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# AGENDA

## ASTORIA CITY COUNCIL WORK SESSION & REGULAR SESSION

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April 20, 2015  
7:00 p.m.  
2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street \* Astoria OR 97103

### **6:00 P.M. WORK SESSION**

1. CALL TO ORDER
2. ROLL CALL
3. LIBRARY GOAL
4. ADJOURNMENT TO REGULAR SESSION

### **7:00 P.M. REGULAR SESSION**

5. CALL TO ORDER
6. ROLL CALL
7. REPORTS OF COUNCILORS
8. CHANGES TO AGENDA
9. PRESENTATIONS
  - (a) Pacific Power
  - (b) Friends of the Column
10. CONSENT CALENDAR

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

  - (a) City Council Minutes of 3/16/15
  - (b) City Council Work Session Minutes of 3/16/15
  - (c) City Council Special Meeting Minutes of 3/6/15
  - (d) Boards and Commissions Minutes
    - (1) Historic Landmarks Commission Meeting of 3/17/15
    - (2) Planning Commission Meeting of 1/27/15
    - (3) Traffic Safety Committee Meeting of 1/27/15
  - (e) Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)

**11. REGULAR AGENDA ITEMS**

- (a) Motion to Intervene Out-of-Time – Oregon LNG Liquefied Natural Gas Terminal and the Oregon LNG and Washington Expansion Project Pipelines (City Council)
- (b) Authorization to Purchase Equipment Trailer (Public Works)
- (c) Astoria Headworks Hydroelectric Project Pay Adjustment #2 (Public Works)
- (d) Spur 14 Water Line – Public Hearing for Design Service Contract Amendment (Public Works)
- (e) Aerial Fire Truck Options (Finance/Fire)
- (f) Salary Resolution Establishing Basic Compensation Plan Wage Adjustment for Deputy Police Chief (City Manager)
- (g) City Council Rules

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

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE YUILL, CITY MANAGER'S OFFICE, 503-325-5824.**



April 16, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF APRIL 20, 2015

**6:00 P.M. WORK SESSION**

**Item 3: Library Goal**

City Manager Estes and Library Director Tucker will present locational criteria used by design professionals in locating potential library sites. Staff will also ask Council if there are other local criteria to be used in helping to determine an appropriate site for a renovated library. These criteria will be used to assist in guiding discussion regarding implementation of a library City Council goal.

**7:00 P.M. REGULAR SESSION**

**PRESENTATIONS**

**Item 9(a): Pacific Power**

Sheila Holden, Regional Community Manager for PacifiCorp, will make a presentation regarding Pacific Power activities.

**Item 9(b): Friends of the Column**

Jordan Schnitzer, President of the Friends of the Column, will provide a report to the City Council.

**CONSENT CALENDAR**

**Item 10(a): City Council Minutes**

The minutes of the City Council meeting of March 16, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 10(b): City Council Work Session Minutes**

The minutes of the City Council work session of March 16, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 10(c): City Council Special Meeting Minutes**

The minutes of the City Council special meeting of March 6, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 10(d): Boards and Commissions Minutes**

The minutes of the (1) Historic Landmarks Commission meeting of March 17, 2015, (2) Planning Commission meeting of January 27, 2015, and (3) Traffic Safety Committee meeting of January 27, 2015 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

**Item 10(e): Dr. Edward Harvey Historic Preservation Award Nominations (Community Development)**

The City of Astoria Historic Landmarks Commission is seeking nominations for the Dr. Edward Harvey Historic Preservation Award. The award is presented each year to recognize a property owner(s) who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. The work must have been completed within the last two years. Nominations may include residential, commercial, public, and other types of buildings. The awards will be presented by the Mayor in June. Anyone wishing to submit a nomination should contact Sherri Williams at the City of Astoria, 503-338-5183 / swilliams@astoria.or.us, or send a nomination (no form required) to the Community Development Department, City of Astoria, 1095 Duane Street, Astoria OR 97103. Nominations must be received no later than 5:00 p.m. on April 30, 2015.

**REGULAR AGENDA ITEMS**

**Item 11(a): Motion to Intervene Out-of-Time – Oregon LNG Liquefied Natural Gas Terminal and the Oregon LNG and Washington Expansion Project Pipelines (City Council)**

Councilor Cindy Price has requested that the "Motion to Intervene Out-of-Time" regarding Oregon LNG and the Washington Expansion Project Pipelines be placed on the Council's April 20, 2015 agenda for consideration. Mayor LaMear subsequently coordinated with City Attorney Henningsgaard regarding this matter. A draft Motion to Intervene is included in the packet for Council consideration.

**Item 11(b): Authorization to Purchase Equipment Trailer (Public Works)**

The Public Works Department has a 1973 Hyster tilt-bed trailer to transport the bulldozer, backhoe, pipe and other equipment from town to the watershed, job sites, or occasionally out of town for equipment repair. The trailer has reached the end of its useful life and is becoming a safety hazard. Staff researched the market and found the Interstate Trailer Model 40DLA Beavertail Trailer would best meet the needs of the Department. This trailer is available from Sonsray Machinery in Portland through the Houston-Galveston Area Council. Funds for the trailer are included in the current fiscal year budget. On April 9, 2015, a notice of the City's intent to establish a contract for an Interstate Trailer Model 40DLA Beavertail Trailer through HGAC was advertised in *The Daily Astorian*. No comments were received. City Attorney Blair Henningsgaard has approved the process. It is recommended that Council approve that Public Works staff purchase a Beavertail trailer for \$23,400 from Sonsray Machinery.

**Item 11(c): Astoria Headworks Hydroelectric Project Pay Adjustment #2 (Public Works)**

On July 21, 2014, the City Council awarded a construction contract for #348,400.00 to PCR, Inc., for the Astoria Headworks Hydroelectric Project. The project was funded by grants from the Oregon Energy Trust, Pacific Power's Blue Sky Program, and the Oregon Infrastructure Finance Authority. The project is now complete and the hydroelectric generator is fully operational. On-line monitoring may be accessed on the City website at [www.astoria.or.us](http://www.astoria.or.us) by clicking the "Current Projects" button located on the lower left corner of the home page.

During the course of the project there were adjustments and changes required to complete the work. Following is a description of the change orders that were required:

Pay Adjustment #1 (paid earlier in the project):

- \$7,968.88 – *Additional meter base and disconnect*

Pay Adjustment #2:

- \$1,361.65 – *Additional conduit due to vault orientation*
- \$740.00 – *Permit fees*
- \$14,395.14 – *Re-route drain line*
- \$1,062.15 – *Move Disconnect around corner*
- \$952.81 – *Additional support anchors*
- \$328.95 – *Added Flashing/Heat Shield*

It is recommended that the City Council authorize Pay Adjustment #2 which will result in a contract increase of \$18,840.70.

**Item 11(d): Spur 14 Water Line – Public Hearing for Design Service Contract Amendment (Public Works)**

The Public Works Department has been working with the Oregon Health Authority – Drinking Water Program to comply with the United States Environmental Protection Agency’s (USEPA) on Phase 1 of the Disinfectant and Disinfection Byproducts Rule. Phase 2 of this rule recently went into effect. This phase more stringently regulates the levels of byproducts formed when disinfectants (typically chlorine) react with naturally occurring-materials in the water. The USEPA supports regulation of disinfection byproducts (DBP) based on a potential association with chlorinated drinking water and some health risks.

On two occasions the City slightly exceeded the limit of one regulated DBP. The primary reasons for this exceedance include the characteristics of our source water and the significant retention time associated with our reservoirs. Because of this, the City enlisted the technical assistance of CH2M Hill to evaluate methods to reduce DBP levels. City staff and CH2M Hill have developed a plan to collect water from Spur 14, the best available location within the watershed, which currently feeds the Middle Lake Reservoir and a tributary to Bear Creek. The project would allow a portion of water to be directly piped to the existing Middle Lake Pipeline allowing direct use of our highest quality water source.

CH2M Hill was initially chosen to assist on this project because of their familiarity with our system, past experience with DBPs, and available resources. CH2M Hill provided a proposed scope and fee for completion of design and bidding assistance for the Spur 14 Water Line Project. A summary of project costs related to design and bidding services are as following.

| <b>Task</b>                                 | <b>Status</b>   | <b>Amount</b>      |
|---|-----------------|--------------------|
| Topographic Survey – HLB Otak               | Completed       | \$5,000.00         |
| Preliminary Design and Report – CH2M Hill   | Completed       | \$9,000.00         |
| <i>Final Design and Bidding – CH2M Hill</i> | <i>Proposed</i> | <i>\$53,000.00</i> |

Funding for these services is available in the Public Works Improvement Fund. Construction of the Spur 14 Water Line Project is estimated to cost \$210,000 and fees for construction support services will be presented when staff requests authorization to bid the project. Staff strongly believes that it is in the best interest of the City to process a contract amendment with CH2M Hill for the Spur 14 Water Line engineering services needed. In order to directly appoint CH2M Hill, the City Council will need to approve an exemption from the Competitive Solicitation Requirements after holding a public hearing to take comments on the exemption, as identified in the Astoria City Code. The City Attorney has approved of the City using this exemption to the competitive solicitation process. City staff and the City Attorney have been working with CH2M Hill on resolution of several minor contract modifications that will be incorporated, if approved, into the contract amendment.

It is recommended that City Council conduct a public hearing for the purpose of taking public comment on the findings for exemption from the competitive

solicitation requirements and adopt findings that authorize the direct appointment to process a contract amendment with CH2M Hill to provide design engineering and bidding services for the not-to-exceed amount of \$53,000. This will be contingent upon resolution of several minor contract modifications.

**Item 11(e): Aerial Fire Truck Options (Finance/Fire)**

At the April 21, 2014 City Council meeting, Fire Chief Ames made a presentation regarding the need for new Fire Department apparatus. The Chief cited the need for a replacement pumper fire engine as well as a ladder truck. At the October 13, 2014 Council meeting, City Council authorized the purchase of a new Pierce Arrow XT pumper truck in the amount of \$488,251.00. Funds to acquire the pumper truck are coming from lease revenue from the 17<sup>th</sup> Street Dock Fund. There was also City Council discussion about the possibility of placing a bond measure on the November 2014 ballot for the purchase of the ladder truck. Ultimately, it was decided to hold off until a later date to determine if a bond should be placed on a future ballot or whether other financing measures should be used. During the 2015-16 City Council Goal Setting session, staff stated that options would be brought to the City Council in spring 2015 to receive direction as to how to move forward on this matter. The options are as follows:

Lease of Ladder Truck

One option for the acquisition of a new ladder truck is to enter into a lease purchase agreement with Oshkosh financing as the City did for the pumper fire engine. The proposal price on the April 9, 2015 quote from Pierce is \$929,650. As indicated in the proposed General Fund budget for FYE June 30, 2016, the fund is projected to have a beginning fund balance of \$2,500,000. The increase in the beginning fund balance is attributed to a combination of increased revenues over the past several years of expenses from vacant positions, particularly the City Manager, Finance Director and Community Development Director positions. It is proposed to transfer \$500,000 of the beginning fund balance to the Capital Improvement Fund as a down payment on a replacement aerial truck for service in the Fire Department. This would significantly reduce the financed amount and, thereby, make the annual lease payments more manageable. Subsequent annual payments on a lease would be made from the Capital Improvement Fund. It is anticipated that these payments would be made from the carbon credit proceeds that would be deposited in the Capital Improvement Fund. Staff has not pursued the details of this option. If Council gives direction in this regard, staff will follow up to get more information.

Bond Measure

If the City Council chooses to pursue a bond levy for the purchase of a new aerial ladder truck, the City would have the option of two dates in 2015. The first option is a special election scheduled to be held on September 15, 2015. Filing for this election would require a Ballot Title for publication of notice by June 26, 2015, and a Notice of Measure Election by July 16, 2015. The second option is the regular election scheduled for November 3, 2015. Filing for the November 3, 2015 regular election requires a Ballot Title for publication of notice by August 14, 2015, and a Notice of Measure Election by September 3, 2015.

It is recommended that Council consider the two options for acquisition of an aerial ladder truck and provide direction as to a preferred approach.

**Item 11(f): Salary Resolution Establishing Basic Compensation Plan Wage Adjustment for Deputy Police Chief (City Manager)**

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

At its October 20, 2014 meeting, the City Council adjusted the compensation and incentives for Police Sergeants. At that time wages were increased by 4%. This increase, along with adjustments to incentives for certification, was made to relieve the issue of wage compression between Police Officers (represented employees) and Police Sergeants (non-represented employees). Prior to the adjustment, the Department was unable to recruit candidates for the vacant Police Sergeant position. At the time no adjustment to wage was made to the Deputy Police Chief and Police Chief positions causing compression to occur at this level.

The Department desires to promote a Sergeant to Deputy Police Chief and again finds itself in a position where qualified applicants are dissuaded by the pay differential. With the individual selected to be promoted the change in annual compensation would be \$1,100.00. Raising the Deputy Police Chief wage 4% will cause the difference in annual compensation to be an increase of \$4,500 and place the total compensation available for Deputy Police Chief to be comparable to the compensation for Deputy Fire Chief.

As a clerical matter, the Deputy Police Chief and Police Chief will move from Schedule E2A (they are the only employees on this schedule) to C with other Police Employees. Similarly Police Sergeants will move from E-2B (they are the only employees on this schedule) to C. A similar clerical move has been made with the Fire Department management positions. It is recommended that Council adopt the proposed resolution implementing the pay rate increase for the Deputy Police Chief by 4% and simplifying the salary resolution by moving the Police Sergeants, Deputy Police Chief, and Police Chief to Schedule C.

**Item 11(g): City Council Rules (Council)**

The Council will discuss the "City Council Rules" following up from the last meeting. Included in the packet is a revised draft which includes changes proposed to address issues raised at the previous Council meeting.



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**WORK SESSION  
ITEM 3  
LIBRARY GOAL**

**NO DOCUMENTATION IS INCLUDED  
FOR THIS AGENDA ITEM**

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**PRESENTATIONS  
ITEM 9(a)  
PACIFIC POWER**

**NO DOCUMENTATION IS INCLUDED  
FOR THIS AGENDA ITEM**

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**PRESENTATIONS**  
**ITEM 9(b)**  
**FRIENDS OF THE COLUMN**

**NO DOCUMENTATION IS INCLUDED**  
**FOR THIS AGENDA ITEM**

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

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Parks and Recreation Director Cosby, Financial Analyst Snyder, Fire Chief Ames, Interim Planner Morgan, 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 5(a): Councilor Nemlowill** reported that she had received several inquiries about the proposed Go Astoria Project, but had been unable to find any new developments about the program. After reading Senator Johnson's comments in the newspaper that there should be ample time for public input prior to any major changes on the piers, she decided to gather more information and attend the Port of Astoria's meeting on Tuesday, March 17, 2015. She offered to take comments about the Port after the meeting.

**Item 5(b): Councilor Herzig** reported there would be a couple of Lower Columbia Diversity Project (LCDP) presentations in April. On Thursday, April 2<sup>nd</sup>, at 7:00 pm at the Judge Boyington Building, the Latino Network and Lower Columbia Hispanic Council will present a panel discussion about the obstacles and opportunities of Latinos in Oregon. On Sunday, April 12<sup>th</sup>, at 2:00 pm at the Judge Boyington Building, the LCDP will host a panel discussion on wage inequality with Labor Commissioner Brad Avakian. The Astoria Warming Center opened for its last night of the season on Saturday, March 14<sup>th</sup>. The center was open for 24 nights, served 56 men and 10 women, and had 321 overnight stays this season. An average of 14 people stayed at the center each night and the center utilized over 1,000 volunteer hours. The center needs to find a location for the next season and needs more volunteers. The people who carried the warming center through its first year should be proud of their accomplishments.

**Item 5(c): Councilor Warr** reported that City Council held a special meeting at Ocean View Cemetery on March 6<sup>th</sup> to discuss improving the condition of the cemetery. During the last week, he attended meetings with the Columbia Pacific Economic District (Col-Pac) and the Northwest Area Commission on Transportation (NWACT).

**Item 5(d): Councilor Price** asked Rex and Keiko Ziek to speak about an upcoming event hosted by a new organization called OBON 2015.

Rex Ziek, PO Box 282, Astoria, said that an organization was started in Astoria that returns artifacts of war to veterans in Japan. He explained that American soldiers brought battlefield souvenirs home from World War II. Today, these veterans are sending the items to the organization so they may be returned to the original owners. The organization works with its network in Japan to conduct research and connect with other agencies to find the owner of each item. He showed a Yosegaki Hinomaru, an item given to Japanese soldiers by their parents before going to war. On Monday, March 23, at 2:00 pm at the Columbia River Maritime Museum's Barbey Center, the organization will host the first official returning ceremony. The 41<sup>st</sup> Infantry Division, a division from the Pacific Northwest, have gathered items from across the nation and brought them to Astoria for the ceremony. Three veterans of the 41<sup>st</sup> Infantry will participate in the ceremony. The Coast Guard and dignitaries will be present and the event is open to the public.

Councilor Price added the event would be a mainstay in Astoria because the Maritime Museum is interested in the OBON 2015 project. The museum has given the project 80 feet of space to exhibit the items for a year, beginning in July or August. This will bring national and international attention to Astoria.

**Item 5(e):** Mayor LaMear reported she and City Council attended the League of Oregon Cities ethics training. She hosted her third Meet the Mayor meeting, where transportation safety was discussed. She will have a follow-up meeting with the City Engineer to discuss improvements to traffic and pedestrian safety. She attended the meeting at Ocean View Cemetery, the meeting about the dog park, and the Col-Pac meeting.

