) Liquor License Application from Ron Neva and Amanda Cordero, for a New Business as Cordero-Neva LLC doing business as Hurricane Ron's, located at 1331 and 1335 Marine Dr. for a New Outlet for Full On Premises Commercial license

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, and Mayor Jones; Nays: None.

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing and First Reading: Unlawful Transfer Ordinance

The City of Astoria is experiencing an increase in people making transfers of goods or monies between pedestrians and motor vehicles on the vehicular portion of the roadway, creating a traffic safety concern. Motor vehicle drivers who are focused on non-traffic distractions are not attentive to other drivers, pedestrians, changing traffic, signage and lights. Drivers who are looking for property inside their vehicle and are handing items to pedestrians are not attentive to traffic. Offering items from a vehicle to a pedestrian encourages the pedestrian to enter the roadway outside of a crosswalk or sidewalk putting the pedestrian at unreasonable risk. Inattentive drivers cause can traffic obstructions and traffic delays. A prohibition on the transfer of items from a motor vehicle to a pedestrian will address these concerns.

It is recommended that Council hold a public hearing and consider holding a first reading of the ordinance adding City Code 6.390 relating to unlawful transfer on vehicular portion of the right-of-way. This ordinance also includes the addition of city code section (e) to the current Penalties language in section 1.010(4) to address the associated penalties. Former section (e) moved to (f).

Councilor Brownson understood the driver of the vehicle would be responsible for the fine.

Chief Spalding stated if this ordinance was adopted, the Police Department's goal would be education, not enforcement. The ordinance would apply to the driver of the vehicle, a passenger in the vehicle, or the pedestrian. It is highly unlikely that a citation would be issued. However, the ordinance would serve as a tool that allows the Police Department to address complaints.

Councilor Brownson believed this was likely about homeless individuals as the recipients and he was concerned about imposing additional burdens on them. Chief Spalding said the tool would be used as a last resort. He was aware of eight other cities in Oregon with similar ordinances and the fines are between \$50 and \$1,000. The City must impose a fine, so the ordinance includes a lower amount. He reiterated the ordinance would only be enforced as a last resort and upon repeat offenders.

Councilor Herman asked if this ordinance applied to panhandling. Chief Spalding explained that panhandling is a constitutionally protected right. The ordinance would not prohibit panhandling, but it would prohibit the transfer of goods in certain locations where it is dangerous to do so and where it impacts traffic congestion. Pedestrians in roadways could be struck by cars and the areas of most concern in the city are heavily congested roadways and dangerous intersections.

Councilor Herman asked how the Police Department planned to educate the public. Chief Spalding said signs would be posted in the areas of most concern, the Department would work with local media, post on social media, and officers will give verbal warnings for an extended period of time. Other cities have said this ordinance is very effective at minimizing traffic issues.

Mayor Jones opened the public hearing at 7:54 pm and called for public testimony on the ordinance relating to the unlawful transfer of goods on roadways.

Todd Toby, no address stated said he owned the McDonalds in Astoria and six other McDonalds along the coast. Panhandling has been a big problem for his customers and employees and people feel unsafe. The people who panhandle are not homeless; they are a group of transient people who move from town to town. He

did not discriminate based on how people live their lives, and he was not talking about the homeless people who live in the area and are known. The problem with non-local transient people panhandling has become a big problem in Astoria and in many cities. His restaurant in Lincoln City was a hot spot for panhandling until the city imposed this ordinance. The panhandling is such a problem in Astoria that his customers roll up their windows as they go through the drive-through. The group of panhandlers is unkind and very aggressive. He did not believe Astoria wanted to be a town that attracts this type of people. He had done a lot of research and believed transient panhandling was a movement right now. This simple ordinance is just a deterrent. He did not believe the Police Department would start writing tickets or arresting people. The ordinance was very effective in Lincoln City.

Diane Berry, no address stated said she owned Bloomin Crazy Floral. She liked to go through McDonalds, but she cannot go in the morning anymore because of the panhandlers. The people who panhandle are not local homeless. She believed the panhandlers were holding Astoria hostage. Astoria is losing its town to this group of people who have no respect and feel Astorians owe them. People continue to give them money and anything Chief Spalding can do to help is good. Her employees are afraid to walk to their cars and she has started walking around the backside of U.S. Bank to avoid the panhandlers. She encouraged the Council to adopt this ordinance.

Nell Moffit, no address stated said she was an advocate for the homeless and she supported this ordinance. She appreciated the education aspect of the ordinance. She did not give money to homeless or panhandlers. She had not encountered any aggressive behavior, but she believed the policy was sound. She had heard from a homeless person that the panhandlers are not local people, nor are they homeless.

