



# AGENDA

## ASTORIA CITY COUNCIL

**\*\*\*Tuesday, July 5, 2016\*\*\***

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. 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 6/6/16
- (b) City Council Minutes of 5/16/16
- (c) City Council Work Session of 5/16/16
- (d) Fee Agreement with Propel Insurance (Finance)
- (e) Memorandum of Agreement between the City of Astoria and United States Coast Guard Cutters Alert and Steadfast (Fire)
- (f) Salary Resolution Establishing Basic Compensation Plan Cost of Living Wage Adjustments for the General/Parks Group, Public Works Group, Management and Confidential Employees; also Enacting New Oregon Minimum Wage (Finance)
- (g) Pump Station No. 1 Upgrades – Progressive Design Build Contract Amendment No. 2 for Installation (Public Works)
- (h) Lease Agreement with Astoria Regatta Association for Use of East Portion of Heritage Square and Closure of 12<sup>th</sup> Street between Duane and Exchange Streets (City Manager)
- (i) Community Organization Grants (Finance)
- (j) Arts & Cultural Grants – Promote Astoria (Finance)
- (k) Jail Services Agreement with Clatsop County (Police)
- (l) Spur 14 Water Line – Contract Amendment for Construction Engineering Services (Public Works)
- (m) 2016 Paving Project Construction Contract Award (Public Works)
- (n) Agreement between the Verna S. Oller Aquatic Trust and the City of Astoria (Parks)

**6. REGULAR AGENDA ITEMS**

All agenda items are open for public comment following deliberation by the City Council. Rather than asking for public comment after each agenda item, the Mayor asks that audience members raise their hands if they want to speak to the item and they will be recognized. In order to respect everyone's time, comments will be limited to 3 minutes.

- (a) Public Hearing and Ordinance Adopting Parks Master Plan (1<sup>st</sup> reading) (Parks)

**6. REGULAR AGENDA ITEMS (CONTINUED)**

- (b) Resolution Adopting Fiscal Year 2016-2017 Water Rate (Public Works)
- (c) Resolution Adopting Fiscal Year 2016-2017 Sewer and Combined Sewer Overflow (CSO) Rate (Public Works)
- (d) Verizon Wireless Leases (Police)
- (e) Change First Meeting Date in September, 2016

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

**8. EXECUTIVE SESSION**

- (a) ORS 192.660(2)(h) – Legal Counsel

**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 YUILL, CITY MANAGER'S OFFICE, 503-325-5824**



# CITY OF ASTORIA

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June 30, 2016

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF JULY 5, 2016

### **CONSENT CALENDAR**

**Item 5(a): City Council Minutes**

The minutes of the City Council meeting of June 6, 2016 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 5(b): City Council Minutes**

The minutes of the City Council meeting of May 16, 2016 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 5(c): City Council Work Session Minutes**

The minutes of the City Council Work Session of May 16, 2016 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 5(d): Fee Agreement with Propel Insurance (Finance)**

The City's insurance carrier for Worker Compensation and Liability/Property coverages is City County Insurance Services (CIS); however, there is still a need for an independent agent to review the City's insurance needs, to make recommendations for coverage requirements, and to assist with questions. Propel Insurance provides these independent agent services. The total premium for the City's and ADC's coverages is \$328,283.03. CIS's recommended fee for an independent agent is 15% of premium. If these fees were in place, the range of fees would be \$32,828.03 to \$49,242.45. The prior negotiated fee level of \$12,000.00 has been maintained for FYE June 30, 2017. This is a significant savings when compared to the CIS and industry standard

fees. The \$12,000.00 represents an independent agent fee of 3.7% and requires City Council consideration. It is recommended that Council consider approving a fee in the amount of \$12,000.00 for independent insurance agent services provided by Propel Insurance and authorize the Mayor to sign the documents.