**CHANGES TO AGENDA:** No changes.

**PROCLAMATION:**

**Item 7(a): Sexual Assault Awareness Month**

Mayor LaMear read the proclamation declaring April 2015 Sexual Assault Awareness Month and presented members of the Domestic Violence Council with the proclamation.

Councilor Price introduced Senior Deputy District Attorney Dawn Buzzard, who fights child and sexual abuse as a trial prosecutor, and Ben Bradshaw, Victims Services Coordinator at the Clatsop County District Attorney's Office.

Andrew Fick, Clatsop County Domestic Violence Council Chair and counselor at Astoria High School, said he has seen sexual assault from many perspectives and appreciates the Council's support.

Julie Soderberg, Executive Director of The Harbor, which works with victims of domestic violence and sexual assault, thanked City Council for recognizing Sexual Assault Awareness Month. She noted that sexual assault in the community was a big deal. Since April 2014, 62 females, 6 males, 29 teenagers, and 10 children under the age of 12 have been seen by The Harbor for the first time as survivors of sexual assault. These victims range from age 2 to 97. The Harbor received 719 documented phone calls about sexual violence in the last year, but there may have been more calls that were not documented. The Harbor has less than 1½ staff available to meet the needs of the survivors. Staff spends between 70 and 120 hours with each of the survivors that come to The Harbor because they need an incredible amount of care and support. In a county of 37,000 people, one in four or one in five as victims is too many and everyone is responsible for doing something about this.

Councilor Price added that Mayor LaMear has been a Court Appointed Special Advocate (CASA) for many years. CASA is very involved in the care of children who are victims of domestic violence.

**CONSENT CALENDAR:**

The following items were presented on the Consent Calendar:

- 8(a) City Council Minutes of 2/17/15
- 8(b) City Council Work Session Minutes of 2/17/15**
- 8(c) Acceptance of Donation for Library (Library)**
- 8(d) Authorization to Light the Astoria Column a Teal Hue for the Month of April in Recognition of Sexual Assault Awareness Month (Parks)**

Councilor Nemlowill requested Item 8(b), Councilor Warr requested Item 8(c), and Councilor Herzig requested Item 8(d) be removed for further discussion.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Nemlowill, to approve Item 8(a) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 8(b): City Council Work Session Minutes of 2/17/15**

Councilor Nemlowill noted Page 2 should read, "Councilor Nemlowill said a lot of the planning work for Heritage Square has already been completed in 2004. At that time, *in 2004*, the library was the most probable use of the Heritage Square site."

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Price, to approve Item 8(b) of the Consent Calendar, as amended. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 8(c): Acceptance of Donation for Library (Library)**

Councilor Warr noted the City received a bequest of \$10,000 from the Estate of Suzanna von Reibold. This gift should not be accepted without City Council expressing its appreciation for the donation. Councilor Price agreed.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Price, to approve Item 8(c) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 8(d): Authorization to Light the Astoria Column a Teal Hue for the Month of April in Recognition of Sexual Assault Awareness Month (Parks)**

Councilor Herzig announced the Astoria Column would be lit teal on Friday, April 3rd at 5:00 pm in recognition of Sexual Assault Awareness Month. The public is invited to the lighting ceremony.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Price, to approve Item 8(d) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**REGULAR AGENDA ITEMS**

**Item 9(a): Consideration of Adoption of Resolution for Creation of Enterprise Zone within City Limits of Astoria (Community Development)**

At the March 2, 2015 City Council meeting, the topic of the creation of an Enterprise Zone within the Astoria city limits was discussed. City Council was not able to consider a resolution establishing an Enterprise Zone since seven days had not passed since a required meeting of all taxing entities. City Council discussed the Enterprise Zone concept at their last meeting and consideration of a resolution has been scheduled for the March 16, 2015 Council meeting. The Oregon Enterprise Zone Act, ORS 285C.045-250, authorizes the designation of Enterprise Zones and provides that property tax abatements and job creation are desirable to stimulate economic development in economically depressed areas. The Enterprise Zone ("E-Zone") program allows for industrial and other qualifying firms making substantial capital investments an exemption of 100 percent of real property taxes attributable to the new investment(s) for up to a five-year period.

Recently, the City of Astoria, Clatsop County, the City of Warrenton, and the Port of Astoria have been discussing a mutual application for designation of an Enterprise Zone within their respective jurisdictions in order to encourage new business investment, job creation, higher incomes for local residents, and greater diversity of economic activity. Clatsop County, the City of Warrenton, and the Port of Astoria have all passed resolutions supporting the creation of an Enterprise Zone.

The proposed Enterprise Zone has a total area of approximately 4,672.92 acres or 7.30 square miles (encompassing all proposed jurisdictional areas), and meets other statutory limitations on size and configuration. The area within the City of Astoria proposed for inclusion is 1,388.34 acres or 2.17 square miles and is shown in the attached map. A draft resolution supporting the application is attached to this memorandum. It should be noted that the area proposed for the Enterprise Zone has increased from the figures provided in the prior Council memo. The County Surveyor suggested inclusion of full lots rather than portions of lots, which had both, dry land and submerged lands. A map illustrating the map changes in Astoria is also attached to this memo.

The City of Astoria will be considering a resolution, which would only support the creation of an Enterprise Zone within its City limits. Should the Astoria City Council not adopt the draft Resolution, creation of the Enterprise Zone within the jurisdictions of unincorporated Clatsop County and City of Warrenton would continue. It should be noted there are portions of the proposed Enterprise Zone located within the City of Astoria that encumber Port of Astoria lands (in addition to properties not in the Port). In order for Port properties located in the City of

Astoria to be included within the proposed Enterprise Zone, the City of Astoria would need to adopt a supporting resolution.

As noted earlier, an Enterprise Zone allows for industrial and other qualifying firms making substantial investments an exemption on property taxes attributable to those investments. One of the other qualifying types of developments could be hotels, motels, and destination resorts. Within the draft resolution, these types of developments are proposed to be included.

The draft resolution also includes a provision that Clatsop Economic Development Resources (CEDR) be appointed as the Enterprise Zone manager. CEDR represents all of Clatsop County and the City of Astoria is a member. If approved by the Council, an application will be submitted to Business Oregon as outlined in the resolution. Should the Astoria City Council wish to establish an Enterprise Zone within the Astoria city limits, it is recommended that Council adopt the attached resolution.

City Manager Estes displayed a map on the screen that had been amended since the last City Council meeting. He clarified that additional areas were included in the Enterprise Zone after a discussion with the County surveyor, who indicated that legal descriptions of the full boundaries of the tax lots associated with the on-land portions of the proposed zone area would be easiest to develop.

Councilor Nemlowill declared a direct conflict of interest and recused herself from voting on the resolution because she and her husband own a business within the proposed Enterprise Zone.

Councilor Herzig was concerned about the addition of hotels, motels, and destination resorts. He was unsure where this came from and said he would be more comfortable if these types of businesses were removed from the resolution. He did not believe Astoria wanted hotels or motels built out in the river area that the community has worked so hard to restrict. The orange area on the map extends through downtown and out to Alderbrook. He did not want the City to create a zone that allows hotels, motels and destination resorts within the orange area.

Councilor Warr said Astoria's success as a community has been based on tourism. Unfortunately, hotels and motels are a big part of tourism. If Astoria's economic base is going to expand, the City must accommodate hotels and motels. Therefore, he disagreed with Councilor Herzig.

Councilor Price said she spoke with several businesses in Astoria and tenants at the Port of Astoria, none of which have plans to expand in a way that would make or break an Enterprise Zone. The owner of the Pelican Pub, who was presented as an example of a successful Enterprise Zone user, confirmed that the zone was one piece of the puzzle that greenlighted their decision to move from Pacific City to Tillamook. The zone was the cherry on top of a large package the business was able to receive, which included a \$150,000 loan from the Governor's Strategic Fund, a partially forgivable \$300,000 loan from Tillamook's Urban Renewal District, a gracious landowner that offered favorable terms, and an aggressive City Manager who put the package together. At City Council, the discussion has only touched on the infrastructure that would be necessary as businesses expand and how this infrastructure would be funded while the City is not receiving taxes on the expansion. Other incentives that might make up for the lack of an Enterprise Zone have not been discussed. She believed the policy of Astoria should be to refrain from entering into contracts with people or organizations that act contrary to the best interest of the community at large. At the last City Council meeting, Councilors were told the real value of an Enterprise Zone is communication and collaboration. Unfortunately, since that meeting, Council has learned how one of the Enterprise Zone partners communicates and collaborates with the Global Ocean Investment Firm for projects that would transform the mouth of the Columbia River and shut down the boat yard without anyone to eliminate access to the west end parking lot for access to the Riverwalk. This partner received matching funds from the Astor West Urban Renewal District. The boundaries of the zone can be extended after the zone is established. She believed City Council should wait until all of the details regarding fees and CEDR funding are in place. She also believed City Council should wait until the Bridge Vista Area of the Riverfront Vision Plan has been amended so the City can see how the Port reacts to the potential revisions. City Council can use the Enterprise Zone as a tool to stand up for its constituents and insist on transparency, consultation, and consideration from those who seek the City's support. She urged Council to decline entering into an Enterprise Zone at this time and vote against the resolution.

Mayor LaMear supported the Enterprise Zone. Astoria has so many empty storefronts right now. If businesses were competing to come to Astoria, the Enterprise Zone would not be necessary. She believed the zone would be one tool the City can use to bring businesses in to the community. If Warrenton participates in the Enterprise Zone and Astoria does not, Astoria will be in an unfavorable position. She has been assured that nothing developed by the Enterprise Zone would trump the City's zoning or ordinances. The Enterprise Zone may not be the only tool or the best tool, but it is an important tool to help Astoria bring its economy up. Kevin Leahy at CEDR has worked very hard to bring businesses in. However, Astoria has some challenges, like the roads, the lack of a railroad, and the lack of airfreight. Therefore, Astoria needs to provide strong support for this economic tool.

Councilor Warr believed the ability to form an Enterprise Zone would end soon. He understood that if Astoria chose to delay its decision, the City might not have the same opportunity in the future to participate in an Enterprise Zone. He noted there were only two zones available in the State and asked how quickly Staff believed the remaining zone would be filled. City Manager Estes explained that this joint application is to fill one of the two openings for Enterprise Zones. It is not known when the State would allow more opportunities and if Astoria applied for its own Enterprise Zone, the zone would be separate from the joint concept being considered now. He did not know the status of other applications to fill the two openings.

Councilor Price said she just received an email from Business Oregon stating five applications had been submitted to fill four openings. After 10 years, if an existing Enterprise Zone chooses not to reapply, the State takes applications to fill the opening. There will be another application period in the fall.

City Manager Estes said no specific information about future application periods was given at the public meeting.

Mayor LaMear said there were more than 60 Enterprise Zones throughout the State in 30 of Oregon's 36 counties. Therefore, these zones are a common way to build economic development.

Councilor Herzig thanked Councilor Price for articulating serious concerns that he believed many people shared. The Port of Astoria has talked about closing the boat yard and Senator Johnson has said the Port should slow down and take community input. He did not understand why Port Commissioners were unable to understand how they are perceived by the public. However, people question whether the Port is an agency that should be empowered with an Enterprise Zone. Additionally, Clatsop County does not have workforce housing. If jobs are brought into the community, where will people live? County Commissioners and the City of Astoria should be looking for affordable workforce housing because people will not work here if they cannot live here. He did not object to hotels, motels, and destination resorts in the right places. However, the Riverwalk area is not the place to put a hotel.

**City Council Action:** Motion made by Councilor Warr, seconded by Mayor LaMear to adopt the resolution, as presented, to create an Enterprise Zone within Astoria city limits. Motion failed with a tied vote of 2 to 2. Ayes: Councilor Warr and Mayor LaMear; Nays: Councilor Herzig and Price. Abstentions: Councilor Nemlowill.

City Manager Estes noted that Council could still discuss changes to the resolution if allowing hotels, motels, and destination resorts was the only issue. Councilor Herzig added there was enough time before the deadline in April for Council to consider changes to the resolution. He also understood that the map could be amended as well. He suggested consideration of an Enterprise Zone that would still include parts of Astoria and the Port, but not the downtown area.

Councilor Warr said he would consider a revised resolution.

Mayor LaMear did not understand why Councilor Herzig wanted to exclude downtown. Councilor Herzig explained that the downtown area was his main concern. Astoria has fought so hard to keep downtown undeveloped and the Enterprise Zone would put pressure on the City to develop the area. Downtown has retail, but the Enterprise Zone would bring in manufacturing and hotels. Most people do not want to see a factory in the downtown area, particularly on the Riverfront. Removing downtown from the Enterprise Zone would allow him to reconsider his decision.

City Attorney Henningsgaard explained that allowable uses are controlled by existing zoning laws. The adoption of the Enterprise Zone would not affect the City's current zoning in any way. Councilor Herzig said he has

witnessed individuals and entities threaten the Planning Commission to get a variance. He feared the current Planning Commission was vulnerable to this type of pressure and did not want to put the City in a position to be pressured. He believed applicants would cite the Enterprise Zone as a reason for the City to grant a variance.

Councilor Price said in order for the Enterprise Zone to go forward, each entity participating in the zone must pass the same resolution. Two or three of the other partners have already passed resolutions to include hotels, motels, and destination resorts in their portions of the Enterprise Zone. Therefore, Astoria could not participate in the zone without allowing the hotels as well. She was not opposed to allowing hotels, but voted against the resolution because she had many other concerns about the Enterprise Zone. Therefore, even if hotels and motels were excluded, she would still be opposed to the resolution.

**Item 9(b): Riverfront Vision Plan Update (Community Development)**

Matt Hastie from Angelo Planning Group will present draft Code amendments for the Bridge Vista Area of the Riverfront Vision Plan, as developed by the Astoria Planning Commission. A public hearing before the Planning Commission is scheduled for April 7, 2015.

Matt Hastie, Angelo Planning Group, presented draft Code amendments for the Bridge Vista Area of the Riverfront Vision Plan, as developed by the Astoria Planning Commission. He noted that four work sessions and a town hall meeting led to the development of these amendments. He displayed a map showing the boundaries of the Bridge Vista Area and explained that these Code amendments would implement the Bridge Vista Area of the Riverfront Vision Plan (Plan). However, some of the recommendations in the Plan would still need to be implemented through other means. He noted his presentation would spend more time on the topics that received the most discussion in the community. His presentation was as follows:

- Vision Plan Assumptions and Objectives: A balance between allowing a certain amount of overwater development while protecting views in the area, continuing to support water-dependent uses, promoting uses consistent with a working waterfront, ensuring or encouraging design of new or rehabilitated buildings, respecting Astoria's character, encouraging development in the area, celebrating the Rivertrail, improving physical connections to adjacent neighborhoods, using setback and step backs to ensure an open feel, providing continued access to the river, changing a portion of the area to a new type of commercial zone, and expanding the Uniontown design overlay to accentuate the historic area within the Bridge Vista Area.
- The recommended amendments were compared with Comprehensive Plan policies to ensure consistency with the Riverfront Vision Plan. Recommended changes to the Comprehensive Plan policies are primarily to note the importance of vistas of the river, emphasize uses that compliment the downtown area, incorporate references to the Riverfront Vision Plan, and ensure consistency with shore land development policies and other land use policies.
- Recommendations for Overwater Development: Restrict the height of structures built near the bridge and the area adjacent to 2<sup>nd</sup> Street to no higher than bank height. Structures outside of this key vista area could be built higher, but would still have to comply with height and width restrictions and corridor requirements.
  - He showed the boundaries of the key vista area on a map, noting his map contained an error. He explained in detail where structures would be limited to bank height; the area marked in red on the map.
  - Buildings within the blue area on the map could be as tall as 35 feet at their peak and up to 150 feet wide. Structures on contiguously owned parcels must be no more than 60 percent as wide as all of the parcels combined. Corridors, 40 feet wide, would be required between buildings.
  - He showed visualization models of hypothetical scenarios to illustrate what the area could look like if the recommended codes for overwater development were implemented.
  - Similar to the Civic Greenway Area, he recommended structures over the water be required to provide access to and beyond the edge of buildings with a dock or pier.
- Recommendations for On-Land Development: Restrict heights, require view corridors and setbacks from the Rivertrail, and require setbacks from the front edge of the building.
- Zoning recommendations for the tourist commercial zones: Rezone the Tourist Commercial zone in the western portion of the Bridge Vista Area to C-3; rezone the Tourist Commercial zone near the Astoria Megler Bridge to a combination of General Commercial and S-2 Shoreland with part of the General Commercial zone containing a pedestrian oriented district.
  - Recommended changes to allowable uses in the Aquatic and Shoreland Zones on the water and north of the Rivertrail: Eliminate fossil fuel and petroleum products terminals, residential uses, auto sales and gas stations, wood processing, retail uses over the water, eating and drinking establishments over the

water, indoor entertainment, new hotels and motels, conference centers north of the Rivertrail, and professional or medical offices.