Sarah Lu Heath, P.O. Box 261, Astoria, Executive Director, ADHDA, stated the ADHDA supported the ordinance because it deals with public safety. The Downtown Core is a highly congested area with many pedestrians and a highway. This ordinance will protect against road rage and traffic congestion caused by cars parking in driving lanes.

Mayor Jones closed the public hearing at 8:04 pm.

Councilor Brownson said he was happy to hear that there was a consensus among those who spoke. He believed the ordinance would be a nice tool. He supported agencies that help individuals, but giving money to panhandlers was not a good policy. He drove by McDonalds earlier that day and saw four young people sitting at the drive-through. That is bad for business and it is a dangerous place. He supported the ordinance.

Councilor Rocka said this ordinance focuses on certain behaviors, which is the best way to handle the situation.

Mayor Jones and Councilor Herman stated they supported the ordinance as well.

Councilor Herman asked if there was any way to educate the people whose behavior makes others feel unsafe. Chief Spalding said the Police Department was seeing a significant increase in homelessness and in aggressive behaviors by homeless people. The Department is tracking aggressive behaviors separately for better accuracy. However, officers have limited ability to control certain behaviors, many of which are constitutionally protected. So, the Police Department continues to look for more tools because everyone needs to be held accountable. He is doing research and connecting with other Police Chiefs in the state to brainstorm and he planned to present options to City Council in the future. City Manager Estes added that Staff was working with the Mayor to schedule a work session in April to discuss this further.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Rocka, to conduct the first reading of the ordinance adding City Code 6.390 relating to unlawful transfer on vehicular portion of the right-of-way. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, and Mayor Jones; Nays: None.

Director Brooks conducted the first reading of the ordinance.

Mayor Jones called for a recess at 8:09 pm. The meeting reconvened at 8:20 pm.

Item 7(b): Discussion of Historic Preservation Legislation: Senate Bill 929 and Senate Bill 927

John Goodenberger and City Manager Estes will discuss proposed Senate Bills dealing with Historic Preservation Issues. Information on the bills provided by Restore Oregon is included in this packet.

City Manager Estes made handouts available at the dais. He explained that Senate Bills 929 and 927 would change the way properties and districts are designated as historic. Several years ago, he represented local government on a task force to start developing the bills. The legislation will allow Astoria to make its process more straightforward.

John Goodenberger, Regional Representative, Restore Oregon, explained that Restore Oregon asked him to present the bills to the public in an effort to get support for the bills. He outlined the City's current process for designating a district as historic noting that individual property owners within the district have the option to opt out of the designation. Under the new bills, a historic designation would be more like a zone change with public testimony and the Council would vote on whether to approve or deny the designation. Astorians generally support historic preservation and the City does a good job notifying the public about upcoming historic designation requests. As Astoria becomes more popular, neighborhoods start to change. In Portland, developers came in and changed historic neighborhoods significantly. Neighborhoods that have not been inventoried will be impacted the most and include Alderbrook, the neighborhood near Peter Pan, and the South Slope. The bills will not impact properties and districts already designated as historic, only future inventories. He described the inventory process necessary to designate a district and displayed an example of a completed inventory on the screen. He also explained the process necessary to designate individual properties as historic.

City Manager Estes added that all other states treat historic district designations as zone changes and Oregon is the only state that allows property owners to opt out. Currently, nationally registered historic districts in Oregon automatically become local landmark districts without the opt out provision. However, this will no longer be the case if the bills are signed into law.

Mayor Jones asked how newer homes in Alderbrook would be impacted if the neighborhood was designated as historic. Mr. Goodenberger said the City does not review renovations on non-historic homes. Only new construction immediately adjacent to historic homes would require a review.

Councilor Brownson stated the bills do not address Astoria's local codes. City Manager Estes clarified that the new bills would eliminate the opt out provisions in State statutes and Historic District designations would be treated as local land use matters like zone changes. Additionally, the designation would be local, separate from the National Registry. The new bills allow for one process instead of two.

Councilor Brownson understood that all homes in a district would have to abide by any laws pertaining to historic homes. Mr. Goodenberger clarified that the ability to opt out would be eliminated, but non-historic homes would remain non-historic.

Councilor Herman asked if someone with a non-contributing, non-historic home could tear the home down. Mr. Goodenberger said any home could potentially be demolished, but only historic homes would require a review process.

Councilor Herman confirmed with Mr. Goodenberger that the only change to Astorians would be the inability to opt out.

Councilor Rocka asked why people opt out. Mr. Goodenberger explained that people fear the review process and associated expenses. Astoria is a certified local government because the Mayor appoints Commissioners with certain expertise and credentials.

Councilor Rocka believed there were financial incentives for properties in historic districts. Mr. Goodenberger clarified that Senate Bill 929 included financial incentives for seismic upgrades. He always recommends the National Registry because no review process is required, but property owners still get financial incentives like tax credits and special assessments.

