

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

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

Councilors Excused: None

Staff Present: City Manager Estes, Police Chief Curzon, Parks and Recreation Director Cosby, Financial Analyst Snyder, Fire Chief Ames, Planner Johnson, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS:

Item 3(a): Mayor Van Dusen introduced Capt. Bruce Jones and Sean Fitzpatrick and invited them to speak.

Sean Fitzpatrick thanked Mayor Van Dusen for his attendance at the 2014 Astoria Mayor's Ball, which would not have been such a great event without the mayor's contributions to the city. Many people attended, including people from Walldorf, Germany and it was wonderful to see the passion they had for the Sister City relationship, which is important to both cities.

Bruce Jones, 455 45th Street, Astoria, said the ball on Saturday, October 4, 2014 showcased the potential of the Armory to be a focal point in the community for conventions, dinners, sporting, and musical events. A jazz and swing band from Portland performed at the Armory and other bands from Portland want to come perform in Astoria. He thanked the City for supporting the Armory. The City Haunted House would be at the Armory at the end of October. The Armory has many nooks and crannies that will make it a great haunted house and he looked forward to seeing children and families during the event.

Mayor Van Dusen said that he did not have the words to express his appreciation to the community. A lot of teamwork went into the Mayor's Ball and all of the events. He has loved serving as mayor of this great city. He thanked everyone, adding he could not express how it felt to have all of his friends, neighbors, former and current Council members, and Staff at the ball. He asked how much money was raised for the Armory, noting the event was a great success.

Mr. Fitzpatrick said he and Mr. Jones do not have the total yet, but they would report on the amount when they got caught up. He noted almost everyone at the City Council meeting had also attended the Mayor's Ball. He thanked everyone for their support and attendance.

Mr. Jones added that the Armory received some generous donations and the auction was very successful. Many tickets were sold and more donations were submitted after the event. The Armory would have a board meeting on Tuesday, October 7, 2014 and he hoped to have the total amount soon.

Item 3(b): Councilor Warr said he owed Mr. Jones and Mr. Fitzpatrick an apology because when the Friends of the Astoria Armory first started, he had reserved optimism about what the Friends could accomplish. He was impressed; the Friends know how to put on a good party and he now believed anything was possible. The Friends has a great team of people with a similar vision who are moving full force ahead. He reported that he and the other Councilors attended the League of Oregon Cities convention the previous week. In addition to attending the Mayor's Ball, he hosted the Pacific Northwest Monument Builder's Association for the fourth time in ten years. The association members are monument dealers from Oregon, Washington, northern Idaho, Montana, and British Columbia. The association was in Astoria for four days. On Sunday, October 5th, many of the monument builders were invited to the Wentworth's to say goodbye to the visitors from Germany. He had a wonderful week and was impressed with the community and the feelings the residents have for the community.

Item 3(c): Councilor Mellin reported that she especially enjoyed having the Burgermeister from the Sister City and the other Astoria City Councilors attend the Mayor's Ball. She was glad Astoria could have guests

from Germany at such a wonderful party because it reflected how Astorian's were treated when they visited Walldorf. Former City Manager Jürgen Criegee, who was City Manager when this first Sister City relationship in the United States was established, also attended the ball. The continuity of the relationship between the two cities is so important. She thanked everyone who worked on the event.

Item 3(d): Councilor Herzig reported the Astoria Senior Center had a rummage sale over the weekend and rose over \$4,700 for their new facility. The Senior Center will have to pay for all of the furniture and moveable items, so they will continue to raise funds through the coming year. Like the Armory, the Senior Center still needs to count a few more sales. He attended the League of Oregon Cities conference in Eugene, Oregon a few weekends earlier. As part of the conference, he and Councilor LaMear went on a tour about homeless people. The City of Eugene allows homeless camps on City property. The camps are very structured and governed by the residents of the camp. It was amazing to see the efforts being made through non-profit organizations and City partnerships to provide some type of permanent shelter, even if it is just a tarp on a wooden platform, which is better than sleeping under bridges or in the street. He explained that St. Vincent DePaul Society, who was part of the tour, runs an incredible array of programs, like partnering with local churches to provide emergency overnight shelters for the homeless. The City waives most of the fire safety and other conditions because they trust St. Vincent and the churches to run safe operations. He hoped Astoria could allow conditional use permits to set up an emergency warming shelter this year because it is one of City Council's goals. He believed the Council had asked the Senior Center and Star of the Sea to look into this and he hoped the City would cooperate with a conditional use permit. It was moving to see Eugene's political will and community support to take care of the homeless and make them part of the community. Around 70 percent of the homeless population in Eugene are residents of Eugene. St. Vincent refers to these people as being between homes instead of saying they are homeless because they do not want to stigmatize people for their condition. The tour was very moving and he believed Astoria could do something similar.