- Recommended changes to allowable uses in the Commercial Zones: Eliminate auto sales, service and gas stations, single-family homes and duplexes, and manufacturing without a retail component. Within the pedestrian district of the Commercial Zone, eliminate animal hospitals, kennels, drive through facilities, conference centers, warehouses, transportation services, and other similar uses.
- Design Guidelines and Standards Recommendations: These recommendations were developed after considering design standards and guidelines that the City discussed implementing in Uniontown and the Urban Renewal area, as well as the standards and guidelines adopted for the Civic Greenway Area and the Gateway Overlay Zone. These guidelines and standards would only be applicable to new construction and major renovations.
  - Recommended building and roof forms, exterior materials, and siding are meant to encourage designs consistent with other parts of Astoria, particularly the waterfront.
  - Within the pedestrian oriented district, recommendations for windows and doors are meant to increase window coverage on retail or commercial uses. Different standards would apply to industrial uses.
  - Awnings that do not match the scale or character of a building would be discouraged. Awnings that project into the view corridor would be prohibited.
  - Lighting should be oriented downwards, not into the night sky.
  - Modest changes to sign standards for pole and monument signs are recommended.
  - Landscaping recommendations include limiting trees north of the Rivertrail, encouraging pedestrian amenities particularly along the trail, using native plant species, encouraging plazas and courtyards, and limiting trees to columnar varieties.
  - Reduce off-street parking requirements for small uses and those that already cover the maximum allowable portion of a site. Exempt expansions of 10 percent or less.
- Next Steps: Public Hearing with the Planning Commission on April 7, 2015, Public Hearing with the City Council tentatively scheduled for May 18<sup>th</sup>.

Mayor LaMear asked for clarification about changing the Tourist Commercial Zone to a General Commercial Zone. Mr. Hastie explained that most of the Tourist Commercial Zone within the area would be changed to General Commercial. However, in one area, the Shoreland Zone would be changed to General Commercial as well. The zone changes would include limitations on the types of uses currently allowed.

City Manager Estes explained the Tourist Commercial Zone was a district put in place during one of the initial waterfront master plans developed by the City. At that time, the zone was meant to attract businesses that would focus on visitors in an attempt to grow the tourism industry in Astoria. This zone is now too restrictive and Astoria wants a waterfront that caters to both locals and visitors. Therefore, the Planning Commission and Staff have recommended moving away from the tourist-oriented zone.

Councilor Herzig confirmed the public would have the opportunity to comment at the Planning Commission's public hearing on April 7<sup>th</sup>.

Councilor Nemlowill thanked Mr. Hastie and the Planning Commission; she understood how much work had been put into making these recommendations.

Councilor Price said this was a lot of information to digest and asked if City Council had access to Mr. Hastie's presentation. City Manager Estes confirmed the presentation would be posted on the City's website and a copy could be sent to Councilors.

Mayor LaMear called for a recess at 8:00 pm. The City Council meeting reconvened at 8:05 pm. Mayor LaMear confirmed there were no comments or questions about the recommended Code amendments necessary to implement the Bridge Vista Area of the Riverfront Vision Plan.

City Manager Estes noted this was just an update and no action by Council was necessary at this time.

**Item 9(c): Approve Request to Trim Trees on City Property Adjacent to 255 W. Grand Avenue - Palmberg (Public Works)**

Jason Palmberg, owner of the property at 255 W Grand Avenue, has submitted an application to trim trees on City property. The City-owned property is to the north of the Palmberg property and includes Tax Lot 10700; Map 80907CD. Mr. Palmberg has obtained all signatures of adjoining property owners. The trees to be trimmed are spruce and hemlock and appear to have been trimmed in the past. The applicant will be hiring a certified arborist to do the trimming.

Should the City Council agree to approve this request, staff recommends the following conditions:

- 1) Applicant shall employ any erosion control measures required to stabilize all disturbed areas and assure that new growth is fully established.
- 2) Tree height reduction shall be no more than 25 percent.

It is recommended that the request to trim trees on City property be approved.

Councilor Herzig asked how the City would know if the Applicant complied with the conditions of approval. City Manager Estes replied the Applicant would have to obtain a grading and erosion control permit that would be reviewed by the Engineering Division of the Public Works Department.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Warr to approve the application by Jason Palmberg to trim trees on City property. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 9(d): 16th Street CSO Separation - Authorization to Bid (Public Works)**

The upcoming 16th Street Combined Sewer Overflow (CSO) Separation Project primarily consists of the installation of new storm water pipe within the existing roadway infrastructure in established City rights-of-way. It will include replacing existing water and sewer pipe where construction of the new storm pipe compromises the integrity of the existing infrastructure. Most of the intersections will be rebuilt and many of the intersection ramps will be reconstructed within the project area.

Gibbs & Olson have completed the bid documents for this project. The Engineer's construction estimate (including a 10 percent contingency) is \$5,769,568. City staff is working with Business Oregon Infrastructure Finance Authority (IFA) on a loan amendment to increase to the original loan amount \$5,683,000 to approximately \$6,942,668. The loan amendment amount will be finalized and processed after bids are received and will be presented to Council for approval in conjunction with the construction contract award in May.

Construction is expected to begin in mid-May. A public open house will be held on Thursday, March 19, 2015 from 5:00 pm to 7:00 pm at Clatsop Community College, Columbia Hall, Room 219. In addition, there is a project webpage on the City website where people can sign up to receive project updates by email. It is recommended that Council authorize staff to solicit bids for the 16th Street CSO Separation project.

City Manager Estes said the scope of the project included construction as shown on the map displayed on the monitor. The 100 percent estimated construction cost is higher than the planning level estimate used to obtain funding. This increase in estimated construction costs is due to the following: 1) The project will rebuild significant road sections beyond the intersections due to pipe alignment and limited remaining road infrastructure to support the trench section. 2) A deep sewer line on 18<sup>th</sup> Street will be slip lined, which will require a substantial dewatering method, based on soil investigations and geotechnical borings. The IFA financing package requires the original loan funds be spent first, and then the \$525,000 in grant funds must be spent before loan amendment funds can be used. This funding structure led to the intentional underestimation of the initial cost estimate so that an amendment would be required to take advantage of the full grant amount. The funding amendment would be finalized and processed after bids are received and would be presented to City Council for approval in conjunction with the construction contract in May.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Nemlowill to authorize staff to solicit bids for the 16<sup>th</sup> Street CSO Separation Project. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 9(e): 16th Street CSO Separation Project - Authorize Contract Amendment with Gibbs & Olson for Archaeological Services (Public Works)**

As part of the design of the upcoming 16<sup>th</sup> Street Combined Sewer Overflow (CSO) Separation Project engineering contract, Gibbs & Olson hired Historical Research Associates (HRA) as a sub-consultant to manage the historic and archaeological aspect of the project. HRA conducted background research and coordinated with the State Historic Preservation Office (SHPO) to understand the high probability locations for archaeological resources. This information was used to establish construction protocols that are being finalized based on SHPO review and will be a part of the construction contract documents to reduce delays associated with encountering unknown artifacts. Archaeological monitoring was performed by HRA at which time several historic materials were discovered and documented following the protocols and direction of the State Historic Preservation Office (SHPO).

Based on the research, SHPO is recommending that HRA (on behalf of the City) prepare and submit a permit application that is comprehensive for the entire project on what may be encountered or uncovered during construction. This permit is anticipated to cover the majority of what could be discovered. SHPO does not typically allow this strategy and will typically require a permit each time something significant is uncovered. Fortunately, a blanket permit will allow the Contractor to keep working with significant reduction in delays if an artifact is uncovered.

The effort and cost for preparing this permit application was not anticipated prior to construction because this approach is atypical. Gibbs & Olson is requesting a contract amendment in the amount of \$8,860.00 for the work to prepare and submit the permit to SHPO. The permit application must be submitted to SHPO in March so that the final permit can be issued prior to start of construction in May. It is recommended that Council execute a contract amendment with Gibbs & Olson for a total not to exceed amount of \$8,860.00 for archaeological services for the 16<sup>th</sup> Street CSO Separation Project.

City Manager Estes noted a portion of the project is located within Fort Astoria. This permit could potentially save tens of thousands of dollars of contractor stand-by time incurred each time artifacts are found. While this contract amendment is within the City Manager's spending authority, it is being brought to Council for approval because an amendment was approved in October 2014, which puts the total contract amendments over the City Manager's spending authority.

Councilor Price said Council has discussed streamlining the permitting process during goal setting sessions. She asked if this blanket permit was the City Manager's idea. The permit is a great idea and she wanted to know why SHPO has allowed Astoria to apply for an atypical permit.

City Manager Estes confirmed SHPO suggested the blanket permit and Astoria is lucky to work with great people at SHPO. Support Engineer Moore said according to the consultants, SHPO believes a lot of artifacts will be found because of the findings in the research and because artifacts were found in all three initial borings. SHPO has encouraged Astoria to approach the project in a comprehensive manner.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Warr to execute a contract amendment with Gibbs & Olson for a total not to exceed amount of \$8,860.00 for archaeological services for the 16<sup>th</sup> Street CSO Separation Project. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 9(f): Authorization to Award CSO Monitors Project (Public Works)**

In November 2014, Council authorized staff to solicit proposals for the purchase and installation of monitors in the CSO diversion structures. Four proposals were submitted for this project from ADS Environmental Services (ADS); HACH Company (HACH); Terra Hydr, Inc., representing Telog; and Terra Hydr, Inc., representing Isco.

The solicitation for proposals on this project established the following selection criteria, which were considered with the designated weight:

- Suitability, reliability and user-friendliness of proposed monitoring equipment (includes duration of battery life) (50 percent)
- Estimated cost (30 percent)
- Project personnel and reference results (15 percent)
- Installation timeline (5 percent)

On the basis of the submitted information, it was determined that ADS and HACH were the most responsive proposals. City staff invited these two firms to participate in a 30-day demonstration period where each firm installed their monitoring equipment in two diversion structures. ADS scored highest on the demonstration evaluation, so a scope and fee has been negotiated for a total not to exceed cost of \$329,408. A phased installation approach is being recommended since only \$200,000 was budgeted for the work in this fiscal year. Funds are available in the Public Works Improvement Fund for the first phase of this project. It is recommended that Council execute a contract with ADS Environmental Services for a total not to exceed \$199,414 for procurement and installation of CSO monitoring equipment.

Councilor Herzig noted that during the work session, Council learned the monitoring is critical for meeting federal requirements and to ensure the City is getting the most out of its investment. Monitoring is an essential part of the CSO project, as the City can spend its money more wisely with better data.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Warr to execute a contract with ADS Environmental Services for a total not to exceed \$199,414 for procurement and installation of CSO monitoring equipment. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 9(g): 11th Street CSO Separation Project Closeout - Pay Adjustment #9 Final Reconciliation (Public Works)**

On March 13, 2013, Council awarded a construction contract to Tapani, Inc., for the construction of the 11th Street CSO Separation Project. Tapani has completed the final punch list items. All work associated with the project is now complete and project closeout documents are being processed. A final pay adjustment is required to reconcile the bid item quantities from estimated quantities to actual quantities.

The final reconciliation pay adjustment is \$31,390.48. To date, inclusive of the final adjustment requested, change orders amount to 12% of the total construction project cost. This is below the Council approved 15% contingency on this project. Total project cost including permits, engineering, construction and construction inspection, and management is \$7,345,532; \$628,158 less than the budgeted amount. It is recommended that Council approve the pay adjustment for the 11th Street CSO Separation Project to reconcile bid item quantities in the amount of \$31,390.48.

City Manager Estes stated this was expected to be the final pay adjustment, noting that a pay adjustment was authorized by Council in July 2014; however, the bid item reconciliation was not considered at that time because work was still being performed. Over 100 bid items were reconciled and resulted in an increased project amount of \$31,390.48.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Herzig to approve the pay adjustment for the 11th Street CSO Separation Project to reconcile bid item quantities in the amount of \$31,390.48. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 9(h): City Council Rules (Council)**

The Council will discuss City Council rules following the last work session on this matter. Mayor LaMear has also requested further discussion regarding time limits. Additional materials regarding this agenda item will be distributed in advance of the Council meeting.

City Manager Estes explained that during a work session on City Council rules, Council decided to use Forrest Grove's rules as a template. Staff was directed to edit the template to customize the rules for the City of Astoria. Councilors had copies of the draft rules, prepared by Staff according to Council's direction.

Mayor LaMear suggested time limits be adopted into the rules. Most other City Councils and County Commissions use time limits. Time limits are respectful to everyone involved in the meetings and prevent the audience from having to listen to someone ramble on at length. She suggested a three-minute time limit for public comments, but was willing to consider other suggestions.

Councilor Herzig believed that if time limits were adopted, Council should also adopt Clatsop County's structure where non-agenda public comments are taken at the beginning of the meeting and comments on agenda items are taken during discussion of each agenda item. People who attend meetings to give non-agenda comments should not have to sit through the entire meeting only to have three minutes at the end to speak. Council should invite public comments on agenda items as the item is being discussed.

City Manager Estes noted the draft rules recommend non-agenda public comments be taken after proclamations at the beginning of the City Council agenda. He confirmed the draft did not contain any language regarding signing up to speak to agenda items and waiting to be called upon to speak.

Councilor Warr asked if members of the public should be required to sign up and indicate what they wish to speak about prior to the meeting. He wanted Council to adopt a time limit and require public comments to remain on topic.

Councilor Price supported a three-minute time limit as long as Council continued to be flexible and refrain from cutting people off right at three minutes. She recalled discussing moving Reports of Councilors to the end of the agenda so the reports could be omitted if the meeting ran long. She agreed with taking comments on agenda items prior to voting. She agreed with Councilor Warr and did not want too much formalization with comment cards and sign-in sheets. Astoria is not quite that formal yet.

Councilor Herzig said he was ambivalent about the time limits. Citizen input is critical to the operation of democracy. People are already nervous as they get up to speak and time will be wasted as they think about time running out while trying to formulate concise thoughts. He was reluctant to impose a time limit on public comments. However, if a time limit is adopted, he believed Council was trying to do so responsibly and with respect to the public's interest.

Councilor Nemlowill believed a three or four-minute time limit was reasonable. Councilor Price suggested the rules state "approximately" three minutes. Mayor LaMear noted the draft rules allow her to extend time limits in certain circumstances.

Mayor LaMear said a sign-up sheet might not be a good idea because there is no secretary at the meetings to bring the sheet to the dais or say who should speak first. She and Councilor Price agreed the sign-up sheet was unnecessary. Councilor Herzig said if a sign-up sheet is not used, Council must take responsibility for remembering to ask for public comments on each agenda item no matter how trivial the item may seem to Councilors.

City Manager Estes confirmed he had clear direction from Council about how to revise the language in the draft rules about time limits and the order of the agenda. He would edit the language to move Reports of Councilors to the end of the agenda and remove Paragraph 7.3 under Public Comments, which requires a sign-in sheet.

Councilor Price was not in favor of asking people with similar comments to form a group instead of giving each individual three minutes to speak. Therefore, she wanted Paragraph 7.2 under Public Comments removed as well. Mayor LaMear and Councilor Herzig agreed the paragraph should be removed. Councilor Price added that Council could ask the public to keep to two or three minutes when many people want to comment on an item.

Mayor LaMear wanted to discuss adopting Robert's Rules of Order. City Attorney Henningsgaard said procedures are up to City Council. Adopting an arbitrary set of rules like Robert's Rules of Order could bog Council down with the details. He suggested adopting Robert's Rules as a tiebreaker, using them in the event of controversy over procedures. Some of Robert's Rules are very formal, which is not how Astoria City Council has

proceeded in the past. Mayor LaMear had read that the League of Oregon Cities suggests Robert's Rules are too formal and should not be adopted.

City Manager Estes said several sections of the draft rules address protocol for land use matters. He would meet with City Attorney Henningsgaard to make sure the language is compliant with current laws.

Councilor Warr noted that Astoria has done fine without a formal set of rules for 203 years. He questioned whether Astoria needed rules so formal to keep the City from crashing in the future.

Councilor Nemlowill added that making the rules as concise as possible was best. She asked if the draft rules contained language about ending meetings by a specific time. City Manager Estes said some cities have adopted an end time and allow Council to vote on an exception so the meeting can continue past the end time. Councilor Price said she would consider adopting an end time.

City Manager Estes confirmed he would work to make the rules more concise. Councilor Warr said he wanted the entire document to be no more than three pages long. Councilor Herzig reminded that some sections of the rules state they are pursuant to the City Charter, which cannot be amended without a ballot vote. City Manager Estes said these sections could be shortened by removing the summary taken from the charter.

Councilor Nemlowill referred to Section 17 on City Council Training. Astoria's Council does a lot of training and she did not believe the specific trainings listed in the draft rules would be useful to Council each year. For example, the ethics trainings are great for new Councilors and should be required. However, once a Councilor has attended the ethics trainings, each Councilor should be able to choose what types of enrichment they would like. City Manager Estes suggested the rules simply state that Councilors are encouraged to participate in training opportunities each year.

Councilor Herzig suggested in the interest of time, Councilors should discuss the rules another time. He encouraged the public to contact Councilors with input about the rules.

Mayor LaMear asked how minutes are kept during the Executive Session. City Manager Estes explained that the State requires notes be taken. Currently, Forrest Grove records the minutes of the Executive Session. City Attorney Henningsgaard said Astoria has recorded their Executive Sessions in the past, but he did not know what the current procedure was. City Manager Estes said Staff would make sure the Executive Sessions were being recorded in compliance with State statutes.

Mayor LaMear said she was surprised to find out that the Finance Director was also the City Recorder. City Manager Estes confirmed the tasks of City Recorder are delegated to Executive Secretary Julie Yuill. He explained that the City Charter does not specify a City Recorder, but does refer to the Finance Director as the record keeper.

