



AGENDA

ASTORIA CITY COUNCIL

TUESDAY, JANUARY 2, 2018
7:00 PM
2nd Floor Council Chambers
1095 Duane Street · Astoria OR 97103

1. CALL TO ORDER

2. ROLL CALL

3. REPORTS OF COUNCILORS

4. CHANGES TO AGENDA

5. CONSENT

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) CC Minutes December 4, 2017,
- b) City Council Work Session Minutes, December 13, 2017
- c) Historic Landmark Commission Meeting Minutes: September 19, 2017, October 17, 2017 and November 21, 2017
- d) Salary Resolution Update (Finance)
- e) Finance and Administrative Services Status Report
- f) Parks & Recreation Department Status Update
- g) Public Works Project Activity Status Report
- h) Library Department Status Report
- i) Police Department Status Report

6. REGULAR AGENDA ITEMS

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

- a) Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2017 Oregon Legislature (1st reading) (City Attorney/City Manager)
- b) MOA with Jessica Schleif for the Maintenance and Beautification of Tide Rock Park (Parks)
- c) Liquor License Application from New Jack Kitty Inc, Todd & Teresa Robinett, Doing Business as Labor Temple Diner and Bar, Located at 934 Duane Street, Astoria for a Change of Ownership for a Full On-Premises Commercial License (Finance)
- d) Arts and Cultural Program Grant Recipient Request (Finance)

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

- a) City Council President Election

8. EXECUTIVE SESSION

a) ORS 192.660(2)(h) – Legal Counsel

THE MEETINGS ARE 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 AT 503-325-5824.



CITY OF ASTORIA

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DECEMBER 28, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF JANUARY 2, 2018

CONSENT CALENDAR

Item 5(a): CC Minutes December 4, 2017

The minutes of the City Council Meeting of December 4, 2017 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 5(b): City Council Work Session Minutes, December 13, 2017

The minutes of the City Council Work Session Meeting of December 13, 2017 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 5(c): Historic Landmark Commission Meeting Minutes: September 19, 2017, October 17, 2017 and November 21, 2017

The minutes for the Historic Landmarks Commission are enclosed for review. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 5(d): Salary Resolution Update (Finance)

Staff positions and associated compensation are detailed in the "Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided". Whenever there are changes in positions, whether a position is being deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution. This proposed resolution implements the following changes effective July 1, 2017:

Police (Schedule C)	Effective July 1, 2017, Job Positions for Emergency Communications Manager and Administrative Services Manager which are currently listed in Management and Confidential Employees Schedule E and are related to Police Management will become part of Schedule C in a new section titled Police Non-Sworn Management.
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Consolidation of management positions to Schedule C is recommended to provide for consistent wage application and to remove confusion regarding prevailing City policies.

The Emergency Communications Subscriber Board voted unanimously at their September 27, 2017 meeting to support an increase of the base salary for the Emergency Communications Manager (ECM). This recommendation was based, in part, on a recent comparison of similar positions and centers with comparable sizes in Oregon. The proposed increase would provide a salary which is slightly above the midpoint of comparable agencies and has been incorporated in the presented salary resolution.

Hourly rates presented in prior resolution for Deputy Chief and Chief of Police were inaccurate and have been updated.

- Item 5(e): **Finance and Administrative Services Status Report**
- Item 5(f): **Parks & Recreation Department Status Update**
- Item 5(g): **Public Works Project Activity Status Report**
- Item 5(h): **Library Department Status Report**
- Item 5(i): **Police Department Status Report**

The Status Reports for the listed departments above are attached. The reports are provided for informational purposes only. Fire and Community Development department reports will be included on the agenda for January 16, 2018.

REGULAR CALENDAR

- Item 6(a): **Ordinance Readopting Certain State Statutes to Reflect Changes Made by the 2017 Oregon Legislature (1st reading) (City Attorney/City Manager)**

The 2017 legislation passed by the Oregon Legislature, for the most part, became effective on January 1, 2018. Many of our City ordinances refer to or incorporate state statutes. Every year, the City routinely re-adopts all referenced ORS sections to pick up any changes made by the legislature. This is done by a "global readoption", which is the technique recommended by the League of Oregon Cities. The City is legally unable to prospectively adopt Oregon legislative changes, that is, we cannot adopt a state statute "as it now exists and is from time to time amended." The proposed ordinance has been reviewed and approved by the City Attorney. It is recommended that Council conduct the first reading of the proposed ordinance.

- Item 6(b): **MOA with Jessica Schleif for the Maintenance and Beautification of Tide Rock Park (Parks)**

Jessica Schleif, Professional Gardener/Landscape Designer, visual-artist, and member of the Parks and Recreation Advisory Board, has secured grant funding through the Andy Warhol Visual Arts Foundation and the Regional Arts and Culture Council's Precipice Fund in the amount of \$3,500 and has procured matching funds of \$1,500 for total of \$5,000. Ms. Schleif wishes to utilize the grant award to adopt, beautify, and add temporary visual art displays to Tide Rock Park for one year. The agreement stipulates that Ms. Schleif share any designs for art installations and obtain approval from the Parks Director prior to implementation of any planned visual displays. All art pieces will adhere to the mission, goals, priorities, and policies of the Parks and Recreation Department

and City of Astoria and will be of a temporary character that will be removed at the expiration of the agreement, or by request of the City.

During the December 18, 2017 regular meeting, City Council held a discussion about the proposed adoption of Tide Rock Park and the addition of temporary visual art displays. Items of discussion included the intent and purpose of artwork to be installed, the Precipice Grant from Andy Warhol Visual Arts Foundation, and if an artwork vetting process was needed. From which, Council determined that the temporary art displays must comply with the terms and conditions outlined in the grant and that a vetting process was not needed.

An attached Memorandum of Agreement outlines the obligations of the Parks and Recreation Department and Ms. Schleif for care and renovation of the park, and installation of temporary visual art pieces in the park. This agreement has been reviewed by Ms. Schleif and is acceptable to her.

The agreement's duration will be for one year and the City will have the prerogative to remove any portion of any installed items, if any of the conditions of the agreement are not met.

The Parks and Recreation Advisory Board has reviewed and discussed the proposal and recommends the City Council approve the agreement and City Attorney Henningsgaard has reviewed and approved the agreement as to form.

It is recommended that City Council approve the Memorandum of Agreement with Ms. Schleif for the Maintenance and Beautification of Tide Rock Park.

Item 6(c): Liquor License Application from New Jack Kitty Inc, Todd & Teresa Robinett, Doing Business as Labor Temple Diner and Bar, Located at 934 Duane Street, Astoria for a Change of Ownership for a Full On-Premises Commercial License (Finance)

A liquor license application has been filed by Todd and Teresa Robinett for New Jack Kitty Inc. doing business as Labor Temple Diner and Bar. This application is a Change of Ownership for a Full On-Premises Commercial License. The appropriate Departments have reviewed the application and it is recommended that Council consider approval of the application.

Item 6(d): Arts and Cultural Program Grant Recipient Request (Finance)

North Coast Chorale (NCC) is an Arts and Cultural Grant recipient for FY 17-18 who has submitted a letter for consideration to alter the scope contained in their initial application. Council consideration is required to alter the terms of the approved grant scope.

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

Item 7(a): Election of City Council President

The City Council will elect a President to serve for the 2018 calendar year.

EXECUTIVE SESSION

Item 8(a): ORS 192.660(2)(h)

Legal Counsel

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

Councilors Present: Nemlowill, Jones, Price, Brownson, and Mayor LaMear.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Cosby, Finance Director Brooks, Police Chief Spalding, Fire Chief Ames, Deputy Chief Halverson, Public Works Director Harrington, Support Engineer Moore, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS

Item 3(a): Councilor Jones had no reports.

Item 3(b): Councilor Price had no reports.

Item 3(c): Councilor Brownson reported that Governor Brown signed House Bill 327 legalizing full recreational immunity for Oregon cities. In 2016, a court case exempted employees and volunteers from the immunity, which cause some parks in Oregon to close. This is good news for Astoria's parks. The law covers any individual who opens their land up to the public. He reported that the Port of Astoria has terminated its lease with the Washington Group for North Tongue Point. Hyak, LLC [2:42] has purchased North Tongue Point where they will build tugboats. This is a major development for the area. He recently met the students from Waldorf, Germany at an annual event. He announced that the Fire Department would be hosting its annual Christmas food drive that week.

Item 3(d): Councilor Nemlowill commended downtown business owners and the Astoria Downtown Historic District Association (ADHDA) for their efforts on Plaid Friday. It was great to go shopping in downtown Astoria early on the morning after Thanksgiving. There were a lot of people downtown spending money locally. She attended retirement parties for former Public Works Director Ken Cook and Fire Chief Ted Ames.

Item 3(e): Mayor LaMear reported that the Christmas lighting downtown was fun. Tim and Melba O'Bryant [4:36] and the Christmas Club put in a lot of time, effort, and money to get all of the lights up. The Taskforce on Homelessness Solutions began meeting. The first meeting had about 20 attendees and it was a good opportunity for many different viewpoints to be shared. The next meeting will be in January 2018. She announced that for the third time, she would play the Mayor in the Nutcracker.

CHANGES TO AGENDA

City Manager Estes requested Item 6(f): Authorization to Award Contract to Arbor Care Inc. to Remove and Replace Priority One Hazard Trees be postponed because Parks Staff needed time to respond to citizens' questions before Council considers the contract. The agenda was approved with changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

5(a) Parks Board Minutes of 8/23/17

5(b) Resolution to Adjust Budget and Transfer Resources to 7th Street Dock Fund to Pay Off 7th Street Dock Loan (Finance)

5(c) Oregon Community Foundation Grant (Library)

Councilor Price requested Items 5(b) and (c) for further discussion.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Nemlowill, to approve Item 5(a) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 5(b): Resolution to Adjust Budget and Transfer Resources to 7th Street Dock Fund to Pay Off 7th Street Dock Loan (Finance)

Councilor Price asked how much the City would save by paying off the loan eight years early. Finance Director Brooks said she did not have the exact amount, but the savings would not be a lot. The City is the only property owner that maintains a balance because the other property owners paid the loan off early.

Councilor Price stated whether the savings was a little or a lot, paying off a loan early is good for the City. City Manager Estes confirmed Staff would follow up with City Council on the exact savings amount.

City Council Action: Motion made by Councilor Price, seconded by Councilor Brownson, to approve Item 5(b) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 5(c): Oregon Community Foundation Grant (Library)

Councilor Price congratulated the library on another grant. This \$12,500 grant is for the documentation on historic materials in the basement of the library.

City Council Action: Motion made by Councilor Price, seconded by Councilor Jones, to approve Item 5(c) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

REGULAR AGENDA ITEMS

Item 6(a): Public Hearing and First Reading: Ordinance Modifying City Code 6.510 Adding Additional Towing Authority to Vehicle Seizure and Impound Section (Police)

On October 27, 2017, the Astoria Police Department received a noise complaint, concerning a car alarm on a car parked for over 24 hours on Commercial Street adjacent to the Commodore Hotel. The alarm would sound and then reset and sound again. The car was licensed out of state and we were unable to locate the owner. We were unable to address the noise complaint, as there was no provision in the City's ordinance to tow the vehicle. Other cities have enacted ordinances to address this nuisance.

The additional language proposed will provide officers with a tool to abate these nuisances. It is recommended that Council hold a public hearing and consider holding a first reading of the ordinances amending City Code 6.510.

Mayor LaMear opened the public hearing at 7:11 pm and called for public testimony on additional towing authority.

Troy Haskell, 640 44th Street, Astoria, asked who would tow the nuisance vehicles.

City Manager Estes explained the City has a retainer contract with a towing company. The Police Department would contact the towing company to remove the vehicles.

Mr. Haskell said he had witnessed similar incidences in the past and he was afraid that the contractor would not show up at 2:00 am, but wait until morning to take care of the problem.

Deputy Chief Halverson stated the contract with the towing company includes a provision requiring them to respond within half an hour, regardless of the time of day. If the company violates the contract, the City will choose another contractor.

Mr. Haskell commented the City is getting more privatized, everyone passes the buck, and no one holds themselves accountable.

Mayor LaMear closed the public hearing at 7:14 pm.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Nemlowill, to conduct a first reading of the ordinances amending City Code 6.510. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Parks Director Cosby conducted the first reading of the ordinance.

Item 6(b): Library Foundation Goals Resolution (Library)

The Astoria Public Library Foundation is seeking a resolution in support of their ongoing fundraising goal of \$3,500,000. The Foundation has been active in the local community partnering with organizations to raise the visibility of the library while building a foundation for seeking funds from external sources. They have contracted with a professional consultant developing a robust fundraising plan. This resolution will provide them a powerful tool highlighting Council support for a library worthy of the citizens of Astoria. It will feature prominently within a professionally developed fundraising packet as they seek larger donations from within and beyond the local community.

It is recommended City Council consider the resolution.

Willis Van Dusen, Library Foundation President, said he and other Library Foundation members were present to answer questions and noted that they recently started a Pennies for Piggies fundraising campaign as a grass roots effort.

David Oser, Library Foundation Vice Chairman, added that fundraising began at the beginning of the year. David Oser, Library Foundation Vice Chairman, added that fundraising began at the beginning of the year. They have received several capacity-building grants and a number of donations from citizens, which has resulted in a good balance to get started with the Foundation's real work. After expenses, the Foundation has about \$100,000. He listed the Pennies for Piggies committee members and said the campaign raised about \$2,000 in nickels, dimes, and quarters from kindergarten through 8th grade classrooms. The campaign was more to demonstrate that school children supported library renovations, rather than raising a lot of funds. The Foundation also had a bake sale at the Senior Center to demonstrate that elderly people supported library renovations as well. At the next meeting, the Foundation will review a plan to expand fundraising efforts in Astoria that will set the stage for reaching their goal of raising \$3,500,000 by the end of 2019.

Mr. VanDusen explained that the Foundation wanted this resolution passed now so they can prepare a packet for individuals and entities with a greater capacity to donate. The resolution will be an important tool in the packet.

Mayor LaMear read the resolution aloud. She confirmed there were no public comments or questions.

Councilor Jones said the resolution was exciting, especially because it would help with grant applications.

Councilor Price noted the packets from architectural and engineering firms were due by Wednesday, December 6th at 3:00 pm.

Library Director Pearson added that a committee would review the packets on December 13th and decide which firms to interview. The goal was to present Staff's chosen architect to Council by early February.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Nemlowill, to adopt the resolution supporting ongoing Library Foundation fundraising goals. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 6(c): Water Resolution to Reflect Rate Increase for Water Customers Outside City Limits (Public Works)

The City of Astoria owns and operates a waterworks and water distribution system that consists of water treatment, storage, and distribution. Users of the water system are charged rates that reflect costs of ownership and operation of the water system as a public utility. Although owned by and operated primarily for the citizens of Astoria, the system also provides water to water districts and customers outside the Astoria City limits.

As described in Resolution No. 17-17, water customers outside the City limits are charged an additional 10 percent. The additional 10 percent charge was implemented in 1984 and has not been adjusted since that time. Prior to 1984, there was an additional 50 percent charge for water customers outside the City limits.

The current City of Astoria Water Distribution Plan recommends the outlying water districts be required to implement actions to improve the City's efficient use of the transmission pipeline to meet daily demands instead of peak hour needs. Most of the recommended requirements are related to accurate accounting and reporting; however, there is a key recommendation for infrastructure improvements that would require each of the districts to install reservoir storage for peak hour needs and fire flows. To date, the City has opted to continue operation and maintenance as established rather than putting this burden on the water districts.

The current City of Astoria Water Supply Master Plan recommends the City install a clear well tank at the headworks to increase the capacity of the plant, improve disinfection, and improve operational flexibility. Preliminary planning is underway for developing a scope, cost and funding strategy for construction of a clear well and initial discussions expect the cost to range from \$1-2 million. In consideration of water system infrastructure needs as well as operation and maintenance burdens as a result of serving water customers outside city limits, Staff presented a proposed rate increase for these customers at the November 6, 2017 City Council meeting. Council provided Staff with direction to prepare an updated Water Resolution that reflects an increase of 2.5 percent increasing the percentage rate for out-of-city-limits customers from 10 percent to 12.5 percent on July 1, 2018.

The funds obtained from this increase will be focused on capital improvement projects and maintenance/operations at the water system headworks.

It is recommended that City Council consider the revised Water Resolution to update the water rate for customers outside the City limits.

Engineer Moore displayed a map showing Astoria city limits, Bear Creek Dam, the transmission main, water districts, and other meters outside city limits. She pointed out which water lines were maintained by the City and which lines were maintained by customers outside city limits. The resolution reflects the guidance given to Staff by Council at the last meeting. Staff may look for a grant to fund a rate study and any future rate increases would be presented to Council for consideration.

Mayor LaMear understood the additional funds would be used to install reservoir water storage and that either the water districts would have to install their own storage or Astoria would have to increase capacity. Engineer Moore stated that was correct, but clarified that the current Water Distribution Plan recommended the water districts build their own storage facilities to help the City run its system more efficiently and cost-effectively. The City has not required the districts to do this for several reasons. Therefore, the City is considering improvements to the clear well located at the head works with the sand filters so that service can be buffered to outlying water districts without storage.

Councilor Nemlowill asked why the City was not implementing the Water Distribution Plan. Staff explained the cost to the water districts would be much greater than the rate increase.

City Manager Estes confirmed for Councilor Nemlowill that the additional funds would go to the fund that Public Works uses to operate the water works. The City needs to get a full cost estimate for the clear well project so that Staff can begin the planning process.

Engineer Moore said she did not have a specific timeline for the clear well project, but Staff plans to work towards grant resources as time allows.

Director Harrington added that the extra 2.5 percent in revenue from the rate increase would only total \$12,500 per year. The clear well project will cost between \$1 million and \$2 million. He believed the rate increase revenue would go towards operations and possibly the start of the study done for the wastewater plant's concept plan. Once Staff gets a more accurate price, they will begin contacting funding agencies.

Councilor Nemlowill said Council and Staff have talked about the cost of operations and a capital improvement project, but she was not sure how the increase in revenue would make its way into a capital project. The last discussion was not reflected in Staff's memorandum. Council and Staff had discussed a total increase of 7.5 percent, but this resolution is for 2.5 percent. She wanted to make sure this was clear to Astoria's water customers outside the city limits. She asked if Council was still comfortable with this.

Director Harrington stated Staff's original proposal was to increase the rate by 5 percent each year for three years to get the total surcharge to 25 percent. Staff was directed to change the proposal to a one-time increase of 2.5 percent and refrain from requesting another rate increase until Staff had a better justification of costs.

Councilor Nemlowill asked if the 2.5 percent increase was necessary, considering it would just be a drop in the bucket. City Manager Estes said it was up to Council to decide what was appropriate.

Councilor Price said she did not believe Council was ready to institute this policy at this time. The memorandum states the Public Works Department is in the preliminary planning stage for developing the scope, cost, and fundraising strategy for the clear well. She did not believe the water districts would balk at a 2.5 percent increase, but such an increase would not significantly contribute to the project. Council has been very thoughtful when raising rates and fees on extracurricular activities, but must be even more thoughtful about raising rates on a necessity. She believed Council should allow Staff to do what the memorandum states they intend to do. She preferred that a fully formed project be presented to Council before they make a determination about how much the rates should be raised. She also believed the City should have two-tiered rate system, one for districts and customers for whom the City provides maintenance and infrastructure and one for whom the City does not. Even though the surcharge has not changed since 1984, the water rates have changed many times over the years. If the clear well is to be built to provide more stable supplies during dry periods or fire, all water customers should contribute, not just the customers outside city limits. The City has already given notice to the water districts that an increase was likely and Council could wait until July 2018 to review a full proposal.

Councilor Jones believed the last discussion reflected a good compromise. He interpreted the lack of a large crowd to mean that those who spoke in opposition at the last meeting were satisfied with this compromise. He believed Staff made a good case that the outlying water districts have been grossly undercharged for three decades. The industry standard is clearly well above what Astoria currently charges, as well as what has been proposed. He did not want to hold off on considering a 2.5 percent increase because it was unlikely that Staff would come back with an analysis showing the rate should be lowered. Rather than putting this off for another year, he believed this modest increase was reasonable. Every \$12,500 really matters considering all of the budget issues the City has dealt with throughout the year. He was in favor of the proposal.

Councilor Brownson said he was fine with the compromise made at the last meeting, but he did not understand the justification for the rate increase. The amount of additional revenue to the City would not make a dramatic impact and would cause a hardship for some of the outlying customers. He asked for details about rate change in 1984. Director Harrington stated the surcharge was decreased from 50 percent to 10 percent and Staff was unable to find records indicating the reason.

Mayor LaMear asked Staff to come back with an estimation of how much it would cost each water district to install their own storage. It could be cheaper for the outlying districts to contribute to the clear well than to install their own facilities.

Director Harrington noted the water districts would have to acquire land and run pipe to their storage facilities, which he believed would be more than the cost of a small \$1 to \$2 million clear well.

Mayor LaMear believed this needed to be made very clear. Astoria is not trying to gouge these customers because they live outside city limits.

Director Harrington explained that Staff was pushing for equity. The consultant that completed the rate study said a 25 to 50 percent surcharge was the industry standard imposed by cities without justification. Cities typically only hire consultants to conduct studies that justify rate increases over 50 percent. Astoria could spend a lot of money on such a study, so in this case, instead of hiring a consultant to complete a study, Staff simply asked for their professional opinion on industry standards. Staff then targeted the very low end of that standard to avoid questions about justification. Staff also compared their rates and proposed rates to other cities in the area and found they were all well above Astoria's.

City Manager Estes added that the current proposal was a compromise that came out of the last meeting and Staff wanted further dialogue.

Councilor Nemlowill wanted to review the minutes of the November 6, 2017 City Council meeting because she wanted to know why the City was not following the compromise and strategy that Council agreed upon. Perhaps Council said it did not want to move forward without more clarity. Two and a half percent does not make much sense in the scheme of things, but 7.5 percent would be more substantial and would be half of what Staff originally proposed. She believed Council and the water customers met in the middle, but if Staff was not following that strategy, she did not understand why Council would adopt 2.5 percent.