Item 3(e): Councilor LaMear reported that on October 1st, she went up to the Column to see the lighting of the pink lights in honor of Breast Cancer Awareness Month. It was very moving to listen to the stories of breast cancer survivors. She also attended the League of Oregon Cities conference, which was a marvelous way to learn a lot about many aspects of running a city. She learned a lot from the workshops she attended and from people she met. Conference attendees were able to hear the gubernatorial debate, which was fascinating because it included all of the candidates, not just the Republican and Democratic candidates. The debate was interesting and, at times, quite entertaining. She also attended a session on visioning and goal setting where she learned some good ideas about how to develop a vision for the city and set goals. She enjoyed the Mayor's Ball and her visits with guests from Walldorf. It was wonderful to have the opportunity to reciprocate the great visit that Astorian's had in Walldorf.

Mayor Van Dusen said Ally McEntire did an excellent job writing the article about the ball. Ray Merritt did a great job and Tom Freel worked hard all night as the Master of Ceremonies. He was in awe of Victoria Smith, the 11-year-old girl who performed the ballerina dance who told him she had been taking ballet lessons for about nine years.

CHANGES TO AGENDA: No changes.

PROCLAMATIONS/PRESENTATIONS:

Item 5(a): Domestic Violence Awareness Month

Councilor Herzig said that in addition to Breast Cancer Awareness Month, October is also Domestic Violence Awareness Month. The Domestic Violence Council of Clatsop County hosted a Healthy Families Fun Run/Walk on Saturday, October 4th at the Riverwalk. The run began at the Barbey Center, went down to the bridge, and then ended back at the Barbey Center. The Astoria High School football and track teams participated.

Mayor Van Dusen read the proclamation declaring October 2014 as Domestic Violence Awareness Month.

A video about the history of the Garden of Surging Waves was shown. Director Cosby noted that Janice O'Mally Galizio produced the video to nominate Astoria for the Oregon Recreation and Parks Association's award the City received in September 2014. Mayor Van Dusen invited the Astoria Downtown Historic District Association (ADHDA) to speak.

Dulcye Taylor, 1287 Commercial Street, Astoria, stated the ADHDA recently attended the Oregon Main Street Conference, where they won several awards. In past years, the ADHDA has won Best Adaptive Reuse of a Building for Buoy Beer and Best Business for Street 14. She announced that this year, Tiffany Estes won Volunteer of the Year, but she had a flat tire that prevented her from accepting the award at the conference. Ms. Estes does excellent work in many different organizations. The Garden of Surging Waves won the award for Best Public Project and she presented the award to City Manager Estes. The conference allows opportunities to learn from other cities that are doing similar things, which is very rewarding.

Mayor Van Dusen said the award is a citywide award, but noted the City Manager was the key person on that project. He suggested the award be kept in the City Manager's office.

Item 5(b): Dr. Lawrence Galizio regarding Clatsop Community College Bond Measure

Dr. Lawrence Galizio, President, Clatsop Community College, 1161 SW Ridge Road, Warrenton, said that without the leadership of many people, the Garden of Surging Waves would not have been developed. He gave the following PowerPoint presentation regarding the Patriot Hall Redevelopment Project bond measure, noting that the bond would be included on the November ballot:

- He gave the history of Patriot Hall, noting how the building had been used since 1921 and its significance to soldiers and veterans in Clatsop County. He also explained how Clatsop Community College had been recognized as a military-friendly school over the last four years.
- On Thursday, October 9th from 6:00 to 7:30 pm at Columbia Hall, and on Wednesday, October 15th from 6:00 to 7:30 pm in Seaside, SRG, the architecture firm working on the project, would be taking public input about the conceptual scheme and giving details about what will be in the building.
- The redeveloped Patriot Hall will include three new programs:
 - A new paramedic program - Currently, students who enroll in the firefighter program must go to Portland for the emergency medical technician portion of the program.
 - An exercise physiology program – The program will allow students to get a degree or certificate to be a personal trainer, work in rehabilitation, or work in nutrition.
 - A drug and alcohol counselor certification program – This will be a one-year certification program for students who are already working in behavioral or mental health.
- State funds invested into the county for this project total \$7.9 million and the project will require a local one-to-one match; therefore, the bond has been added to the November ballot. The ballot will read "up to \$8.2 million" because the exact amount depends on market conditions at the time of the sale.
 - Piper Jaffrey conducted an analysis of the county, which revealed that the median assessed value for a home in Clatsop County is \$200,000. The bond would cost a median assessed value property \$1.72 per month, or \$20.64 per year.
 - The State requires the college to obtain the matching funds and complete the project by 2019. The project is estimated to take from 2½ to 3 years to complete. If matching funds cannot be obtained, the \$8 million State investment would go elsewhere.
- He reminded that the deadline for voter registration is October 14th for the November 4, 2014 general election. He also noted that SRG designed the new Holer Hall and Columbia Hall on the college campus. The college wants community input about the conceptual design of the new Patriot Hall at their event on Thursday. He believed people would see the building is an amazing community asset. Clatsop Community College is the community's college and this building would serve the entire community, as well as the students. The original building had an indoor track and the redeveloped building will include a gymnasium and the only indoor running track in the area, with spectacular views. Community members would only have to sign up for a one-credit physical education class in order to utilize the facility.