Councilor Price asked for clarification on Section 2.2, which states Councilors can be compelled to attend a meeting if less than a majority are present. City Attorney Henningsgaard believed this meant if only two Councilors show up for a meeting, they could send the Sheriff to pick up the other Councilors and bring them to the meeting.

Mayor LaMear asked Councilors to forward any other feedback to City Manager Estes. City Manager Estes said he would try to present a revised set of rules at the next City Council meeting.

## **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS**

Councilor Price requested Council consider forwarding a motion to intervene to the Federal Energy Regulatory Commission (FERC) at its April 20, 2015 meeting. The motion states the City of Astoria has an interest in the proposed Oregon liquefied natural gas (LNG) terminal and the associated Oregon pipeline and grants the City the opportunity to make comments even though the comment period has expired. About 80 percent of Astoria voters voted against the pipeline in the countywide referendum held a few years ago. Most importantly, in June 2006, City Council submitted a similar motion to intervene in the proposed Bradwood facility. The motion was drafted by Dan Serres of Columbia Riverkeepers. She has submitted the motion and the June 2006 motion for Council consideration.

Councilor Nemlowill asked how the motion would allow the City to comment after the comment period had expired and how Councilor Price found about making a motion to intervene. Councilor Price said comments can still be submitted because no decisions have been made yet. She knew the City had submitted a motion to intervene on the Bradwood facility proposal. Therefore, when she found out the City had not acted on the Oregon LNG facility, she knew something could still be done.

Councilor Herzig asked for an update on hiring a Community Development Director and Financial Director. City Manager Estes said an announcement would be made that week about the new Finance Director. The application review process is currently being conducted for the Community Development Director position.

#### **ADJOURNMENT**

The regular meeting of the Astoria City Council was adjourned at 8:47 pm to convene the Executive Session.

#### **EXECUTIVE SESSION**

Item11(a): ORS 192.660(2)(h) – Legal Counsel

**APPROVED:**

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

DRAFT

A work session of the Astoria Common Council was held at the above place at the hour of 6:00 pm.

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Staff Present: City Manager Estes, Public Works Director Cook, Financial Analyst Snyder, and City Support Engineer Moore. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### **DISCUSSION OF THE CSO PROGRAM AND ANTICIPATED SURCHARGE AMOUNTS**

In January 1993, the City of Astoria executed a Stipulation and Final Order (SFO) with the Oregon Department of Environmental Quality (DEQ). Since that time, the City has taken substantial positive steps toward significantly reducing combined sewer overflows (CSO) into the Columbia River and Youngs River. The Council work session will include a brief history of the CSO Program, completed and future projects, monitoring, modeling, and finances. The goal of the work session will be to provide the Council with history, current status, and future direction of the CSO Program.

City Manager Estes said DEQ approved the City's request to extend the deadline for completing the CSO project.

Engineer Moore gave a detailed description of what is involved in the CSO project, reviewing the history of the CSO program, monitoring, and utility surcharges via PowerPoint. During the presentation, she and Director Cook responded to Councilor's questions and comments as follows:

- Currently, Astoria controls about 90 percent of the sewer overflow that used to flow into the rivers, which is estimated to be about 300 million gallons per year.
  - The system will always result in some overflow into the rivers during heavy rain events. However, Astoria now complies with DEQ's requirements to prevent overflow during smaller rain events.
  - When the wastewater treatment plant was built in 1975, it was designed for population growth. Astoria has not had any population growth, so the plant has plenty of available capacity for the sewer overflow. Since the CSO project, the plant now treats about 1 million gallons per day in the summer and 20 million gallons per day in the winter. Treating this wide range of flows is a challenge.
  - The City is not required to monitor the quality of the water that overflows into the rivers. Astoria does not regularly monitor the overflows, but does monitor the first flush of overflow that occurs after a summer of dry weather. Since storm water causes most of the overflows, most of the contaminants are very diluted. Therefore, the City is spending a lot of money for a little bit of gain.
- Monitoring is essential because it allows the City to determine how much work is necessary to comply with DEQ without overspending. Population projections and safety are factored into the monitoring.

Financial Analyst Snyder presented a detailed financial analysis of the CSO project via PowerPoint. His presentation included historical and current financial projections, amortization schedules, loan requirements, and utility surcharges. He and City Manager Estes responded to Councilor's questions and comments as follows:

- The loans require the City to keep a reserve and bring in enough revenue to cover the debt. Rate increases plus sewer surcharges are necessary to comply with the loan requirements. Revenue is generated from the consumption that is billed and since consumption is not increasing, neither is the revenue.
  - For the next fiscal year, Staff will recommend a 2 percent rate increase and a surcharge increase of 5 percent.

Councilor Price understood the loans were extended to prevent overlapping debt service. However, she was concerned that the extension would cost more interest. Staff confirmed the interest rates were very low. Financial Analyst Snyder said he would get back to Councilor Price with the exact amounts.

Engineer Moore presented the results of completed CSO projects and reviewed the current status and future direction of the CSO Program via PowerPoint. She made the following key comments in response to Council's questions and concerns:

- Future projects will be more difficult and expensive because the locations are not as densely developed.
  - Projects will not overlap prior to 2025 so the City has time to pay off loans.
  - The City expects to spend between 9 and 12 months obtaining funding from DEQ, which has been factored into the timeline.
- The actual expenditure for crosswalk paint on the 11<sup>th</sup> Street CSO project was less than projected. Councilor Herzig believed substandard paint might have been used because the paint is already wearing off. Engineer Moore explained paint is only expected to last about a year and Staff restripes annually.

Councilor Herzig noted some of the CSO work would overlap with construction on the Irving Street Bridge. However, he understood Staff would work to ease the burden on the neighborhood.

#### **ADJOURNMENT TO REGULAR SESSION**

There being no further business, the work session was adjourned at 6:49 pm to convene the regular session City Council meeting.

**APPROVED:**

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City Manager

DRAFT

A special meeting of the Astoria Common Council was held at the above place at the hour of 3:00 pm.

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Parks Board Members Present: President Norma Hernandez and Janet Miltenberger.

Staff Present: City Manager Brett Estes, Police Chief/Assistant City Manager Brad Johnston, Parks Director Angela Cosby, Parks Maintenance Supervisor Jonah Dart-McLean, Parks Recreation Supervisor Terra Patterson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**PRESENTATION:**

Director Cosby provided a PowerPoint presentation regarding the background and issues related to the Ocean View Cemetery.

**CEMETERY TOUR:**

Councilors, staff, and citizens toured the cemetery, and then returned to the Chapel to continue the meeting.

**DISCUSSION OF CEMETERY ISSUES AND POTENTIAL SOLUTIONS:**

Director Cosby sought feedback from City Council on what level of cemetery maintenance the City Council expects, how those expectations should be achieved, and what the preferred timeline is for implementing the expected improvements. Discussion regarding key issues and suggestions was as follows:

**Maintenance:**

- Mayor LaMear did not want the cemetery to be losing money every year, so fees should be raised. The cemetery looked pretty good, as moss and dandelions are to be expected, but the grass should be kept neatly cut and green. She would have to consider whether to keep the lawn green year-round since irrigation would be necessary in the summertime.
- Councilors Warr and Herzig agreed maintenance should meet the expectations of the people who have purchased cemetery plots. Current maintenance was not meeting public expectations and that feedback should be used to provide a baseline expectation for maintenance.
- Councilor Nemlowill believed the maintenance level should be what the City can afford and agreed with Mayor LaMear that funds should not be taken from the General Fund.
- Council agreed rates needed to be raised.
  - Councilors Warr and Price believed rates should be raised incrementally. Councilor Warr suggested increasing rates by 40 percent initially, and then by 10 percent or some amount each year thereafter. He believed that in order to keep faith with cemetery patrons, some General Fund money would be necessary. The rates had not been raised in 19 years, when they were doubled, upsetting funeral homes and monument dealers who claimed the higher rates would put them out of business.
  - Director Cosby noted a \$5,000 increase in cremations which is going from approximately \$600 in value to about \$1,500 in fees.
  - Director Cosby confirmed it would take two years to remove moss and dandelions at a cost of about \$126,000, including labor and materials. Such a maintenance plan would involve chemical applications or hand pulling of dandelions and thatching, which is extremely expensive, multiple rounds of reseeding, a large amount of fertilizer. A lot of the work would likely be contracted out to avoid hiring a full-time employee who would need to be laid off after two years.
- Councilor Nemlowill noted Ocean View is one of two public-owned cemeteries in the State and suggested exploring selling the undeveloped 50 acres to a private operator and use the revenue to clean up the existing portion. How to continue maintenance with no further revenue was a good question, but she noted the operating costs of the Pioneer Cemetery were significantly less than Ocean View's.

- Staff explained that mowing and weed eating around headstones significantly drives up costs, making the cemetery harder to maintain than other parks. To be as cost effective as possible, juvenile crews do much of the work twice a month throughout the spring and summer. Differences in maintenance between the Pioneer and Ocean View Cemeteries were noted.
- Staff offered to explore Xeriscaping as an alternative to maintaining a golf course look in sandy areas close to beaches.
  - Councilor Herzig believed Xeriscaping required more maintenance intensive because of the wind and rain. Moss and dandelions would not move around like sand or rocks.
  - Councilor Price clarified that rather than Xeriscaping, she wanted to allow a more natural approach. A field of dandelions can be beautiful when they are in bloom. However, she agreed cemetery maintenance should meet the expectations of the plot owners and their families.
  - Mayor LaMear did not believe making the cemetery look like a golf course was appropriate.
- Getting water to the cemetery has been an issue. Three very costly attempts were made to drill wells, and only one well worked for a few years. One company estimated water could be found at a higher elevation, but it would only be enough to irrigate the cemetery for three to five years. In addition to the drilling investment, the City would also have to invest in piping the water to the pump house, which would involve tearing up the roads and would cost more than \$75,000. Additionally, there is no guarantee drilling in a new location would hit water
  - Staff advised simply purchasing water from the City of Warrenton and planned to talk to them to discuss the possibility of a reduced water rate. Warrenton has different rates for residential, commercial, industrial, and government customers. Their government rate is the second to the highest rate and higher than residential rates.
- The cemetery was kept pristine up until a few years ago and most people with family members at the cemetery are used to a higher level of maintenance.
  - Warrenton citizen LeRoy Dunn said he owns several plots and has many family members in the cemetery. He had no complaints about Director Cosby; however, the cemetery used to be the best-kept cemetery. The cemetery looks good now, but one month ago, there were so many limbs lying on the area with the baby plots that it could not be seen. The City will build walking trails and give away John Warren Field, but he said there is not enough money to take care of the cemetery. He could be buried at Fort Stevens or the military cemetery, knowing his plot would be taken care of; so it is disheartening to own plots at Ocean View.
  - Warrenton citizen Muriel Dunn noted the sand at Ocean View would require irrigation all the time, which is not possible. Brown foliage in the summer will have to be tolerated; however, the area gets plenty of rain, so the cemetery may only be a little brown in August and September. She did not mind the dandelions and just wanted the cemetery to be kept mowed
  - Mr. Dunn asked if water could be pumped out of the lake and brought to the cemetery.
    - Director Cosby replied this has been done in the past; however, the lake started to run dry and leaves from the alder trees mixed in with the water stained the headstones brown.
- Director Cosby said the weeds have begun to increase over the last three years. If staff does not do anything about the dandelions, they will increase. She asked if staff should try to maintain the current level of dandelions or allow them to spread.
  - Responses from Councilor Price and Mr. and Mrs. Dunn were that the dandelions stay green through the summer, reseed themselves, and the blooms would not be seen if the grass was kept mowed.
  - Parks Maintenance Supervisor Dart-McLean added that the undeveloped portion of the cemetery contains a healthy stock of Scotch broom, which needs to be removed. The 50 developed acres contain a little bit of topsoil and then sand as does the undeveloped 50 acres making irrigation difficult.

#### Staffing and Labor:

- The Parks Department has utilized labor from the County Correctional Department's work crews. Sometimes, the fees charged for adults are more than the City pays its own full-time employees, and workers on the juvenile crews do expensive damage to gravestones, vases, and equipment.
  - Community service volunteers, who are mandated to do community service for citations like speeding tickets, have worked on many trails in Astoria over the last few years. However, it would be more appropriate to use the juvenile crews in areas like trail maintenance. This would still reduce the workload in one area, allowing skilled staff to spend more time in other areas. The number of workforce hours the Parks Department has is the issue.
- Councilor Herzig and Director Cosby agreed a full-time employee at the cemetery would help significantly.

- Councilor Nemlowill said as long as burials were being conducted at the cemetery, a dedicated employee should be present. She recently attended a funeral where it seemed awkward to have a Parks employee cover the grave with dirt. She questioned whether the employee was emotionally equipped to handle the work. The employee was wearing maintenance attire and people even commented it was not appropriate for a funeral. Having the recreation coordinator spending 25 percent of her time on funerals seemed strange and out of place.
- Director Cosby said it was not common for a cemetery to be part of a Parks and Recreation Department, but other cities do put their Parks Departments in charge of cemeteries. These cities typically have staff dedicated to cemetery maintenance.
  - Councilor Nemlowill noted most citizens in Astoria cannot believe the City owns a cemetery in Warrenton.

Selling all or a portion of the cemetery:

- Staff would look into the legal and ethical implications of selling the cemetery.
- Councilor Warr did not believe the number of burials at Ocean View would make the cemetery attractive to investors, noting that Michael Leamy, owner of Greenwood Cemetery, had to find additional work to support his cemetery. Most of the maintenance expense is on old graves. Ocean View has about 16,000 old graves that must be cared for forever.
- Councilor Price asked if the families with plots had been asked about the choices between raising rates "x" amount or having brown grass, or did staff know enough from receiving public comments. Director Cosby replied the City definitely receives a lot of comments, generally from those who are unhappy.
- Mr. Dunn suggested contacting the City of Warrenton about splitting the costs of maintaining the cemetery. Director Cosby was not certain whether Warrenton had been approached about that.
- The City needs to decide what will be done when the developed portion of the cemetery is full, which will be in two or three years.
  - Director Cosby said she was concerned about continuing to develop the cemetery while increasing fees enough that the Irreducible Fund had enough money to keep funding maintenance after the rate increases stopped. If the City sold the undeveloped portion now, the cemetery could be maintained without increasing rates using the \$3,000 budgeted annually for cemetery maintenance. The City could also consider selling the entire cemetery.
    - Depending on the price, selling the 50 acres might build the fund or provide money for maintenance. The Irreducible fund has over \$800,000. With the current interest rates, an additional \$800,000 or \$1 million still would not be enough. However, if interest rates returned to 4 or 5 percent, this would provide an additional \$40,000 to \$50,000 additional on the money that we now have.
- Councilor Price asked what options might be available, if not for this budget year, for future fiscal years.
  - Staff explained a consensus was needed from City Council so staff could develop next steps. Staff understood Council is interested in raising fees and offered to propose some specific rate increases to Council in the future. In addition, as part of the budgeting process, which starts in April, staff understood Council wanted a higher level of maintenance at parks. Staff has already begun to discuss the Parks budget for the next fiscal year and would present proposals to the Budget Committee and City Council to address the concerns in a way that fits within the City's resources. Putting money toward the Parks Department may mean the City will not have the ability to fund some things in other departments. Staffing levels would be addressed through the full budget process.
  - Councilor Price noted one option is to consider what will be necessary in two or three years when space runs out; perhaps the 50 acres could be developed one acre at a time, instead of all at once. City Manager Estes said staff could provide for discussion cost estimates to develop smaller portions at a time.
- Councilor Herzig wanted to explore whether the City could legally sell the cemetery. Council needed to know if there was a way to get out from under the entire cemetery. City Manager Estes said staff would research this.
- Councilor Warr confirmed no more property was available in Warrenton. Director Cosby clarified the Ocean View Cemetery was about halfway developed.

Director Cosby asked the Council to summarize and provide a clearer consensus about the level of maintenance desired:

- Mayor LaMear believed keeping the graves cleared and clean was most important. As long as the grass was mowed and kept neat, a manicured lawn was unnecessary.
- Costs associated with keeping gravestones cleaned are not included in cemetery plot fees.

- Councilor Warr explained that routine maintenance of the gravestones involves weed eating around the flat markers to keep them visible and blowing grass clippings off the upright markers. He preferred a pristine cemetery, but understood this was not possible. He agreed the cemetery should just be kept mowed and gravestones maintained. He and Mayor LaMear preferred mowing be done weekly instead of twice a month.
- Councilor Price said she was more tolerant of longer periods between mowing and was not concerned about watering in the summer. She agreed uncovering the flat markers should be a priority and may be easier to maintain once completed. She believed mowing should be kept to a minimum.
  - Councilor Warr said failing to mow often enough leads to more maintenance issues. The flowers and trash need to be cleaned up because nothing looks worse than two-week old flowers on a grave. During the prime mowing season, the grass is high enough that the vases cannot be seen and they are mowed over. Mowing every two weeks creates more damage and causes the cemetery to look tacky with old flowers and trash. Councilor Price agreed.
- Parks Board President Hernandez asked how many hours of staff time would be necessary for minimal maintenance. Staff replied that mowing weekly would require two people for about three and a half days. Additional staff time would be needed for weed eating and picking up trash. If irrigation or fertilizer were added, the grass would grow faster, which would require even more staff. President Hernandez believed the first small step should be to have a full-time employee dedicated to cemetery maintenance.
- Councilor Herzig believed the cemetery should be maintained at least as is because the complaints indicate people do not want to see lower levels of maintenance. He believed a full-time employee should be dedicated to the cemetery. The City needed to be sensitive to the people who paid money with the promise of professional care and if they say any less maintenance is unacceptable, then the City needed to respect that.