Councilor Brownson recalled that at the November 6th meeting, Council agreed to spread out the 7.5 percent over three years, and review the initial 2.5 percent increase after one year.

City Manager Estes confirmed that Councilor Brownson's recollection was correct. The entire three-phased approach cannot be approved in one resolution.

Councilor Nemlowill apologized to the water customers for the lack of clarity. She proposed that Council postpone voting on the resolution.

Councilor Brownson said postponing the vote would be fine with him since the rate increase would not be implemented until July. If this is about developing additional infrastructure that serves the outlying customers, he wanted to see a cost analysis showing this would be a shared burden.

City Manager Estes explained that the clear well was only one impact being addressed. There are additional daily costs incurred by serving water customers outside city limits.

Councilor Brownson stated he would like to see specific details about those costs. Staff had indicated to Council that it was more difficult to serve outlying customers even though the City does not read their meters or take care of their infrastructure. This did not seem relevant.

Councilor Price asked if chemicals were added to the water any place other than the dam. Director Harrington explained that Staff must augment the chlorine at other reservoirs as necessary. This is done mainly for customers in town.

Mayor LaMear asked for details about the maintenance the City does for the outlying water districts. Director Harrington explained that the City is responsible for and maintains the water system, which was built in the late 1800s. The system was privately owned before Astoria purchased it. At some point, the City decided to serve the outlying areas with water, which is to their advantage. The City of Gearhart created their own water system. Their water rates are very high, plus the residents are paying a water bond through their property taxes. There are costs to develop a water supply, treat the supply, and have administrative staff. These are all things Astoria does for its outlying customers. The water districts have to maintain their own lines and be accountable to the State, but not for water treatment. The clear well is big part of water treatment. Many of the recommendations in the Water Supply Master Plan completed 20 years ago have been completed, but the City has not been able to afford the clear well.

City Manager Estes added that Staff's rate strategy was developed by FCS. The rate strategy did not take into consideration the rates of the water districts outside City limits. When questions arose about whether these water districts should pay more, Public Works contacted FCS, who stated the industry standard was typically an increase of between 25 and 50 percent without conducting any research. Public Works Staff originally proposed

an increase of 25 percent. If City Council believes a detailed analysis is more appropriate, the cost will be about \$50,000.

Councilor Price stated she did not need a detailed analysis. Generally, a department proposes a project and requests rate changes from City Council, but that is not the case here. City Manager Estes confirmed that is correct.

Councilor Price said the first memorandum was muddy. Council had said departments should look for additional revenue. If Public Works wants to raise rates because the rates are out of date, then Council and Staff could discuss that issue and come to an agreement. However, all of a sudden, the clear well project and providing stable water supplies is being discussed. The clear well project is really just a thought because it is in a master plan and it is something Staff would eventually like to get to. The project is nowhere near thought out yet and the City does not know how much the project will cost or how much the rates would need to be raised to fund the project. And so, since that project is not panning out at this meeting, the discussion has turned back to raising rates because Astoria needs to get their rates in line with all of the other communities. She believed Staff should come back to Council with what Staff really wants, not an analysis of who would do what and where. This would allow Council to make a clear statement to the water districts about why rates are being raised.

City Manager Estes stated that at the last meeting, City Council focused on the clear well and the expenses related to serving the outlying customers. This proposal was intended to more equitably charge appropriate rates to water customers outside city limits. Staff asked Council to consider this. However, if Council wants the exact costs of providing water service to the outside customers—

Councilor Price continued that she just wanted a thorough and reasoned justification for the rate increase. If the justification is to bring the rates in line, then she wanted to have a public hearing about that and stop talking about projects that may or may not happen. Council and Staff are not on the same page because the discussion has gone back and forth. We have time to start again because the rate increase would not be implemented until July 2018.

Councilor Nemlowill stated the focus on the clear well in the memorandum threw her for a loop. Operations expense is a good argument. She believed a different funding mechanism would be more appropriate for a new capital improvement project like a clear well. Increasing a rate would just add funds to an operations fund.

City Manager Estes confirmed that Staff could frame the proposal again. Staff is trying to provide answers to questions that were raised by City Council. This is not a huge pressing issue for Staff at this time, but the water districts would like to know where this issue would end up.

Mayor LaMear called for public comments.

Richard Elfring, said he serves on the John Day Water Board. The district gets its water from the City and pays the City rate, just as residents of Astoria pay, plus an additional ten percent. An additional 2.5 percent has been proposed. The City provides water treatment and water from the reservoir, which he believed was included in the basic rate. The only thing the City provided in exchange for the additional ten percent is meter reading. The City does nothing beyond the meter. The John Day Water District provides the meter and must live up to the State's standards. The district also delivers water to its customers, repairs its water lines, and currently employs four, part-time and two almost full-time staff. An equipment company does most of the district's heavy digging. As a board member, he would be willing to consider a compromise if the City were willing to be available at 2:00 am to assist when a water main breaks. Everyone will have to pay for the clear well and he assumed the cost would be included in the water rates because the State will require it. The John Day District is a suburb, not a rural area, and people in the district live on Astoria's water. The district could discuss changing that situation and if they come up with a good enough proposal, the City of Astoria might take over the district entirely.

Sean Fitzpatrick, 1046 Grand Avenue, Astoria, said he understood the water department was not a for-profit entity and that rates were based on overall costs. If overall costs were spread among all uses and the industry standard was between 25 and 50 percent higher for users outside city limits, then users inside the city limits are subsidizing the costs to the outlying districts only being charged ten percent. He asked if this was correct.

City Manager Estes confirmed Mr. Fitzpatrick was correct. Costs in excess of the ten percent being charged to provide water to outlying customers are borne by City of Astoria residents.

Mr. Fitzpatrick stated he also understood that industry standards were based on many communities doing many of the same things and recognizing what costs generally run. Therefore, 25 to 50 percent was likely equal to the costs of providing service to other areas. It is the City's responsibility to maintain the delivery system out to the water district's master meters and the City pays its employees to go out and read those meters.

Director Harrington said that was correct and noted the map indicated the location of the meters outside city limits.

Troy Haskell, 640 44th Street, Astoria, said he grew up in Astoria. He has dug ditches at 2:00 am because the water lines are 200 years old. Everyone knows that within the next 20 years, the population will almost double. He asked why the City was not considering the big picture. This proposal seems to be baby steps. He suggested the City look at the whole district and rezoning Astoria. John Day is a suburb and everyone he knew who lives there works or goes to school in Astoria. So, John Day should be included in Astoria's zoning. The City knows the infrastructure is bad, so why has the City not made plans to renovate six city blocks each year. Houses are falling down and homeowners are responsible for redoing their own plumbing, but the City is not installing new infrastructure at the same time. The City is just causing extra problems because new plumbing is being hooked up to old infrastructure. If the City does not start looking at the bigger picture, nothing will be accomplished today. The clear well has to be done. There is a prediction that Astoria would not have water in 50 years and water would cost \$5.00 a bottle. Astoria has more water than it knows what to do with, but there are restrictions against collecting rainwater. Rainwater is cleaner than most chemicals added to most water as long as the barrel is kept clean.

Bill Young, Astoria, Olney-Walluski Water District, said there has been no increase on the surcharge and he did not understand why anyone would expect that to change. The demand charge for his water district increased by 235 percent between 2001 and 2016. Every time there is a rate increase, the amount is compounded by the ten percent surcharge. It does not seem to be good accounting to say the districts are not paying their fair share of the upkeep. If districts were not paying their fair share, the ten percent would have been questioned a long time ago.

Director Harrington explained that the City does not have the money to do more improvements each year. Staff prioritizes improvements based on the most urgent needs. Public Works is grossly underfunded. Cannon Beach is implementing 40 percent increases right now to fulfill their needs. Staff is currently doing an asset inventory review and is finding so much deferred maintenance on infrastructure that it is difficult to decide where to begin. The City is fortunate to have received about \$30 million in grants just since he has been working for Astoria. Without those grant funds, many of the projects never would have happened. The Combined Sewer Overflow (CSO) project is an unfunded mandate being charged on top of the existing water and sewer rates, which is a hardship on everyone. Staff understands the hardship to citizens and works daily to deal with that. The only way to manage is with additional funds. This proposal was more along the lines of trying to be equitable so that everyone paid their part. The clear well was only brought up as an example because it will have the most impact on how the City manages the water directly fed to outlying districts. In the event of a boil water alert, the clear well would provide a supply of treated water that could give the water facilities some operational leverage while the issues are resolved.

Mayor LaMear said she believed 2.5 percent was too low, but that was the compromise agreed upon at the last meeting. The inflation rate since 1984 is more than 2.5 percent. This is a beginning to helping the Public Works Department meet needs.

City Council Action: Motion made by Mayor LaMear, seconded by Councilor Jones to adopt revisions to the Water Resolution No. 17-17 updating the water rate for customers outside the City limits. Motion failed 2 to 3. Ayes: Councilor Jones and Mayor LaMear; Nays: Councilors Nemlowill, Brownson, and Price.

City Manager Estes said gathering more detailed information about the specific costs related to water customers outside city limits would incur an expense. Therefore, Director Harrington would seek grant funds.

Councilor Jones said Council just voted against an additional \$12,500, but the City has already spent that much in Staff time on this issue. He did not want to spend more over the next six months just to consider another proposal that might not be appropriate. At the last meeting, he supported the original proposal of a five percent increase each year for three years because he believed it would be a reasonable surcharge that would get the City to the bottom of the industry standard. He asked if City Council supported a surcharge increase that would get the City near the bottom of the industry standard rate, regardless of any work at the head waters or other capital improvements. If not, Council should just let Staff know now because they have other valuable things to do with their time.

Councilor Brownson said he would support an increase if he understood it. He cannot vote something he cannot agree with based on how it is presented. In this case, he did not understand the industry standard, other cities' distribution networks and histories, and how their outlying customers deal with water. The water districts have to pay for their own infrastructure over and above Astoria's rate. These very small communities pay piled on costs. Every rate increase is compounded by the ten percent surcharge. The City needs to find a solution to the aging infrastructure, which is a national problem. This proposal does not address that problem, but he was not sure what it addressed.

Councilor Nemlowill said she supported the proposal to increase the rate to 17.5 percent at the last meeting. She did not vote for the 2.5 percent increase because she was not clear whether the City was still following that strategy to get to 17.5 percent. The justification for the increase seems to be a moving target. There are some good reasons to charge more equitable rates to customers, but she believed Staff needed to provide Council with more information.

Councilor Price stated it was unlikely she would vote for an across the board increase. The differences between the two types of water districts should be recognized. She believed the water districts could manage a 2.5 or 3 percent increase. A 15 percent increase should be charged to the customers that do not have their own infrastructure. Everyone is subsidizing the few water districts and customers outside the city limits who are not doing their own maintenance. She did not need any type of analysis on this, just a clear justification, a public hearing, and one rationale.

Item 6(d): Slow Sand Filter Project Authorization to Award Contract (Public Works)

The four slow sand filters at the City's water supply system need to be replenished with new sand media in order to properly treat our drinking water. The slow sand filter was last re-sanded in 2010-2011 at a cost of \$898,604.46. The sand filters will be resanded in order of need. While one filter is out of service, the remaining three cells will provide adequate capacity to deliver the City's normal demand for treated drinking water. The project also includes replacing the upper portion of the slow sand filter cell liners. The project plans also include a concrete curb around the perimeter of each cell to keep dirt and rocks from the roadway from getting into the water. The construction phase of the project will take at least 24 months, with construction to start mid-late December of this year.

On September 18, 2017, City Council authorized staff to solicit bids for the project. The following competitive bids were received on November 17th:

Contractor	Bid
Big River Construction Inc.	\$1,937,430.00
James W. Fowler Co.	\$2,197,470.00

The low bid was above the \$1,600,000 project budget, therefore per *Oregon Revised Statute 279C – 340 Contract Negotiations*, staff negotiated with the low bidder to bring the contract within the City's project budget. After removing the proposed concrete curbing bid items for all four cells the bid was adjusted down to \$1,499,489.10. As work progresses, the Cell 4 liner will be added back into the project if cost saving measures result in the ability to fund the work within the project budget. Staff will bring a change order for Council consideration if this option becomes feasible.

Over the past five fiscal years, the City has been reserving funds in the amount of \$200,000 per fiscal year for this project. As of July 1st FY 2017-2018 (current budget) the fund had a balance of \$1,000,000. With the

accumulation of funds at a rate of \$200,000 per fiscal year throughout the duration of the project (FY17-18, FY18-19 and FY19-20), funds in the amount of \$1,600,000 will be available.

It is recommended that the City Council authorize the award of a contract to Big River Construction Inc. in the amount of \$1,499,489.10 for the Slow Sand Filter Resanding Project.

Councilor Price confirmed that Staff had to value engineer about \$500,000 so that the liner for Cell 4 would not have to be replaced or install a curb. She asked if the liners had been getting more expensive over the years and how much help would the curb have provided. Director Harrington said everything gets more expensive over 20 years. The cost of the liners is a function of petroleum costs, which have gone up, along with all of the other costs associated with that industry over a 20 year period. The cost of sand has gone up as well. Staff expected the price to be between \$1.5 and \$1.6 million, so Staff questioned why the bids were higher. Sand costs are affected by trucking costs, lack of competition, and regulatory requirements. Sand replacement costs are a moving target because Staff must estimate how much sand will be in each cell. The cells are cleaned about every four weeks and about a half inch of sand is removed during each cleaning. If this two year project progresses fast enough, the City could save a little on the amount of sand the filters need. If the sand comes in under budget, Staff will ask Council to approve a change order for the fourth liner, which is the newest liner.

Councilor Brownson said an anchor trench and new liner would be added to the first three cells and if those were added to the fourth cell, the amount would be an additional \$123,000. The project would still be under \$1.6 million if the trench and liner were added to the fourth cell. Director Harrington clarified concrete curbing would not be done on the fourth cell.

Councilor Brownson asked why the City was not adding the anchor trench and liner to the fourth cell. Director Harrington said this would put the project over \$1.6 million.

Councilor Price asked if there was another \$75,000 somewhere. Director Harrington explained that Public Works Staff worked closely with Finance Staff on how the revenue would come in. As the City pays out to the contractor over two years, the City will be waiting for the revenue to come in and might even have to slow the contractor down or borrow from the Water Fund. City Manager Estes added that a contingency was necessary in case something went wrong. By the end of the project, Staff will know if adequate savings were available for Cell 4.

Director Harrington said Staff was comfortable with a lower contingency on this project because cells are confined spaces that are unlikely to reveal surprises as work is done.

Councilor Brownson stated it would be better to get a new liner in Cell 4 now, rather than later.

Director Harrington noted that the curbing would help keep the cells cleaner by preventing material from getting in, but Staff has an idea about how to mitigate the problem. Originally, the liner would have been attached to the new wall with stainless steel batten strips. Instead, the liner will be buried under a higher mound that sheds water away from the cells. He confirmed for Mayor LaMear that the liner in cell 4 was 20 years old. The other three liners are 25 years old, but the lifespan of the liners is 20 years.

Mayor LaMear asked if Staff knew when the liners had reached a critical point and needed replaced. Director Harrington said Staff is constantly patching the liners because they are weak and brittle.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Nemlowill to authorize the award of a contract to Big River Construction Inc. in the amount of \$1,499,489.10 for the Slow Sand Filter Resanding Project. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 6(e): Wastewater Treatment Plan Headworks Concept Plan – IFA Grant (Public Works)

The 2012 Wastewater Facilities Plan for the City's Wastewater Treatment Plant (WWTP) identified the need for a new headworks to provide improved flow measurement, screening, and grit removal to minimize accumulation of materials in the treatment lagoons and improve treatment capacity. Since that time, flow characteristics of the incoming flow has changed particularly in the drier summer months. There has been an increasing number of restaurants and breweries in the City that are discharging concentrated loads to the

sewer system. The cumulative effect of these industries has an impact on the flow into the WWTP. Compounding this issue is the Combined Sewer Overflow (CSO) reduction program.

A concept design is needed to define the project beyond what was provided in the facility plan so a capital improvement project can be budgeted and scheduled for future design and construction. This planning effort is the first step towards understanding the current system limitations and mapping out a path towards continued compliance at the WWTP.

On September 18, 2017 Council authorized Staff to submit a Business Oregon Infrastructure Finance Authority (IFA) application for a \$20,000 technical assistance grant to cover a portion of the cost for a concept design that is estimated to cost a total of \$26,100. The City was awarded a \$20,000 grant from IFA. The estimated remaining \$6,100 is budgeted in the Public Works Improvement Fund.

It is recommended that Council approve the Business Oregon Infrastructure Finance Authority Financing Contract grant in the amount of \$20,000 towards preparation of a Wastewater Treatment Plant Headworks Concept Plan.

Director Harrington said the purpose of the project was to develop a concept plan to identify the configuration, features, and costs of the wastewater headworks, which is different from the water headworks. Astoria does not currently have wastewater headworks. The headworks will remove grit and garbage from the wastewater system, improving the overall health of the treatment plant so it lasts longer. State regulations are changing because things are getting into the waste stream that are very difficult to remove. The best way to deal with contaminants is to prevent them from getting into the waste stream to begin with. Public Works wants to partner with Astoria's citizens to take better care of the waste stream. Installing headworks will prevent the City from having to switch to a mechanical plant, which would be very costly. The agenda packet included a flyer that would be sent out with water bills asking people to refrain from flushing things like medications and diapers. Once the headworks is installed, all of these contaminants will plug up the system. The County will be opening a household hazardous waste facility so that people do not have to flush hazardous materials.

Mayor LaMear asked for an explanation of a headworks.

Director Harrington said the headworks is the first set of works at the head of the water treatment system. He explained that the headworks at the watershed is the lab and slow sand filter. The wastewater headworks will be at the end of the system, but at the head of the treatment plant.

City Manager Estes added that in the future, there would be more regulations on plastics in the wastewater stream. The headworks will prevent some of the larger items from entering the wastewater treatment system and allow Astoria to use the current system longer.

Director Harrington noted that anything that can make it through the waste system and into the river could make it into your food. Plastics are now being found in oysters.

City Council Action: Motion made by Councilor Price, seconded by Councilor Jones, to approve the Business Oregon Infrastructure Finance Authority Financing Contract grant in the amount of \$20,000 towards preparation of a Wastewater Treatment Plant Headworks Concept Plan. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 6(f): Authorization to Award Contract to Arbor Care Inc. to Remove and Replace Priority One Hazard Trees (Parks)

Through the Parks Master Planning process, citizen outreach strongly indicated that trees in Astoria Parks are of high importance. This valuation was reflected in feedback from park users who desire a high level of care and maintenance dedicated to trees and resulted in recommendation 6.2 "survey, inventory, and develop maintenance guidelines for all tree and plant species." To facilitate this recommendation, in 2016, City Council approved a contract with ArborPro to inventory and evaluate all trees on Parks properties.

While we were gratified to learn that the vast majority of our trees, over 1,500 are in good, safe condition; the inventory also brought to our attention the fact that there is a relatively small portion of trees that pose a hazard to the public or infrastructure and should be removed.

The levels of risk associated with each hazard tree is delineated into Priority 1, 2, and 3, based off of a combination of the likelihood of the tree to fall, the likelihood of it hitting something of value (person or property), and the tree's overall condition and position. Using the tree inventory as a guide, staff was able to generate a solicitation for bids to remove all Priority 1 trees (trees presenting a substantial risk).

Acting as good stewards of our natural resources, staff directed bidders responding to the solicitation to provide the cost of replanting a new tree in the same or similar location, at a ratio of 1:1 for each removal. This method will ensure that the City of Astoria's parks and green-spaces are being replenished with new trees as our older species age or fail and require removal. A Solicitation for Bids was advertised in the Daily Astorian and Parks and Recreation Department staff contacted several local and regional arborist companies. The sole respondent to this solicitation, Arbor Care Inc., provided a detailed bid of \$30,000 to remove and replace all Priority 1 trees throughout Parks properties. If approved, work will commence this winter and be completed by spring.

A detailed listing of each specific tree to be removed and its replacement species is provided in the packet. The Hazardous Tree Solicitation for Bids and bid provided by Arbor Care Inc are attached.

Funds are currently available in the Capital Improvement Fund to complete this work as part of implementing the Parks and Recreation Comprehensive Master Plan. However, discussions have taken place about utilizing the budgeted Capital Improvement Funds allocated to implement the Parks and Recreation Comprehensive Master Plan for other projects such as a Combined Recreation Center Feasibility Study or an Ocean View Cemetery Master Plan. Neither will be possible this fiscal year if City Council wishes to remove and replant Priority 1 trees. Although accomplishing these planning recommendations would provide benefits for the future of the Parks and Recreation Department, addressing safety concerns is of higher importance. Further, the Parks and Recreation Department is in the process of rebuilding and stabilizing core services, the City has other large planning and development projects it is focusing on, and the timeframe identified by the Parks and Recreation Comprehensive Master Plan to implement the Combined Recreation Center Feasibility Study is 6-9 years and it is staff's recommendation to focus and reevaluate basic services at Ocean View Cemetery before investing in a future planning.

City Attorney Henningsgaard has approved the contract to form.

It is recommended that City Council authorize the City Manager to enter into a contract with Arbor Care to remove and replant Priority 1 trees and staff strongly advocate that this work be undertaken as quickly as possible to minimize the potential risk these trees present.

This Item was removed from the agenda during Item 4: Changes to the Agenda and will be discussed at a future meeting.

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

There was none.

City Council recessed into Executive Session at 8:40 pm.

EXECUTIVE SESSION

Item 8(a): ORS192.660 (2) (h) – Legal Counsel

The City Council will meet in executive session to discuss legal proceedings.

The Regular Session reconvened at 8:53 pm.