**Item 5(e): Memorandum of Agreement between the City of Astoria and United States Coast Guard Cutters Alert and Steadfast (Fire)**

United States Coast Guard (USCG) Cutters Alert (WMEC 630) and Steadfast (WMEC 623) berth at the 17<sup>th</sup> Street Pier in the City of Astoria. In June 2015, the Memorandum of Agreement (MOA) was reviewed between the USCG and the City of Astoria allowing for fire protection and emergency medical services to the Cutters Alert and Steadfast. Responsibilities of the USCG and the City of Astoria Fire Department are clearly spelled out in the MOA. It is proposed that the MOA will be reviewed one year from the date of the last signature, and annually thereafter, for accuracy and completeness. Termination of the MOA is possible by either party upon 30 days written notice. The MOA has been reviewed and approved as to form by the City Attorney. It is recommended that Council approve the Memorandum of Understanding with the USCG for fire protection and emergency medical services to the USCG Cutters Alert and Steadfast and facilities located at the 17th Street Pier, Astoria, Oregon.

**Item 5(f): Salary Resolution Establishing Basic Compensation Plan Cost of Living Wage Adjustments for the General/Parks Group, Public Works Group, Management and Confidential Employees; also Enacting New Oregon Minimum Wage (Finance)**

Staff positions and associated compensation are detailed in the "Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided". Whenever there are changes in positions, whether a position is begin deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution. This proposed resolution implements the following changes retroactive to July 1, 2016:

- General/Parks Group                      2.5% cost of living wage adjustment as specified in their contract expiring June 30, 2017
- Public Works Group                      2.5% cost of living wage adjustment as specified in their contract expiring June 30, 2017
- Management and Confidential           2.5% cost of living wage adjustment
- Part-time Employees  
(Schedules F-1 and F-2)                  Adjustments have been made accounting for enactment of new Oregon Minimum wage, effective July 1, 2016

There is no change for the IAFF (Fire) or APSA (Police) Unions as these contracts are currently in negotiations. Fire and Police Management will require adjustment following ratification of new contracts per prior agreements approved by the City Council for these positions. It is recommended that Council adopt the Salary Resolution effective retroactively to July 1, 2016.

**Item 5(g): Pump Station No. 1 Upgrades – Progressive Design Build Contract Amendment No. 2 for Installation (Public Works)**

The City of Astoria's wastewater treatment facility, interceptor and the main pump and lift stations were constructed in the mid-1970s and is the largest pump station, receiving approximately 95% of the City's combined sewage flows. PS#1 contains three wastewater pumps consisting of two variable speed pumps and one fixed speed pump. Replacement parts are no longer readily available and parts of the system have reached the end of their useful life. On June 1, 2015, Council authorized Richwine Environmental to prepare a Concept Design Report for this project, which was completed in July 2015. In September 2015, Council awarded Phase 1 of the Design Build contract to Portland Engineering, Inc. (PEI). On January 16, 2016, Council authorized a contract amendment with PEI to procure the equipment and parts for the project. At that time Council was advised that another contract amendment would be required for installation, programming and training in Fiscal Year 2016-17 due to budgetary constraints and summer installation. This \$166,529 contract amendment for Phase 3 of the project includes installation of procured equipment. Bypass pumping, control panel programming and training.

The following project budget includes a 7% contingency on the installation task:

**PROJECT BUDGET**

Phase 1 Progressive Design Build	\$30,000
Phase 2 Equipment Purchase (FY 2015-16)	\$148,263
Phase 3 Installation (FY 2016-17)	\$166,529
Contingency (7%)	\$12,000
Construction Project Management	\$19,500
Electrical Permit	<u>\$500</u>
TOTAL	\$376,792

Energy Trust of Oregon has a provided a grant up to \$72,940 for this project.

Funding for the Phase 3 contract amendment is available in the Public Works Improvement Fund. Energy Trust of Oregon incentives will be received upon demonstration of project energy savings in FY 2016-17. It is recommended that Council authorize a \$166,529.00 contract amendment with Portland Engineering, Inc. for Phase 3 of the Pump Station No. 1 Upgrades installation, programming and training.

**Item 5(h): Lease Agreement with Astoria Regatta Association for Use of East Portion of Heritage Square and Closure of 12<sup>th</sup> Street between Duane and Exchange Streets (City Manager)**

The Astoria Regatta Association is requesting the use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets to accommodate Astoria Regatta events. The time frame for the lease would be for Saturday, August 13, 2016, from 6:00 a.m. to 6:00 p.m. It is requested that the Heritage Square site be leased for \$1.00. City Attorney Henningsgaard has approved the Lease Agreement as to form. It is recommended that Council approve the Lease Agreement with the Astoria Regatta Association for use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets, to accommodate the Regatta events scheduled for Saturday, August 13, 2016, for a total sum of \$1.00.