City Manager Estes said staff would use feedback from City Council to develop a proposal for the budget process. Director Cosby said she would provide Council with more detailed information about incremental fee increases and staffing costs associated having two seasonal employees, as well as two seasonal employees and one full-time employee. She confirmed that fees would need to nearly double to eliminate the \$56,000 deficit.

Mr. Dunn listed several projects throughout Astoria that were completed by the National Guard and said the National Guard might be able to help develop the cemetery.

Councilor Price noted she did not see any benches in the cemetery. Councilor Warr explained benches were not legally allowed. Mayor LaMear added benches would present more mowing obstacles. Councilor Price suggested selling benches for \$5,000 to \$10,000 to keep the number of benches in the cemetery to a minimum. Director Cosby added that the City charges a substantial amount for the memorial benches along the Riverwalk. Ideally, a full concrete pad would be installed under the bench to avoid mowing around it.

Councilor Nemlowill was very concerned about increasing the amount of money taken from the General Fund for cemetery maintenance. While the City has made a promise to cemetery customers, the City has also made a promise to the taxpayers of Astoria that services would be provided. She did not believe taxpayers ever thought their tax money would be going to cemetery maintenance. Many people who have purchased plots are not residents of Astoria.

- Director Cosby noted some cemeteries charge separate out-of-district fees. City Manager Estes said that because the General Fund is already being used to cover the deficit, staff could consider how a revised maintenance plan might decrease the amount of General Fund money used if fees were increased incrementally.

## ADJOURNMENT

There being no further business, the meeting was adjourned at 4:55 pm.

## APPROVED:

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City Manager

## HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

March 17, 2015

### CALL TO ORDER – ITEM 1:

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

### ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Paul Caruana, Mac Burns, and Kevin McHone.

Commissioners Excused: Thomas Stanley

Staff Present: Interim Planner Mike Morgan

### APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson asked if there were any changes to the minutes of the February 17, 2015 meeting. There were none.

Commissioner McHone moved to approve the minutes of February 17, 2015 as presented; seconded by Commissioner Osterberg. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, and McHone. Nays: None.

### PUBLIC HEARINGS:

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

### ITEM 4(a):

AEP 15-01 Amendment to Existing Permit AEP15-01 by Holiday Inn Express to amend New Construction Permit NC03-01 with the addition of 20 guest rooms to the west end of the Holiday Inn Express Hotel at 204 W Marine in the C-2, Tourist Commercial zone.

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

Commissioner Burns declared that as a member of the Clatsop County Historical Society, he had served on committees with Dave Weber and Caroline Wuebben. However, he had not discussed this application with either of them and did not believe his judgment would be affected.

President Gunderson requested a presentation of the Staff report.

Interim Planner Morgan presented the Staff report. He noted that Staff did not have a Landscaping Plan; however, landscaping would be approved by the Community Development Planner prior to installation. Staff recommended approval with conditions. No correspondence has been received.

Commissioner McHone asked how long the building would be with the addition. It appeared as if the addition would add about 25 or 30 percent to the length of the building and cross over the property line. Interim Planner Morgan referred to the photograph of the west elevation, on Page 3 of the Staff report, noting that the building would not extend clear to the picket fence. A landscaping buffer would still be between the fence and the façade of the building. Staff presented the Commissioners with a site plan, which was not included in the Staff report.

Commissioner McHone noted the site plan did not show which building was being removed to make room for the parking. He asked how the streetscape would change when the building was removed. Interim Planner Morgan said the view would extend across the landscaping to the parking area and open up the vista to the river. Uniontown Park is located right in front of the bridge abutment, so the landscaping would have to be extended along Marine Drive to connect with the park. However, Staff did not have a landscaping plan yet. The building being removed is not historic; it was originally a theatre, and then a sign shop, but is now vacant. The hotel acquired the property and used the building for storage and overflow parking.

Commissioner Osterberg asked if this project would require action by any other City commissions. Interim Planner Morgan said not that he was aware of. The hotel is in the C-2 zone and the application is for an extension of an existing use. Landscaping would have to meet City standards, which requires 10 percent of the parking area be devoted to landscaping. The hotel already exceeds this standard. Commissioner Osterberg asked if the HLC was supposed to consider the landscaping or review the site plan.

President Gunderson explained the Applicant must follow City guidelines. Landscaping is generally approved administratively. As long as the Applicant meets City codes, the HLC does need to get involved. Interim Planner Morgan added that the HLC is tasked with reviewing the architectural aspects of the building.

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

Caroline Wuebben, General Manager, Holiday Inn Express Hotel, 204 W Marine Drive, Astoria, said she did not have a presentation, but would try to answer the HLC's questions.

Commissioner Osterberg asked if Ms. Wuebben agreed with Staff's answers to the HLC's questions and if she had any additional comments in response to those questions.

Ms. Wuebben said she believed Interim Planner Morgan did a fine job presenting the application. The hotel has owned the River Theatre building since the hotel was built. The building has been leased out in the past, but the hotel's long-term plan was to expand the parking. The hotel will consider expanding its parking regardless of the building expansion. Taking the theatre building down will open up the vista from Marine Drive to the park and clean up the area under the bridge.

Commissioner Burns asked if the expansion would put the building under the bridge. Ms. Wuebben replied no, there is an Oregon Department of Transportation (ODOT) easement right under the bridge. However, the building would be closer to the bridge. She added that currently, the hotel and the Parks Department maintain the park at the Maritime Memorial. The hotel is very conscious of landscaping and how the area looks because it reflects on the hotel. She has already downloaded the City's landscaping requirements, which the hotel plans to meet or exceed. She thanked the HLC for its consideration.

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

Vice President Dieffenbach did not have any issues with the application, as the project complies with the criteria for approval.

Commissioner McHone did not have any issues with the design elements or elevations. He did have a minor concern about the size of the building, which would be quite massive, and wanted to hear what the other Commissioners had to say about the size.

Commissioner Caruana agreed the building would be quite massive. However, he was fine with the design. He wanted to see a picture of the building being torn down, but believed the view corridor would be better. If the building is not historic and in poor condition, it should be torn down. A clear site plan or street view of the building would be helpful.

President Gunderson noted those photographs are usually included in the Staff report.

Commissioner Burns said the HLC has approved the building's design once before. The addition is more of the same, so he was okay with the request.

Commissioner Osterberg agreed and added that the criteria are the same as when the building was originally approved. The existing building does not closely match the architectural designs of other buildings in the area. However, the addition will be an exact match of the existing building. The addition will have the same setbacks and other design characteristics of the site. Therefore, he recommended approval of the request.

President Gunderson believed opening up another vista would make the community happy.

Interim Planner Morgan noted that on Page 4 of the Staff report, a photograph of the back side of the sign shop shows how much area would be opened up when the building is removed. President Gunderson responded the HLC preferred a photograph of the front to the building.

Commissioner McHone asked if Condition 3 regarding landscaping was within the purview of the HLC. President Gunderson said the condition should be included as a condition of approval. Commissioner Osterberg added that Staff did include findings for this condition on Page 10, Paragraph C.(a) of the Staff report. Therefore, he agreed the condition was appropriate.

President Gunderson said the hotel has maintained all of the landscaping very well and she had no doubt that would continue. Commissioner Osterberg hoped the landscaping requirements would lead to some continuity between the site's private landscaping and the public park's landscaping. A seamless transition from one landscape to the other would be nice.

Commissioner McHone moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff report and approve the Amendment to Existing Permit AEP15-01 by Holiday Inn Express, with conditions; seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

#### REPORTS OF OFFICERS – ITEM 5:

There were no reports.

#### OLD BUSINESS – ITEM 6(a):

Oregon Heritage All-Star Community Application – Planner Johnson has included the completed application.

President Gunderson explained the application was for a special designation by the State Historic Preservation Office (SHPO). The designation will provide Astoria with more grant opportunities in addition to the recognition.

#### MISCELLANEOUS – ITEM 7:

##### ITEM 7(a): HLC Packets – Electronic Option

Interim Planner Morgan asked if the HLC preferred to receive agenda packets via email. The packets are already in digital format, so emailing them would not be a burden on Staff. The electronic copies could be accessed on an iPad.

President Gunderson said she did not have a preference. However, she did not want to receive both an electronic and a hard copy. In February, she printed the electronic copy that was emailed and then she received a hard copy in the mail, which was a waste of paper.

Vice President Dieffenbach said she found it difficult to use the iPad during a meeting because she must flip back and forth between the pages. She was okay with receiving the packet via email, but wanted a paper copy at the meeting.

Commissioner McHone preferred to receive both an electronic and paper copy.

Commissioner Burns preferred email. Prior to this meeting, he had been traveling and was able to review the materials while he was on the road.

Commissioner Osterberg preferred a paper copy of the packet on 8" by 11" paper. He liked having the exact same format that was available to the public and the public will most commonly refer to page numbers on the paper copy. He understood the public could review the packets electronically on the City's website. However, people rely on paper copies.

Interim Planner Morgan said Staff could refrain from emailing, allowing Commissioners to view and download the packet from the City's website. However, President Gunderson believed receiving the packet via email prompts Commissioners to look at the document. Interim Planner Morgan said Staff would email the packet to all of the Commissioners and mail a paper copy seven days in advance of each meeting. Some jurisdictions have switched to total electronic communications, but this does not always work when looking at plans.

Commissioner Osterberg agreed that reviewing architectural plans on a screen was difficult. He preferred to rely on 11" by 17" or 20" by 24" paper for architectural and detailed site plans.

President Gunderson suggested the process be left as is, email and mail the agenda packets. Several Commissioners stated they were only receiving emails that contained a link to the packet on the City's website, but were not receiving the packet attached to an email. President Gunderson directed Staff to make sure all of the Commissioners were receiving the packet as an attachment to an email. Interim Planner Morgan confirmed this would not be a problem.

ITEM 7(b): HLC Member List – An updated member list is attached for Commission use.

President Gunderson asked all of the Commissioners to review the updated member list and make any necessary changes or corrections.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 5:47 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Interim Planner

## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall  
January 27, 2015

### CALL TO ORDER:

David Pearson called the meeting to order at 6:56 pm.

### INTRODUCTION OF NEW COMMISSIONERS:

New Planning Commissioners Daryl Moore and Frank Spence were introduced during the Traffic Safety Committee meeting. New Planning Commissioner Jan Mitchell was unable to attend this meeting.

### ROLL CALL:

Commissioners Present: David Pearson, McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, and Frank Spence

Commissioners Excused: Jan Mitchell

Staff Present: City Manager Brett Estes, Interim Planner Mike Morgan, Planner Rosemary Johnson, City Attorney Blair Henningsgaard, and Consultant, Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### ELECTION OF OFFICERS:

ITEM 4(a): In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the APC needs to elect officers for 2015. The 2014 officers were President Zetty Pearson, Vice President McLaren Innes, and Secretary Sherri Williams.

Motion by Commissioner Fitzpatrick, seconded by Commissioner Easom to elect David Pearson as President. Motion passed unanimously.

Motion by Commissioner Fitzpatrick, seconded by Commissioner Easom to re-elect McLaren Innes as Vice President. Motion passed unanimously.

Motion by Commissioner Pearson, seconded by Commissioner Easom to re-elect Sherri Williams as Secretary. Motion passed unanimously.

### APPROVAL OF MINUTES:

ITEM 5(a): November 25, 2014

President Pearson asked if there were any corrections to the minutes of the November 25, 2014 meeting. There were none.

ITEM 5(b): December 17, 2014

Commissioner Fitzpatrick noted the following corrections to the minutes of the December 17, 2014 meeting:

- Page 1, Item 4(a), fourth paragraph: "~~Commissioner Pearson~~ **Commissioner Gimre** declared that he was a member of First Presbyterian Church..."
- Page 3, third bullet under Doors and Windows: "Commissioner Fitzpatrick supported clear stories..." He clarified that he was referring to a type of window, which he would have spelled "clerestory". However, Webster's Dictionary does spell the word closer to the way it was spelled in the draft minutes.

Vice President Innes moved that the Astoria Planning Commission approve the minutes of November 25, 2014, as presented, and approve the minutes of December 17, 2014, as corrected; seconded by Commissioner Easom. Motion passed unanimously.

## PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

### ITEM 6(a):

CU14-15                      Conditional Use CU14-15 by Nomadic Properties, LLC to locate professional office space in an existing commercial building at 3990 Abbey Lane, #101, #102 & #109 in the S-2A, Tourist Oriented Shorelands zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, he asked Staff to present the Staff report.

Interim Planner Morgan reviewed the written Staff report. Staff recommended approval of the request with the conditions listed in the Staff report.

President Pearson confirmed there were no questions for Staff and opened the public hearing. He called for a presentation by the Applicant.

Ted Forcum, 3990 Abbey Lane, Owner, Nomadic Properties, LLC, Astoria, said he wanted to convert the spaces listed on the application to professional offices, like the rest of the spaces in Building B. The conditional use would allow the smallest space to be aligned with the use of his only tenant and would accommodate his plans to fill the other two spaces. Parking would be the same as the existing allowable uses. All of the work would be on the interior of the building and might include adding a restroom.

Commissioner Easom believed there may have been a typographical error on Page 2, under Section II.C Proposed Use and asked if the spaces should have been listed as B101, B102, and B109. Planner Johnson explained that the space numbers were actually tax lot numbers and were correctly listed in the Staff report as 8101, 8102, and 8109.

President Pearson called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed the public hearing and called for closing comments of Staff. There were none. He called for Commission discussion and deliberation.

Commissioner Fitzpatrick said the Applicant has been in front of the Planning Commission before; he has always done a lot of homework and has completed a lot of work to make conversions to his property. The project made sense and he was in favor of approving the application.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-15 by Nomadic Properties, LLC; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

### ITEM 6(b):

CU14-16                      Conditional Use CU14-16 by Angela Cosby to establish an accessory dwelling unit in the basement of an existing single family dwelling at 1555 Niagara in the R-1, Low Density Residential zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared a potential conflict of interest. He knows Ms. Cosby and part of his income is derived from renting residential properties. However, he believed he could make an impartial decision on this application.

Commissioner Easom said he knew Ms. Cosby on a personal and professional basis. He also works in property management, but believed he could vote impartially.

President Pearson asked Staff to present the Staff report.

Interim Planner Morgan reviewed the written Staff report and noted the handwritten notes on Page 3 were corrections that would be made in the Staff report attached to the Order. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Angela Cosby, 1555 Niagara, Astoria, said she purchased her home 1½ years ago as a fixer-upper. She has made significant upgrades and would like to put an apartment with side access in the basement. The basement is large; it is almost two stories high and has never been finished. The basement laundry room has been completed with electrical, but no insulation. The basement flooring is concrete and gravel.

President Pearson called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he called for closing comments of Staff. There were none. He closed the public hearing and called for Commission discussion and deliberation.

Commissioner Fitzpatrick believed the request was for an appropriate use. There is definitely a need for affordable housing in Astoria. President Pearson agreed and said the request meets all of the criteria the Commission has been asked to review.

Commissioner Fitzpatrick moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-16 by Angela Cosby, with conditions; seconded by Commissioner Easom. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

#### COMMUNICATIONS:

ITEM 7(a): Letter from Ed Wernicke and Rhonda Gewin regarding the Riverfront Vision Plan

Planner Johnson said the letter, which was received via email, would be discussed during the Work Session.

REPORTS OF OFFICERS/COMMISSIONERS: None.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:15 pm to convene the work session.

#### WORK SESSION – Bridge Vista Area of the Riverfront Vision Plan:

City Manager Estes updated the Planning Commission on the town hall meeting held to discuss Code language implementing the Bridge Vista Area of the Riverfront Vision Plan (Plan). The purpose of the meeting was to gather additional public input for the Planning Commission to consider. Staff followed up on the issues discussed at the meeting by creating a list of questions for Commissioners.

Matt Hastie, Angelo Planning Group, gave a PowerPoint presentation and reviewed the memorandum in the Staff report, which included the history of implementing the Plan to date; some concerns from citizens and the Planning Commission that have been addressed; and items about which Staff sought direction from the Planning Commission.

President Pearson invited public comments on visual and physical access to the river.

David Carter, 100 W Franklin Avenue, Astoria, said he and his wife purchased their home last spring, paying a premium of more than \$100,000, as the home has spectacular views. He perceived the neighborhoods as being directed at the residents. At a previous meeting, he said if bridges were built out over the piers, he would lose

most of his views of the water. He was told the discussion at that meeting was not about preserving views of the water. He was disappointed that even though he paid a premium for his home, views of the vistas are not included in any of these discussions. The focus is on corporate development, not the residents that paid premiums for their homes in the area. He was very concerned that the residents were not being considered. He moved to Astoria from Denver, Colorado. He lived in Denver during the proliferation of marijuana issues. He believed that by June or July, Astoria would have a problem with people smoking marijuana all along the streets. Currently, Astoria has issues with cruise ship tourists trying to purchase marijuana at the shop downtown who get upset when they are unable to buy it. When marijuana becomes legal, people will be smoking it everywhere. He asked the Planning Commission to consider designating space over the water for smoking marijuana and restrict smoking on the streets. By containing marijuana smoking in a designated area on a pier over the water, it will be easier for police to keep an eye on the people who use marijuana. His primary concern is that his property could lose value if his view of the water is blocked and he was disappointed that this process does not consider the people who live on the hill overlooking the views.