Mayor Van Dusen called for questions from Council members. Hearing none, he invited the public to ask questions about the bond measure.

Sue Skinner, 511 Jerome, Astoria, asked if there would be any effort to prevent birds from hitting the big glass windows. There are many birds at the college, which is a problem. Dr. Galizio said he would ask the architects, noting that they want to take advantage of natural light.

Councilor Herzig asked if renewable energy would be used in the redeveloped building. Dr. Galizio said absolutely, the building would have solar panels and alternative energy would be used to heat water in the

building. The architects could explain this in more detail at their event on Thursday. He did not believe the building would be LEED Certified, however. The building is not currently energy efficient, so the redevelopment would save an incredible amount of money over a long period of time.

Zetty Nemlowill, 478 Kensington, Astoria, asked if any changes would be made to projected enrollment or employment opportunities as a result of the new programs. Dr. Galizio said the college chose the new programs based on statewide labor demands. The college believes the new programs would boost enrollment and the redeveloped facility would transform the college.

Mayor Van Dusen said the State Legislature has guaranteed \$8 million if the community matches the funds. The community college serves more than just the City of Astoria, but money for construction would be spent in Astoria. He explained that an \$8 million investment in education in a town with a population of 10,000 would have the same impact as \$80 million in a town with a population of 100,000. This is huge for Astoria to get such a grant and Dr. Galizio did a great job leading the teamwork on this project.

Item 5(c): Heritage Square EPA Grant

Carrie Rackey, Senior Environmental Scientist, AMEC Environment & Infrastructure, gave a presentation on the current status of the EPA Grant funded Heritage Square Site Assessment and Remediation Project. AMEC has just completed the Phase 2 Environmental Site Assessment and she described the cleanup strategy that has been developed for the project as follows:

- The EPA awarded the City of Astoria a \$400,000 multi-purpose pilot brown field's grant to cover both assessment and cleanup. The grant is very competitive, so it was an honor for Astoria to win.
- Reviews of past investigations and new assessments revealed localized areas of chlorinated solvents associated with historic site uses, like a dry cleaners and an automotive repair business. Dry cleaning practices were sloppy for a long time and the chlorinated solvents used by dry cleaners are very soluble and toxic.
 - AMEC designed an investigation meant to close data gaps in past investigations. The areas that needed more attention were: detections of high concentrations of arsenic, chlorinated solvents in ground water, petroleum, and heavy metals. Sample locations were chosen and lab analyses were conducted of soil and water samples. The plan was approved by the EPA and DEQ.
- During the investigation, which was conducted over the summer, 13 borings were drilled using a variety of methods to collect 13 soil samples and 10 water samples from a variety of depths. Samples were also taken from the large stockpiles stored in the basement of the Safeway building to determine if they could be reused and if not, how to dispose of them.
 - DEQ does not publish Risk Based Concentration values for use of an area as a park, but the residential values are considered conservative enough to cover exposure to park users. This data is protective of human health, taking into account daily use of the park, direct contact with the soil, and the breathing in of vapors generated by contamination.
 - Ground water data comparison is protective of ecological receptors pertaining to the Columbia River. Some of the data does exceed conservative ecological screening values, but it is expected that DEQ will be understanding about the fact that these are minor and isolated and it is unlikely that these instances are affecting the river.
- The findings report states that the investigation does not indicate definable source areas or likely risks to human health. AMEC found only low-level widespread contamination, primarily heavy petroleum products, heavy metals, polychlorinated biphenyl (PCBs) in the soil, and some chlorinated solvents and metals in the ground water.
 - Based on the existing contamination, AMEC does not anticipate a restriction on land use at the site. It is likely that DEQ will require a targeted soil removal in a few places where there are relatively high concentrations, relative to other areas of the site. These areas do not pose a risk to site users, but may be contributing to ground water issues. This work can be covered by grant funds.
 - DEQ will likely require a ground water use restriction on the site, regardless of the proposed final use. Contaminate concentrations in the ground water are high enough that people should not be drinking it. Industrial and irrigation uses will probably be restricted as well.
 - A Contaminated Media Management Plan will likely be required as well. This is a standard document that describes where the contamination is located and what the concentrations are. The document is shared with everyone who does construction on the site so they can plan for health and safety and the

disposal and handling of any soil that is excavated or water that is used. This is noted as a deed restriction, but does not restrict use of the site.