City Manager Estes asked the Councilors if they would support a historic designation program that provides one designation process through zone change. He confirmed for Councilor Brownson that Astoria has historic districts that were designated through both processes, with the local opt out option and through the national

process that did not include the opt out option. Under the new legislation, the National Register designation will no longer trigger local designation automatically and existing districts would remain in place.

Mayor Jones asked if the Council wanted to support the bills. City Manager Estes noted that Astoria has been asked to support the bills because the city is recognized as a leader in historic preservation. The first of several meetings would be held next week.

Mayor Jones said this would affect many property owners and he wanted to give property owners the opportunity to address the bill in a public hearing.

Councilor Herman asked for Mr. Goodenberger's opinion on the bills. Mr. Goodenberger said he was comfortable with the legislation but did have questions. Currently, designated properties are safe, so he leaned towards supporting the bills. However, he was worried about implementation.

Councilor Brownson understood Senate Bill 929 offered opportunities to get relief from the cost of pursuing a historic designation. Mr. Goodenberger clarified that Senate Bill 929 would provide a 35 percent tax rebate for seismic work on buildings with a focus on workforce housing buildings, which he fully supported. Properties that are exclusively residential with less than three units would not be eligible, so it would help with some of the larger buildings.

Councilor Brownson added that the bill also included a 25 percent rebate on rehabilitation costs, adding that refurbishing a historic house can get expensive.

Councilor Herman asked where the money would come from. Mr. Goodenberger explained that a tax rebate is paid from revenues on state tax credits that are auctioned off. The State Historic Preservation Office (SHPO) is responsible for dispersing the funds.

Mayor Jones asked if Astoria had many residential buildings that were unreinforced masonry. Mr. Goodenberger said the Franklin building might be, while the Waldorf and State Hotel were unreinforced masonry.

Mayor Jones said he did not see any reason not to support Senate Bill 929. His only hesitation about Senate Bill 927 was that it would affect hundreds of homeowners who do not know about it. He did not want them to read in the paper that the Council voted to take away their ability to opt out. City Manager Estes clarified that the bills were State legislation. However, the City can take a position on them. The first hearing will be on Tuesday, March 26th.

Mayor Jones called for public comments.

Rachel Jensen, P.O. Box 1334, Astoria, Executive Director, Lower Columbia Preservation Society (LCPS), said LCPS was generally in favor of the bills. However, they were having a hard time understanding how Senate Bill 927 would apply to Astoria. She did not see anything in the bills that would preclude the local community from adding the option to opt out in their own ordinance.

Mayor Jones said he understood the point of the bills was to eliminate the ability to opt out. City Manager Estes confirmed that was correct.

Kris Haefker, 687 12th St. Astoria asked how a unit was defined. Traditionally, many historic structures had SRO. He noticed some buildings in Uniontown that were for rent, but he did not know if they had a brick and mortar foundation. Most historic Victorians have brick and mortar, which is horrible.

City Manager Estes said if City Council wanted to support to the bills, one letter of support should be written for both since they are companion bills. He confirmed that the Council generally supported Senate Bill 929, but wanted more time to discuss Senate Bill 927.

Item 7(c): Local Historic Preservation Grant Rollout

The City of Astoria received a \$12,000 grant from the State Historic Preservation Office (SHPO) to assist property owners with renovations or rehabilitation projects. The funds are currently available to owners of historic homes, or homes designated as contributing in a historic district.

Eligible projects may receive 50 percent of the project cost up to a maximum of \$4,000 of grant funds. Proposals may require review by the Historic Landmarks Commission. Projects must be completed by July 2019.

The attached documents and application materials explain the grant program guidelines which are established by SHPO for these "pass through" grants. Applications for the renovation grant funds are available through the Community Development Department. Applicants are asked to submit the attached intake form to confirm eligibility and establish a waiting list if necessary. City Planner Nancy Ferber is available to answer questions about project ideas, eligibility, or program requirements.

Planner Ferber provided the details of the City's grant program to help fund façade improvement projects. She displayed photographs of previously funded projects on the screen. She explained eligibility criteria, the application process, and the program requirements and deadlines. She asked that Councilors let their constituents know about the grant program.


NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

There was none.

ADJOURNMENT

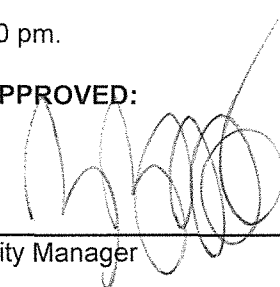
There being no further business, the meeting was adjourned at 9:00 pm.

ATTEST:



Finance Director

APPROVED:



City Manager

