



# AGENDA

## ASTORIA CITY COUNCIL

Monday, May 6, 2019  
2nd Floor Council Chambers  
1095 Duane Street • Astoria OR 97103

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

a) Historic Preservation Month

**4. REPORTS OF COUNCILORS**

**5. CHANGES TO AGENDA**

**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 Work Session Meeting Minutes of March 13, 2019
- b) City Council Work Session Meeting Minutes of March 28, 2019
- c) City Council Meeting Minutes of April 1, 2019
- d) City Council Meeting Minutes of April 15, 2019
- e) Boards and Commission Meeting Minutes
  - a. Astoria Library Board – March 26, 2019
  - b. Parks Advisory Board – March 27, 2019
- f) Liquor License Application from Brut Wine Bar, LLC for a New Business as Brut Wine Bar, Located at 240 10th Street, Astoria for a New Outlet, Limited on-Premises and Off-Premises Commercial Sales License.
- g) Liquor License Application from Bar Pilots Liquid Catering, LLC for an Existing Business as Bar Pilots Liquid Catering, Located at 20 Basin Street, Suite F, Astoria for Full On- Premises Sales, Other Public Location License.
- h) Fire Department Status Update
- i) Parks and Recreation Status Update
- j) Astoria Police Department Status Update
- k) Community Development Department Status Update
- l) Astoria Library Status Update
- m) Finance Department Status Update
- n) Public Works Department Status Update

**7. 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) Addition of Job Title for Schedule F-2 of the Salary Resolution
- b) Resolution to Update Wage and Salary Schedules
- c) License to Occupy for 614 Jerome Ave for a Mr. David Tennant
- d) Childcare Tuition Discount Policy for City Employees
- e) Authorization to Issue Ocean View Cemetery Master Plan RFP
- f) Authorization to Award Contract - 2019 Timber Sale (Fat Buck Creek Combo Harvest)

**8. 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 THE CITY MANAGER'S OFFICE, 503-325-5824.



## CITY OF ASTORIA

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### MEMORANDUM • CITY MANAGER

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**DATE:** MAY 1, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** ASTORIA CITY COUNCIL MEETING OF MONDAY, MAY 6, 2019

#### PROCLAMATION

**Item 3(a):** Historic Preservation Month

#### CONSENT CALENDAR

**Item 6(a):** City Council Work Session Minutes for March 13, 2019

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

**Item 6(b):** City Council Work Session Minutes for March 28, 2019

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

**Item 6(c):** City Council Meeting Minutes for April 1, 2019

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

**Item 6(d):** City Council Meeting Minutes for April 15, 2019

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

**Item 6(e):** Boards and Commissions Meeting Minutes

- a) Astoria Library Board - March 26, 2019
- b) Draft Astoria Parks Board – March 27, 2019

The draft minutes of the above Boards and Commissions are included. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

**Item 6(f): Liquor License Application from Brut Wine Bar, LLC for a New Business as Brut Wine Bar, Located at 240 10th Street, Astoria for a New Outlet, Limited on-Premises and Off-Premises Commercial Sales License.**

A liquor license application has been filed by Brut Wine Bar, LLC doing business as Brut Wine Bar. This application is for a new outlet, limited on-premises and off-premises commercial sales license. The appropriate Departments have reviewed the application and it is recommended that the City Council consider approval of the application.

**Item 6(g): Liquor License Application from Bar Pilots Liquid Catering, LLC for an Existing Business as Bar Pilots Liquid Catering, Located at 20 Basin Street, Suite F, Astoria for Full On- Premises Sales, Other Public Location License.**

A liquor license application has been filed by Bar Pilots Liquid Catering, LLC, doing business as Bar Pilots Liquid Catering. This application is a Full On-Premises Sales, Other Public Location Sales License. The appropriate Departments have reviewed the application and it is recommended that the City Council consider approval of the application.

**Item 6(h): Fire Department Status Update**  
**Item 6(i): Parks and Recreation Status Update**  
**Item 6(j): Astoria Police Department Status Update**  
**Item 6(k): Community Development Department Status Update**  
**Item 6(l): Astoria Library Status Update**  
**Item 6(m): Finance Department Status Update**  
**Item 6(n): Public Works Department Status Update**

The Status Reports for the listed departments above are attached. The reports are provided for informational purposes only.

## **REGULAR AGENDA ITEMS**

**Item 7(a): Addition of Job Title for Schedule F-2 of The Salary Resolution**

Staff is requesting a new job title be added to accommodate hiring of part-time, temporary staffing with a greater technical ability than that of an intern. Projects such as utility improvement design and review of City utility as-built maps would be among tasks assigned to this position. A job description has been created listing the qualifications, expectations and a range of tasks. A variable range and steps based on a specific scope of work, experience and education of the candidate has been included. Funds are available in the current fiscal year and proposed in the upcoming 2019 – 2020 budget for the new Engineering Project Assistant.

It is recommended that City Council approve the addition of the Project Assistant job title and duties, and use of the Schedule F-2, Salary Resolution 18-14.

**Item 7(b): Resolution to Update Wage and Salary Schedules**

The Community Development Department has five Full Time Equivalent (FTE) split between the planning and building divisions. The Building Official / Code Enforcement Officer is a full-time position which was filled in October, 2018.

During recruitment it was difficult to attract fully qualified candidates within the current salary range and allow for annual increases. The position requires several professional certifications in order to accomplish the prescribed duties of Building Official and Code Enforcement Officer. The City has supported this position by providing additional training to obtain necessary certifications. In order to assist with successful recruitment and provide a competitive wage it is necessary to implement a change in the position range prior to beginning recruitment. As part of a larger review and in compliance with the Equal Pay Act requirements, the City analyzes positions for reasonable wage levels.

The job description was updated in August, 2018 for the recruitment of current Building Official/Code Enforcement posting and additional adjustments are not necessary at this time. A copy of the job description is attached for reference.

The salary range for Building Official/Code Enforcement Officer is proposed to move from Range 38 to Range 40. This adjustment will allow for the City Manager to recruit a qualified candidate pool. Funding is available in the current budget and has been incorporated in the recently approved budget for FY 19-20 which will be brought before Council June 3, 2019 for adoption.

Approved additions and modification from prior Council meetings are incorporated in the attached resolution. It is recommended that the City Council approve the revised salary range contained in the attached resolution. With this action, recruitment will be initiated to fill the Building Official/Code Enforcement Officer position.

**Item 7(c):     License to Occupy for 614 Jerome Ave for a Mr. David Tennant**

Mr. David Tennant has requested a License to Occupy a 25 foot wide portion of the 6<sup>th</sup> Street Right Of Way adjacent to his property located at 614 Jerome. He would like to demolish an existing garage located within the right of way and replace it with a newly constructed garage.

It is recommended that City Council approve a license to occupy, subject to conditions, a 25-foot-wide portion of the 6<sup>th</sup> Street Right Of Way adjacent to 614 Jerome Avenue for the purpose of demolition and reconstruction of an existing garage.

**Item 7(d):     Childcare Tuition Discount Policy for City Employees**

In 2013, full and part-time Parks and Recreation employees were granted a 50% discount for childcare costs at Lil' Sprouts Academy, a city-run daycare, to increase the recruitment of individuals interested in working for the Parks and Recreation Department and reduce staff turnover. This policy has been reviewed in order to provide greater equity to benefits offered for all City employees. The City of Astoria recognizes the value of having consistent and available daycare and this policy establishes a City-Wide benefit available to all employees for daycare services, offering a 20% discount for employees who have not received the discount in the past and grandfathering in existing staffs' discounts of 50%.

A set number of spaces in each of the five classrooms at Lil' Sprouts will be allocated for City-supported discounted childcare to ensure that the mission of Lil' Sprouts (benefiting the community at large and operate in a financially sustainable



way) is still being achieved. Employees will be able to apply for their children to be accepted in the daycare program and have a 20% discount applied to established daycare fees. Applications and acceptance will be at the discretion of Parks staff, using the same criteria applied to all other applicants to the program, and depend on availability of spots within the age appropriate classroom. City employees utilizing the discount will compromise no more than 10% of the total spaces for childcare at Lil' Sprouts. The discount will apply only to Lil' Sprouts tuition for full time care enrollment (no other programs or services offered by the Parks and Recreation Department will be eligible for discount). Employees who apply to receive the discount will be added to a wait-list on a first-come, first-served basis.

It is recommended that City Council adopt the attached Daycare Discount Policy.

**Item 7(e): Authorization to Issue Ocean View Cemetery Master Plan RFP**

An adopted goal of the Astoria City Council for Fiscal Year 2019-21 is to explore options to enhance long-term financial sustainability of the Parks Department, including but not limited to, a cemetery facilities master plan. Staff has researched the process of developing and enacting a cemetery master plan through outreach to municipalities who provide similar cemetery services and have determined that firms specializing in cemetery-related planning and implementation are the best resource to achieve this goal.

Parks staff has developed a Request for Proposals (RFP) for a facilities master plan for Ocean View Cemetery that mandates critical information gathering and facilitation to produce a plan.

RFP responses will be evaluated, and a contractor selected, during summer of 2019 and a final plan is desired by fall/winter. The project will be carried out with Capital Funds allocated to the Parks Department for FY19-20 and will be coordinated by Parks Staff. Preliminary estimates vary on the total cost for the plan to be completed, depending on the scope of the selected proposal, \$50,000 - \$100,000 is the anticipated amount.

It is recommended that Council review the scope of work and if in agreement authorize Staff to release the Request for Proposals for the development of Ocean View Cemetery facilities master plan.

**Item 7(f): Authorization to Award Contract - 2019 Timber Sale (Fat Buck Creek Combo Harvest)**

On April 1, 2019 Council authorized staff to receive bids for the 2019 timber harvest. Sealed bids were opened on April 19, 2019. Of the two responding bidders Hampton Tree Farms was the high bidder at an estimated total bid of \$335,164.22. City Forester Ben Hayes will be present to answer questions.

It is recommended that City Council authorize the award of the 2019 Fat Buck Creek Timber Harvest to Hampton Tree Farms, LLC.



CITY OF ASTORIA

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## PROCLAMATION

**WHEREAS**, historic preservation is an effective tool for revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

**WHEREAS**, historic preservation is relevant for communities across the nation, both urban and rural, and for people of all ages, walks of life, and ethnic backgrounds; and

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped our community; and

**WHEREAS**, we recognize the ongoing local efforts in our community to preserve, maintain, and promote adaptive reuse and restoration projects that are important to Astoria's character and history and

**NOW, THEREFORE**, I Bruce Jones, Mayor of the City of Astoria, do proclaim the month of May 2019 as

## NATIONAL HISTORIC PRESERVATION MONTH

and call upon the people of Astoria to join their fellow residents across the United States in recognizing and participating in this special observance.

**IN WITNESS WHEREOF**, I have herewith set my hand and caused the seal of the City of Astoria to be affixed this 6<sup>th</sup> day of May, 2019.



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Mayor

A work session of the Astoria Common Council was held at the above place at the hour of 9:00 am.

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

Councilors Excused: None

Staff Present: City Manager Estes, Finance Director Brooks, Library Director Pearson, Public Works Director Harrington. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

#### **PRESENTATION FROM CRAIG HOPPE, ASTORIA SCHOOL DISTRICT BOARD**

Craig Hoppes, Superintendent, Astoria School District introduced school board members David Oser and Jimmy Pearson, who were in the audience. He and Mr. Oser gave a brief presentation on the bond that passed during the most recent election. The presentation included details on the sale of the bond and the financial benefits the district and tax payers received as part of the sale, updates on the projects being funded by the bond, and outreach efforts. They thanked the Council for their support and commended Staff for being so helpful and easy to work with.

Councilor Brownson said it was important to note that bond money stays in the community.

#### **PRESENTATION FROM JIM KNIGHT, PORT OF ASTORIA**

Mayor Jones shared about the role of the Port and its importance to the community.

Jim Knight, Executive Director, Port of Astoria, said his views as the Executive Director did not necessarily reflect the views of the Port Commission, but it was important to maintain a good relationship between the City and the Port. He gave a detailed and comprehensive presentation on the current state of the Port, which covered the Port's loss of funding and revenue, failing infrastructure, the impact of threats of tariffs, and the Port's focus for the future. His presentation included the following key comments:

- Pier 2 is where most job opportunities are located. Efforts to get grant and FEMA funding failed due to circumstances that were out of the Port's control and through the Port's efforts to maintain a healthy relationship with Oregon Department of Transportation (ODOT). However, repairing the west side of the Pier will be necessary in order to prevent the buildings from collapsing. The repair work is estimated to cost between \$150,000 and \$200,000. Additionally, the most recent ODOT inspection found more necessary repairs that will impact weight restrictions if not fixed. The total estimated cost to repair all of Pier 2 is \$4 million.
- Port Staff can do some repairs, but the Port has a narrow window to do their annual dredging, from November through February. The Army Corps of Engineers (USACE) is now requiring the Port to pump the sediment past the shipping channel, but the Port does not have the equipment to do so.
- Additionally, Staff must work to stay ahead of infrastructure failures at Pier 1 where the cruise ships come in.
- Onerous rules to protect endangered species in the river have not increased the salmon population, so the National Marine Fishery Services (NMFS) has decided to implement more stringent rules. NMFS will not authorize repairs of the storm damage to the dock in the East Mooring Basin until October. However, the dock is Astoria's primary launching site for fishing boats. Staff has been working with NMFS and USACE, but has unable to find a solution.
- He provided a detailed overview of the presumed impact of pile driving on salmon, and the calculated impact of being denied the permit on the economic development to the community. Cruise ships, restaurants, hotels, and tax revenues would all experience a loss in income.
- He described temporary fixes, which would be too costly, so the Port has decided to put money into getting the permit. Congresswoman Bonamici's office is now assisting with negotiations.
- He explained the impacts of anticipated tariffs on China, which have shut down the logging industry and associated businesses, and resulted in negative financial consequences.

- He read from the Port's original charter, explained why the Port was developed and noted the authority of Port. No part of the charter has been rescinded, but the Port has strayed from its original intended mission.
  - He provided handouts that included the original design renderings of the East Mooring Basin and Pier 39 and compared the original design concepts to what was actually built. He explained that the original designs were never fully built out because the use of certain areas of the Port changed over time in reaction to industry changes, revenue opportunities, and salmon protection rules.
  - The Port has adapted to changes in an attempt to maximize the benefits of their assets. The Port should be self-supporting and not have to tax the citizens, but every square foot of Port property would need to be maximized.
    - Repairing the causeway would cost between \$4 million and \$8 million and repairs must be completed before anything can be done with Pier 39.
    - The East Mooring Basin could create revenue opportunities, but the Port would have to get rid of the sea lions and find a way to get the bridges, pilings, and docks repaired during the short in-water work period.
- He discussed accommodating more cruise ships, but questioned whether the community really wanted that. The population of cruise ship guests would equal population of entire community. His staff would enact and enforce any policy decisions made by Port Commission on behalf of the community, but they need more communication about the direction the Port should go.
  - The Port, owned by Clatsop County, is the second lowest taxing district in the County, so taxes are a not major source of revenue. Most of the Port's revenue must come from the highest and best use of its lands.
- He provided more handouts on the West Mooring Basin and pier structures. He explained how Pier 3 was converted from a boatyard to accommodate logging, which accounted for 25 percent of the Port's revenue until November 2018. The Pier is falling apart and could require several million dollars to repair and maintain.
- Mr. Knight considered charging anchorage fees, but must prove the service provided by the fees is appropriate. The Port's tenants are already providing the services and the Port cannot compete with their own tenants.
  - The Port is charged with ensuring safe passage and safe place to moor. Pier 1 is the only safe place on the Columbia for large ships and only has two slips. So, the Port will charge a fee to vessels that will allow Port to maintain Pier 1.
  - The Riverwalk Inn needs a lot of work, but the appraisal was high. The Port was discussing selling the inn to pay for Pier 2 repairs. Eliminating building management frees up the Port to focus on infrastructure.
- He displayed a map on the screen and provided details on the properties owned by the Port. He listed some uses for several of the properties that could benefit the community and noted those uses would require money to develop.
  - He provided details about a concept he had been discussing with Mark Hollander—a marina village that could be used by the Parks Department and for special events and include walkways that enhance the Riverwalk Trail.
    - It was important for Mr. Hollander and the Marriott group to be instrumental in addressing needs of the entire community, but that will not be possible unless his hotel generates money. Mr. Hollander had been surprised at how difficult it was to build the hotel. [1:15:30] In order to get funding, hotels must prove there is a need in the community for a hotel and Mr. Hollander had to prove to Marriott his hotel would have 85 percent occupancy.
    - The value and worth of jobs created by hotels are understated. Hotels that try to pay minimum wage are shutting down because most hotels pay good money.
- Compromise is necessary for the Port to develop the right waterfront, one that is financially self-supportive, produces revenue for its property owners, and produces tax revenue for the City. The potential imposition of building heights along the waterfront will continue to endanger the Port. If the Port cannot be developed, no outside money will come in and the infrastructure will fall apart.
  - Waterfront property owners have made investments, pay taxes, and created jobs. However, the imposition of restrictive rules that prohibit development will result in properties that lie fallow. He will not be able to recruit suitable businesses that create sustainable jobs. Additionally, it will be difficult for him to maintain the protected and open view corridors without resources.

- If the work to implement the Riverfront Vision Plan had been done well, the conflict with waterfront property owners would not exist. He agreed these property owners should have been more vocal about their needs a long time ago. However, it is not too late for the City to do the right thing.
- If the City wants to control development along Port property and restrict the Port's ability to create revenue to maintain itself, perhaps the only option is for the City to purchase the Port.
- The Port needed the City's assistance for better opportunities to address the issues. If Astoria is going to have open space along the waterfront that can be enjoyed by citizens, the concerns of the Port must be addressed.

After the presentation, discussion between Mr. Knight and the Council was as follows:

- The Port's Strategic Plan will prioritize the Port's top ten needs, identify revenue sources, the Port's marketing and financial capacity, potential industries to recruit, the types of cargos the Port can accommodate, and potential partnerships. The plan will also include an evaluation of the community's perception of the Port and what the community would like to see the Port accomplish.
  - He described the Port's efforts to work with the State on the Strategic Plan over the last several years, noting that the State will not provide funding until the plan is implemented.
- Councilor Rocka believed the public did not trust the Port since Pier 2 was converted to accommodate logging. Mr. Knight explained that the logging at Pier 2 supports the rest of the Port, including the airport which is a very expensive facility to operate. The airport is critical to the community and Coast Guard, particularly for emergencies.
  - There are locations at the Port where height restrictions can be imposed with minimal impact. However, in other locations, the height restrictions will restrict the amount of money that can be generated to support the rest of the facilities. The Codes need to be more flexible, so that development can be appropriate for each site.
  - Councilor Rocka said he wanted the Port to be successful but needed to a reason to trust the Port and to believe the Port would follow through with its Strategic Plan. He believed the State's involvement with the Strategic Plan would help regain a sense of trust in the community by insisting the Plan be followed. Mr. Knight stated he would keep the Council and community updated on the process.
  - Councilor West believed the public understood that Mr. Knight inherited a lot of problems and was genuinely trying to get the Port on the right track by incorporating the community's perspectives.
- A master plan approved by the Council will be necessary before certain development can occur at the Port, including public/private partnerships, selling and leasing properties, and outsourcing the dredging.
- More than 80 percent of the Port's debt is owned by the State. The Port breaks even after taking care of debt service and day to day operations, but there is no money left over for infrastructure. The most recent audit was the best audit the Port had ever had and there were no findings.
- Mr. Knight said he planned to pursue a local improvement district for the central waterfront, which would allow the Port to charge certain property owners a maintenance fee. Additionally, the Strategic Plan will guide the Port's focus and obligate the Port to provide updates to the public on their progress.
- The State does not want to take over the Port of Astoria at this time, but the State has made it clear that no funding would be provided to the Port until the Strategic Plan is implemented.
- Councilor Herman believed that earning revenue by leasing property to hotels would only provide short term gains to the community. People do not believe that hotels pay living wage jobs and Astoria does not have a place for the employees to live. She was not sure that 10,000 cruise ship passengers invading the city would benefit the community.
- Fiber optics coming to Clatsop County will play a huge role in economic development and the creation of high-end jobs in the community.

Mayor Jones commended Mr. Knight for all the work he had done and said he looked forward to partnering with the Port.

## **CITY COUNCIL GOAL DISCUSSION**

City Manager Estes and the Council discussed postponing the discussion of City Council's goals. The discussion would be rescheduled to a date in the latter half of March.

Councilor Brownson announced that the League of Oregon Cities would host a mini-conference in April.

Mayor Jones noted that the Friends of the Astoria Column had contacted him to invite Councilors to attend the grand opening event after the April 15<sup>th</sup> City Council meeting. He explained plans to light the Column with multiple colors at the top of each hour and received consensus that the Council supported the idea.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:00 am.

**ATTEST:**

**APPROVED:**

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

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

DRAFT

A work session of the Astoria Common Council was held at the above place at the hour of 1:00 pm.

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

Councilors Excused: None

Staff Present: City Manager Estes and Finance Director Brooks. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### **CITY COUNCIL GOALS AND VISION DISCUSSION**

Mayor Jones provided Councilors with the list of draft goals and a list containing changes recommended by him and Staff. City Manager Estes gave a brief overview of the previous work sessions on City Council goals for FY2019-2020. The Council and Staff discussed the goals as follows:

#### Community Development Department Budget for Staffing

City Manager Estes reviewed in detail the projects and permit applications that the Community Development Department was currently working on and the projects that the department would begin working on in the near future. He explained how Staff's limited capacity led to hiring consultants, which had budget implications.

- Staff would be working on Code amendments through October and they anticipated a rush of homestay lodging permits in April because all homestay lodging operators had to get the new permit to be compliant. Additionally, there were several permit applications which required public hearings. He described Staff's efforts to process applications, enforce permitting processes, prepare for public hearings, do Code enforcement, and complete Code amendment processes. He also reviewed Urban Renewal projects and historic preservation grant applications.
- Some projects, like the Uniontown Reborn project, could not be put on hold because grants required specific project timelines. However, the Code amendments could be done as time allowed. Staff was worried about bogging down the Planning Commission and City Council with Code amendments particularly since most were controversial and the City anticipated a lot of public involvement.
- The application period for the vacant Director position closes on March 29<sup>th</sup>. After the recruiter provides Staff with a shortlist of qualified applicants, Staff will proceed with public meetings to meet the candidates and a round robin of interviews. The vacant Planner position has also been posted and a few applications have already been received.
- He provided details about the sources of revenue that Staff expected to increase over the next fiscal year but noted that the Public Employee Retirement System (PERS) expenses would be increasing as well, which would impact all City departments and eliminate the capacity to add any full-time employees. He also explained how compression impacted the City's budget. More detailed financial projections would be presented to Council during the budgeting process. If expenditures were lower than expected in the next fiscal year, funds could be allocated to staffing expenses. However, the City would still need to find a sustainable way to afford staffing expenses into the future.

Councilors discussed the importance of preventing Staff burnout and agreed that Staff should extend project timelines as needed to alleviate workloads. They also recognized that while all departments needed more staff, the Community Development Department had the greatest need. In addition to the projects listed by City Manager Estes, the department would also be working on Heritage Square and housing in the near future.

Councilor Rocka recommended a temporary moratorium on development to alleviate Staff's workload.

City Manager Estes explained that while Staff is working on some large projects, the permits for homeowners take up most of Staff's time. Larger projects usually involve professional architects and engineers, so do not require as much from Staff. There are two City employees and two contract employees in the Building Codes Division. Currently, the revenues do not cover their day to day activities. Contract Planner Johnson has agreed to continue working for the City for now, but he was waiting to hear back from Contract Planner Morgan on whether

he would like to continue working for the City. He is looking for ways to add resources to all departments. Most of the Staff is fairly new, so employees are still learning, which does create some capacity. However, there has also been a lot of change over the last few years, so Staff is working on developing more stable and efficient processes, like implementing new software. The budget is not dire, but it is tight.

Director Brooks said Staff needed to create additional capacity in sustainable ways. However, short-term fixes, like using contractors, could get Staff by until they find more sustainable resources. Staff shared details about how other departments are working to increase Staff's capacity.

Mayor Jones called for a recess at 2:16 pm. The meeting reconvened at 2:20 pm

### City Council Goals

The Council and Staff discussed the list of draft goals with the following key comments:

- This set of goals would be two-year goals for fiscal years 2019 through 2021.
- Goal on Housing – The City of Warrenton plans to ask the County to postpone adoption of their housing study until after they have completed a Buildable Lands Inventory. However, this will not preclude the City of Astoria from using relevant information in the study. The Council discussed whether the housing study should be mentioned in its goal. The consensus was to use the following language, "Support efforts to increase the housing supply (both market rate and affordable) using the County Housing Study as a guide."
- Goal on the financial sustainability of the Parks Department - Urgent repairs are needed at the Aquatic Center so Staff recommended the funding for the Cemetery Master Plan be reallocated for the repairs and that work on the master plan be postponed by a few months.
- Goal on Heritage Square – City Manager Estes explained how the new Director would work with City Council and developers to achieve this goal.
  - Developers have expressed interest in the site and have asked to be notified when RFPs go out.
  - The Council and Staff discussed rumors of potential redevelopment of the American Legion building. City Manager Estes shared the history of a proposal by the American Legion to take ownership of the library, which led to protesting during the construction of the Garden of Surging Waves. The relationship between the City and Legion has since improved.
- Goal on disaster resilience – The draft goal did not mention pursuing a public safety building outside of the tsunami inundation zone. City Manager Estes explained that budget items would be recommended by Staff this or next fiscal year to move forward on that. After some discussion, the Council agreed to approve the goal as written.
  - City Manager Estes provided details of Staff's work with other jurisdictions to increase public safety, awareness and preparedness.
- Goal on streamlining efficiencies, revenue generation and expense reduction – Mayor Jones noted this goal was helpful to Staff because it encourages efficiencies.
- Goal on economic development and zoning – Mayor Jones read several versions of the goal and Councilors agreed to "Maintain Astoria's unique character in Council decisions including those involving zoning, growth, and economic development."
- Goal on the library renovation – The Library Foundation has asked Council to specifically mention a bond measure in the goal. After some discussion, all Councilors agreed that the City was not ready to move forward with a bond measure yet, as the City would need to hire consultant first to do some due diligence before the Council could consider a bond measure.
  - David Oser said the Foundation was moving quickly on grants and finding people likely to make substantial contributions. The Foundation would be prepared to give a comprehensive report to the Council in 90 days.
  - The Council agreed to the following language, "Vigorously support the renovation of the Astor Library and the Foundation's fundraising work."
- Goal on Advance Astoria - City Manager Estes noted that Councilors had wanted to review the Advance Astoria document before finalizing this goal.

City Manager Estes confirmed that the final draft list of goals would be formally presented to Council for adoption at the April 15<sup>th</sup> City Council meeting.

### City Council Vision Statement



Councilors each recommended specific words, formatting, and language for the vision statement. After some discussion, the Council decided on the following:

““The Astoria City Council actions and decisions value:

- Preservation of Astoria’s unique character
- Livability and quality of life for residents
- Thriving local economy
- Resilience as a community

City government will provide high quality services, and be responsive and transparent.”

Mayor Jones suggested the vision statement and goals be listed together in one document titled “Astoria City Council Vision and Goals Fiscal Year 2019 – 2021” with the vision statement listed first.

Mayor Jones noted references to preserving Astoria’s unique character appeared in both the vision statement and goals. After a short discussion, the Council decided to keep the redundancy.

Councilor Brownson provided the City Council with an update on the legislation on transient lodging taxes. He had sent a letter of support to Senator Mitchell and recommended the Council send a letter of support as well. He provided Councilors with a copy of his letter as well as information from the League of Oregon Cities (LOC) about their process of responding to proposed legislation.

The Council briefly discussed the proposed changes, which would allow cities to broaden the use of transient lodging tax revenues. The Council and Staff also discussed other legislation that the City had been asked to take a position on in the past.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:09 pm.

**ATTEST:**

**APPROVED:**

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Finance Director

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City Manager

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, West, and Mayor Jones.

Councilors Excused: None

Staff Present: City Manager Estes, 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.

## **PROCLAMATIONS**

### **Item 3(a): Week of the Young Child April 8 – 12, 2019**

Mayor Jones read the proclamation declaring April 8 – 12, 2019 as the Week of the Young Child.

Erin Redding, Parks and Recreation Department Pre-school Recreation Coordinator, thanked City Council for supporting the Week of the Young Child. Lil' Sprouts will be spearheading a celebration next week, which will be a community event. She recognized Dan Gaffney and thanked her staff.

### **Item 3(b): Sexual Assault Awareness Month**

Mayor Jones read the proclamation declaring April 2019 as Sexual Assault Awareness Month.

Felicity Green, The Harbor, thanked City Council for the proclamation. She noted that April 2<sup>nd</sup> is the National Day of Action and asked everyone to wear teal in support of Sexual Assault Awareness month.

### **Item 3(c): Child Abuse Prevention and Awareness Month**

Mayor Jones read the proclamation declaring April 2019 as Child Abuse Prevention and Awareness Month.

Nakesha Womble, Clatsop Court Appointed Special Advocate (CASA) Executive Director, said the CASA program serves over 130 children a year in the county. CASA could not provide support to their volunteers without the help of their community. New volunteer training will begin April 10<sup>th</sup>. The training takes about five hours over six evenings.

## **PRESENTATIONS**

### **Item 4(a): Clatsop Economic Development Resources Annual Report**

Kevin Leahy, Clatsop Economic Development Resources Director, will present the CEDR Annual Report.

Kevin Leahy, Clatsop Economic Development Resources Director, presented City Council with the annual CEDR and Clatsop Community College Small Business Development Center (SBDC) report. His report included an overview of the vision and mission, goals, services and programs, business development statistics for 2018, the 2018 – 2019 budgets, and events for both organizations. He also noted his involvement in economic development organizations in the community.

Mayor Jones asked if forestry was measured as part of the economic base.

Mr. Leahy explained those metrics were based on the number of jobs generated and wages. The information came from the Oregon Forest Research Institute. Millions of dollars are allocated for roads and schools. The annual presentation he gives to the County Commission includes a break down of where the dollars go.

Mayor Jones asked Mr. Leahy to recommend ways to track the progress of the Advance Astoria Plan.

Mr. Leahy said City Council goals can target the entrepreneurial side. On the maritime side, WCT Marine, a trade sector employer, is growing and seeking part-time employees. CEDR and SBDC can help the City develop quantifiable bench marks that can be set objectively. The City can see how it is progressing in three, six, and nine months.

## REPORTS OF COUNCILORS

**Item 5(a): Councilor Rocka** reported he attended the Lower Columbia Tourism Committee (LCTC) meeting, which included people from the Chamber of Commerce's marketing and public relations firms. He was pleased to see that they were sensitive to the idea of overcrowding and infrastructure limits.

**Item 5(b): Councilor West** reported that City Council's most recent work session was fantastic. She was surprised to learn that the Council had not always done work sessions as Council gets a lot of work done at the sessions. She planned to post the draft goals on her Facebook page. It was exciting to look at the priorities for the next couple of years and to develop a vision statement. She attended the benefit for the library at Fort George, which had a great turn out. She met with Chief Spalding to ask questions. She also met with Sarah Lu Heath of the Astoria Downtown Historic District Association (ADHDA) to discuss the pulse of downtown right now. This will be her fourth year participating in the Jane Barnes event on Saturday, April 6<sup>th</sup>.

**Item 5(c): Councilor Brownson** reported that he also attended the LCTC meeting. The LCTC is trying to promote Astoria in the wintertime and scale down tourism in the summer. He noted that the work session was productive.

**Item 5(d): Councilor Herman** shared about her past experiences with SBDC programs as a small business owner. Her business is still going 25 years later, which speaks to the quality of the programming.

**Item 5(e): Mayor Jones** reported that at the work session, the City Council agreed on goals and a vision statement. His second Meet the Mayor event included good conversations with people at the library. He met with new Executive Director of The Harbor and discussed her ideas for the program. He attended the Lower Columbia Hispanic Council's La Voz de la Comunidad event. He also noted that the following comment was made on the City's website earlier that day, "I served aboard the USS Guitaro in 1976 when we visited your city for a port call. I just want to thank all of you for your hospitality during a time when many treated those of us serving in the military very poorly. We were overwhelmed to have been so welcomed by your community in such a time. I will always have fond memories of my visit to your city and cannot thank you enough. I just stumbled across your website and thought I would share this with you." He thanked those who were in Astoria in 1976 for treating the sailors so well. He noted he is always willing to take phone calls and emails from constituents on any topic.

## CHANGES TO AGENDA

There were none.

## CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 7(a) City Council Work Session Minutes of 2/20/19
- 7(b) Boards and Commission Minutes
  - (1) Library Board Meeting of 2/26/19
  - (2) Parks Board Meeting of 2/27/19
- 7(c) Liquor License Application from Michael Angiletta and Seth Howard for a New Business as Blaylock's Whiskey Bar located at 433 13<sup>th</sup> Street for a New Outlet for Full On-Premises Commercial Sales License

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

## REGULAR AGENDA ITEMS

### **Item 8(a): Second Reading and Adoption: Unlawful Transfer Ordinance**

The first reading of this ordinance was held at the March 18, 2019 City Council meeting. 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 second reading and consider adoption of the ordinance adding City Code 6.390 relating to unlawful transfer on vehicular portion of the right-of-way.

Mayor Jones said the public hearing on this ordinance was held at the last City Council meeting in March. However, he has been asked to allow public comments at this meeting.

Chief Spalding explained that the Police Department received several complaints from business owners, primarily from Safeway and McDonalds, regarding individuals seeking goods from passing motorists. The owner of McDonalds has told the Police Department that he received several complaints from many of his customers who say they no longer want to go through the drive through or visit his business because of the problems they have had. He also described issues occurring late at night. Several individuals have knocked on the windows of motorists in the drive through seeking money. People feel intimidated by that. The Police Department's concern is public safety and traffic issues that result from this activity. Anytime a pedestrian leaves a safe area and steps on to a road way or right-of-way, the pedestrian will lose when confronted by a motor vehicle. The other concern is obstructed views. Making a turn out of the McDonalds drive through on to Marine Drive is always challenging. Customers have complained to the McDonalds owner that their view is obstructed by individuals standing or sitting on the sidewalk. Anytime someone is passing something from a moving vehicle to a pedestrian, the driver is no longer concentrating on their driving. He has driven down several streets when someone has stopped in the middle of the roadway to hand goods to an individual standing on the sidewalk. This creates the potential for road rage. Both locations have tried to address the problems. This is not about being anti-homelessness. The ordinance will apply to anybody who attempts to seek goods from someone in a motor vehicle, the occupant, passenger, driver, and the pedestrian. Additionally, this is not an anti-panhandling ordinance. The ordinance simply requires a vehicle to park legally and safely first. Eight other cities have passed this ordinance and it has been successful at curbing some of this activity and increased safety. The Police Department's enforcement strategy will be to do an education campaign, using media and social media, and post signage in areas where the problems are extreme. If officers observe activity, warnings will be given. If someone has been warned and are still not being compliant, a citation would be issued as a last resort. Staff has recommended a low fine of \$75.