Nadine Faith, 431 Kensington Avenue, Astoria, asked what structures could be built no higher than the bank. She also asked that the options being recommended be better defined so she would have a practical sense of the options being considered.

Mike Weston, Port of Astoria, said the Port preferred Option B, as shown on Page 9 of the memorandum. Options A and C would restrict development on the Port's properties west of the Astoria-Megler Bridge and adjacent to the Seafarer's Memorial. The Port was also concerned about the view corridors. Overwater development is more difficult to implement than development on land. However, with Option B, as development moves out over the water, decks would be built along the waterfront as public viewing platforms. This would preserve the view of the river.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he preferred Option C, which he believed was meant to satisfy the public feedback received at the town hall meeting. However, this was not the case. He suggested an additional option, which would have virtually no development around the bridge. He suggested most of the blue areas on the map showing Option C should be red.

Drew Herzig, 628 Klaskanine Avenue, Astoria, said the town hall meeting was very well attended. Most of the testimony given at the meeting was in favor of restricting development in the Bridge Vista Area. It appears as if Staff has ignored the testimony given at the meeting because the three options given do not seem to be based on what the community wants. He was surprised that feedback given at the meeting was not incorporated into Mr. Hastie's recommendations. Limiting the decision to the three options presented ignores the public outcry for extremely restricted development. Testimony opposing the restriction of overwater development was based on the premise that overwater development would be so expensive that it would not occur anyway, which he believed strains credulity.

Commissioner Spence asked if Staff considered the sightlines from the surrounding neighborhoods for each option. Mr. Hastie said yes, and showed slides of the sightlines, as well as other slides related to overwater development. He noted that Staff has considered the public feedback given at the town hall meeting and public comments made in writing. The comments indicated the public wanted to err on the side of protecting views of the river and limit development as much as possible. He was presenting a combination of some restriction and no restriction because the Riverfront Vision Plan states the Bridge Vista Area of the waterfront is appropriate for development, should it occur. Therefore, development must be balanced with protecting the views. He added that restricting structures to bank height would allow the development of marinas, piers, docks, and possibly some small associated uses.

As Mr. Hastie reviewed the graphics simulating the proposed overwater development standards, he explained that maximum spacing and height recommendations were based on the size of existing uses, the minimum width recommendation was based on a percentage of the maximum spacing, and the maximum combined width of overwater buildings on a contiguous set of parcels was based on the Plan's indication that the area was appropriate for overwater development. He also reminded that the graphics were hypothetical scenarios, showing what could occur if certain standards were implemented.

Mr. Hastie posed the following questions:

- What is the Commission's preferred option for areas in which overwater development would be limited?
- Should maximum height of an overwater structure be limited to 35 feet from the top of the riverbank?

- Should the minimum width of an individual overwater building be kept 150 feet, measured along the parcel frontage adjacent to the Columbia River shoreline?
- Should the maximum combined width of buildings adjacent to upland properties with contiguous ownership be a maximum 60% of the total combined parcel width?

The Planning Commission responded to the questions with the following key comments:

Vice President Innes was concerned about how to reconcile the Plan's requirement to accommodate development with the community's desire to restrict development in the Bridge Vista Area. She believed many people who claimed overwater development would be cost prohibitive already had plans to build over the water.

Commissioner Easom said he was leaning towards Option B because it allowed development. The Plan stated the Bridge Vista Area was to accommodate development, unlike the Civic Greenway Area, which was deemed inappropriate for development. He believed overwater development should be limited exclusively to water-related uses, the 35-foot height limit was appropriate, and a minimum width of 150 feet was reasonable. Views change as one walks along the riverfront, which creates interest. Buildings are part of this view.

Commissioner Fitzpatrick did not want discussions about this set of Code amendments to become as contentious as they were for the Civic Greenway Area. The Plan states certain levels of development should be allowed in certain areas of the riverfront, but some community members are upset the City has complied with the Plan. The Plan was developed over several years and adopted in December 2009. The Planning Commission is tasked with implementing the Plan. Letters to the editor and emails indicate the community believes there are plans to build and start projects, but the City has not received any requests for development. Currently, Astoria does not impose any limits on development along the riverfront. The Planning Commission must reduce what it currently allowed and ensure the restrictions comply with the Plan. The Commission is not proposing anything or trying to block views. He wanted the public to understand that the entire Planning Commission and Staff love the riverfront, the views, and Astoria. The City does not intend to try to destroy Astoria's character and would be more open to listening to ideas if the public could understand that everyone is on the same team. One reason he moved to Astoria was because of the views, which he agreed were great because of how the view changed along the riverfront. An ocean view does not compare to the view he has from his apartment on 11<sup>th</sup> Street, which includes views of the river, downtown, overwater buildings, and the ships and barges coming and going. Higher up the hill from his apartment are views of the treetops, the river, and some of the ships. This view might be more panoramic, but does not have the character of the view he gets from his apartment. For over a year, people have made comments indicating they believe the Planning Commission is against them and is trying to take something away, ruin the view, and ruin the town. He wanted to make it clear this was not the case. If a building is built over the water, it may not be the end of a view or the worst thing that could happen. He favored restrictions on development near the bridge; he believed the 35-foot height limit was relevant depending on the use, and agreed that only water-dependent uses were appropriate. Water-dependent uses would be logging and fishing. If someone comes up with a water-dependent use that the City had not considered, but would be a benefit to the city, the Planning Commission should be allowed to consider it.

Commissioner Moore said he had been a casual observer of this process for a while. He has a technology background, which he believed led him to oppose stagnation. He favored development as long as Astoria's character is retained and the development brings something to Astoria. He also wanted to encourage redevelopment and refurbishment of existing structures. He favored Option B, the 35-foot height limit, and the recommended building width, which seemed consistent with existing buildings in the area. It would be easy to assume new buildings would block all views of the river, but the 3D models show buildings would not likely have such a visual impact.

Commissioner Spence disclosed that he was a member of the Astoria Port Authority Budget Committee, which met quarterly. He did not believe this would be a conflict of interest. Also, his daughter-in-law's sister, Anne Tischner owns the Bridgewater Bistro, which is in the middle of the Bridge Vista Area. He lives on Birch in Alderbrook, right on the water's edge of the Alderbrook Lagoon and the Columbia River. Cargo ships are docked right in his front yard. He had previously served as City Manager in Miami Beach, Florida, which is a peninsula with the Atlantic Ocean on one side and Indian Creek on the other. The shipping channel and Port of Miami was along the south side. He lived on an island with a view of the port and all of the cruise ships, which he believed was one of the most beautiful sights a person could ever see. This is why he became a cruise ship host in Astoria. The economic impact of the cruise ships affects all of Clatsop County. Every dollar spent by cruise ship passengers has a ripple effect that benefits the community seven times over. In the fall of 2014, 44,000 cruise

ship passengers arrived in Astoria. An estimated 80 percent of those passengers got off the ships and spent an average of \$175 each. He understood the value of waterfront activity and supported development along the waterfront. The West End Mooring Basin is full to capacity and the Port has a waiting list. The two Coast Guard cutters docked downtown are a great tourist attraction. Water-related uses are a beautiful sight and Astoria has so much to offer. The City has an opportunity to control height and density in the future. He appreciated and would take into consideration the sightlines and perceived issues with the views. He opposed high density and tall buildings in the area. He also believed 40 feet between buildings was too much, but deciding how to control future development was important. Existing buildings in the area need to be renovated and restored as well. He favored limited and controlled development, water-related uses that can attract businesses and create jobs, and retention of Astoria's beauty and vision for the Columbia River.

President Pearson said the Plan has designated each section of the riverfront for a different purpose. As each section is discussed, the Planning Commission must consider the intent of each section. The Civic Greenway Area preserved a huge section of the riverfront. The Bridge Vista Area is intended to allow development that works for the community. He believed a balanced compromise has been achieved through the proposed conditions to preserve view corridors, creating a pedestrian friendly area, and controlling overwater development. He supported Option B as a compromise.

President Pearson called for a recess at 9:00 pm. The work session reconvened at approximately 9:07 pm.

Mr. Hastie understood that many people preferred Option B and limiting development close to the bridge. Therefore, he suggested another option that combined elements from Options B and C, which would extend the red areas to limit development closer to the bridge to preserve more open areas without affecting areas directly in front of the Port's property. In this option, the red areas would be extended to 100 feet from the center of the bridge to the west and about 150 to 200 feet to the east and would include properties owned by the City, ODOT, the Holiday Inn Express, and a portion of the Port's property.

The Planning Commission was divided between this new option and Option B. Commissioners Moore and Easom still preferred Option B because anything built adjacent to the bridge would be built off shore, which would not obstruct the view of the bridge.

Mr. Hastie noted that recommendations for overwater development and view-related development on land were the same as his recommendations for the Civic Greenway Area. He also clarified that only commercial and retail uses were recommended within the existing commercial areas on land, not the aquatic zones over the water or north of the Rivertrail. This was not made clear at the town hall meeting.

Commissioner Easom suggested a hybrid zone in the area behind The Dunes Motel west of the Maritime Memorial and the vacant lot on West Marine Drive because he wanted the area to allow uses from both the S-2 and C-3 zones. Planner Johnson said an overlay zone would implement limits to uses, but two separate zones could not exist in one location. City Manager Estes added that development within the pedestrian oriented zone would not correspond with some of the uses in the shore land zones.

Mr. Hastie described which uses would be allowed in each zone and asked the Planning Commission to answer the following questions:

- Which rezoning options does the Planning Commission prefer?
- What changes in allowed uses would the Planning Commission like to implement outside of the pedestrian oriented zones?
- Should eating and drinking establishments with visual connections to the water be allowed within the commercial zones outside of the pedestrian area?
- What uses should be allowed within the pedestrian oriented zone?

President Pearson invited public comments about rezoning, use regulations, view-related on-land development, and overwater development standards.

Chris Farrar, 3023 Harrison Avenue, Astoria, did not believe many people realized what little view would be provided by spacing 150-foot wide offshore buildings 40 feet apart. According to his calculations, the view angle would only be 12 degrees. It is a mistake to allow wide buildings with a small space between them because the buildings would block most of the view from the shore. He suggested coagulating the buildings into one part of

the aquatic zone, allowing buildings to be built right up next to each other, blocking the view in one area while leaving wider vistas in other areas. He also recommended expanding the area suggested in Mr. Hastie's additional option for overwater development standards because people like the views of the bridge. He wanted the City to do everything possible to limit the number of vehicles that go out over the water on the piers because toxic fluids from vehicles could leak down into the water. Many petroleum products are getting into the river and the fisheries are being harmed by the toxins in the environment. The Oregon Watershed Enhancement Board is tasked with improving the watersheds, which includes the estuary of the Columbia River. Human activities are causing problems for the fish. He asked the Planning Commission to consider this issue when discussing allowed uses. During the recess, many audience members told him they were leaving because the Planning Commission had already made up its mind and was not listening to their concerns. Option C allows more development than the community indicated it wanted at the town hall meeting. Therefore, the City has driven a hard bargain against the people who spoke earlier in this meeting.

Mike Weston, Port of Astoria, said the Port has had trouble because it is unable to do much within the C-2 zone, which only allows tourist-related uses. The uses in the C-3 zone would allow general retail and commercial uses, with light industrial uses being allowed conditionally. Therefore, the Port preferred Rezoning Option 2.

Planner Johnson reminded that any light industrial uses allowed in the proposed pedestrian oriented zone would be required to have a retail component.

Mr. Weston said he preferred Rezoning Option 2 as long as the property on the water side of the zone remained an S-2 zone. He did not believe the S-2 zone allowed much more than the C-3 zone. Therefore, he had no preference between the two. He was concerned about the 150-foot size limit on buildings and asked how this would affect views of the water. He suggested requiring docks and viewing platforms that have at least a 180 degree view of the waterfront.

Planner Johnson said the existing buildings were all about 150 feet wide, measured along the shore.

The Planning Commission responded to Mr. Hastie's questions with the following comments and feedback:

- The Planning Commission agreed a pedestrian oriented zone should be implemented and preferred Rezoning Option 2.
- Uses in Existing Zones- Staff recommended that eating and drinking establishments be prohibited because they are not considered water-dependent or water-related. Commissioner Easom said if hotels were allowed, eating and drinking establishments should be as well, possibly as a related use on shore. Commissioner Moore believed eating and drinking establishments in a zone directly adjacent to the pedestrian zone would attract more pedestrians.
  - Terminals - Staff explained that when Code language for the Civic Greenway Area was being adopted, City Council had voted to prohibit a terminal where fossil fuels would be loaded or off-loaded from the water. However, this would not prohibit a boat fueling station. Current zoning allows terminals and Council wanted to differentiate between cruise ship terminals and industrial petroleum terminals. The Planning Commission agreed terminals should be prohibited.
  - Manufactured dwellings, auto-dependent uses, warehouses, wood processing, and residential uses should be prohibited.
  - Eating and drinking establishments should be prohibited in the overwater A Zones, but should be allowed on land in the S Zones.
  - Hotels should be prohibited on land in the S Zones. Commissioner Spence believed hotels should be allowed in the overwater A Zones. All other Commissioners believed hotels should be prohibited in the overwater A Zones.
  - Non-water related and non-water dependent retail should be prohibited in the overwater A Zones. Commissioner Fitzpatrick and Vice President Innes believed these uses should be prohibited in the on land A Zones while the rest of the Commission believed they should be allowed.
  - Professional and medical offices should be prohibited.
  - Indoor entertainment was not included in the memorandum, but was mentioned earlier in the meeting. This use is currently allowed as conditional use in both zones. Staff defined indoor entertainment for the Commission. The Commission believed entertainment should be prohibited in the overwater A Zones. Commissioners Easom, Fitzpatrick, and Vice President Innes believed the use should be prohibited on land in the S Zones. President Pearson and Commissioners Moore and Spence believed entertainment

should be allowed on land. Commissioner Spence said entertainment should be allowed as a conditional use.

- Uses in Pedestrian Oriented Zone- The Planning Commission agreed to all of the recommendations except for hotels and motels, which were listed as an auto-oriented use in the memorandum. Commissioners Moore and Spence did not consider hotels and motels to be an auto-oriented use and wanted to allow hotels and motels because they could draw people to the area. Staff reviewed the list of examples of auto-oriented uses. The Planning Commission agreed to prohibit all other auto-dependent uses. President Pearson suggested that hotels be kept along the sidewalk to keep the zone pedestrian friendly. Commissioners Easom and Fitzpatrick agreed. Commissioner Fitzpatrick also noted the difference between hotels and motels and said he opposed motels in the zone, to which Commissioner Moore agreed.
- Uses in Amended C-2 or New Commercial Zone- Allow residential uses within commercial buildings, prohibit automobile sales and service, and prohibit light manufacturing without a retail component. The Planning Commission agreed with all other recommended uses.

Mr. Hastie said he wanted to review his recommendations for design guidelines and standards. Staff and Planning Commission agreed that because it was getting late, the new Commissioners could be updated on the rest of the recommendations by Staff at a later time. Mr. Hastie reviewed the recommended landscaping and noted that comments at the town hall meeting indicated people were concerned that reduced parking requirements in the pedestrian-oriented zone would lead to increased parking needs in adjacent areas. He asked for and received feedback to the following questions:

- Should spacing and/or height of trees be reduced north of the river trail? Commissioners Easom, Moore, and Vice President Innes wanted to prohibit trees. President Pearson agreed with Staff's recommendations. Commissioners Fitzpatrick, Spence, and Vice President Innes agreed trees should be allowed for specific purposes like soil stabilization.
- Should off-street parking requirements be reduced for new uses in the pedestrian-oriented zone? Mr. Hastie noted that as part of the Transportation System Plan (TSP) process, the City reduced off-street parking requirements for some specific uses. The Planning Commission agreed with Staff's recommendations.

Mr. Hastie and Staff believed they had received adequate feedback from the Planning Commission. Next steps would be to conduct a briefing with City Council, then hold a public hearing with the Planning Commission. This would allow for more public comments and opportunities for Staff to make changes before the Code language is adopted, while staying within the timeline required by the State to remain eligible for grant funds.

There being no further business, the work session was adjourned at 9:45 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

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

**ASTORIA TRAFFIC SAFETY ADVISORY COMMITTEE**

**Astoria City Hall**

January 27, 2015

CALL TO ORDER:

Vice President Innes called the meeting to order at 6:30 pm.

INTRODUCTION OF NEW COMMITTEE MEMBERS:

New Committee members Daryl Moore and Frank Spence introduced themselves, noting their professional backgrounds. Jan Mitchell was also appointed as a new Committee member.

ROLL CALL:

Commissioners Present: McLaren Innes, Kent Easom, Sean Fitzpatrick, David Pearson, Daryl Moore, and Frank Spence

Commissioners Excused: Jan Mitchell

Staff Present: City Manager Brett Estes, Interim Planner Mike Morgan, Planner Rosemary Johnson, City Engineer Jeff Harrington, City Attorney Blair Henningsgaard, Police Sergeant Brian Ayd and Engineer Technician Steve Ruggles. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

ELECTION OF OFFICERS:

ITEM 4(a): In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the APC needs to elect officers for 2015. The 2014 officers were President Zetty Nemlowill, Vice President McLaren Innes, and Secretary Sherri Williams.

