

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, Community Development Director Cronin, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, Police Chief Johnston, Public Works Director Cook, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

PRESENTATIONS

Item 3(a): Captain Timmons, United States Coast Guard, to Present Letter of Reauthorization to Astoria as an Official Coast Guard City

Captain Bill Timmons, said the City of Astoria was designated a Coast Guard City in 2012 and recertification must be done every five years through a formal process. He read a copy of a letter from Admiral Paul Zukunft to the City of Astoria, informing Staff that Astoria had been recertified.

Tom, Astoria, said when he moved to Astoria, his family was only able to find a place to live because his wife kept in contact with someone who had a house to rent. Most Coast Guard members have heard of Astoria, and it was so easy for him to become a part of the community.

Captain Timmons believed the Coast Guard's association with the City of Astoria went back 139 years. During World Wars I and II, the Coast Guard was out of Tongue Point and had moved to the Warrenton Airport in 1964. The Coast Guard will continue to grow its footprint, as it has since 2010, with two, new, fast response cutters stationed in Astoria. The boats will bring an additional 75 to 100 people. The City's relationship with the Coast Guard is growing. This was his second tour to Astoria and the community has been welcoming. The last three Second Commanders have stayed in Astoria upon retiring.

Mayor LaMear said Astoria is proud to be an official Coast Guard City. Collaboration between the City and the Coast Guard is so important and it is wonderful when people retire in the community. She listed several Coast Guard members who were involved in the community and retired in Astoria. She was excited to see the new cutters come to town.

Item 3(b): Recognize Linda Ryan's Retirement after Thirty-Eight Years of Employment

Mayor LaMear said Linda Ryan had worked in Astoria's Finance Department for 38 years. She presented Ms. Ryan with a plaque and thanked her for service.

Linda Ryan said the City has always been a good place to work and thanked Mayor LaMear for the recognition.

REPORTS OF COUNCILORS

Item 4(a): Councilor Nemlowill congratulated Ms. Ryan and thanked her 38 years at the City. She thanked Captain Timmons, adding she was proud to be an Astorian, and being in a Coast Guard City made her even more proud to be an Astorian. She thanked Captain Timmons for his service.

Item 4(b): Councilor Brownson stated the Coast Guard was responsible for him being in Astoria. He explained that his father had decided to settle in Astoria after serving in the Coast Guard to work as the city engineer.

Item 4(c): Councilor Price said she had been talking to someone earlier that day about what makes a person a local. She believed being a local was a state of mind because some people come to Astoria right away and find their place. She thanked the Coast Guard members for making themselves at home in the city. She reported on her last salonical, where a constituent shared an article from the Oregonian, *Road Kill Bill Cruises Through Oregon Senate*. The article indicated that the Senate has voted 28 to 1 with 1 abstaining in favor of bill creating a pilot program where cities can petition the wildlife department to euthanize deer that constitute a public nuisance within city limits. She believed Council would hear from constituents about this in the near future.

Item 4(d): Councilor Jones thanked Ms. Ryan for 38 years of service. Work in finance is so important and he appreciated her work to keep the City strong. He thanked Captain Timmons for maintaining a close relationship between the Coast Guard and the City. He reported that he and Mayor LaMear participated in the first annual commercial fishing industry tour, which included Pacific Seafood and Da Yang Seafood processing plants, and the boat building and repair facilities at Tongue Point where two new commercial fishing boats were being built. Pacific Seafood has 170 employees, but they need 250 and are having difficulties finding employees because there is not enough available housing. Most of their employees commute from Longview. This means 170 people working full time in Astoria are taking their paychecks and community involvement elsewhere. They are seasonal workers, so building more houses is not the solution. It was great to see the maritime industry being highlighted.

Item 4(e): Mayor LaMear reported on that she enjoyed the commercial fisheries tour. She congratulated the Astoria High School Girls' Track Team for winning the State 4-A title for the third year in a row. On June 14th, she will present a proclamation to the school board. The team's performance was remarkable and gritty.

CHANGES TO AGENDA There were none.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 5/1/2017
- 6(b) City Council Work Sessions of 5/4/2017 and 5/10/2017
- 6(c) Boards and Commission Minutes
 - (1) Parks Board Meeting of 4/26/2017
 - (2) Library Board Meeting of 4/25/2017
 - (3) Historic Landmarks Commission Meeting of 2/21/17
 - (4) Historic Landmarks Commission Meeting of 3/21/2017
 - (5) Planning Commission Meeting of 2/28/2017
 - (6) Planning Commission Meeting of 4/25/2017
- 6(d) Resolution to Transfer Appropriations Within 17th Street Dock Fund Budget for FY2016-2017

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

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2018 (Finance)

Oregon Local Budget Law requires the City Council hold a public hearing on the budget, as recommended for approval by the Budget Committee. Notice of this hearing, scheduled for June 5, 2017, was published in the *Daily Astorian* on Wednesday, May 19, 2017. The budget for the City of Astoria, as discussed and recommended for approval by the Budget Committee, is ready for the City Council to consider for adoption. The changes from the proposed budget the Budget Committee considered was the Ending Fund Balance of the Capital Improvement Fund was reduced by \$40,000 and the Capital Outlay – Machinery and Equipment increased to recognize estimated cost associated with recycling containers to be placed in City parks. The

attached resolution will adopt resources and appropriations and authorize the collection of taxes at a rate of \$8.1738 per thousand for FYE June 30, 2018. It is recommended that the City Council hold a public hearing on the FYE June 30, 2018 budget as approved by the Budget Committee. After the hearing, it is recommended that the Council consider the resolution to adopt this budget.