City Attorney Henningsgaard said City Council considered a resolution authorizing litigation to occupy two parcels of property on 7th Street. The City has been negotiating with the property owner in an effort to settle

outside of court. If negotiations are unsuccessful, the resolution will allow the City to proceed with the eminent domain process.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Price, to approve the resolution directing and authorizing the City Attorney to commence and prosecute legal proceedings to acquire fee title and a temporary work easement at the locations described in the resolution, and upon the following of such proceedings take immediate possession of such property. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:55.

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 9:00 am.

Councilors Present: Nemlowill, Price, Brownson, Jones (via telephone), and Mayor LaMear.

Councilors Excused: None

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

DISCUSSION ON HOME STAY LODGING

Wednesday, December 13, 2017, at 9:00 am City Council will hold a work session to continue a discussion on regulating Home Stay Lodging. At a work session in May 2017, Council directed the Community Development Department to create an updated permitting process to better regulate and enforce home stay lodging uses.

This upcoming work session allows for a conversation to review what a new permit will accomplish, and discuss policy solutions to move forward to establish a policy that fits the needs of our community. Staff will be prepared to discuss and receive feedback on potential permit options, suggest provisions, as well as share an update on code enforcement.

Attached to the memorandum are the following documents:

- Existing homestay lodging code enforcement data including zoning, business license, and transient lodging tax data. This information is captured on a tracking sheet showing required steps for code compliance
- FAQ flyer clarifying "vacation rentals" versus transient lodging, and current requirements for establishing home stay lodging

Home Stay Lodging is currently regulated by the City's Development Code and City Code.

City Manager Estes noted that printed copies of the Active Enforcement and In Compliance spreadsheets, Pages 5-8 of the memorandum, were available. Staff confirmed the information in the spreadsheets was current as of December 12th.

Planner Ferber, City Manager Estes, and Director Brooks gave a PowerPoint presentation, reviewing the Frequently Asked Questions handout on Pages 3 and 4 of the memorandum, Council's last home stay lodging discussion in May, updating Council on Staff's efforts since May, and recommended options for a citywide permitting process applicable to residential and commercial zones. Staff noted how a permit would benefit the City, especially by providing additional revenue. In 2015, Airbnb confirmed they would have collected and paid about \$20,000 in transient room taxes. However, the City only received \$1,400 from home stay lodgings. Council could give Staff the authority to revoke a permit for non-payment of taxes, but this would likely involve an appeal process.

Councilor Nemlowill recommended the permitting process allow for public comments and require a review by the Police Department of properties to which they have made a lot calls, perhaps as part of the renewal schedule.

Councilor Price recommended annual inspections, higher licensing fees charged annually, limits on the number of guests allowed per unit, and revocable permits with short time frames for revoking a permit in perpetuity or requiring a four or five year wait time before the Applicant could re-apply. She was adamantly opposed to Airbnb because the company is bad for the city. The only support for Airbnb comes from people making money off the service. Councilor Brownson added that those who stay in Airbnb properties also support the service.

Staff described how their proposed permitting process would reduce the proliferation of illegal vacation rentals. Staff will have a better understanding of who is permitted and who is not. Penalties for non-compliance will

incentivize property owners and some of the issues would be addressed by requiring copies of a property owner's income tax statement, driver's license, and voter registration card. However, there will always be some who operate their business illegally. The City could require property owners to provide proof of the number of nights their rooms were rented. If no proof is provided, the City could make its own estimation and charge taxes, penalties, and interest accordingly, or apply a flat penalty fee.

Council and Staff discussed placing caps on the number of home stay lodgings allowed in the city. Caps are usually placed on vacation rentals and they are extremely difficult and time consuming to enforce. The City would have to develop a permitting process that was equitable, like a lottery system. Councilor Brownson suggested the process be simplified by creating a waiting list, permanently revoking the permits of non-compliant home stays, and requiring the permit to become invalid upon sale of the property. Staff confirmed they were not even sure caps were legal in zones that allow home stays. Councilor Jones said he did not support caps; he believed Staff should focus on illegal whole home vacation rentals and non-payment of taxes.

Staff explained it would be difficult to try to collect back taxes from home stay lodgings. The City has created a lot of public awareness over the last year and a half, which has resulted in increased compliance. Airbnb's estimated taxes due for 2015 were based on sales made through their website, but they will not tell the City who made those sales. Therefore, the City could only go back against those who are now in compliance.

Staff asked for feedback on placing a cap on the number of home stays in the city. Council was divided on whether caps would be appropriate and whether caps should be considered at this time.

- Councilors Nemlowill and Price agreed that a flat cap should be put in place now because short term rentals were hurting other businesses, business growth was being stunted by the lack of housing, home stays could provide additional housing, and the influx of vacation rentals and home stays would make future changes difficult. Councilor Price added that a cap should also be placed on the number of nights units could be rented per year to prevent people from buying second homes, apartments, and buildings to rent out year-round.
- Councilors Brownson, Jones, and Mayor LaMear indicated they preferred to consider caps at some point in the future, perhaps after the permitting process had been in place for a year. They did not agree that home stays limited the availability of workforce housing, could provide workforce housing, or harmed local businesses. Many home owners chose to operate home stays because they are unwilling to rent their unit full time. And, visitors who stay in home stays spend their money at local businesses.

Staff confirmed they would begin drafting Code language that would implement their recommendations, as well as language implementing caps for further discussion by Council.

Councilor Brownson preferred a better definition of home stay lodging units. Staff's recommended definition does not mention entries, bathrooms, or kitchen facilities. The units should look more like a hotel room than an apartment. He recalled a previous conversation about implementing a temporary moratorium on new home stay lodgings until the City completes this process. City Manager Estes reminded that the City would need to prove health and life safety issues in order to put a moratorium on new home stays.

Councilors continued to debate about whether home stay lodgings had any impact on workforce housing. Councilors Nemlowill and Price agreed that rooms should be rented to Astorians, and homeowners should be encouraged to do so. The tourism economy is already thriving, but the housing situation is dire. Councilors Brownson, Jones, and Mayor LaMear did not believe that renting home stay units to tourists had any significant impact on workforce housing, that the housing issues should be resolved through other means, and that home owners should be allowed to choose whether they rent to residents or tourists. After some discussion, the entire Council agreed that the community should be better educated about the housing situation in an attempt to encourage homeowners to rent to residents, and that homeowners should be allowed to choose whom to rent to. Councilor Nemlowill did not want a significant number of short term rentals in Astoria because it would impact the availability of units that the workforce could rent as well as rental prices.

Councilor Brownson wanted to learn more about software programs for tracking home stays. Planner Ferber explained that there is a fee per listing and the programs would take care of code enforcement.

Councilor Brownson shared details about the State's tax collection laws, which require third party facilitators like Airbnb to submit the taxes they collect. Airbnb argues that they do not collect any taxes, that the taxes are

passed through to the property owner and it is up to the owner to pay their own taxes. However, the law is clear and the State believed Airbnb would be forced to comply. This means Airbnb would be collecting and paying taxes even on the noncompliant home stays. The State is also updating computer software to collect more detailed information about the taxes they collect. Once this is complete, the State will offer to collect taxes for local jurisdictions for a fee.

Director Brooks confirmed that Astoria was receiving funds from all third party facilitators except Airbnb, but they were paying under protest. However, the City needs information from the lodgings about their bookings to verify what the funds were for. The City does not require this information and only receives it from hotels and motels. Additionally, it is very time consuming to cross check the lodgings' information with the third party facilitators' information.

Council and Staff discussed the local jurisdictions' dependency on the State to work with third party facilitators because State laws would take precedence. The League of Oregon Cities has been representing the local jurisdictions as they work with the State to resolve the tax collection issues. Councilor Nemlowill wanted Astoria's policy in place before new tax collection methods are implemented. Clear records of who is and is not paying taxes would be a big part of the permitting process and the ability to revoke a permit.

Mayor LaMear confirmed that Council wanted Staff to move forward with their proposal and make some recommendations for implementing caps on the number of home stays allowed in the city and number of nights each unit could be rented in a year. Councilor Brownson also wanted Staff to work on a better definition of a home stay that differentiated it from a living unit. City Manager Estes said even if caps were implemented, whole apartments in commercial zones could still be rented out without owner occupancy. Council and Staff talked about how caps would impact residential and commercial zones differently. Council was particularly concerned about apartments. Separate Code changes could address those concerns and incentivize downtown apartment owners to rent to residents. However, Councilor Price preferred limiting the number of nights in commercial districts. Councilor Nemlowill did not support caps on the number of nights because it could be interpreted as a threat on established home stays.

Mayor LaMear called for public comments.

Sarah Lu Heath, no address given, Astoria, stated she was speaking as a resident, not as a representative of the Astoria Downtown Historic District Association (ADHDA). There is a big difference between single family dwellings being rented out and a short term rental in someone's home. She believed Council and Staff needed to have more discussion about that difference. She also believed the City was not concerned about the people who need the income because there had been discussion about it. Astoria has limited housing stock combined with lower than state average income and Council should be considering way to increase incomes so that people who live in Astoria can afford to buy instead of rent. Three different families rent a room in her basement, which could not be turned into a long term rental unit. This allows her to supplement her income to meet the cost of living in Astoria while still retaining personal use of the space when it is not being rented. She did not want to lose this.

Councilor Brownson said Astorians' need for supplemental income from home stays was discussed at prior meetings.

Ms. Heath explained that if the permitting process were too expensive, property owners would have a difficult time earning enough supplemental income because home stays are only rented out occasionally. This could mean no visitors, no supplemental income, and no workforce housing.

Councilor Price did not believe Staff's recommendations would prevent any of that.

Unidentified Speaker said most of the people she has talked to do not take issue with situations like Ms. Heath's, where one extra room is occasionally being rented. She is a realtor and last week showed nine houses in Manzanita that were being used solely as vacation rentals. Meanwhile, the Blackbird restaurant closed because they could not find employees. The only other coffee shop in town is only open from 7:00 am to 10:00 am for the same reason. People who work in the restaurant industry cannot afford to live in Manzanita.

Councilor Nemlowill felt good about Staff's proposal and understood that the Council wanted penalties to be very stiff. She also wanted Council to consider a provision that only year-round residents be allowed to rent out units commercially for short term rentals.

Councilor Brownson asked for details about conditional use permits. City Manager Estes explained that home stays were allowed outright in the R-2 and R-3 zones, but only with a conditional use permit in R-1 zones. Full house vacation rentals are not allowed in any residential zone. Those zoning laws would remain in place in addition to the proposed home stay permit.

Councilor Price asked when Staff would be able to recommend Code language. City Manager Estes briefly shared details about Staff's current workload and said Staff could have a recommendation ready by late winter or early spring.

ADJOURNMENT

There being no further business, the work session was adjourned at 10:45 am.

ATTEST:

APPROVED:

Finance Director

City Manager

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

September 19, 2017

CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:24 pm.

ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Commissioners Jack Osterberg, Paul Caruana, Mac Burns, and Katie Rathmell.

Commissioners Excused: Vice President Michelle Dieffenbach.

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

APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson asked if there were any changes to the minutes of August 15, 2017. There was none. Commissioners Osterberg and Burns stated they would abstain from voting, as they were not present at that meeting. Planner Ferber noted the abstentions may prevent a quorum and confirmed the minutes would be added to the next meeting's agenda for approval.

PUBLIC HEARINGS:

President Gunderson explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

The Historic Landmarks Commission continued to Public Hearings Item 4(b): EX17-08 at this time.

ITEM 4(a):

EX17-09 Exterior Alteration EX17-09 by Ron and Muriel Jensen to add a vertical lift to the side of the front porch on the front façade of an existing single-family dwelling at 659 15th Street in the R-3, High Density Residential Zone.

This agenda item was addressed following Public Hearing Item 4(b).

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare. None declared. President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report and recommended approval with conditions. Correspondence from neighbor Rosemary Johnson was submitted in support of the project.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Muriel Jensen, 659 15th Street, Astoria, stated that currently, she must go down the steps backwards two steps in front of her husband to hold on to his belt. If he fell, they would likely end up in a heap at the bottom of the stairs. Her husband likes to get out and do things and she must keep him safe. Getting from the porch to a cab is a giant ordeal with the walker. There is no way to make the chair lift beautiful or historic, but it is the only solution they have.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Burns moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX17-09 by Ron and Muriel Jensen; seconded by Commissioner Caruana. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

The HLC proceeded to Public Hearing Item 4(c) at this time.

ITEM 4(b):

EX17-08 Exterior Alteration EX17-08 by Jim Forrester to replace wood around the storefront windows, add cultured stone to kick plate, and rebuild transom windows at 155 11th Street and 119 11th Street in the S-2A, Tourist Oriented Shorelands zone.

This item was addressed immediately following Item 3(a): Approval of Minutes.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Gunderson declared that her company, Easom Property Management, does business with JP Plumbing and she had previously confirmed with City Attorney Henningsgaard that she could make a decision without being biased.

Commissioner Caruana confirmed he did business with JP Plumbing, but this would not affect his ability to weigh in on this application.

Commissioner Burns declared that Clatsop County Historical Society has done business with JP Plumbing, but he had not discussed this application with them. He drove by the properties, but he did not believe his business dealings would affect his judgment on this matter.

President Gunderson requested a presentation of the Staff report.

Planner Ferber noted she had been directed to present Staff reports without a PowerPoint presentation and encouraged Commissioners to follow up with her manager if they had concerns. She presented the Staff report and recommended denial. No correspondence has been received.

President Gunderson stated she preferred the PowerPoint presentation and believed it was important for the Commissioners and audience to see the color photos. All of the Commissioners agreed. Commissioner Burns added that the audience does not typically read the entire agenda packet, but are invited to give testimony.

President Gunderson asked if the City received any complaints about this project. Planner Ferber said no complaints were submitted, but the project came to the City's attention because the property is right down the block. Staff must address code enforcement issues that come to their attention, even if no complaints are received. She worked extensively with the Applicants to avoid the need for a public hearing; however, the Applicants chose to move forward with the permitting process.

Commissioner Caruana confirmed that similar materials proposed for the Astoria Waterfront Bridge Replacement Project, which was cited in the Staff report, had been denied, and was never reviewed by the HLC because the materials were so inappropriate for that area.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Jim Forrester, 165 Skyline Avenue, Astoria, stated he spent a lot of his own money fixing the face of the building last year. Transom windows were built to the City's requirements. It never dawned on him that there was a big issue with what was installed underneath the windows after the rotted material was replaced. He used treated plywood, stainless steel flashing, and Hardi Plank to dress up the building and make it look more presentable. The material is not cultured stone or river rock; it is manufactured true stone that has been bonded together and placed in a valance. The total square footage of the stone is the same as two sheets of plywood, which is about two percent of the entire front façade. He believed the stone made the building look better and brought out the details of the building. He wanted to keep the stone. He presented photographs of buildings within a block of his that used a variety of materials and colors, including stone. He understood that he should have gone through the permitting process or replaced the material, but he did not want to remove something that had already been installed because the stone cost a substantial amount of money to put on. He noted one of the photographs showed a building with vinyl windows and awnings. He believed the same standards should be applied to everyone.

Commissioner Garuana **Burns** asked why Mr. Forrester chose not to apply for a permit prior to starting the project.

Mr. Forrester said installing the stone was an afterthought to dress the building up. He deals with permitting all the time and was at fault for failing to do so. Bloomin Crazy installed stone underneath their windows not too long ago. The Albatross has wood planking underneath their windows. He did not believe this was a big issue. He confirmed that prior to installing the stone, he was unaware that it would not be allowed. However, he never asked.

President Gunderson called for any presentations by persons in favor of the application.

Kent Easom, 175 14th Street, Suite 110, Astoria, said after looking around town and seeing the various materials used on buildings, he believed the stone should be allowed. In some ways, the stone is a natural progression and commercial buildings change over time. There are many other more egregious violations that do not appear to have been addressed. He did not see any harm in allowing the stone.

Paul Larson, 92967 Pearson Road, Astoria, JP Plumbing, said he realized the stone was not of the same period as the building, but 250 feet up the street, there are lights over the street and up the trees, the building has a mural, and there is a parklet. His street is boring and he thought the stone would enhance the space. He spoke with Jill Brown, who said the color could be changed if that would be more acceptable to the City.

President Gunderson called for any presentations by persons impartial to or against the application. Seeing none, she called for closing remarks of Staff.

Planner Ferber said it was never fun to write up a recommendation for denial, but the Code very clearly outlines that if photographic evidence exists of the building in its original condition, that original condition should be maintained. She was thankful that the Applicant had provided photographs of the original building. Contemporary alterations require a review and in this case, the owners should be stewards of their historic building. It is important for the HLC to consider historic materials when a historic building is being enhanced. This is a contributing building in the Downtown Historic District. A variety of materials has been used around town. Some of those have been permitted and some are not on historic buildings. The diversity is great, but the this application focused on this specific material on this specific building.

President Gunderson closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Rathmell said the Staff report clearly demonstrates that the stone is not in compliance and does not fit with the rest of the historic buildings in town. The historic buildings in that neighborhood have plaster panels. Enforcement is a problem and she has seen a lot of work done that did not comply with historic requirements. She agreed the stone looked nice, but also believed it looked out of place with the rest of the buildings.

Commissioner Osterberg stated he had not yet come to any conclusion. A diversity of finishes and materials can be seen throughout downtown and there is no doubt that some are on historic buildings. The original stucco that

was on the building is not necessarily the future of commercial buildings in downtown Astoria. He was not sure the stucco was the only most appropriate finish. A couple of criteria speak to the skilled craftsmanship, which in this case would not be exhibited by plain stucco or cement finishes. He was also troubled by conclusions that imply that all historic downtown buildings with a plain cement finish are the most appropriate. were inappropriate. Some amount of change must be okay and there must be room for some improvements in materials and finishes that do not replicate or match the existing historic exteriors. The stone that the applicant has chosen might not be the most appropriate, but there must be an acceptable improvement.

Commissioner Burns said he wished the Applicant had followed protocol because he struggled with the notion that the HLC must consider this application as if the work had not yet been completed. When he drove by the building, he was not offended by the stone. He likely would not have noticed the stone if he had not been driving by specifically to look at it. The stone is not an overwhelming element in the architecture. Astoria is eclectic and the stone is not a permanent change to the building. Additionally, he did not want to make the business spend money reversing something that he did not consider horrific.

Commissioner Caruana said part of buying and owning a historic property is maintaining it as historic. Most of the storefronts in the photographs are of changes made in the 1960s and 1970s. He did not like the faux marble on the building that burned and was renovated. It is too bad that what was built in the 1920s is as good as it gets and that there is no room for improvements. However, innovators find ways to work creatively within the restrictions. He installed a historic storefront at the Astor, which involved buying extra large material and milling it down to the exact size of the original window sills. He wished Astoria had more diversity. He did not like most of the buildings in the photographs, but appreciated the diversity because it makes downtown Astoria more interesting. The diversity on 11th Street is accomplished through paint colors and things that can be moved or taken away. When he buys historic properties, he accepts that he is limited to paint colors to show off the property. If the stone had not yet been applied to the building, he would deny the request. However, he believed adding awnings and things that can be removed are acceptable and enhance the usability of a building. The stone is an application that can be removed, but if he votes yes, he would have to accept that the building could be like this for 100 years. He wished historic towns had more going on. Color is very helpful and when you own a historic property, you are accepting what was there; innovation is limited to paint colors and decorative elements that can be removed. New neighborhoods have diversity, but no character.

President Gunderson said she was undecided as well. Out of the entire project, the 18 inches of stone was not offensive to her. JP Plumbing has been a great partner in downtown and they have invested a lot of money into this project. The HLC approved the mural on the building just a few blocks away, but vinyl windows were installed in that building. The awning with shakes was installed in the middle of the night and is completely offensive. The City should be going after the offensive projects instead of a project like JP Plumbing's. The Custard King mural was never reviewed by the HLC and it contains copy write infringements. She would have a difficult time telling the Applicants they must remove the rock because many residential homeowners have come to HLC after completing projects. One project on Alameda was done wrong, but the HLC did not make the owner tear it down. She understood the HLC did not set precedents, but she could not condemn the Applicants for 18 inches when there are bigger issues in downtown.

Commissioner Caruana asked if the stone could be allowed only until a change in ownership.

Commissioner Osterberg said land use decisions run with the land and cannot be linked to changes in ownership.

Planner Ferber requested a recess so that she could consult with City Attorney Henningsgaard via telephone. However, she believed Commissioner Osterberg was correct.

President Gunderson called for a recess at 6:04 pm.

The HLC meeting reconvened at 6:08 pm.

Planner Ferber said she confirmed with City Attorney Henningsgaard that a deed restriction could be required or simply make a note on the property's file for future owners. She was uncomfortable adding a note because it is unusual for a historic property to have something so loosely tied to it.

Commissioner Burns suggested a condition of approval requiring the HLC to reconsider the stone if and when a future project was reviewed by the Commission. Commissioner Osterberg agreed this condition would be appropriate.

Planner Ferber reminded that if the Commission wanted to approve this application, the Staff report would need new findings of fact to support approval of the request. The Commission and Staff discussed options for approving the project and amending the Staff report. They also discussed options for reconsidering the stone as part of a future project.

Commissioner Osterberg suggested continuing this hearing to the next meeting to give Staff time to write new findings. Planner Ferber said she would appreciate the extra time to amend the Staff report, but would still need more direction from Commissioners on how this project meets the criteria.

President Gunderson was concerned about a continuance because two Commissioners were not present to hear the Applicant's testimony. Commissioner Caruana agreed and added that it would not be fair to the public.

The HLC conducted a straw poll, which indicated the request would be approved.