**Item 5(i): Community Organization Grants (Finance)**

Community Organizations apply for City Grant funds through an application process which was due for Budget Committee consideration by February 29, 2016. The recommended distributions incorporated into Adopted 2016-17 Budget are as follows:

<b>501(c)(3) Organization</b>	<b>Program</b>	<b>2016-2017 Grant Amount</b>
Clatsop CASA Program, Inc.	Court Appointed Special Advocates	\$ 3,700
Clatsop Community Action	Housing, Food, Energy & other assistance	\$15,000
The Harbor, Inc.	Domestic/Sexual Assault Response	\$12,350
Helping Hands Reentry Outreach Centers	Structured Living Program	\$ 7,900
Lower Columbia Hispanic Council	Educational, financial and medical	\$ 5,500
Astoria Warming Center	No Barrier Shelter	\$ 4,000
Friends of the Armory	Community Center providing a location and partnering with community social service activities	\$ 5,000
<b>TOTAL</b>		<b>\$53,450</b>

The attached letter is the same format approved by Council for Fiscal Year 2015-16 to disseminate funds. This letter incorporates the accounting and reporting requirements, deadlines and the adopted City non-discrimination policy. It is recommended Council approve disbursements of the Community Organization - Social Services Grant funds as recommended and approved in the Fiscal Year 2016-2017 budget utilizing the disbursement letter attached.

**Item 5(j): Arts & Cultural Grants – Promote Astoria (Finance)**

City Code Section 8.045.18 requires organizations receiving funds from the Promote Astoria Fund to enter into a contract with the City. A draft letter is provided with the grant terms and acceptance of terms language for Council consideration regarding the annual Arts and Cultural grants provided through Promote Astoria funding. It is recommended that Council approve disbursement of the Arts and Cultural Program funds as recommended by the sub-committee and approved in the Fiscal Year 2016-2017 budget utilizing the attached disbursement letter.

**Item 5(k): Jail Services Agreement with Clatsop County (Police)**

The Clatsop County Sheriff's Office requests that the City enter into a revised Jail Services Agreement. The Agreement specifies the services provided to the City by the Clatsop County Jail and the rates for this service. The last Jail Agreement was made in 2006 and specifies essentially the same services as the revision, except the rates in the revised Agreement are doubled from \$50 to \$100 per prisoner per day. The Sheriff's Office is responsible by law to provide jail services without charge for people incarcerated for crimes tried in a State Court. The Sheriff is allowed to charge for jail services provided to people incarcerated for crimes tried in municipal courts. Consequently, this Agreement applies to people sentenced to a jail term by the City of Astoria Municipal Court and those people arrested by the Astoria Police for a crime that will be tried in the Municipal Court. In reviewing the budget impact of this change, the Police and Finance Departments proposed and sought comment regarding changing policy to cite all State law violations which are classified as crimes to Circuit Court. This change minimizes the impact to the City's budget and provides no less service to the public. It also reduces several other cost centers associated with the Astoria Municipal Court. Traffic violations and City Code violations will still be cited through Astoria Municipal Court. An Agreement of this nature is still necessary for the rare instance that a person be lodged on a City Code violation that is a crime. It is recommended that the City Council authorize the Mayor to sign the attached Jail Services Agreement.

**Item 5(l): Spur 14 Water Line – Contract Amendment for Construction Engineering Services (Public Works)**

CH2M Hill has been providing engineering design services for the Spur 14 Water Line Project. In order to ensure compliance with their design, CH2M Hill has provided a proposal for construction engineering services. This proposal includes assistance with construction observation, construction design review, response to construction inquiries, substitution reviews, record drawings and additional design services not covered under the previous contract. The construction contract was awarded to Big River Construction at the June 20, 2016 Council Meeting, with the construction engineering services contract referenced at that time for future consideration. A summary of the contract amount and amendments for this project is as follows:

Description	Amount
Preliminary Design Contract	\$9,000.00
Project Design – Amendment #1	\$53,000.00
Geologic Hazard Permit – Amendment #2	\$7,234.57
<i>Proposed Construction Services – Amendment #3</i>	<i>\$55,374.66</i>
Total Consultant Services =	\$124,609.23

Funding for construction services is proposed to be split between the Capital Improvement Fund (\$25,000.00) and the Public Work Improvement Fund (\$30,374.66). It is recommended that City Council approve Contract Amendment #3 with CH2M Hill for construction engineering services on a time-and-materials basis estimated in the amount of \$55,374.66.