Motion by Commissioner Fitzpatrick, seconded by Vice President Innes to elect David Pearson as President. Motion passed unanimously.

Motion by Commissioner Fitzpatrick, seconded by Commissioner Easom to re-elect McLaren Innes as Vice President. Motion passed unanimously.

Motion by Commissioner Moore, seconded by Commissioner Easom to re-elect Sherri Williams as Secretary. Motion passed unanimously.

APPROVAL OF MINUTES:

President Pearson called for corrections to the minutes of the October 28, 2014 meeting. There were none.

Commissioner Easom moved that the Traffic Safety Committee approve the minutes of October 28, 2014 as presented, seconded by Vice President Innes. Motion passed unanimously.

OLD BUSINESS:

Engineer Harrington said his updates included information from the Public Works Department and the Police Department.

**Item 6(a): Traffic Cameras Update**

The Police Department has determined that red light cameras are only allowed in certain cities in Oregon and Astoria is not one of them. The cities that do use cameras are seeing positive results with enforcement. However, these cities experience mechanical issues when the yellow phase is too short. Astoria would

experience these issues in Downtown because of the way the lights need to be timed. Another issue with the cameras is that drivers will rush through the intersection on a yellow light when they know cameras are present.

#### **Item 6(b): Speed Monitors Update**

The City has received many requests to improve speed enforcement. The Engineering Department has learned that fixed speed monitors have limited effectiveness and can only be placed in key locations. Therefore, Staff recommended a portable trailer-mounted monitor, which would allow the City to respond to enforcement issues on a complaint-driven basis in specific areas. Problem areas, like 7<sup>th</sup> and 16<sup>th</sup> Streets, can be targeted on a random schedule. Most importantly, the speed monitors must be followed up with enforcement because if people learn there is no enforcement behind the signs, they become less effective.

Sergeant Aydt added the Police Department would like the City to purchase a speed monitor with a computer system that allows Staff to track speeds. The speed data collected would allow Police to respond to complaints.

Engineer Harrington said the City would have to purchase a trailer. The Public Works and Police Departments are working together on budgeting to see if funds for a trailer could be included in this year's budget. The Oregon Department of Transportation (ODOT) has a trailer that Astoria could borrow, but it does not include the technology that the Police Department wants. The City considered putting a borrowed sign in the Downtown area, but realized the sign and enforcement would take up too much parking space. In 2007, Staff tried to get funding for a fixed sign that was to be placed on 16<sup>th</sup> Street. However, residential opposition led Staff to eliminate the project. He provided the following additional updates:

- The Halloween Safety Giveaway – 200 glow sticks, 200 flyers about safe routes to schools, and 75 reflective sashes were given away. Staff will try to do something similar every year. As a result of this event, Safe Routes to Schools asked the City to help distribute more information. So, Staff displayed copies of a poster at the library, the pool, and on the Police Department's website and Facebook page.
- Downtown Crosswalk Improvements – ODOT's improvements are now complete and they have begun to install the new street signs on Marine and Commercial. Once ODOT has finished, the City will follow up as time permits with installation of the new streets signs outside of the ODOT corridor.
- Rapid Flashing Beacons (RFBs) – Staff is working to resolve the issues on 6<sup>th</sup> Street. The City continues to go back and forth with ODOT on several issues. However, this project is included in the Transportation System Plan (TSP). The road diet concept suggested in the TSP would accommodate RFBs. ODOT has concerns about how the current configuration of the intersection would work with the RFBs. The City has requested funding.
- Irving Avenue Bridge – Bridge work is still on schedule and the detour seems to be working as well as can be expected.

#### REPORTS OF OFFICERS/COMMISSIONERS:

Commissioner Fitzpatrick reported that after the last TSC meeting, a community member suggested the TSC be separated from the Planning Commission. He passed the suggestion along to Councilor Herzig. He agreed, and believed Councilor Herzig agreed, that the separation was appropriate. Traffic safety is important, but the safety issues tend to take a back seat to the Planning Commission, especially since the Commission has begun working on the Riverfront Vision Plan. He believed the TSC should be composed of people who could focus their time on traffic safety. City Manager Estes said separating the two committees was discussed at City Council's goal setting session on January 23<sup>rd</sup>. City Council would like to maintain the status quo for now, with specific pedestrian concerns being forwarded to City Council. Staff has not received any further direction on this issue.

Commissioner Spence reported that on January 22<sup>nd</sup>, his friend Melissa Yowell was killed at the intersection of Marine Drive and Port Way when a pick-up truck ran a stop light. He understood the Police Department was investigating the incident. However, he wanted the record to show that Astoria did have a traffic fatality. Astoria can implement all of the controls and signs it wants, but the human factor will always be involved.

#### PUBLIC COMMENT:

Drew Herzig, 628 Klaskanine Avenue, Astoria, agreed that the City should have an independent Traffic Safety Advisory Committee that is proactive, rather than reactive. The Planning Commission has a huge amount of work ahead. Since the TSC has begun to meet quarterly, it has become a vestigial organ that just hears Staff

reports. Mellissa Yowell's death reminds the community that traffic safety is a life or death matter and people's lives are at stake. While it is true that signs cannot prevent accidents, the City can still minimize them. City Council decided against an independent committee, but he believed Astoria needed an independent TSC that could conduct field trip studies. Many people are concerned about an intersection by Safeway, which is one of Astoria's most dangerous intersections because the street has no street lights and there are many pedestrians from Mill Pond in the area. He did not believe the Committee would succeed just meeting quarterly. The Planning Commission needs to be able to move forward with its agenda without going through the formalities of the TSC meetings just to hear Staff reports once each quarter.

Engineer Harrington explained that when Safeway was being built, the City required a traffic signal be installed at the intersection even though the store's traffic study indicated no signal was necessary. He noted that traffic studies are part of the City's development review process. Before Safeway was located on that intersection, no traffic signal existed. Additional street lighting was not required because there is no power beyond the existing street lights. Staff has applied for Quick Fix funds from ODOT, which are difficult to get because the funds are running out. However, Staff is fighting for these funds because the electrical work for the street lights will cost about \$30,000 or \$40,000. The sidewalk will need to be removed so that conduit can be installed to continue the row of street lights. The street will be well lit once the project is complete and Staff has been spending a lot of time on the project.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned to convene the Planning Commission Meeting at 6:56 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

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

DRAFT



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856  
COMMUNITY DEVELOPMENT

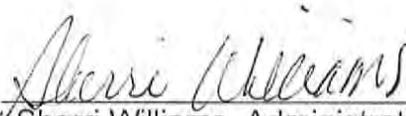
April 15, 2015

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: DR. EDWARD HARVEY HISTORIC PRESERVATION AWARD  
NOMINATIONS

The City of Astoria Historic Landmarks Commission is seeking nominations for the Dr. Edward Harvey Historic Preservation Award. The award is presented each year to recognize a property owner(s) who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. The work must have been completed within the last two years. Nominations may include residential, commercial, public, and other types of buildings.

The awards will be presented by the Mayor in June.

Anyone wishing to submit a nomination should contact Sherri Williams at the City of Astoria, 503-338-5183 / [swilliams@astoria.or.us](mailto:swilliams@astoria.or.us) , or send a nomination (no form required) to the Community Development Department, City of Astoria, 1095 Duane Street, Astoria OR 97103. Nominations must be received no later than 5:00 pm on April 30, 2015.

By:   
\_\_\_\_\_  
Sherri Williams, Administrative Assistant

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of the Application of:

|                              |   |                      |
|------------------------------|---|----------------------|
| LNG Development Company, LLC | ) | Docket No. CP9-6-001 |
| Oregon Pipeline Company, LLC | ) | Docket No. CP9-7-001 |

**CITY OF ASTORIA**  
**MOTION TO INTERVENE OUT-OF-TIME**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's ("FERC") Rules of Practice and Procedure, 18 C.F.R. § 385.214, the City of Astoria moves to intervene out-of-time in the above-referenced dockets for the Oregon LNG bi-directional terminal project and the Oregon Pipeline under CP9-6-001 and CP9-7-001, respectively. In support of this motion, the City of Astoria states as follows:

**I. COMMUNICATION AND CORRESPONDENCE**

All filings, orders, and correspondence respecting these proceedings and this intervention should be sent to the following:

Brett Estes  
City Manager  
City of Astoria  
1095 Duane Street  
Astoria OR 97103  
Telephone: (503) 325-5824  
Fax: (503) 325-2017  
bestes@astoria.or.us

## **II. STATEMENT OF INTEREST**

This intervention motion is filed on behalf of the City of Astoria. The proposed Oregon LNG terminal and its related Oregon LNG pipeline will impact the City of Astoria – its residents, services, and infrastructure.

The City of Astoria, Oregon is a municipality consisting of approximately 11.5 square miles located near the mouth of the Columbia River, in Clatsop County, Oregon, with a population of just under 10,000 residents. The City is located within 2 miles of the location of the proposed Oregon LNG facility. The City may be impacted by the proposed Oregon LNG terminal and the connected Oregon Pipeline, as well as its ancillary power supply facilities. Additionally, the City's emergency responders will likely be called on to respond to any spill, fire, or other emergency at the Oregon LNG terminal or with the Oregon Pipeline.

Because the proposed pipelines, the terminal, and electricity lines for the terminal impact the public safety, utility infrastructure, and natural resources of the City of Astoria, the City's interests cannot be adequately represented by any other party, and participation by the intervener in this proceeding is in the public interest.

## **III. GROUNDS FOR INTERVENTION**

FERC Rules of Practice and Procedure 214 permits intervention by a party that can establish (1) the position taken by the movant, to the extent known, together with the basis in fact and law for the position, and (2) the movant's interest in the proceeding. 18 C.F.R. §§ 385.214(a)(3), 385.214(b)(1), 385.214(b)(2).

The City of Astoria has and represents interests which may be directly affected by the outcome of the proceedings, and the participation of the City of Astoria is also in the public interest. The City's motion to intervene in this licensing proceeding will enable a more complete record to be developed, a more robust review of public safety considerations, and it will be in the public interest. The City's interests cannot be adequately addressed by another party to the proceeding.

Good cause exists to grant late intervention in this case. First, no party will be prejudiced by the intervention. Second, the City has been engaged in public safety issues surrounding the project, particularly regarding the previous import-only configuration. Given the early stage of public safety planning, the City's intervention should create no disruption to this proceeding. Third, the City's participation in FERC's review of the Oregon LNG project is critical to safeguard the safety of Astoria residents, the coordination of local emergency response, and the protection of the City's infrastructure and natural resources. Fourth, information submitted to FERC by the applicant demonstrates that the project could impact the City and its resources, requiring the City's participation in the review process. Lastly, the City accepts FERC's record of review as it currently stands, and looks forward to participating more fully in coming months.

#### **IV. DESCRIPTION OF PROCEEDING**

On June 7, 2013, LNG Development Company, LLC (d/b/a Oregon LNG), filed an application with the Federal Energy Regulatory Commission (FERC) seeking authorization to amend its application filed on October 10, 2008 to site, construct and operate a natural gas liquefaction and LNG export and import facility on the Skipanon

Peninsula in Clatsop County, Oregon. The Oregon LNG export terminal and Oregon Pipeline may require new or upgraded infrastructure and emergency response capability in the Astoria area. Furthermore, the project may involve gas flares, electricity transmission, offsite warehouse and workshop space, and trucking of LNG processing byproducts – all of which could impact the City’s resources.

Additionally, on June 7, 2013, Oregon Pipeline Company, LLC filed an application with the FERC to amend the application for approval to construct, own and operate a natural gas transmission pipeline in northwest Oregon and southwest Washington, originally filed October 10, 2008. The Oregon Pipeline would have the capacity to deliver approximately 1.25 billion cubic feet of natural gas per day to the proposed Oregon LNG export terminal on the Skipanon Peninsula. The Oregon LNG Project proposes to supercool natural gas delivered by the Oregon Pipeline into LNG for export to overseas markets. Both the Oregon Pipeline and Oregon LNG terminal may call on emergency response resources from the City of Astoria, and proposed facilities may impact natural resources at the mouth of the Columbia River.

## **V. CONCLUSION**

Because the City of Astoria has a substantial interest in the outcome of the terminal and pipeline authorization proceeding and no other party adequately represents its interests, intervener respectfully requests that FERC grant this motion to intervene out-of-time in the Oregon LNG project and Oregon Gas Pipeline.

Respectfully submitted,

---

Arline LaMear, Mayor  
City of Astoria  
1095 Duane Street  
Astoria OR 97103  
Telephone: (503) 325-5824

### **CERTIFICATE OF SERVICE**

I certify that on the \_\_\_\_\_ of \_\_\_\_\_, 2015, I electronically filed the original document, Motion to Intervene on behalf of the City of Astoria with:

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

I further certify that I served one copy of Motion to Intervene on behalf of the City of Astoria via electronic mail, and for those parties for which service is not specified at an electronic address, by first class mail, on all parties listed on the office service list compiled by the Secretary in this proceeding.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

/s/ CITY MGR



April 13, 2015

TO: MAYOR AND CITY COUNCIL

FROM:  BRET ESTES, CITY MANAGER

SUBJECT: **AUTHORIZATION TO PURCHASE EQUIPMENT TRAILER**

**DISCUSSION/ANALYSIS**

The Public Works Department has a 1973 Hyster tilt-bed trailer to transport the bulldozer, backhoe, pipe and other equipment from town to the watershed, job sites, or occasionally out of town for equipment repair. It has reached the end of its useful life and is becoming a safety hazard.

Staff has researched the equipment trailer market and has found the Interstate Trailer Model 40DLA Beavertail Trailer to best meet our needs. This trailer, which costs \$23,400, is available from Sonsray Machinery in Portland through Houston-Galveston Area Council (HGAC) of which we are a member. Funds for the trailer are included in the current fiscal year budget. City Attorney Blair Henningsgaard has approved the process.

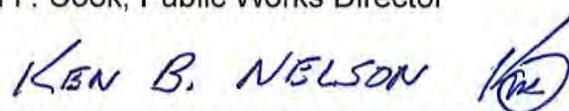
HGAC is an interstate cooperative procurement agency that facilitates contracts between member jurisdictions and member manufacturers.

On April 9, 2015, a notice of the City's intent to establish a contract for an Interstate Trailer Model 40DLA Beavertail Trailer (through HGAC) was advertised in The Daily Astorian. No comments were received.

**RECOMMENDATION**

It is recommended Council approve that Public Works staff purchase a Beavertail trailer for \$23,400 from Sonsray Machinery.

Submitted By:   
Ken P. Cook, Public Works Director

Prepared By:   
Ken B. Nelson, Public Works Superintendent



**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

Date: April 6, 2015

## **MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: **ASTORIA HEADWORKS HYDROELECTRIC PROJECT - PAY  
ADJUSTMENT #2**

### **DISCUSSION/ANALYSIS**

On July 21<sup>st</sup>, 2014, the City Council authorized the award of a construction contract with PCR, Inc. for the Astoria Headworks Hydroelectric Project in the amount of \$348,400.00. The project consists of a 30 kilowatt generator that will provide enough power to offset the power use at the water headworks and generate excess power to be sold back to Pacific Power. The project has been funded by grants from the Oregon Energy Trust, Pacific Powers Blue Sky Program and the Oregon Infrastructure Finance Authority.

The project is now complete and the hydroelectric generator is fully operational. A ribbon cutting event was held at the project site on March 2<sup>nd</sup>, 2015 and was well attended. Engineering staff conducted an outreach effort to local schools to make them aware of the new facility and the on-line monitoring that can be accessed on the City website ([www.astoria.or.us](http://www.astoria.or.us)) located in lower left corner of the home page under Current Projects; Hydroelectric Project; Power Generation of the Hydroelectric System.

During the course of the project there were adjustments and changes required to complete the work. Following is a description of the change orders that were required:

#### Pay Adjustment #1:

- *\$7,968.88 – Additional meter base and disconnect* required by Pacific Power. It was determined during the start of construction that Pacific Power would need a second meter and electrical disconnect for the system. This Change Order was approved by the City Manager.

#### Pay Adjustment #2:

- *\$1,361.65 – Additional conduit due to vault orientation* – additional electrical conduit and conductor wire was required to work around existing conditions determined once the vault was set.

- \$740.00 – *Permit fees* – the County electrical permit fees were in excess of the budgeted amount due to the complicated review process and extra time charged by the County.
- \$14,395.14 - *Re-route drain line* – the planned drain line for the project was planned to run east to the existing edge of bank and could not be constructed due to the presence of large rock not thought to be so excessive. The revised drain line location connected to an existing drain at a lower elevation that will prevent the new vault from flooding.
- \$1,062.15 - *Move Disconnect around corner* – this change included moving some of the electrical components around the corner of the building due to lack of space on the east wall of the lab building.
- \$952.81 – *Additional support anchors* – this change included additional wall anchors to support the electrical equipment attached to the wall of the lab building.
- \$328.95 – *Added Flashing/Heat Shield* – this item was required by the County Electrical Inspector after seeing the installation of the electrical heat dissipaters.

Following is a current construction budget summary:

Original Bid amount - \$348,400.00  
 Total Pay Adjustments;  
   - Previously approved - \$7,968.88  
   - Current proposal - \$18,840.70  
   - Total - \$26,809.58 (7.7% of original bid amount)  
 Total Construction Cost-to-Date - \$375,209.58  
 Grant Amount - \$399,600

The construction cost is under the total grant amount and all excess grant funds have been used towards project development costs such as permitting and engineering.