City Manager Estes said that since the budget hearing, City Council has discussed recycling services in parks, which will be discussed during Regular Agenda Item 7(e). If Council does not elect to have recycling in parks, the funds would simply go unused during the next fiscal year. Adopting the budget as presented will not commit the City to having recycling in parks.

Mayor LaMear opened the public hearing at 7:20 pm and called for any testimony on the 2017-2018 budget.

George McCartin, Astoria, said he appreciated the people who spent many hours putting the budget together. He had grave reservations about the over weighted funding to the Chamber of Commerce and the \$100,000 shortfall in the Parks and Recreation Department. The shortage could result in many bad things happening to parks and facilities, including possible closure of the Aquatic Center. Arts and cultural programs asked for \$69,800 and the committee awarded them \$50,000. Community organizations, including Helping Hands, the Warming Center, and Harbor are in the midst of problem solving for the most needy and desperate people. They asked for \$110,400 and were given \$54,000, which is two-fifths of one percent of the \$37 million budget City Council is approving. He reminded Councilors of their fiduciary duty of handling the monies of the people. It would be shameful to ignore this large difference.

Fred Bone, 824 35th Street, Astoria, said he wanted to speak about Items C, E, F and G. [24:00]

Mayor LaMear explained that currently, City Council is taking testimony on the budget, Item 7(a). She confirmed there were no comments from the public and closed the public hearing at 7:24 pm. [24:45]

Councilor Price thanked Mr. McCartin for attending the meeting and engaging with the City. She believed the budget had been very thoroughly vetted and each Councilor had one or two items they each preferred allocated differently. The General Fund is more than \$11 million. The \$37 million figure includes grants. Fifty percent of the General Fund's revenue comes from property taxes.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill, to adopt the City of Astoria Budget for Fiscal Year Ending June 30, 2018. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(b): Resolution to Elect to Receive State Shared Revenues (Finance)

Oregon Revised Statute 221.770 requires the City to adopt a resolution to declare its intent to receive state revenue for each new fiscal year. State shared revenues include the state gas tax, alcohol tax, cigarette tax and state shared revenues. The attached resolution expresses the City's intention to receive state shared revenues for FY 2017-2018. It is recommended that the City Council consider this resolution for adoption.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Brownson, to adopt the resolution to elect to receive State shared revenues. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(c): Resolution to Adopt 2017-2018 Water and Sewer Rates (Finance)

The proposed Public Works Fund budget, as approved by the Astoria Budget Committee, provides for an increase of 6 percent in the CSO surcharge rate. There will be no other increases for water and sewer services.

The surcharge services the debt on Department of Environmental Quality (DEQ) Clean Water State Revolving Fund and Business Oregon loans that are used to finance Combined Sewer Overflow (CSO) projects.

Two resolutions, Water and Sewer (see attached), have been prepared to implement Fiscal Year 2017-2018 Water & Sewer Rules and Regulations.

It is recommended the Astoria City Council adopt the proposed Water and Sewer Resolutions for the fiscal year 2017-18.

City Manager Estes discussed the history of the federally mandated Combined Sewer Overflow (CSO) project, which began 20 years ago to stop the overflow of sewage into the Columbia River during heavy rains. Astoria was the first of several West Coast cities to enter into a formal agreement with the federal government. Upon learning that Portland negotiated a more favorable agreement, Staff contacted the federal government to renegotiate Astoria's agreement. Since then, the Public Works Department has been designing and constructing public infrastructure improvements that have reduced the amount of sewage that overflows into the river when it rains. Projects that made the biggest impacts were completed first and now the City is beginning to work on the smaller projects. In order to meet the federal mandate, these projects will continue for several more years. The utility surcharges pay for these projects, along with grants and forgivable loans.

Director Cook confirmed the projects costs to date totaled more than \$50 million.

Mayor LaMear said that was a lot of money for a community of 10,000 people. She understood people are upset about the surcharges, but it is important to everyone to protect the Columbia River. She confirmed there were no public comments.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Jones to adopt the resolution implementing 2017-2018 water rates. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Price to adopt the resolution implementing 2017-2018 sewer rates. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(d): Public Hearing and Ordinance to Vacate Portion of Alley Abutting 3115 Harrison and Adjacent Lot (Public Works)

The City received a request from Larry Haskell, for the vacation of a 20 by 100 foot portion of the alley that abuts his property at 3115 Harrison (Tax Lot 8099CA10000) and also his undeveloped lot (Tax Lot 8099CA10100) on the south side of the alley, Lots 6 & 7, Block 63, Port of Upper Astoria. Mr. Haskell would like to obtain the square footage necessary to potentially construct a duplex on the property. Upon review of the site, it was determined that there are no public utilities on or adjacent to the proposed vacation area and that the City would have no future need for this particular portion of the alleyway.

Per City Code 2.290, Authority to Make an Assessment staff calculated the real land value surrounding the portion of alleyway as \$6.87 per square foot. As has been the past practice of the City, staff is proposing an assessment of \$1,374.90 (10 percent) of the real land value (\$13,748.99) be considered for the vacation of 2000 square feet of the alleyway.