**Item 5(m): 2016 Paving Project Construction Contract Award (Public Works)**

The 2016 Paving Project will include asphalt pavement overlay, asphalt grinding, ADA ramp upgrades, road base reconstruction, striping and other associated improvements. Improvements at the following locations are included in this project.

Road Description	From	To
Exchange Street	14 <sup>th</sup> Street	16 <sup>th</sup> Street
Duane Street	15 <sup>th</sup> Street	16 <sup>th</sup> Street
13 <sup>th</sup> Street	Duane Street	Exchange Street
Bond Street	4 <sup>th</sup> Street	6 <sup>th</sup> Street
W. Lexington Ave.	1 <sup>st</sup> Street	Sonora Ave.
16 <sup>th</sup> Street	Niagara Ave.	James Street
Irving Ave.	11 <sup>th</sup> Street	14 <sup>th</sup> Street
39 <sup>th</sup> Street	Franklin Ave.	Grand Ave.
Nimitz Road	Kincaid Road	Halsey Road

On June 6, 2016, City Council authorized staff to solicit bids for the project. The following competitive bids were received:

Contractor	Total Bid
<b>Bayview Transit Mix, Inc.</b>	<b>\$387,245.88</b>
Granite Construction	\$429,429.00

The construction estimate for this project is \$430,000, including a 10% contingency. To accommodate proper survey monument preservation and meet State requirements, Staff also retained the services of Otak, Inc. They provided a proposal for these services in the not-to-exceed amount of \$10,950.00. Funding for this project is available in the Astoria Road District Fund (Local Fuel Tax Fund). It is recommended that City Council authorize award of a construction contract to Bayview Transit Mix, Inc., in the amount of \$387,254.88 for the 2016 Paving Project and award of a personal services contact to Otak, Inc. in the amount of \$10,950.00 for survey monument work associated with the project.



**Item 5(n): Agreement between the Verna S. Oller Aquatic Trust and the City of Astoria (Parks)**

This Agreement was originally brought to City Council during the May 16, 2016 regular City Council meeting. At that time it was requested that the Agreement be removed from the agenda to address some issues within the Agreement. Staff and Oller Aquatic Trust representatives have met to address them. In May 2010 at her passing, Verna S. Oller made \$4 million gift to the residents of South Pacific County, Washington to build an Aquatic Center in Long Beach, Washington. However, in 2013 Long Beach City Officials declined the money after determining that the city couldn't afford day-to-day expenses and the long-term operational costs not covered by the bequest. Following this, the managers of Verna S. Oller's Trust succeeded in modifying the trust to make it easier to pursue swimming-related projects and contacted the City of Astoria's Parks and Recreation Department to partner in providing services to the residence of South Pacific County, Washington. A Pool Use Agreement has been drafted, and provides residence of South Pacific County admission to the Astoria Aquatic Center without charge for the facilities "drop-in" and "group swim lesson" programs. In return, the Verna S. Oller Aquatic Trust will pay the City of Astoria the full admission cost for each service rendered. Due to the positive financial impact to the Parks and Recreation Department it is recommended that City Council approve Pool Use Agreement with the Verna S. Oller Aquatic Trust.

**REGULAR AGENDA ITEMS**

**Item 6(a): Public Hearing and Ordinance Adopting Parks Master Plan (1<sup>st</sup> reading) (Parks)**

In 2015, the Astoria City Council adopted a goal to complete a system-wide Parks and Recreation Master Plan. The plan would provide guidance and policy direction for Astoria's parks, aquatics center, recreation center, and recreational programs. In September 2015 a planner was hired to manage the project through University of Oregon Community Service Center's Resource Assistance for Rural Environments (RARE) program, and a 12-member Citizen Advisory Committee was appointed by the Mayor to oversee the process.

The planning process included research on the current inventory and state of the Parks and Recreation Department's facilities and services, their use by the community, and priorities for the future. Over 1,200 community members participated through public meetings, surveys, and focus groups. A comparison with State of Oregon recommendations, peer parks and recreation providers, and national trends was also made to help assess facilities and services provided by the City of Astoria. The result of this research, with the guidance of the Citizen Advisory Committee, was a set of recommended actions. The recommendations were then refined through community input, and a strategy for implementation was developed that included estimated project costs, target completion dates, and necessary staff capacity.