Commissioner Osterberg moved that the Historic Landmarks Commission (HLC) approve Exterior Alteration EX17-08 by Jim Forrester and adopt the Findings and Conclusions contained in the Staff report with the following amendments:

- Page 4, Section C, Paragraph 2, Finding: The **cement** finishing on the skirting is not a distinguishing original quality of the building and is not one of the key characteristics or distinguishing qualities of the architecture of the building or the surrounding area, and is therefore **compatible its removal and replacement by stacked slate is compatible**.
- Page 5, Section C, Paragraph 4, Finding: The plain cement stucco finish along the sidewalk of the building has not acquired its own distinctive character over time and therefore does not need to be replaced in kind, but may have an updated or different appearance. The proposed finish meets the criteria.
- Page 5, Section C, Paragraph 5, Finding, last sentence: "The application of the river rock was done well and the material itself ~~is not~~ appropriate for the site."
- Page 6, Section C, Paragraph 6, Finding: It was not possible to replace the existing material because the property was subject to substantial rot and needed substantial repair. **In future** Future alterations to the property, the river rock should be reconsidered by the HLC.
- Page 6, Section C, Paragraph 9, Finding: The proposed materials would not destroy significant ~~culture~~ **cultural** materials and the design is compatible with the building and the surrounding area.
- Page 7, Section C, Paragraph 10, Finding: Amend the second sentence, "~~However,~~ The application of the river rock ~~is not~~ a compatible material at the site." Also, delete the last sentence and all references to the Comprehensive Plan.
- Replace all instances of "river rock" with "stacked slate."
- Delete Conditions of Approval 1 and 2.
- Add a Condition of Approval requiring the slate be reconsidered as part of future projects.

Motion seconded by Commissioner Burns. Motion passed 4 to 1. Ayes: President Gunderson, Commissioners Osterberg, Burns, and Rathmell. Nays: Commissioner Caruana.

President Gunderson read the rules of appeal into the record.

The HLC proceeded to Public Hearing Item 4(a) at this time.

ITEM 4(c):

EX17-07 Exterior Alteration EX17-07 by Rickenbach Construction to add a 392 square-foot addition for cooler storage on the south façade and awning over existing seating area on the south façade at #1 8th Street in the A-2, Aquatic Two Development zone.

This item was addressed immediately following Public Hearing Item 4(a).

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Gunderson declared that she knew the owners of Buoy Beer, but she did not believe that would affect her decision.

Commissioner Burns declared that two owners of Buoy Beer were members of the Clatsop County Historical Society Board of Directors. He eats at the restaurant, but has not discussed this with the owners. He did not believe any of that would alter his impartiality.

Commissioner Osterberg declared that he visited the site.

Commissioner Caruana excused himself from the meeting at 6:48 pm.

President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report and recommended approval with conditions. No correspondence has been received.

President Gunderson said the HLC does not approve of signage. However, she wanted to know if using red and blue on the awning to make it match the building would be considered signage.

Planner Ferber explained that adding the logo would clearly be considered signage because it advertised their business. If only colors were, it would be up to Staff to decide whether it was related to advertising at the site. In this case, she believed red and blue on the awning would be considered signage because the colors are specific to advertising that site.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Dave Kroening, 1168 14th Street, Astoria, said he planned to keep the awning in its natural canvas color. He apologized that the awning was put up prior to coming to the HLC. Buoy Beer has come to the HLC many times and this was a result of miscommunication between himself and management. The canvas replicates their growler bags and pays homage to the nature and history of the town. They did not plan to take the awning down every night because that would be too cumbersome. However, he would consider taking it down over the winter. The awning shades sun that gets into the brewery and on the patio. He would be happy to maintain the awning because he did not want it to look ragged. The cooler is for more space as they grow. They need space for more inventory. The front piece of property is leased from the Parks Department and the cooler would not violate the lease. The façade would be the same as the rest of the building.

Commissioner Burns noted that taking the awning down in the winter was recommended as a condition of approval.

President Gunderson asked if there was a maintenance plan for the awning.

Mr. Kroening said the fabric could easily be replaced if damaged and pressure washing would take care of it.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff.

Planner Ferber recommended the conditions of approval state when winter starts and include language regarding maintenance and repairs.

Commissioner Rathmell noted that the drawing shows five pieces of fabric while the photograph showed three.

Mr. Kroening stated they installed three pieces of fabric, but his staff would like two more pieces installed to provide more coverage.

President Gunderson closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Osterberg believed Condition of Approval 3 should be deleted because the HLC should not consider matters that are up to Staff. He also disagreed with Condition of Approval 6 because a finding about the durability of canvas should simply be approved or denied. If canvas awnings are found to be adequate and reasonably durable, then the matter should be considered on its own merits in the Staff report. It goes without saying that things that are approved should be maintained and replaced when damaged.

Commissioner Rathmell did not believe the HLC should be telling someone to bring in their awning in November because they might want to put it out on a nice day in December. She believed Condition of Approval 6 should be changed, but she planned to vote for approval.

Commissioner Burns agreed with Commissioners Osterberg and Rathmell and said he was ready to approve the request.

Planner Ferber noted that Condition of Approval 3 could be deleted if the color and number of panels was specified elsewhere in the Staff report.

Commissioner Rathmell moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX17-07 by Rickenbach Construction, with the following amendments:

- Delete Condition of Approval 3.
- Amend Condition of Approval 6 – “The awning shall be maintained to remain in good condition and the awning fabric shall be replaced when not in good condition.”

Motion seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

ITEM 4(d):

NC17-05 New Construction NC17-05 by Brian and Terri Oksen for new construction of a 2079 square-foot single-family dwelling and a 338 square-foot garage adjacent to historic structures at 910 Grand in the R-3, High Density Residential zone.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

Commissioner Rathmell declared that she owned a property located around the corner from the site, but she believed she could be impartial.

President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report and recommended a continuance so that the HLC could get more details about the project from the Applicants.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Terri Oksen, 1090 Klaskanine Avenue, Astoria, said she and her husband had not received any of Staff's recommendations until last Thursday. She presented a project outline based on Staff's recommendations.

Brian Oksen, 1090 Klaskanine Avenue, Astoria, added that the three dimensional photograph was given to Staff as a courtesy to show what [inaudible] on the side of his architectural plans just to give him an idea of what the house would look like. All of the details were submitted to Staff as part of the plans. The photograph should not have been displayed for the HLC. He clarified which set of plans the HLC should consider and said the first seven pages of their report addressed Staff's concerns.

Mrs. Oksen stated that they researched the windows recommended by Staff. The home that faces Grand is very visible, so they planned to install simulated true divided wood clad windows on that face of the house to maintain the historic look. On the other sections of the home, they plan to install simulated true divided vinyl windows because the cost to do all wood clad windows is cost prohibitive. The other sides of the house are not highly visible like the side facing Grand.

Mr. Oksen added that 9th Street is not a through street and the walkway is 50 foot or more from the house. The neighboring house is five feet from the property line and his home would be set back five feet from the property line. Overgrown bushes between the properties would hide three-fourths of that side of the home. The back of the home is only visible from a distance.

Mrs. Oksen said the home would be viewed from the pedestrian pathway. They are not able to install wood windows on the entire home.

Commissioner Burns asked if the Applicants were willing to allow a continuance.

Mr. Oksen stated he wanted to get started on the project. He retired a few weeks prior and had been working on getting contractors. The survey has been completed and he wanted approval as soon as possible.

Commissioner Osterberg explained it would be helpful for the Applicants to address Staff's list of 12 recommendations on Page 13 of the Staff report.

Mr. Oksen stated he had already done so and numbered them accordingly. The first seven pages of his handout addressed recommendations 1 through 12, as well as Planner Ferber's concerns.

Mrs. Oksen believed they had addressed the concerns noted in the Staff report even though they did not have the opportunity to work directly with Planner Ferber. They feel the requirements have been met.

Mr. Oksen said they could definitely do wood clad windows on the side most noticeable to pedestrians and traffic on Grand. He did not mind the extra expense of putting the front door in the recommended location. The garage door would be cedar. Spending money for all wood clad windows would more than double the window budget for the house.

Mrs. Oksen confirmed she preferred to complete this hearing at this meeting.

Commissioner Rathmell asked what kind of brick would be used on the courtyard wall.

Mrs. Oksen said the brick would be a composite material.

President Gunderson stated she was concerned that Staff and the HLC have not had adequate time to review the many changes. Additionally, two Commissioners are not present. The HLC wants to direct applicants appropriately and she was not comfortable trying to absorb all of the new information before Staff has seen it. She did not like to delay their project, but believed it would be a disservice to rush into a decision.

Commissioner Osterberg agreed with President Gunderson and said he would like to hear Staff's review of the newly proposed items.

Commissioner Burns said he did not like to make applicants wait a full month as they go into the winter season. However, he did not feel comfortable reviewing so much information. He wanted Staff to have the opportunity to make recommendations.

Mr. Oksen said as long as HLC did not come back and require all wood clad windows, which would break his budget, he would be happy to give the City some extra time.

President Gunderson stated the HLC could not commit to anything at this point.

Commissioner Burns said the new information was encouraging and he was glad the Applicants were talking to Staff and trying to address concerns.

Mr. Oksen explained that he originally wanted to start the project in the middle of summer, but was new to this process. Little by little, he learned each step. This is the first home he has built and realized he had purchased a lot in a historic district. His designer has a lot of experience and he took a lot of things into consideration when designing this home, including the historic area. The house was designed to the contours of the lot so that the second level would not block views from across the street. He had a geological report done so that the foundation could be built appropriately. He appreciated all of the feedback, considerations, and concerns.

President Gunderson said she was not thrilled with the original proposal, but felt more comfortable about the project after seeing the new information.

Commissioner Osterberg suggested Commissioners review the information and give Staff their comments prior to the October meeting. Planner Ferber said that would be fine and recommended the public hearing be left open.

President Gunderson called for any presentations by persons in favor of the application. Hearing none, she called for testimony impartial to the application.

Mary Clat, 731 9th Street, Astoria, stated she was impartial to the application. This will be a 2,000 square foot home on a very small piece of land. She was concerned that the house would go straight up and block her view. She has lived in her home for eight years. The house to the right of the lot has been vacant for at least five years. She was not sure if the vacant house was being torn down. She asked if there was a height requirement on new home construction that could block her view.

President Gunderson stated the home would be well under the maximum height limit. She explained that the HLC cannot regulate or change zoning standards, nor can they protect views. Commissioner Osterberg suggested Ms. Clat get information from Staff about her concerns.

Ms. Clat said she was also concerned about how far into the earth the foundation would be installed. She has cracks in her foundation and moldings are separating from the walls because the house is moving. When the City worked on the street, she purchased landslide insurance in case something happened after the work was complete. She was concerned about the potential for a landslide or more damage to surrounding homes. If the foundation is just going to be laid on top of the ground, that would be one thing. But a 2,000 square foot home with a daylight basement would be dug into the ground.

President Gunderson reiterated that Ms. Clat's concerns did **not** fall within the realm of the HLC and suggested she speak with Staff.

Planner Ferber added that she would not present a new construction project to the HLC if it did not meet basic zoning and land use requirements.

President Gunderson called for any presentation by persons against the application. There was none.

Commissioner Burns moved that the Historic Landmarks Commission (HLC) continue the hearing for New Construction NC17-05 by Brian and Terri Oksen to the October meeting; seconded by Commissioner Osterberg. Motion passed unanimously.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5: There were none.

STAFF UPDATES – ITEM 6: There were none.

MISCELLANEOUS – ITEM 7: There were none.

PUBLIC COMMENTS – ITEM 8: There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:35 p.m.

APPROVED:



City Planner

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

October 17, 2017

CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:15 p.m.

ROLL CALL – ITEM 2:

Commissioners Present: Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Mac Burns, Kevin McHone, and Katie Rathmell.

Commissioners Excused: President LJ Gunderson and Paul Caruana

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

APPROVAL OF MINUTES – ITEM 3:

Item 3(a): August 15, 2017

Vice President Dieffenbach asked if there were any changes to the minutes. There were no changes.

Vice President Dieffenbach moved to approve the minutes of August 15, 2017 as presented; seconded by Commissioner Rathmell. Ayes: ~~President Gunderson~~, Vice President Dieffenbach, Commissioners Rathmell, and McHone. Nays: None. Abstentions: Commissioners Osterberg and Burns.

Item 3(b): September 19, 2017

Planner Ferber noted that Staff just received the minutes of the September meeting so the HLC would approve them at the next meeting.

PUBLIC HEARINGS:

Vice President Dieffenbach explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

ITEM 4(a):

NC 17-05 New Construction NC 17-05 by Brian and Terri Osken for new construction of a 2,079 square foot single-family dwelling and a 338 square foot garage adjacent to historic structures at 910 Grand Ave. in the R-3, High Density Residential zone. This hearing was continued from the September 19, 2017 meeting.

Planner Ferber stated the Applicants had chosen to withdraw their application. She confirmed the withdrawal had been submitted to Staff in writing.

Vice President Dieffenbach opened public testimony.

Anne Bronson, 959 Franklin Ave., Astoria, stated she was concerned about the Applicants removing trees to improve their view of the river. The trees provide some shade on her house during the summer and she could see the entire hillside ending up on Franklin Avenue if the trees were removed.

Vice President Dieffenbach explained that landscaping and tree removal were not under the HLC's jurisdiction. Planner Ferber recommended that Ms. Bronson discuss her concerns with the Planning Office, so Staff could research any potential geological hazards on the property.

Vice President Dieffenbach closed the public hearing.

Commissioner Osterberg moved that the Historic Landmarks Commission (HLC) close the public hearing for New Construction NC 17-05 by Brian and Terri Osken; seconded by Commissioner Rathmell. Motion passed unanimously.

ITEM 4(b):

NC 17-04 New Construction NC 17-04 by Zoe Fenton to construct a new single-family dwelling adjacent to historic structures at 2609 Irving Ave. in the R-2, Medium Density Residential zone.

Vice President Dieffenbach asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. Vice President Dieffenbach asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare. None declared. Vice President Dieffenbach requested a presentation of the Staff report.

Planner Ferber presented the Staff report and recommended approval with conditions. No correspondence has been received.

Commissioner Burns asked what options the HLC would have if the Applicant was unable to provide all of the necessary information. Planner Ferber confirmed the Commission could approve parts of the project, continue the hearing to a later date, or approve the application pending compliance with conditions of approval.

Vice President Dieffenbach opened public testimony for the hearing and asked for the Applicant's presentation.

Zoe Fenton, 90599 Peter Johnson Rd., Astoria, said the prefabricated home company asked him to sign a contract and then make decisions. He has been doing his best to obtain details from the company about what his options were. He believed he had most of the missing information about overall height, the reveal of the lap siding, the possibility for double hung windows, and photographs of the garage door, entry door, and light sconces. He was fine with submitting the information to Staff and continuing the hearing next month.

Commissioner McHone asked if Mr. Fenton had to sign a contract prior to deciding what would be on the house.

Mr. Fenton confirmed that the company had a standard list of available items. This list is on their website. Nothing is final because the company might change brands next month. He had photographs of what the company currently offers. He presented the photographs at the dais. The lap siding would be Hardi Plank with a seven-inch reveal. He believed the company would be willing to work with the HLC on all of the design details. The photographs just show standard options, so any deviation would cost more money. Therefore, he wanted to stick with the standards options as much as possible.

Commissioner Burns asked for more details on the oil spill that occurred on the property.

Mr. Fenton explained that there was an above ground tank inside the basement, which he had decommissioned even though that was not required. The tank sat in front of the house for almost a month before someone could come do the decommissioning work. Two days after the tank was decommissioned, Wilcox and Flegel arrived, unaware that the work had already been completed. The bung was capped, but they opened it up anyway and ran the pump until they saw oil running out of the far end of basement. There were many cracks in the cement and 95 gallons seeped beneath the basement. In the end, the situation worked out for the best.

He requested double hung windows without divided lites, but offered to find out if divided lites were an option.

Vice President Dieffenbach noted that the conditions of approval allowed for true divided, simulated divided or no divides at all. Therefore, the Applicant's preference would be an acceptable option.

Mr. Fenton stated he was open to either the traditional or the carriage style garage door, but would prefer the traditional door without windows.

Commissioner Rathmell stated she would prefer a five-inch reveal on the lap siding because historic homes typically have smaller reveals. Vice President Dieffenbach agreed and added that the smaller reveal would look better on this home because it was a smaller home.

Mr. Fenton said okay and asked for the Commission's feedback on a belly band.

Commissioner Rathmell stated they were common and noted that the neighboring house had one.

Mr. Fenton explained that the Commission's feedback would allow him to tell the company exactly what he needed.

Commissioner Rathmell reiterated that she preferred a smaller reveal on the lap siding, no simulated divided lites, and no vinyl windows. Vice President Dieffenbach said the HLC typically allowed vinyl windows on new construction as long as they had true divided or simulated divided lites. Planner Ferber confirmed that vinyl windows were allowed on new construction but not exterior alterations.

Mr. Fenton said he understood the look of the windows was important. His windows would be single hung.

Vice President Dieffenbach said she preferred the garage door had some articulated depth instead of solid smooth panels. Either bead board or panel insets would be acceptable. She asked for details about window trim options.

Mr. Fenton said the only information he had was the photograph.

Vice President Dieffenbach stated the elevation drawing appeared to indicate five quarter trim on the corners and window surrounds. Traditionally, cottage style houses do not have a lot of ornamentation but do have trim on the corners, windows, and where the wall meets the roof. She believed what was shown in the drawing would be acceptable. A window sill would look good as well.

Commissioner Rathmell believed a sill would be important because it would give the house shadow lines and details. A flat-sided house with flat windows would look like a prefabricated house, which would not match the character of the neighborhood.

Mr. Fenton agreed.

Vice President Dieffenbach explained that the fascia board should be as big as or bigger than the window and corner trim to give the house a cap with the roof.

Mr. Fenton stated he would make sure the fascia board was an acceptable size.

Commissioner Osterberg asked if the details provided should be considered minimums. He also wanted to know if the Applicant was presenting extra cost options as part of his proposal that should be considered part of the amended application.

Mr. Fenton stated definitely and explained that he presented the only photographs the company could provide of an existing example of his house plans. He believed the photographs showed the most basic way to build the house and he would build his house per the HLC's suggestions.

Vice President Dieffenbach suggested the hearing be continued to give the Applicant an opportunity to look at the available options and prices, and put together a package to present to the HLC next month.

Mr. Fenton explained that he would not be able to discuss design details with the company until he starts paying them. Now he knows the HLC is amenable, so he can move forward with the company and then come back to the HLC with more definite answers. He confirmed that a continuance would not interrupt his time frame. He did not plan on building until the beginning of spring.

Vice President Dieffenbach noted the home would be built on a corner lot. The side view should also be considered a front view, so the details should be carried all the way around the house.

Mr. Fenton agreed. He confirmed the standard roof pitch was 5:12 and he had the option of 6:12.

Commissioner Rathmell said the porch looked enclosed.

Mr. Fenton noted that the corner with the post was open and the porch would have a four-foot overhang. He explained that the lot had a large elevation gain, so the view of one side of the house would be blocked by the hillside. However, he still planned to add the belly band to this side of the house. He confirmed that the HLC had given him all the direction he needed and he would come back next month with details.

The Commissioners discussed the simulated shake siding shown on the gable ends and agreed it would be appropriate.

Planner Ferber said if the front stairs will require handrails details shall be submitted.

Mr. Fenton said if the builder did not provide options for railings, that would be easy to take care of elsewhere. He understood the style would be important.

Vice President Dieffenbach called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing.

Commissioner McHone moved that the Historic Landmarks Commission (HLC) continue the hearing for New Construction NC 17-04 by Zoe Fenton; seconded by Commissioner Burns. Motion passed unanimously.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

There were none.

STAFF UPDATES – ITEM 6:

Planner Ferber said iron work was installed on some of the windows on the YMCA building. She expected an application for exterior alterations to the maker space building.


MISCELLANEOUS – ITEM 7:

PUBLIC COMMENTS – ITEM 8:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:09 pm.

APPROVED:



City Planner

HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers
November 21, 2017

CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:15 pm.

ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Commissioners Jack Osterberg, Paul Caruana, Mac Burns, and Katie Rathmell.

Commissioners Excused: Vice President Michelle Dieffenbach and Commissioner Kevin McHone.

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

APPROVAL OF MINUTES – ITEM 3:

Item 3(a): October 17, 2017

President Gunderson noted the following corrections to the minutes of the October 17, 2017 meeting:

- Page 1, Approval of August 15, 2017 minutes – Remove President Gunderson from the vote as she was excused from the meeting.

Commissioner Burns moved that the Historic Landmarks Commission (HLC) adopt the minutes of October 17, 2017 meetings as corrected; seconded by Commissioner Rathmell. Motion passed unanimously. Ayes: President Gunderson, Commissioners Osterberg, Caruana, Burns, and Rathmell. Nays: None.

Item 3(b): September 19, 2017

President Gunderson and Commissioner Caruana noted the following corrections to the minutes of September 19, 2017:

- Page 3, Paragraph 2 – “Commissioner Caruana **Burns** asked why Mr. Forrester chose not to apply for a permit prior to starting the project.”
- Page 9, Paragraph 13 – “President Gunderson reiterated that Ms. Clat’s concerns did **not** fall within the realm of the HLC and suggested she speak with Staff.”

Commissioner Osterberg stated he had prepared written corrections to the minutes of September 19, 2017, which were emailed to the Commission and Staff. Planner Ferber confirmed the written material was adequate for Staff to make the necessary corrections.

Commissioner Burns moved that the Historic Landmarks Commission (HLC) adopt the minutes of September 19, 2017 meetings as corrected; seconded by Commissioner Caruana. Motion passed unanimously. Ayes: President Gunderson, Commissioners Osterberg, Caruana, Burns, and Rathmell. Nays: None.

PUBLIC HEARINGS:

President Gunderson explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

ITEM 4(a):

NC17-04 New Construction NC17-04 by Zoe Fenton to construct a new single family dwelling adjacent to historic structures at 2609 Irving Avenue in the R-2 Medium Density Zone. (Continued from the October 17, 2017 meeting.)

President Gunderson stated the Applicant has requested the hearing be continued to the December 19, 2017 meeting.

Planner Ferber confirmed the Applicant has signed a 120-day waiver.