At their April 3, 2017 Council meeting, Council adopted a resolution to schedule a public hearing regarding the vacation request at the April 17, 2017 meeting. The City Attorney subsequently had some questions regarding the vacation; therefore the hearing was postponed and re-advertised for the June 5, 2017. The City Attorney's questions have since been resolved. Attached are comments and concerns expressed by property owners within the vicinity of the alleyway. It is recommended that the Astoria City Council conduct the public hearing and consider the first reading of the ordinance to vacate a portion of the alley that abuts 3115 Harrison.

Mayor LaMear opened the public hearing at 7:35 pm and called for public testimony.

Jan Faber, 3015 Harrison, Astoria, stated he was opposed to the proposal because the property is in a landslide area. Several years ago, a serious landslide came within half a block of his home, which is adjacent to the Applicant's property. An engineer had told him that the area was dangerous and the more the natural land is covered with structures, the less land there is to absorb water and prevent slides. The engineer proposed changes to his drainage system to avoid damage from the spill-off from his roof. The building proposed by Mr. Haskell would be at the base of a steep embankment between Irving and Harrison. The property is currently

covered with vegetation and trees, but if this request were approved, it would be covered with paved driveways and a building, which will increase the risk of a landslide in the area. There is already a house on the property and he is not sure why Mr. Haskell wants to increase the density in that location. His bedroom overlooks the property. In the past, Mr. Haskell has not been attentive to the renters that live in the house. Parties have gone until 2:00 am and there have been a series of illegal fireworks going off. He did not want to see another unit added to the same property.

Desiree Franco, 844 30th Street, Astoria, said she just purchased her property from her mother's estate and has lived in the house off and on for 45 years. She has seen the hillside in front, to the right, and to the back of the property slide. There is an incline behind her property that extends down to Mr. Haskell's property. She was surprised to learn Mr. Haskell owned this property. She had been told that 765 30th Street had a structure on the property until a landslide. She owns the higher ground and was concerned that this project would affect her house. Her house has cracks in the wall where her mother marked the date the toe was removed from the hill. She could show on the map where vegetation is missing from landslide areas. She was concerned that the property was not stable. Nobody should be building on the property and she was opposed to anything being done. She did not know if any geological surveys had been done. The front and back of her property is a geological zone and she did not want her house to slide.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he had two main concerns about the sale and the project that would occur after the sale. The land is unstable. He had previously sent a letter containing four maps, but the 2015 Astoria Geologic Map was not included. The geologic map clearly shows the landslide that moved in 2003. He understood there was a lot of concern about housing in town, but housing should not be created on lots not meant to be built on. This lot is in a very unstable area and putting more weight on the slide will trigger more movement. There is a fault scarp right behind the property. One of the maps in his letter showed the recent housing developments in his neighborhood, including renovations and a new house that were built one block from his. These developments have created nice homes at modest prices that people can afford. These homes have streets going to them. There are three more lots within 500 feet of his house that could be built on. This proposal is a way of getting around the minimum requirement of 20 feet of parcel with a home on it fronting a street. There is no street to that lot and he did not want his driveway turned into 31st Street to access a brand new house in a place with no streets. The City is responsible for setting up the street grid network. That lot should be left alone.

Vicki Baker, 3015 Harrison, Astoria, said she was opposed to the building project because she believed the area was a very dangerous landslide area. Her house and the street has cracks from the last landslide.

Loran Mathews, 18 27th Street, Astoria, said he owns the house at 3168 Harrison and he was involved in the 2003 landslide. He did not have any objections to the City selling land to Mr. Haskell because the City will get some money for the sale. If Mr. Haskell does build on the property, he will have to consider the geology and make sure the building is done right. The project will add housing and put more money on the tax roll.

Larry Haskell, Astoria, said he moved to Astoria in 1969 and bought the house at 3105 Harrison in 1974. A few years later, he bought the house at 3115 Harrison. In 2000, he and his wife began the vacation process so they could build a new retirement home on the property and do something else with the property at 3105 Harrison. Since then, his wife has passed. They were unable to get the City to allow them to build on that property. The portion to be vacated is the flattest part of the lot and he did not want to build into the hillside. He believed he could contribute to the community by building a duplex. Now, the City is willing to consider the potential of his proposed project. He knows one of his first steps would have to be getting a geologic survey done. This would be an extra expense, in addition to the purchase price of the land. He did not know if he would live long enough to see his dream come to fruition. He still wanted to contribute to the community and leave something when he passes. He believed replacing an old house with a small new house at 3115 Harrison would be a contribution to the community.

Mayor LaMear confirmed there were no more public comments and closed the public hearing at 7:48 pm.

Councilor Price confirmed that the existing house would be demolished and a new house would be built into the portion to be vacated because that part of the lot was flat. She also confirmed the property to the south was owned by Mr. Haskell.

Mayor LaMear asked Mr. Haskell to show on the map where he intends to build.

Mr. Haskell pointed out the portion to be vacated and his property lines. He purchased his property at auction from the county in 2005 so that he could have more space. However, he does not have enough space to build unless he has control over the portion to be vacated. This was important to him and his wife. They had planned to build a house that faced the river. He did not want to take very much of land away and would build where ever is necessary according to the geologic reports. He showed on the map where he wanted to build a duplex.

Director Cronin confirmed for Councilor Price that the neighborhood was part of a historic inventory, but he was not sure if the house at 3115 Harrison was designated as historic. Research would be necessary to determine whether the house was considered contributing. City Manager Estes added if the house were historic, demolition would have to be approved through a public hearing held by the Historic Landmarks Commission. If the house was not historic, a demolition permit could be issued by the Building Department.