- She noted that these were preliminary findings. DEQ and EPA have not completed their review of AMEC's report, but she expects to hear back from them in the next month.
- AMEC plans to remove the piles of soil in the Safeway basement. The contamination levels in these piles are too high for the soil to be reused. Two areas under the parking garage will be excavated as well. All of the soil removal, transportation to the landfill and disposal will be covered by grant funds.
- DEQ and EPA must concur on the findings and conclusions in the report. Then, AMEC will prepare an analysis of brown field cleanup alternatives that lays out cleanup options. Given the conditions at the site, she did not believe a wide variety of options were available. The public will have 30 days to comment on the report. If the report is approved, AMEC will move forward with removing the Safeway stockpiles and soil beneath the parking deck.

Councilor Herzig asked if the soil being removed would be taken to landfills that are specially designated to deal with contaminated soil. Ms. Rackey said the soil would be taken to Subtitle D landfills. Most of the soil does not need to go to a hazardous waste landfill and can be taken to a common landfill. A little bit of soil might be considered hazardous waste due to high lead concentrations, but AMEC would confirm this by digging out the soil and taking composite samples before moving it off site because taking the soil to a hazardous waste landfill is expensive.

Councilor Mellin commended Ms. Rackey for her report, adding she has been impressed by Ms. Rackey's knowledge and ability to convey information to citizens. She asked for a timeline, as she wanted to know when something would be done with the hole at the site. Ms. Rackey said the timeline depends on DEQ and EPA approving of the report. Their review of the Phase 2 report should be complete and approved by the end of November. In the meantime, AMEC would be working on the Analysis of Brownfield Cleanup Alternatives report, which can be completed a couple of months after the Phase 2 report is approved. Then, there would be a 30-day public comment period. She anticipated cleanup would occur in the spring of 2015. She confirmed that if all goes well, the City could then proceed with their plans to develop the park without any restrictions. She anticipated the City would receive a Conditional No Further Action letter from the DEQ, requiring the ground water restrictions and a Contaminated Media Management Plan.

Councilor Herzig said it was commendable that the team worked towards this grant that is paying for both the study and the mediation. He believed the City owed the team thanks for carrying the project forward.

Mayor Van Dusen called for questions from the audience. There were none.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 9/2/14
- 6(b) Fiscal Year 2014-15 Dispatch Service Agreement (Police)

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

REGULAR AGENDA ITEMS

Item 7(a): Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16th to 41st) Area of the Riverfront Vision Plan (adoption) (Community Development)

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Leif Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway

(16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon). City Council accepted the Riverfront Vision Plan in December 2009. Since that time, the City Council has set goals regarding implementation of the Riverfront Vision Plan. Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

Proposed map amendments will include: 1) extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area; and 2) apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.

Proposed text/code amendments will include: 1) add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development; 2) add a new Civic Greenway Overlay Zone to address the standards for over-water and land development and river access requirements; 3) add new provisions for Cottage Cluster Development for compact residential development; 4) add new "clear and objective" design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area; and 5) make "housekeeping" amendments related to the new CR Zone and CGO Zone.

The Planning Commission held a public hearing at the May 27, 2014 and June 24, 2014 APC meetings. At its July 22, 2014 meeting, the Astoria Planning Commission unanimously recommended that the City Council adopt the proposed amendments. A public hearing on the Amendment was held at the August 18, 2014 City Council meeting. The Council closed the public hearing and held a first reading of the text and map amendment ordinance. As noted in the August 25, 2014 memo, the City Attorney advised that since the Council had made several substantial changes to the ordinance as presented, that a new first hearing needed to be held. The Council held the additional first reading of the ordinance at their September 2, 2014 meeting.

At the September 2, 2014 meeting, the Council directed staff to exclude coal, oil, and liquefied natural gas from the list of allowable over-water uses. In developing the proposed language, it was recommended that the terms "fossil fuel and petroleum product" be used to encompass all forms of these products so that it is clear what is being prohibited. At the September 15, 2014 meeting, the Council directed staff to include language to also not allow variances from the building height for the overwater area greater than 500' from shore. The Council held a second reading by title and with the amended language read in full. The City Attorney advised that adoption of the ordinance would need to wait 12 days. If the Council were in agreement, it would be in order for Council to adopt the Ordinance as amended to amend the Astoria Development Code Pertaining to the Civic Greenway Area issues, and amend the Astoria Land Use and Zoning Map to apply the Civic Greenway and Gateway Overlay Zones.

Mayor Van Dusen confirmed that City Attorney Henningsgaard agreed with the Staff report as presented by City Manager Estes. City Attorney Henningsgaard reminded that Council needed to adopt the Findings of Fact proposed by Staff.

Councilor Herzig stated that during the past two City Council meetings, it had been determined that Council has the authority to revisit this ordinance, amend it, and consider proposals from entities such as the Port and other private developers. Therefore, the section of the proposed ordinance that deals with the East Basin Development Zones seems unnecessary. This section does not have to be included as part of the Riverfront Vision Plan or adopted now, as Council can entertain any proposals in the future. He did not understand why Council is adopting something that does not need to be adopted. While it is not intentional, this seems to be a slap in the face of the citizens of Astoria that have asked Council to prohibit future development in this one area of the Riverfront. If the Port's plan is not needed to establish the Council's authority, and since it seems to offend most of the people of Astoria, why is Council adopting it?