Commissioner Osterberg moved that the Historic Landmarks Commission (HLC) continue the public hearing for New Construction NC17-04 by Zoe Fenton to December 19, 2017; seconded by Commissioner Burns. Motion passed unanimously.

ITEM 4(b):

EX17-12 Exterior Alteration EX17-12 by Stephan Eiter, WWHJ Holdings, LLC to alter windows and replace a window with a roll up garage door on an existing historic building at 1010 Duane Street in the C-4 Central Commercial Zone.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Gunderson declared that one of her tenants was involved in this project, but she has not discussed the application with this person; therefore, she could vote without any bias.

President Gunderson requested a presentation of the Staff report.

Planner Ferber presented the Staff report. The public notice erroneously indicated a bay window instead of a window bay and this has been corrected. She recommended approval and confirmed no correspondence has been received.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Steff Eiter, 1684 Franklin Ave. Astoria, said he was one of two owners of the building and their holding company would run all of the tenancy. A maker space will be created in the building, which will be the main tenant. The alteration will help the maker space facilitate material movements and allow artists and creators to build things that are larger in scale and move them out.

Lucy Barna, 1684 Franklin Ave. Astoria, stated she was part of a team at Astoria Makers, the main tenant in the new building that is bringing in a maker space. Maker spaces exist all over the world in different scales. Some are very small and they are often associated with libraries, housed in libraries, or have programs that work closely with libraries. They are also known as hacker spaces. The smaller maker spaces are usually more technology driven with computers, laser printers, and three-dimensional (3-D) engravers or printers. Her maker space will be of a larger scale because Astoria is more arts driven than technological. The main floor and basement will be dedicated to workshop areas that will include a wood shop, a small welding studio, a jewelry studio, small metals, screen printing, sewing, digital design and fabrication, a laser printer, a 3-D printer, and a computer numerical control (CNC) router. On the southwest corner of the main floor, where the windows will be replaced, there will be a small retail and gallery space for members to sell their goods. The space will also serve as a business incubator for artists to bring what they have made into the retail sector. There will also be a ceramic studio and finishing room in the basement. The upstairs level will be dedicated to studio rentals for artists and office space. The studio rentals will include access to the maker space, a lounge, kitchenette, and a community room. The community room will also be used during the Art Walk, for event rentals, and for summer camps. The garage door is essential for getting equipment into the building, allowing people to bring in large materials, and encouraging people to think outside the box to create something bigger than a doorframe. When the garage door is open on a nice day, people can come by and see work in action. The maker space will be open to members or to those who purchase a day pass. The public will not be able to come in due to safety reasons. However, people will be able to see from the street what is going on. She appreciated the HLC taking the time to review the application.

Mr. Eiter said his goal is to make the building a hub. The library is going through a transition and trying to do upgrades. The front of his building has been given a facelift, was painted, and the corrugated material over the transoms was removed. This application is for the last part of the project. He offered to answer any questions.

Commissioner Osterberg reviewed the design options offered by the garage door manufacturer, listed on Exhibit 5 in the Staff report. He asked which options the Applicant planned to choose.

Mr. Eiter stated that Coastal Garage in Seaside would provide garage doors with a thin frame. He planned to have three solid metal panels at the bottom to keep the line of the building that extends across all five bays. He confirmed that he understood all of the glass needed to be clear. The garage door will be black anodized aluminum. All of the transoms and trim have been painted in a Dutch color scheme with slate blue, white, black, and grey. The transoms and doors will also be black.

President Gunderson clarified that the HLC cannot consider color.

Commissioner Caruana asked what the width of glass frames would be.

Mr. Eiter said he believed the exterior trim on the heavy frame would be six inches and the light frame would be three inches. The lighter frame looks less like a six-lite window and more like the entire door is a big glass piece.

President Gunderson called for any presentations by persons in favor of the application.

Sarah Lu Heath, 854 Glasgow Ave. Astoria, Executive Director, Astoria Downtown Historic District Association (ADHDA), said she was in favor of the project. The ADHDA began talking with Glen Herman, an owner of the building, in December about moving downtown where she believes the business will have more vitality. She is very excited that the owners found this building and they have already done an amazing amount of work. The owners are being sensitive to the building and the area. She is excited about the entrepreneurial opportunities that will be offered to the community.

Kevin Cronin, 726 7th Street, Astoria, said he wanted to congratulate Mr. Eiter and his team for a job well done. Staff had been working with the Applicants for most of the year. He continued to work with them in an informal way to help find a space in downtown that would work long-term for their business plan. It was good to see the building transformed. He believed the roll-up garage door fit very well in Astoria and fit the building. He was glad color was mentioned because the black ties the design together and fits well. The garage door makes the building more functional and the maker space is an adaptive reuse of a wonderful building. Even though Advance Astoria is not under the HLC's jurisdiction, the plan calls out maker spaces as a specific action item in the City's 5-Year Economic Development Strategy.

President Gunderson called for any presentations by persons impartial to or against the application. Seeing none, she called for closing remarks of Staff.

Planner Ferber added that the door was being moved to the far right side for better accessibility to interior fire escapes, not just for aesthetics or increasing pedestrian engagement. This changes of location was recommended by the Building Official.

President Gunderson closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

President Gunderson stated she was excited about this project, especially after touring the maker space on Mississippi Street in Portland. She suggested the Applicants consider a loading zone near the garage door.

President Gunderson re-opened the public hearing.

Mr. Eiter stated the garage door would just be used for moving materials and pedestrian use. It will not be set up like a driveway or used for vehicles. He confirmed that no curb cut or driveway was being proposed. There is already a loading zone at the end where the parking lot starts and it will be extended about 10 feet.

Commissioner Burns said he loved what he had seen and the building is already coming back to life. He believed the request met the criteria.

Commissioner Rathmell congratulated the Applicants on their plans. She had no problems with the proposal.

Commissioner Caruana said he was glad to see big buildings being improved. It is difficult to find uses for large spaces sometimes.

Commissioner Osterberg agreed with the rest of the Commission. He supported the application.

Commissioner Caruana moved that the Historic Landmarks Commission (HLC) adopt the Findings and Conclusions contained in the Staff report and approve Exterior Alteration EX17-12 by Stephan Eiter, WWHJ Holdings, LLC; seconded by Commissioner Osterberg. Motion passed unanimously.

President Gunderson said it was nice to see colors other than beige or grey.

Mr. Eiter noted that they found a Van Dusen blue when looking at colors.

President Gunderson read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

No reports.

STAFF UPDATES – ITEM 6:

Planner Ferber updated the Commission on the following:

- She and Sarah Lu Heath gave a presentation on their roles in historic preservation to John Goodenberger's class at Clatsop Community College.
- The next HLC meeting is scheduled for December 19, 2017 at 5:15 pm. The only item on the agenda will be the continued public hearing on NC17-04.
- The January 16, 2018 HLC meeting might have to be held at the library because City Council will meet at 7:00 pm.
- She provided before and after photographs of the projects completed with the help of the CLG pass through grant from the State Historic Preservation Office (SHPO). She reviewed the details of the grant and the City's criteria for use of grant funds. She thanked Anna Stamper for completing all of the financial reports for the grant.
- The City's annual Board and Commission party is scheduled for December 18, 2017. Invitations would be sent out within the next week.

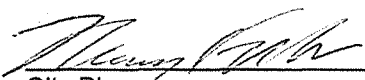
MISCELLANEOUS – ITEM 7:

PUBLIC COMMENTS – ITEM 8:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 5:55 p.m.

APPROVED:



City Planner




CITY OF ASTORIA

Founded 1811 • Incorporated 1856

December 26, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: SALARY RESOLUTION UPDATES

DISCUSSION/ANALYSIS

Staff positions and associated compensation are detailed in the "Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided". Whenever there are changes in positions, whether a position is being deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution. This proposed resolution implements the following changes effective July 1, 2017:

Police (Schedule C) Effective July 1, 2017, Job Positions for Emergency Communications Manager and Administrative Services Manager which are currently listed in Management and Confidential Employees Schedule E and are related to Police Management will become part of Schedule C in a new section titled Police Non-Sworn Management.


Consolidation of management positions to Schedule C is recommended to provide for consistent wage application and to remove confusion regarding prevailing City policies which apply to the Police Department.

The Emergency Communications Subscriber Board voted unanimously at their September 27, 2017 meeting to support an increase of the base salary for the Emergency Communications Manager (ECM). This recommendation was based, in part, on a recent comparison of similar positions and centers with comparable sizes in Oregon. The proposed increase would provide a salary which is slightly above the midpoint of comparable agencies and has been incorporated in the presented salary resolution.

Hourly rates presented in prior resolution for Deputy Chief and Chief of Police were inaccurate and have been updated.

RECOMMENDATION

It is recommended that Council adopt the Salary Resolution as presented.

By: 
Susan Brooks, Director of Finance
and Administrative Services

RESOLUTION NO. 18-

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 SCHEDULE A EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Library Assistant	12	A	2,634.57	31,615	15.20
		B	2,766.30	33,196	15.96
		C	2,904.61	34,855	16.76
		D	3,049.84	36,598	17.60
		E	3,202.33	38,428	18.48
Accounting Support Clerk	14	A	2,755.80	33,070	15.90
		B	2,893.59	34,723	16.69
		C	3,038.27	36,459	17.53
		D	3,190.19	38,282	18.40
		E	3,349.70	40,196	19.33
Accounting Clerk Engineering Secretary Permit Technician	18	A	3,043.05	36,517	17.56
		B	3,195.20	38,342	18.43
		C	3,354.96	40,260	19.36
		D	3,522.71	42,272	20.32
		E	3,698.84	44,386	21.34

Senior Library Assistant	20	A	3,200.98	38,412	18.47
		B	3,361.03	40,332	19.39
		C	3,529.08	42,349	20.36
		D	3,705.54	44,466	21.38
		E	3,890.81	46,690	22.45
Recreation Coordinator	23	A	3,449.00	41,388	19.90
		B	3,621.45	43,457	20.89
		C	3,802.53	45,630	21.94
		D	3,992.65	47,912	23.03
		E	4,192.29	50,307	24.19
CAD Technician Engineering Technician Facility Coordinator Grounds Coordinator	26	A	3,712.91	44,555	21.42
		B	3,898.55	46,783	22.49
		C	4,093.48	49,122	23.62
		D	4,298.16	51,578	24.80
		E	4,513.06	54,157	26.04
Senior Engineering Technician Senior GIS Specialist	30	A	4,092.77	49,113	23.61
		B	4,297.40	51,569	24.79
		C	4,512.27	54,147	26.03
		D	4,737.89	56,855	27.33
		E	4,974.78	59,697	28.70

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

FIRE UNION EMPLOYEES SCHEDULE B 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

FIRE UNION EMPLOYEES SCHEDULE B EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
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
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 SCHEDULE B 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 SCHEDULE C 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
SCHEDULE C
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/Assistant City Manager	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.

PUBLIC WORKS UNION EMPLOYEES SCHEDULE D EFFECTIVE JANUARY 1, 2018					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Equipment Servicer	15	A	3,045.92	36,551	17.57
		B	3,198.21	38,379	18.45
		C	3,358.12	40,297	19.37
		D	3,526.03	42,312	20.34
		E	3,702.33	44,428	21.36
Utility Worker I	19	A	3,357.87	40,294	19.37
		B	3,525.77	42,309	20.34
		C	3,702.05	44,425	21.36
		D	3,887.16	46,646	22.43
		E	4,081.51	48,978	23.55
Equipment Mechanic I Sweeper Operator Utility Technician	21	A	3,531.25	42,375	20.37
		B	3,707.81	44,494	21.39
		C	3,893.21	46,718	22.46
		D	4,087.87	49,054	23.58
		E	4,292.26	51,507	24.76
Utility Worker II	23	A	3,720.35	44,644	21.46
		B	3,906.37	46,876	22.54
		C	4,101.69	49,220	23.66
		D	4,306.78	51,681	24.85
		E	4,522.11	54,265	26.09
Wastewater Treatment Plant Operator Water Quality Technician	25	A	3,902.19	46,826	22.51
		B	4,097.30	49,168	23.64
		C	4,302.17	51,626	24.82
		D	4,517.28	54,207	26.06
		E	4,743.14	56,918	27.36
Equipment Mechanic II Senior Utility Technician Senior Utility Worker Stores Supervisor Water Source Operator	27	A	4,101.70	49,220	23.66
		B	4,306.79	51,681	24.85
		C	4,522.13	54,266	26.09
		D	4,748.24	56,979	27.39
		E	4,985.65	59,828	28.76
Lead Utility Worker Wastewater Treatment Plant Supervisor Water Quality Supervisor	29	A	4,297.96	51,576	24.80
		B	4,512.86	54,154	26.04
		C	4,738.50	56,862	27.34
		D	4,975.43	59,705	28.70
		E	5,224.20	62,690	30.14

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

MANAGEMENT AND CONFIDENTIAL EMPLOYEES SCHEDULE E EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Administrative Assistant	18	A	3,081.06	36,973	17.78
		B	3,235.11	38,821	18.66
		C	3,396.86	40,762	19.60
		D	3,566.71	42,800	20.58
		E	3,745.04	44,941	21.61
Executive Secretary	20	A	3,232.80	38,794	18.65
		B	3,394.44	40,733	19.58
		C	3,564.16	42,770	20.56
		D	3,742.37	44,908	21.59
		E	3,929.49	47,154	22.67
Financial Analyst	28	A	3,939.74	47,277	22.73
		B	4,136.72	49,641	23.87
		C	4,343.56	52,123	25.06
		D	4,560.74	54,729	26.31
		E	4,788.78	57,465	27.63
Finance Operations Supervisor	30	A	4,136.86	49,642	23.87
		B	4,343.71	52,124	25.06
		C	4,560.89	54,731	26.31
		D	4,788.94	57,467	27.63
		E	5,028.38	60,341	29.01
Equipment Maintenance Supervisor	32	A	4,348.59	52,183	25.09
		B	4,566.01	54,792	26.34
		C	4,794.32	57,532	27.66
		D	5,034.03	60,408	29.04
		E	5,285.73	63,429	30.49
Assistant Public Works Superintendent Financial Report Manager Project Manager/City Planner	34	A	4,566.90	54,803	26.35
		B	4,795.25	57,543	27.66
		C	5,035.01	60,420	29.05
		D	5,286.76	63,441	30.50
		E	5,551.10	66,613	32.03
Aquatic Program Manager	35	A	4,685.40	56,225	27.03
		B	4,919.67	59,036	28.38
		C	5,165.66	61,988	29.80
		D	5,423.94	65,087	31.29
		E	5,695.14	68,342	32.86
Aquatic Center Supervisor Parks Maintenance Supervisor Recreation Manager	36	A	4,797.22	57,567	27.68
		B	5,037.08	60,445	29.06
		C	5,288.93	63,467	30.51
		D	5,553.38	66,641	32.04
		E	5,831.05	69,973	33.64
Building Official /Code Enforcement Officer Public Works Superintendent	38	A	5,050.13	60,602	29.14
		B	5,302.63	63,632	30.59
		C	5,567.76	66,813	32.12
		D	5,846.15	70,154	33.73
		E	6,138.46	73,662	35.41

**MANAGEMENT AND CONFIDENTIAL EMPLOYEES
SCHEDULE E
EFFECTIVE JULY 1, 2017**

Assistant City Engineer Library Director	45	A	6,006.17	72,074	34.65
		B	6,306.48	75,678	36.38
		C	6,621.80	79,462	38.20
		D	6,952.89	83,435	40.11
		E	7,300.54	87,606	42.12
City Engineer	47	A	6,308.49	75,702	36.40
		B	6,623.91	79,487	38.21
		C	6,955.11	83,461	40.13
		D	7,302.86	87,634	42.13
		E	7,668.00	92,016	44.24
Finance Director Parks And Recreation Director Public Works Director	49	A	6,627.94	79,535	38.24
		B	6,959.34	83,512	40.15
		C	7,307.30	87,688	42.16
		D	7,672.67	92,072	44.27
		E	8,056.30	96,676	46.48
Community Development Director	51	A	6,959.54	83,514	40.15
		B	7,307.51	87,690	42.16
		C	7,672.89	92,075	44.27
		D	8,056.53	96,678	46.48
		E	8,459.36	101,512	48.80

Section 9. Part Time and Contingent Seasonal Work Employees. The following are positions for which part time or seasonal employees may be hired. See "Schedule F" for wages.

SCHEDULE F

DEPARTMENT	JOB TITLES
ALL DEPARTMENTS	CLERICAL SUPPORT
COMMUNITY DEVELOPMENT	BUILDING INSPECTOR
FINANCE	HUMAN RESOURCES SUPPORT ACCOUNTING SUPPORT CLERK
LIBRARY	LIBRARY PAGE I LIBRARY PAGE II LIBRARY ASSISTANT SENIOR LIBRARY ASSISTANT
PARKS & RECREATION	CASHIER HEAD CASHIER LIFEGUARD SWIM INSTRUCTOR RECREATION LEADER I RECREATION LEADER II PARKS LABORER
POLICE/EMERGENCY DISPATCH	ASSISTANT TO THE EMERGENCY COMMUNICATIONS MANAGER COMMUNITY SERVICE OFFICER
PUBLIC WORKS	PUBLIC WORKS LABORER WEEKEND WATER OPERATOR

**TEMPORARY EMPLOYEES
SCHEDULE F
EFFECTIVE JULY 1, 2017**

RANGE	STEP	HOURLY	RANGE	STEP	HOURLY
1A	1	10.25	2	1	21.00
	2	10.50		2	22.00
	3	10.75		3	23.00
	4	11.00		4	24.00
	5	11.25		5	25.00
	6	11.50		6	26.00
	7	11.75		7	27.00
	8	12.00		8	28.00
	9	12.25		9	29.00
	10	12.50		10	30.00
1B				11	31.00
	1	12.75		12	32.00
	2	13.00		13	33.00
	3	13.25		14	34.00
	4	13.50		15	35.00
	5	13.75	3	1	37.50
	6	14.00		2	40.00
	7	14.25		3	42.50
	8	14.50		4	45.00
	9	14.75		5	47.50
	10	15.00		6	50.00
	11	15.25		7	52.50
	12	15.50		8	55.00
	13	15.75		9	57.50
	14	16.00		10	60.00
	15	16.25		11	62.50
1C				12	65.00
	1	16.50		13	67.50
	2	16.75		14	70.00
	3	17.00		15	72.50
	4	17.25		16	75.00
	5	17.50	4	1	80.00
	6	17.75		2	85.00
	7	18.00		3	90.00
	8	18.25		4	95.00
	9	18.50		5	100.00
	10	18.75		6	105.00
	11	19.00		7	110.00
	12	19.25		8	115.00
	13	19.50		9	120.00
	14	19.75		10	125.00
	15	20.00	5	1	130.00
				2	140.00
				3	150.00
				4	160.00
				5	170.00
				6	180.00
				7	190.00
				8	200.00

Police Reserve: \$11.00 (Schedule F, Range 1A / 4) 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. 17-34 adopted by the City Council on September 5, 2017 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 _____, 2018.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2018.

Mayor

ATTEST:

City Manager

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Councilor Nemlowill
Brownson
Price
Jones

Mayor LaMear



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

December 22, 2017

MEMORANDUM

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 September through December.

OPENGOV

- Work to update and maintain data progressed through September. Presentation to Council was made on December 18 with public launch in planned for January, 2018.

ARTS & CULTURAL AND COMMUNITY GRANTS

- Updates for grant information and notifications prepared for media notification December 28, 2017 and website posting January 2, 2018.
- Receiving status reports and backup on an on-going basis.
- Have had individual meeting with two agencies regarding their reporting and backup.

AUDIT AND FINANCIAL STATEMENT PREPARATION

- Final Field work for year ending June 30, 2017 Audited Financial Statements began the final week of October 16, 2017.
- Financial Statement draft preparations began the end of September and were submitted in November for final review and compilations.
- Merina & Company will present the City of Astoria and Urban Renewal District Financial Statements to Council on February 5, 2018.

FINANCE DEPARTMENT

- Transition of the Oller Trust invoicing for Aquatic Center to Parks staff was initiated for current fiscal year with follow up meeting in December to review information.
- Copier maintenance vendor changes were made at the Police Station and Finance Department to initiate a trial of Solutions Yes. This has been a very good collaboration and we look forward to a full review of reproduction requirements in the future.
- Finance staff continues to work with Engineering staff on the Waterfront Bridge project for development of costs, loan repayment timelines and other necessary interactions regarding the project.
- Finance staff worked with Engineering staff regarding out of City water rates for FY 18-19.
- Finance staff began working with Engineering staff on costs and match for Irving and 33rd Street Bridge application. Application was submitted in October and preliminary

listing of funded projects expected in February, 2018. The STIP funds are projected for 2022-2024.

- Finance staff has worked with a consultant to review payroll setup processes within Springbrook as Accela has been unable to provide acceptable alternatives. The work was completed in November and changes implemented in system.
- Prepared analysis and Budget resolutions to pay off 7th Street Dock Loan and Slow Sand Filter loans early.
- There have been a total of two early retirements of debt:
 - 7th Street Dock Loan Fund # 267, paid seven years in advance – interest rate 5.01%
 - Public Works Improvement Fund # 176 Aerator Loan, paid a year in advance – interest rate 5.40%
- Public Works Improvement Fund # 176 Slow Sand Filter Loan and East Astoria Waterline Fund # 265 paid off on schedule in December.
- New online reporting became available for Local Government Investment Pool in October.

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

- Director Brooks and Director Koch, Clatsop County continue to meet, collaborate on risk management and share information regarding SAIF for improve and enhance programs.
- Open enrollment for Health, Dental, Vision, Life, Disability and other applicable benefits occurred for January, 2018 during October 9-24. Summary of enrollment items was distributed the end of September to all affected employees along with instructions to register in the new CIS enrollment portal.
- As part of open enrollment Flu shots were available on October 13 as well as reminders about a new wellness option called HUBBUB.
- Final reminders for 2018 open enrollment were distributed and follow up work completed during November. Work on invoicing from new CIS system continues into January as adjustments are processed.