Mayor Jones said before this item came on the agenda for the last meeting, he took quite a bit of time to do as much research as possible. The ordinances that have been found unlawful are ordinances that restrict free speech. This ordinance does not do that. If someone wants to give somebody something from a car, just pull off the road into a parking spot. He believed this was a reasonable requirement. He opened the public hearing at 7:43 pm and called for public comments.

Ted Thomas 398 Atlantic, Astoria, said that in August 2018, the American Civil Liberties Union (ACLU) sent notices to 61 cities in Oregon saying that prohibition of free speech, including ordinances similar to this one, were unconstitutional. The intent of this is obvious, to impede, discourage and stop people from appealing for help, which has been upheld in 51 cases by the Supreme Court as an exercise in free speech. He asked the Council to reconsider the ordinance, which was capricious, austere, and completely unnecessary. Laws are on the books for people who impede traffic, menace, or make others feel uncomfortable. This is merely an attempt to stop donations, including donations of food to people who are the weakest and most needy, people who need drug treatment, housing, and food. He noted he always gives people a dollar.

Bill Vannostran 92027 Glasgow Drive, Astoria, said he was speaking as a citizen, not as a minister. He participates in several service and civic organizations because he wants to participate in the place he chose to live. He is the volunteer treasurer on the board of The Harbor because he is heartbroken when humans damage each other in relationships. He wants to do everything he can to empower advocacy and provide rescue and shelter for people in need. He also volunteers on the Warming Center's board. Besides serving on the fundraising committee, the most significant contribution he makes is cleaning toilets nearly every Tuesday and Friday during the winter season. He also participates in an organization that has members spanning the entire breadth of Clatsop County and has unanimously approved the resolution written by him and Larry Taylor. He submitted the resolution for City Council's consideration, which he read into the record as follows:

"Regarding the treatment of those experiencing homelessness in Astoria, whereas, Astoria is in the midst of a homelessness crisis, and whereas, homelessness is not a crime, and whereas, those who are most vulnerable and cannot support themselves are forced to solicit money from passersby, and whereas, people without resources cannot physically pay fines, and whereas, the enforcement of regulations and the issuing of citations have not solved the downtown parking problem, and whereas, the City of Astoria is at present working on a forgiveness for those who are indigent and have amassed a large amount of fines, and whereas, there does not exist a worthy, alternative, daytime place for those who are at risk to be, or sufficient employment opportunities for them to earn money, and whereas, even for those who are employed the cost of living in America today has grown logarithmically while wages have stagnated or decreased, and whereas, it is estimated that 63 percent of Americans today could not weather a \$500 emergency, and whereas, it is incumbent upon all of us with resources to speak, advocate, fight for those who cannot speak, advocate, fight for themselves, the Golden Rule calls for us to treat others the way we wish to be treated. Therefore, be it resolved that the Clatsop County Central Committee requests the Astoria City Council discontinue pursuit of a plan to further penalize poverty and reconsider decisions to further punish those who do not have the resources to live and look for positive effective examples dealing with panhandling used elsewhere in Oregon rather than jumping only to enforcement."

Mayor Jones closed the public hearing at 7:51 pm.

Chief Spalding stated he agreed with those who spoke. The community is already working on the requests included in the resolution. The City's Homelessness Task Force is also looking for solutions for many other issues in the community. The ordinance is not targeted at homeless individuals and is meant to increase safety. If people want to give handouts, they need to do so from a position of safety.

Councilor Rocka said people can make donations and help out at the Warming Center, Helping Hands, and the drop-in center. Homelessness is made up of all kinds of people with all kinds of issues and needs, from people with mental illness to people who lost their job or missed a payment. The small percentage of people who are being very aggressive when begging are giving a bad name to homeless people in general. Officer Hansen cares about homeless people, who have affection for the Police Department. Homeless people have said those doing the panhandling are not from here. The City is not condemning and dismissing homeless people. He supported the ordinance based on the limits in the ordinance and the Chief's actions.

Councilor Herman said she had concerns after receiving an email that said the proposed panhandling ordinance was morally reprehensible and completely offensive. The Council received a resolution from the Clatsop County Democrats, of which she is a participant. She contacted Chief Spalding, City Manager Estes, and City Attorney Henningsgaard, the ACLU, and the League of Oregon Cities (LOC). She received a thorough report from City Attorney Henningsgaard about the history of the U.S. Supreme Court rulings on similar ordinances. The ordinances that were too broad were found to be in violation of the First Amendment. The community must look out for people by looking out for their safety. If one person was injured, which is a real possibility because some of these people asking for money are aggressive, the City and Council would be castigated. She believed it was her moral responsibility to pass the ordinance. All someone has to do is legally park and then give a donation, which is no big deal. It is a big deal to risk safety, especially for people who may not be able to watch out for themselves because of mental illness or addiction. She appreciated the passion of all those who spoke.

Councilor West said she met with Chief Spalding to get a better sense of what was behind the ordinance. She did not want to make it more difficult for someone to survive. If this ordinance was not passed, City Council would be ignoring the safety issue and the concerns of the business owners whose lives and well being are also being impacted. She would not support an overarching ban on panhandling or the ability to access things people

need to get by or survive, and that is not what the Police Department is trying to do. There are more effective ways of supporting that population without damaging local businesses or causing safety violations.

Councilor Brownson state he supported the ordinance, which is simple and would not create any extraordinary hardships. The City is not going after panhandlers. If a person wants to donate, the Warming Center, Helping Hands, and Riverfolk always need support. He was not an advocate of handing dollar bills out. He wants to hand dollars to people who can actually help these individuals. The City Attorney has assured City Council that panhandling is not being restricted.

Councilor Rocka added that Filling Empty Bellies also needs support.

Director Brooks conducted the second reading of the ordinance.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Herman, to adopt 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, West, and Mayor Jones; Nays: None.

#### **Item 8(b): Contract Approval for the Aquatic Center Filter System**

The Astoria Aquatic Center was built in 1997-98 and the original fiberglass sand filter vessels are still currently in use. The filtration system recirculates pool water through a glassine sand mix that is designed to remove particulate matter in order to keep water chemistry at safe, usable levels for the public. The fiberglass filter vessel for the Recreation pool is significantly worn after years of use due to the abrasive nature of the media inside being agitated by constant water movement. Staff recently noted signs of extreme stress on the exterior of the vessel in the form of hairline cracks and extrusions of fiberglass material. These are indicators that its integrity is compromised and failure may be imminent. The filtration system is essential to daily operations of the recreation pool at the Aquatic Center and the age of the infrastructure make repairs infeasible and replacement the sole option. It is recommended that the existing Astral Filter be replaced with two, smaller Pentair Filters that can be isolated for more efficient operation.

In addition to the instability of the sand filter vessel, staff has observed consistently high levels of combined chlorines in the recreation pool water chemistry, approaching readings that the State Health Department deems unsafe for use. The most effective and long-term method of reducing and controlling combined chlorine is to install an Aquionics Ultraviolet (UV) sterilization system to neutralize harmful bacteria and other organisms that may otherwise pose a threat to the health of users of the pool.

Since the Recreation pool's filtration and recirculation systems are so complex, replacing the filter vessel will require the pool to be shut down while work is completed and it is most advantageous to concurrently install the UV system during that interruption of service.

Staff has solicited vendors for the replacement of the filter vessel and installation of a UV system and received a bid from The Pool and Spa House for \$83,997.92. Apollo Pool Services and Interlocked Filtration Systems were contacted to provide bids, but both firms declined.

\$82,000 of the project's cost will be paid using Capital Improvement Funds allocated to the Parks and Recreation Department for FY18-19 and the remainder of the expenses will be provided from Parks Operations Funds budgeted to Aquatics and Maintenance activities. The contract has been reviewed and approved as to form by City Attorney Henningsgaard.

It is recommended that City Council approve the contract for replacement of the Recreation pool filter and installation of a UV system with The Pool and Spa House for the amount of \$83,997.92.

Councilor Herman asked if the bid was what Staff expected to pay. Director Williams replied yes, definitely. The City will save between \$8,000 and \$10,000 by using the same contractor to complete both of the necessary procedures.

Councilor Herman asked if the UV filter would reduce the amount of chlorine needed. Staff replied yes, and explained that the UV system already in use is just for the lap pool.

Councilor Herman asked if there was a way to rectify the chlorine levels in the recreation pool before the new equipment is installed. Director Williams said the chlorine levels were safe right now. The levels would be watched carefully as the new filter and UV system are put in place to keep the levels down as far as possible.

Councilor West said Staff showed her what work needed to be done when she toured the Aquatic Center and it was exciting to move forward on this. Director Williams added the new filter and UV system would reduce bacteria significantly.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor West, to approve the contract for replacement of the Recreation pool filter and installation of a UV system with The Pool and Spa House for the amount of \$83,997.92. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

**Item 8(c): Authorization to Solicit Bids – 2019 Timber Sale (Fat Buck Creek Combo)**

This is a request for Council to authorize solicitation of bids for a shelterwood and thinning forest harvest project designed for long-term water quality and forest health.

The planned thinning area is a 10-acre area located at the end of Spur 1 Road, a dense growth of Douglas Fir and Hemlock. The Douglas Fir have been impacted by Swiss needle cast, a fungus that attacks the needles of mature Douglas Fir. The thinning will also allow for light penetration to the forest floor improving the growth of shrubs and fern.

The shelterwood area is a 23-acre area also impacted by Swiss needle cast. Approximately 30 percent of the pre-harvest trees will be retained and the harvested trees to be replanted. This will provide a long-term benefit of improved water filtration and resistance to disturbances. The shelterwood is to be under-planted following the harvest.

It is recommended that City Council authorize staff to solicit bids for the 2019 Timber Sale (Fat Buck Creek Combo).

City Forester Ben Hayes displayed a map of the area to be thinned and provided background information about Astoria's watershed. He reviewed the scope of work and explained the thinning process.

Mayor Jones said Astoria was fortunate to own a 3,900-acre watershed that will give the city clean water in perpetuity, as long as it is managed properly, generates revenue, and keeps logging jobs alive.

Councilor Herman asked how diverse the tree species in the watershed was. Mr. Hayes said there were seven dominant species, but about half of the volume is western hemlock. A significant number are Douglas fir and the remainder includes Pacific spruce, western red cedar, and red alder. Compared to other forests in the area, Astoria's is a highly diverse forest, so the City is working on the areas with the lowest diversity and the highest risk.

Councilor Herman asked if needle cast is a bacterium. Mr. Hayes said Swiss needle cast is a fungus that attacks Douglas fir by plugging the vascular system, which stagnates growth. Fog exacerbates needle cast. Treatment involves removing 100 percent of the Douglas fir, which came from British Columbia and was aurally reseeded after being harvested around World War II.

Councilor Herman asked what species would be planted. Mr. Hayes stated western hemlock and western red cedar were being planted. Western red cedar is highly resistant to most pests and pathogens, and western hemlock regenerates on its own.

Councilor Herman asked if the trees had to be fertilized. Mr. Hays said no fertilization or chemical applications are done anywhere in the watershed.

Councilor Brownson said he wanted to revisit the watershed to see the areas that were thinned two years ago. It is important that the watershed is managed for the safety and welfare of the community. He asked how the water

supply would be impacted if dry weather continued. Staff noted that a number of recent studies by the EPA show that the type of management Astoria is practicing increases base flow rates considerably. Astoria is coming out of an abnormally dry period, and the City is in good shape. The reservoirs are full, and ten days of rain is predicted. Additionally, the top of the watershed received three feet of snowpack when Astoria was dry.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Rocka to authorize staff to solicit bids for the 2019 Timber Sale (Fat Buck Creek Combo). Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

#### **Item 8(d): Consideration of Library Strategic Plan**

The Astoria Oregon Public Library Foundation is currently engaged in fundraising for the eventual library renovation. The Foundation via their consultant, Ruth Metz, requested an updated Astoria Public Library strategic plan to assist in their fundraising efforts. The previous plan expired in 2011 and is no longer applicable for use. The plan drew heavily upon the 2013 Needs Analysis which includes well documented participation from the community. The draft Strategic Plan was reviewed and approved by the Library Advisory Board during their February 26, 2019 meeting. It is recommended that City Council accept the Strategic Plan as presented.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Herman to approve the Library Strategic Plan. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

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

Shannon Fitzpatrick 1046 Grand Avenue, Astoria, recommended the City look into using parking meters as receptacles for donations to organizations. A similar program is going on in San Louis Obispo, California and it has been very successful. Meters are placed throughout the city in pedestrian-friendly locations. People can see what organization they are donating to and the program has collected thousands of dollars in the last five years. He suggested an internet search for "San Louis Obispo parking meter to fund homeless" or "change for change."

Dan Gaffney 41327 Hillcrest Loop, Astoria, thanked City Council for supporting the Week of the Young Child. He was a professional educator for 37 years and spent the last six or seven advocating for the youngest children. He had been a high school teacher, a middle school administrator, a district administrator, and an elementary principle. He had been working with local child care and preschool providers. As a K12 educator, he had a sense of what the providers were dealing with, but he did not fully understand their dealing with the health and social service providers. It takes a village to raise a child. The Oregon Community Foundation funding created Clatsop Kinder Ready for zero to eight-year-old children. The State created early learning hubs. The local hub serves Clatsop County and two other counties. The County was awarded one of eight federal grants to do a preschool feasibility study, which helped establish stronger understandings and connections. The early learning hub has another grant to springboard off of the feasibility study. High quality child care and preschool gets kids ready for kindergarten. If kids are ready for kindergarten, they have a much greater chance of being readers in third grade, which is the number one predictor of high school graduation. Oregon's high school graduation rate is not something to be proud of. Chronic health, criminal justice, social service issues and costs are also reduced. Individual economic status is increased, as well as the community's economic well-being, a quality work force, and a quality life. He wanted to find new funding partners because the State and City of Astoria can only do so much. The school districts do what they can. Child care costs roughly \$10,000 a year and many times families cannot afford that, so normally the mother stops working. That is not equitable. The children who need child care the most are those who do not have it. The quality that could be provided is lacking. Child care and preschool providers earn about 50 percent what a kindergarten teacher makes and without benefits. This makes it difficult to hold on the quality child care and preschool providers. The City's support is greatly appreciated because it is critical to the improvement of the community.

Mayor Jones asked what organization Mr. Gaffney was affiliated with. Mr. Gaffney said he was not employed. Clatsop Kinder Ready was initially created because of funding from the Oregon Community Foundation. He was hired by the County to do the preschool feasibility study that covered Clatsop and Tillamook Counties. He worked closely with the five school districts in the county and the child care resource and referral. He was on the board for the early learning hub. He has tried to be involved in a multitude of ways and catalyze change because he does not have an employer who could fund this. He just wanted to continue getting the word out.



David Oser, 254 W. Irving, Astoria, said he was speaking as a School Board member. More early child care is number one on the Board's wish list. Only one class at Gray School can only take 16 children a year. The issue is money. It costs between \$125,000 and \$150,000 a year to run a preschool class because of regulations and the need for two teachers.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:37 pm.

**ATTEST:**

**APPROVED:**

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

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

DRAFT

An Executive Session of the Astoria Common Council was held at the above place at the hour of 6:30 pm.

**EXECUTIVE SESSION**

**Item 2(a): ORS192.660(2)(h) – Legal Counsel**

The City Council will meet in Executive Session to discuss a legal proceeding.

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, West, and Mayor Jones.

Councilors Excused: None

Staff Present: City Manager Estes, 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.

**PROCLAMATION**

**Item 5(a): Robert “Jake” Jacob Day**

Mayor Jones read the Proclamation declaring April 19, 2019 as Robert “Jake” Jacob Day.

**Item 5(b): Public Safety Telecommunicators Week (April 14-20)**

Mayor Jones read the Proclamation declaring April 14-20, 2019 as Public Safety Telecommunicators Week.

Jeff Reseck said seven dispatchers answer 13,000 9-1-1 calls and almost 80,000 nonemergency calls for 14 agencies each year. He thanked the City for the Proclamation.

**PRESENTATIONS**

Mayor Jones announced the Astoria High School Girls' Basketball Team won the league championship for the first time since 2001. He congratulated Lynn Jackson Astoria High School Principle, Mike Jacobson Astoria High School Girls' Basketball Coach, and the team members who were in the audience.

Lynn Jackson, Astoria High School Principle, said the team's hard work and dedication has earned them the league title and the opportunity to play in the State play-offs. Their skills and success have also resulted in the opportunity to participate in an elite competitive tournament in Alaska in January 2020. However, the logistics around this tournament have proven difficult.

Haley Cole Astoria High School Girls' Basketball Team Leader, provided details about the ACS Pepsi Basketball Invitational Tournament, trip costs, fundraising efforts, and donations provided to cover the costs of attending and participating in the tournament.

Mr. Jackson said the team continues to seek support from local community partners, and he had asked that the Jordan Schnitzer Foundation provide support to the team for the tournament.

Jordan Schnitzer noted that the team had requested \$5,000 from the Foundation and offered to name the team after the Foundation for the tournament. He granted the request for funding, but requested the team

be named the Michael Foster Hal Snow Traveling Team. He provided details about the leadership Mr. Snow provided to the community and explained the importance of honoring his legacy.

Team members introduced themselves to the Mayor, City Council, and Staff.

**Item 6(a): Friends of the Column Annual Report**

Friends of the Column President, Jordan Schnitzer, will present the Friends of the Column Annual Report.

Mayor Jones provided details about his previous experience as a Friends of the Astoria Column Board member during the 2013 renovation. He shared a video presentation of the renovation project, which included before and after photographs.

Jordan Schnitzer, Friends of the Column President, introduced the Friends' Board members, recognizing those who were present in the audience. He presented the annual report, which included detailed information on the history of the Friends of the Column, the history of the Column and its importance to the community, restoration work, finances, programs and projects, education and outreach, and their partnership with the City. He invited the community to the light show event at 9:00 pm after the City Council meeting.

**REPORTS OF COUNCILORS**

**Item 7(a): Councilor Herman** reported that she attended a session on two Senate Bills to beef up preservation zoning. Astoria already has strong laws protecting historic structures, but the State of Oregon ranks 49<sup>th</sup> in protecting historic structures. She also attended the Astoria Downtown Historic District Association (ADHDA) meeting, along with Assistant City Engineer Moore, Police Chief Harrington, and Parks Director Williams, who gave updates on City projects. She attended the Jane Barnes Review for the first time, where it was officially announced that Innovative Housing has raised almost all of the funding needed to begin restoring the Waldorf/Merwyn into workforce housing. She attended the Clatsop County Board of Commissioners work session on the countywide housing study. She also attended the Clatsop Economic Development Resources (CEDR) awards dinner, where Bloomin' Crazy Floral, Candy Skein, and Joel Bergeman of Bergeman Construction won awards. She attended the Li'l Sprouts Week of the Young Child Festival, where Mayor Jones read to the kids. Her second meet the Councilor event would be on Wednesday, April 24<sup>th</sup> from 4:30 pm to 6:00 pm in the Flag Room of the library.

**Item 7(b): Councilor Brownson** reported he had been attending Port and County Commission meetings to stay informed. He appreciated the efforts of the Port's financial advisory committee to seek good financial footing. He was looking forward to the County's housing study and its recommendations. He also attended an impromptu celebration at the Liberty Theatre to celebrate their new LED lights. The new lights will save \$400 a month in electric bills. He had sent a letter of support to State representatives supporting the theatre's request for \$1 million in lottery revenues because they have shown their ability to spend money well.

**Item 7(c): Councilor West** reported that she met with Director Harrington and noted that Public Works does more than people realize to make the town operate. She toured the Salvage Chief with Mayor Jones, who asked a lot of great questions. She also spent time with Councilor Brownson on the Astoria Ferry. She would be meeting with Sarah Lu Heath of the ADHDA on Tuesday to explore grant opportunities for downtown building restoration. The Clatsop Community College Wellness Fair is on Wednesday afternoon. She planned to attend the Homelessness Solutions Taskforce (HOST) on April 18<sup>th</sup>. And she would be meeting with Kaisa Schlarb who recently wrote an article on affordable housing. She attended the Jane Barnes Review and was excited to hear about the Merwyn. She was also excited about the lighting at the Column. She shared a memory about her first encounter with Jake Jacob, who donated to the Astoria Arts and Movement Center.

**Item 7(d): Councilor Rocka** reported he had coffee with former City Councilor and current Planning Commissioner Cindy Price to share their wishes and dreams for the city. He attended a presentation by the Lower Columbia Preservation Society (LCPS) on a couple of historic preservation bills. He also attended the Uniontown Association meeting, the lighting ceremony at the Liberty Theatre, and the Li'l Sprouts program at Gray School.

**Item 7(e): Mayor Jones** reported the Li'l Sprouts event was wonderful and the kids seemed to like the books he chose. He attended a meeting with Dan Gaffney and Sydney Van Dusen [48:44] to talk about improving early childhood education opportunities. The tri-county area received a grant from the Department of Education to analyze the impacts of early childhood intervention. More intervention will decrease homelessness, drug addiction, incarceration, and other problems. The third-grade reading level is a predictor of success later in life. The community has a shortage of childcare and no transportation funding for the Head Start program. He looked forward to focusing on these things over the next few years and working with educators in the community to address the needs. He attended the CEDR awards. It was inspirational to see local business people doing such great things. He and City Manager Estes attended a hazard mitigation workshop hosted by the County. He planned to attend the next HOST meeting, which is open to the public. The meeting was scheduled for April 18<sup>th</sup> from 10:00 am to 12:00 pm at Clatsop Community College. Budget meetings would begin next week and those meetings are open to the public as well. He would be introducing State Representative Bonamici at her town hall meeting at Clatsop Community College on April 16<sup>th</sup> starting at 6:00 pm.

## **CHANGES TO AGENDA**

City Manager Estes requested the addition of Regular Agenda Item 10(c): Loan to C.T. Johnson Inc. for Eagle Ridge Subdivision Infrastructure Improvements. The agenda was approved with changes.

## **CONSENT CALENDAR**

The following items were presented on the Consent Calendar:

- 9(a) City Council Minutes of 3/4/19
- 9(b) City Council Minutes of 3/18/19
- 9(c) Liquor License Application from PHDRB Inc. for an existing business as Pilot House Distilling located at 1270 Duane Street for a Distillery License
- 9(d) Fair Housing Resolution**
- 9(e) New Certifying Officer for CDBG Housing Rehabilitation Grant

### **Item 9(d): Fair Housing Resolution**

City Manager Estes explained the Fair Housing Resolution is a requirement of the City's Community Development Block Grant that provides funds for housing rehabilitation for individuals who meet certain income levels. The resolution must be adopted in English and Spanish. The resolution states that discrimination in the sale, rental, lease, advertising of sale, rental or lease, financing of housing or land to be used for construction of housing, or in the provision of brokerage of rental services because of race, color, religion, sex, disability (mental or physical), familial status or national origin is prohibited by Title VIII of the Federal Fair Housing Amendment Act of 1988. It is important that tenants in the community are aware of their rights.

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

## **REGULAR AGENDA ITEMS**

### **Item 10(a): Adoption of 2019-2021 Council Goals**

The City Council held a work session on February 25 to begin to discuss previously adopted goals and develop Council goals moving forward. At the March 28, 2019 Council continued the discussion and drafted two-year goals and a vision statement for 2019-2021. These draft goals and the vision statement for 2019-2021 are included in the agenda packet for further discussion and consideration.

Mayor Jones said he had proposed the goals be for two years instead of one because the goals are typically long-term and this will save Staff some time. He read aloud the vision statement, which was included in the agenda packet. The vision statement will allow the Council to consider whether their decisions contribute to the values listed in the vision statement. He read aloud each of the goals, which were listed in the agenda packet.

Councilor Brownson believed the discussion about the goal and vision went great. The Council did not have a difficult time working on them and he looked forward to implementing them.

Councilor West said she had served on boards where it took more than a year to come up with a vision. She enjoyed the work sessions to develop the list of goals and the vision statement.

Councilor Herman stated it was easy for her to agree on the vision statement. The Council wants to keep in mind what is best for those who live in Astoria, which will draw visitors.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor West, to adopt the 2019-2021 City Council Goals and Vision Statement. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

**Item 10(b): Library Standards of User Conduct Policy Update**

The Director, along with appointed members of the Library Advisory Board, reviewed and updated the Library Standards of User Conduct policy during the March 26, 2019 meeting. The policy has been reviewed 'as to form' by our City Attorney. The Director also consulted with Police Chief Spalding to ensure his officers are able to enforce trespass directives issued by library staff. It is recommended that City Council approve the policy.

Councilor Herman asked if the updates were much different from the policy before. Director Pearson explained all of the former guidelines remain in place, but they have been refined to make them easier for his staff to enforce, address behavior and safety issues, and create a welcoming environment for all. He noted that the rules apply to everyone.

**City Council Action:** Motion made by Councilor Rocka, seconded by Councilor Herman, to approve the updated Library Standards of User Conduct Policy. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

**Item 10(c): Loan to C.T. Johnson Inc. for Eagle Ridge Subdivision Infrastructure Improvements**

This item was added to the agenda during Item 8: Changes to the Agenda.

City Manager Estes stated that City Staff, with the assistance of Craft3, have been working with Cary Johnson of C.T. Johnson Inc. and are proposing a loan of \$130,000 from the City's Revolving Loan Fund, which is also referred to as the Dairy Queen Fund, to assist the construction of off-site sewer improvements at the Eagle Point subdivision. The subdivision received preliminary plat approval by the Planning Commission in December 2018. When completed, the improvements will allow for the development of seven building lots in the first phase of a 22-lot subdivision. He explained the history of the Dairy Queen Fund, which was started in the 1980s to assist with economic development. He also described the rules that regulated the fund and the loans. This loan would fund the extension of a sewer line to provide service to the Tongue Point area. The terms being proposed include a two percent fixed interest rate, fees that will be deducted from the borrower's net loan proceeds at closing, a second

position deed of trust on a property owned by the Applicant, and construction monitoring would be required. This loan would be for 10 years. Staff recommended that City Council determine the project to be appropriate, approve the terms of the loan, and authorize the Mayor to sign the loan documents.

Mayor Jones noted that one of the goals just adopted was to help facilitate and increase the housing supply in Astoria. This loan would accomplish that goal. This development could provide up to 120 units in a multi-family subdivision. Additionally, the extension of the sewer line could be used by two other large property owners in the vicinity where there are more housing development opportunities.

Councilor Brownson said by loaning money, the City is not giving anything away. The City is helping a developer move forward. Astoria needs housing at all levels. The City is also working with Innovative Housing on the Merwyn project, encouraging their work, and finding a way to get the hotel up and running as workforce housing. The building will offer apartments for \$400 and \$500.

Councilor Rocka explained that this property sits between the City's sewer farm and the old Navy docks at Tongue Point, which is an undeveloped area. This loan will help open up the area for future development. The City has been assured by Craft3 that the Applicant has credibility and the wherewithal to repay the loan. This project is what the Revolving Fund is meant for.

**City Council Action:** Motion made by Councilor Rocka, seconded by Councilor Brownson, to approve a loan in the amount of \$130,000 to C.T. Johnson Inc. for Eagle Ridge subdivision infrastructure improvements with the terms recommended by Staff and authorize the Mayor to sign the loan documents. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

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

Sean Fitzpatrick, 1046 Grand Ave., Astoria, asked the Council to encourage developers to create the type of housing Astoria needs. The Merwyn is a great start on the low end, but Astoria has enough two-bedroom apartments. Renters are looking for one and three-bedroom apartments. He owns 19 studio apartments and 19 one-bedroom apartments, all of which are rented. However, he has several two-bedroom apartments available for rent. He also manages a three-bedroom and a four-bedroom home, neither of which have been available for a long time. Astoria needs three and four-bedroom single-family homes and townhomes in addition to the studios and one-bedroom apartments that will be built in the Merwyn. He encouraged the Council to provide benefits to developers building what Astoria needs. Even single-family homes and townhomes outside of Astoria city limits would also help fill the need.

Mayor Jones said City Manager Estes would be scheduling a briefing on the County housing study and City Council would be discussing housing.

Councilor Herman understood that the developer had not submitted specific plans to the City yet. City Manager Estes confirmed Staff did know the number of units that would be provided.

Councilor Brownson announced the City received a plaque from a new cruise ship that made its inaugural visit to Astoria on Sunday. This ship carries 2,500 passengers and half as many crew, all of whom shop in the community. This summer, about 22 cruise ships will stop in Astoria. Next year, there will be 31 cruise ships. He reported that the Clatsop County Board of Commissioners voted to send a letter in support of Sunset Empire Transportation's request for grant funds to get a battery powered bus.

Mayor Jones noted he also signed a letter of support for WCT Marine at Tongue Point. They applied for a Maritime Administration grant to get additional equipment. The company provides almost 40 skilled blue-collar jobs building and repairing boats.

Councilor Rocka said Thane Jensen has spoken to him several times with concerns about whole-house vacation rentals. Mr. Jensen believes that whole-house vacation rentals equates to commercial development, basically a hotel, in a residential neighborhood. Mr. Jensen had suggested the Council

consider stiff penalties for violating the ordinances that prohibit whole-house vacation rentals. The only way to combat violations is to make them financially unfeasible.

Mayor Jones agreed. He asked for an update on enforcement. City Manager Estes stated Staff is working on the whole-house rental violations. One is moving towards being resolved. Others are currently in discussions with Staff and fines are being applied. The new homestay lodging permit has helped Staff identify who is not in compliance. Staff is receiving a large number of inquiries about becoming compliant and scheduling meetings. A Code amendment dealing with rentals of residential properties in commercial zones will be discussed by the Planning Commission next week.

Councilor Rocka noted that the City has made a distinction between someone renting space in the home they live in and having an empty house rented out as vacation property.

Councilor Brownson added that whole-house vacation rentals are illegal in R-1 zones.

**RECESS TO ASTORIA COLUMN LIGHT SHOW STARTING AT 9:00 PM**

The meeting recessed to the Column light show.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:27 pm.

**ATTEST:**

**APPROVED:**

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Finance Director

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City Manager

## **Astoria Library Board Meeting**

Astoria Public Library

March 26, 2019

5:30 pm.

**Present:** Library Board members Kate Deeks (via telephone), David Oser, and Kimberley Chaput. Staff Library Director Jimmy Pearson.

**Excused:** Susan Stein.

**Call to Order:** Kate Deeks called the meeting to order at 5:32 pm.

**Approval of Agenda:** The agenda was approved with the following change: New Business Item 8(c): Library Donor and Naming Policy Review and Approval- Removed.

**Approval of Minutes:** The minutes of February 26, 2019 were approved with the following correction: Kimberley Chaput was absent.

### **Board Reports:**

Kate Deeks reported that the last ALB meeting was Chris Womack's last meeting, as he has joined the Astoria Planning Commission.

David Oser reported the City Council would discuss their goals on Thursday, March 28, 2019 at 1:00 pm at City Hall. The library renovation is on Council's list of goals.

### **Library Director's Report:**

Director Pearson's report was as follows:

- Library Facilities – The new couch cushions have received good feedback. They are more durable and easier to maintain.
- Library Programs – The STEM program went well and kids enjoyed the *Walter the Farting Dog* program. Staff was preparing for April Poetry Month and summer programming.
- Director's Activities – He removed the donor naming policy from the agenda because he learned the Foundation already had a policy.

### **Update on ALFA Activities:**

Director Pearson noted that ALFA did not have a meeting.

### **Update on Foundation:**

David Oser provided details on the fundraiser at Fort George that evening. Students from Astoria High and Middle Schools and Tongue Point would have a display in the Flag Room as part of the Art Walk on April 13<sup>th</sup>. People interested in making major gifts with naming rights to various aspects of the library will be invited to an afternoon event on April 28<sup>th</sup>. The Foundation is also seeking grant opportunities.

### **New Business:**

#### **Item 8(a): Library Bill of Rights – Discussion and Endorsement**

Director Pearson asked the Board for a formal endorsement of the policy as a way of affirming that the guidelines are adhered to. The Bill of Rights was created by the American Library Association. He intended to publish the document on the library's website to use as a tool when library policies are questioned.

David Oser supported the overall concept but expressed concerns about the appropriateness of this document in a public community library because the community's standards already guide library policies.

The Board and Staff discussed each item on the list with respect to beliefs, censorship, and subjective language in the document. The library's job is to provide a balance of viewpoints, but the Collection Development Policy offers library patrons the opportunity to have materials removed from the collections.



While the Library Director understands what types of materials are appropriate for the community, community standards do not allow all viewpoints.

Director Pearson described issues that Seaside had with a library patron printing pornographic materials. He explained that the library cannot filter content or materials, but can take action if the use of that content or materials violates the Standards of User Conduct or laws are broken. Therefore, the library must deal with each issue on a case by case basis.

David Oser believed Director Pearson did a good job of enforcing appropriate community standards so that the library is a safe and welcoming place. Director Pearson's qualitative judgement is important and valued.

Kimberley Chaput also supported the overall concept, but was concerned that some classifications of people were omitted from the groups identified in the document. Director Pearson noted the document did include a statement on inclusion.

Director Pearson suggested the Bill of Rights be added to a future meeting's agenda so the Board could think about its decision and vote on endorsing the policy with all Board members present. He also recommended a work session in the fall to discuss the Bill of Rights in more depth.

**Item 8(b): Library Standards of User Conduct – Update and Approval**

Director Pearson provided details on several behavioral issues that occurred in the library and on library property over the winter. He requested the library use policy be updated in a way that would allow Staff to enforce better behaviors, add some clarifications to the existing policy, and prevent safety issues. He reviewed the specific updates and explained that if the Board approved, he would then ask City Council to adopt the updates at their April 15<sup>th</sup> meeting.

Kate Deeks appreciated that the updates were based on Staff's input. David Oser said he whole heartedly supported the updates.

David Oser moved to approve the updates to the Library Standards of User Conduct policy, as recommended by Director Pearson; seconded by Kimberley Chaput. The motion was unanimously approved.

**Item 8(c): Library Donor and Naming Policy – Review and Approval**

This item was removed from the agenda.

**Old Business:** There was none.

**Public Comments:** There were none.

**Items for Next Meeting's Agenda:** Review of the Unattended Child Policy

The Board and Director Pearson briefly discussed the Open Meetings Act, the Open Records Act, and communication between Board members and Staff.

**Adjournment:** There being no further business, the meeting was adjourned at 6:19 pm.

Respectfully submitted,

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Paula Pinyerd, ABC Transcription Services, Inc.

## **Parks Advisory Board Meeting Minutes March 27, 2019**

Chairperson Norma Hernandez called meeting to Order at 6:48 am.

Present- Norma Hernandez, Natalie Osburn Jessica Schleif, Carla Oya, Andrew Fick, Jim Holen, and Michele Tompkins.