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr that the Astoria City Council adopt the Findings and Conclusions contained in the Staff report, approve Amendment Request A14-02 by the Community Development Department of the City of Astoria, adopt the Ordinance as amended to amend the Astoria Development Code Pertaining to the Civic Greenway Area issues, and amend the Astoria Land Use and Zoning Map to apply the Civic Greenway and Gateway Overlay Zones. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Mellin and Mayor Van Dusen; Nays: Councilor Herzig.

Mayor Van Dusen read the rules of appeal.

Item 7(b): Ordinance Vacation 19th Street and Franklin Avenue Rights-of-Way (2nd Reading & adoption) (Public Works)

The City has received a request from the Astoria School District (ASD) for the vacation of 57,600 square feet of the 19th Street and Franklin Avenue rights-of-way located within John Warren Field. The School District will be transferring ownership of the property to Columbia Memorial Hospital (CMH) in the near future for the expansion of the hospital. Staff has reviewed the application and is in support of ASD's request, with the following conditions:

- Existing utilities would no longer be maintained by the City and would become the property of the ASD.
- The Alley on the 19th Street South boundary shall not be vacated.

Due to the public benefit that will be provided by the vacation, staff is recommending that an assessment be waived for this proposal. The applicant will be charged actual costs for processing the request. At their September 19, 2014, meeting, the City Council conducted the public hearing and first reading of the ordinance of vacation. It is recommended that Council conduct the second reading and adopt the ordinance to vacate a portion of the 19th Street and Franklin Avenue rights of way.

Director Cosby conducted the second reading of the ordinance vacating 19th Street and Franklin Avenue rights-of-way.

Mayor Van Dusen explained that the rights-of-way being vacated are in the middle of the sports complex and are not currently used as streets.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin to adopt the ordinance to vacate a portion of the 19th Street and Franklin Avenue rights-of-way. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(c): Bear Creek Dam Seismic Study Phase 2 (Public Works)

The City of Astoria's Bear Creek Dam is a 90-foot high concrete gravity dam built in 1912 and raised in 1953. The Oregon Water Resources Department (OWRD) has classified the Dam as a high hazard dam due to the dam's proximity to human population areas downstream. The classification is not a result of the dam's age or condition, but the age and current condition does affect the possibility of failure during a significant seismic event.

The OWRD has determined that the City should initiate a seismic failure analysis. A previous study completed in 1993 did not include enough detail to determine the actual risk of failure as a result of a Cascadia Subduction Zone earthquake. Staff has been working with the State Dam Safety Engineer to develop a strategy to move forward. The first step was to hire a consultant to determine if the dam is at risk, and if so, what steps to take to reduce the risk of damage and potential failure at the time of a significant seismic event. On September 24, 2013, Council approved the following approach to the dam investigation:

- Phase 1 - Site Investigation (Complete)
- Phase 2 - Seismic Failure Analysis (Current Proposal)
- Phase 3 - Develop Design Recommendations (Future phase if needed)

At the September 24, 2013 Council also authorized a contract with Cornforth Consultants for the Phase 1 study. This work was completed in March of 2014. The investigation found that ground conditions at the site were better than the 1993 study assumed. With Phase 1 complete, it is now time to start Phase 2. The Cornforth's quote for this phase is \$147,000 and has been budgeted in the Public Works Improvement Fund. The OWRD has awarded a \$32,000 grant has indicated that an additional \$20,000 in grant funding will be available. The estimated City contribution is estimated to be \$95,000. Staff will bring the second grant agreement to Council in October when it is received. It is recommended that City Council execute a contract with Cornforth Consultants for a total not to exceed amount of \$147,000, for geotechnical and structural engineering services on Phase 2 of the Bear Creek Dam Seismic Analysis Project. It is also recommended that Council accept the Oregon Water Resources Department grant for \$32,000.

Councilor Herzig confirmed with City Manager Estes that the dam was outside the city limits, but was on City property as part of Astoria's watershed. He asked if the dam was surrounded by County property. Director Cook said the dam was surrounded by commercially-owned forest. Councilor Herzig responded that the County would not be contributing to the project.

Councilor LaMear said anything the City could do to protect people in the event of seismic activity would be great. It is wonderful to see the City get \$55,000 in grants for the project.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin execute a contract with Cornforth Consultants for a total not to exceed amount of \$147,000, for geotechnical and structural engineering services on Phase 2 of the Bear Creek Dam Seismic Analysis Project, and accept the Oregon Water Resources Department grant for \$32,000. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Director Cook advised that Andy Vessely would be the consultant on the project.