BUDGET STATUS

- Budget preparations began in December 2017.
- Financial Analyst Snyder and Director Cosby began working on updating Parks Operations Budgets in September.

REPORTING AND FORMS

- The City continues to receive reimbursement for equipment modification and modified work arrangements through the Employee at Injury Program (EAIP).
- The City is currently able to exclude wages for worker compensation insurance coverage for two Preferred Worker Program eligible staff.
- Updated I-9 forms were updated for a second time in 2017 and became effective July 17, 2017 Information was updated and rolled out to staff prior to effective date.
- The Worker Compensation Insurance Audit with CIS was submitted September 21, 2017 and completed November 30, 2017. A credit was processed for premiums which exceeded estimates. Credit is due to implementation of two new worker compensation categories for Parks employees at lower rates as well as variations in actual wages compared to estimates.
- EEO-4 information was reported by September 30, 2017 deadline.

TAX NEWS

- The first distribution of net marijuana collections was made in late July. At this time the State is still refining reporting system and has required the City representative to sign a secrecy and confidentiality agreement. This agreement prohibits disclosure of information to protect the reporting agencies privacy. We await further reporting mechanisms along with continued review of disclosure legislation which is currently in place.
- In addition to the city imposed tax, the city share of the state marijuana tax is 10 percent of the revenues after administrative costs have been deducted. The Oregon Liquor Control Commission (OLCC) requires quarterly electronic certifications from cities in order to receive state marijuana tax distributions. The certification will be accomplished by responding to a certification process each quarter. The City will certify it does not prohibit the establishment of premises for which a marijuana license is required (recreational or medical). This is the policy decision from Measure 91 and implemented by the legislature for cities and counties that have banned marijuana to not receive a share of state taxes (except for taxes collected during start up, through June 30, 2017). The first certification, due by September 5, 2017, was completed August 25, 2017.
- The second OLCC certification, due December 6, 2017, was completed November 20, 2017.
- Failure to certify during a quarter will result in no payment for that quarter. The City has been in compliance with certification process since implementation.
- Transient room tax was increased from 9% to 11%, becoming effective January 1, 2018. In October letters were sent to all registered operators regarding the increase along with new forms. The updated information has been provided on the City website by December 15.

CONFERENCES, SEMINARS AND MEETINGS


- Director Brooks participated in Union negotiation meetings for Public Works and Parks and General contracts during September and October.
- Director Brooks attended the Oregon Governmental Finance Officer Association (OGFOA) Fall Conference in October.
- Director Brooks, County HR Director Koch and HR Assistant Houston attended Lower Columbia Human Resources Management Association (LCHRMA) seminar on Coaching/Discipline at Tongue Point Job Corps Center. The session was led by Deborah Jeffries of HR Answers.
- Director Brooks and iFocus representative Marcus Handy met with CIS Senior Risk Management Consultant John Zakariassen to discuss upcoming Cyber Liability requirements. Homeland Security will be requiring all local governments in the U.S. to become more cyber secure due to the over \$200 billion a year in cyber-attacks and hacking which occurs in this Country. Homeland Security contracted with Center for Internet Security and charged them with ensuring, as best possible, with making municipal governments more secure, ASAP. A 29 question assessment is being asked of all CityCounty Insurance System (CIS) member as a mini best practice survey on Cyber security. The questions had to be asked real-time, face-to-face in order for CIS to verify the authenticity of the information. This information will be summarized and sent back to the City for use in strengthening weak areas. This is the beginning of additional risk management and potential increases policy costs we have been anticipating over the last year.
- Director Brooks and Jason Pollock conducted RARE site visit meeting with OHSU representative Aniko Drlik-Muehleck on November 10. The purpose of the meeting is to check in on progress and determine whether there are adjustments or challenges

which need to be addressed and ensure the RARE participant is receiving the appropriate resources and feedback to successfully attain goals.

- Director Brooks and Jason Pollock completed FEMA offered Incident Command System (ICS) 100, 200, 700 and 800 online and attended training offered through Clatsop County of ICS 300 and ICS 347 in November.
- Director Brooks attended SAIF safety committee training at Clatsop County in December.
- Director Brooks met with Propel Insurance agents to review outstanding CIS worker compensation claims in preparation for the claims history values which SAIF will need to incorporate for July 2018 renewal proposals. Continued work is required to determine whether additional information will allow closure of two claims prior to year-end. We are in the second quarter with new Worker Compensation Insurance carrier SAIF and will need to see how the year progresses before a proposal will be received but anticipate experience modifier to reduce based on a high utilization year replacement with a lower cost factor for 2018. The insurance proposal process will begin in March, 2018.
- Participated with Community Development staff regarding Community Development Block Grant application process.
- Finalized review and response regarding Housing Rehabilitation Fund and prior Community Development Block Grants dating back to early 1990's.

HUMAN RESOURCES

- Enhanced and updated the Family Medical Leave Act reporting process in conjunction with Xenium.
- Between January 1 and June 30 the City has hired 51 employees and there have been 42 employee terminations. Between July 1 and December 31 the City has hired 45 employees and there have been 35 employee terminations. HR Assistant has provides assistance with the posting openings as well as review of offer letters and orientation information.
- Analysis and enhancement of the orientation process continues.
- The Park General and Public Works contract negotiations completed in October and retroactive adjustments were applied and processed during November.

By: 
Susan Brooks, Director of Finance
and Administrative Services



CITY OF ASTORIA
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MEMORANDUM

DATE: DECEMBER 26, 2017
TO: MAYOR AND CITY COUNCIL
FROM: ANGELA COSBY, PARKS AND RECREATION DIRECTOR
SUBJECT: PARKS AND RECREATION DEPARTMENT STATUS REPORT

The following are summaries of Parks and Recreation Department projects and activities in the Fall of 2017.

PARKS MAINTENANCE

Grounds:

The Parks Maintenance Division's grounds work in parks is at its nadir for the year, vegetation is semi-dormant and use of sites has lessened, as a result of more frequent inclement weather. Focus has shifted to preparing for the upcoming spring and summer mowing season by reorganizing the Maintenance Shop to maximize efficiency, creating procedural documents to assist with on-boarding, training, and consistency of outcomes, and inventorying and updating necessary tools and equipment.

Facilities:

For Parks Facilities, the Aquatic Center's new UV sanitation systems on the Spa and Kiddie pools has resulted in a dramatic reduction of unscheduled closures due to chemical imbalances. Instead of being closed twice per week for over three hours, both pools are now open 100% of operating hours. Parks Facilities is in the midst of remodeling and repurposing areas of the Astoria Recreation Center to create new office

space for increased staff and providing a new area for the Teen Zone, as well as a designated safe staging point for the building, in the event of an active shooter situation.

In addition to these activities, the Maintenance Division is continuing to work toward Individual Park Maintenance Plans to better schedule and coordinate activities throughout the year and to better exemplify the basic needs the division has in order to provide an “A” level of service across all properties.

Removal of Hazardous Trees:

Per the recommendations of the Parks Master Plan, a full inventory and assessment of Parks trees was completed in spring 2017. Based on the data from the inventory, staff has solicited bids to remove and replace trees rated most likely to fail and cause harm to people or property, Priority 1. The work will entail removing 16 trees from six park locations. Once the Priority 1 trees are addressed, planning and coordination will take action on Priority 2 and 3 rated trees.



Park Adoptions and Service Projects:

In the past year, several groups have volunteered their money, time, and services to help provide services to multiple parks throughout our system. Memorandums of Agreement for park adoptions have been drafted and are either active, or in the process of being enacted, for McClure Park, People’s Park, Alderbrook Park, Old Post Office Park, and Tide Rock Park. Clatsop Community College continues to be a pivotal community ally for assistance; the Historic Preservation Program is in the second year of renovating the exterior siding and windows of Alderbrook Hall, poised to begin work in the spring for their portion of the Doughboy Monument Restoration Grant project, and

is evaluating the US Customs House replica to determine potential future workshop and teaching opportunities.



Cemetery Grounds Maintenance



Ocean View Cemetery's grounds have benefited from the wet fall and winter weather, extensive leaks in the water system have prevented regular water availability on site. The cemetery is historically quite busy during the fall/winter, averaging 2-3 cremation burials a week, and 1-2 full burials. Grounds maintenance continues to be difficult to carry out regularly, due to the large

size of the property, complexity of the layout of graves and headstones, and the volume of backlogged maintenance work that has accumulated without the presence of dedicated, full-time staff.

AQUATIC CENTER UPDATE

Program Attendance:

The facility ran two sessions of swim lessons this fall. A total of 93 children registered for the 2 five week sessions. Additionally, Naselle school district brought 59 third and fourth grade students to the facility for school swim lessons in October and November.

Through our software program, RecTrac, 12,868 visits were recorded at the Aquatic Center September 1 through the first week of December. During this time period, 1,130 monthly passes were sold or renewed.

Staff also conducted two lifeguard training courses, one in October with four participants successfully passing the course. A second lifeguard training course in December which passes 6 participants.

Facility Use:

- North Coast Swim Club hosted a weekend swim meet November 18 & 19. The facility was closed November 18 and reopened the afternoon of November 19.
- Swim team season began November 13. The Astoria swim team has 35 athletes participating this year and hosted the Nygaard swim meet December 9th with approximately 100 swimmers competing.
- Sunset Empire Park and Recreation District closed its pool for maintenance and remodeling October 20- December 10. SEPRD contracted with the Astoria Parks Department to allow its pass holders to use the Astoria Aquatic Center.
- This year, the Seaside pool was closed for the first 4 weeks of the swim season. Seaside High School's swim team used our facility two afternoons each week while their pool was undergoing maintenance.

Facility Staffing

In September, the full time position of Aquatic Recreation Coordinator was filled by part-time staff, Jeff Hamilton. The increase in full-time staffing has assisted in consistency of staffing, scheduling and facility maintenance.

In October, the Aquatic Center's part-time head cashier, Gad Perez, was promoted to a new full-time position as the Department's Administrative Assistant. While Gad no longer works at the Aquatic Center, she continues to assist with front desk operations remotely in her new role.

Maintenance Closure:

The facility was closed for annual maintenance September 5-17.

Projects completed included:

- Draining and refilling all pools
- Install UV sanitary systems on the Hot Tub and Kiddie Pool
- Energy efficiency upgrades to the HVAC system
- Deep cleaning of the entire facility
- Sealing gutters in the Rec Pool
- Repainting the exterior of the building

The UV sanitation system has made marked improvements in decreasing combined chlorines in the kiddie pool and hot tub. Prior to installation of this system, we were draining and refilling these bodies of water twice a week. Staff drained and refilled both pools one month after the installation of these filtration systems not because the combined chlorine levels were high, but because state law requires hot tubs to be drained and refilled monthly.

RECREATION

After School Program:

- The After School Program is growing, averaging between 30-35 students per day.
- Large turnover in staffing has led to a new more dynamic staff with great ideas and energy.
- We've been working on crafts and projects that reflect the change in seasons and Holidays.
- We are working towards adding more S.T.E.M. and agricultural projects as we move from Winter to Spring.

Athletics:

Flag Football: 18 players

- We had enough players to have two Astoria teams who partnered with two teams from Warrenton Kids, Inc. It was a fun season of games, culminating with the players playing games at CMH Field.
- We initially had great difficulty finding coaches to work with the teams. We advertised the need for a coach on social media and were fortunate to have had a wonderful community member (Mike Murdock) who volunteered to coach both teams of players, took it upon himself to find a sponsor, and funded the purchase of sweatshirts for the players.

Youth Basketball: 169 players

- Registration began in October for 5th and 6th grade basketball, with practices and games starting in November.
- There were 30, 5th and 6th grade teams playing, with 40 + volunteer coaches working with the players.
- The 1st and 2nd grade boy teams began in November as well, with a total of 67 boys in the program; an increase of 23 boys from last year.
- Registration is open for 3rd and 4th grade boys and girls, ending December 22. Practices start the beginning of January with games starting the end of January.

- Registration is also open for 1st and 2nd grade girls, ending December 22. The program starts mid-January for this program.
- With the hiring of our new Recreation Coordinator, we were behind in finding sponsors. We reached out to the community via social media, and within 2 days we found enough sponsors for not only our 5th/6th grade teams, but also the 3rd/4th grade season. We also have a good start on sponsors for our upcoming softball season.

Men's Basketball:

- Due to the lack of officials willing to work the league, we did not offer a men's league this season. We will work to re-boot the program next winter.
- We offered a Men's Open Gym Drop-In for \$5 a night, but did not have participation to continue to run the program.

Volleyball:

- Drop-In continues through the Fall/Winter at the Astoria Middle School. An average of 15 - 20 people come regularly to the open gym.
- There was also a women's 6 vs. 6 league which ran September through November. This program ran once a week. We had 6 teams in the league this season.
- There is a coed 6 vs. 6 league scheduled to run in March with registration opening in January.

Fitness Classes:

- A new Yoga instructor was hired after our original instructor quit unexpectedly. Our new instructor brought more participants to our early morning classes.
- We added a new fitness program "After School Special" at the request of some Astoria School District staff expressed interest in classes following the end of the school day. It is a month long program meeting twice a week which changes every month. It's a great opportunity for participants to try out classes and instructors that we offer at the ARC.
- Class numbers have been improving steadily and look to take a jump with the start of the new year.

EARLY CHILDHOOD

Lil' Sprouts Academy:

Classroom	Class Size	Waitlist
Sweet Peas (Infants 6 weeks- 18 months)	8	22
Tulips (18 months- 2/2.5 years)	11	19
Daisies (2/2.5 years- 3 year & potty trained)	12	7
Sunflowers (3 years- 4 years)	15	2
Daffodils (4 years- 6 years)	22	14

- Lil' Sprouts has full classrooms with waitlists for each room. Above you can see the current number of kids in each classroom and how many families are on the waitlist for that room.
- Since September we have hired 6 new staff members, 5 for Lil' Sprouts and 1 for Port of Play. We are still looking for one more toddler teacher. We do have some challenges with turnover and retention due to pay rates, and only offering part time positions.
- Astoria Fire Department came and visited our rooms for Fire Safety Week.
- Our Winter Concert was once again a huge success for our Sunflower and Daffodil classrooms. The classes sang traditional Christmas favorites, as well as songs about other holidays.
- Our preschoolers have spent the last month learning about nutrition, health, and being active. For our younger children, they have been learning the alphabet and doing various crafts and activities that correspond with a Letter of the Week.

Port of Play:

- Since September, Port of Play has been used by 517 children and has brought in \$3,242.
- Since September 1st, we have had 22 birthday parties booked at our facility.
- Parent's Night Out has seen huge growth this year, which required us to add more staff members for the event. On average, we have between 13-18 kids every Saturday. We had 23 at our last Parent's Night.
- We now have 2 staff members for Port of Play, it did take quite a while to find another clerk for Port of Play. Parent's Night Out is covered by staff members from Lil' Sprouts and occasionally one of our Port of Play staff.
- Our new bounce house finally came and has been a huge hit.

- We rearranged Port of Play in order to help with safety and flow with the bicycles, bounce house, and play areas for the smaller children.



MARKETING/COMMUNICATIONS

The marketing plan was completed and approved in mid-September. We have been working closely with staff to communicate what the plans are and how it will effect their facility and programming, as well as needs they have identified to be able to support their programming. We have begun, in earnest, to implement the plan.

Marketing Specials:

We are continuing to promote our facilities, events, and programming on social media almost exclusively. The Return on Investment has been evident from an increase in donations, traffic to our webpage, and increase of followers to our social media pages.

On November 24th, we marketed our first special - Cyber Monday. We offered customers the chance to purchase a Land & Water Pass on our website and receive one month free. We also tried to incentivize customers by raffling off an Astoria Parks gift basket that included: a #LOVEASTORIAPARKS t-shirt, New Years Fun Run entry, swim goggles, and swim cap. Unfortunately, the user experience on RecTrac was problematic but the marketing efforts on social media and the traffic it drove to our website was fantastic. We received over 3,000 website visitors and we reached over 2,000 people on Facebook and Instagram on the few days we ran the marketing campaign.

Our next marketing campaign will be our "Give the Gift of Fitness" special where new sign-ups will get upgraded to Land & Water for a month. Also, current members who refer a friend will be upgraded as well. This time we will be advertising our specials on radio via Ohana Media Group, in print with the Daily A's Coast Weekend, as well as our

social media marketing. Along with the marketing of our passes, we will be marketing Port of Play and the Aquatic Center to tourists. This will be achieved through special social media geo-targeting and possibly Groupon.

Event Promotion:

Instant Gratification

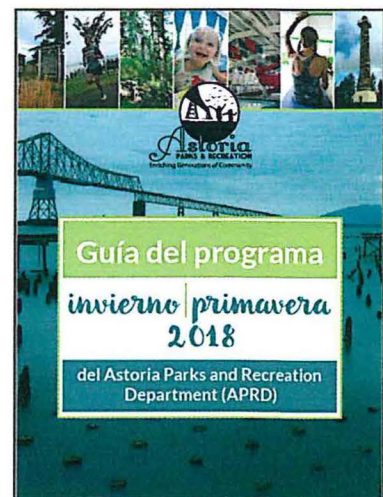
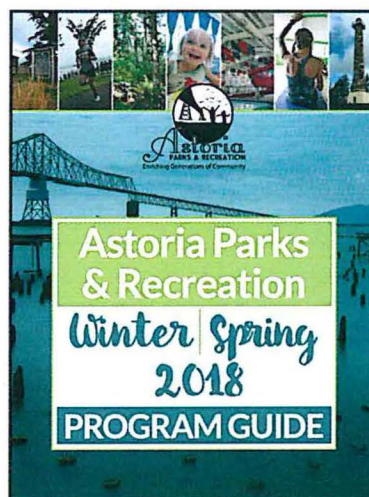
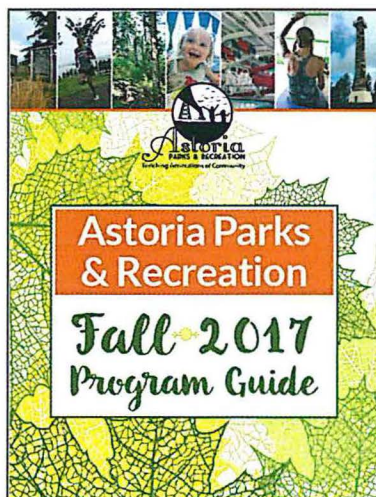
One of the bigger events that we marketed was the 3rd Annual Instant Gratification Run held on October 8th. Our logo this year was a snail. Marketing Contractor Janice O'Malley Galizio helped design the t-shirts, flyers, press release, and was responsible for social media advertisement. We had a reach of 4,400 with 678 event views on Facebook. Enough money was raised to bring back our Fun Runs and our Valentine's Day Ball.

Gobbler Gallop

We had over 65 participants partake in our Gobbler Gallop and managed to collect an estimated 200 pounds of canned food for Clatsop Community Action! Ella Zilli took first place along with Mike Allen and Josh Fry. We gave out Pumpkin Pies from Costco as prizes for runners who came in first place. It was a great turn out and a great event.

Program Guides:

We wanted to make sure that we were portraying an image of fun, enrichment, and community - something that spoke to our mission at the Department. We believe that we have finally returned to this by some new additions in the guide. For example: we included more pictures of patrons and photos of our parks that were tagged on our Instagram account, we included a letter from our Parks Director, additionally we included a map of Astoria for tourists to use to find our parks, and the layout was better organized and easier to read. We were also able to translate our Winter/Spring 2018 program guide into Spanish and include an easily viewable guide onto our website that visitors can access via their mobile devices.



Social Media:

Facebook - For the Astoria Parks page is over the 3,000 likes mark which is a great accomplishment. We've increased our page followers by 300 in eight months' time. Several of our other Facebook accounts: Recreation Center, Run on the River, and Port of Play have garnered either close to 100 or over 100 likes. The Aquatic Center continues to grow with over 200 likes since April.

Instagram - this social media platform by far has the most growth potential. Since April we've seen over 300 followers.

Twitter - continues to grow steadily despite this not being a tool that is heavily utilized by our patrons. we've grown to 374 followers; an increase of over 80 since April.

Communications:

The website is continuously being updated with relevant information. Since September, we've received 58,421 visitors to the website. Our top three page hits are the Aquatic Center, Events, and Parks Board Agenda and Minutes. The most searched for Parks are Ocean View Cemetery, Youngs River Falls, Cathedral Tree Trail, and Shively Park.

We've increased our Newsletter updates to once a week with average open rates of about 25.5% with an industry average of 12.5%, according to Constant Contact.

SPECIAL PROJECTS

Doughboy Monument:

Earlier this year, the City received a Veterans and War Memorials grant from State Historic Preservation Office (SHPO) to upgrade the west restroom and perform other upgrades and exterior painting of the Doughboy Monument in preparation for the 100th Anniversary of the end of World War I on November 11, 2018. Prior to the start of that work, a vehicle crashed into the east side of the Monument with extensive damage to the structure. Advanced Structural Forensics Corp. (AFS) conducted a damage assessment of the Monument in October which identified the structural damage to the east side including possible damage to the statue anchorage. In the next month, the bronze statue will be removed and stored to allow AFS to determine the extent of damage to the base joint holding the statue in place and a suitable new anchorage to reattach the statue. Staff is currently in the process of contracting with AFS to prepare structural repair drawings of the work that needs to be done on the Monument as a result of the vehicle damage. Once we have those drawings, we will be seeking a contractor to do the repair work. Staff is working with the City's insurance carrier CIS concerning the insurance claim. Staff was able to begin the grant related work on the west portion of the Monument including plumbing and electrical, and in February,

Clatsop Community College Historic Preservation students will begin the plaster work on the west side interior. Some of the grant related work such as the exterior painting cannot be completed until the structural damage has been repaired.