Absent- Howard Rub, Eric Halverson, and Josh Saranpaa.

Staff- Tim Williams, Jonah Dart-McLean, Terra Patterson, Jacob Olson

### **Public comments**

1. There were none.

### **Approval of Minutes**

A. The February 2019 minutes were approved with the following corrections:

- What Do You Hear – Third Sentence: “Jonah Dart-McLean said people were welcome to call ***the Astoria Police Department*** and the City would address the camping issues.”
- What Do You Hear – Last Sentence: “He attended a meeting at the CCC on identifying a location where those who wanted housing could come forward to ask for help and take steps to change their situation.”

Jessica Schleif abstained from voting as she was not present at that meeting.

### **President Hernandez**

A. What do you hear- Jessica Schleif heard the Soil and Water Conservation representative was denied a request to rent the Customs House for a native plant sale. Jonah Dart-McLean explained that the Customs House had been adopted by the Lower Columbia Historic Preservation Society and the grounds and location were not conducive to a plant sale. Director Williams added that the sale would interfere with the baseball games going on at the same time. The Parks Department did not want to promote sales on City properties because sales would be difficult for Staff to manage. However, Staff would consider implementing a policy.

Jim Holen heard that people were enjoying the Column and Cathedral Tree Trail. However, the construction site and materials at the Column are unsightly. The work has been going on for about a year and he asked when the project would be complete. Director Williams said he would follow up with the Friends of the Column and report back with more information.

President Hernandez heard from a woman who was very happy about the changes at the Aquatic Center.

Michele Tompkins heard that people want the City to reconsider a non-resident fee at the Aquatic Center. People feel that raising the non-resident price would show the Aquatic Center was catering to Astoria's taxpayers. Director Williams agreed that would be a good idea.

Natalie Osburn said maintenance at the Aquatic Center was always great and the lifeguards are very vigilant.

### **Employee and Volunteer Recognition**

- A. Director Williams and Terra Patterson recognized Jacob Olson as the March employee of the month.

### **Old Business**

- A. Jim Holen gave an update on the Parks Foundation. Run on the River volunteers can now sign up online. The route is still being established, but will avoid the construction as much as possible. Dates for Parks After Dark have been chosen and the Foundation is soliciting pizza donations for the events. He listed the movies and noted who was sponsoring each movie. He reported on the Foundation's finances and said their goal was to fund swimming for 4<sup>th</sup> grade students.
- B. Director Williams updated the Board on Staff's efforts to implement the Parks and Recreation Master Plan. Staff was focused on better maintenance at the cemetery and on the ball fields. He noted that his weekly reports were just highlights as the department had many projects going on.
- C. Carla Oya provided an update on the Scandinavian Heritage Association Monument. The association raised about \$45,000 at a recent fundraiser and they have been preapproved for some large donations.
- D. Director Williams provided details about the Maritime Memorial expansion project. He gave Board members a handout and said the project would be complete by Memorial Day.
- E. Director Williams gave an update on Friends of the Column. Their lighting policy was approved by City Council and the new lighting system has been installed. A grand opening has been scheduled for April 15<sup>th</sup> and will include a 15-minute light show at about 8:30 pm. He also reported that the decommissioned radio tower was being removed. Andrew Fick noted the Column was congested when tour busses were present and it was no longer a friendly visitor experience. Director Williams explained how emergency services practiced rescues at the Column. Staff and Board members briefly discussed the parking fees. Director Williams said he would get more information about the fee policy and request that a member of the Friends provide updates to the Board.
- F. Director Williams reviewed current staffing levels and efforts to recruit temporary seasonal employees.

### **New Business**

- A. There was none.

### **Staff Reports and Upcoming Events**

The following reports were presented to the Board as part of the agenda packet:

- A. Maintenance
- B. Aquatic Center
- C. Recreation
- D. Lil Sprouts/Port of Play
- E. Communications/Marketing

Staff answered questions about the Staff Reports with the following key comments:

- The increase in Lil Sprouts revenue was due to better payment collections management.
- Adult basketball leagues are signed up for the spring season. The spring season was added to Parks programming to revitalize the league and avoid competition with other sports seasons.

### **Dream Big Ideas Exercise and Discussion**

Director Williams provided the details of Staff's Dream Big meeting and asked board members to share their big ideas.

Board members shared and discussed ideas for improving Parks facilities, events, and programming. Some of the ideas included:

- Trails improvements
- Yappy Hour
- Concerts in the Park
- Create a youth commission
- Improve brochures
- More accessible after school programming
- Collaborative agreements with community partners
- Robotic programs
- Summer hours at the Aquatic Center
- Address equity for families
- Allow camping in unused space
- Rock climbing and bouldering
- Create pickle ball courts
- Riverwalk improvements – lighting and emergency call phones
- Hire a horticulturist
- Implement the Master Plan
- Walking tour of important trees
- Educational programs at the community gardens
- More community gardens
- Artist in residency program at the Column
- More cultural and educational signage in parks

The Board and Staff briefly discussed the importance of implementing the Master Plan and ways to get more involved with high school students.

### **Future Meetings**

- April 24, 2019 at 6:45 am in City Hall, Council Chambers
- May 22, 2019 at 6:45 am in City Hall, Council Chambers

**Next meeting will be held Wednesday, April 24, 2019 at 6:45 am at City Hall in City Council Chambers.**



## CITY OF ASTORIA


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### MEMORANDUM • FINANCE DEPARTMENT

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**DATE:** April 26, 2019

**TO:** MAYOR AND CITY COUNCIL

**FROM:**  BRETT ESTES, CITY MANAGER

**SUBJECT:** LIQUOR LICENSE APPLICATION FROM BRUT WINE BAR, LLC,  
DOING BUSINESS AS BRUT WINE BAR AND LOCATED AT 240 10TH  
STREET, ASTORIA, AS A NEW OUTLET FOR A LIMITED ON-  
PREMISES AND OFF-PREMISES COMMERCIAL SALES LICENSE  
(FINANCE)

#### DISCUSSION/ANALYSIS

A liquor license application has been filed by Brut Wine Bar, LLC doing business as Brut Wine Bar. This application is for a new outlet, limited on-premises and off-premises commercial sales license.

The Limited On-Premises Sales license allows the following:

- May sell and serve malt beverages, wine, and cider for consumption on the licensed premises.
- May sell malt beverages in a container holding seven or more gallons ("keg") directly to consumers for consumption off the licensed premises. A "keg" is defined in ORS 471.478(4). If sell kegs must follow OAR 845-006-0441 (keg tag).
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons).
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity).
- Eligible to apply for a "special event" license.

The Off-Premises Sales license allows for the following:

- May sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises.
- A factory-sealed container of malt beverages may not hold more than 2 ¼ gallons.
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons)
- Eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises.
- The license comes with the privilege to make next-day delivery of malt beverages, wine, and cider directly to an Oregon resident. Note: must follow OAR 845-006-0392 and 845-006-0396.


- To make same-delivery of malt beverages, wine, and cider directly to an Oregon resident the licensee must apply and received OLCC prior approval. Note: must follow OAR 845-006-0392 and 845-006-0396.

The site is located at 240 10th Street, Astoria. The application will be considered at the May 6, 2019 meeting. A copy of the application is attached.

The appropriate Departments have reviewed the application. The Astoria Police Department has prepared the attached memorandum for Council's review. No objections to approval were noted.

### **RECOMMENDATION**

It is recommended that City Council consider this application.

By: 

Susan Brooks, Director of Finance  
and Administrative Services



OREGON LIQUOR CONTROL COMMISSION

**LIQUOR LICENSE APPLICATION**

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

| License Applied For:   | CITY AND COUNTY USE ONLY  |
|--|---|
| <input type="checkbox"/> Brewery 1 <sup>st</sup> Location                | Date application received: <u>4/12/19</u>   |
| <input type="checkbox"/> Brewery 2 <sup>nd</sup> Location                | Name of City or County: <u>City of Astoria</u>  |
| <input type="checkbox"/> Brewery 3 <sup>rd</sup> Location                | Recommends this license be:<br><input type="checkbox"/> Granted <input type="checkbox"/> Denied |
| <input type="checkbox"/> Brewery-Public House 1 <sup>st</sup> location   | By: _____   |
| <input type="checkbox"/> Brewery-Public House 2 <sup>nd</sup> location   | Date: _____   |
| <input type="checkbox"/> Brewery-Public House 3 <sup>rd</sup> location   |   |
| <input type="checkbox"/> Distillery                                      |   |
| <input type="checkbox"/> Full On-Premises, Commercial                    |   |
| <input type="checkbox"/> Full On-Premises, Caterer                       |   |
| <input type="checkbox"/> Full On-Premises, Passenger Carrier             |   |
| <input type="checkbox"/> Full On-Premises, Other Public Location         |   |
| <input type="checkbox"/> Full On-Premises, For Profit Private Club       |   |
| <input type="checkbox"/> Full On-Premises, Nonprofit Private Club        |   |
| <input type="checkbox"/> Grower Sales Privilege 1 <sup>st</sup> location |   |
| <input type="checkbox"/> Grower Sales Privilege 2 <sup>nd</sup> location |   |
| <input type="checkbox"/> Grower Sales Privilege 3 <sup>rd</sup> location |   |
| <input checked="" type="checkbox"/> Limited On-Premises                  | <b>OLCC USE ONLY</b>  |
| <input checked="" type="checkbox"/> Off-Premises                         | Date application received: <u>4-8-2019</u>  |
| <input type="checkbox"/> Off-Premises with Fuel Pumps                    | By: <u>Onwick</u>   |
| <input type="checkbox"/> Warehouse                                       | Date application accepted as initially complete: <u>4-8-19</u>                                  |
| <input type="checkbox"/> Wholesale Malt Beverage & Wine                  | By: <u>Onwick</u>   |
| <input type="checkbox"/> Winery 1 <sup>st</sup> Location                 | License Action(s): <u>U/D</u>   |
| <input type="checkbox"/> Winery 2 <sup>nd</sup> Location                 |   |
| <input type="checkbox"/> Winery 3 <sup>rd</sup> Location                 |   |

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Brut Wine Bar, LLC

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

**RECEIVED**

OREGON LIQUOR CONTROL COMMISSION

APR 08 2019

SALEM REGIONAL OFFICE

OLCC FINANCIAL SERVICES USE ONLY



OREGON LIQUOR CONTROL COMMISSION

**LIQUOR LICENSE APPLICATION**

|  |                             |   |                          |
|--|-----------------------------|---|--------------------------|
| 3. Applicant #1<br><i>Brutwine BAR, LLC</i><br><i>Lisa M Parks</i>   |                             | Applicant #2  |                          |
| Applicant #3   |                             | Applicant #4  |                          |
| 4. Trade Name of the Business (Name Customers Will See)<br><i>Brutwine BAR</i>   |                             |   |                          |
| 5. Business Address (Number and Street Address of the Location that will have the liquor license)<br><i>240 10<sup>th</sup> Street</i>     |                             |   |                          |
| City<br><i>Astoria</i>   | County<br><i>Clatsop</i>    | Zip Code<br><i>97103</i>  |                          |
| 6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO    |                             |   |                          |
| 7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |                             |   |                          |
| 8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail)<br><i>PO Box 1039</i>                          |                             |   |                          |
| City<br><i>Cannon Beach</i>  | State<br><i>Oregon</i>      | Zip Code<br><i>97110</i>  |                          |
| 9. Phone Number of the Business Location<br><i>503-717-2702</i>  |                             | Email Contact for this Application<br><i>brutwine.Astoria@gmail.com</i> |                          |
| Contact Person for this Application<br><i>Lisa M Parks</i>   |                             | Phone Number<br><i>503-717-2702</i>                                     |                          |
| Mailing Address<br><i>PO Box 1039</i>  | City<br><i>Cannon Beach</i> | State<br><i>OR</i>  | Zip Code<br><i>97110</i> |

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

**Applicant Signature(s)**

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)





## OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Brut Wine Bar, LLC Phone: 503-717-2702

Trade Name (dba): Brut Wine Bar, LLC

Business Location Address: 240 10th St.

City: Astoria ZIP Code: 97103

### DAYS AND HOURS OF OPERATION

#### Business Hours:

|           |          |    |           |
|-----------|----------|----|-----------|
| Sunday    | <u>4</u> | to | <u>10</u> |
| Monday    | <u>4</u> | to | <u>10</u> |
| Tuesday   |          | to |           |
| Wednesday | <u>4</u> | to | <u>10</u> |
| Thursday  | <u>4</u> | to | <u>10</u> |
| Friday    | <u>4</u> | to | <u>10</u> |
| Saturday  | <u>4</u> | to | <u>10</u> |

#### Outdoor Area Hours:

|           |  |    |  |
|-----------|--|----|--|
| Sunday    |  | to |  |
| Monday    |  | to |  |
| Tuesday   |  | to |  |
| Wednesday |  | to |  |
| Thursday  |  | to |  |
| Friday    |  | to |  |
| Saturday  |  | to |  |

The outdoor area is used for:

☐ Food service Hours: \_\_\_\_\_  
☐ Alcohol service Hours: \_\_\_\_\_ to \_\_\_\_\_  
☐ Enclosed, how: \_\_\_\_\_

The exterior area is adequately viewed and/or supervised by Service Permittees.

\_\_\_\_\_  
(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: possibly open longer hours in the summer months

### ENTERTAINMENT

Check all that apply:

- |  |   |
|--|---|
| <input type="checkbox"/> Live Music                | <input type="checkbox"/> Karaoke                |
| <input checked="" type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games    |
| <input type="checkbox"/> DJ Music                  | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing                   | <input type="checkbox"/> Social Gaming          |
| <input type="checkbox"/> Nude Entertainers         | <input type="checkbox"/> Pool Tables            |
|  | <input type="checkbox"/> Other: _____           |

### DAYS & HOURS OF LIVE OR DJ MUSIC

|           |  |    |  |
|-----------|--|----|--|
| Sunday    |  | to |  |
| Monday    |  | to |  |
| Tuesday   |  | to |  |
| Wednesday |  | to |  |
| Thursday  |  | to |  |
| Friday    |  | to |  |
| Saturday  |  | to |  |

### SEATING COUNT

Restaurant: 20 Outdoor: \_\_\_\_\_  
Lounge: \_\_\_\_\_ Other (explain): \_\_\_\_\_  
Banquet: \_\_\_\_\_ Total Seating: \_\_\_\_\_

#### OLCC USE ONLY

Investigator Verified Seating: (Y) ☒ (N)

Investigator Initials: JD

Date: 4-9-19

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 4/2/2019

1-800-452-OLCC (6522)

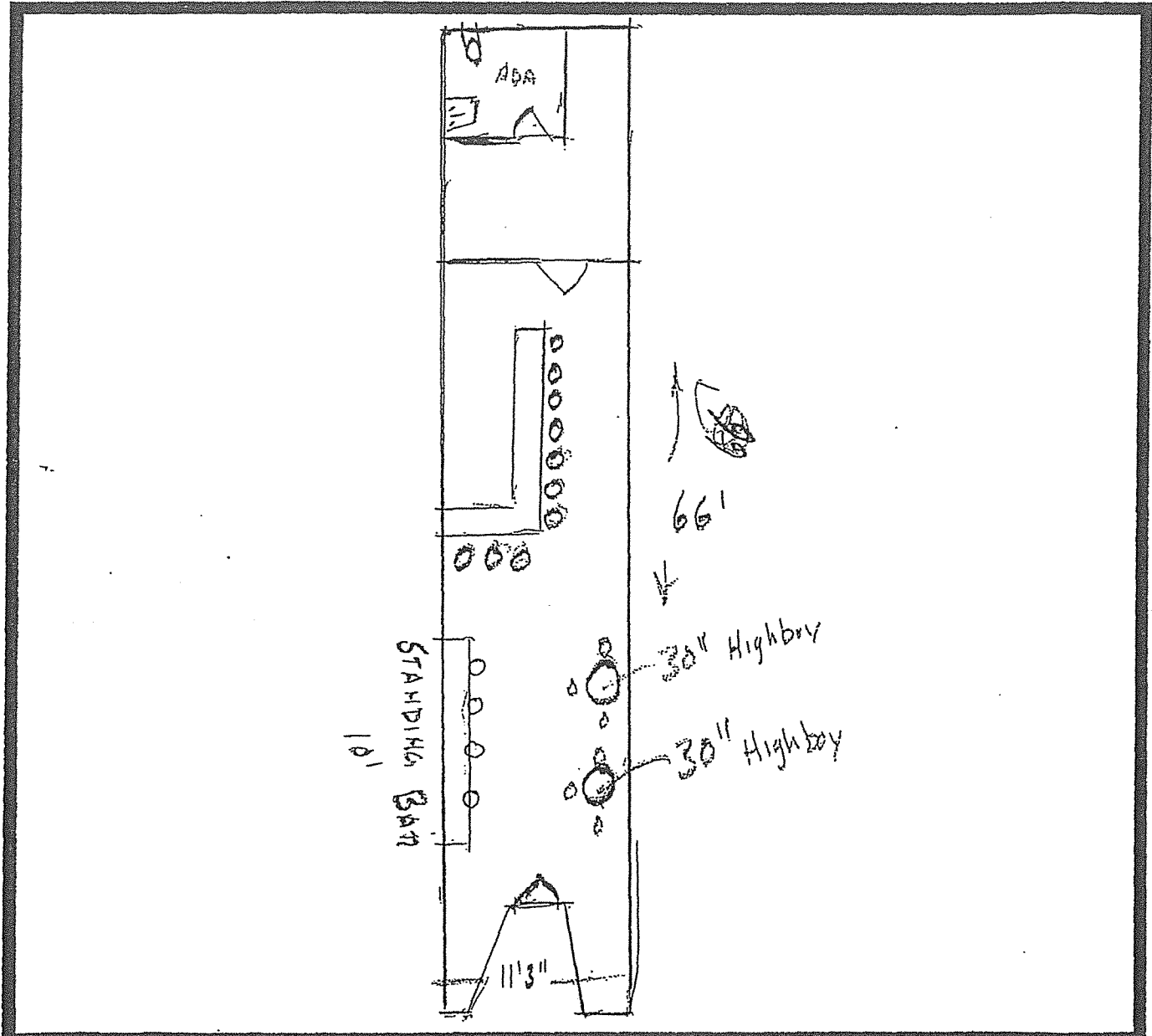
[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

(rev. 12/07)



## OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- Your floor plan must be submitted on this form.
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Applicant Name

Olson's Pub & Grill Wine Bar LLC

Trade Name (dba):

But Wine Bar, LLC

City and ZIP Code

Astoria 97103

.....OLCC USE ONLY.....  
MINOR POSTING ASSIGNMENT(S)

Date:

4.9.19

Initials:

SD

1-800-452-OLCC (6522)  
[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

(rev. 09/12)

April 15, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: New Outlet – Limited On-Premises and Off Premises Commercial License



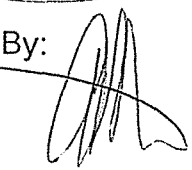
Amount and Receipt # \$150.00 – Receipt #257719

Applicant: Brut Wine Bar, LLC  
Trade Name: Brut Wine Bar

Address: 240 10<sup>th</sup> St, Astoria  
Contact #: Lisa Parks (503) 717-2702

Representatives of the departments listed below have reviewed this application with respect to the requirements of their departments.

Reviewed: (Initial below)

|                       |   |               |  |
|-----------------------|---|---------------|--|
| Public Works          | Approved<br>By:  | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |
| Community Development | Approved<br>By:  | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |
| Building Inspector    | Approved<br>By:  | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |

Return to Finance by 5:00 pm: Wednesday, April 24, 2019



## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

### MEMORANDUM • POLICE DEPARTMENT

---

**DATE:** APRIL 22, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:** BRETT ESTES, CITY MANAGER  
**SUBJECT:** LICENSE RECOMMENDATION LIMITED ON-PREMISES AND OFF PREMISES SALES LICENSE

#### DISCUSSION/ANALYSIS

On April 15<sup>th</sup>, 2019, Brut Wine Bar, LLC., operating under trade name, Brut Wine Bar, 240 10<sup>th</sup> St., Astoria applied as a new applicant for a Limited on Premises and Off Premises Sales License.

#### **Limited On Premises Sales License**

- (1) The holder of a limited on-premises sales license may sell by the drink at retail wine, malt beverages and cider.
- (2) All alcoholic beverages sold under a limited on-premises sales license must be consumed on the licensed premises.
- (3) The holder of a limited on-premises sales license may sell malt beverages in factory-sealed containers for consumption off the licensed premises. Containers sold under this subsection may not hold less than seven gallons per container.
- (4) The holder of a limited on-premises sales license may sell for consumption off the licensed premises malt beverages, wines and cider in securely covered containers provided by the consumer and having capacities of not more than two gallons each.
- (5) The holder of a limited on-premises sales license shall allow a patron to remove a partially consumed bottle of wine from the licensed premises if the wine is served in conjunction with the patron's meal, the patron is not a minor and the patron is not visibly intoxicated.
- (6) Sales of alcoholic beverages under a limited on-premises sales license must consist principally of sales by the drink for consumption on the licensed premises.

#### **Limited Off Premises Sales License**

- (1) The holder of an off-premises sales license may sell factory-sealed containers of malt beverages, wine and cider. Factory-sealed containers of malt beverages sold under the license may not hold more than two and one-quarter gallons.
- (2) The holder of an off-premises sales license may sell for consumption off the licensed premises malt beverages, wines and cider in securely covered containers supplied by the consumer and having capacities of not more than two gallons each.
- (3) The holder of an off-premises sales license may provide sample tasting of alcoholic beverages on the licensed premises if the licensee makes written application to the Oregon Liquor Control Commission and receives approval from the commission to

conduct tastings on the premises. Tastings must be limited to the alcoholic beverages that may be sold under the privileges of the license.

- (4) An off-premises sales license may not be issued for use at a premises that is mobile.
- (5) Except as provided in ORS 471.402, a manufacturer or wholesaler may not provide or pay for sample tastings of alcoholic beverages for the public on premises licensed under an off-premises sales license.
- (6) The holder of an off-premises sales license may deliver malt beverages, wine or cider that is sold under the privileges of the license to retail customers in this state without a direct shipper permit issued under ORS 471.282.

**Food service is not a requirement of this license.**

Brut Wine Bar's hours of operation are listed as 4:00 PM – 10:00 PM Sunday and Monday and Wednesday – Saturday with possible seasonal variation of additional hours. The restaurant will have a total of 20 seats.

#### APPLICANT

The applicant for the license is Brut Wine Bar LLC. Consisting of Lisa Parks as the registered agent. Representatives from the Astoria Police Department have investigated the background of the applicants named above utilizing available databases specific to restrictions for licensing. No derogatory information was located regarding the applicants.

#### NEIGHBORHOOD SURVEY

The location of this business is in a business district and therefore those surveyed were other businesses. There were no objections to the granting of the liquor license.

#### RECOMMENDATION

Given the listed information, staff has no objection to the granting of the Limited On Premises and Off Premises Sales License.



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

Eric Halverson, Deputy Chief of Police




## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

### MEMORANDUM • FINANCE DEPARTMENT

---

**DATE:** April 26, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** LIQUOR LICENSE APPLICATION FROM BAR PILOTS LIQUID CATERING, LLC, DOING BUSINESS AS BAR PILOTS LIQUID CATERING AND LOCATED AT 20 BASIN ST, SUITE F, ASTORIA, AS FULL ON-PREMISES SALES, OTHER PUBLIC LOCATION SALES LICENSE (FINANCE)

#### DISCUSSION/ANALYSIS

A liquor license application has been filed by Bar Pilots Liquid Catering, LLC, doing business as Bar Pilots Liquid Catering. This application is a Full On-Premises Sales, Other Public Location Sales License.

The Full On-Premises Sales, Other Public Location Sales license allows the following:

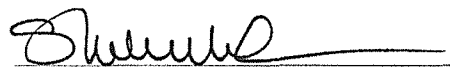
- May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises (this is the license most "event facilities" obtain).
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons).
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity).
- Eligible to apply for a "special event" license

The site is located at 20 Basin Street, Suite F, Astoria. The application will be considered at the May 6, 2019 meeting. A copy of the application is attached.

The appropriate Departments have reviewed the application. The Astoria Police Department has prepared the attached memorandum for Council's review. No objections to approval were noted.

#### RECOMMENDATION

It is recommended that City Council consider this application.

By: 

Susan Brooks, Director of Finance  
and Administrative Services



OREGON LIQUOR CONTROL COMMISSION

## LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

| License Applied For:  | CITY AND COUNTY USE ONLY   |
|---|--|
| <input type="checkbox"/> Brewery 1 <sup>st</sup> Location                   | Date application received: <b>4-15-19</b>                        |
| <input type="checkbox"/> Brewery 2 <sup>nd</sup> Location                   | Name of City or County: <b>City of Astoria</b>                   |
| <input type="checkbox"/> Brewery 3 <sup>rd</sup> Location                   | Recommends this license be:                                      |
| <input type="checkbox"/> Brewery-Public House 1 <sup>st</sup> location      | <input type="checkbox"/> Granted <input type="checkbox"/> Denied |
| <input type="checkbox"/> Brewery-Public House 2 <sup>nd</sup> location      | By: _____  |
| <input type="checkbox"/> Brewery-Public House 3 <sup>rd</sup> location      | Date: _____  |
| <input type="checkbox"/> Distillery   |  |
| <input type="checkbox"/> Full On-Premises, Commercial                       |  |
| <input type="checkbox"/> Full On-Premises, Caterer                          |  |
| <input type="checkbox"/> Full On-Premises, Passenger Carrier                |  |
| <input checked="" type="checkbox"/> Full On-Premises, Other Public Location |  |
| <input type="checkbox"/> Full On-Premises, For Profit Private Club          |  |
| <input type="checkbox"/> Full On-Premises, Nonprofit Private Club           |  |
| <input type="checkbox"/> Grower Sales Privilege 1 <sup>st</sup> location    |  |
| <input type="checkbox"/> Grower Sales Privilege 2 <sup>nd</sup> location    |  |
| <input type="checkbox"/> Grower Sales Privilege 3 <sup>rd</sup> location    |  |
| <input type="checkbox"/> Limited On-Premises                                |  |
| <input type="checkbox"/> Off-Premises                                       |  |
| <input type="checkbox"/> Off-Premises with Fuel Pumps                       |  |
| <input type="checkbox"/> Warehouse  |  |
| <input type="checkbox"/> Wholesale Malt Beverage & Wine                     |  |
| <input type="checkbox"/> Winery 1 <sup>st</sup> Location                    |  |
| <input type="checkbox"/> Winery 2 <sup>nd</sup> Location                    |  |
| <input type="checkbox"/> Winery 3 <sup>rd</sup> Location                    |  |

| OLCC USE ONLY   |
|---|
| Date application received: <b>3-11-2019</b>                     |
| By: <b>J. Onwick</b>  |
| Date application accepted as initially complete: <b>3-11-19</b> |
| By: <b>J. Onwick</b>  |
| License Action(s): <b>N/O</b>                                   |

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Bar Pilots Liquid Catering, LLC

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

| OLCC USE ONLY  | OLCC FINANCIAL SERVICES USE ONLY |
|--|----------------------------------|
| <p><b>RECEIVED</b></p> <p>OREGON LIQUOR CONTROL COMMISSION</p> <p><b>MAR 21 2019</b></p> <p><b>SALEM REGIONAL OFFICE</b></p> |                                  |



OREGON LIQUOR CONTROL COMMISSION

**LIQUOR LICENSE APPLICATION**

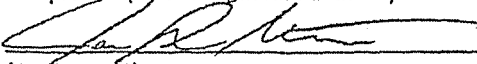
|  |                   |  |                   |
|--|-------------------|--|-------------------|
| 3. Applicant #1<br>Bar Pilots Liquid Catering, LLC   |                   | Applicant #2   |                   |
| Applicant #3   |                   | Applicant #4   |                   |
| 4. Trade Name of the Business (Name Customers Will See)<br>Bar Pilots Liquid Catering  |                   |  |                   |
| 5. Business Address (Number and Street Address of the Location that will have the liquor license)<br>20 Basin Street, Suite F              |                   |  |                   |
| City<br>Astoria  | County<br>Clatsop | Zip Code<br>97103  |                   |
| 6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO    |                   |  |                   |
| 7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |                   |  |                   |
| 8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail)<br>872 15th Street                             |                   |  |                   |
| City<br>Astoria  | State<br>OR       | Zip Code<br>97103  |                   |
| 9. Phone Number of the Business Location<br>(503) 440-7181   |                   | Email Contact for this Application<br>barpilots.liquidcatering@gmail.com |                   |
| Contact Person for this Application<br>Jason R. Smith  |                   | Phone Number<br>(503) 440-7181   |                   |
| Mailing Address<br>872 15th Street   | City<br>Astoria   | State<br>OR  | Zip Code<br>97103 |

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

**Applicant Signature(s)**

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

  
(Applicant #1)

\_\_\_\_\_  
(Applicant #2)

\_\_\_\_\_  
(Applicant #3)

\_\_\_\_\_  
(Applicant #4)





## OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Bar Pilots Liquid Catering, LLC Phone: 503-440-7181

Trade Name (dba): Bar Pilots Liquid Catering

Business Location Address: 20 Basin Street, Suite F

City: Astoria ZIP Code: 97103

### DAYS AND HOURS OF OPERATION

Business Hours: Variable

|           |     |    |      |
|-----------|-----|----|------|
| Sunday    | 8am | to | 10am |
| Monday    | 8am | to | 11am |
| Tuesday   | 8am | to | 11am |
| Wednesday | 8am | to | 11am |
| Thursday  | 8am | to | 11am |
| Friday    | 8am | to | 12am |
| Saturday  | 8am | to | 12am |

Outdoor Area Hours: N/A

|           |       |    |       |
|-----------|-------|----|-------|
| Sunday    | _____ | to | _____ |
| Monday    | _____ | to | _____ |
| Tuesday   | _____ | to | _____ |
| Wednesday | _____ | to | _____ |
| Thursday  | _____ | to | _____ |
| Friday    | _____ | to | _____ |
| Saturday  | _____ | to | _____ |

The outdoor area is used for:

☐ Food service Hours: \_\_\_\_\_ to \_\_\_\_\_  
☐ Alcohol service Hours: \_\_\_\_\_ to \_\_\_\_\_  
☐ Enclosed, how \_\_\_\_\_

The exterior area is adequately viewed and/or supervised by Service Permittees.

\_\_\_\_\_  
(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: Special Event Venue (Conferences, Weddings, Etc.) The hours of operation are typically

weekdays for conferences from 8am to 10am. Weddings are most common and typically occur on weekends with variable start and closing times. Winter season is typically slower with less events.

### ENTERTAINMENT

Check all that apply:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke                |
| <input type="checkbox"/> Recorded Music        | <input type="checkbox"/> Coin-operated Games    |
| <input checked="" type="checkbox"/> DJ Music   | <input type="checkbox"/> Video Lottery Machines |
| <input checked="" type="checkbox"/> Dancing    | <input type="checkbox"/> Social Gaming          |
| <input type="checkbox"/> Nude Entertainers     | <input type="checkbox"/> Pool Tables            |
|  | <input type="checkbox"/> Other: _____           |

### DAYS & HOURS OF LIVE OR DJ MUSIC

|           |       |    |       |
|-----------|-------|----|-------|
| Sunday    | 12am  | to | 8pm   |
| Monday    | _____ | to | _____ |
| Tuesday   | _____ | to | _____ |
| Wednesday | _____ | to | _____ |
| Thursday  | _____ | to | _____ |
| Friday    | 5pm   | to | 12am  |
| Saturday  | 5pm   | to | 12am  |

### SEATING COUNT

Restaurant: \_\_\_\_\_ Outdoor: 0  
Lounge: \_\_\_\_\_ Other (explain): Wedding/Conference Venue  
Banquet: \_\_\_\_\_ Total Seating: 200

#### OLCC USE ONLY

Investigator Verified Seating:    (Y)    (N)

Investigator Initials: \_\_\_\_\_

Date: \_\_\_\_\_

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 3/11/2019

1-800-452-OLCC (6522)  
www.oregon.gov/olcc

(rev. 12/07)

OREGON LIQUOR CONTROL COMMISSION  
LIMITED LIABILITY COMPANY QUESTIONNAIRE



SS: 1477148-93

Please Print or Type

LLC Name: BAR PILOTS LIQUID CATERING, LLC Year Filed: 2018

Trade Name (dba): BAR PILOTS LIQUID CATERING

Business Location Address: 20 Basin Street, Suite F

City: Astoria ZIP Code: 97103

List Members of LLC:

Percentage of Membership Interest:

|   |            |
|---|------------|
| 1. <u>Jason Randolph Smith</u><br>(managing member) | <u>100</u> |
| 2. _____<br>(members)                               | _____      |
| 3. _____  | _____      |
| 4. _____  | _____      |
| 5. _____  | _____      |
| 6. _____  | _____      |

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Jason Randolph Smith DOB: 01/31/1985

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: [Signature] Owner Date: 2-14-2019  
(name) (title)

1-800-452-OLCC (6522)  
www.olcc.state.or.us

(rev. 8/11)

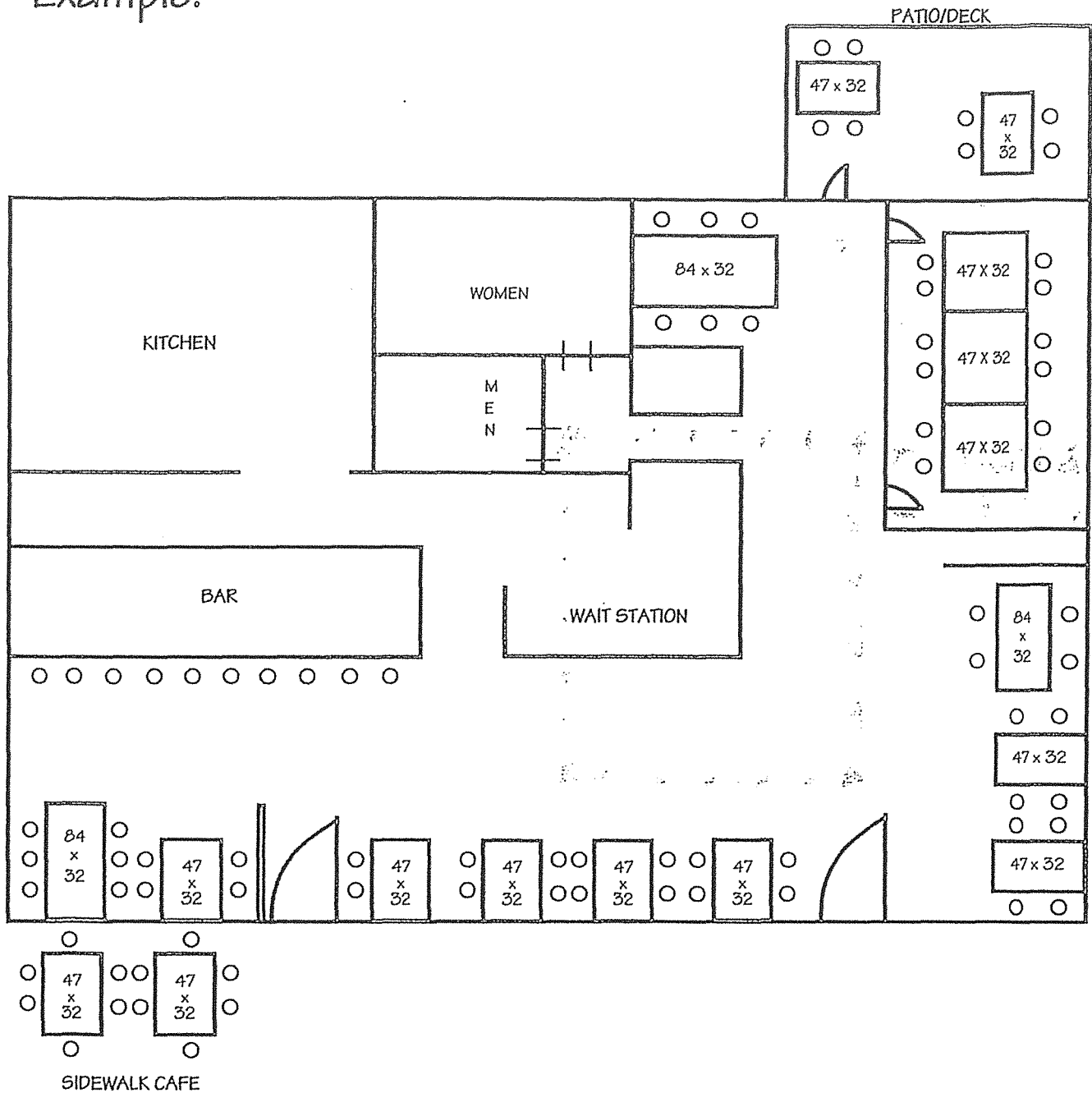


- 
- The floor plan is divided into several sections:
- Kitchen:** Located in the top left corner.
  - Elevator:** Located in the top center, adjacent to the Kitchen.
  - Mechanical Room:** Located below the Elevator.
  - Office:** A large rectangular area in the center-left, shaded with diagonal lines.
  - Bar:** A small rectangular area at the bottom left, adjacent to the Office.
  - Stairs:** Located in the top right corner.
  - Women:** A rectangular area below the Stairs.
  - Men:** A rectangular area below the Women's room.
  - Office + Storage:** A rectangular area at the bottom right, below the Men's room.
- Below the main floor plan, there are two circular seating arrangements, each consisting of 12 round tables, each labeled "6ft".
- A small rectangular area is labeled "8ft x 3ft" and "8ft x 3ft".
- A large rectangular area at the bottom is labeled "Multi Use Area: Ceremony location, Dance Floor, Etc."