Councilor Jones reminded that Council is not considering a building permit. The City has a governing body and a process for issuing building permits. City Council is considering a transfer of ownership. If Council approved the request, the owner would have to go through a process to build and the proper authorities would assess whether it was safe to build in that location. He did not believe Council should make a decision based on whether they believe the property is appropriate for a building project. Council should consider whether the City needs to retain ownership of the alley. Staff has indicated the City has no current or future need for the property, so he did not see any reason to refrain from vacating the property. If the Applicant decides to pursue building, he will have to jump through some hurdles.

Councilor Brownson agreed with Councilor Jones. He trusted Staff to make the right decisions when these issues come before them.

Councilor Nemlowill believed there were two separate issues, the property vacation and the building project. However, the neighbors' concerns have indicated the project would be risky, so she did not support the property vacation.

Mayor LaMear said she understood both sides. She was moved by Mr. Mathew's testimony because he lost his house in the last slide. She expected him to be opposed to the property vacation, but he supported it. City Council does not want to see another landslide take houses. However, she agreed with Councilor Jones that City Council is only considering the vacation. Mr. Haskell would have to go through many hoops before he could build. She planned to vote in favor of the proposal.

Councilor Price asked if the area to be vacated could be cleared without a permit. City Manager Estes said the City does not require any permits to cut trees on personal property. Councilor Price said she was opposed to the vacation because she believed the property was a toe of the hill, the neighbors are concerned, there are access issues, and the property would become a street instead of a driveway.

Councilor Brownson said he did not see how two houses could be built on the property. Mr. Haskell's house is almost encroaching on that area already and the setback is not appropriate. He did not believe it was City Council's job to pre-judge Mr. Haskell's ability to build on the site. The City has Staff to make that determination. Many of the available houses in Astoria have huge challenges and he wished Mr. Haskell luck at pursuing his dream because he believed it would be difficult. Even if something new is built, it will not be much more than what already exists. He did not believe the City would put any resident in danger.

Councilor Price said she tried not to address building and agreed that was not City Council's job. She was addressing the potential removal of vegetation in an area that recently slid. Councilor Brownson noted the adjacent property owners could also clear their trees.

Councilor Price asked if the City could be held liable if they approved the vacation and then a landslide occurred. Councilor Brownson explained that every time the Community Development Department is asked to consider a project in a landslide area, due diligence must be done. This is not a unique situation for Astoria.

City Attorney Henningsgaard reminded that Mr. Haskell already owns the property, but it is subject to the public's right to access through the property. Half of the right-of-way is occupied by a driveway and parking lot. The

property is not an alleyway or easement that is used by the public. The property can only be accessed via private property, so the public cannot access it. City Council must decide if there is any public interest in maintaining the public's right to travel over the property.

Councilor Price understood this meant the owner could clear-cut the property without the vacation. City Attorney Henningsgaard said the only thing the owner was prohibited from doing is block the public's access. However, the public does not currently have any access.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Brownson to conduct the first reading of the ordinance to vacate a portion of the alley that abuts 3115 Harrison. Motion carried 3 to 2. Ayes: Councilors Jones, Brownson, and Mayor LaMear; Nays: Councilors Price and Nemlowill.

Director Brooks conducted the first reading of the ordinance.

Item 7(e): Resolution Establishing Rules, Regulations, Rate Changes, and Conditions for Solid Waste Service (Public Works)

The City's franchise agreement with Recology requires them to render financial statements and rate review of the Solid Waste Collection Franchise no later than April 30 each year. The annual rate review was received April 3, 2017 and presented to Council at the May 15, 2017. It was noted an increase of 2% would be required for medical waste collection, which is a pass through from the vendor contracted for this service and a reduction of 2.74% for the debris box, and compactor ton rate for garbage collection was noted by Recology.

In addition, Council considered four options for A) garbage collection in City parks, B) garbage and recycling collection in City parks, C) curbside glass collection and D) curbside yard debris collection (vegetable peels, rinds and trimming but no food waste). Council requested rate schedules for the new fiscal year to include Option A only. The rate schedules incorporating the medical waste collection, debris box and compactor ton rate changes and addition of garbage collection in City parks are contained in Exhibit A of the attached resolution to be effective July 1, 2017.

Mayor LaMear called for public comments.

Vicki Baker, 3015 Harrison, Astoria, said she was in favor of curbside glass collection because glass is one of the hardest materials to get to the receptacles at the transfer station. Glass does not disappear from a landfill. She also supported recycling at parks, at least on a trial basis. She understood the concerns about people putting trash in recycle bins, but she believed it was worth trying.

Jan Faber, 3015 Harrison, Astoria, said he supported curbside glass recycling. The easier things are for people, the more likely people will do them. His household tries to separate their glass and take it down to the transfer terminal. He spends part of the year in another town where glass is collected and many people properly dispose of their glass because it is so easy to do. He understood concerns about price increases, but the amount would be negligible on the monthly bills compared to the hassle of taking glass to the transfer terminal. He asked Council to institute curbside glass recycling.

Renee Johnson, 309 Lexington, Astoria, said she agreed that curbside glass pick up would be a great addition. Plenty of people throw glass away because it is a hassle to take it to the transfer station. She asked Council to consider approving yard debris pick up as well. Organic material decomposing in a landfill produces methane gas, which is a significant environmental impact. Even though yard debris can be dropped off for free, there are many people who do not have trucks or do not want paper bags full of debris piling up in their yard. She understood the cost increases would be based on a percentage of waste. As the Sustainability Director of Fort George, she would like to develop education partnerships so that people with the larger garbage cans have the opportunity to learn how to reduce their costs. This will make garbage services more affordable and viable.