Item 7(d): Oregon Department of Transportation Cooperative Improvement Agreement for Crosswalks and Downtown Street Signs (Public Works)

Crosswalks

As an effort to improve pedestrian safety on Marine Drive and Commercial Street, the City requested that the Oregon Department of Transportation (ODOT) replace worn out crosswalks at various locations with new continental crosswalks. ODOT determined that the crosswalks that were no longer being maintained by ODOT were not approved by the State Traffic/Roadway Engineer. Staff then requested and the State Traffic Engineer approved the crosswalk locations so that the crosswalks could be reinstalled.

Street Name Signs

The Astoria Downtown Historic District Association (ADHDA) requested that the City replace existing street name signs within the Downtown National Register Historic District with historic street name signs. Engineering staff worked with ADHDA on design concepts for the new signs. In February, City Manager Brett Estes presented City Council with two options, the only difference being variations of the City logo.

ODOT has prepared a Cooperative Improvement Agreement for City approval that will provide \$38,000 in grant funds for crosswalk improvements and \$10,000 in District funds to pay for sign improvements. ODOT anticipates beginning crosswalk improvements the week of October 6th pending favorable weather conditions. The street signs may take some time to complete design, manufacture and install. Staff estimates City costs for the signs place on City streets to be approximately \$12,000 and will be paid for through the Streets Fund. It is recommended that Council approve a sign option and authorize the attached Cooperative Improvement Agreement with ODOT to allow placement of both crosswalk improvements and street name signs within the designated area using both grant funding and ODOT District funds.

The two sign options were displayed on the screen. City Manager Estes noted that the ADHDA preferred the sign with the lighter City logo. He confirmed that all of the signs would be placed within the Downtown Historic District, not throughout the entire city.

Director Cook showed the actual size of the signs, noting that they looked large. However, the signs are about the same size as the signs replaced as part of the CSO project. The signs would look better once they are in place and would possibly be one-sided instead of two-faced.

Councilor Mellin added that the Parks Department was working on signs that would be installed along the Riverwalk. City Manager Estes explained that the ADHDA approached the City about replacing the street signs on the City rights-of-way. The City would look for subsequent funding for the wayfinding sign project, on which the ADHDA also partnered with the City. Director Cosby said the wayfinding signage would be placed along the Riverwalk and pedestrian signage would be placed throughout the downtown area. The historic signs are meant for vehicle traffic. ODOT would replace their signs on Marine and Commercial, and then the City would replace the signs on City streets

Councilor Herzig explained that Marine and Commercial are State highways that ODOT governs. The City cannot change signs on ODOT's streets without their permission, which is why ODOT is paying for the work on those two streets and the City will be paying for the cross streets. It is a nice partnership.

Mayor Van Dusen invited the public to speak about the sign project.

Pete Gimre, 239 14th Street, Astoria, said he had been part of the ADHDA's design committee for the last three years. He has been working on this project together with the board and the City. It is important to realize that Astoria's downtown is recognized as a Historic District and the current signs were designed in 1971. Those who live in town take for granted where the blocks are, but he encouraged everyone to drive down Commercial and look at the street signs for 7th, 8th, 12th, and the signs around City Hall. They are old and outdated and need to be replaced. This is a great opportunity to replace the signs and recognize downtown as a National Historic District.

Director Cook confirmed for Councilor Warr that the new signs would be reflective. He said new sign standards also included upper and lower case letters and a larger font.

Councilor Mellin believed the signs were very attractive.

Councilor LaMear said she was excited about the wonderful design. She preferred the lighter design that Planner Johnson was holding.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin to approve the sign with the lighter City logo. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Councilor LaMear asked for more details about the square crosswalks. City Engineer Harrington said the continental crosswalks are about 18 inches wide with 7-foot long bars that go across the street. Gaps between each bar are about 4 feet wide. These crosswalks are more visible and are approved for use as mid-block crosswalks. Some continental crosswalks are used at intersections, but not at traditional signalized ODOT intersections. ODOT only placed these crosswalks where approved, so some intersections only have the crosswalk on one leg. When deciding where to place the crosswalks, ODOT considered intersections on the best access routes, intersections that had wheelchair ramps and that were most used. Advanced warning signs would also be installed. City Manager Estes added that the continental crosswalks do not have a stop bar. Many of the older style crosswalks had a line on either side of the travel way, but on the new crosswalks, the travel way is painted with parallel bars that go across the street.

Councilor Herzig said he wanted to see Staff and the *Daily Astorian* write an article about the continental crosswalks because the concept is new. He understood these crosswalks were widespread, but believed it would take a while for people to realize that without the stop bar, there is a feeling that the crosswalk is not an enclosed box and could be driven through. He believed it would be a good contribution to public safety for the City to cooperate with the newspaper to run an article on the new striping.

Sue Skinner, 511 Jerome, Astoria, asked if the crosswalks would be painted with the same type of paint as the old crosswalks which runs off in the rain. City Engineer Harrington said the crosswalks would be made of thermal plastic, which is what Staff used for the hospital crosswalk.