Floorplan varies depending on the event type. The example provided on the drawing is a typical floorplan for a wedding. Conferences, banquets, and other events may have slightly different floor plans with variable numbers of tables and chairs based on the guest count.

(rev. 09/12)

Example:



**Note:** Applicants for Full On-Premises Sales licenses are required to:

- Put the dimensions on every table (ie. 2' x 4' or 31" x 38"), or list table sizes outside of diagram
- Indicate where seats are located

April 15, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: Full On-Premises Sales, Other Public Location

Amount and Receipt # \$150.00 – Receipt #257888

Applicant: Bar Pilots Liquid Catering, LLC




Trade Name: Bar Pilots Liquid Catering

Address: 20 Basin St., Suite F, Astoria

Contact #: Jason Smith, 503-440-7181

Representatives of the departments listed below have reviewed this application with respect to the requirements of their departments.

Reviewed: (Initial below)

|                       |   |               |  |
|-----------------------|---|---------------|--|
| Public Works          | Approved<br>By:              | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |
| Community Development | Approved<br>By: <br>AZA ZONE | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |
| Building Inspector    | Approved<br>By:              | Denied<br>By: | Conditional Approval<br>By:<br>Comments: |

Return to Finance by 5:00 pm: April 24, 2019



## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

### MEMORANDUM • POLICE DEPARTMENT

---

**DATE:** APRIL 22, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:** BRETT ESTES, CITY MANAGER  
**SUBJECT:** LICENSE RECOMMENDATION FULL ON PREMISES SALES, OTHER  
PUBLIC LOCATION LIQUOR LICENSE

#### DISCUSSION/ANALYSIS

On April 15<sup>th</sup>, 2019, Bar Pilots Liquid Catering, LLC., operating under trade name, Bar Pilots Liquid Catering, 20 Basin St., Suite F, Astoria applied as a new applicant for a Full on Premises Sales, Other Public Location Liquor License.

The license privileges and requirements include:

- May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity)
- Eligible to apply for a "special event" license: TUAL

#### **Optional privileges**

- **Kegs:** Allows the sale of malt beverages in containers holding 7 or more gallons (kegs) for off-site consumption (Limited On-Premises Sales license required)
- **To-Go Sales:** Allows the sale of malt beverages in containers holding not more than 2¼ gallons, wine, and cider for off-site consumption. (Off-Premises Sales license required)
- **Special Events:** Allows the use of your annual license at a special event at a location other than your business location. (Temporary Use of an Annual License required)
- **Catering:** Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. (Catering Pre-Approval Request form required)
- **Receive Direct Shipments of Wine/Cider:** Allows receipt of wine or cider directly from Wine Self-Distribution Permittees (Application for Endorsement to Receive Wine/Cider Shipment)

## Food service is a requirement of this license

- At all times and in all areas where alcohol service is available, the licensee must make available to patrons at least five different substantial food items.
- "Substantial food item" means food items prepared or cooked on the licensed premises and that are typically served as a main course or entrée. Some examples are: fish; steak; chicken; pasta; pizza; sandwiches; dinner salads; hot dogs; soup; and sausages. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips, and crackers do not qualify as substantial food items.
- "Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. Different sizes of the same item are not considered different.
- Must have a food preparation area and equipment on the licensed premises adequate to meet the food service requirements.

Bar Pilots Liquid Catering hours of operations are Sunday 8:00 AM – 10:00 PM, Monday – Thursday 8:00 AM – 11:00 PM and Friday and Saturday from 8:00 AM-12:00 AM. Staff has spoken with the applicant regarding the hours of operation and learned that this business intends to operate as a Wedding and Conference Venue with the dates and times of operation dependent upon scheduled events. The reason the hours of operation are listed as such, is to ensure the business can operate at any time during the listed hours; however the business does not intend to operate under these hours as a daily business. The seating count for this business is 200 total seats.

## APPLICANT

The applicant for the license is Bar Pilots Liquid Catering LLC. Consisting of Jason Smith as the registered agent. Representatives from the Astoria Police Department have investigated the background of the applicant named above utilizing available databases specific to restrictions for licensing. No derogatory information was located regarding the applicant.

## NEIGHBORHOOD SURVEY

There were no objections to the granting of the liquor license.

## RECOMMENDATION

Given the listed information, staff has no objection to the granting of the Oregon, Full on Premises Sales, Other Public Location License.



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

Eric Halverson, Deputy Chief of Police



## CITY OF ASTORIA

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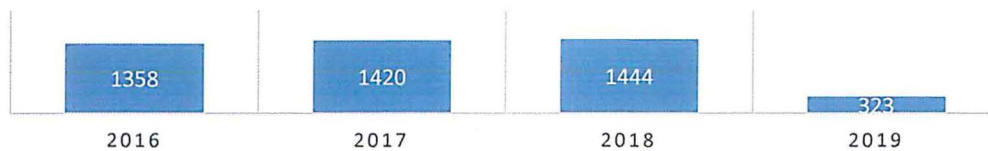
### MEMORANDUM • FIRE DEPARTMENT

**DATE:** April 23, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:** BRETT ESTES, CITY MANAGER  
**SUBJECT:** ASTORIA FIRE DEPARTMENT REPORT – January 1 – March 31, 2019

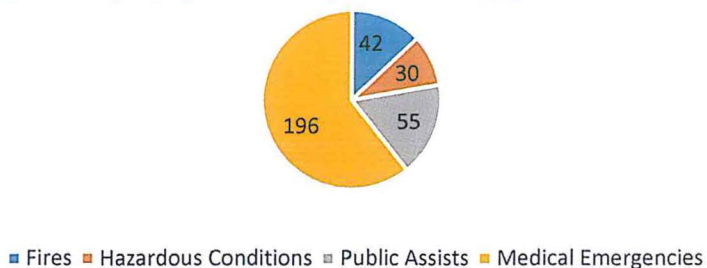
#### RESPONSE STATISTICS

This report reflects data over the first quarter of this year to illustrate a more comprehensive view of the fire department's trends and performance. In the last three years, emergency call volume has continued to increase each year. From 2016 to 2017 call volume increased by 4.6%; and from 2017 to 2018 call volume increased by 1.7%. In 2019, we have responded to 323 emergencies and are on track to see a small decrease in call volume. However, we are anticipating higher call volumes over the summer.

#### CALL VOLUME



#### Astoria Fire Department Calls For Service



The majority of Astoria Fire Department responses, 61% were for emergency medical calls. The City of Astoria utilizes a very common deployment model used across the nation, known as a Tiered EMS Response System. In this model, the fastest response is provided by the agency with Basic Emergency Medical Technicians capability, followed by Advanced Emergency Medical Technicians (Medix

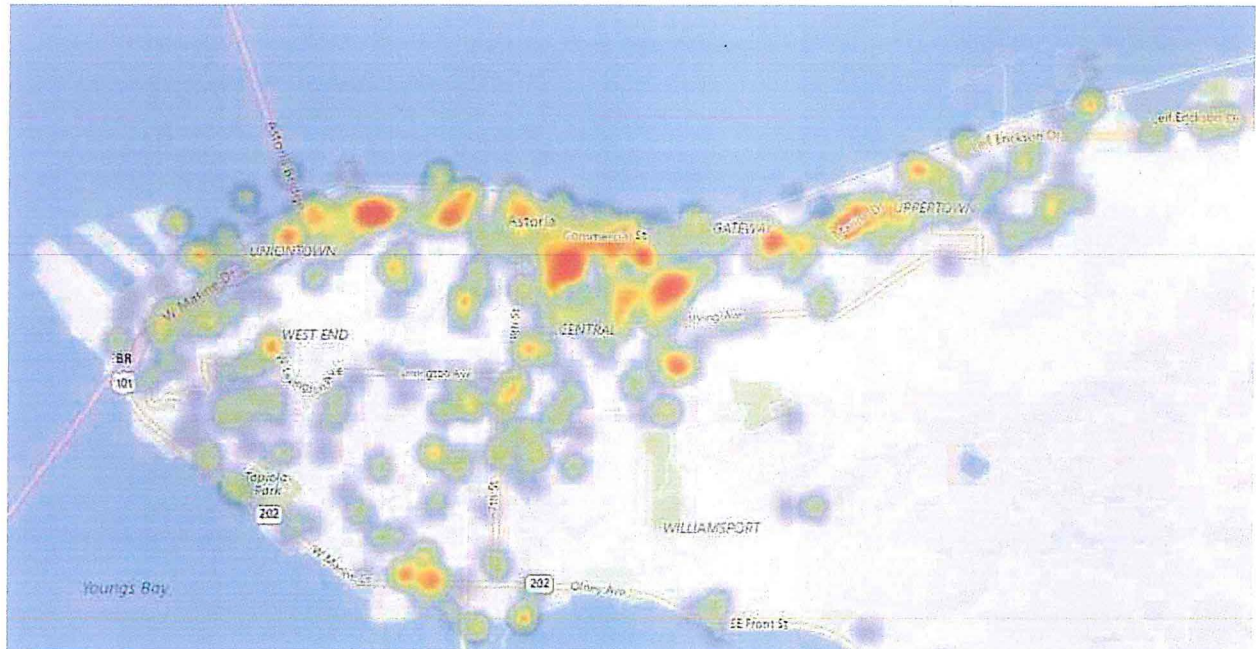
Paramedics). This effective system allows for a quick response from the Astoria Firefighters to provide the



basic medical assessment, evaluation, and initial treatment, thereby stabilizing the patient's condition before paramedics arrive, who can then focus on providing advanced medical procedures.

The department recently changed how we document the incidents that we are responding to. The new reporting system is called Elite and it is developed by a company called ImageTrend. This reporting system is provided by the State of Oregon at no cost to us. This is a great system and we are updating it right now to help capture additional data and statistics that will be helpful in the future.

This map is a heat signature map which shows the locations of the incidents that the Astoria Fire Department responded to for all of 2018. The red areas indicate the busiest locations.



## TRAINING AND OPERATIONS

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Over the last quarter, 1,116.25 staff hours were committed to maintaining and acquiring new skills to serve our community through rigorous training.

7 members have completed the Department of Public Standards and Training Maritime Operator task book for the Awareness, Deck Hand, and Operator levels. 13 Members attended Ryan Pennington's Hoarder Homes class on 3/24/2019. Tom, Gage, and Royce are currently enrolled in the Advanced Emergency Medical Technician class, and should be completing in the next quarter.

## VOLUNTEER PROGRAM

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The volunteer program this last quarter has seen some success, but also continues to experience loss of some members. Below, shows the status of our volunteer members and their capability in serving with the Astoria Fire Department. Mike Antoon and Taryn Brewer started the Clatsop County Firefighter Association Recruit Academy in February and completed it on 4/17/2019.

|                     | Start Date | Probation | Basic Entry | FF I Certified | Emergency Med Tech | Driver/Operator | Comments           |
|---------------------|------------|-----------|-------------|----------------|--------------------|-----------------|--------------------|
| Karns, Alex         | 3/8/2017   |           |             |                | Paramedic          |                 |                    |
| Christainsen, Stacy | 11/15/2017 |           |             |                |                    |                 | Resigned 1/31/2019 |
| Pollack, Jason      | 2/10/2018  |           |             |                |                    |                 |                    |
| Newton, William     | 4/1/2015   |           |             |                |                    |                 | On leave           |
| O'Bryant, Ashley    | 10/21/2015 |           |             |                |                    |                 | On leave           |
| Sissac, Marty       | 11/11/2017 |           |             |                |                    |                 |                    |
| Welshans, Ty        | 1/31/2018  |           |             |                |                    |                 | Resigned 4/5/2019  |
| Antoon, Mike        | 2/1/2019   |           |             |                |                    |                 |                    |
| Brewer, Taryn       | 2/1/2019   |           |             |                |                    |                 |                    |

#### OTHER NOTABLE EVENTS

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- I arrived and assumed my duties as Fire Chief. I would like to thank everyone for their support and a special "Thanks" to Interim Fire Chief Richard Curtis for his hard work and assisting me with a smooth transition.
- Firefighter Carlos Gomez was married in front of family and friends on March 30<sup>th</sup> at the Clatsop County Exhibit Hall. We wish Carlos and Jennifer a lifetime of happiness together.
- Intern Firefighter Nathan Holgren left the Astoria Fire Department to accept a full time career position with the City of Kennewick Washington. Congratulation Nathan!

Respectfully submitted,

**DANIEL C. CRUTCHFIELD, FIRE CHIEF**



## CITY OF ASTORIA

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### MEMORANDUM • PARKS AND RECREATION

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**DATE:** May 1, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:** BRETT ESTES, CITY MANAGER  
**SUBJECT:** PARKS AND RECREATION DEPARTMENT QUARTERLY UPDATE

#### ADMINISTRATION

- Completed a seven city cost comparison study to be used in developing a comprehensive cost recovery program to launch in 2019/2020 fiscal year.
- Developing and streamlining operation methods throughout the Department to assist staff to focus on core responsibilities
- Performed a "Dream Big" exercise with Full Time Staff throughout the Department on ideas on making the Parks and Recreation better. This exercise brings out the innovative ideas of possible new programming/projects and better ways to do the job.
- Implemented a Job Shadow and Team Building groups to cross train and work as team members across all divisions in the Parks and Recreation Department. Reports are beginning to come back for review and to share with other team members.
- Worked closely with division managers to design new menu designs for all RecTrac users. Designs balance goal of customer service and additional financial controls as well as ease of use. Menus are 80% built in the back end of the database. Timeframe for launch is prior to the summer rush.
- Converted codes within the RecTrac database to increase ability to pull multiple reports that increase our insight into programming – from demographics to finances to participation levels. Prior to the conversion information had to be exported to a spreadsheet and sorted manually. The next step will be to program dashboards for management to view their programming in a graphical manner that will give a snapshot of relevant numbers at a glance.
- Partnering with Finance department to audit our Facility Deposit liability account and create procedures that will increase oversight and ease workload at fiscal year-end.
- Working with Astoria Parks and Recreation Community Foundation Scholarship Sub-Committee to continue monitoring current scholarship processing for the next two quarters. There is a forward looking strategy to shift towards a more traditional format where the scholarship amounts for the year or quarter would be awarded upfront with funds to be managed by Parks and Rec, rather than billing after use has occurred. The desired impact

for both the Department and the Foundation is to be able to confidently project future budgets.

- Currently developing structure in RecTrac to increase the efficiency of our billing process for all childcare services. The end goal is to significantly reduce management labor costs as well as creating tools that make the billing agreement timeframes (i.e when late fees are assigned, when the balance due for the following month will be assigned to the account) easy to enforce or automated.

## **RECREATION**

### **Little Sprouts:**

- In April, thanks to efforts by the Lil' Sprouts team, Mayor Bruce Jones nominated the 8<sup>th</sup>-12<sup>th</sup> as the Week of the Young Child, where preschool age children and their support teams were celebrated

### **Port of Play:**

- Upgrades have been made to the Port of Play area including new features like a track, new scooters, and a new and improved stage area

### **After School Program:**

- Averaged 32 children per day
- Hosted an "Into the Jungle" Spring Break Camp and saw approximately 15 children per day for full day care; took field trips to Shively Park, Tapiola Park, Port of Play, and the Pool
- We continue to improve upon our parent handbook and implementation of the payment policy
- Staff attended both the Oregon After School Conference in addition to Youth Mental Health First Aid trainings

### **Sports:**

- Basketball: 29 teams participated
- Jiu-Jitsu: 2 sessions – 18 total participants

### **Fitness:**

- Classes to note include both Zumba and Zumba Gold, which have consistent participation of approximately 10 students each; we will be adding both an additional Zumba and Zumba Gold to capitalize on this trend
- The 9am Cycling class was brought back thanks to our instructor, Dee, and sees consistent 75% and higher participation, averaging 8 students per class
- Overall, we have seen an increase in both consistency of existing members and increase in participation from first time visitors

## **AQUATICS**

- Hosted a community free swim with over 280 participants. This event was cosponsored by the Parks Foundation and the Coast Guard's Petty Officers Association.
- Hosted 3 high school swim meets. Two of these meets were dual meets- hosting one other school and utilizing the lap lanes. The last meet was the district swim meet with 8 schools represented and over 300 patrons attending.



- Working on pool operations to better serve the public. One area of improvements have been with the increase in swimming lesson classes, Coast Guard trainings operations and other agencies the use the pool.
- Issued 35 aquatic center family passes through the Parks Foundation for federal government furloughed employees.
- Hired, trained, and certified 8 new lifeguards, increasing staff resiliency and capacity
- Increased swim lesson classes offered by 33%, serving 205 participants.
- 41% of swim classes were waitlisted
- 61% of swim classes were at capacity and an additional 24% of classes were within one participant registered from maximum capacity
- Trained 10 new swim instructors, doubling staff available to teach private and group lessons
- Completed school organized group swim lessons for 39 4<sup>th</sup> grade students from Hilde Lahti Elementary School.


## **MARKETING/COMMUNICATIONS**

- Facebook followers have grown steadily in all accounts. The ARC has seen noticeable increases within the past 3 months of 16%. Overall, the APRD page has increased by 78 likes.
- 11% increase in Instagram followers, from 1,105 -1,227.
- Over 71,000 hits on Parks' webpage January-April, average of over 22,000 hits per month
- 21 Daily Astorian articles published about Astoria Parks and Recreation
- Commit to Fit led between December and January brought 26 new monthly members, along with 41 city/staff passes
- Creating marketing plan for 2019/2020

## **PARK MAINTENANCE**

- Hired new Novice Grounds Coordinator, Matt Moritz, in January
- Three seasonal employees re-hired from last year's crew: Chad Gallup, Kyle Birge, and Ted Ames. A fourth returning employee, Matthew Burgher, will start on May 13<sup>th</sup>.
- Renovated softball fields in advance of Recreation leagues commencement
- Raised the tree canopies at Pioneer Cemetery for more efficient and safe mowing under trees.
- Sheathed Astoria Aquatic Center shower walls with plastic to inhibit mold growth
- Filled in pot holes with gravel in and around the Astoria Recreation Center
- Awarded contract to Pool and Spa House to replace Rec filter and add UV system, work will begin May 6<sup>th</sup>
- Maritime Memorial expansion project is underway and on schedule to be complete by Memorial Day
- Coordinating with service groups for projects to completed in Parks: Upward Bound, United Way, Clatsop County Master Gardeners Association, Lewis and Clark Elementary, SOLVE

- Released solicitations for FY19-20 Parks janitorial and landscaping services, bids for both are due May 30
- Assisted with Valentine's Day Ball set up
- Assisted Astoria Scandinavian Heritage Association's work toward finalizing 100% engineered and bid-ready plans for project
- Coordinating with Run on the River to prepare that event on May 19<sup>th</sup>
- Renovating Port of Play to add new amenities and remove aging equipment

By:   
\_\_\_\_\_  
Tim Williams  
Director of Parks and Recreation



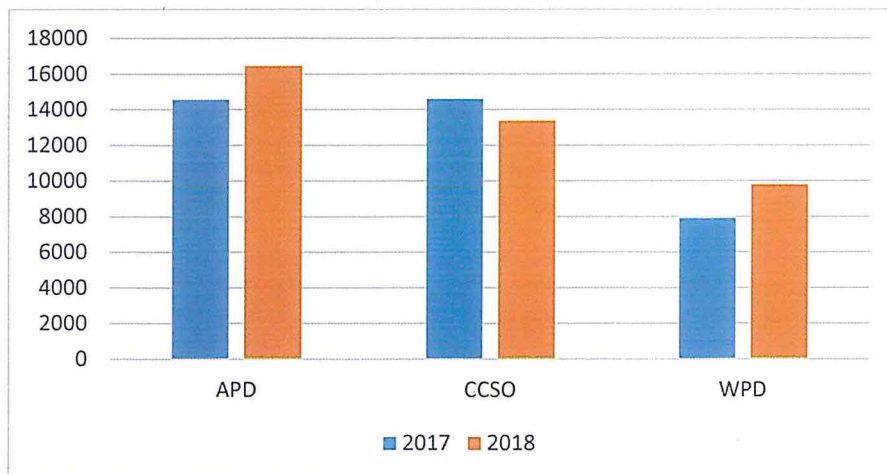
## CITY OF ASTORIA

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### MEMORANDUM • POLICE DEPARTMENT

**DATE:** APRIL 22, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:** GEOFF SPALDING, CHIEF OF POLICE  
**SUBJECT:** ASTORIA POLICE DEPARTMENT – STATUS REPORT

The year ending December 31<sup>st</sup>, 2018 was a busy year for the Astoria Police Department. During 2018, we handled 16,433 calls for service (includes citizen-based calls and officer-initiated calls). By comparison, in 2017, we handled 14,554 calls for service. That's a significant jump of 13%. The increase is partially explained by an improved staffing situation and the associated increase in self-initiated activity. By comparison, our closest law enforcement partner, Warrenton PD saw a 24% increase (attributed to two new officers, Walmart, homeless issues, etc.) and the Sheriff's Office saw an 8% decrease.



Astoria remains a very safe community. The vast majority of crimes we see are low-level offenses such as thefts from vehicles, alcohol offenses, traffic complaints, trespass and disorderly conduct. We are very fortunate to have a very small amount of violent crime.

Officer, Alex Whitney successfully completed the Field Training Program, after academy graduation and is now out on his own. Officer Sergio Carrera graduated from the police academy on April 12, 2019 (pictured) and is now in the Field Training Program and should be on his own this summer.





I recently filled the vacant detective position. This brings us back to two detectives which took a significant load off of Detective Kenny Hansen. The Detectives are responsible for handling serious crimes against persons, felony crimes, sexual assaults, crimes against children and are assigned to the County Multi-Agency Major Crime Team and the Multidisciplinary Child Abuse Team.

Homeless-related calls for service have increased sharply in the first part of 2019 compared to 2018. These calls account for a significant portion of the increased call volume we are experiencing. At the current rate, we are projecting over a 300% increase in these calls for service for 2019. The Mayor's Homelessness Solutions Task Force has been working on a variety of programs aimed to address some of the challenges we're facing as a community. The Task Force will be preparing a slate of recommendations to present to Council at an upcoming meeting in the not-too-distant future. These recommendations will include programs such as the Clean Slate program, Homeward Bound, FUSE project and SquareOne Villages to name a few. The Police Department has experienced significant challenges dealing with inappropriate behavior from individuals in the community, many of which are part of the homeless population. We will be sharing our statistics and proposals at an upcoming Council Work Session.

Our Property Watch program continues to be a great success. Currently, there are 79 businesses signed up for this program. When an unauthorized individual enters the property of a business that is on our Property Watch program, officers can trespass the individual without contacting the owner since they have given us the preauthorization. Not only is this a benefit for the business owner but it also saves officer's time trying to track down the correct business owner and in some cases being unable to reach them at all. We are currently looking to expand this program to City buildings as well, such as the Library.

The Astoria 9-1-1 dispatch center's staffing level had been seven and a half full time equivalent positions for 24-hour coverage. One of the two dispatchers in training was recently released to solo status and is doing well. The other one is nearing completion of the training and is also doing well. We are currently processing three applicants for open positions. We are encouraged by the strong list of applicants and hope to move two or three forward in the background process. Operations Supervisor, Candace Pozdolski is doing very well in her role and is still filling shifts to cover shortages which has helped out immensely to minimize some of the overtime.

Astoria 9-1-1 is also responsible for the infrastructure to keep the backbone of the countywide radio system operational. Emergency Communications Manager, Jeff Rusiecki manages that component of the system at multiple sites throughout the county. Currently, all radios have been migrated to the new Reservoir site and are currently operational (Public Works, Astoria & Warrenton Police, Fire Black, USCG, CMH HEAR radio, NW Natural Gas, Astoria School District). During May of 2019 final cleanup of Column site to include Public Works removing the generator and propane tank will occur. Additionally, in May, the upper section of Cathedral Trail will be closed for the Coxcomb site demolition.

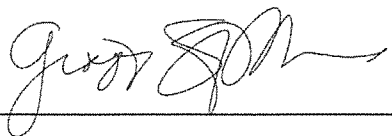
Members of the police department have continued working on emergency management planning to include participation in a county coordinated grant application for the State Preparedness and Incident Response Equipment grant. We were also approached by the Bar Pilots to work with them on Deep Draft Vessel Contingency Planning, for planning and hazard mitigation should a deep draft vessel become disabled. Sergeant Randall has also provided several Astoria businesses with a program on active shooters/employee safety.



Training is one of our highest priorities for our employees. There are certain minimum training requirements from the State, especially in the area of perishable skills such as use of force training. Simply meeting these requirements consumes much of our quarterly training time. During this last quarter, we trained on search warrant/search and seizure, handcuffing, harassment & discrimination, bloodborne pathogens and Taser refresher.

I conducted two full-day, offsite command staff sessions in 2018. Command staff spent the day offsite to brainstorm ideas such as employee development, systems efficiency and improvement, strategic planning and visioning.

Over the next quarter we will be setting a date for our next Citizen's Academy and looking into programs to include the possibility of a cadet/intern type program.

By:   
Geoff Spalding, Chief of Police



## CITY OF ASTORIA

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### MEMORANDUM • CITY MANAGER

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**DATE:** APRIL 30, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** COMMUNITY DEVELOPMENT DEPARTMENT STATUS REPORT

#### DISCUSSION/ANALYSIS

Permit activity for the Community Development Department continues to be high in addition to the three sets of code amendments going through the Planning Commission over the past few months. Mike Morgan and Rosemary Johnson continue to assist in Community Development staff in processing applications and assisting in long range projects. Robin Scholetzky is assisting with cases going through land use commissions. Heidi Dlubac is assisting with code enforcement and implementation of the Homestay Lodging Permit approved by Council in December 2018. There has been progress on the following long-range projects:

**Uniontown Reborn:** Following Council adoption of a goal to address visual impacts on the western gateway to the City (round-a-bout to the Doughboy monument), the City pursued grant funding to develop possible streetscape improvement designs and needed zoning changes. "Uniontown Reborn, Creating a Great Pacific Northwest Gateway to Astoria" is a Transportation and Growth Management ("TGM") Program grant from ODOT and the Oregon Department of Land Conservation and Development.

The study is being conducted by engineering and planning firm CH2M, recently acquired by Jacobs Engineering Group. Work began in May and will continue through summer 2019. It will provide a design concept for West Marine Drive which will include improved traffic safety for bikes and pedestrians and Sunset Empire Transit District service. Subsequent to the grant agreement City Council approved a grant modification which provides more State of Oregon Funds (with City in kind match) to analyze the possibility of a road diet along Marine Drive through the study area.

Additionally, the study will look at land use and zoning in the area to determine if changes to permitted uses should be considered. Other possible updates to the Development Code could also include design review standards and upgrades to onsite landscaping requirements. Staff and the consultants work directly with the appointed Stakeholder / Technical Advisory Committee (STAC) to get direction on how to move forward on specific issues. The STAC includes the following representatives:

- Brookley Henri, Planning Commission
- Caroline Wuebben, Holiday Inn Express
- Dan Hauer, Hauer's Repair

- David Reid, Astoria Warrenton Chamber of Commerce
- Jeff Hazen, Sunset Empire Transportation District
- Jim Knight, Port of Astoria
- Nancy Montgomery, Columbia River Coffee Roasters
- Katie Rathmell, Historic Landmarks Commission
- Jared Rickenbach, Design Review Committee
- Brett Estes, City Manager
- Mike Morgan, City of Astoria Community Development
- Nathan Crater, City Engineer
- Michael Duncan, Oregon Transportation Growth Management Program
- Ken Shonkwiler, ODOT Region 2 Planner

The next public forum will be held on Wednesday, May 22, 2019 at the Holiday Inn Express. This will be an evening meeting with more details to be issued within the next few weeks. For additional information on this project visit the City's website at:

[http://astoria.or.us/UNIONTOWN\\_REBORN\\_MASTER\\_PLAN\\_2018\\_2019.aspx?deptid=3](http://astoria.or.us/UNIONTOWN_REBORN_MASTER_PLAN_2018_2019.aspx?deptid=3)

**Pre-Disaster Mitigation Plan Update:** The City of Astoria, in conjunction with Clatsop County, is conducting an update to the Countywide Pre Disaster Mitigation Plan. The project is at the beginning stages with meetings led by State of Oregon Department of Land Conservation and Development facilitator. Rosemary Johnson and Brett Estes are serving as the City of Astoria's representatives on the project committee. For additional information on the Pre-Disaster Mitigation Plan Update visit the following website:

<https://www.co.clatsop.or.us/em/page/emergency-management-planning>

#### **Planning Commission Initiation of Development Code Amendments to Address**

**Emergency Warming Centers:** Over the past few months the Planning Commission has been holding work sessions to develop code language regarding warming centers. This code amendment was initiated by the Planning Commission. Now that the work sessions are complete, next steps would be to hold a public hearing before the Planning Commission and subsequently by the City Council. This process has been postponed at the request of the City Council prioritizing the development of homestay lodging code and Riverfront Vision Bridge Vista Overlay and Urban Core amendments first. Rosemary Johnson will be working to bring the Emergency Warming Center code language to Planning Commission late summer or fall 2019. Ultimately, this would be brought to City Council for public hearing and consideration of an ordinance.

**Accessory Dwelling Unit Development Code Updates:** At the direction of City Council, Planning staff will conduct a review of the accessory dwelling unit (ADU) codes which were approved several years ago. One item which Council asked the Planning Commission to review is whether park model manufactured homes should be allowed as ADUs. Staff will also ensure that Astoria's code complies with State law passed subsequently to adoption of the Astoria ADU code. Planning Commission will also review recommendations contained in the draft County Housing study which recommends changes to ease existing regulations to promote this type of housing. Rosemary Johnson will be assisting on this amendment process and it is expected this will go to Planning Commission in late summer or fall 2019.



**Homestay Lodging Development Code Updates:** Over the past year, City Council held work sessions regarding this topic. Following the last work session, staff began to develop a homestay lodging permit process. An ordinance amending City Code to add a homestay lodging permit was approved by City Council in December. Staff have developed a process for implementation and the Community Development Department is now accepting and processing applications for homestay lodging permits. The second portion of code amendments needed to implement the policy direction provided by Council are changes to the Development Code. Planning Commission held a public hearing at their April 23<sup>rd</sup> meeting and recommended approval to the City Council. It is expected Council will hold a public hearing on this ordinance at the June 17, 2019 meeting. Furthermore, it is expected there will be a Council worksession held before the hearing to discuss the Planning Commission recommendations before a hearing on the matter. No public comment should be accepted at this worksession since a public hearing will be held subsequently. Information on this code amendment process can be found on the City's website at: [http://astoria.or.us/CommDev\\_PProjects.aspx](http://astoria.or.us/CommDev_PProjects.aspx)

**Bridge Vista Overlay Code Amendments:** This winter, a City Council worksession was held where Planning staff provided an update on possible code amendments for the Bridge Vista Overlay portion of the Riverfront Vision Plan. These amendment were being brought forward to address comments provided by Council after they reviewed a land use case in December 2018. After receiving the update from staff, Council provided direction to include code language which would reduce building heights to a maximum of 28 feet in this plan area. Planning Commission hearings have been held in March and April 2019. At the April 23<sup>rd</sup> Planning Commission meeting, the Commission recommended approval to portions of the amendments. These amendments are expected to go before a City Council public hearing at the June 17, 2019 meeting. A Council worksession is expected before the hearing to discuss these specific matters. No public comment should be accepted at this worksession since a public hearing will be held subsequently.