The Astoria Parks and Recreation Comprehensive Master Plan outlines the planning process, research findings, inventory and existing conditions, level of service, needs, recommendations, and implementation strategy. Recommended actions include maintenance and planning initiatives, communications and marketing objectives, operational strategies, partnerships, and capital projects to be implemented over the next ten years. Throughout that period, the document is intended to serve as a guide to the City of Astoria in making future decisions about parks. The document would be updated at regular intervals in the future to ensure the City continues to inspire and meet the open space and recreational needs of its community.

The Citizen Advisory Committee and Parks and Recreation Advisory Board have recommended that the City adopt the Parks and Recreation Comprehensive Master Plan in the Astoria Comprehensive Plan Section CP.028.J pertaining to "Background Plans and Studies". It also recommended that the City amend Comprehensive Plan Section CP.275 pertaining to Parks, Recreation, and Open Space Element, with the addition of a Policy to read as follows:

*"25. The City should use the Astoria Parks and Recreation Comprehensive Master Plan, dated 2016, to guide future decisions for land use, public investment, and determining community needs."*

At its June 28, 2016 meeting the Astoria Planning Commission held a public hearing and recommended unanimously that the City Council adopt the proposed amendment. A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo is the proposed ordinance. A public hearing on the Amendment has been advertised and is scheduled for the July 5, 2016 City Council meeting. It is recommended that the Council hold a public hearing and adopt the ordinance as recommended by the Planning Commission, Parks and Recreation Advisory Board, and Citizen Advisory Committee. If the Council is in agreement with the recommendation, it would be in order for Council to hold a first reading of the Ordinance.

**Item 6(b)     Resolution Adopting Fiscal Year 2016-2017 Water Rate (Public Works)**  
**Item 6(c):     Resolution Adopting Fiscal Year 2016-2017 Sewer and Combined Sewer Overflow (CSO) Rate (Public Works)**

The Public Works Fund budget, approved by the Budget Committee on April 25, 2016 and adopted by the City Council on June 6, 2016, provides for increases in rates and fees for water and sewer services.

The rate adjustments are as follows:

Water Rates-----increase of 6%  
Sewer Rates -----increase of 6%  
CSO Surcharge ----- increase of 0%

The water and sewer rate adjustments are necessary to ensure the continued reliable delivery of high quality water and wastewater services. It is recommended that Council adopt the proposed Water and Sewer Resolutions implementing rate adjustments for Fiscal Year 2016-2017.

**Item 6(d): Verizon Wireless Leases (Police)**

In keeping with the guidance set out during the March 21, 2016 work session regarding the wireless communications facility at Coxcomb, Staff has negotiated a new lease with Verizon Wireless (VZW) for the site at Reservoir Ridge. The terms of the lease are favorable to the City in value of construction and use of tower for our communication needs. For the term of the lease there are no monthly payments for lease. The negotiations resulted in two leases. These leases are for the Coxcomb and Reservoir Site. There are two proposed changes to the Reservoir lease not captured in the attached version of the lease. Both are in paragraph 25. One is for VZW (in addition to colocators) to pay the City a onetime payment of \$15,000 toward future maintenance of the road to the site. The second is to the same paragraph to clarify the requirement of colocators to obtain leases with the City in addition to VZW. If City Council indicates they are in concurrence to the terms of this contract VZW plans to sign the lease prior to the next City Council meeting. Following final negotiations of the specific language to the issues above, it is expected the leases will be brought to the next Council meeting for final consideration and signature. The highlights of the leases are discussed in the memo. It is recommended that Council discuss the terms of the leases and provide verbal indication to staff if the terms are acceptable.

**Item 6(e): Change First Meeting Date in September, 2016 (City Council)**

Astoria City Hall will be closed on Monday, September 5, 2016, due to the Labor Day holiday; therefore, the first Council meeting in September will need to be changed. Past practice has been to hold the Council meeting on the following day, which in this case will be Tuesday, September 6, 2016.

**EXECUTIVE SESSION**

**Item 8(a): ORS 192.660(2)(h) – Legal Counsel**

The City Council will recess to executive session to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.