Mayor Van Dusen noted the material was displayed at the service fair. City Engineer Harrington said the material holds up very well, especially because the stripes will be placed to avoid the wheels. Installing these crosswalks is time consuming because the thermal plastic is a new technology and Staff must still paint. Staff went out with an ODOT crew earlier that day to take another lesson because the method is difficult since Staff does not do it every day. Crews that install the thermal plastic every day must still be reminded of certain pieces of the technique. The nice thing is that the thermal plastic does not need to be replaced each year. Paint wears out, but the thermal plastic will last for many years and can be patched as bad pieces need to be replaced. The material is applied with large torches in an effort to melt it into the asphalt, but it does not adhere to concrete as well. Staff has received some tips from ODOT on how to get the crosswalk at 8th and Commercial to stay down better.

Mayor Van Dusen confirmed that the green stripes on the displayed map indicate the location of Fort George. He asked if corresponding signage would be installed so visitors would know why the stripes were green. City

Manager Estes said text has been placed on the sidewalks and Director Cosby has been working with Planner Johnson to put a sign explaining the green stripes in Fort Astoria Park.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig to authorize the Cooperative Improvement Agreement with ODOT to allow placement of both crosswalk improvements and street name signs within the designated area using both grant funding and ODOT district. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(e): CSO Rate Resolution (Finance)

The Budget Message

The FY 2014-15 Budget Message calculation made a mistake by using the bi-monthly basic charge of \$39.11 instead of \$19.56 as the monthly basic charge for this calculation. City staff has made a second adjustment to the CSO projection by changing the estimated amortization term from 20 years to 25 years for the loans that have not yet been closed. The result is that a 9% CSO rate adjustment for FY 2014-15 would result in an average annual increase would be \$47.18 instead of \$66.96.

CSO Financing

There is a debt service payment every year. The CSO surcharge needs to be adequate to meet the debt service requirement. Increases generally have occurred each year so that the increases are averaged out over time. A significant increase in any given year needs to be avoided. The surcharge for FY 2013-14 has been 77% of the sewer bill. Staff is recommending a 9% increase for 2014-15. The CSO surcharge rate would go to 86%. The annual bill impact is described above.

Subsidize the CSO Rate Increase with Timber Sale Resources

Staff has run an analysis for FY 2014-15 to reduce the CSO surcharge proceeds by \$100,000 and budget a transfer of \$100,000 from the Capital Improvement Fund to the CSO Debt Service Fund. This results in a reduction of the CSO surcharge rate increase to 3% (from 77% to 80%) with an annual bill increase of \$15.71 for FY 2014-15.

Issues Related to Using Timber Sale Revenues as a Subsidy for CSO Rates

There are four issues that come up with the notion of using timber sale proceeds to subsidize the CSO surcharge rate: 1-While reducing the amount paid by rate payers for one year, a one year subsidy makes little impact on the overall projection of future CSO surcharge debt. An annual subsidy may not be sustainable addressed as follows. 2-The watershed timber sales for FY 2014-15 are not necessarily typical of the revenues from these sales. The City received a higher than market bid for the timber cut. There is no guarantee that this level of revenue from future sales will occur. 3-The current timber cut is scheduled to be in the range of 1% to 1.5% of timber available. If this were increased to 3%, the impact on the watershed could severely impact on the quality of the City's water supply; 4-The Capital Improvement Fund resources have typically been used for the capital needs of the City's general services. The Capital Improvement Fund has limited resources to meet these needs. The Capital Improvement Fund has been used to fund major City construction projects and / or other capital intensive needs, such as vehicles. There are several capital intensive projects included in this year's City Council goals. Additionally, there are other items that have been discussed by City Council or have been identified as future needs by staff. There are a variety of uses described in the attached memo.

A resolution implementing the 9% CSO rate increase included in the FY 2014-15 budget is attached to this memorandum for Council's consideration. It is recommended that City Council provide direction as to implementation of the CSO rate increase included in the FY 2014-15 budget.

Councilor Herzig said the options were based on his suggestion. He appreciated the time and effort Staff put into analyzing the options. He understood that using \$100,000 from timber sales to reduce the surcharge would trigger a double increase in the surcharge in following years. Therefore, he did not support the option to use proceeds from timber sales. He suggested \$10,000 of the timber sales be put toward the Utility Assistance Fund so the City can continue to provide help to people who are struggling with their water and sewer bills. Within a few years, the surcharge on the water/sewer bill will be larger than the water/sewer bill itself. He believed this would be a huge challenge for the next mayor to find a way of lifting this burden off the utility users in Astoria. There must be some other way forward; otherwise, Astoria will become unaffordable for middle and low income

people. Then, amenities like a dog park will not matter as much if people cannot afford to live here anymore. He believed this was a big challenge that City Council would have to face next year.