Planning Commission will continue to discuss other code amendments which were not recommended to City Council at their May 28, 2019 meeting. Additional information on this code amendment process can be found on the City's website at:  
[http://astoria.or.us/CommDev\\_PProjects.aspx](http://astoria.or.us/CommDev_PProjects.aspx)

**Miscellaneous Development Code Updates:** A suite of Development Code updates have developed by staff to clean up issues, address legal interpretations, or address issues which have arisen over past years. Planning Commission held a public hearing at their April 23<sup>rd</sup> meeting and recommended approval to City Council. A public hearing on this matter is scheduled for the June 3, 2019 Council meeting. A Council worksession is expected before the hearing to discuss these specific matters. No public comment should be accepted at this worksession since a public hearing will be held subsequently. Additional information on this code amendment process can be found on the City's website at:  
[http://astoria.or.us/CommDev\\_PProjects.aspx](http://astoria.or.us/CommDev_PProjects.aspx)

**Riverfront Vision Plan Urban Core Implementation:** Per direction provided at the Council's June work session, staff is moving forward to address the Council goal of implementing the Vision Plan. Angelo Planning Group has been retained to assist in developing new Development Code language. City Manager Brett Estes and planning consultant Rosemary Johnson are managing this project. The process kicked off with a Planning Commission work session held on August 7<sup>th</sup>. A town hall meeting was held on September 13, 2018. Since then

there have been several Planning Commission worksessions. The next step is review of the proposed code amendments at a Planning Commission public hearing. Public notice will be provided before initiated. As there are three other code amendments in process at this point in time, the Urban Core amendments will be processed this summer.

Ultimately, City Council would hold final hearings and consideration of an ordinance to put any changes into effect. Additional information on this project can be found on the City's website at: [http://astoria.or.us/Assets/dept\\_3/pm/pdf/10-23-18%20rvp%20worksession%20presentation.pdf](http://astoria.or.us/Assets/dept_3/pm/pdf/10-23-18%20rvp%20worksession%20presentation.pdf)

**Historic Pass Through Grants:** The City has received a Certified Local Government grant to create a local grant program for façade improvements on historic properties. This program has launched with the application deadline passed at the time of drafting this update. John Goodenberger assisted in selecting eligible projects. The selected projects are now under review at the State Historic Preservation Office (SHPO). Should they be approved by SHPO then construction would occur this summer.

**County-wide Housing Study:** City Manager Brett Estes represents the City of Astoria on the County-wide Housing Study Technical Advisory Committee. The County has secured a consultant and the Technical Advisory Committee has started meeting and working with the consultant team. Public meetings were held in Astoria and Seaside in November 2018. Consultants have continued to process information gathered at those meetings. An update was provided to the County Commission in April. Staff hopes to have the consultants at a worksession in June. Additional information on the County Housing study can be found at: <https://www.co.clatsop.or.us/county/page/clatsop-county-housing-study>






## CITY OF ASTORIA

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### MEMORANDUM • ASTORIA LIBRARY

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**DATE:** April 30, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**THRU:**  BRETT ESTES, CITY MANAGER  
**FROM:** JIMMY PEARSON, LIBRARY DIRECTOR  
**SUBJECT:** LIBRARY DEPARTMENT STATUS REPORT

The following are summaries of the Library Department projects and activities.

#### **PROGRAM AND SERVICES OVERVIEW**

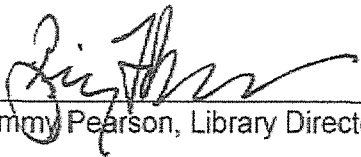
Our 2019 is off to a great start and we were excited to offer a couple of new programs for our community. In January we held our first Hygge night with a few brave souls wandering in for hot chocolate, relaxed atmosphere, and a communal space to read, knit, or simply 'be'. Our family programs are doing well and according to Suzanne H, Youth Services Coordinator, Movers & Shakers is the happening place to be on Thursday mornings for parents and caregivers of the 0-2 years of age crowd. I can attest there is nothing cooler than observing early literacy in action as babies enjoy songs, stories, and even a new parachute.

Suzanne Harold, along with Katy Paz, has also introduced STEM programming on Thursday afternoons focused on the middle school grades with all ages welcome. I will honestly say I never thought I would find a swimming pool in the Flag Room for floating boats. The enthusiasm is infectious, and kids really enjoyed the segment regarding flatulence introducing them to how the human body functions. This month is all things forensic and fingerprints were a huge success.

We are in full planning mode for summer and Ami Kreider is preparing a robust schedule for Spokes. His laptop has been updated and light maintenance is preparing him for his first appearance of the year. Ami is also working to schedule performers for our 2<sup>nd</sup> Annual 10<sup>th</sup> Street Stage concert series with our sponsors returning. We will host local bands on the third Wednesday in June, July, and August. The August concert occurs one week after the 50<sup>th</sup> anniversary of Woodstock prepare to be transported back in time to 1969. We have updated the bookmark and look forward to 'peace' on the 21<sup>st</sup>.

Our many thanks to the Columbia River Maritime Museum and Clatsop County Historical Society providing us with family passes to their institutions. The backpack contains books for adults and children to explore all things Astoria. It has been on hold since its introduction. We have also introduced Astronomy backpacks containing telescopes and books for adults and children to explore the night sky.

The Library Board has been busy endorsing an updated Strategic Plan and Library User Standards of Conduct policy. Their input is greatly appreciated, and I look forward to working with them to update all policies during the calendar year. Finally, staff and volunteers continue to work in the archives preserving this unique collection representing Astoria, Clatsop County, and Regional history. We have submitted two grants to further this work with the hope they will be awarded and allow us to continue the work of providing greater access to our shared history.

By:   
Jimmy Pearson, Library Director

# WHAT IS YOUR LIBRARY WORTH TO YOU?

How much would you pay out-of-pocket for your library services?

March 2019

| Library Use | Library Services   | Value of Service | Total per Service |
|-------------|--|------------------|-------------------|
| 4022        | Books Borrowed   | \$15.00          | \$60,330.00       |
| 100         | Newspapers Read (Daily A, Oregonian)                     | \$3.00           | \$300.00          |
| 60          | Magazines Borrowed                                       | 5.00             | \$300.00          |
| 965         | Movies Borrowed  | 4.00             | \$3,860.00        |
| 243         | Audio Books Borrowed                                     | 25.00            | \$6,075.00        |
| 830         | Library2Go Downloads                                     | 15.00            | \$12,450.00       |
| 5.5         | Meeting Room Use per Hour                                | 35.00            | \$192.50          |
| 311         | Participants in Children's Programs                      | 10.00            | \$3,110.00        |
| 111         | Participants in Adult/Young Adult and teen Programs      | 10.00            | \$1,110.00        |
| 1073        | Hours of Computer Use (Public computers)                 | 12.00            | \$12,876.00       |
| 3744        | WIFI uses  | 12.00            | \$44,928.00       |
| 4208        | Library Website  | 10.00            | \$42,080.00       |
| 8           | Use of Database Searching like Gale, Sanborn maps        | 20.00            | \$160.00          |
| 100         | Reference Questions Asked                                | 13.00            | \$1,300.00        |
| 100         | Newspaper Archives (microfilm reader/Astoria newspapers) | 10.00            | \$1,000.00        |
|             | Total Value of Your Library Use                          | \$199.00         | \$190,071.50      |

## Additional information

The calculator above has been adapted from the spreadsheet originally provided by the Massachusetts

## Maine Values and Explanation for Library Use Value Calculator

*Updated figures, 2017*





## CITY OF ASTORIA

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### MEMORANDUM • FINANCE DEPARTMENT

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DATE: APRIL 5, 2019

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: FINANCE AND ADMINISTRATIVE SERVICES STATUS REPORT

The following summaries related to Finance and Administrative Services projects and activities for the period December through March, 2019.

#### ARTS & CULTURAL AND COMMUNITY GRANTS

- Grant application forms were made available to public on January 2, 2019.
- Council was alerted to application process opening and media alert was sent out and posted on City website.
- Followed up with potential applicants and past applicants to update the database and re-transmit grant information.
- Set up meetings with new or returning vendors to answer questions regarding the application process and/or the reporting requirements.
- Receive and follow up on mid-year reporting for community grants and annual grants for Arts & Cultural Grants
- Subcommittee meetings were held on March 11, 2019. Minutes were compiled and returned with recommendations listing to subcommittee members for review in April.
- Recommendations were posted as updates, April 15, 2019, on the Finance Announcement tab of the City Website.

#### AUDIT AND FINANCIAL STATEMENT PREPARATION

- Draft financials for Urban Renewal Districts were submitted to auditors the end of October.
- Draft financials for City were submitted to auditors November 22<sup>nd</sup>.
- Finalized Urban Renewal Agency Financial Statements on January 18.
- Finalized City of Astoria Financial Statements on January 25.
- Audited financial statements were presented by Merina & Company, LLC to City Council at the February 4, 2019 meeting. The financial statements were posted to the City website after presentation to the Council.
- Preliminary audit field work has been scheduled for July 22 – 26 for interim work and October 14-18 for final work.
- The City will be subject to OMB Circular 133 reporting for FY 18-19, due primarily to work on the Waterfront Bridge Project.

#### FINANCE DEPARTMENT

- Finance staff continues to work with Engineering staff on the Waterfront Bridge project regarding costs, loan repayment timelines and other necessary interactions regarding the project.

- Finance staff is working with Parks and Recreation staff for receivable accounts and collection procedures.
- The Finance Department has been short one full time position since August. This is the result of two medical leaves and one employment position ending. An opening was posted November 21 and the staff accountant position was filled through an internal transfer. A staff accountant position with payroll focus was opened January 16 and closed January 31. Cristine Shade who was working as our part-time support staff applied for the payroll staff accountant position and was hired effective March 1, 2019. Initial training is anticipated to be completed by the end of May and will allow transition of duties and provide for better depth with built in cross training. Additional training will happen throughout the year for the payroll staff accountant as quarterly, fiscal year end and calendar year end requirements become due. New duties for Sue Dohaniuk will be assumed as payroll duties transition. Built in backup and depth in the department will accumulate as duties transition and staff become more proficient with their assignments.
- Payroll tax tables were updated the first of January and quarterly and annual reports were reconciled with W-2's and 1099's prepared and distributed by January 31<sup>st</sup> as required by Federal regulations.
- Finance staff has reinitiated ability to obtain DMV information in order to follow up on delinquent Municipal Court tickets. Past Due letters were developed mid-December. The DMV process initially involved initiating a phone call to obtain data for each past due ticket. DMV has developed an online version which will entail retrieving address information for each license plate but we should see an improvement over the phone process. The first batch of past due notice were sent out for those who had at least 6 unpaid tickets in the system. Staff is currently working to integrate the notification process into Springbrook so new tickets will generate appropriate notifications when past due and penalties will be calculated for future notifications. The current outstanding tickets are being manually tracked and notifications sent out while processes come online.
- Finance Reporting Manager is working with OpenGov to update information for FY 18-19 and get back on track with uploading monthly information.

## **TECHNOLOGY**

- Work with iFocus to establish maintenance privileges for Verizon account to assist with cell phone set up.
- Ordered new Council iPads, worked with iFocus for setup and to account for outgoing Council equipment.
- Order phone upgrades for several staff and outfit appropriate new employees with necessary cell equipment.
- Work with iFocus and Spectrum to upgrade internet at Lil Sprouts and Port of Play.
- Finalize Spectrum internet line for Library with iFocus.
- Purchased TV for Walldorf conference room, worked with iFocus to upgrade Council/Walldorf connections to create a portable media station and for Council Meeting overflow video of agenda items. Will have portable station available for webinars, training, and meetings.

## **INSURANCE (BENEFITS, WORKER COMPENSATION, PROPERTY AND GENERAL LIABILITY)**

- Reviewed worker compensation information with Propel Agent Scott Farmer to be prepared for FY 19-20 renewals. The City has received 6 worker compensation claims with one denial and one claim remaining open as of March 31, 2019. One claim is considered disabling with 21 days of time loss experienced. Total incurred claim losses of

approximately \$ 3,000 through the end of March. The City incurred claim losses for Workers Compensation of approximately \$ 41,000 for FY 17-18 with 7 claims filed, three claims were considered disabling and incurred 67 days of time loss. All claims for FY 17-18 and prior have been closed.

- Work continues with insurance agent and Fire Department regarding necessary coverage related to the fire boat agreement with the Port of Astoria.
- Reviewed updated appraisal reports prepared by AssetWorks for CIS use in future insurance quotes for City property insurance. Review for ADC appraisal of Liberty Theater necessitated a site visit from CIS Sr. Risk Manager due to a flag in the report. The review by CIS saw no concern for the flag and followed up with e-mails to AssetWorks, City and Propel, the City's Insurance Agent.
- Worker's Compensation renewal information was compiled the beginning of April and submitted mid-April for quotes.
- The CIS renewal process was delayed by CIS until Mid-April. As soon as renewal is open information will be updated and renewal information submitted as soon as possible to obtain renewal quotes back as early as possible.
- VFIS renewal for firefighter volunteer insurance quote was submitted.

## **ELECTION**

- Conducted additional research regarding special elections working with County and State election personnel.
- Forwarded information to City Attorney regarding research and contacts.
- Verified applicants for vacancy with County Elections office.
- Council appointed Jessamyn Grace West to fill the remainder of the term in Ward 1 at the January 7, 2019 Council meeting. Councilor West was sworn into office and immediately assumed her role on the Council.

## **BUDGET STATUS**

- Budgeting process for FY 19-20 began in December with final information compiled for the proposed budget in April.
- The Budget Calendar may be obtained at the following link: [FY 19-20 Budget Calendar](#) and was distributed to department heads, Council and budget committee members
- Worked through proposed budget draft for Emergency Communications by January 15 to ensure draft is available for user board meeting on January 23, 2019
- Online version of the budget document contains links for ease of use.
- Budget meetings begin April 23, 2019 and the approved budget will be presented to City Council for adoption on June 3, 2019.

## **TAX NEWS**

- The City of Astoria has received approximately \$ 137,800 in combined local tax and the City's portion of the State Shared Revenues for marijuana tax in the current fiscal year.
- The Oregon Liquor Control Commission (OLCC) requires quarterly electronic certifications from cities in order to receive state marijuana tax distributions. The certification is completed via online response each quarter. The City will certify it does not prohibit the establishment of premises for which a marijuana license is required (recreational or medical). The City has completed all certifications in a timely manner.
- Failure to certify during any quarter will result in the loss of shared revenue distribution for the quarter. The City has been in compliance with the certification process since implementation. This process is currently being reviewed for revision to an annual certification process. Additionally, League of Oregon Cities is working with Department of

Revenue (DOR) regarding an annual Secrecy Law Certification by City staff which would renew each July 1st.

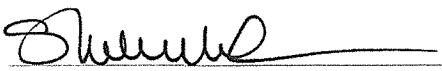
- Staff worked with State Department of Revenue and a local vendor regarding transfer of ownership requirements after the vendor had dropped off the last report.

### **CONFERENCES, SEMINARS AND MEETINGS**

- The CIS annual conference, February 27 through March 1, 2019 was attended by Director Brooks.
- Director Brooks worked with Director Garver of Innovative Housing, Inc on a support letter regarding innovative approach in job shadow for future Merwyn Apartment residents. Provided Director Garver with contact information for Worksource Oregon as well as Resource Assistance for Rural Environments (RARE) application requirements and process along with contact information.
- Director Brooks worked with Parks Director Williams regarding a memorandum of agreement between Astoria Scuba and Recreation and the City Aquatic Center.
- Human Resource Assistant Houston attended Lower Columbia Human Resource Management Association which provided annual Bureau of Labor and Industry labor updates on January 9, 2019.
- Director Brooks attended training provided by WorkSafe regarding Designated CDL Representative training for the City's CDL program on January 25, 2019.
- Human Resource Assistant Houston attended Xenium provided training in Portland, on January 17, 2019, for Performance Planning and Management.
- Director Brooks attended two meetings to assist Director Williams with an Aquatic Center agreements and provided guidance on the format and content for memos.
- Participated in Council Goal setting meeting on February 20, 2019.
- Jill Culver and Susan Brooks attended City GIS training to better understand how to access and review information for the Oceanview Cemetery components. This was a great training regarding the general GIS maps on the City website and finance staff greatly appreciate the work the engineering staff has put into the continual enhancements to the maps.

### **HUMAN RESOURCES**

- Between December 1 and March 31, City has hired 24 employees with 17 employee terminations. There have been multiple recruitments across several departments including promotions which are not part of the new hire count noted. Two Department heads have been hired in the last quarter.
- Distributed required notices for Standard Retirement plans to participating employees HR continues to provide assistance with postings, review of offer letters, review of work plans and other evaluation documentation as well as providing orientation information.
- Director Brooks and Assistant Houston spent time with new Parks Director Williams to provide him with information regarding current staffing, policy and processes for human resources, general orientation and housekeeping items.
- Initiated new CIS Learning Center capabilities to assign training to staff. Initial training for Preventing Discrimination and Harassment for Employees was assigned to all staff to be completed by March 31, 2019. Additionally, all supervisors were assigned Preventing Unlawful Workplace Harassment for Managers to be completed in the same time period.

By:   
Susan Brooks, Director of Finance  
and Administrative Services




## CITY OF ASTORIA

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### MEMORANDUM • PUBLIC WORKS DEPARTMENT

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DATE: April 26, 2019  
TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: PUBLIC WORKS PROJECT ACTIVITY STATUS UPDATE

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

#### TRANSPORTATION PROJECTS

##### **Irving Avenue Bridge at 33<sup>rd</sup> Street**

- The City has successfully obtained federal funding for 8 of the City's 9 bridges. The last bridge that needs to be replaced is the Irving Avenue Bridge at 33<sup>rd</sup> Street. It is a timber bridge in fair condition but it has an outdated guardrail system and some deck deficiencies. Council authorized staff to apply for funding in July of 2015 and again in October of 2017. The City was recently notified by the Oregon Department of Transportation that our bridge was not selected for funding. We're encouraged by ODOT to re-apply for the next funding cycle (2022-2024) in three years.

##### **Waterfront Bridges Replacement Project**

- Project includes replacement of the street end bridge structures at 6<sup>th</sup> through 11<sup>th</sup> Streets.
- Legacy Contracting was awarded the construction contract.
- Construction of the odd numbered streets (7<sup>th</sup>, 9<sup>th</sup> and 11<sup>th</sup> Streets) is currently underway and estimated to be complete by the end of June.
- Construction of the even numbered streets (6<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> Streets) is scheduled to begin after October 1, 2019 with construction estimated to complete at the end of May 2020.
- Project updates are available via email by signing up for alerts on the City of Astoria Website, [astoria.or.us](http://astoria.or.us).

##### **OR202: High School – Hanover Sidewalks**

- Project consists of new sidewalk starting at the Astoria High School, where a previous sidewalk project left off, to Hanover Street.

- ODOT is finalizing a strategy of combining this project with Phase 2 that includes two additional segments of sidewalk improvements from Dresden St. to the DMV and Hanover St. to 4<sup>th</sup> St.
- ODOT is planning to design the project using internal staff.
- Construction is anticipated to take place in summer 2020 or later.

### **Trolley Trestle Repair Project 2019**

- OBEC Consultants have completed inspection work for the trolley trestles and several other associated structures. Design work is currently underway, with bidding and construction planned for spring and late summer respectively.

### **Bond Street Retaining Wall Project**

- Project construction is complete.
- City staff will work on project close-out work and finalizing easements.

### **Coxcomb Barrier Project**

- Guardrail installation was recently completed.
- Staff is working on project close-out.

### **2019 Crack Sealing Project**

- City staff is currently developing a list of project locations.
- The construction is planned for Summer 2019.

## **COMBINED SEWER OVERFLOW (CSO) PROJECTS**

### **Next CSO Separation Project**

- Staff is in the planning phase of the next CSO project. The next planned project is located in the vicinity of Marine Drive and Portway Street.
- No construction will take place this year. Construction is not anticipated until 2020 or later.

## **WATER PROJECTS**

### **Slow Sand Filter Project**

- Engineering and Operations staff is engaged in ongoing efforts to optimize cleaning operations and appropriate methods of algae control in order to extend the life of the filter sand.

- The re-sanding project was awarded to Big River Construction in December 2017 and they have completed Cells 1 and 4. Construction is expected to take 18-24 months to complete. Resanding is required every 5-6 years.
- Re-sanding of Cell 2 is anticipated for Fall 2019 and Cell 3 is anticipated to begin in the Spring.

#### **Franklin Ave. Waterline Replacement Project**

- Public Works crews are currently about half way complete with construction of the waterline replacement project. The project serves to replace a deteriorated waterline.

#### **Skyline Place Water Improvement Project**

- The project is nearing final design, with an anticipated bid date in the Summer of 2019.
- Project construction is anticipated for Fall 2019.

### **STORM DRAINAGE PROJECTS**

#### **Bridgeview Court Utility Repair Project**

- City staff is currently working on design plans for several utility repairs associated with some past geologic activity near Bridgeview Ct. A portion of the existing sanitary sewer main and storm drain main will be replaced. This work will replace temporary repairs that have been in place for over 15 years.
- Construction is anticipated for late Summer or Fall 2019.

### **SANITATION PROJECTS**

#### **Landfill Closure**

- Staff is continuing to work with the Oregon Department of Environmental Quality on post closure activities consisting of gas monitoring and groundwater monitoring. A final permit has been issued and staff is currently working on the final document requirements for the site. Once all operation manuals are complete, staff will continue with annual reporting as required for the term of the post closure period.
- During periodic utility inspections it was determined that a critical stormwater pipe through the site was showing signs of failure. Staff is working on a plan to replace the pipe and will monitor its condition in the meantime.

## **CITY FACILITIES AND PROPERTY**

### **2019 Timber Harvest Project**

- The 2019 annual timber harvest project was bid and will be awarded soon. The bids came in higher than expected. Details will be presented at the next City Council meeting.

## **PUBLIC WORKS OPERATIONS**

The following items highlight some of operations recent work:

- **HIGH PRIORITY REPAIR EFFORT** - Pump station #5 located at the roundabout has had a significant breakdown issue that is a high priority for operations staff. One of the two main pumps failed and while the remaining pump can carry the load this time of year, it is imperative that the failed pump be operational before next winter.
- Hydrant flushing has been completed recently throughout the City
- Planning for a series of safety training courses through the City worker's compensation provider SAFE.
- Street sign installation and maintenance
- Quarterly landfill gas monitoring
- Wastewater treatment plant sampling, testing and flow monitoring
- CSO monitor maintenance and data analysis
- Routine watershed tasks include water quality testing, culvert cleaning, road maintenance and boundary patrol
- Water meter monitoring for some large commercial meters recently replaced

## **PUBLIC WORKS PLANNING**

It was previously reported that all planning efforts have been temporarily suspended due to a lack of resources caused by an excessive work load. Development review, construction administration, code enforcement, complaints and other administrative duties have been preventing the advancement of planning efforts. Staff has been striving to keep these planning efforts moving as they are critical to our future success. Following is a brief list of the planning priorities that staff is working on as time permits.

- **Tongue Point Road System-** the City has just received notice for the Oregon State Infrastructure Finance Authority (IFA) that we have been awarded a grant for \$51,000 to hire a specialized land use attorney. The scope of the study will focus on roadway ownership issues and will include reviewing all past documentation and making recommendations regarding a path forward. We are working on securing the services of a qualified attorney. The study should be complete by the end of the current fiscal year.



- **Bear Creek Emergency Management Plan** - Staff has completed the update to the plan and has received approval from the State Water Resources Dam Safety Engineer. We are planning an exercise of the plan this fall (previously planned for March 7<sup>th</sup>, 2019). The exercise will involve all of the agencies that would respond to an emergency at the dam including city, county and state agencies.
- **Watershed Road System** - Staff and their engineering design consultant have completed a concept plan for the replacement of the Cedar Creek road crossing within the city watershed. The concept plan includes a revised roadway alignment and a new bridge crossing. Staff will be working on a funding strategy for a future project. The existing crossing is vulnerable to washout due to a very old failing drainage culvert.
- **Forest Resource Management Plan** - Staff is working with the city forester on an updated Forest Resource Management Plan. Staff plans to discuss the new plan with city council in the near future. The draft plan will be sent out to stakeholders for review first.
- **Water System Clearwell Project** - Staff and their engineering design consultant have completed a concept plan and cost estimate for a clear well tank located at the water headworks. This project will improve operations, provide additional storage and reduce waste of treated water. Funding priorities are being evaluated and the associated project timing being assessed.
- **Bear Creek Dam Emergency Overflow** - An overflow weir to the east of the Bear Creek Reservoir will be required by the State – staff is investigating methods to accomplish this. The most preferable option was included in the Clearwell Study since the two projects are located in the same area.
- **Asset management** – staff is about 75% complete with an inventory of our infrastructure assets. The next step will be placing value on all of the infrastructure assets.
- **Trolley infrastructure maintenance planning** – a short term, partial funding solution has been implemented this fiscal year – a long term funding solution is still needed.
- **Water System Master Plan** – staff is working on a Request for Qualifications (RFQ) for consultant services for the preparation of an Updated Water System Master Plan. The project has been budgeted in part (\$150,000) in the upcoming Fiscal Year 2019/2020.
- **GIS upgrades** – staff has continued to make progress on development of the public works infrastructure system. We are starting to see the enormous benefit of GIS becoming a part of our daily toolbox helping us complete our heavy workload.

By: Jeff Harrington  
 Jeff Harrington, Public Works Director




CITY OF ASTORIA

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**MEMORANDUM • PUBLIC WORKS DEPARTMENT**

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DATE: APRIL 23, 2019  
TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: ADDITION OF JOB TITLE FOR SCHEDULE F-2 OF THE SALARY  
RESOLUTION NO. 18-14

**DISCUSSION/ANALYSIS**

Each year, the Engineering Division budgets funds for "Extra Help" to accommodate hiring an intern for assistance on a variety of Public Works tasks. Often, the Engineering Division has part-time staffing needs that require more experience or skill than is typically expected from an intern. Examples of these tasks include assistance with utility improvement design and review of City utility as-built maps.

The addition of a temporary, part-time position of Engineering Project Assistant is proposed to assist with a variety of tasks related to utility improvement design, review of City utility as-built maps, and other tasks to assist with review and efficient processing of data within the engineering division. The position would be a temporary, non-benefited position under City personnel policies (no medical; sick leave earned per State Statute); would not exceed 129 hours per month (7-day period Monday through Sunday) or accumulate more than 599 hours in a calendar year.

Before a position can be posted, the creation of a job description is required to identify the essential duties, expectations, required experience and education as well as to review the current marketplace establishing appropriate salary range to fulfill the current requirements of the City (job description attached). The job description was created to be flexible in order to accommodate a wide range of potential tasks ranging from complex engineering design to assistance with scanning record drawings. It is proposed that Schedule F-2 be utilized with a variable range and step based on the specific scope of work and associated experience and education of the candidate. Based on the education and experience required for our current needs, Staff anticipates pay falling within Range 3. Funds are available in the Extra Help line of personnel services, within the Engineering Division budget of Public Works in the current fiscal year ending June 30, 2019 and are proposed in the fiscal year 2019-20 budget which would accommodate the proposed Engineering Project Assistant on a temporary, part-time basis.

The job recruitment would commence upon City Council approval.

## RECOMMENDATION

It is recommended that City Council approve the addition of the Engineering Project Assistant job title and duties, utilizing Schedule F-2, Range 3 as indicated in Salary Resolution 18-14.

By: Jeff Harrington  
Jeff Harrington, Public Works Director

Prepared by: Nathan Crater  
Nathan Crater, City Engineer



# Job Description

**Job Title:** Engineering Project Assistant  
**Department:** Engineering  
**Reports To:** City Engineer  
**FLSA Status:** Exempt

**Prepared By:** Xenium/COA HR  
**Prepared Date:** April 2019  
**Approved By:**  
**Approved Date:**

## SUMMARY

This position is responsible for assisting the Engineering Division with a variety of public works projects and associated support tasks under the direction of the City Engineer.

## ESSENTIAL DUTIES AND RESPONSIBILITIES other duties as assigned...

This description covers the most significant essential and auxiliary duties performed by this position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. The job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

1. Works with Engineering Division Staff on a variety of public works projects and associated support tasks.

## JOB DUTIES

- Other work assignments may be required which would be typical of a technical support role to the Public Works Director, Operations Division, City Engineer and Assistant City Engineer.
- Assists with review of private development submittals for the Public Works Department.
- Assists with design team activities for in-house design projects.
- Prepares engineering cost estimates for construction and rehabilitation projects consistent with engineering plans and specifications.
- Conducts project related field engineering reviews as a representative of the City Public Works Department.
- Assists in the review and maintenance of utility maps and other public works as-built plans.
- Works collaboratively in a team environment with a spirit of cooperation.
- Displays excellent communication skills including presentation, persuasion, and negotiation skills required in working with coworkers and the public and including the ability to communicate effectively and remain calm and courteous under pressure.
- Respectfully takes direction from the Public Works Director, City Engineer and Assistant City Engineer.

## SUPERVISORY RESPONSIBILITIES

This position does not have any supervisory responsibilities.

## QUALIFICATIONS

Ability to perform essential job duties with or without reasonable accommodation and without posing a direct threat to safety or health of employee or others. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are



# Job Description

representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

## MINIMUM QUALIFICATIONS

1. High school diploma or equivalency.

## DESIRABLE QUALIFICATIONS

1. Experience with Astoria Public Works operations and maintenance procedures and standards preferred.
2. Possession of or ability to obtain a valid driver's license with a safe driving record.

## LANGUAGE SKILLS

Ability to read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents. Ability to write clear, concise reports, speeches and articles for publication which conform to prescribed style and format. Ability to effectively present, in verbal and written manner, information to top management, public groups, and/or boards of directors.

## MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.

## COMPUTER SKILLS

Basic computer job skills including logging on to systems, ability to communicate by email, ability to compose documents, enter database information, download forms, and preserve/backup data.

## REASONING ABILITY

Ability to plan, establish priority, make independent investigation of Public Works problems and determine adherence to Public Works standards and specifications; write clear, concise reports; communicate effectively both verbally and in writing; maintain effective working relationships with employees, engineers, developers, and the general public.

## WORK ENVIRONMENT AND PHYSICAL DEMANDS

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Mostly in an office setting but work is sometimes performed outdoors in adverse weather conditions. Must be able to occasionally lift up to 25 pounds, walk on uneven surfaces, work in confined spaces, climb ladders, be able to inspect and perform work in positions such as standing, bending, squatting, and sitting; able to utilize the senses of sight, hearing, and touch to recognize and to accurately evaluate equipment and process conditions. Frequently required to sit; talk or hear; walk; use hands to finger, handle, or feel objects, tools, or controls; bend; twist; reach with hands and arms. Must be able to sit and work on a computer for extended periods of time.

Employee Signature: \_\_\_\_\_

Employer Representative: \_\_\_\_\_

Date: \_\_\_\_\_




## CITY OF ASTORIA

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### MEMORANDUM • FINANCE DEPARTMENT

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**DATE:** MAY 3, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** RESOLUTION TO UPDATE WAGE AND SALARY SCHEDULES

#### DISCUSSION/ANALYSIS

The Community Development Department has five Full Time Equivalent (FTE) split between the planning and building divisions. The Building Official / Code Enforcement Officer is a full-time position which was filled in October, 2018. During recruitment it was difficult to attract fully qualified candidates within the current salary range and allow for annual increases. The position requires several professional certifications in order to accomplish the prescribed duties of Building Official and Code Enforcement Officer. The City has supported this position by providing additional training to obtain necessary certifications. In order to assist with successful recruitment and provide a competitive wage it is necessary to implement a change in the position range prior to beginning recruitment. As part of a larger review and in compliance with the Equal Pay Act requirements, the City analyzes positions for reasonable wage levels.

The job description was updated in August, 2018 for the recruitment of current Building Official/Code Enforcement posting and additional adjustments are not necessary at this time. A copy of the job description is attached for reference.

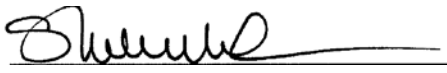
The salary range for Building Official/Code Enforcement Officer is proposed to move from Range 38 to Range 40. This adjustment will allow for the City Manager to recruit a qualified candidate pool. Funding is available in the current budget and has been incorporated in the recently approved budget for FY 19-20 which will be brought before Council June 3, 2019 for adoption.

Approved additions and modification from prior Council meetings are incorporated in the attached resolution as follows:

| Addition/Modification                    | Approval Date | Schedule/Range        |
|--|---------------|-----------------------|
| Addition Novice Grounds Coordinator      | 8/6/18        | Schedule A, Range 20  |
| Addition Fire Dept. Project Manager (PT) | 11/19/18      | Schedule F-2, Range 3 |
| Addition City Historian (PT)             | 11/19/18      | Schedule F-2, Range 3 |
| Modify Financial Analyst to Accountant   | 11/19/18      | Schedule E, Range 28  |
| Addition Engineering Project Assistant   | 5/6/19        | Schedule F-2, Range 3 |

## **RECOMMENDATION**

It is recommended that the City Council approve the revised salary range contained in the attached resolution. With this action, recruitment will be initiated to fill the Building Official/Code Enforcement Officer position.

By: 

Susan Brooks, Director of Finance  
and Administrative Services



# Job Description

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**Job Title:** Building Official/Code Enforcement Officer  
**Department:** Community Development  
**Reports To:** Community Development Director  
**FLSA Status:** Non-Exempt

**Prepared By:** City of Astoria HR  
**Prepared Date:** July 25, 2018  
**Approved By:**  
**Approved Date:**

## SUMMARY

Provides excellent customer service, educates customers about value of building code compliance, issues building permits, reviews plans and inspects building construction in progress, and at completion, for compliance with building codes and ordinances; interprets and enforces building codes; reviews applications and/or plans for construction; maintains records related to permits. Performs Code enforcement functions including but not limited to: general City Code and Building Code enforcement, i.e., illegal construction and nuisance abatement. Prepares reports relative to City Code enforcement activities, issuing citations as necessary, taking appropriate abatement actions. Represents the City in Municipal Court. Does related work as required.

## DISTINGUISHING FEATURES OF THE CLASS

### EXAMPLES OF ESSENTIAL DUTIES other duties as assigned...

This description covers the most significant essential and auxiliary duties performed by this position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. The job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

1. Maintains effective working relationships with members of the general public, City departments, and other agencies.
2. Examines and reviews building permits for Code compliance (based upon level of Building Official certifications) and ensures approvals are completed in a proper sequence. Coordinates with contracted plan reviewers for plan work beyond the Building Official's level of certification.
3. Interprets applicable Code requirements.

## JOB DUTIES

- An employee in this classification is responsible for interpretation and enforcement of building codes through plan review and on-site inspection and for general Code enforcement.
- Inspects projects in the field and ensures work is completed according to approved building permits. Coordinates other inspections such as electrical, plumbing, and mechanical inspections (if served by Clatsop County or if beyond the Building Official's certification).
- Documents inspections and maintains various records. Prepares reports as required. Manages assigned databases.
- Determines value of structures for permits and calculates fees. Coordinates permit issuance with other Departments.