McLaren Innes, 4807 Birch, Astoria, said she has been pleased with Recology's residential services and was happy to hear the services can improve. She supported all recycling services. She believed that an educational outreach would help capture as much as possible from the landfill. This is a great way to start considering garbage pickup in parks. She asked Council to approve the resolution.

Chris Haefker, 687 12th Street, Astoria, said glass pick up would make his life a lot easier. He manages many households and is tired of rummaging through the trash to take out the glass and transport it to the proper bin. After the last City Council meeting, he discussed recycling with his daughter. The following day, she took a poll in her classroom, where only two kids objected to recycling. She gave a petition to Director Cronin. He believed the City had a duty to young people to make sure the proper things are done to hand off the planet in a better condition. It is the City's responsibility to offer curbside glass and compost pickup.

Fred Stemmler, 1790 Williamsport Road, Astoria, said the numbers stand out to him because he is a certified public accountant. He recognized that any change has a monetary impact on Recology's customers. If all of the options presented were approved, the rate adjustment would be an additional 17.2%. For a 90-gallon weekly customer, the cost would increase by several dollars per month, which is significant. However, there would also be a net reduction of services. A customer with yard debris and glass collection would allow a 90-gallon weekly customer to go to every other week, which would net a \$15 per month savings.

Councilor Price asked what percentage of people has 90-gallon containers. Mr. Stemmler replied he did not have the exact percentages, but the 90-gallon weekly, 90-gallon every other week, and two-yard containers for commercial were the top three subscriptions. The rate change for a 32-gallon weekly customer would be an increase of \$3.86 per month with the addition of yard debris and glass collection. Changing to every other week with these additional services would drop the rates from \$43 to \$28 per month.

Councilor Jones confirmed the yard debris and glass pickups would be staggered to make the most efficient use of Recology's trucks. Mr. Stimler said yard debris is picked up twice each month and glass is picked up once a month. A 32-gallon container is adequate for most residential customers and more services are offered to higher volume customers, which are usually businesses.

Councilor Nemlowill said she had been collecting vegetable scraps to take to the transfer station and recently saw a rat in her garage. Her husband has been too busy to take the scraps and it would be great if Recology could come pick them up. She had been looking into the benefits of composting and learned that humans and landfills are the largest causes of greenhouse gasses. Refraining from throwing away organic materials could reduce greenhouse gasses for future generations. A couple of dollars is a small price to pay for a healthy planet and she believed the right thing to do is to have curbside glass and compost pickup. The parks could really use garbage collection as well. Saving money while saving the planet is a win/win.

Mr. Stimler said over a third of what people throw away is organic. The compost program is for Type 1 compost, which is any material that can be grown. Compost is allowed in yard debris, but prepared foods and meat are not allowed because they require a different amount of heat and time to break down.

Mayor LaMear said she supported glass pick up, but was not sure about compost because she has a compost bin. Mr. Stimler said the rate adjustment for a customer that only added glass pick up would be 6.8 percent.

City Manager Estes explained that the resolution implemented garbage pickup in parks and the items required in Recology's rate review. Director Brooks had distributed rate sheets for other options. Staff needs specific direction on which rate sheet should be added to the resolution.

Mr. Stimler added that rate adjustments would be suspended until the approved services were available.

Councilor Jones stated at the last meeting, he was not ready to vote in favor of Councilor Nemlowill's motion to add glass and yard debris pickup. Since hearing feedback from the public, he has ready to support the motion.

Councilor Brownson also supported glass and yard debris pick up. When his family of three had all of these services, they only filled a 32-gallon container once a month. He appreciated Fort George's offer to provide education.

Councilor Price believed education was important. She asked if Recology planned to propose a rate increase next year if the new recycling services resulted in a loss of revenue this year.

Mr. Stimler stated the franchise ordinance requires Recology to meet a target rate of return with a floor and ceiling. In his experience, changes have always been gradual. This program introduces sustainable steps, so time would tell. However, the finances would not change drastically.

Councilor Price was concerned City Council was raising fees in all departments. All rate increases add up. The \$3.00 Parks fee was more important to her than the garbage fees. She hoped Council was concerned about their constituents as they consider affordable housing and raising fees throughout the City's services. The most progressive cities in the United States are those that have the biggest housing problems. Offering services can be expensive and she was not sure Council had thought about that well enough.

Councilor Nemlowill believed this was an ambitious diversion goal, but the increased fees would enhance services while providing residents with the opportunity to lower their garbage bills.

Mayor LaMear said she was not convinced yard debris pick up was important, so she would vote against the motion.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Jones, to adopt the resolution establishing rules, regulations, rate changes, and conditions for solid waste service, to include trash pickup at parks and curbside glass and yard debris pick up. Motion carried 3 to 2. Ayes: Councilors Jones, Nemlowill, and Brownson; Nays: Mayor LaMear and Councilor Price.

Item 7(f): Discussion to Implement a Parks and Recreation Fee (Parks)

At a prior City Council meeting, it was proposed by Councilor Price to have a \$3 per water meter Parks and recreation Fee for residential customers only. Mayor LaMear has added this item to the agenda for council discussion. Mayor LaMear has requested that staff work to develop the necessary ordinances/resolutions needed to implement this fee so that Council could potentially take action.