Mayor Van Dusen reminded that the subject was the rate increase, not timber sales.

Councilor LaMear understood that even with the high surcharges, Astoria was still paying less than other cities in the County for water and sewer.

Director Cook stated that the utility bills are sent out bi-monthly, but some people believe the charge on the bill is for one month, leading people to believe the rates are higher than other areas like San Francisco.

Councilor Warr agreed with City Manager Estes and believed City Council should follow his recommendation to implement the CSO rate increase.

Mayor Van Dusen said Astoria's forefathers did a great job overall, but not on everything. When the sewer system was built, all of the raw sewage went straight into the river and Youngs Bay. This is very expensive to fix, but it is better than having raw sewage go into the natural resources.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin to adopt the resolution implementing the 9% CSO rate increase included in the FY 2014-15 budget. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(f): Water Rate Resolution (Finance)

Enclosed with this agenda packet is a resolution that sets the water rates for FY 2014-15. It indicates that the consumption charge is \$3.59 per 1,000 gallons of consumption. This charge, along with the demand charge, is the same as the previous fiscal year. There is no change in the water rates. The purpose of providing this resolution is to provide continuity with the rates charged from year to year. It is recommended that Council consider approving this resolution.

City Council Action: Motion made by Mayor Van Dusen, seconded by Councilor Warr to adopt the resolution setting the water rates for FY 2014-15 at \$3.59 per 1,000 gallons of consumption. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Alana Garner, 486 12th Street, Suite H, Astoria, said she was speaking on behalf of the Pacific Northwest Brew Cup hosted by the ADHDA. The Brew Cup is one of ADHDA's largest fundraisers. She thanked the City of Astoria, Parks Department, Astoria Police Department, and Columbia River Maritime Museum for partnering and contributing to the event, making it a success. Over 120 people volunteered between setting up on Thursday and take-down on Sunday, working almost 700 hours. According to IndependentSector.org, the value of a volunteer in Oregon is \$21.35 per hour. Final numbers are still being calculated, but the ADHDA did better than last year, when they netted about \$5,000. The ADHDA will issue a press release and photos. A volunteer committee will begin meeting monthly in February. Then, closer to next year's event, the committee will meet twice a month, and then weekly.

George McCartin, 490 Franklin Avenue, Astoria, said he assumed the contract with the Bear Creek seismic group was drafted before the last City Council meeting when the City's non-discrimination policy was approved to be applied to anyone employed by the City. He reminded that in the future, this policy must be included in the contracts. He understood the City needed to pay off the loan, but many people do not understand why the City cannot pay off the loan through a bond issue. The bond would raise property taxes, but at least property owners would be able to write it off on their federal and state taxes. This should be considered in the future, as rates go up each year. This aggravates and has an economic impact on many people.

Zetty Nemlowill, 478 Kensington, Astoria, said the last time she spoke to City Council she discussed how disappointed she was with Council. She began working implementation of the Civic Greenway Area of the Riverfront Vision Plan with the Astoria Planning Commission about a year ago. She was pleased that out of 25 blocks, 16 blocks will have no overwater development above bank height. She was glad that Councilor LaMear

opposed variances for development 500 feet out over the water; however, she still did not agree with the overlay zone between 35th and 41st Streets. There are many good aspects of the plan and it is good that Council clarified the definition of terminal in the area between 35th and 41st Streets. She thanked the Council for their work on the plan and understood that it has been a big challenge.

Mayor Van Dusen thanked Ms. Nemlowill for her work on the Planning Commission and on the Riverfront Project.

The regular City Council meeting recessed to convene the Executive Session at 8:38 pm.

EXECUTIVE SESSION

Item 9(a): ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents

The City Council will recess to executive session to discuss employment of public officers, employees, and agents.

Following the Executive Session, the regular City Council meeting was reconvened at 8:48 pm.

REGULAR AGENDA ITEMS

Item 10(a): Resolution Establishing Compensation Policy and Practice for Police Supervisors in the Classification of Sergeant (City Manager)

The Police Department has been unable to fill a vacancy for Police Sergeant. The stated reason for this from potential applicants is wages and non-salary related benefits. The difference between top step pay for Officers and top step pay for Sergeants has declined to the point where the difference given total compensation is not sufficient to recruit qualified candidates.

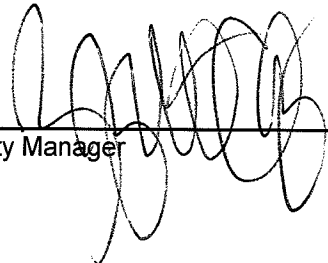
City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr to adopt the resolution setting a minimum difference of 15% between top step represented employees and top step sergeants, and further ensures the application of defined non-salaried benefits and creates incentives for the supervision and middle management certificates, retroactive to May 1, 2014. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig to change the title of Finance Director to Director of Finance and Administrative Services. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:52 pm.

APPROVED:



City Manager