# Job Description

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- Proactively resolves potential code violations through a customer service oriented approach by working with citizens to obtain compliance.
- Contacts the public and is responsible for assisting property owners, developers, and others in gaining compliance with City Codes and ordinances. When required prepares and serves citations for Code infractions.
- Investigates complaints related to possible City Code or Building Code violations.
- Researches Codes and ordinances, deed records, and abatement Codes in reviewing possible Code violations.
- Maintains Code enforcement records and makes reports, as required, either verbally or in writing.
- Appears in court to testify on code violations and related matters.
- Answers customer service questions or complaints verbally, written, on the telephone, in person and by mail in order to implement policy and to serve the needs of citizens.
- Exercises reasonable and good judgment and applies Codes in a fair and equitable manner.
- Does clerical work such as filing; photocopying; faxing; computer input, access and retrieval of data; word processing.
- Strives to continue technical education requirements in building trades, coordinates interpretations with Clatsop County Building Official and State Building Codes Division, collaborates with local building trade associations, and experience in historic buildings is preferred.
- Analyzes and interprets complex Code enforcement issues and adopts effective courses of action.
- Performs detailed research of public records, statutes, and laws.
- Responds courteously in the course of enforcing City ordinances and other City business.
- Provides a high level of customer service and collaborate to find reasonable solutions.
- Maintains punctual, regular and predictable attendance.
- Maintains a neat and professional appearance and follows dress code protocol where assigned.
- Respectfully takes direction from the supervisor.
- Follows policies, procedures, and guidelines as described in the City of Astoria Personnel Manual and other documentation related to this position.



# Job Description

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## **SUPERVISORY RESPONSIBILITIES**

This position does not have any supervisory responsibilities.

## **QUALIFICATIONS**

Ability to perform essential job duties with or without reasonable accommodation and without posing a direct threat to safety or health of employee or others. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

## **EDUCATION and/or EXPERIENCE**

High school diploma or equivalency; and graduation from an accredited college with an Associate's Degree in Building Inspection Technology and four years of experience in construction or building inspection.

Experience with building inspection field including modern construction techniques and materials, inspection methods, and safety requirements.

## **CERTIFICATES, LICENSES, REGISTRATIONS**

Must possess a valid insurable Driver's License and the possession of or ability to obtain the following:

- State of Oregon Building Official's Certification
- Current Oregon Inspector Certification
- A-Level Structural Inspector
- A-Level Mechanical Inspector
- A-Level Fire & Life Safety Plan Review Certification
- 1 & 2 Family Residential Structural Certification
- 1 & 2 Family Residential Mechanical Certification
- 1 & 2 Family Residential Plan Review Certification
- Manufactured Home Certification
- Residential Plumbing Certification
- Commercial Plumbing Certification

## **LANGUAGE SKILLS**

Ability to read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents. Ability to respond to common inquiries or complaints from customers, regulatory agencies, or members of the business community. Ability to write speeches and articles for publication that conform to prescribed style and format. Ability to effectively present information to top management, public groups, and/or boards of directors. Interpret and evaluate plans, specifications and engineer / architect drawings for approval of building permits.

## **MATHEMATICAL SKILLS**

Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

## **COMPUTER SKILLS**

Job requires specialized computer skills. Must be adept at using various applications including database, spreadsheet, report writing, project management, graphics, word processing, presentation creation/editing, communicate by e-mail and use scheduling software. Working knowledge of Oregon e-permitting program is preferred.



# Job Description

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## **REASONING ABILITY**

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables. Understand and explain Code compliance methods and techniques.

## **CERTIFICATES, LICENSES, REGISTRATIONS**

This position does not require any certificates, licenses, or registrations.

## **PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. While performing the duties of this job, the employee is regularly required to sit. The employee is frequently required to stand; walk and talk or hear. The employee is occasionally required to use hands to finger, handle, or feel; reach with hands and arms; climb or balance and stoop, kneel, crouch, or crawl.

This position will be outside in all types of weather and walk for extended periods of time on streets and sidewalks, climb up and down ladders and negotiate uneven surfaces. Must be able to sit, stand, bend, stoop, reach, and manipulate objects. In the field, may be exposed to varying and extreme weather conditions, loud noises from construction equipment, dust and uneven terrain. Must be able to frequently lift or move materials up to ten pounds and occasionally live or move materials up to sixty-five pounds. Mobility and ability to operate a motorized vehicle for prolonged periods of time may be required.

## **WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently exposed to outdoor weather conditions. The employee is occasionally exposed to wet or humid conditions (non-weather); work in high, precarious places; fumes or airborne particles; toxic or caustic chemicals and risk of electrical shock. The noise level in the work environment is usually moderate.

**Employee Signature:** \_\_\_\_\_

**Employer Representative:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## RESOLUTION NO. 19-

### A 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

WHEREAS, the establishment of the principles of equal pay for equal work and compensation incentives for continued improvement in service by City employees should result in more efficient and more economical municipal government; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASTORIA:

**Section 1. Establishing Pay Plan.** That there is hereby established a basic compensation plan for employees of the City of Astoria who are now employed, or will in the future be employed, in any of the classifications of employment listed in Sections 4, 5, 6, and 7, which are arranged in collective bargaining units, and Sections 8 and 9, which include employees not in a bargaining unit.

**Section 2. Salary And Wage Schedules.** That the following salary and wage schedules shall constitute the basic compensation plan, consisting of a base or entry rate (A) and four merit steps in the corresponding range on the schedule. Stability Pay shall be part of the basic compensation plan. (See Section 4.6 of the Personnel Policies and Procedures).

**Section 3. Classified Position Allocation.** That the following is a computed salary schedule and position allocation. All increases above the base rate for each range are called merit steps. Step increases are merit increases and are not automatic but must be earned by the employee. (See Section 4.5 of the Personnel Policies and Procedures). Each range is identified by a number. Each step within the range is identified by a letter; A is the entry rate, with Steps B, C, D, and E. The following salary schedules are listed by employee groups:

**Section 4. General/Parks Employees.** The following positions and ranges comprise the General/Parks Employees Unit. See "Schedule A" for salaries.

| GENERAL/PARKS UNION EMPLOYEES<br>SCHEDULE A<br>EFFECTIVE JULY 1, 2018 |       |      |          |        |        |
|---|-------|------|----------|--------|--------|
| POSITION  | RANGE | STEP | MONTHLY  | YEARLY | HOURLY |
| Library Assistant   | 12    | A    | 2,707.02 | 32,484 | 15.62  |
|   |       | B    | 2,842.37 | 34,108 | 16.40  |
|   |       | C    | 2,984.49 | 35,814 | 17.22  |
|   |       | D    | 3,133.71 | 37,605 | 18.08  |
|   |       | E    | 3,290.40 | 39,485 | 18.98  |
| Accounting Support Clerk  | 14    | A    | 2,831.59 | 33,979 | 16.34  |
|   |       | B    | 2,973.17 | 35,678 | 17.15  |
|   |       | C    | 3,121.83 | 37,462 | 18.01  |
|   |       | D    | 3,277.92 | 39,335 | 18.91  |
|   |       | E    | 3,441.81 | 41,302 | 19.86  |
| Accounting Clerk<br>Engineering Secretary<br>Permit Technician        | 18    | A    | 3,126.73 | 37,521 | 18.04  |
|   |       | B    | 3,283.07 | 39,397 | 18.94  |
|   |       | C    | 3,447.22 | 41,367 | 19.89  |
|   |       | D    | 3,619.58 | 43,435 | 20.88  |
|   |       | E    | 3,800.56 | 45,607 | 21.93  |

|   |    |   |          |        |       |
|---|----|---|----------|--------|-------|
| Senior Library Assistant<br>Novice Grounds Coordinator                                  | 20 | A | 3,289.01 | 39,468 | 18.98 |
|   |    | B | 3,453.46 | 41,441 | 19.92 |
|   |    | C | 3,626.13 | 43,514 | 20.92 |
|   |    | D | 3,807.44 | 45,689 | 21.97 |
|   |    | E | 3,997.81 | 47,974 | 23.06 |
| Recreation Coordinator  | 23 | A | 3,543.85 | 42,526 | 20.45 |
|   |    | B | 3,721.04 | 44,653 | 21.47 |
|   |    | C | 3,907.10 | 46,885 | 22.54 |
|   |    | D | 4,102.45 | 49,229 | 23.67 |
|   |    | E | 4,307.57 | 51,691 | 24.85 |
| CAD Technician<br>Engineering Technician<br>Facility Coordinator<br>Grounds Coordinator | 26 | A | 3,815.01 | 45,780 | 22.01 |
|   |    | B | 4,005.76 | 48,069 | 23.11 |
|   |    | C | 4,206.05 | 50,473 | 24.27 |
|   |    | D | 4,416.35 | 52,996 | 25.48 |
|   |    | E | 4,637.17 | 55,646 | 26.75 |
| Senior Engineering Technician<br>Senior GIS Specialist                                  | 30 | A | 4,205.32 | 50,464 | 24.26 |
|   |    | B | 4,415.58 | 52,987 | 25.47 |
|   |    | C | 4,636.36 | 55,636 | 26.75 |
|   |    | D | 4,868.18 | 58,418 | 28.09 |
|   |    | E | 5,111.59 | 61,339 | 29.49 |

**Section 5. Fire Department.** The following Positions and Ranges comprise the Fire Department Unit.

| FIRE UNION EMPLOYEES<br>SCHEDULE B<br>EFFECTIVE JULY 1, 2017 |       |      |          |        |         |
|--|-------|------|----------|--------|---------|
| POSITION   | RANGE | STEP | MONTHLY  | YEARLY | HOURLY  |
| Firefighter*   | 22    | A    | 4,677.60 | 56,131 | 19.2230 |
|  |       | B    | 4,911.48 | 58,938 | 20.1842 |
|  |       | C    | 5,157.06 | 61,885 | 21.1934 |
|  |       | D    | 5,414.91 | 64,979 | 22.2531 |
|  |       | E    | 5,685.65 | 68,228 | 23.3657 |
| Includes 2.0% Stability                                      |       | C    | 5,270.77 | 63,249 | 21.6607 |
|  |       | D    | 5,528.62 | 66,343 | 22.7204 |
|  |       | E    | 5,799.37 | 69,592 | 23.8330 |
| Includes 3.5% Stability                                      |       | C    | 5,356.05 | 64,273 | 22.0112 |
|  |       | D    | 5,613.91 | 67,367 | 23.0709 |
|  |       | E    | 5,884.65 | 70,616 | 24.1835 |
| Includes 4.5% Stability                                      |       | C    | 5,412.91 | 64,955 | 22.2448 |
|  |       | D    | 5,670.76 | 68,049 | 23.3045 |
|  |       | E    | 5,941.51 | 71,298 | 24.4172 |
| Includes 6.0% Stability                                      |       | C    | 5,498.20 | 65,978 | 22.5953 |
|  |       | D    | 5,756.05 | 69,073 | 23.6550 |
|  |       | E    | 6,026.79 | 72,322 | 24.7676 |
| Driver/Engineer*   | 24    | A    | 4,917.18 | 59,006 | 20.2076 |
|  |       | B    | 5,163.04 | 61,956 | 21.2180 |
|  |       | C    | 5,421.19 | 65,054 | 22.2789 |
|  |       | D    | 5,692.16 | 68,306 | 23.3924 |
|  |       | E    | 5,976.77 | 71,721 | 24.5621 |
| Includes 2.0% Stability                                      |       | C    | 5,540.72 | 66,489 | 22.7701 |
|  |       | D    | 5,811.70 | 69,740 | 23.8837 |
|  |       | E    | 6,096.30 | 73,156 | 25.0533 |
| Includes 3.5% Stability                                      |       | C    | 5,630.38 | 67,565 | 23.1385 |
|  |       | D    | 5,901.35 | 70,816 | 24.2521 |
|  |       | E    | 6,185.96 | 74,231 | 25.4217 |

| FIRE UNION EMPLOYEES<br>SCHEDULE B<br>EFFECTIVE JULY 1, 2017 |       |      |          |        |         |
|--|-------|------|----------|--------|---------|
| POSITION   | RANGE | STEP | MONTHLY  | YEARLY | HOURLY  |
| Includes 4.5% Stability                                      |       | C    | 5,690.14 | 68,282 | 23.3842 |
|  |       | D    | 5,961.12 | 71,533 | 24.4977 |
|  |       | E    | 6,245.72 | 74,949 | 25.6674 |
| Includes 6.0% Stability                                      |       | C    | 5,779.80 | 69,358 | 23.7526 |
|  |       | D    | 6,050.77 | 72,609 | 24.8662 |
|  |       | E    | 6,335.38 | 76,025 | 26.0358 |
| Fire Lieutenant*   | 28    | A    | 5,418.07 | 65,017 | 22.2660 |
|  |       | B    | 5,688.97 | 68,268 | 23.3793 |
|  |       | C    | 5,973.42 | 71,681 | 24.5483 |
|  |       | D    | 6,272.09 | 75,265 | 25.7757 |
|  |       | E    | 6,585.69 | 79,028 | 27.0645 |
| Includes 2.0% Stability                                      |       | C    | 6,105.13 | 73,262 | 25.0896 |
|  |       | D    | 6,403.80 | 76,846 | 26.3170 |
|  |       | E    | 6,717.41 | 80,609 | 27.6058 |
| Includes 3.5% Stability                                      |       | C    | 6,203.92 | 74,447 | 25.4955 |
|  |       | D    | 6,502.59 | 78,031 | 26.7230 |
|  |       | E    | 6,816.19 | 81,794 | 28.0117 |
| Includes 4.5% Stability                                      |       | C    | 6,269.77 | 75,237 | 25.7662 |
|  |       | D    | 6,568.44 | 78,821 | 26.9936 |
|  |       | E    | 6,882.05 | 82,585 | 28.2824 |
| Includes 6.0% Stability                                      |       | C    | 6,368.56 | 76,423 | 26.1722 |
|  |       | D    | 6,667.23 | 80,007 | 27.3996 |
|  |       | E    | 6,980.83 | 83,770 | 28.6884 |

\* The salary shown for these positions is for a 56-hour duty week. The conditions set forth below shall be adhered to by the Fire Department personnel:

1. Employees on the off-duty shifts shall be available for emergency service.
2. A shift must be short more than one employee before a replacement is called in. Replacements called in to duty in such a case would receive time and one-half (1/2); every effort must be made by the department to keep overtime pay to a minimum.
3. The duty cycle of the department shall be determined by the Fire Chief with the approval of the City Manager.

| FIRE MANAGEMENT<br>SCHEDULE B<br>EFFECTIVE JULY 1, 2017 |       |      |          |         |        |
|---|-------|------|----------|---------|--------|
| POSITION  | RANGE | STEP | MONTHLY  | YEARLY  | HOURLY |
| Deputy Fire Chief                                       | 47    | A    | 6,706.00 | 80,472  | 38.68  |
|   |       | B    | 7,041.31 | 84,496  | 40.62  |
|   |       | C    | 7,393.37 | 88,721  | 42.65  |
|   |       | D    | 7,763.04 | 93,156  | 44.78  |
|   |       | E    | 8,151.19 | 97,815  | 47.03  |
| Fire Chief  | 49    | A    | 7,175.43 | 86,105  | 41.40  |
|   |       | B    | 7,534.20 | 90,410  | 43.47  |
|   |       | C    | 7,910.91 | 94,930  | 45.64  |
|   |       | D    | 8,306.46 | 99,677  | 47.92  |
|   |       | E    | 8,721.78 | 104,662 | 50.32  |

**Section 6. Police Department.** The following Positions and Ranges comprise the Police Department Unit.

| POLICE UNION EMPLOYEES<br>SCHEDULE C<br>EFFECTIVE JANUARY 1, 2018 |       |      |          |           |        |
|---|-------|------|----------|-----------|--------|
| POSITION  | RANGE | STEP | MONTHLY  | YEARLY    | HOURLY |
| Records Specialist  | 12    | A    | 2,867.65 | 34,411.80 | 16.54  |
|   |       | B    | 3,011.04 | 36,132.48 | 17.37  |
|   |       | C    | 3,161.59 | 37,939.10 | 18.24  |
|   |       | D    | 3,319.66 | 39,836.05 | 19.15  |
|   |       | E    | 3,485.65 | 41,827.86 | 20.11  |
| Senior Records Specialist   | 14    | A    | 3,011.23 | 36,134.79 | 17.37  |
|   |       | B    | 3,161.79 | 37,941.53 | 18.24  |
|   |       | C    | 3,319.88 | 39,838.60 | 19.15  |
|   |       | D    | 3,485.88 | 41,830.53 | 20.11  |
|   |       | E    | 3,660.17 | 43,922.06 | 21.12  |
| Communications Operator   | 22    | A    | 3,757.04 | 45,084.50 | 21.68  |
|   |       | B    | 3,944.89 | 47,338.72 | 22.76  |
|   |       | C    | 4,142.14 | 49,705.66 | 23.90  |
|   |       | D    | 4,349.25 | 52,190.94 | 25.09  |
|   |       | E    | 4,566.71 | 54,800.49 | 26.35  |
| Police Officer  | 29    | A    | 4,369.68 | 52,436.16 | 25.21  |
|   |       | B    | 4,588.16 | 55,057.97 | 26.47  |
|   |       | C    | 4,817.57 | 57,810.87 | 27.79  |
|   |       | D    | 5,058.45 | 60,701.41 | 29.18  |
|   |       | E    | 5,311.37 | 63,736.49 | 30.64  |
| Senior Police Officer (first effective 5/1/17)                    | 30    | A    | 4,937.86 | 59,254.36 | 28.49  |
|   |       | B    | 5,184.76 | 62,217.08 | 29.91  |
|   |       | C    | 5,443.99 | 65,327.93 | 31.41  |
|   |       | D    | 5,716.19 | 68,594.33 | 32.98  |
|   |       | E    | 6,002.00 | 72,024.05 | 34.63  |
| Communications Operations Supervisor                              | 32    | A    | 5,456.43 | 65,477.15 | 31.48  |
|   |       | B    | 5,729.25 | 68,750.98 | 33.05  |
|   |       | C    | 6,015.72 | 72,188.58 | 34.71  |
|   |       | D    | 6,316.50 | 75,798.04 | 36.44  |
|   |       | E    | 6,632.33 | 79,587.91 | 38.26  |

| POLICE SWORN MANAGEMENT<br>SCHEDULE C<br>EFFECTIVE JANUARY 1, 2018 |       |      |          |            |        |
|--|-------|------|----------|------------|--------|
| POSITION   | RANGE | STEP | MONTHLY  | YEARLY     | HOURLY |
| Sergeant   | 36    | A    | 5,678.43 | 68,141.18  | 32.76  |
|  |       | B    | 5,962.35 | 71,548.19  | 34.40  |
|  |       | C    | 6,260.47 | 75,125.69  | 36.12  |
|  |       | D    | 6,573.49 | 78,881.90  | 37.92  |
|  |       | E    | 6,902.17 | 82,826.00  | 39.82  |
| Deputy Chief of Police   | 42    | A    | 6,510.75 | 78,129.02  | 37.56  |
|  |       | B    | 6,836.30 | 82,035.54  | 39.44  |
|  |       | C    | 7,178.11 | 86,137.29  | 41.41  |
|  |       | D    | 7,537.01 | 90,444.18  | 43.48  |
|  |       | E    | 7,913.86 | 94,966.37  | 45.66  |
| Chief of Police  | 48    | A    | 7,250.03 | 87,000.33  | 41.83  |
|  |       | B    | 7,612.53 | 91,350.30  | 43.92  |
|  |       | C    | 7,993.15 | 95,917.78  | 46.11  |
|  |       | D    | 8,392.80 | 100,713.66 | 48.42  |
|  |       | E    | 8,812.45 | 105,749.44 | 50.84  |



**POLICE NON-SWORN MANAGEMENT  
SCHEDULE C  
EFFECTIVE JULY 1, 2017**

| POSITION                         | RANGE | STEP | MONTHLY  | YEARLY    | HOURLY |
|----------------------------------|-------|------|----------|-----------|--------|
| Administrative Services Manager  | 28    | A    | 3,939.74 | 47,276.88 | 22.73  |
|                                  |       | B    | 4,136.72 | 49,640.64 | 23.87  |
|                                  |       | C    | 4,343.56 | 52,122.72 | 25.06  |
|                                  |       | D    | 4,560.74 | 54,728.88 | 26.31  |
|                                  |       | E    | 4,788.78 | 57,465.36 | 27.63  |
| Emergency Communications Manager | 40    | A    | 5,973.44 | 71,681.24 | 34.46  |
|                                  |       | B    | 6,272.11 | 75,265.31 | 36.19  |
|                                  |       | C    | 6,585.72 | 79,028.57 | 37.99  |
|                                  |       | D    | 6,914.00 | 82,980.00 | 39.89  |
|                                  |       | E    | 7,260.75 | 87,129.00 | 41.89  |

**Section 7. Public Works.** The Following Positions And Ranges Comprise The Public Works Unit. See "Schedule D" for salaries.

| <b>PUBLIC WORKS UNION EMPLOYEES<br/>SCHEDULE D<br/>EFFECTIVE JULY 1, 2018</b>  |              |             |                |               |               |
|--|--------------|-------------|----------------|---------------|---------------|
| <b>POSITION</b>  | <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
| Equipment Servicer   | 15           | A           | 3,129.68       | 37,556        | 18.06         |
|  |              | B           | 3,286.16       | 39,434        | 18.96         |
|  |              | C           | 3,450.47       | 41,406        | 19.91         |
|  |              | D           | 3,623.00       | 43,476        | 20.90         |
|  |              | E           | 3,804.15       | 45,650        | 21.95         |
| Utility Worker I   | 19           | A           | 3,450.21       | 41,403        | 19.91         |
|  |              | B           | 3,622.72       | 43,473        | 20.90         |
|  |              | C           | 3,803.86       | 45,646        | 21.95         |
|  |              | D           | 3,994.05       | 47,929        | 23.04         |
|  |              | E           | 4,193.76       | 50,325        | 24.19         |
| Equipment Mechanic I<br>Sweeper Operator<br>Utility Technician   | 21           | A           | 3,628.36       | 43,540        | 20.93         |
|  |              | B           | 3,809.78       | 45,717        | 21.98         |
|  |              | C           | 4,000.27       | 48,003        | 23.08         |
|  |              | D           | 4,200.28       | 50,403        | 24.23         |
|  |              | E           | 4,410.30       | 52,924        | 25.44         |
| Utility Worker II  | 23           | A           | 3,822.66       | 45,872        | 22.05         |
|  |              | B           | 4,013.80       | 48,166        | 23.16         |
|  |              | C           | 4,214.49       | 50,574        | 24.31         |
|  |              | D           | 4,425.21       | 53,103        | 25.53         |
|  |              | E           | 4,646.47       | 55,758        | 26.81         |
| Wastewater Treatment Plant Operator<br>Water Quality Technician  | 25           | A           | 4,009.50       | 48,114        | 23.13         |
|  |              | B           | 4,209.98       | 50,520        | 24.29         |
|  |              | C           | 4,420.48       | 53,046        | 25.50         |
|  |              | D           | 4,641.50       | 55,698        | 26.78         |
|  |              | E           | 4,873.58       | 58,483        | 28.12         |
| Equipment Mechanic II<br>Senior Utility Technician<br>Senior Utility Worker<br>Stores Supervisor<br>Water Source Operator<br>Senior Building Facilities Technician | 27           | A           | 4,214.50       | 50,574        | 24.31         |
|  |              | B           | 4,425.23       | 53,103        | 25.53         |
|  |              | C           | 4,646.49       | 55,758        | 26.81         |
|  |              | D           | 4,878.81       | 58,546        | 28.15         |
|  |              | E           | 5,122.75       | 61,473        | 29.55         |
| Lead Utility Worker<br>Wastewater Treatment Plant Supervisor<br>Water Quality Supervisor   | 29           | A           | 4,416.16       | 52,994        | 25.48         |
|  |              | B           | 4,636.96       | 55,644        | 26.75         |
|  |              | C           | 4,868.81       | 58,426        | 28.09         |
|  |              | D           | 5,112.25       | 61,347        | 29.49         |
|  |              | E           | 5,367.87       | 64,414        | 30.97         |

**Section 8. Management and Confidential.** The following Positions and Ranges comprise the Management and Confidential Unit. See "Schedule E" for salaries.

| <b>MANAGEMENT AND CONFIDENTIAL EMPLOYEES<br/>SCHEDULE E<br/>EFFECTIVE JULY 1, 2018</b>            |              |             |                |               |               |
|---|--------------|-------------|----------------|---------------|---------------|
| <b>POSITION</b>   | <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
| Administrative Assistant  | 18           | A           | 3,142.68       | 37,712        | 18.13         |
|   |              | B           | 3,299.81       | 39,598        | 19.04         |
|   |              | C           | 3,464.80       | 41,578        | 19.99         |
|   |              | D           | 3,638.04       | 43,657        | 20.99         |
|   |              | E           | 3,819.94       | 45,839        | 22.04         |
| Executive Secretary   | 20           | A           | 3,297.46       | 39,569        | 19.02         |
|   |              | B           | 3,462.33       | 41,548        | 19.97         |
|   |              | C           | 3,635.45       | 43,625        | 20.97         |
|   |              | D           | 3,817.22       | 45,807        | 22.02         |
|   |              | E           | 4,008.08       | 48,097        | 23.12         |
| Accountant  | 28           | A           | 4,018.53       | 48,222        | 23.18         |
|   |              | B           | 4,219.46       | 50,634        | 24.34         |
|   |              | C           | 4,430.43       | 53,165        | 25.56         |
|   |              | D           | 4,651.95       | 55,823        | 26.84         |
|   |              | E           | 4,884.55       | 58,615        | 28.18         |
| Finance Operations Supervisor   | 30           | A           | 4,219.60       | 50,635        | 24.34         |
|   |              | B           | 4,430.58       | 53,167        | 25.56         |
|   |              | C           | 4,652.11       | 55,825        | 26.84         |
|   |              | D           | 4,884.72       | 58,617        | 28.18         |
|   |              | E           | 5,128.95       | 61,547        | 29.59         |
| Equipment Maintenance Supervisor  | 32           | A           | 4,435.56       | 53,227        | 25.59         |
|   |              | B           | 4,657.34       | 55,888        | 26.87         |
|   |              | C           | 4,890.20       | 58,682        | 28.21         |
|   |              | D           | 5,134.71       | 61,617        | 29.62         |
|   |              | E           | 5,391.45       | 64,697        | 31.10         |
| Assistant Public Works Superintendent<br>Financial Report Manager<br>Project Manager/City Planner | 34           | A           | 4,658.24       | 55,899        | 26.87         |
|   |              | B           | 4,891.15       | 58,694        | 28.22         |
|   |              | C           | 5,135.71       | 61,629        | 29.63         |
|   |              | D           | 5,392.50       | 64,710        | 31.11         |
|   |              | E           | 5,662.12       | 67,945        | 32.67         |
| Aquatic Program Manager   | 35           | A           | 4,779.11       | 57,349        | 27.57         |
|   |              | B           | 5,018.07       | 60,217        | 28.95         |
|   |              | C           | 5,268.97       | 63,228        | 30.40         |
|   |              | D           | 5,532.42       | 66,389        | 31.92         |
|   |              | E           | 5,809.04       | 69,708        | 33.51         |
| Aquatic Center Supervisor<br>Parks Maintenance Supervisor<br>Recreation Manager                   | 36           | A           | 4,893.16       | 58,718        | 28.23         |
|   |              | B           | 5,137.82       | 61,654        | 29.64         |
|   |              | C           | 5,394.71       | 64,737        | 31.12         |
|   |              | D           | 5,664.45       | 67,973        | 32.68         |
|   |              | E           | 5,947.67       | 71,372        | 34.31         |
| Building Official /Code Enforcement Officer<br>Public Works Superintendent                        | 38           | A           | 5,151.13       | 61,814        | 29.72         |
|   |              | B           | 5,408.68       | 64,904        | 31.20         |
|   |              | C           | 5,679.12       | 68,149        | 32.76         |
|   |              | D           | 5,963.07       | 71,557        | 34.40         |
|   |              | E           | 6,261.23       | 75,135        | 36.12         |

**MANAGEMENT AND CONFIDENTIAL EMPLOYEES  
SCHEDULE E  
EFFECTIVE JULY 1, 2018**

| POSITION   | RANGE | STEP | MONTHLY  | YEARLY  | HOURLY |
|--|-------|------|----------|---------|--------|
| Engineer Design Technician   | 39    | A    | 5,279.91 | 63,359  | 30.46  |
|  |       | B    | 5,543.90 | 66,527  | 31.98  |
|  |       | C    | 5,821.10 | 69,853  | 33.58  |
|  |       | D    | 6,112.15 | 73,346  | 35.26  |
|  |       | E    | 6,417.76 | 77,013  | 37.03  |
| Building Official /Code Enforcement Officer<br>Public Works Superintendent | 40    | A    | 5,411.91 | 64,943  | 31.22  |
|  |       | B    | 5,682.51 | 68,190  | 32.78  |
|  |       | C    | 5,966.63 | 71,600  | 34.42  |
|  |       | D    | 6,264.96 | 75,180  | 36.14  |
|  |       | E    | 6,578.21 | 78,939  | 37.95  |
| Assistant City Engineer<br>Library Director                                | 45    | A    | 6,126.29 | 73,516  | 35.34  |
|  |       | B    | 6,432.61 | 77,191  | 37.11  |
|  |       | C    | 6,754.24 | 81,051  | 38.97  |
|  |       | D    | 7,091.95 | 85,103  | 40.92  |
|  |       | E    | 7,446.55 | 89,359  | 42.96  |
| City Engineer  | 47    | A    | 6,434.66 | 77,216  | 37.12  |
|  |       | B    | 6,756.39 | 81,077  | 38.98  |
|  |       | C    | 7,094.21 | 85,131  | 40.93  |
|  |       | D    | 7,448.92 | 89,387  | 42.97  |
|  |       | E    | 7,821.36 | 93,856  | 45.12  |
| Finance Director<br>Parks And Recreation Director<br>Public Works Director | 49    | A    | 6,760.50 | 81,126  | 39.00  |
|  |       | B    | 7,098.52 | 85,182  | 40.95  |
|  |       | C    | 7,453.45 | 89,441  | 43.00  |
|  |       | D    | 7,826.12 | 93,913  | 45.15  |
|  |       | E    | 8,217.43 | 98,609  | 47.41  |
| Community Development Director   | 51    | A    | 7,098.73 | 85,185  | 40.95  |
|  |       | B    | 7,453.66 | 89,444  | 43.00  |
|  |       | C    | 7,826.35 | 93,916  | 45.15  |
|  |       | D    | 8,217.67 | 98,612  | 47.41  |
|  |       | E    | 8,628.55 | 103,543 | 49.78  |

**Section 9. Part Time and Contingent Seasonal Work Employees.** The following are positions for which part time or seasonal employees may be hired. "Schedule F-1" relates to Parks and Recreation part time and seasonal positions, working less than 29 hours per week.

**SCHEDULE F-1**

| DEPARTMENT           | JOB TITLES  |
|----------------------|---|
| PARKS AND RECREATION | RECREATION CLERK<br>LEAD RECREATION CLERK<br>LIFEGUARD<br>LEAD LIFEGUARD<br>SWIM INSTRUCTOR<br>CHILDCARE PROFESSIONAL<br>LEAD CHILDCARE PROFESSIONAL<br>FITNESS INSTRUCTOR<br>LEAD FITNESS INSTRUCTOR<br>ATHLETIC OFFICIAL<br>RECREATION LEADER<br>YOUTH PROGRAM COUNSELOR<br>LEAD YOUTH PROGRAM COUNSELOR<br>PARK MAINTAINER 1<br>PARK MAINTAINER 2<br>PARK MAINTAINER 3 |

**PARKS AND RECREATION  
PART TIME AND SEASONAL EMPLOYEES  
SCHEDULE F-1  
EFFECTIVE JULY 1, 2018**

| <b>POSITION</b>  | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
|--|--------------|-------------|---------------|
| RECREATION CLERK<br>RECREATION LEADER<br>YOUTH PROGRAM CO<br>UNSELOR             | 1            | 1           | 10.75         |
|  |              | 2           | 11.00         |
|  |              | 3           | 11.25         |
|  |              | 4           | 11.50         |
|  |              | 5           | 11.75         |
|  |              | 6           | 12.00         |
|  |              | 7           | 12.25         |
|  |              | 8           | 12.50         |
| LIFEGUARD  | 3            | 1           | 11.75         |
|  |              | 2           | 12.00         |
|  |              | 3           | 12.25         |
|  |              | 4           | 12.50         |
|  |              | 5           | 12.75         |
|  |              | 6           | 13.00         |
|  |              | 7           | 13.25         |
|  |              | 8           | 13.50         |
| SWIM INSTRUCTOR<br>CHILDCARE PROFESSIONAL  | 5            | 1           | 12.75         |
|  |              | 2           | 13.00         |
|  |              | 3           | 13.25         |
|  |              | 4           | 13.50         |
|  |              | 5           | 13.75         |
|  |              | 6           | 14.00         |
|  |              | 7           | 14.25         |
|  |              | 8           | 14.50         |
| LEAD RECREATION CLERK<br>LEAD FITNESS INSTRUCTOR<br>LEAD YOUTH PROGRAM COUNSELOR | 6            | 1           | 13.25         |
|  |              | 2           | 13.50         |
|  |              | 3           | 13.75         |
|  |              | 4           | 14.00         |
|  |              | 5           | 14.25         |
|  |              | 6           | 14.50         |
|  |              | 7           | 14.75         |
|  |              | 8           | 15.00         |
| LEAD LIFEGUARD<br>LEAD CHILDCARE PROFESSIONAL                                    | 7            | 1           | 13.75         |
|  |              | 2           | 14.00         |
|  |              | 3           | 14.25         |
|  |              | 4           | 14.50         |
|  |              | 5           | 14.75         |
|  |              | 6           | 15.00         |
|  |              | 7           | 15.25         |
|  |              | 8           | 15.50         |
| FITNESS INSTRUCTOR<br>ATHLETIC OFFICIAL  | 12           | 1           | 16.50         |
|  |              | 2           | 17.00         |
|  |              | 3           | 17.50         |
|  |              | 4           | 18.00         |
|  |              | 5           | 18.50         |
|  |              | 6           | 19.00         |
|  |              | 7           | 19.50         |
|  |              | 8           | 20.00         |

**PARKS AND RECREATION  
PART TIME AND SEASONAL EMPLOYEES  
SCHEDULE F-1  
EFFECTIVE JULY 1, 2018**

| POSITION            | RANGE | STEP | HOURLY |
|---------------------|-------|------|--------|
| PARK MAINTAINER I   | 9     | 1    | 14.50  |
|                     |       | 2    | 14.75  |
|                     |       | 3    | 15.25  |
|                     |       | 4    | 16.00  |
| PARK MAINTAINER II  | 12    | 1    | 16.50  |
|                     |       | 2    | 16.75  |
|                     |       | 3    | 17.25  |
|                     |       | 4    | 18.00  |
| PARK MAINTAINER III | 14    | 1    | 18.00  |
|                     |       | 2    | 18.25  |
|                     |       | 3    | 18.75  |
|                     |       | 4    | 19.50  |

“Schedule F-2” if for part time or seasonal positions outside of Parks and Recreation departments working less than 29 hours per week.