Potential Sale of City Park Land:

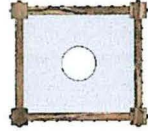
The City Council has directed Staff to research the feasibility of selling several City Parks for potential development and removal from City maintenance responsibility. The sites Council selected included Birch Ballfield, US Customhouse Reconstruction, Tidal Rock, and the First US Post Office site. Staff has been looking at each parcel concerning any deed and/or grant restrictions; City, State, and Federal laws concerning publicly owned historic properties; feasibility of development on the sites; and other issues that would affect potential sale or development of the parcels. The results of that research are almost complete and will be presented to the Council in the next couple of months with recommendations on how to proceed on each of the properties.

New Garbage Cans and Trial Run Recycling Cans:

The City has entered into a contract with Steel and Timber Construction to design and build 48 garbage cans capable of containing Recology's garbage carts. Steel and Timber has been procured corrugated sheet metal from a dilapidated barn in the Jewell area, reclaimed timbers from the now-demolished Yost Building (adjacent to CMH Cancer Center), and has begun fabrication on receptacles. In addition to the 48 garbage receptacles needed to replace current Parks cans, 4 pilot recycling containers will also be produced to determine if it is feasible to include that service through Recology. The pilot recycling receptacles will be located at Lindstrom Park, Tapiola Park, Astor Park, and on the Riverwalk, at 6th St. Production of the 52 units is anticipated to take several months, as units are delivered Parks Maintenance will install throughout the Parks system. Recology is working with their operations division to determine when pick-up services will begin, we are hoping for implementation in early Spring.



SIDE ELEVATION



SIDE ELEVATION





CITY OF ASTORIA
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December 21, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM: JEFF HARRINGTON, PUBLIC WORKS DIRECTOR
SUBJECT: **PUBLIC WORKS PROJECT ACTIVITY STATUS REPORT**

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

TRANSPORTATION PROJECTS

OR202: High School – Hanover Sidewalks (Astoria)

- The project consists of new sidewalk starting at the Astoria High School, where a previous sidewalk project left off, to Hanover Street.
- A project change request (PCR) has been approved to extend several key milestone dates.
- Request for Proposals has been issued for the project.
- Construction is expected to take place in fall of 2018.

Waterfront Bridges Replacement Project

- Project includes street end bridge structures at 6th through 11th Streets.
- OBEC Consulting Engineers was selected as the engineering consultant and the design effort is nearing 90% completion.
- Start of construction is scheduled for fall 2018. Construction is still anticipated to span two winter seasons. The current plan is to construct the odd numbered streets (7th, 9th & 11th) during the first year and the even number streets (6th, 8th & 10th) during the second year.

Pedestrian Safety Enhancements

- UPDATE - ODOT's Downtown traffic signal upgrades (\$450,000 project budget) - Improvements include installing reflectorized backplates, pedestrian countdown timers, and signal controller upgrades. The project was moved to the 2015-2018 STIP due to project scoping changes. The construction is planned to start in early 2018.

Trolley Trestle Repair Project 2017

- Bergerson Construction Inc. provided the lowest responsible bid for the 2017 Trolley Trestle Repair Project. Construction began in mid-August and continues.

Bond Street Retaining Wall Project

- The City has hired a consultant to provide design and construction assistance for road improvements adjacent to the geologically impacted portion of Bond Street.
- The project was placed on hold until next summer/early fall due to excessive rainfall this winter and the high risk if constructed under saturated conditions.
- Construction is anticipated to start in late summer/early fall of 2018 if rainfall amounts this year are moderate.

- Staff is working with a neighborhood group on a traffic calming strategy for the area to be implemented along with the project.
- UPDATE - As a result of the neighborhood meetings, staff has implemented parking removal at the intersections of Bond & 3rd and Bond & 2nd Streets. This parking removal has improved sight distance for southbound traffic on 2nd and 3rd Streets due to the steep grade of the roadway. We have received a positive response from the community.

Irving Avenue: 19th Street Bridge Replacement

- Completion of final punch list items are underway. Staff is having some difficulty getting the contractor to make some repairs and has requested help from ODOT management with pushing the contractor to get all punch list items completed.

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 2019 or later.

SEWER PROJECTS

7th & Astor Street Sanitary Sewer Improvement Project

- Construction is complete.
- Punch list items and closeout paperwork is underway.

WATER PROJECTS

Bear Creek Dam

- An overflow weir to the east of the Bear Creek Reservoir will be required by the State – staff is investigating methods to accomplish this.
- Updating the Bear Creek Dam Emergency Action Plan (EAP) – in progress

FEMA Pipeline Road Bank Stabilization Project

- The City will be receiving FEMA (75%) and IFA (25%) grant funds to pay for the project at an estimated amount of \$170,000.
- Staff was informed that a permit will not be issued for the project so staff requested authorization for an emergency repair project until an alternatives study could be completed and submitted to FEMA for approval.
- Staff has completed the study and has submitted it to FEMA for their review. FEMA has approved a bioengineering solution. The re-design for the project has been completed and a new permit has been submitted to the Army Corp of Engineers and the Oregon Division of State Lands.
- Staff expects a permanent repair to be constructed during the summer of 2018

Slow Sand Filter

- 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 has been bid and awarded to Big River Construction for an amount of \$1,499,489.10. Construction will start immediately and is expected to take 18-24 months to complete.

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.

PUBLIC WORKS OPERATIONS

Operations staff has been preparing for winter weather conditions in addition to regular job duties. The following items highlight some of operations recent work:

- Prepare snow plows, sanders and de-icing truck to be on standby for winter weather
- Systematically install thermoplastic crosswalks throughout downtown (a few intersections per year due to budgetary constraints)
- Street sign installation and maintenance
- Quarterly landfill gas monitoring
- Wastewater treatment plant sampling, testing and flow monitoring
- Prepare to construct a drying bed at the wastewater treatment plant
- CSO monitor maintenance and data analysis
- Ongoing cleaning of catch basins and stormwater inlets
- Routine watershed tasks include water quality testing, culvert cleaning, road maintenance and boundary patrol
- Completed Flagging and CPR/First Aid Training

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.

- Asset management – staff is about 50% complete with an inventory of our 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.
- Shoreline maintenance planning – the FEMA funded emergency work went a long way toward stabilizing the vulnerable areas. Staff will continue to monitor during the winter storm season.
- Utility master plan studies – staff has budgeted for one of the three needed plans this fiscal year.
- 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.



MEMORANDUM

December 31, 2017

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: LIBRARY DEPARTMENT STATUS REPORT

The following are summaries of Library Department projects and activities.

FACILITIES OVERVIEW

The Astor Library and Veteran's Memorial celebrated 50 years of service to the community on October 8, 2017. The event was well attended by over 250 people. Highlights included presenting Bruce Berney with a framed copy of the Berney Archive resolution and opening the basement to the public for tours. The library also began offering Monday hours in October received with enthusiasm from all who have entered on Mondays. We offered personalized tours of the basement on each Monday in October to highlight our new hours enjoyed fully by participants.

RENOVATION

On November 6, 2017 Council voted to authorize solicitation of bids for Authorization to solicit proposals for Architectural/Engineering Services for Library Renovation Project. The Request For Proposal (RFP) was posted on November 9, 2017. The Selection committee has reviewed and invited firms to interview on January 19, 2018 with the intent of recommending a firm for Council approval by February 2018. Per the RFP all proceedings will remain confidential until Council has approved the firm recommended for hire.

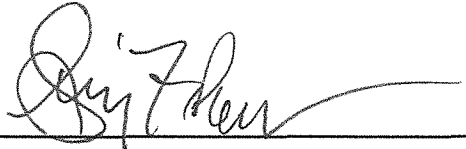
On November 7, 2017 Mayor LaMear, Councilor Price, Brett Estes, and the Library Director traveled to Salem to present the Chief Justice of the Oregon Supreme Court with the original Territorial Court Journals recording proceedings from Clatsop County. The journals are the written record of the Court spanning the years 1849 to 1867. The journals represent the type of items located within the basement.

The library was notified on December 11, 2017 we were selected to receive a grant from the Oregon Heritage Commission. The grant funds in the amount of \$10,850 will be utilized to further refine the historical items located in the library collection. Grant funds will be matched by in-kind donation of staff/volunteer time. Funds will hire a professional Archivist to oversee the development of a Collection Plan to guide us in the preservation, location, and access of materials.

PROGRAMS AND SERVICES OVERVIEW

Our programs for all ages have been well attended. Storytime continues to anchor our weekly offerings with consideration of expanding to another day of the week due to attendance. We added a second Saturday family event and now offer the 1st and 3rd Saturday of the month at 10:30 am. Adult programming is in full swing with our first annual Writer's Workshop attended by over 50 participants. We have been working with iFocus staff to purchase three laptops for public use and

will begin offering card holders the ability to check out a laptop for in-library use starting in January 2018.

Submitted By 
Jimmy Pearson, Library Director

WHAT IS YOUR LIBRARY WORTH TO YOU?

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

July - November 2017

Library Use	Library Services	Value of Service	Total per Service
21,406	Books Borrowed	\$15.00	\$321,090
500	Newspapers Read (Daily A, Oregonian)	\$3.00	\$1,500
390	Magazines Borrowed	5.00	\$1,950
5,009	Movies Borrowed	4.00	\$20,036
1,301	Audio Books Borrowed	25.00	\$32,525
2,717	Library2Go Downloads	15.00	\$40,755
7	Meeting Room Use per Hour	35.00	\$245
1,406	Participants in Children's Programs	10.00	\$14,060
419	Participants in Adult/Young Adult and teen Programs	10.00	\$4,190
6,603	Hours of Computer Use (Public computers)	12.00	\$79,236
13,870	WIFI uses	12.00	\$166,440
18,161	Library Website	10.00	\$181,610
160	Use of Database Searching like Gale, Sanborn maps	20.00	\$3,200
2,500	Reference Questions Asked	13.00	\$32,500
500	Newspaper Archives (microfilm reader/Astoria newspapers)	10.00	\$5,000
	Total Value of Your Library Use	\$199.00	\$904,337

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, Dec 2012



CITY OF ASTORIA
POLICE DEPARTMENT

DATE: December 23, 2017

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA POLICE DEPARTMENT – STATUS REPORT

The Police Chief and the City Manager have met individually with the Mayor and Councilors to share some initial observations and results of the meetings with employees in the police department. The meetings went well and the police department is appreciative of the unanimous strong Council support.

Calls for service have declined by about 8% since the beginning of the year. A certain percentage of our calls for service are based on self-initiated activity. Since we were down 25% of our sworn officer strength, this easily explains the decrease in calls for service. A more in-depth analysis will be prepared after the beginning of the year as part of Chief Spalding's comprehensive report.

Calls for Service

Agency	2016	2017 ¹
Astoria PD	15145	13830
CCSO	13782	13896
Warrenton PD	8022	7444
OSP	1166	1448

The two newest police officers started the police academy on December 11th and are expected to graduate on April 13, 2018. They will then return to APD for their three to four-month field training program and be ready to go to solo status by mid-summer. Our current recruitment process for the remaining officer closes on December 29th. Applications are

¹ Calls for service as of December 15, 2017

coming in strong with a nice diverse mix of applicants. Last July, one officer went out on medical leave for surgery related to an on duty injury that occurred in 2016. We are hopeful that officer will return in the next month or so.

Dispatch continues to experience staffing shortages as well. The dispatch center's staffing level had been seven and a half full time equivalent positions for 24-hour coverage. Since the beginning of the year, seven dispatchers have worked a combined total of 5828 overtime hours to maintain minimum staffing. This clearly is not a preferred scenario. The communications center is still short of being fully staffed. We are looking at hiring one new dispatcher, who has successfully completed her testing, within the next couple of weeks. We are processing more applicants for the remaining opening. The Operations Supervisor position was filled by an internal applicant, Candace Pozdolski. Candace is still operating at the dispatcher level until the latest dispatcher is fully trained.

In spite of the staffing challenges, dispatchers and officers have done an excellent job responding to calls for service, providing reasonable response times. Over the past quarter, the police department has responded to several high-profile incidents. Officers quickly identified the responsible individuals and made arrests or obtained warrants as appropriate. Our officer's knowledge of known criminals in our community leads to quick identification and apprehension, when appropriate. This is pretty impressive. One of our significant challenges in responding to calls for service is dealing with our homeless population. Our Mayor-appointed task force held its first meeting in November. We have an excellent cross section of interested community members looking to identify the scope of the issue and work on developing creative solutions which we're hopeful will benefit the police department and community as a whole.

One of the highest priorities is the training of current employees. Sgt. Aydt conducted bi-monthly training to all officers over a period of two days on topics such as use of force, first aid, driving while intoxicated investigations and firearms, as examples. Leadership training is also a high priority for the future leaders in the department. Informal programs are being instituted by Chief Spalding that can be accomplished with existing resources to supplement more formalized outside training.

Chief Spalding has been busy reviewing and memorializing many of the department's processes and procedures and putting systems in place. This will make the police department more efficient and ensure we are compliant with records retention schedules and other legal requirements. The police department has proposed and have had approved two new city ordinances which will benefit the city and the police department. Several more ordinance changes are being developed and will be submitted after the new year.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

December 26, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ORDINANCE READOPTING CERTAIN STATE STATUTES TO REFLECT
CHANGES MADE BY THE 2017 LEGISLATURE

DISCUSSION/ANALYSIS

The 2017 legislation passed by the Oregon Legislature, for the most part, became effective on January 1, 2018. Many of our City ordinances refer to or incorporate state statutes. Every year, the City routinely re-adopts all referenced ORS sections to pick up any changes made by the legislature. This is done by a "global readoption" technique recommended by the League of Oregon Cities. The City is legally unable to prospectively adopt Oregon legislative changes, i.e., we cannot adopt a state statute "as it now exists and is from time to time amended." The proposed ordinance has been reviewed and approved by the City Attorney.

RECOMMENDATION

It is recommended that Council conduct the first reading of the proposed ordinance.

ORDINANCE NO. 18_____

AN ORDINANCE READOPTING CERTAIN STATE STATUTES

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Code Section 1.047 is amended to read as follows:

"Readoption of Oregon Revised Statutes. Oregon Revised Statutes adopted either referentially or directly in the Astoria Code, including but not limited to Astoria Code Sections 1.010, 1.015, 1.085, 1.211, 1.230, 1.345, 1.365, 1.555, 1.602, 1.608, 1.620, 1.632, 1.638, 1.640, 1.705, 1.900, 1.960, 1.961, 1.962, 1.963, 1.964; 1.965, 1.967, 1.970, 1.971, 2.220, 2.360, 2.700, 2.705; 2.710, 3.010, 3.015, 3.118, 5.000, 5.010, 5.100, 5.110, 5.255, 5.260, 5.300, 5.335, 5.385, 5.425, 5.726, 5.740, 5.925, 5.931, 5.933, 6.005, 6.010, 6.025, 6.030, 6.060, 6.135, 6.220, 6.250, 6.255, 6.305, 6.400, 6.500, 6.510, 6.520, 6.530, 6.550, 7.000, 7.005, 8.045.15, 8.045.17, 8.045.18, 8.104, 8.138, 9.005, 9.025, 9.030, 9.090, and 9.160, are hereby readopted to include all amendments, repeals, and additions made by legislative action of the State of Oregon, up to and including those of the 2017 legislative session."

Section 2. Repeal. Ordinance No. 17-01 adopted January 17, 2017 is repealed.

Section 3. This ordinance will be effective thirty (30) days after its passage.

ADOPTED BY THE COMMON COUNCIL THIS _____ DAY OF JANUARY, 2018.

APPROVED BY THE MAYOR THIS _____ DAY OF JANUARY, 2018.

Mayor

ATTEST:

City Manager

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor Nemlowill			
Brownson			
Price			
Jones			
Mayor LaMear			



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

MEMORANDUM

DATE: DECEMBER 22, 2017
TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: MEMORANDUM OF AGREEMENT WITH JESSICA SCHLEIF FOR
MAINTENANCE AND BEAUTIFICATION OF TIDE ROCK PARK

DISCUSSION/ANALYSIS

Through the Parks and Recreation Comprehensive Master Planning process, citizen outreach and discussions with the Citizens Advisory Committee strongly indicated that community stewardship of Astoria's Parks is of high importance and resulted in recommendation 6.2, Maintenance – Increase Community Stewardship. Providing direction to “establish a formal “Adopt-A-Park” program and develop a contract with guidelines and expectations”.

In the past year there has been a groundswell of interest throughout the community by individuals and groups hoping to offer their services to assist the Parks Department in its goal of improving maintenance and care to park sites. Jessica Schleif, Professional Gardener/Landscape Designer, visual-artist, and member of the Parks and Recreation Advisory Board, has secured grant funding through the Andy Warhol Visual Arts Foundation and the Regional Arts and Culture Council's Precipice Fund in the amount of \$3,500 and has procured matching funds of \$1,500 for total of \$5,000. Ms. Schleif wishes to utilize the grant award to adopt, beautify, and add temporary visual art displays to Tide Rock Park for one year. The agreement stipulates that Ms. Schleif share any designs for art installations and obtain approval from the Parks Director prior to implementation of any planned visual displays. All art pieces will adhere to the mission, goals, priorities, and policies of the Parks and Recreation Department and City of Astoria and will be of a temporary character that will be removed at the expiration of the agreement, or by request of the City.

During the December 18, 2017 regular meeting, City Council held a discussion about the proposed adoption of Tide Rock Park and the addition of temporary visual art displays. Items of discussion included the intent and purpose of artwork to be installed, the Precipice Grant from Andy Warhol Visual Arts Foundation, and if an artwork vetting process was needed. From which, Council determined that the temporary art displays must comply with the terms and conditions outlined in the grant and that a vetting process was not needed.

The attached Memorandum of Agreement outlines the obligations of the Parks and Recreation Department and Ms. Schleif for care and renovation of the park, and installation of temporary visual art pieces in the park. This agreement has been reviewed by Ms. Schleif and is acceptable to her.

The agreement's duration will be for one year and the City will have the prerogative to remove any portion of any installed items, if any of the conditions of the agreement are not met.

The Parks and Recreation Advisory Board has reviewed and discussed the proposal and recommends the City Council approve the agreement and City Attorney Henningsgaard has reviewed and approved the agreement as to form.

RECOMMENDATION

It is recommended that City Council approve the Memorandum of Agreement with Ms. Schleif for the Maintenance and Beautification of Tide Rock Park.

Submitted by: Angela Cosby  Angela Cosby, Parks and Recreation Director

MEMORANDUM OF AGREEMENT BETWEEN JESSICA
SCHLEIF AND CITY OF ASTORIA
FOR MAINTENANCE AND BEAUTIFICATION OF TIDE ROCK PARK

This Memorandum of Agreement, hereinafter referred to as "Agreement" made and entered into this _____ day of January, 2018 by and between the City of Astoria, a municipal corporation of the State of Oregon, hereinafter referred to as "CITY", and Jessica Schleif, a private citizen, hereinafter referred to as "MS. SCHLEIF."

WHEREAS, the CITY is the owner of certain real property hereinafter described and known as Tide Rock Park; and

WHEREAS, MS. SCHLEIF has Parks Department approval to maintain and improve the care of Tide Rock Park for the benefit of the general public with funds acquired by MS. SCHLEIF; and

WHEREAS CITY and MS. SCHLEIF have reached this Agreement relative to MS. SCHLEIF's maintenance, installation of temporary art displays and use of that property; and

WHEREAS, the purpose of this Agreement is to describe terms for maintenance of Tide Rock Park and associated improvements; and

WHEREAS, the CITY is agreeable to such development, but nothing in this Agreement shall be construed in any way to limit the ownership rights of the CITY regarding this property;

NOW, THEREFORE, the CITY grants permission to MS. SCHLEIF for maintenance and associated improvements within Tide Rock Park, subject to the terms hereinafter set forth.

1. PREMISES

CITY hereby allows MS. SCHLEIF to maintain, improve and install temporary art displays at Tide Rock Park, at 1485 Commercial St. in the City of Astoria as depicted on the attached map,

2. REPRESENTATIVES

- a. CITY representative shall be Angela Cosby, Parks and Recreation Director, 1555 W. Marine Drive, Astoria OR 97103, (503)298-2460, acosby@astoria.or.us.
- b. MS. SCHLEIF's representative shall be Jessica Schleif, 731 Alameda, Astoria OR 97103, (503)931-6631, schleifjessica456@yahoo.com.
- c. Representatives shall notify the other representative of any changes in contact information within 30 days of any change.

3. CITY RESPONSIBILITIES

Whereas, the CITY shall reviewed and approved all design modifications and locations prior to start of the work on the site.

- a. CITY shall coordinate with MS. SCHLEIF on the design and methods of the improvements proposed.

- b. CITY shall inspect the completed projects or improvements for compliance with all Department, City, State and Federal requirements prior to acceptance of the improvements.