After review, it has been determined that an amendment to the City Code as well as a resolution would need to be prepared. Staff is preparing draft language and will present this draft language for review at the City Council meeting. If Council wishes to take action on this, it will be brought back at a subsequent meeting.

It is recommended that City Council provide direction on implementing a \$3 Parks and Recreation Fee.

Councilor Price explained that the City is looking for funding to get the City to a sustainable level. She recommended this fee sunset in three years with the option to renew it. In the mean time, she hoped the City could find a solution that was more equitable and sustainable. She wanted residents who participate in the utility assistance program to be exempt from paying this fee.

Councilor Jones confirmed the fee would only be charged to residential customers, so local business owners would not also be assessed the fee on their commercial account. Councilor Price added that the majority of businesses in Astoria were sole proprietorships and the owners are residents of Astoria. Business owners are already paying increased fees for things like signage.

Councilor Jones said he preferred that every water meter be assessed the fee and allow residents who are local business owners to only pay for one. City Manager Estes said Staff could develop a process for issuing rebates.

Councilor Brownson suggested that local business owners show their home address in Astoria to Staff and Staff cross them off the list. City Manager Estes recommended an exemption process be initiated by the business owner.

Councilor Price said the Parks Department has an urgent need for funding and she was looking for a simple and inexpensive solution. She also wanted the solution to be a low burden on Staff.

Councilor Nemlowill believed Director Cosby had done a good job of demonstrating that the Parks Department does not have enough resources. The department needs to be more sustainable so that it can operate into the future. Based on the last meeting to discuss funding, she did not believe the utility fee would move ahead. She appreciated Councilor Price's work, but she did not believe this was the right way to raise money for Parks. A surcharge on the water bill does not relate to parks, so she did not think the fee was fair. The increase on

garbage fees will enhance services to the people paying those fees. Other funding options being explored for the Parks Department are better than a water fee.

Mayor LaMear believed it would be critical to exempt people in the utility assistance program. Many people already tell her the water and sewer rates are so high and the CSO surcharge will continue to increase. She recommended that the water fee sunset if another funding source is implemented, like a lodging fee. Visitors should be paying the fee because they use the Riverwalk, the Trolley, the baseball fields, and many parks and recreation facilities. She would support the fee only if people on the utility assistance program were exempt and if the fee sunsets when another funding source is implemented.

Councilor Price stated the intent of the fee was to make Staff's proposed "life raft" budget work. If the transient tax were increased by three percent, tax revenue would increase by about \$660,000. The State mandates 70 percent of that goes into the Promote Astoria Fund and 30 percent goes into the General Fund. A broad definition of tourist related programs and services could assist the Parks Department. She wanted \$250,000 in transient room taxes to go to the Parks Department. However, the City is still \$100,000 short of the \$450,000 budget. This \$3 fee would provide the \$100,000. It is a temporary solution that would give the City needed resources for the Parks Department.

Councilor Brownson said Parks urgently needs funding in order to keep things going and all of the other funding options discussed at the work session would take time. Without funding now, the pool might be closed in six months and Staff might leave. However, he was concerned that Council continues to raise fees. He agreed that as soon as a better funding source is implemented, the water fee should cease. The City needs to come up with a good, long-term, sustainable solution for the entire Parks Department. But in the mean time, the City needs to keep what it has going. The people of Astoria have shown huge support for parks and it is up to Council to make sure the parks are sustainable.

Councilor Jones said he has received mixed reactions to this proposal. Several people have said they would be happy to pay \$3 a month, while others are very upset about the fee. At the work session in February, he stated he was in favor of a utility fee and Council was unable to adopt a fee on the electric bills. He did not believe a utility fee was an inappropriate way to help fund the Parks Department. It is important for the City to take a broad approach to balance the Parks budget. Director Cosby has made numerous cuts and efficiencies without Council's help and he was glad the lodging tax increase was being considered. It is important to spread the burden among the visitors, residents, and others. He was also in favor of a sunset provision.

City Council Action: Motion made by Councilor Price to direct Staff to revise the draft resolution implementing a \$3 water fee to exempt customers in the utility assistance program and implement a 3-year sunset. The motion died for lack of a second.

Mayor LaMear preferred the fee sunset when another funding source for Parks is implemented, rather than in three years.

Councilor Price said the City was unsure if the transient room tax increase would provide \$100,000.

Councilor Jones believed the water fee should be in effect for at least 12 months before the situation is reassessed.

Councilor Price believed it might be reassuring to set a definite time period.

Mayor LaMear said she would support a one-year sunset with the option to renew the fee.

City Attorney Henningsgaard reminded Council that fees are reviewed every year. Council's first step would be adopting an ordinance that sets the parameters of the fee. The second step would be to adopt a resolution adopting the fee. The fee will be reviewed every year when the fee resolution is adopted.

City Council Action: Motion made by Councilor Price, seconded by Councilor Brownson, to direct Staff to revise the draft ordinance and resolution implementing a \$3 water fee to exempt customers in the utility assistance program and to be reviewed annually. Motion carried 4 to 1. Ayes: Councilors Price, Jones, Brownson, and Mayor LaMear; Nays: Councilor Nemlowill.

Mayor LaMear called for a recess at 8:55 pm. The City Council meeting reconvened at 9:02 pm.

Item 7(g): Resolution to Adopt Ocean View Cemetery and Library Fee Updates (Parks, Library)

To assist with providing excellent service to our community Library staff has reviewed fee charges and submit the changes annotated in Schedule E. The decision to adjust fees directly correlates to service provision with an overarching goal of removing barriers for all citizens of Astoria.