**SCHEDULE F-2**

| DEPARTMENT                | JOB TITLES   |
|---------------------------|--|
| ALL DEPARTMENTS           | CLERICAL SUPPORT   |
| COMMUNITY DEVELOPMENT     | BUILDING INSPECTOR<br>CITY HISTORIAN   |
| FINANCE                   | HUMAN RESOURCES SUPPORT<br>ACCOUNTING SUPPORT CLERK                                |
| FIRE                      | HAZMAT TEAM MEMBER<br>FIRE DEPARTMENT PROJECT MANAGER                              |
| LIBRARY                   | LIBRARY PAGE I<br>LIBRARY PAGE II<br>LIBRARY ASSISTANT<br>SENIOR LIBRARY ASSISTANT |
| PARKS                     | SPECIAL PROJECTS MANAGER (on call position)  |
| POLICE/EMERGENCY DISPATCH | ASSISTANT TO THE EMERGENCY<br>COMMUNICATIONS MANAGER<br>COMMUNITY SERVICE OFFICER  |
| PUBLIC WORKS              | PUBLIC WORKS LABORER<br>WEEKEND WATER OPERATOR<br>ENGINEERING PROJECT ASSISTANT    |

**PART TIME AND SEASONAL EMPLOYEES  
SCHEDULE F-2  
EFFECTIVE JULY 1, 2018**

| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
|--------------|-------------|---------------|--------------|-------------|---------------|
| 1A           | 1           | 10.75         | 2A           | 1           | 22.50         |
|              | 2           | 11.00         |              | 2           | 23.00         |
|              | 3           | 11.25         |              | 3           | 23.50         |
|              | 4           | 11.50         |              | 4           | 24.00         |
|              | 5           | 11.75         |              | 5           | 24.50         |
|              | 6           | 12.00         |              | 6           | 25.00         |
|              | 7           | 12.25         |              | 7           | 25.50         |
|              | 8           | 12.50         |              | 8           | 26.00         |
|              | 9           | 12.75         |              | 9           | 26.50         |
|              | 10          | 13.00         |              | 10          | 27.00         |
|              | 11          | 13.50         |              | 11          | 27.50         |
|              | 12          | 13.75         |              | 12          | 28.00         |
|              | 13          | 14.00         |              | 13          | 28.50         |
|              | 14          | 14.25         |              | 14          | 29.00         |
|              | 15          | 14.50         |              | 15          | 29.50         |
| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
| 1B           | 1           | 14.75         | 3            | 1           | 30.00         |
|              | 2           | 15.00         |              | 2           | 32.50         |
|              | 3           | 15.25         |              | 3           | 35.00         |
|              | 4           | 15.50         |              | 4           | 37.50         |
|              | 5           | 15.75         |              | 5           | 40.00         |
|              | 6           | 16.00         |              | 6           | 42.50         |
|              | 7           | 16.25         |              | 7           | 47.50         |
|              | 8           | 16.50         |              | 8           | 50.00         |
|              | 9           | 16.75         |              | 9           | 52.50         |
|              | 10          | 17.00         |              | 10          | 57.50         |
|              | 11          | 17.25         |              | 11          | 60.00         |
|              | 12          | 17.50         |              | 12          | 62.50         |
|              | 13          | 17.75         |              | 13          | 65.00         |
|              | 14          | 18.00         |              | 14          | 67.50         |
|              | 15          | 18.25         |              | 15          | 70.00         |
| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |              | 16          | 75.00         |
| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
| 1C           | 1           | 18.50         | 4            | 1           | 80.00         |
|              | 2           | 18.75         |              | 2           | 85.00         |
|              | 3           | 19.00         |              | 3           | 90.00         |
|              | 4           | 19.25         |              | 4           | 95.00         |
|              | 5           | 19.50         |              | 5           | 100.00        |
|              | 6           | 19.75         |              | 6           | 105.00        |
|              | 7           | 20.00         |              | 7           | 110.00        |
|              | 8           | 20.25         |              | 8           | 115.00        |
|              | 9           | 20.50         |              | 9           | 120.00        |
|              | 10          | 20.75         |              | 10          | 125.00        |
|              | 11          | 21.00         | 5            | 1           | 130.00        |
|              | 12          | 21.25         |              | 2           | 140.00        |
|              | 13          | 21.50         |              | 3           | 150.00        |
|              | 14          | 21.75         |              | 4           | 160.00        |
|              | 15          | 22.00         |              | 5           | 170.00        |
|              |             |               |              | 6           | 180.00        |
|              |             |               |              | 7           | 190.00        |
|              |             |               |              | 8           | 200.00        |



Police Reserve: \$11.00 (Schedule F-2, Range 1A / 2) per training session, \$11.00 per hour assigned duty. Police Reserve rate of pay for dances, festivals, and similar duties shall be 1½ times Range 29A (Schedule E). All drills and training sessions must be officially approved.

**Section 10. Advancement Within Range.** As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.

**Section 11. Exceptional And Additional Increases.** As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.

**Section 12. Stability Pay.** As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.6. The table below lists the stability pay for the different employee groups:

|                               |                     |            |
|-------------------------------|---------------------|------------|
| General/Parks Union Employees | Step E of pay range | Schedule A |
| Fire IAFF Union               | Step E of pay range | Schedule B |
| Fire Management               | Step E of pay range | Schedule B |
| Police Union (sworn)          | Step E of pay range | Schedule C |
| Police Union (nonsworn)       | Step E of pay range | Schedule C |
| Police Management             | Step E of pay range | Schedule C |
| Public Works Union            | Step E of pay range | Schedule D |
| Management and Confidential   | Step E of pay range | Schedule E |

**Section 13. Responsibility Pay.** As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Sections 4.7.

**Section 14. Repeal Of Resolutions.** Resolution No. 18-01 adopted by the City Council on January 2, 2018 is hereby repealed and superseded by this resolution.

**Section 15. Effective Date.** The provisions of this resolution shall become effective upon passage.

ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

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

ROLL CALL ON ADOPTION:                      YEA                      NAY                      ABSENT

Councilor   Herman  
                  Brownson  
                  Rocka  
                  West  
Mayor        Jones




## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

### MEMORANDUM • PUBLIC WORKS DEPARTMENT

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DATE: April 24, 2019  
TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: LICENSE TO OCCUPY A PORTION OF THE 6<sup>TH</sup> STREET RIGHT-OF-WAY  
ADJACENT TO 614 JEROME AVE

#### DISCUSSION / ANALYSIS

The City has received a request from David Tennant, who owns property at 614 Jerome Ave, to occupy a portion of the 6<sup>th</sup> Street right-of-way in order to demolish an existing garage and reconstruct a new garage. The existing encroachment is approximately 25 feet wide.

Public Works staff has reviewed this request and recommend a License to Occupy for the proposed improvement be permitted with the following conditions:

1. Tennant's use of the 6<sup>th</sup> Street right-of-way is not "adverse" or contrary to the City in any way.
2. Any improvements within the right-of-way must be maintained by the property owner at their own expense, including but not limited to the new garage.
3. Neither Tennant nor any subsequent owner or occupant of the adjacent property will acquire any prescriptive rights in the 6<sup>th</sup> Street right-of-way.
4. Demolition of the existing garage and construction of a new garage must comply with City Code, Planning requirements, and Building Code.
5. If necessary, the property owner will be required to remove the improvements to accommodate future development of the 6<sup>th</sup> Street right-of-way and/or installation/maintenance of City utilities.
6. The existing house is non-compliant for lot coverage. If the new structure is attached to the house, the expanded footprint may trigger the need for a variance from lot coverage and side yard setbacks.
7. The new encroachment may not exceed the width of the existing encroachment of approximately 25 feet. The total encroachment being considered with this application is an area 25 feet wide (east/west) and 25 feet long (north/south).
8. A City of Astoria Grading Permit, Utility Service Application and Right-of-Way Permit must be obtained prior to construction.
9. Storm drainage runoff from the new garage and associated area must be routed to an approved location.
10. Adjacent utility service lines (water and sanitary sewer) must be protected during construction. Repair of any damage will be the responsibility of the applicant.

Mr. Tennant is aware of and agreeable with these conditions.

City Attorney Blair Henningsgaard has reviewed, and approved as to form, the attached License Agreement.

**RECOMMENDATION**

It is recommended that City Council approve a license to occupy, subject to the above conditions, for a 25 foot by 25 foot portion of the 6<sup>th</sup> Street right-of-way adjacent to 614 Jerome Avenue for the purpose of demolition of an existing garage and construction of a new garage.

Submitted By Jeff Harrington  
Jeff Harrington PE, Public Works Director

Prepared By: Nathan Crater  
Nathan Crater, City Engineer



Proposed License to Occupy  
a 25' x 25' Portion of 6th St  
Adjacent to 614 Jerome Ave.

Date: 4-22-2019



Scale: 1"=50'





After recording, return to:  
Public Works Administration  
City of Astoria  
1095 Duane Street  
Astoria, OR 97103

## LICENSE

AN AGREEMENT made and entered into this \_\_\_\_\_ of \_\_\_\_\_, 2019 between the CITY OF ASTORIA, a municipal corporation of the State of Oregon, hereinafter referred to as "City", and David Tennant, 614 Jerome Ave, Astoria, OR 97103, hereinafter referred to as "Tennant".

### WITNESSETH:

WHEREAS, Tennant is the owner of certain real property in Astoria, Oregon, hereinafter referred to as "the Tennant property", and more particularly described as: Lot 8, Blk 109, Tax Lot 700, McClure, in the City of Astoria, County of Clatsop and State of Oregon.

WHEREAS, City is the owner of a public street right-of-way adjacent to and abutting the Tennant property, hereinafter referred to as "the 6th Street right-of-way", and

WHEREAS, Tennant wants to demolish and rebuild an existing garage, hereinafter referred to as "the garage", on a 25 foot by 25 foot portion of the 6th Street right-of-way, as it abuts the Tennant property, and

WHEREAS, Tennant has requested from City the right to locate a garage on a 25 foot by 25 foot portion of the 6th Street right-of-way, as shown on the attached exhibit map;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

- 1) City grants permission to Tennant and Tennant accepts City's permission to construct the garage on the 6th Street right-of-way as shown on attached exhibit map.
- 2) Tennant's use of the 6th Street right-of-way is not "adverse" or contrary to the City in any way.
- 3) Any Improvements within the right-of-way must be maintained by the property owner at their own expense, including but not limited to the new garage.
- 4) Neither Tennant nor any subsequent owner or occupant of the property will acquire any prescriptive rights in the 6th Street right-of-way.
- 5) Demolition of the existing garage and construction of a new garage must comply with City Code, Planning requirements, and Building Code.
- 6) City may revoke its permission for Tennant's continued use of the garage on the 6th Street right-of-way for any reason upon sixty days prior written notice to Tennant. Upon such notice, Tennant or subsequent owner will remove the garage forthwith from the 6th Street right-of-way at his sole expense and restore right-of-way to a condition acceptable to the City.
- 7) The existing house is non-compliant for lot coverage. If the new structure is attached to the house, the expanded footprint may trigger the need for a variance from lot coverage and side yard setbacks.
- 8) The new encroachment may not exceed the width of the existing encroachment of approximately 25 feet.

The total encroachment being considered with this application is an area 25 feet wide (east/west) and 25 feet long (north/south).

9) A City of Astoria Grading Permit, Utility Service Application and Right-of-Way Permit must be obtained prior to construction.

10) Storm Drainage runoff from the new garage and associated area will need to be routed to an approved location

11) Adjacent utility service lines (water and sanitary sewer) must be protected during construction. The repair of any damage to the utility service lines will be the responsibility of the applicant.

12) Tennant or his successor shall forever defend, indemnify and hold City harmless from any and all claim, loss or liability arising out of or in any way connected with his use of the 6th Street right-of-way, his conduct with respect to the same, or any condition thereof. In the event of any litigation or proceeding brought against City arising out of or in any way connected with any of the foregoing events or claims, Tennant or his successor shall, upon notice from City, vigorously resist and defend against such actions or proceedings through legal counsel reasonably satisfactory to City.

13) The provision, covenants and agreements of this license shall be binding upon and inure to the benefit of the heirs, personal representatives, successors and permissible assigns of the parties hereto.

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

CITY OF ASTORIA, a  
Municipal Corporation of  
The State of Oregon,

CITY:

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

Attest: \_\_\_\_\_  
City Manager

\_\_\_\_\_  
Property Owner



## CITY OF ASTORIA

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### MEMORANDUM • PARKS AND RECREATION

---

**DATE:** APRIL 30, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** CHILDCARE TUITION DISCOUNT POLICY FOR CURRENT CITY EMPLOYEES

#### DISCUSSION/ANALYSIS

In 2013, full and part-time Parks and Recreation employees were granted a 50% discount for childcare costs at Lil' Sprouts Academy, a city-run daycare, to increase the recruitment of individuals interested in working for the Parks and Recreation Department and reduce staff turnover. This policy has been reviewed in order to provide greater equity to benefits offered for all City employees. The City of Astoria recognizes the value of having consistent and available daycare and this policy establishes a City-Wide benefit available to all employees for daycare services, offering a 20% discount for employees who have not received the discount in the past and grandfathering in existing staffs' discounts of 50%.

A set number of spaces in each of the five classrooms at Lil' Sprouts will be allocated for City-supported discounted childcare to ensure that the mission of Lil' Sprouts (benefiting the community at large and operate in a financially sustainable way) is still being achieved. Employees will be able to apply for their children to be accepted in the daycare program and have a 20% discount applied to established daycare fees. Applications and acceptance will be at the discretion of Parks staff, using the same criteria applied to all other applicants to the program, and depend on availability of spots within the age appropriate classroom. City employees utilizing the discount will compromise no more than 10% of the total spaces for childcare at Lil' Sprouts. The discount will apply only to Lil' Sprouts tuition for full time care enrollment (no other programs or services offered by the Parks and Recreation Department will be eligible for discount). Employees who apply to receive the discount will be added to a wait-list on a first-come, first-served basis.

Current enrollment fees are posted on the Parks and Recreation website at [astoriaparks.com](http://astoriaparks.com) or by calling 503.325.7275.

#### RECOMMENDATION

It is recommended that City Council adopt the attached Daycare Discount Policy.

By: 

Tim Williams  
Director of Parks & Recreation

## DAYCARE DISCOUNT POLICY

Section 1.01. Purpose. The City of Astoria recognizes the value of having consistent and available daycare. As such this policy establishes a City-Wide benefit available to all employees for daycare services provided through Lil' Sprouts Academy, a City run daycare facility.

Section 1.02. Authority. The City Manager authorizes the childcare discount which is not subject to bargaining and which may be discontinued at any point in time.

Section 1.03. Process. Per IRS guidelines contained in Publication 15-B discount for services up to 20% are considered non-taxable benefit.

- Employees will be able to apply for their child to be accepted in the daycare program and have a 20% discount applied to established daycare fees.
- Applications and acceptance are at the discretion of the childcare facility and availability of spots within the age appropriate classroom.
- Spaces available for employees by class age group are as follows:
  - Daffodil      Ages:      2 employee spaces available
  - Sunflower    Ages:      2 employee spaces available
  - Daisies      Ages:      1 employee space available
  - Tulips      Ages:      1 employee space available
  - Sweet Peas    Ages:      1 employee space available
- After application and acceptance have been determined for an employee's child they will be placed on a waiting list by age appropriate class.
  - When an employee space becomes available in a class, the first employee on the waiting list for the class with availability will be contacted to determine if they are ready to place their child in Lil Sprouts and if so, orientation will take place regarding the first day, payment requirements and other program rules will be communicated.
  - If the first person on the waiting list for the class with an opening does not wish to place their child, the next person on the waiting list for the applicable class opening will be contacted.
  - This process will continue until all employees for the available class opening have been contacted.
  - When all employees waiting for a class opening have been contacted and passed or if no employees are waiting for an available class opening, then the daycare staff will begin going through the public waiting list to fill the opening.
  - Under no circumstances will class openings be held for employees longer than one month. This will allow for mid-month cancellations and appropriate time to give notice to current provider.
- Employees who enroll a child in the Lil Sprouts Daycare program must follow the payment rules established by the program.
  - As the discount is a privilege, late payments will not be tolerated and will be reason for removal from the discount program.
  - Employees will be given one instance of late payment with appropriate late fees applied. A second instance will result in loss of discount for daycare program. Additional instances will adhere to the Lil Sprouts policies regarding payment and applicable late fees.



## DAYCARE DISCOUNT POLICY

- Insufficient funds for payment and returned payments will be considered as an instance of non-payment and follow the process for potential removal from the discount program.
- Payroll deductions for daycare charges are not allowed. ACH setup is encouraged.

# City of Astoria

## Employee Childcare Tuition Discount Application

| Parent/Guardian Information       |  |
|-----------------------------------|--|
| Application Date                  |  |
| Name of Employee                  |  |
| Position within City              |  |
| Department                        |  |
| Supervisor                        |  |
| Parent Home Address               |  |
| Parent Phone Number               |  |
| Parent Email                      |  |
| Parent Birthday                   |  |
| 1 <sup>st</sup> Child Information |  |
| Child's Name                      |  |
| Date of Birth                     |  |
| Desired Classroom                 |  |
| Developmental Successes           |  |
| Additional Information            |  |
| 2 <sup>nd</sup> Child Information |  |
| Child's Name                      |  |
| Date of Birth                     |  |
| Desired Classroom                 |  |
| Developmental Successes           |  |
| Additional Information            |  |

---

### Employee Childcare Tuition Discount Policies

- If employee space allows, employees will receive a 20% discount from tuition costs.
- Tuition discount applies to full-time enrollment only.
- Tuition discount applies only to the employee's immediate children and/or children for which employee has legal guardianship.
- The tuition discount does not apply to Port of Play entry, enrollment for Parent's Night Out, other Lil' Sprouts activities or programs at the Astoria Recreation Center and/or the Astoria Aquatics Center.
- Employees and their children will be required to follow the policies and procedures as outlined in the Lil' Sprouts Parent Handbook.
- Employees will be notified in a first applied, first served order as employee space becomes available in each classroom. Enrollment will become effective the first day of the week.
- If employment with the City of Astoria ends, the tuition discount will no longer be valid and, dependent upon space, the child's space in the Lil' Sprouts program may be forfeited.

# City of Astoria

## Employee Childcare Tuition Discount Application

### Program Enrollment Fee:

Please call the Parks and Recreation Department for your 20% discount breakdown by calling 503.325.7275.

By submitting this form, you are agreeing to the following statement: I certify that the information provided is correct. I understand that the tuition discount is given based on availability, and that this document is considered an application. I agree to comply with policies and procedures listed in this document and the Lil' Sprout Parent Handbook. I agree to pay tuition on time each month and understand that failure to follow this policy may result in loss of the tuition discount. Additionally, I understand that in the event my employment ends with the City of Astoria, the tuition discount will no longer be valid and my child's space may be forfeited.

|  |                                 |               |
|--|---------------------------------|---------------|
| _____<br>Employee Name (Printed)       | _____<br>Employee Signature     | _____<br>Date |
| _____<br>Parks and Recreation Director | _____<br>Director Signature     | _____<br>Date |
| _____<br>City Manager                  | _____<br>City Manager Signature | _____<br>Date |

---

### For Office Use Only

Recommended Classroom(s): \_\_\_\_\_

| Action  | Completed By | Date |
|---|--------------|------|
| Application Entered into RecTrac  |              |      |
| Application Approved  |              |      |
| Employee Notified (Initial billing would be at the first of the week if entering the program during the month. Regular billings will occur at the beginning of each month.) |              |      |
| Discount Entered Into RecTrac   |              |      |

Acceptance of Discount/Recommended Classroom: ☐ Yes ☐ No

Notes: \_\_\_\_\_




## CITY OF ASTORIA

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### MEMORANDUM • PARKS AND RECREATION

---

**DATE:** APRIL 30, 2019  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** AUTHORIZATION TO REQUEST PROPOSALS FOR THE  
DEVELOPMENT OF OCEANVIEW CEMETERY FACILITIES MASTER  
PLAN

#### DISCUSSION

An adopted goal of the Astoria City Council for Fiscal Year 19-21 is to explore options to enhance long-term financial sustainability of the Parks Department, including but not limited to, a cemetery facilities master plan. Staff has researched the process of developing and enacting a cemetery master plan through outreach to municipalities who provide similar cemetery services and have determined that firms specializing in cemetery-related planning and implementation are the best resource to achieve this goal.

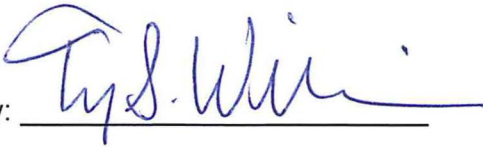
Parks Staff has developed a Request for Proposals (RFP) for a facilities master plan for Ocean View Cemetery that mandates critical information gathering and facilitation to produce a plan that provides:

- Detailed comparison and analysis of local, regional, and statewide public and private cemetery management strategies, staffing levels, pricing, and challenges
- Descriptions of use and regional reliance on Oceanview Cemetery facilities and potential impacts and outcomes generated by alterations to existing operations
- Inventory and evaluation of current facility resources, infrastructure, and potential growth opportunities, with recommendations and capital costs for large scale projects
- Forecasting and recommendation of practices, fees, and additional guidelines the City must implement for the cemetery to be sustainable into the future
- Timeline of actionable priorities for the Parks and Recreation Department to achieve toward long-term viability of the cemetery's use by and for the public
- An inclusive and public planning process to glean insights from all stakeholders affected by management and operational changes to the cemetery

RFP responses will be evaluated, and a contractor selected, during summer of 2019 and a final plan is desired by fall/winter. The project will be carried out with Capital Funds allocated to the Parks Department for FY19-20 and will be coordinated by Parks Staff. Preliminary estimates vary on the total cost for the plan to be completed, depending on the scope of the selected proposal, \$50,000 - \$100,000 is the anticipated amount.

### **RECOMMENDATION**

It is recommended that Council review the scope of work and if in agreement authorize Staff to release the Request for Proposals for the development of Ocean View Cemetery facilities master plan.

By: 

Tim Williams  
Director of Parks & Recreation



## Cemetery Master Plan RFP – CITY OF ASTORIA



Proposal Closing Date and Time:  
May 30, 2019  
5 PM Pacific Standard Time

**CITY OF ASTORIA**  
**REQUEST FOR PROPOSALS**  
**OCEAN VIEW CEMETERY MASTER PLAN**

The City of Astoria is accepting proposals from qualified firms for the creation of a Master Plan for Ocean View Cemetery.

Responses will be accepted until May 30, 2019 at 5 PM (PST).

Submit (3) three complete printed proposals and a digital copy in .pdf format. Clearly mark the outside mailing envelope with the firm's name and address and **"RFP - Ocean View Cemetery Master Plan"**

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## **REQUEST FOR PROPOSALS OCEAN VIEW CEMETERY MASTER PLAN**

### **PROJECT BACKGROUND**

The City of Astoria is soliciting proposals from qualified firms for assistance in developing a master plan for the Ocean View Cemetery located at 575 SW 18<sup>th</sup> St., Warrenton, Oregon and owned by the City of Astoria. The active portion of the cemetery is approximately 40 acres in size, with an additional 30 acres of undeveloped property adjacent to the north. Established in 1897, the cemetery replaced the Hillside Cemetery (Pioneer Cemetery) in Astoria. At the time, the City of Astoria ordered the vacation of graves from the Hillside Cemetery to Ocean View Cemetery, located within the city limits of Warrenton, Oregon, approximately 10 miles southwest of Astoria. In 1916, the Portland Mausoleum Co. constructed a private mausoleum at the cemetery. The Portland Mausoleum Co. went out of business in 1929 and there were insufficient funds for the perpetual maintenance of the building so responsibility of care shifted to the private owners of plots within the building for interior management and exterior maintenance is carried out with the assistance of the City, as common owner of crypts in the mausoleum. Currently, around 12,700 plots are occupied (some are full plots, some are cremation plots. Full plots can have up to one full burial, plus four sets of cremains in each plot. Cremation plots can have up to two sets of cremains). Approximately 1,300 plots are unoccupied and reserved, around 300 plots are unoccupied and for sale, and 200 additional plots are unoccupied, but not yet for sale pending site inspection (potential issues with trees, roots, and utility lines). Around 1,000 plots within three additional blocks are unoccupied but not yet for sale. A fourth additional block, Block 36, is unoccupied but not yet for sale and will most likely be restricted to cremation-only plots due to site conditions. The cemetery was originally staffed with three full time employees and up to six part-time seasonal workers. Through budget cuts over the decades, staff has been reduced and there is currently no full time staff dedicated to the cemetery. The Parks and Recreation Department's Maintenance Division (three full time employees plus seasonal workers April-Oct) carries out all grounds and facilities care, maintenance, and interments Monday through Friday, in addition to servicing and maintaining all other City of Astoria park sites. The City Finance Department provides a support person for records management, monument permitting, and scheduling of work. Weekend full burials are contracted with SI Wilbert, and staff carries out Saturday cremation burials. In 2014, an online database was implemented for the cemetery to allow the public easier means of accessing burial information. In 2016, the Astoria Parks and Recreation Department developed a comprehensive Master Plan whose recommendations included the creation of a cemetery master plan to address funding source issues, continued operations and maintenance, and future site developments. In 2018, the Astoria City Council adopted as a goal the creation of a cemetery facilities master plan and that goal has been carried into 2019.

### **PURPOSE**

The intent of the master plan is to foster sustainable development, financial stability, and consistent maintenance at Ocean View Cemetery. The plan will provide City leadership and staff with a data-oriented framework for decision making and implementation of best management and financial practices. The cemetery's utility as a regional site for burials, grieving, and reflection is a prominent component of the plan, the site serves many of the communities within the greater Clatsop County area. The plan will include descriptions of comparable sites, evaluation and inventory of existing resources and infrastructure, determine growth opportunities via capital investments, forecast of trends, and provide recommendations of practices, fees, and additional guidelines the City should consider adopting for the cemetery's operations and use to be sustainable into the future. The plan will detail marketing strategies for improved revenue streams and recapture of expenses that align with the City's perpetual care obligation for the cemetery and reduces the overall burden on the General Fund to



subsidize operations.

## SCOPE OF WORK

The selected consultant will be expected to develop a strategic business and operational plan to inform the Director of Parks and Recreation, The Parks Advisory Board, City Council, and other stakeholders on future alternatives for the site and provide options for changes to existing management and care. The plan should identify marketing and investments that will enhance aesthetic character of the cemetery and generate future revenues.

Plans will evaluate the inventory, cemetery market, site conditions, capital improvements, operating cost assumptions, current and future staffing capabilities, community buy-in, and revenue assumptions in order for the Parks and Recreation staff to make key decisions regarding the future of its cemetery program. Exploration and explanation of the feasibility of the development of a cemetery district, or other shared burden of costs model, should be included in the plan.

The scope of the project is broken into the following components:

### Comparison, Inventory, Evaluation

- Compare services, prices, and amenities at cemeteries within ~50 mile radius of Ocean View Cemetery to provide baseline data for future decision making paths and potential impacts of actions
- Interview Operations and Administration Staff for feedback and internal perspective
- Inventory of grounds, services, and infrastructure at cemetery
- Evaluate site and infrastructure for development of new services, infrastructure, or expansion
- Describe the condition of the facilities, related challenges, opportunities, and trade-offs. This will include boundary walls, grading, asphalt, gates, signage, large monuments and categorizing these needs as Urgent, Necessary and Desirable. Urgent projects will be those that serve as a public safety hazard or that must be done due to high level of deterioration and recommend prioritization of investments.
- Include organizational considerations or structure of potential operating entity (non-profit, special district, holding company, etc.)
- Outline costs of various operational recommendations and possible sources of future funding.
- Outline best practices to the current management structure
- Identify suitable care for grounds, records and monuments
- Review and evaluate the cemetery's regulations and provide recommendations for updates and changes to best manage the site

### Operational Strengths and Weaknesses

- Evaluate the City of Astoria's strengths and weaknesses for existing cemetery operations, management, and available funds
- Provide cost estimates for deferred maintenance, capital investments, and long-term cost of managing site
- Use current capacity to adjudicate feasibility and advisability of implementing large-scale increases or changes to services and operations and inform on regional ramifications on downsizing services and operations
- Provide practical solutions, best management practices and innovative techniques for improved operations

## Strategic Development

- Recommend potential income generating activities based on existing conditions and operational capacity
- Recommend marketing and outreach techniques to capture additional revenue and provide information on cemetery's activities, growth, and challenges
- Provide information on trends that may inform future use of the site including: changes to burial practices, alternative uses, forecast of site disposition and care after all burial space is filled
- Potential for sale or development of unused portion of cemetery property as buildable land

## Draft Menu of Potential Outcomes for Internal and External Comment

- The consultant will produce a draft operations, marketing, and strategic plan with anticipated outcomes and recommendations for comment before final plan is produced
- Minimum of three 1.5 hour interactive meetings will be carried out for draft recommendations to be vetted and commented upon:
  - City Staff, including Parks and Recreation and Finance Department personnel
  - City Leadership including City Council Members and Parks Advisory Board
  - Stakeholder Meeting including residents of Astoria, Warrenton, Seaside, local members of death care industry, and other potentially impacted individuals and organizations

## Final Plan Submission

- A final plan will be submitted based on feedback received from staff, City leadership, and the public on the draft material presented
- Deliverables include:
  - Five printed and bound copies of the plan
  - Digital copies of the plan in Microsoft Word and .pdf formats
  - PowerPoint presentation developed for City staff to use to inform City Council and stakeholders of planning process, current conditions, and recommendations of plan for future sustainability and long-term success of the cemetery

## PROPOSAL CONTENT

Proposals must be organized in sections containing the following information:

- **Description of Team.** Describe areas of expertise, length of time in business, number of employees, key members and their roles in this project
- **Specialized Experience.** Briefly describe other projects carried out that demonstrate relevant experience in developing cemetery master plans. List at least one public sector clients for whom you have performed similar work and include current contact information of staff from their organization. Describe cost control measures and methods to ensure a high quality work
- **Personnel.** Provide a professional resume for the key people proposed to be assigned to the project (including any important sub-consultants), and describe relevant related experience. Describe key personnel's proposed roles and responsibilities on this project and their availability throughout the plan's development. Submittals must identify a proposed project manager who would be responsible for the day-to-day management of project tasks and would be the primary point of contact with your firm.
- **Project Approach.** Describe the approach to achieve the criteria of the components above. If applicable, discuss any unique aspects of the project, alternative approaches the City of Astoria might wish to consider or special considerations related to programmatic/funding requirements.
- **Familiarity with Area.** Provide firm and personnel's familiarity and understanding of the project location, the North Coast region of Oregon, and specific background and history of the City of Astoria and Ocean View Cemetery.
- **Project Schedule.** Provide a schedule of general project activities indicating the duration of each activity and of the total project. The schedule should reflect realistic activity durations. It should be noted that all work and final product is desired to be completed no later than December 1, 2019. Selection and notice to proceed will be dependent on final budget authorization through the Astoria City Council and funds may not be available to the project until after July 1, 2019. *All cost and schedule information presented in proposals must reflect this stipulation.*
- **Cost.** In pricing the services the proposal should include the following items:
  - Hourly rates to be charged for personnel.
  - Cost of materials and supplies.
  - Travel and other professional expenses.
  - Overhead charges or pass-through costs, if applicable.
  - Any miscellaneous costs related to the proposal.
  - Total cost of project.

The proposal shall address all items outlined in this request, and shall not exceed fifteen (15) printed pages, excluding the front and back covers, appendices, attachments, etc. Each proposal is limited to 8.5 x 11 inches of single-spaced text with 1-inch margins and minimum 12-pt font size. Proposal pages may be double-sided, but not exceed the printed page limitation (a double-sided printed sheet is equivalent to two printed pages). The Proposer should be environmentally conscious in using paper, bindings and ink.

Site visits prior to submitting a qualifications/proposal package are encouraged. If a tour is desired, please contact Jonah Dart-McLean, Parks Maintenance Supervisor via email at [jdart@astoria.or.us](mailto:jdart@astoria.or.us)

## CONTACT

Questions regarding the project must be directed, in writing, to Tim Williams, Director of Parks and Recreation, [twilliams@astoria.or.us](mailto:twilliams@astoria.or.us) or by phone 503 325 7275.

## DEADLINE

Proposals must be received no later than 5:00 PM (PDT) Thursday, May 30, 2019. Proposals received after this time will not be considered. Faxed or e-mailed proposals will not be accepted. Proposals must be within a sealed envelope/package with the outside delivery packaging clearly labeled "RFP – Ocean View Cemetery Master Plan."

Deliver to:

Astoria Parks and Recreation  
ATTN: Tim Williams  
1555 W Marine Dr.  
Astoria, OR 97103

The City reserves the right to cancel this request in whole or in part at any time, or otherwise reject any and all submissions for reasons deemed by the City that such an action would be in the City's best interest.

## SELECTION

Proposals will be evaluated on qualifications and the other criteria listed below. The City of Astoria will evaluate proposals and provide written notification of the short-listed firms within 30 days of receipt of proposals. In the selection of a firm, the following criteria shall be used:

- 25% Specialized experience in the type of work to be performed and educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work
- 15% Capacity and capability to perform the work, including any specialized services within the time limitations for the work. Availability to perform the assignment
- 10% Familiarity with the area in which the specific work is located
- 50% Cost of work to be completed

Proposals will be reviewed and rated by a selection committee no later than 30 days after the submission date.

## APPROVAL PROCESS & SAMPLE CONTRACT

Once a contractor is selected, a draft contract and scope of work will be provided by the City for the contractor's review. After review, the contract and scope of work will be presented to the City Council for their approval and authorization prior to being sent to the contractor for execution. Attached to this RFP is a sample contract that will be used for the project, all provisions listed in the document are required.

## APPEALS

Proposers may appeal only deviations from laws, rules, regulations, or procedures. Disagreement with

the scoring by evaluators may not be appealed. The following procedure applies to Proposers who wish to appeal a disqualification of proposal or award of contract:

All appeals must be in writing and physically received by the City of Astoria no later than 2:00 p.m. on the seventh (7th) calendar day after the postmarked Notice of Award or Notice of Disqualification.

Address appeals to:

***APPEAL OF AWARD***

City of Astoria

Attn: Tim Williams, Director of Parks and Recreation

1555 W. Marine Dr.

Astoria, OR 97103

Phone: (503) 325-7275

twilliams@astoria.or.us

Appeals must specify the grounds for the appeal including the specific citation of law, rule, regulation, or procedure upon which the protest is based. The judgment used in scoring by individual evaluators is not grounds for appeal. Appeals not filed within the time specified above, or which fail to cite the specific law, rule, regulation, or procedure upon which the appeal is based shall be dismissed.

|  |
|--|
| <p style="text-align: center;"><b>CITY OF ASTORIA</b><br/><b>CONTRACT FOR GOODS AND SERVICES</b></p> |
|--|

CONTRACT:

This Contract, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019 by and between the City of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and XXXX, located at XXXXXX, hereinafter called "CONTRACTOR", duly authorized to do business in Oregon.