4. MS. SCHLEIF RESPONSIBILITIES

Whereas, MS. SCHLEIF shall fund, design and fully support the maintenance, improvements and temporary art displays in accordance with City and park design and maintenance requirements. And;

- a. MS. SCHLEIF shall submit all plans to install items or alter the site to the CITY for review and approval prior to start of any work on the site.
- b. All temporary art displays must comply with the terms and conditions contained in the grant MS. SCHLEIF received from the Precipice Fund and not conflict with the mission, goals, or policies of the Astoria Parks and Recreation Department or the City of Astoria, and must be removed from Tide Rock Park no later than December 31, 2018.
- c. All standard governmental rules, regulations, conditions, and requirements shall be applicable to the project and MS. SCHLEIF agrees to follow them. This shall include obtaining any required licenses and permits.
- d. MS. SCHLEIF shall maintain the park site and any improvements as necessary to keep the site in good order, condition, and repair throughout the entire Term of this Agreement. MS. SCHLEIF agrees to indemnify and defend the City for any claims arising out of the use/installation/maintenance. MS. SCHLEIF's efforts will extend to both structural and nonstructural items and to all maintenance, repair, and replacement work that may occur. Maintenance shall include the following:
 - 1. Removal and repair of any graffiti or vandalism within an acceptable and realistic timeframe, or by request of the Parks Director or her/his designee.
 - 2. Removal and disposal of all garbage, debris, or other litter on a weekly basis, or by request of the Parks Director or her/his designee.
 - 3. Repainting/re-staining of any structures as necessary, or by request of the Parks Director or her/his designee.
 - 4. Removal and management of noxious/invasive species present within the park. If any herbicides are to be used onsite, the City's Herbicide Use Policy guidelines must be followed.
 - 5. Replacement of any broken or deficient components of structures as needed, or by request of the Parks Director or her/his designee
 - 6. Removal of any insect, or other pests', nests or infestations that may present a safety hazard to the public

7. Any sign or notices installed shall be approved by the Parks Director or her/his designee and comply with all City Code regulations regarding posting, advertising, or displaying signs

5. CLOSURE/REMOVAL OF FACILITY.

- a. CITY shall have the right to restrict use of the site at any time, either permanently, or for a designated period, for reasons of economy, if it is determined that proper maintenance is not being performed by MS. SCHLEIF, if conditions exist that render use of the site a danger, if use of the site is causing a nuisance to neighboring property owners, or at any other time if the CITY deems that action appropriate.
- b. CITY may remove any built improvements and dispose of them at the City's discretion, but prior to doing so will allow MS. SCHLEIF the option of removing any improvements identified by the CITY from the site at MS. SCHLEIF's own expense within 90 days of identification by the CITY. In that case, MS. SCHLEIF shall surrender the premises in a state of good condition and repair, free and clear of all occupancies as required by the CITY.

6. TERM

The term of this Agreement shall be for one (1) year, unless terminated prior to such date by mutual agreement of both parties. This Agreement may be extended upon the written request of the MS. SCHLEIF and approval of the City.

IN WITNESS, WHEREOF, CITY and MS. SCHLEIF have executed this Memorandum of Agreement as of the date and year mentioned above.

CITY: THE CITY OF ASTORIA

By:

Attest:

Arlene LaMear, Mayor

Brett Estes, City Manager

MS. SCHLEIF:

Jessica Schleif

APPROVED AS TO FORM:



Digitally signed by
com.apple.idms.appleid.prd.49317566476d4a386775
4144546f59324e744d354e773d3d
DN:
cn=com.apple.idms.appleid.prd.49317566476d4a386
7754144546f59324e744d354e773d3d
Date: 2017.12.26 09:52:02 -08'00'

Blair Henningsgaard, City Attorney

MEMORANDUM OF AGREEMENT BETWEEN JESSICA SCHLEIF
AND CITY OF ASTORIA

Attachment A Park
Location





CITY OF ASTORIA

Founded 1811 • Incorporated 1856

December 26, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: LIQUOR LICENSE APPLICATION FROM NEW JACK KITTY INC. DOING BUSINESS AS LABOR TEMPLE DINER AND BAR LOCATED AT 934 DUANE STREET FOR A CHANGE OF OWNERSHIP A FULL ON-PREMISES COMMERCIAL LICENSE (FINANCE)

DISCUSSION & ANALYSIS

A liquor license application has been filed by Todd and Teresa Robinett for New Jack Kitty Inc. doing business as Labor Temple Diner and Bar. This application is a Change of Ownership for a Full On-Premises Commercial License. The Full-On Premises Commercial 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 “full-service” restaurants 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 934 Duane Street, Astoria. Labor Temple Diner & Bar LLC was formerly owned by David & Christina Warner. The application will be considered at the January 2, 2018 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

Staff recommends that the City Council consider this application.

Respectfully submitted,



Susan Brooks

Director of Finance & Administrative Services



CITY OF ASTORIA
FOUNDED 1811 – INCORPORATED 1856

POLICE DEPARTMENT

MEMORANDUM

DATE: JANUARY 2ND, 2018

TO: MAYOR AND COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: **LICENSE RECOMMENDATION LABOR TEMPLE
DINER AND BAR**

CHANGE OF OWNERSHIP / FULL ON-PREMISES COMMERCIAL LICENSE

DISCUSSION / ANALYSIS

On November 30, 2017, The City of Astoria received notice that New Jack Kitty Inc, under trade name Labor Temple Diner and Bar, 934 Duane St., Astoria; applied for a change of ownership. The change of ownership will continue allowing Labor Temple Diner and Bar to have full on premises sales of alcoholic beverages. Certain OLCC conditions for operation of the establishment will remain in effect for the new owner.

The Labor Temple, under the previous ownership, received notification from Oregon Liquor Control Commission of a proposed license cancellation. Prior to the cancellation notice, the licensee was warned by an OLCC inspector and a state police detective about disturbances. Following the warning, additional violations occurred.

The proposed cancellation was primarily in reference to numerous Astoria Police Department responses to the location between January 2013 and July 2014. OLCC documented at least 29 incidents constituting serious and persistent problems at the premises in a 19 month period including disturbances, assaults, and fights. Multiple incidents involved injuries, intoxicated patrons and/or resulted in arrests.

For the review of this recommendation staff obtained OLCC documents and reviewed them in preparation of this memo. The conclusion of the OLCC investigator for the listed

issues, stated in part "The steady stream of calls for police service regarding the premises is viewed as a nuisance, a drain on city police resources and a threat to public safety."

As a result of the proposed license cancellation, a settlement agreement was reached between the former owner of the Labor Temple and the Oregon Liquor Control Commission. The restrictions were modified as of 05/23/2017 and are as follows:

1. Licensee will maintain at least one on-duty DPSST-certified staff member at each point of entry and egress from 9:00 PM to the close of business on Fridays and Saturdays. The door from the bar to the hallway is not a point of entry and egress; the fire alarm on that door must sound whenever the door is opened.
2. The sale and service of alcohol is prohibited from 1:00 AM to 7:00 AM every day. Patron possession and consumption of alcohol is prohibited from 1:30 AM to 7:00 AM every day.

Staff has discussed the change of ownership between the former owners and the new owner, New Jack Kitty Inc., with representatives of the Oregon Liquor Control Commission. Staff was advised that the above listed settlement agreement terms, will remain in effect as a condition of licensing for the new owners.

Staff spoke with the applicants and they are aware that the conditions of the settlement agreement apply to the new owners.

Staff has reviewed police call data for the Labor Temple over the past 5 years. A marked reduction of calls to the police for the premise can be noted following the original notice of proposed license cancellation dated November 18, 2014 and settlement agreement dated 08/03/2015.

23 contacts listed 2017
24 contacts listed 2016
19 contacts listed 2015
51 contacts listed 2014
90 contacts listed 2013

The license privileges and requirements include:

- May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises (this is the license most "full-service" restaurants obtain).
- 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).

- Food service is a requirement of this license.

Labor Temple Diner and Bar's hours of operation will be 7:00 am to 11:00 pm Sunday and Monday. 7:00 am – 7:00 pm Tuesday and Wednesday. 7:00 am to 11:00 pm on Thursday and 7:00 am- 12:30 am Friday and Saturday. The business will have seasonal variations in the summer months to stay open on Tuesday and Wednesday until 11:00 pm. The seating count includes 32 seats in the restaurant area and 70 seats in the lounge.

APPLICANT

The applicant for the license is New Jack Kitty Inc., consisting of Teresa Robinett and Todd Robinett. Representatives from the Astoria Police Department have investigated the backgrounds of the applicants named above, utilizing available databases specific to restrictions for licensing. No derogatory information was located regarding applicant Todd Robinett.

Applicant Teresa Robinett has a criminal conviction for Hit and Run Vehicle Property. No other derogatory information was located regarding applicant.

The applicants also currently operate the Merrytime Tavern. Staff has reviewed police calls for service at the Merrytime Tavern. The calls for service over the time the business has been operated by the applicants do not indicate any call frequency concerns. Calls appear to be at an acceptable level for this type of business.

NEIGHBORHOOD SURVEY

A neighborhood survey was conducted for this license recommendation. The location of this business is in a business district and therefore those surveyed were other businesses. There were no objections by any of the entities contacted.

RECOMMENDATION

Given the listed information, staff has no objection to the granting of the change of ownership.



Eric Halverson, Deputy Chief



ORIGINAL

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

② _____ ④ _____

3. Business Location: 934 Duane St ASTORIA OR 97103
(number, street, rural route) (city) (county) (state) (ZIP code)

5. Business Numbers: _____
(phone) (fax)

7. If yes to whom: LABOR Temple Diner & Bar Type of License: Limited on premise

9. Will you have a manager? ☒ Yes ☐ No Name: Teresa Robinson
(manager must fill out an Individual History form)

0. What is the local governing body where your business is located? Clatsop Co.
(name of city or county)

1. Contact person for this application: Keresa ROBERT 303 867 4514
 (name) (phone number(s))
PO Box 806 ASORIA 97103 Merrytimebar@gmail.com
 (address) (fax number) (e-mail address)

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

Applicant(s) Signature(s) and Date:

① Samy Robert Date 9-14-17 ③ _____ Date _____

② Thelma Date 9-29-17 ④ Date _____



OREGON LIQUOR CONTROL COMMISSION

WRITTEN PROPOSAL FOR A FULL ON-PREMISES SALES
LICENSE COMMERCIAL ESTABLISHMENT

Please Print or Type

Trade Name (dba): Labor Temple Bar & Diner.
City: Asheville OR

I will offer at least five different meals during my regular meal period. My regular meal period must last at least 3 hours if my business is open past 5 PM, and must last at least 2 hours if my business is not open after 5 PM.

My regular meal period will be from 7am to 9pm.
(start time) (end time)

☒ My menu for this regular meal period is attached

At all other times I will make at least five different substantial food items available in all areas where alcohol service is available. Substantial food items are food items that are typically served as a main course or entrée. Some examples include but are not limited to fish, steak, chicken, pasta, pizza, sandwiches, dinner salads, hot dogs, soup and sausages.

☐ My menu of substantial food items is attached; or

☐ My entire menu is available during all hours that alcohol service is available.

During my required meal period, I will have at least _____ (number) indoor dining seats at tables or food counters. This seating will be in areas of the licensed premises regularly open to the general public. (Note: Seats at counters in entertainment areas, seats at bars, and seats in outdoor areas do not qualify as dining seating.)

☒ I have attached a floor plan showing the seats at tables, counters and bars in indoor and outdoor areas where alcoholic beverages will be sold, served, or consumed at my business. I understand that I must make food available to patrons in all areas where alcohol service is available.

I understand that discouraging food service is a violation of OAR 845-006-0466. Examples of discouraging food service include not taking, preparing, or delivering a food order in a timely manner; over-pricing food for the clientele of my business; offering or serving unpalatable food; failing to provide required food service; and failing to provide a food service menu in a timely manner when requested by the patron.

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

Signature: Laura A. D. [Signature] Date: 10-5-17



OREGON LIQUOR CONTROL COMMISSION
CORPORATION QUESTIONNAIRE

Please Print or Type

Corporation Name: New Jack Kitty Inc Year Incorporated: 2017

Trade Name (dba): LABOR Temple Bar & Grill

Business Location Address: _____

City: ASTORIA OR ZIP Code: 97103

List Corporate Officers:

(name)	<u>TODD A Robinett</u>	(title)	<u>Secretary/Treasurer</u>
	<u>Teresa A Robinett</u>		<u>President</u>
	_____		_____
	_____		_____

List Board of Directors:

(name)	<u>Teresa Robinett</u>
	<u>Todd Robinett</u>

List Stockholders: (Note: If any stockholder is another legal entity, that entity may also need to complete another Corporation Questionnaire. See Liquor License Application Guide for more information.)

Stockholders:	Number of Shares Held:	Number of Stock Shares:
<u>Teresa Robinett</u>	<u>50</u>	Issued: _____
<u>TODD ROBINETT</u>	<u>50</u>	Unissued: _____
_____	_____	Total Shares Authorized to Issue: _____
_____	_____	

Server Education Designee: Teresa Robinett DOB: 10/30/67
(See Liquor License Application Guide for more information)

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

Officer's Signature: Teresa Robinett Date: 9/14/17
(name) (title)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: NEW JACK KITY INC. Phone: _____

Trade Name (dba): LABOR TEMPLE DINER & BAR

Business Location Address: 934 Duane ST

City: ASTORIA ZIP Code: 97103

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 7 A to 11 PM
Monday 7 to 11 PM
Tuesday 7 to 7 PM
Wednesday 7 to 7 PM
Thursday 7 to 11 PM
Friday 7 to 12:30
Saturday 7 to 12:30

Outdoor Area Hours:

Sunday _____ to _____
Monday _____ to _____
Tuesday None to _____
Wednesday None to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for:

☐ Food service Hours: _____ to _____
☐ Alcohol service Hours: None 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: TUES WEDS expected to stay open until 11pm in 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 checked="" type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input checked="" 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: 32

Outdoor: _____

Lounge: 70

Other (explain): _____

Banquet: _____

Total Seating: 102

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: Jeresa Robert Date: 9-29-17

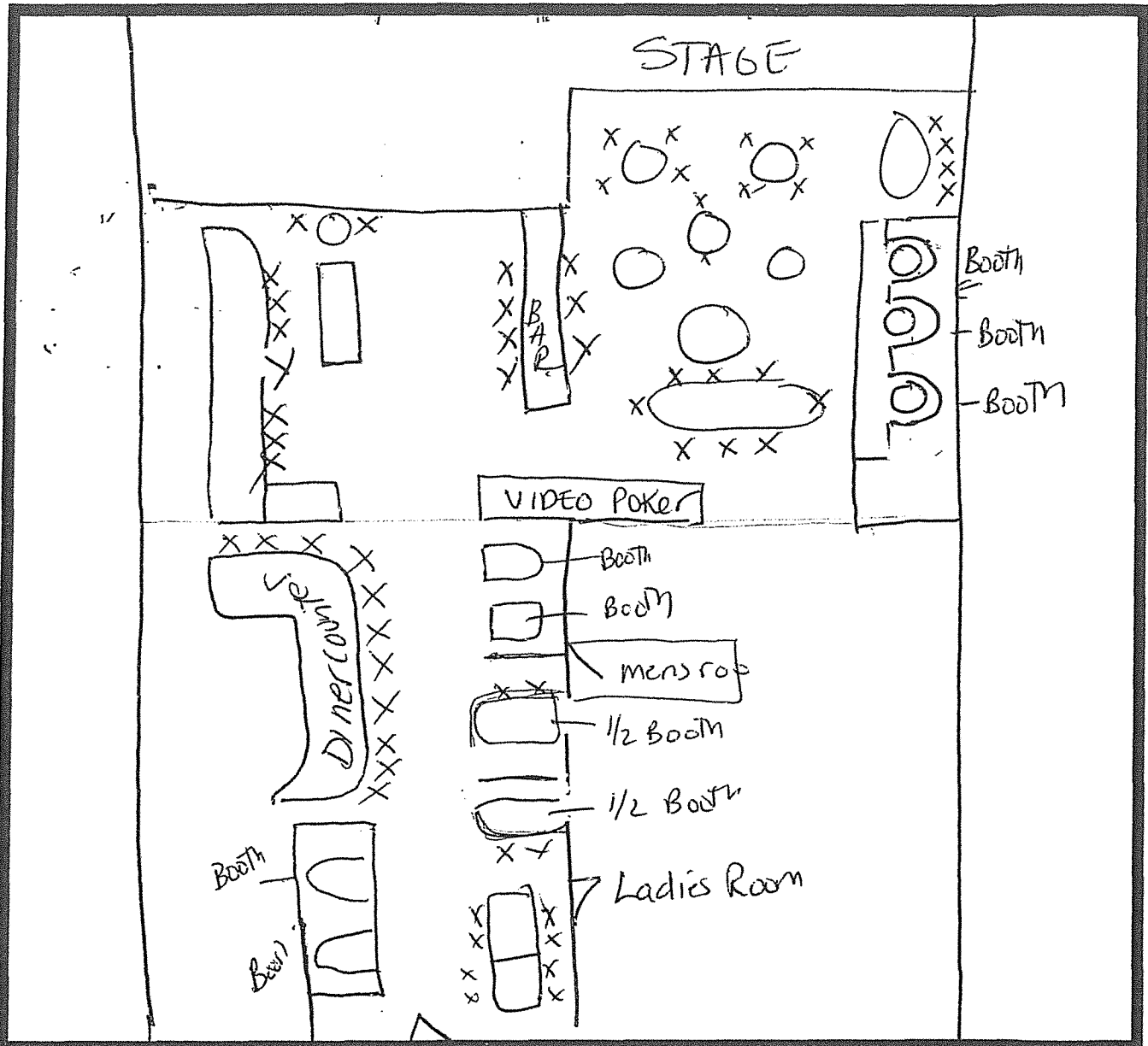
1-800-452-OLCC (6522)
www.oregon.gov/olcc

(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.



NEW JACK KITTY INC DOOR
Applicant Name
LABOR TEMPLE Diner & Bar
Trade Name (dba):
ASTORIA OR 97103
City and ZIP Code

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

Date: _____ Initials: _____

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

(rev. 09/12)

A34 KILLIAN ST ASTORIA



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

Date: December 26, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ARTS & CULTURAL PROGRAM GRANT RECIPIENT REQUEST

DISCUSSION/ANALYSIS

Each year the Arts and Cultural Sub-committee recommends distributions of Promote Astoria Funds to the Budget Committee, based on applications to the City and available funds. Each application contains the intended scope and proposed budget for each organization seeking funding. City Code Section 8.045.18 states "Organizations receiving funds from the Promote Astoria Fund shall enter into a contract with the City that will include a scope of work and budget to be approved annually by the Astoria City Council.

North Coast Chorale (NCC) Receive a Grant in the amount of \$ 2,000 for the "11th World Symposium of choral Music" and event date of July 21 – 25, 2017. During review with NCC officers it was noted expenses were incurred prior to July 1, 2017 and they have asked for consideration of alternatives for the grant funding provided.

Attached is a letter from North Coast chorale providing Options for a Choral Festival in Astoria on June 29, 2018 or the return of the funds provided. The preferred option is the Choral Festival.

RECOMMENDATION

It is recommended Council review the request from NCC and approve an appropriate option for staff to communicate back to North Coast Chorale.

By: 
Susan Brooks, CPA
Director of Finance & Administrative Services

December 13, 2017

Good Afternoon:

This letter is to further a meeting held several weeks ago with John Snyder, Cheryl Capellen, President of North Coast Chorale and me, Cindy Van Arsdall. Our meeting was regarding the grant awarded by the City of Astoria to North Coast Chorale (NCC).

The HISTORY

Briefly, the Arts and Cultural Fund to Promote Tourism grant request from NCC was submitted in late December of 2016, listing the Event Title as "11th World Symposium of Choral Music" (WSCM) and Event Date as July 21 – July 25, 2017. Question #5 asks, "What will the City funds accomplish for the event or project? NCC answered: "Everyone will be searching the map to find out where we are from. It will help encourage more tourist dollars. We are just beginning to put the word out for fundraising. We have 6-months to raise money for 25 singers. Many of the choir members can fund their own expenses. Others need help and this is why we are ask (SIC) you." Included with the proposal was the NCC Organizational Budget and the Project Budget. A quick look at the Project Budget indicates that NCC was requesting assistance for travel to and from Barcelona, Spain and lodging while there.

The PROBLEM

NCC received a \$2,000 check with a letter dated July 21, 2017, which stated that the "funds must be used for the purpose stated in your organization's application, during the fiscal year July 1, 2017 through June 30, 2018". Also required by this letter was an accounting of the expenses with supporting documentation, excluding travel, lodging and meals. While the Chorale did, in fact, travel to and sing at the "Event Title", 11th WSCM in Barcelona, the money accumulated through fund-raising and grant proposals was used 1) in advance of July 1, 2017, and 2) to procure air fare and lodging accommodations.

During a review of NCC's reporting information with City staff it was noted that all the expenses, including travel, related to the Barcelona Event were incurred prior to July 1, 2017. Discussion also was held regarding provisions of the grant funding, which are provided to promote tourism to Astoria. The NCC application indicated promotion would be obtained via interested parties wanting to know where NCC originates from thereby promoting interest in Astoria and potentially bringing tourists to Astoria.

A difference in viewpoint of the provisions of the grant funding is the cause of the expenses to be outside the grant period. The Chorale would like to provide two options to remedy the situation.

POSSIBLE SOLUTIONS

Option #1 – North Coast Chorale is pondering a Choral Festival here in Astoria. In short, the proposed plan is to invite 3 to 5 choral groups from the Pacific Northwest area. Each participating group would arrive in Astoria on the afternoon of Friday, June 29th. A concert for the public would be performed at the PAC with each group performing 2 or 3 pieces of their own, with the finale being a collaborative piece. The invitations to these out-of-town groups, needing food and lodging, would provide a list of local motels/hotels and restaurants.

Saturday the choral groups would convene for workshops in the morning; with time to eat and shop in Astoria during the early afternoon and then attend the Portland Gay Mens Chorus performance at the Astoria High School, which is already scheduled for June 30th at 3:00 p.m.

The funds required to promote the event, procure venues needed in addition to the PAC for the workshops and the workshop leaders would come from the Astoria Tourism grant money already received and would be paid out by June 30, 2018 as stipulated.

Option #2 – Upon receipt of a letter from the City of Astoria exonerating North Coast Chorale of any deceit or wrong doing, the Chorale would immediately remit a \$2,000 check to the City of Astoria.

North Coast Chorale is proud of Astoria. Option #1 is the Chorale's preference for a possible solution, as it gives an opportunity to promote the community in which it performs, a community that has always been very supportive of NCC events.

Undoubtedly, everyone is extremely busy, but If I might make two comments: 1) it would be best to get this issue resolved before the end of the 2017 calendar year and 2) a successful Choral Festival cannot be achieved without a minimum of 6-months to properly plan. It will not happen unless a decision is made by January 2, 2018.

Thank you in advance for your consideration of these options and your prompt response.

Respectfully,

Cindy Van Arsdall, Vice President
North Coast Chorale