The Parks and Recreation Department charges fees to assist in the cost recovery of the Department operations. The Department's budgeted cost recovery for the 2016-2017 fiscal year is 55 percent. Resulting in a cost recovery rate of nearly double the national average and top-quartile standing for revenue generation per capita. The Parks and Recreation Department is able to achieve this high cost recovery and revenue generation due to fee increases, business practices, and innovations.

Currently the Astoria Aquatic Center and Astoria Recreation Center sells youth, senior, adult and family monthly passes for Aquatic Center services and group fitness classes at the Recreation Center. To attract new customers, increase revenue and support organizations and business increase employee's health, wellness and productivity. Parks and Recreation Department staff proposes implementing a bulk buy discount of 20% to the monthly Aquatic Center, Recreation Center, and Land and Water Passes when sold in a quantity of 20 or more per transaction.

On April 6, 2015, the Astoria City Council amended the fee schedule to approve a 40 percent increase effective April 7, 2015 – June 30, 2015 and then an additional 10 percent increase for Fiscal Year 2015-2016 for the services provided at Ocean View Cemetery. Fees were increased for fiscal year 2016-2017, which took place in July 2016 and were approved by council in December. The Parks and Recreation Department also proposed increasing the fees by 10 percent every fiscal year beginning 2016 to fiscal year ending 2022.

Fees for services at Ocean View Cemetery have fallen behind the national, state, and local standards. As a result, the costs of services at Ocean View Cemetery (at the current level of service) are greater than the fees charged for those services. This fee increase began closing the gap between fees charged for services versus the cost of services. It is proposed that fees be increased by an additional 10 percent effective July 5, 2017. The fee adjustments are shown in the following attachments.

It is recommended that City Council approve the resolution amending the fee schedule for Library and Parks Services.

City Manager Estes noted an item in the memorandum was inadvertently excluded from the resolution, a proposal by the Parks Department to offer a bulk buy discount of 20 percent to the monthly Aquatic Center, Recreation Center, and Land and Water passes when sold in quantities of 20 or more. Director Cosby believes the bulk discount would increase the number of services provided and attract new customers. The City Attorney has confirmed the bulk buy discount could be added to the resolution immediately. Staff recommended that City Council approve the fee resolution, as amended with the addition of the bulk buy discount.

Director Cosby explained that large organizations have asked about employee health and wellness programs. The bulk buy discount would increase revenue and users while making the community healthier. A 20 percent discount would be applied when 20 or more monthly passes are purchased.

Councilor Nemlowill confirmed that the Northcoast Swim Club could be saving money with this discount. Councilor Brownson added that this discount would mitigate against the increase in fees charged to the swim club while bringing in additional customers. Councilor Nemlowill stated the organizations that have been talking to Staff about this discount might not take advantage of it. Then, the City would just end up getting less revenue from the swim club. It is a shame that the City had to put the swim club through a debate over the fee changes and now City Council is considering this discount.

City Council Action: Motion made by Councilor Price, seconded by Councilor Jones, to approve the resolution amending the fee schedule for Library and Parks Services, as amended with the Parks Department bulk buy

discount. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(h): Adoption of McClure and Shively Park Site Master Plans (Parks)

The Parks and Recreation Department's Comprehensive Master Plan recommends completing site-specific park plans at several locations. The process would allow the Department to plan for specific improvements and new development, as well as long-term maintenance at each site.

During the community input process for the Parks and Recreation Comprehensive Master Plan, the public was asked to prioritize sites in need of master plans. Shively Park ranked as the community's highest priority and a need to balance the park's rich history with a low maintenance and accessible design that meets the community's needs. McClure Park ranked as the second highest priority for site master plans with the community. The Friends of McClure Park have been active in fundraising to make improvements and add amenities. A master plan for McClure Park would ensure that new development is supported by the community and Parks and Recreation Department and that it can be cared for and adequately maintained into the future.

Attached to the memo are the completed draft master plans. On May 24th the City of Astoria's Parks, Recreation and Advisory Board reviewed the McClure Park and Shively Park Site-Specific Master Plan reports, including summary, community engagement, site analysis, master plan, implementation and appendix. Following this review the Advisory Board unanimously provided their recommendation for adoption and provided feedback, stating that the City needs to resolve the Parks and Recreation budgetary problems and create a sustainable department before pursuing other Parks and Recreation Department agendas.

It is recommended that the City Council accept the Shively Park and McClure Park Site-specific Park Master Plans.

Director Cosby gave a brief PowerPoint presentation on the site-specific park improvement plans for McClure and Shively Parks, all of which is grant funded. Her presentation, which was included in the agenda packet, reviewed the planning process, community engagement sessions, design concepts, and adoption of the plans by the Parks Advisory Board.

Councilor Nemlowill asked why the option without the swing set was chosen for Shively Park. Staff's notes indicated there was support for the swing set. Director Cosby said there was no support for the location of the swing set. When the consultants considered how many people responded to the question about the location of the swing set, they found the quantity was lower than the amount of people who indicated they wanted a larger patio or no swing set in the grassy area. The plan as proposed would not allow the existing swing set to remain. She confirmed that implementing the Shively plan would cost \$1.6 million and the McClure plan would cost \$640,000. City Manager Estes added the plans would make the City eligible for grant funding from the State.