W I T N E S S E T H

WHEREAS, the CITY requires goods and services which CONTRACTOR is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, CONTRACTOR is able and prepared to provide such goods and services 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. CONTRACTOR GOODS AND SERVICES

A. CONTRACTOR shall provide goods and services for the City of Astoria, as outlined in its Attachment A, which by this reference is incorporated herein.

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

C. CONTRACTOR services shall be performed as expeditiously as is consistent with professional skill and the orderly progress of work.

2. COMPENSATION

A. The CITY agrees to pay CONTRACTOR a total not to exceed \$XXXXX for providing goods and performance of those services provided herein;

B. *The CONTRACTOR will submit billing for work completed each month*

C. CITY certifies that sufficient funds are available and authorized for expenditure to finance costs of this Contract.

3. CONTRACTOR IDENTIFICATION

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

4. CITY'S REPRESENTATIVE

For purposes hereof, the CITY'S authorized representative will be Jonah Dart-McLean, City of Astoria, 1095 Duane Street, Astoria, Oregon, 97103, (503) 741-1600.

5. CONTRACTOR'S REPRESENTATIVE

For purposes hereof, the CONTRACTOR'S authorized representative will be XXXXXXXX.

6. CITY'S OBLIGATIONS

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

7. CONTRACTOR IS INDEPENDENT CONTRACTOR

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

B. CONTRACTOR acknowledges that for all purposes related to this contract, CONTRACTOR is and shall be deemed to be an independent CONTRACTOR 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 CONTRACTOR 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 CONTRACTOR under the terms of the contract, to the full extent of any benefits or other remuneration CONTRACTOR 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 CONTRACTOR or a third party) as a result of said finding.

C. The undersigned CONTRACTOR 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 CONTRACTOR, either directly or indirectly, in connection with the letting or performance of this contract, except as specifically declared in writing.

8. CANCELLATION FOR CAUSE

CITY may cancel all or any part of this Contract if CONTRACTOR breaches any of the terms herein or in the event of any of the following: Insolvency of CONTRACTOR; voluntary or involuntary petition in bankruptcy by or against CONTRACTOR; appointment of a receiver or trustee for CONTRACTOR, or any assignment for benefit of creditors of CONTRACTOR. 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. CONTRACTOR 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.

9. 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.

10. FORCE MAJEURE

Neither CITY nor CONTRACTOR 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.



11. NONWAIVER

The failure of the CITY to insist upon or enforce strict performance by CONTRACTOR 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.

12. 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.

13. 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.

14. 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 CONTRACTOR, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

15. INDEMNIFICATION

With regard to Comprehensive General Liability, CONTRACTOR 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, contractor, or others resulting from or arising out of CONTRACTOR'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 CONTRACTOR 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 CONTRACTOR.

With regard to Professional Liability, CONTRACTOR 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 CONTRACTOR'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 CONTRACTOR and the Client, this indemnification and agreement to assume defense costs applies only to the extent of negligence of CONTRACTOR.

With respect to Commercial Liability and Professional Liability, CONTRACTOR reserves the right to approve the choice of counsel.



16. INSURANCE

Prior to starting work hereunder, CONSULTANT, at CONSULTANT'S cost, shall secure and continue to carry during the term of this contract, with an insurance company acceptable to CITY, the following insurance, written on an occurrence basis, in amounts not less than the limitations on liability for local public bodies provided in ORS 30.272 and ORS 30.273:

A. Commercial General Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage. Coverage shall include consultants, sub-consultants and anyone directly or indirectly employed by either.

B. Automobile Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of the resulting contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits).

C. Additional Insured. The liability insurance coverage shall include CITY and its officers and employees as Additional Insured but only with respect to CONSULTANT'S activities to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONSULTANT shall furnish a certificate to CITY from each insurance company providing insurance showing that the CITY is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

D. Notice of Cancellation or Change. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONSULTANT or its insurer(s) to CITY. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.

17. CITY'S BUSINESS LICENSE

Prior to beginning work, the CONTRACTOR shall have a current City of Astoria business license (occupational tax). Before permitting a subcontractor to begin work, CONTRACTOR shall verify that subcontractor has a current City of Astoria business license.

18. WORKMEN'S COMPENSATION

The CONTRACTOR, its subcontractors, if any, and all employers working under this Agreement are either 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, or are employers that are exempt under ORS 656.126.

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

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

Contractor shall pay all contributions or amounts due the Industrial Accident Fund from CONTRACTOR or any subcontractor incurred in the performance of the contract.

Contractor 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.

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

20. NONDISCRIMINATION

It is the policy of the City of Astoria that no person shall be denied the benefits of or be subjected to discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity and expression. The City of Astoria also requires its contractors and grantees to comply with this policy.

21. PAYMENT OF MEDICAL CARE

Contractor 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 CONTRACTOR, of all sums which the CONTRACTOR agrees to pay for such services and all moneys and sums which the CONTRACTOR 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.

22. OVERTIME

Employees shall be paid for overtime work performed under this contract in accordance with ORS 653.010 to 653.261 and the Fair Labor Standards Act of 1938 (29 U.S.C. sections 201 to 209).

23. STANDARD OF CARE

The standard of care applicable to contractor's services will be the degree of skill and diligence normally employed by contractors performing the same or similar services at the time CONTRACTOR'S services are performed. CONTRACTOR will re-perform any services not meeting this standard without additional compensation.

24. NO THIRD PARTY BENEFICIARIES

This contract gives no rights or benefits to anyone other than the CITY and CONTRACTOR 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. COMPLETE CONTRACT

This Contract and its referenced attachments constitute the complete contract between CITY and CONTRACTOR and supersedes all prior written or oral discussions or agreements. CONTRACTOR 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:

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

Attorney

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

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

BY: \_\_\_\_\_  
Contractor Date



## Ocean View Cemetery Regional Map



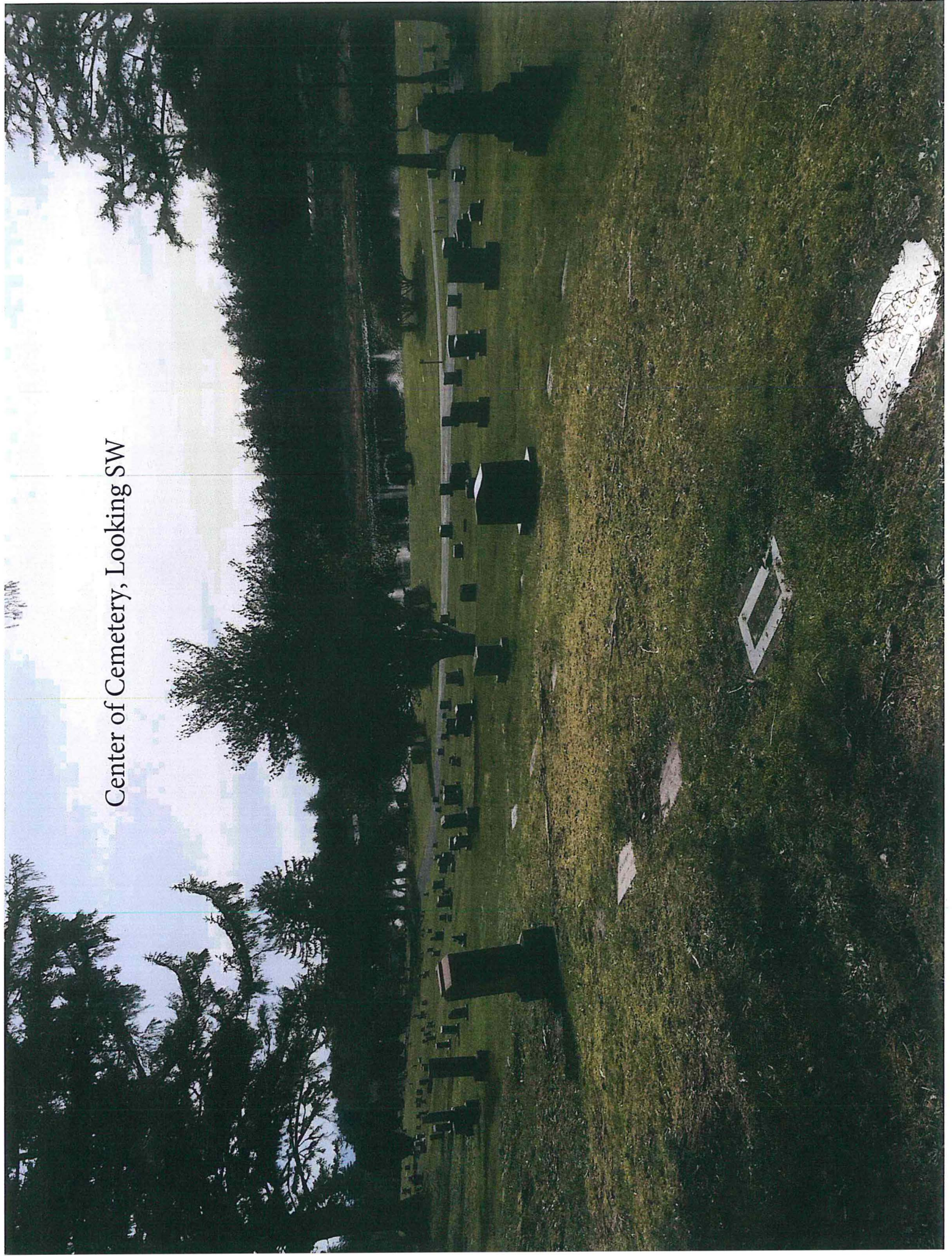




Entrance of Cemetery, Looking NE

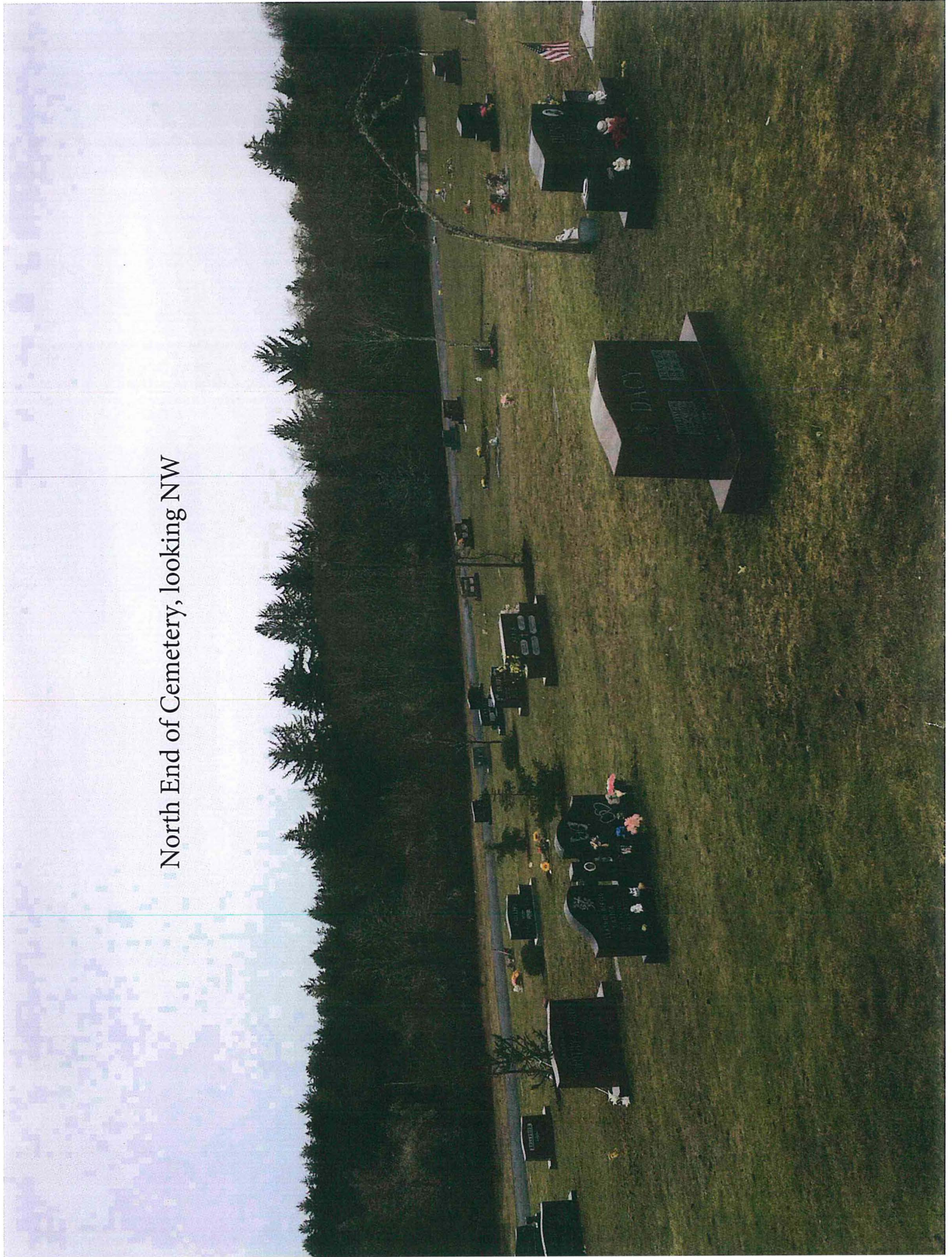


Center of Cemetery, Looking SW





North End of Cemetery, looking NW







## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

### MEMORANDUM • PUBLIC WORKS DEPARTMENT

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DATE: APRIL 24, 2019  
TO: MAYOR AND CITY COUNCIL  
FROM: BRETT ESTES, CITY MANAGER  
SUBJECT: AUTHORIZATION TO AWARD CONTRACT – 2019 TIMBER SALE (FAT BUCK CREEK COMBO HARVEST)

#### DISCUSSION / ANALYSIS

A shelterwood and thinning forest harvest project is proposed for 33 acres on the Bear Creek Watershed for the summer of 2019. The harvest is located on the far eastern boundary of the property on a flat ridge between Fat Buck Creek and Cedar Creek. These harvests are designed for long-term water quality and forest health goals.

Commercial thinning is proposed on 10 acres at the end of the Spur 1 Road. This is a very dense Douglas Fir and Hemlock stand that is severely impacted by Swiss Needlecast, a fungus that attacks the needles of mature Douglas Fir. In addition, this dense stand has very little understory vegetation, which can be important for water filtration. The thinning will allow light to reach the forest floor, improving the growth of shrubs and ferns.

Proposed shelterwood harvests are located in three patches, each under 10 acres. These 23 acres are also severely impacted by Swiss Needlecast and exist on both sides of Fat Buck Creek. Approximately 30% of the pre-harvest trees will be retained in order to provide a seed source for a new cohort of seedlings. This treatment has the goal of creating a stand with two distinct age classes, providing the long-term benefit of improved water filtration and resistance to disturbances. The shelterwood will be under-planted following the harvest.

The harvest-unit is bisected by Spur 1 Road. Approximately 1000' of the road will require repairs including the placement of two new culverts and the replacement of one existing culvert.

At the April 1, 2019 meeting, Council Authorized staff to solicit bids for the project. The call for bids was advertised in the Daily Astorian and on the City's Website, and bid packets were sent to fourteen perspective purchasers. On April 19, 2019, the City received the following two responsive bids for the harvest:



**Hampton Tree Farms**

| Species                      | Bid per MBF | Estimated MBF | Total Bid    | Grand Total         |
|------------------------------|-------------|---------------|--------------|---------------------|
| Douglas Fir                  | \$447.67    | 412.60        | \$184,708.64 |                     |
| W Hemlock                    | \$342.10    | 439.80        | \$150,455.58 |                     |
| Total Bid                    |             |               |              | \$335,164.22        |
| Minus deduction for roadwork |             |               | -25,000.00   |                     |
|                              |             |               |              | <b>\$310,164.22</b> |

**Stimson Lumber**

| Species                      | Bid per MBF | Estimated MBF | Total Bid    | Grand Total         |
|------------------------------|-------------|---------------|--------------|---------------------|
| Douglas Fir                  | \$398.14    | 412.60        | \$164,272.56 |                     |
| W Hemlock                    | \$303.14    | 439.80        | \$133,320.97 |                     |
| Total Bid                    |             |               |              | \$297,593.53        |
| Minus deduction for roadwork |             |               | -25,000.00   |                     |
|                              |             |               |              | <b>\$272,593.54</b> |

Hampton Tree Farms is the highest bidder at \$335,164.22. Estimated revenue is \$310,164.62 after subtracting \$25,000.00 for roadwork.

The attached contract has been reviewed and approved as to form by City Attorney Blair Henningsgaard.

**RECOMMENDATION**

It is recommended that City Council authorize the award the 2019 Fat Buck Creek Combo Harvest to Hampton Tree Farms, LLC.

Submitted By: Jeff Harrington  
Jeff Harrington, Public Works Director

Prepared By: BEN HAYES JAH  
Ben Hayes, City Consulting Forester

**CITY OF ASTORIA**  
**2019 Timber Sale – Fat Buck Creek Combo**

This Contract, made and entered into this \_\_\_\_\_, by and between the CITY of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and Hampton Tree Farms LLC, hereinafter called "PURCHASER".

W I T N E S S E T H

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, 2019**.

2. PAYMENT TO CITY

A. PURCHASER agrees to pay CITY

\$447.67 per MBF for Douglas Fir, for an estimated 413 MBF for a total of \$184,708.64 and

\$342.10 per MBF for Hemlock, for an estimated 440 MBF for a total of \$150,455.58.

For an estimated total of \$335,164.22.

Non Bid Species

\$300.00 per MBF for Alder

\$ 7.00 per ton

B. An initial payment of 10% of the estimated total payments shall be made to the City prior to commencement of activities.

C. Payment schedule shall be based upon terms as outlined in Section 16 of the attached Scope of Work.

3. TITLE TO TREES

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 \_\_\_\_\_

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 CONTRACTOR

A. PURCHASER'S performance shall be under the general supervision of CITY'S project director or his designee, but PURCHASER shall be an independent contractor 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 contractor 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. NONDISCRIMINATION

It is the policy of the City of Astoria that no person shall be denied the benefits of or be subject to unlawful discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity/expression. Contractor, its employees, agents and subcontractors shall comply with this policy.

21. 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 subcontractor 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.

22. 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 subcontractor 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.

23. PAYMENT OF MEDICAL CARE

PURCHASER shall promptly, as due, make payment to any person, co-partnership, 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.

24. 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.

25. 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.

26. 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.

27. HARVEST TAX LIABILITY


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

28. 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

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

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

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

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

## 2019 Timber Sale- Fat Buck Creek Combo- SCOPE OF WORK

### **Section 1 Operation Plan / Meeting**

- 1) PURCHASER/CITY shall prepare a written operation plan prior to commencement of activities (Exhibit B). Upon signature of the operation plan it becomes a part of the Contract/Scope of Work.
- 2) CITY designates Benjamin Hayes as their representative with authority to act on behalf of the CITY in actions relating to the timber harvests included in this contract.
- 3) Operation plan shall be completed at least one week prior to commencement of any activity relating to this contract. PURCHASER shall file a Notification of Operation with the Oregon Department of Forestry in compliance with the Forest Practices Act.

### **Section 2- Harvest Unit**

The outline of the harvest units is marked with blue flagging. Leave trees in Shelterwood harvests are marked with blue paint. The total harvest unit is approximately 33 acres. A water source runs approximated 150 feet from the east boundary of the harvest unit and a seep exists between the thinning and shelterwood units. All boundary trees near water sources must be hand-felled into the unit.

### **Section 3- Harvest Operations**

- 1) Felling:
  - a. PURCHASER/Felling Contractor shall meet with CITY representative to review requirements under section 4.
  - b. Felling shall be conducted using a mechanized harvester (feller buncher or processor) unless alternative method is approved by CITY. Hand felling is required on downhill slopes near water sources.
  - c. Prior to felling, skid roads and landings shall be marked with yellow tape and approved by the CITY. Equipment shall use pre-existing skid roads to the greatest extent possible.
  - d. Felled trees shall be topped at a diameter not less than 5 inches
  - e. Logs shall be no longer than 40 feet (plus trim)
  - f. Trees shall not be felled across drainages
  - g. Maximum stump height shall be 12 inches unless approved by CITY
- 2) Yarding:
  - a. Use ground-based equipment approved by CITY. Limit skid roads and trails to 10% of the yarded area



- b. Operation shall not be conducted under conditions where soils are rutted or excavated to a depth of 6 inches or more
  - c. Equipment shall not operate on slopes greater than 35%. Approval may be granted by CITY to operate for short distances on slopes exceeding 35%
  - d. Ground based logging operations shall be limited to **JUNE 1 through SEPTEMBER 31**, unless otherwise approved by CITY. Operational starting date must be approved by the CITY.
  - e. Ground yarding equipment shall not operate within 100 feet of any stream
  - f. PURCHASER (operator) shall suspend ground yarding during periods of high soil moisture as determined by CITY.
- 3) Stream Protection: Small type N streams are located adjacent to the thinning unit. No trees shall be felled across any stream. No equipment shall be operated within 100 feet slope distance of any stream.
- 4) Watershed Entry: Coordinate entry to the watershed with the CITY's resident Water Source Operator and comply with his directions regarding access, vehicle speeds and operations while in the watershed area.

#### **Section 4 – Log Removal**

All logs defined below shall be removed as Designated Timber under this contract.

- 1. Any conifer log that conforms with grading rules for peeler or sawmill grades and meets or exceeds both of the following minimum requirements: 6 inches in gross scaling diameter, containing 20 board feet (net).
- 2. Any hardwood log that conforms with grading rules for No. 4 Alder log grade or better and meets or exceeds both of the following minimum requirements: 6 inches in gross scaling diameter, containing 20 board feet (net).
- 3. Logs determined to be utility/pulp quality shall be removed as pulp on approval of the CITY. Pulp logs shall be decked separately from sawmill grade logs.
- 4. Any logs left in the harvest area meeting the minimum requirements under 1 and 2 above shall be scaled by the CITY and charged to PURCHASER at the rate specified for that species under the contract. Material used to meet coarse woody debris requirement shall not be scaled.

#### **Section 5- Treatment Specifications**

There are two primary treatment types within the harvest unit: THINNING, SHELTERWOOD.

- 1) THINNING (10 acres)- Thinning areas are marked with blue tape. Thinning areas have a basal area of approximated 290 sqft / acre and should be thinned to a basal area of 140 square feet / acre on



average. Thinning should focus on the removal of smaller Douglas fir and Hemlock. Felling shall be completed with mechanized equipment. Specific areas may be identified for use as landing areas by PURCHASER and additional trees may be removed upon approval by CITY.

- 2) SHELTERWOOD – OVERSTORY HARVEST WITH DISPERSED RETENTION (23 acres) - Areas marked with blue tape should be harvested, with the exception of retention trees, marked with blue paint, which shall be left, unless previously approved for removal by the city for safety or operational reasons. Retention trees are both dispersed and in a few small clumps. Any Spruce, Cedar, or young regeneration that is not merchantable should be left, and efforts made to protect it.

#### **Section 6 Site Preparation/Slash Disposal in Patch Cut Areas**

1. Slash is defined as debris resulting from harvest operations.
2. Slash shall be distributed over the harvest area for both thinning and retention in a manner which will allow for planting of seedlings on a 10 feet x 10 feet spacing- trees should be processed in the field.
3. Slash at the landing sites will be placed in small compact piles as directed by CITY, or when possible redistributed throughout the stand. Slash piles should be located on the edges of the units.
4. No slash piling shall occur during wet periods.

#### **Section 7 Large Woody Debris/Snags/GreenTree Retention in Patch Cut Areas**

1. Large Woody Debris is defined as solid wood with a minimum of 12" in diameter and 4' in length.
2. Snags are defined as standing conifers at least 12' in height and 16" in diameter.
3. Operators shall leave a minimum of 20 pieces of large woody debris and five snags (if available) per acre. Woody debris should not be placed within slash piles, as practicable.
4. Operator shall leave a minimum of four green trees with sound live crowns per acre as directed by CITY. Leave trees shall be a minimum of 16" in diameter. Certain trees have been designated for retention and marked with a blue painted stripe. All such trees shall count toward the leave tree requirement above.

#### **Section 8 Road Maintenance/Use**

PURCHASER is responsible for normal road maintenance on roads used for activity under this contract. Normal road maintenance shall provide for safe forest driving conditions, continuous access and road use, protection of roads from damage and water quality.

Normal road maintenance shall include any action needed to prevent and protect the road from soil contamination, seasonal weather damage, protect water quality, repair damage caused by road use and restore the road to at least the road condition at commencement of use.

Other contractors may use main access road into watershed. PURCHASER and all subcontractors shall maintain adequate communication to minimize road use conflicts. CITY must approve communication plan prior to commencement of activities.

The mainline road shall remain open and passable to the extent possible during the course of the operation. Periodic closure for culvert installation or other road improvement work shall be minimized to the extent possible. Any extended closure greater than 4 hours shall be coordinated with and approved by CITY.

During all phases of the operation to include road construction and harvest activities, approved equipment (crawler or grader) shall remain on site to allow for road maintenance as needed unless approved by CITY.

Access to the harvest areas shall be via Watershed Mainline (A Line).

The Watershed gates on A line (Watershed Mainline) must be kept closed and locked except for ingress and egress. Purchaser must secure key(s) from CITY. An approved day lock will be placed on CITY gates to accommodate log and gravel trucks. The designated CB channel for activities on Bear Creek will be CB 38. Where signage is inadequate, PURCHASER will be responsible for additional signage.

## **Section 9 Project Work**

PURCHASER shall complete the following project work as specified under direction of CITY:

- 1) Spurs bisecting the unit (total 1200') shall be improved to facilitate the removal of timber. Improvements shall be completed prior to commencement of log hauling to specifications approved by CITY. Additional improvements may be required following harvest operations.
- 2) Crushed rock may be required on Mainline road as directed by CITY. Said rock shall be placed on portions of the road that indicate wear as a result of log truck use.
- 3) Deliver and spread 1<sup>1/2</sup>"-0 crushed rock or size approved by CITY. Rock shall be uniformly spread to a depth not to exceed 6 inches. Specific areas may require greater depth as directed by CITY. Certain road sections shall be rolled with approved equipment after rock has been placed and prior to log hauling.
- 4) Excavate and place 2 culverts, remove 1 tank-trap, and replace one existing culvert. Culverts are to be acquired by the PURCHASER and deducted from the \$25,000 road work credit.
- 5) All projects shall be under direction of CITY. Specific requirements under this road improvement project will be provided to Purchaser/Operator in writing during the operation.
- 6) All equipment to be used for project work shall be listed on the Operation Plan and rates to be approved by CITY prior to commencement of activities. Daily activity record shall be maintained by PURCHASER and shall be submitted to CITY on a weekly basis or as requested by CITY.
- 7) **All project work billing statements must be reviewed by CITY prior to payment.**
- 8) Cost of projects shall not exceed \$25,000.00.

- 9) Project cost shall be applied as a credit towards harvest payment(s) and **must be held back by the PURCHASER unless approved by the CITY.**

### **Section 10 Log Management & Branding**

All logs removed from the operation area shall be scaled at a location approved by the CITY. Scaling shall be performed by an approved third-party scaling organization using the Official Log Scaling and Grading Rules (as adopted by the Northwest Log Rules Advisory Group).

PURCHASER shall require the scaling organization to furnish copies each week of all scale certifications showing gross and net volumes by species and grade of all logs scaled during the week. Weight certificates showing gross and net weights for all loads purchased by weight shall be provided on a weekly basis.

All loads of logs shall be branded with an assigned and registered brand in accordance with Oregon Statutes prior to removal from the operation area.

### **Section 11 Log Accountability**

1. Log load receipt books shall be presented to CITY for review and approval prior to use for this operation. Each book shall be signed by CITY representative prior to use. The entire book(s) shall be used for the High Ridge Combo Harvest.
2. Each book shall have a minimum of 4 copies for each load; one copy to remain in the book (CITY copy), one copy for the operator, one copy for the trucker, and one copy for the scaler.
3. PURCHASER shall present each book to the CITY as soon as all receipts in each book have been used.
4. PURCHASER shall require truck driver of each load to sign the log load receipt prior to leaving the landing.
5. Each load receipt shall indicate the date logs are loaded, trucker, species, number of logs destination and log brand. PURCHASER shall fill out a multi-part, serially numbered load receipt completely and accurately before each truck leaves the operation area. Any load delivered to FSC (Forest Stewardship Council) delivery point shall have the CITY of Astoria chain of custody code on all copies of that ticket and annotated as FSC Pure.
6. PURCHASER shall provide a copy of the log load receipt to the scaler which number shall be recorded on the scale ticket.
7. PURCHASER shall complete a daily log summary and provide to CITY as instructed. PURCHASER shall place daily summary sheets in a location designated by CITY.

### **Section 12 Protection of Watershed/Security**

PURCHASER shall take all necessary steps to prevent damage to stream banks, any stream course or forested wetland within or adjacent to the harvest area and to maintain security of the watershed area resulting from PURCHASERs activities.

1. Necessary measurements include, but are not limited to, the following:
2. Do not operate any equipment within 100 feet of designated streams or wet areas.
3. Provide adequate sediment control measures, such as waterbars, on all skid roads to minimize potential movement of sediment to streams.
4. **No dumping of trash or any foreign material within the watershed.** No spillage or dumping of petroleum products or chemicals within the watershed. PURCHASER shall keep approved spill containment materials available in all machinery and vehicles operating in the watershed. Such materials shall be provided to CITY for inspection upon request by CITY.
5. PURCHASER shall provide CITY approved sanitary arrangements for personnel working in the watershed prior to commencement of activities. Such sanitary equipment shall be placed within the operation area at site approved by CITY.
6. PURCHASER shall ensure that the main gate to the Watershed remains locked except for entry and exit. Keys provided to PURCHASER shall not be duplicated. PURCHASER shall not provide keys to subcontractors without consent of CITY.
7. PURCHASER shall notify CITY immediately of all reportable releases of hazardous substances. Reportable quantities are found in 40 CFR, table 302.4 for hazardous substances in OAR 340-108 for petroleum products.

### **Section 13 Protection from Invasive Species**

PURCHASER shall ensure that all ground based equipment (harvest and project) moved onto CITY forest is free of soil, vegetative material or other debris that could hold or contain seeds. PURCHASER shall employ cleaning methods appropriate to ensure compliance with this section. Equipment shall be inspected by CITY (if requested) at entrance to the watershed. PURCHASER shall notify CITY of date and time of equipment delivery. This section does not apply to log trucks or other service vehicles used in daily transport or specific duties such as fire equipment.

### **Section 14 Laws and Regulations**

PURCHASER shall obtain from governmental authorities all licenses and permits necessary for performance of this contract and shall comply with all state, federal and local laws and regulations applicable to its activities. Such compliance shall include but not be limited to laws and regulations relating to duties as an employer and those relating to the Forest Practices Act. PURCHASER shall be responsible for all fines and penalties incurred as a result of violating such laws. PURCHASER shall complete and submit a written plan as required under Oregon Forest Practices Act. CITY may require certain standards which exceed the minimum requirements under the Forest Practices Act such as the minimum number of leave trees per acre. Purchaser and contractors must adhere to all OSHA requirements.

### **Section 15 Fire Measures**

PURCHASER shall use all efforts and take all precautions necessary to prevent fire on the Contract Area. Logger shall observe all fire restrictions and regulations of the Oregon Department of Forestry.

PURCHASER shall furnish and maintain in good and serviceable condition water and pump equipment and fire extinguisher approved by the Oregon Department of Forestry and such other fire fighting tools and equipment and fire fighting personnel as are required by applicable laws and existing fire dangers. In the event of a fire on the Contract Area, regardless of area or cause of origin, PURCHASER shall immediately use all reasonably available personnel and equipment under PURCHASER's supervision and control to extinguish and prevent the spread of such fire and shall immediately notify Owner.

### **Section 16 Protection of Utility Lines**

Utility lines occur on certain spurs within the watershed. In accordance with OAR 952-001-0020: *"ATTENTION: Oregon law requires you to follow rules adopted by the Oregon utility Notification Center. Those rules are set forth in OAR 952-001-0010 through 952-001-0090. You may obtain copies of the rules by call the center."* (Note: The telephone number for the Oregon Utility Notification center is (503)232-1987 / 1-800332-2344)

### **Section 17 Payment Schedule**

The Purchase Price for timber sold under this contract shall be paid as follows:

The first payment shall be paid within 30 days of notification of high bid or before commencement of operations. The first payment shall be 10% of the total estimated bid value. The total estimated bid value shall be the sum obtained by multiplying the estimated volume by the bid price for the bid species. Bid deposit shall be applied to the initial payment.

Subsequent payments shall be made on or before the 15<sup>th</sup> day of each month for the logs removed during the previous month and scaled by independent scale bureau as required under Section 10. The payment amount will be determined by multiplying the net volume for each species by the designated amount for that species. Final payment must be received within 30 days of termination of operation.

### **Section 17 Contract Modifications**

PURCHASER and CITY acknowledge that changes are inherent in operations of the type covered by this Contract. The number of changes, the scope of those changes, and the impact they have on the progress of the original Operations cannot be defined at the outset of the Contract. These changes may include, but are not limited to, changes in the project specifications, project completion dates, rock sources, seasonal restrictions, Timber Sale Area resource protection requirements, harvest methods, harvest completion dates, tree harvest size limits, removal specifications, Reserved Timber specifications, haul route requirements, scaling requirements, and Timber Sale Area boundaries. PURCHASER acknowledges and agrees that PURCHASER is not entitled to any deduction in the purchase price or total purchase price solely due to the number of changes required to be made in the Contract. Each change will be evaluated on its own merit to determine if an extension of the time for performance under the Contract or an increase or decrease in the purchase price or total purchase price is warranted.

### **Section 18 Extension of Time**

CITY may extend the time for performance of this Contract upon written request from PURCHASER or at CITY's discretion. A request for extension:

1. Shall be accompanied by the written consent to an extension of the security by PURCHASER's surety;
2. Shall state the date to which the extension is desired, the Area of Operations to be affected, and the reason(s) for the extension; and
3. Must be received by CITY no later than thirty (30) days prior to the expiration date of this Contract unless the need for extension occurred within the thirty (30) days prior to the expiration date, in which case the request must be received prior to the expiration date.

#### **Section 19 Payment Bond**

PURCHASER shall furnish a payment bond acceptable to the CITY guaranteeing payment for all timber harvested. Payment bonds may in the form of one or more of the following: surety bonds, cashier's check, or money order. Surety Company authorized to do business in the State of Oregon, on approved form, must write surety bonds. PURCHASER's bond shall be in an amount equal to the value of the timber estimated to be harvested (the value is equal to the estimated volume multiplied by the bid amount).

PURCHASER shall keep payment bond in effect during the term of the contract.

#### **Section 20 Harvest Tax Liability**

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