Director Cosby confirmed that implementation of each plan would be done differently because McClure Park has a very active Friends of McClure Park group. The McClure plan was developed with the intent of the City moving forward together with the Friends group. The Shively plan will have to be implemented when the Parks Department is in a more sustainable situation.

City Manager Estes noted that a subsequent agenda item was an agreement with Friends of McClure Park to initiate the improvements. Additionally, he received a phone call from someone who would like to donate a park bench in McClure Park. Other improvements could be made incrementally by allowing individuals to donate in similar ways.

Mayor LaMear believed the master plans had been well thought out, and the community had a lot of input. She commended the Friends of McClure Park because the group has united the neighborhood.

City Council Action: Motion made by Mayor LaMear, seconded by Councilor Jones, to adopt the Shively Park and McClure Park Site-specific Park Master Plans. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(i): Slide Maintenance Agreement with Friends of McClure Park (Parks)

The City has been working with the Friends of McClure Park (FOMP) since 2013 to coordinate maintenance and site improvements in McClure Park located at 701 Franklin Avenue. FOMP has provided a tremendous service to the City by assisting in the Park's care and upkeep. FOMP members regularly pick up litter, mow grass, hold events to promote awareness about the park, and have sponsored and supported improvement projects; such as leveling and re-seeding the central grass area. FOMP has fundraised over \$30,000 to construct an embankment slide on the hillside along the south side of the Park. After construction and installation is finished, the City will inspect the project for compliance with all City requirements and approve the project as complete. FOMP will then dedicate ownership of the equipment to the City and provide a document accepting the improvements by the City will be presented to the City Council for approval at that time. The proposed Memorandum of Agreement states that FOMP will support the City to maintain the equipment and associated improvements for the life of the slide.

The attached Memorandum of Agreement has been reviewed with the Friends of McClure Park and is acceptable to them. City Attorney Henningsgaard has reviewed the Agreement as to form. The Parks and Recreation Advisory Board reviewed an earlier iteration of the agreement and included more specificity as to maintenance to be provided by FOMP, however following Parks Board review the Friends of McClure Park board requested revisions to its current language. It is recommended that the Astoria City Council consider construction of the improvements within McClure Park by the Friends of McClure Park and subsequently consider authorizing the Mayor to sign the attached Memorandum of Agreement.

City Manager Estes stated the agreement allows for a deferment of the installation of the ADA accessible trail. The City Attorney wanted Council to be aware of the deferment option in case any issues are raised by members of the public.

Dave McElroy, 634 Grand, Astoria, said it had been a long five years and he hoped the City was ready to move forward. FOMP is trying to be a partner to the Parks Department and he believed they had built a good relationship over the last five years. Based on changes made over the last two years, FOMP wants to implement the ADA path at the same time the slide is installed. This will save money on the contractor. FOMP believed the path could be installed over the summer if the agreement is approved now.

Councilor Nemlowill said Astoria was lucky that Mr. McElroy started the FOMP and did all of the fundraising. Her family looks forward to the slide.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill, to approve the construction of improvements within McClure Park and authorize the Mayor to sign a Memorandum of Agreement with Friends of McClure Park. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

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

Sean Fitzpatrick said in the past he had asked Council if fencing could be installed along the chair wall on the portion of Exchange Street between 12th and 13th Streets. The fencing has recently been installed and it looked great. He thanked City Council, City Manager Estes, the Public Works Department, and the Police Department for getting the fencing installed. His tenants, neighbors, employees, the Parks Department, and Police Department appreciate that they no longer have to clean up the area.

Loran Mathews, 1820 7th Street, Astoria, said as a Budget Committee member, he understood the problems in the Parks Department. He has heard many comments about the condition of the cemetery this Memorial Day. Staff was mowing on the previous Friday, but he and others had to weed-eat and mow around gravestones that were surrounded by tall grass. People were already decorating on Friday. He understood the problems, but hoped that the new fees would go towards the cemetery so the same situation does not occur next year.

Norma Hernandez, 92335 Youngs River Road, Astoria, thanked City Council for considering the fees. She understood the situation was difficult for Councilors, but it would be more difficult for the members of the community who will not be able to participate in programs if the City does not follow through. She is a product of the Parks and Recreation Department in San Juan, Puerto Rico, where services and programs were free. She was able to learn swimming, which gave her the opportunity to earn money as a teenager. She also did a lot of sports when she was young. You never know whom you are cultivating when you offer programs and services.

She was with the parks department for eight years and wanted kids in this community to have the same opportunities. She understood the opposition to more fees, but what else could the City do? Without fees, the City would have to give the department more money. The community builds parks and the City needs to service the community. The people who are affected the most are the low-income families because they cannot afford to pay those fees. The City is responsible for making people happy and showing them that the City government is taking care of them. She understood this was a lot and Council has inherited issues they did not put in place. However, the City and the community has to work together to move forward. The Parks Board is committed to following the rules and making sure everyone is taken care of, including City Council. She thanked Council, the Parks Board, and Staff. Parks Staff is amazing and Council does not know how hard they work. Director Cosby works 90 to 100 hours a week and that is not quality. The community deserves a quality life.

City Council recessed to convene the Astoria Development Commission meeting at 9:32 pm.

The City Council meeting reconvened to conduct the Executive Session.

EXECUTIVE SESSION

Item 9(a): ORS192.660(2)(h) – Legal Counsel

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

ADJOURNMENT

[2:50:37]

There being no further business, the meeting was adjourned at 9:50 pm.

ATTEST:



Finance Director

APPROVED:



City Manager