**RECOMMENDATION**

It is recommended that the Astoria City Council authorize Pay Adjustment #2 which will result in a contract increase of \$18,840.70.

Submitted By   
 Ken Cook, Public Works Director

Prepared By   
 Jeff Harrington, City Engineer



Astoria  
ENGINEERING  
DIVISION

CHANGE ORDER #2

DATE: April 2, 2015  
PROJECT: Astoria Headworks Hydroelectric Project  
CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description                                 | Quantity | Unit Cost  | Total Cost   |
|----------------------------|---|----------|------------|--------------|
| 1                          | Additional conduit due to vault orientation | 1LS      | \$1,361.65 | \$1,361.65   |
| Change Order Total =       |   |          |            | \$1,361.65   |
| Previous Contract Amount = |   |          |            | \$356,368.88 |
| Revised Contract Amount =  |   |          |            | \$357,730.53 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 1 day time extension. The contract completion date is extended to January 1, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Jeff Harney 4/8/15  
City Engineer Date

Ken P. Cook 4/9/15  
Public Works Director Date

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

[Signature] 4/8/15  
Contractor president Date



Astoria  
**ENGINEERING  
DIVISION**

CHANGE ORDER #3

DATE: April 2, 2015  
 PROJECT: Astoria Headworks Hydroelectric Project  
 CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description           | Quantity | Unit Cost | Total Cost   |
|----------------------------|-----------------------|----------|-----------|--------------|
| 1                          | Excessive Permit Fees | 1LS      | \$740.00  | \$740.00     |
| Change Order Total =       |                       |          |           | \$740.00     |
| Previous Contract Amount = |                       |          |           | \$357,730.53 |
| Revised Contract Amount =  |                       |          |           | \$358,470.53 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 45 day time extension. The contract completion date is extended to February 15, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Jeff Idaranta 4/8/15  
 City Engineer Date

Ken P. Cook 4/9/15  
 Public Works Director Date

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

[Signature] 4/8/15  
 Contractor Date



Astoria  
ENGINEERING  
DIVISION

CHANGE ORDER #4

DATE: April 2, 2015  
PROJECT: Astoria Headworks Hydroelectric Project  
CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description                        | Quantity | Unit Cost   | Total Cost   |
|----------------------------|------------------------------------|----------|-------------|--------------|
| 1                          | Reroute drain line (force account) | 1LS      | \$14,395.14 | \$14,395.14  |
| Change Order Total =       |                                    |          |             | \$14,395.14  |
| Previous Contract Amount = |                                    |          |             | \$358,470.53 |
| Revised Contract Amount =  |                                    |          |             | \$372,865.67 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 3 day time extension. The contract completion date is extended to February 18, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Tiff Harvath 4/8/15  
City Engineer Date

Ken P. Cook 4/9/15  
Public Works Director Date

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

[Signature] 4/8/15  
Contractor Date



Astoria  
**ENGINEERING**  
**DIVISION**

CHANGE ORDER #5

DATE: April 2, 2015  
 PROJECT: Astoria Headworks Hydroelectric Project  
 CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description                                   | Quantity | Unit Cost  | Total Cost   |
|----------------------------|---|----------|------------|--------------|
| 1                          | Move disconnect around corner (force account) | 1LS      | \$1,062.15 | \$1,062.15   |
| Change Order Total =       |   |          |            | \$1,062.15   |
| Previous Contract Amount = |   |          |            | \$372,865.67 |
| Revised Contract Amount =  |   |          |            | \$373,927.82 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 3 day time extension. The contract completion date is extended to February 21, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Jeff Houghton 4/8/15  
 City Engineer Date

Ken P. Cook 4/12/15  
 Public Works Director Date

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

Jefferson 4/8/15  
 Contractor Date



Astoria  
ENGINEERING  
DIVISION

CHANGE ORDER #6

DATE: April 2, 2015  
PROJECT: Astoria Headworks Hydroelectric Project  
CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description                     | Quantity | Unit Cost | Total Cost   |
|----------------------------|---------------------------------|----------|-----------|--------------|
| 1                          | Additional anchors for unistrut | 1LS      | \$952.81  | \$952.81     |
| Change Order Total =       |                                 |          |           | \$952.81     |
| Previous Contract Amount = |                                 |          |           | \$373,927.82 |
| Revised Contract Amount =  |                                 |          |           | \$374,880.63 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 1 day time extension. The contract completion date is extended to February 22, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Jeff Henry 4/8/15  
City Engineer Date

Ken P. Cook 4/9/15  
Public Works Director Date

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

Deffenault 4/8/15  
Contractor president Date



Astoria  
ENGINEERING  
DIVISION

CHANGE ORDER #7

DATE: April 2, 2015  
PROJECT: Astoria Headworks Hydroelectric Project  
CONTRACTOR: PCR, Inc.

The purpose of this change order is to account for work not covered in the bid items. This change order amount constitutes total compensation for the changes indicated below and their cumulative effects on the project to date.

| Item                       | Description          | Quantity | Unit Cost | Total Cost   |
|----------------------------|----------------------|----------|-----------|--------------|
| 1                          | Flashing/Heat Shield | 1LS      | \$328.95  | \$328.95     |
| Change Order Total =       |                      |          |           | \$328.95     |
| Previous Contract Amount = |                      |          |           | \$374,880.63 |
| Revised Contract Amount =  |                      |          |           | \$375,209.58 |

This Change Order becomes part of and in conformance with the existing contract. The above change requested by PCR, Inc. warrants a 1 day time extension. The contract completion date is extended to February 23, 2015.

EXPLANATION:

The items above cover costs associated with unforeseen conditions, constructability revisions, quantity adjustments, and added project scope. They represent all changes on the project to date. Support documentation is attached.

CHANGE ORDER ACCEPTED BY:

Jeff Harty 4/9/15  
City Engineer Date

Ken P. Cook 4/9/15  
Public Works Director Date

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

[Signature] 4/8/15  
Contractor Date

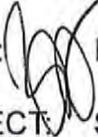


**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

April 8, 2015

## **MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: **SPUR 14 WATER LINE – PUBLIC HEARING FOR DESIGN SERVICE CONTRACT AMENDMENT**

### **DISCUSSION/ANALYSIS**

The Public Works Department has been working closely with the Oregon Health Authority – Drinking Water Program over the past 10 years to be in compliance with the United States Environmental Protection Agency's (USEPA) Phase 1 Disinfectant and Disinfection Byproducts Rule. Phase 2 of this rule recently went into effect. This phase more stringently regulates the levels of byproducts formed when disinfectants (typically chlorine) react with naturally occurring materials in the water. The USEPA supports regulation of disinfection byproducts (DBP) based on a potential association with chlorinated drinking water and some health risks.

The compliance monitoring stage of Phase 2 began on October 1, 2013. Monitoring requires testing for two groups of DBPs. While the City has not been in violation, we have been close to the regulated limit of one group of DBPs, and the State has recommended pursuing solutions. The primary reasons for these DBP levels include the characteristics of our source water and the significant retention time associated with our reservoirs.

Because of this, the City enlisted the technical assistance of CH2M Hill to evaluate methods to reduce DBP levels in our water system. Alternate disinfection methods, retention time reduction, modifying operational procedures, and optimizing source water selection were all evaluated to determine the most effective approach. From this evaluation and follow up testing, City staff determined that modifying operational procedures and optimizing source water selection were the best options to pursue.

Operational procedures have been refined to minimize development of DBPs with limited success. City staff and CH2M Hill also developed a plan to collect water from the best available location within the watershed. This source of water is referred to as Spur 14, and currently feeds the Middle Lake Reservoir and a tributary to Bear Creek. The Spur 14 Water Line Project will directly pipe a portion of this water to the existing Middle Lake Pipeline allowing direct use of our highest quality water source. The project will include a modification to the existing diversion structures on Spur 14, 700 feet of new water line, and a new pressure reducing valve.

The Spur 14 Water Line Project is anticipated to have a very positive impact on the City's DBP levels, but will not completely eliminate the issue. Aside from DBP reduction, the project will also have other operational benefits that result from utilizing a high quality water source. This diversion point cannot be utilized year round, but still provides the most cost effective approach to the overall solution.

The City has been working with CH2M Hill to evaluate potential solutions and to develop preliminary design information for the selected alternative. CH2M Hill was initially chosen to assist based on their familiarity with our system, past experience with DBPs, and available resources. Paul Berg, our point-of-contact at CH2M Hill, completed the City's Water Supply Study in 1996 and has been instrumental in selecting the proper project approach. CH2M Hill provided a proposed scope and fee for completion of design and bidding assistance for the Spur 14 Water Line Project. This document is attached. A summary of project costs related to design and bidding services are as following.

| <b>Task</b>                                 | <b>Status</b>   | <b>Amount</b>      |
|---|-----------------|--------------------|
| Topographic Survey – HLB Otak               | Completed       | \$5,000.00         |
| Preliminary Design and Report – CH2M Hill   | Completed       | \$9,000.00         |
| <i>Final Design and Bidding – CH2M Hill</i> | <i>Proposed</i> | <i>\$53,000.00</i> |

Funding for the engineering services is available in the Public Works Improvement Fund. Construction of the Spur 14 Water Line Project is estimated to cost \$210,000 and fees for construction support services will be presented when Staff requests authorization to bid the project.

Staff strongly believes that it is in the best interest of the City to process a contract amendment with CH2M Hill for the Spur 14 Water Line engineering services. In order to directly appoint CH2M Hill, the City Council will need to approve an exemption from the Competitive Solicitation Requirements after holding a public hearing to take comments on the exemption.

### **EXEMPTION & PERSONAL SERVICES CONTRACT AWARD**

The findings outlined below need to be approved by City Council for this process. Findings for an Exemption from the Competitive Solicitation Requirements (per City Code Section 1.966) are as follows:

*(1) The nature of the contract or class of contracts for which the special solicitation or exemption is requested;*

**The contract class for which the exemption is requested is a personal services contract for the Spur 14 Water Line Engineering Design Services.**

*(2) The estimated contract price or cost of the project, if relevant;*

**The estimated contract cost for design and bid services is \$53,000 on a not-to-exceed basis.**

*(3) Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;*

The City has worked with CH2M Hill for approximately 20 years on water system supply related projects. They have served the City well and have proven to be cost effective due to their extensive knowledge of the City's water system and their relationship with regulatory agencies. Staff anticipates that their role as design engineer for the Spur 14 Water Line Project will provide substantial benefit to the City by reducing the amount of effort required to become familiar with the our water system, its unique characteristics, and this specific project. They have completed a preliminary design and associated report for the project and are ready to proceed with the next phase of design.

*(4) Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;*

**CH2M Hill has been assisting the City with DBP mitigation for the past 2 years and has detailed knowledge and technical information associated with the selected project. Staff believes that this exemption will result in a similar outcome as the state required Qualifications Based Selection process that includes the steps of selecting a qualified consultant and then negotiating a scope of work for the needed services.**

*(5) A description of the proposed alternative contracting methods to be employed;*  
**Direct Appointment.**

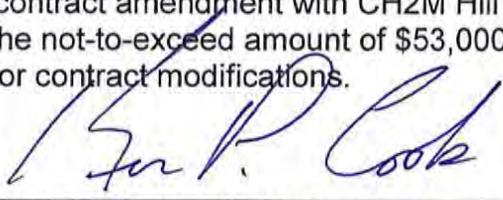
*(6) The estimated date by which it would be necessary to let the contract(s);*  
**Staff is recommending CH2M Hill be awarded a contract amendment after City Council consideration of the proposed exemption.**

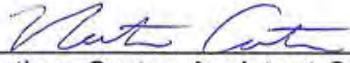
The City Attorney has approved of the City using this exemption to the competitive solicitation process.

City Staff and the City Attorney have been working with CH2M Hill on resolution of several minor contract modifications that will be incorporated, if approved, into the contract amendment.

### **RECOMMENDATION**

It is recommended that City Council conduct a public hearing for the purpose of taking public comment on the findings for exemption from the competitive solicitation requirements, and adopt findings that authorize direct appointment of a contract amendment with CH2M Hill to provide design engineering and bidding services for the not-to-exceed amount of \$53,000. This will be contingent upon resolution of several minor contract modifications.

Submitted By   
Ken P. Cook, Public Works Director

Prepared By   
Nathan Crater, Assistant City Engineer



**CONTRACT AMENDMENT  
BETWEEN  
THE CITY OF ASTORIA AND CH2M HILL  
FOR  
SPUR 14 WATER LINE PROJECT**

The AGREEMENT dated November 21, 2014, by and between THE CITY OF ASTORIA, hereinafter called "THE CITY" and CH2M Hill Engineers Inc., hereinafter called "CONSULTANT", is hereby amended as follows:

Amend Scope of Services of the AGREEMENT for design engineering services and bid support services (see attached scope and fee).

Amend Compensation of the AGREEMENT to increase contract amount by \$53,000.

IN WITNESS WHEREOF, THE CITY AND CONSULTANT have executed this AMENDMENT as of \_\_\_\_\_, 2015.

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

CONSULTANT:  
CH2M Hill Engineers, Inc.

BY: \_\_\_\_\_  
Arline LaMear Date  
Mayor

BY: \_\_\_\_\_  
Consultant Date

BY: \_\_\_\_\_  
Brett Estes Date  
City Manager

# **CITY of Astoria—Engineering Services for the Spur 14 Direct Water Supply Pipeline Project**

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## **Project Description**

The CITY intends to install a new pipeline to allow direct supply of water from the Spur 14 to the slow sand filter treatment plant. Most of the needed pipeline was installed as part of the Middle Lake Pipeline project in 1997 or existed previously for the Bear Creek supply. The current project will add a new pipeline from the existing Spur 14 diversion structure to the outlet from Middle Lake. The project will also include modifications to the existing diversion structure for Spur 14 to facilitate easier screen cleaning and the addition of one pressure reducing valve along the existing Middle Lake pipeline.

This scope of work describes final design, bidding, and construction services that CONSULTANT will provide to the CITY for this project.

The following assumptions were made in developing this scope of work and the engineering budget. In some cases, specific assumptions are noted in the list of tasks.

1. The Project will be as described in the preliminary design report of March 2015.
2. No environmental permits or water rights permits will be necessary for the work.
3. The approximate schedule is for the final design to be completed by about mid-May 2015 to allow for summertime 2015 construction. Bid advertisement would last from mid-May to mid-June, with award and notice to proceed issued by the CITY at the end of June. Construction would occur beginning in July 2015.

## **Final Design Scope of Work**

1. Geotechnical investigation. Primarily because the pipeline will pass through an existing dam and near the toe of a dam, the final design will include the following geotechnical investigations:
  - a. Conduct a brief literature survey of available geotechnical and geologic publications in the area to screen for potential hazards or documented conditions. This survey would include any design documentation that the CITY may have along the existing route.
  - b. Observe digging of test pits along pipeline route, with excavation and backfilling performed by CITY using CITY-provided equipment. CONSULTANT's geotechnical engineer will direct the test pit excavation and backfilling, prepare test pit logs, document findings, and collect samples for laboratory classification testing. CONSULTANT will subcontract with a suitable geotechnical laboratory and coordinate testing, then prepare a

geotechnical design recommendations memorandum summarizing the findings and subsequent design recommendations. The duration of the test pitting will be approximately 1 day. The CITY will provide utility locates along the alignment.

2. Develop the design to approximately the 75 percent completion level. Incorporate review comments provided by the CITY on the preliminary design report. Prepare drawings in 11" x 17" format for review by CITY and for CONSULTANT's internal review. Develop first draft of technical specifications. Submit drawings and technical specifications to CITY electronically in PDF.
3. The CITY will develop the legal sections for the bidding document (Division 0 and 1 sections). The CITY will coordinate development of these sections with the technical specifications.
4. The CITY will review the 75 percent design and provide review comments to CONSULTANT for incorporation into the 100 percent design.
5. Develop the design drawings and technical specifications to the bid-ready level. Submit one printed set to CITY. Provide PDFs to the CITY for use in electronic advertising of the project.

## **Bid Services Scope of Work**

1. Prepare an advertisement that the CITY can submit to a local paper and the Oregon Daily Journal of Commerce to invite bids for the projects.
2. The CITY will handle bid advertisement, bid document distribution, and planholder coordination.
3. CONSULTANT will assist the CITY in arranging and conducting a pre-bid conference. CONSULTANT shall attend pre-bid meeting. CITY will record meeting and provide a summary.
4. CONSULTANT will assist CITY in responding to technical questions from potential bidders.
5. CONSULTANT will provide technical data and revised drawings, if needed, for the CITY to use in issuing addenda.
6. CONSULTANT shall provide input for the CITY's consideration with respect to the award of the contract. The CITY will complete a responsibility determination and shall make the final decision on the acceptance or rejection of all bids. CONSULTANT will provide technical (but not legal) advice in bid evaluations and response to protests, if any.

## **Services during Construction Scope of Work**

The anticipation is that the CONSULTANT will provide Services during Construction (SDC) as defined below. However, the decision on the scope of these services and their budget will be finalized following final design and bid award. These services are intended to assist the

CITY in administering the contract for construction, monitoring the performance of the construction contractor, verifying that the contractor's work is in substantial compliance with the contract documents, and responding to events that occur during the construction.

1. Coordinate with CITY on pre-construction conference to review the project communication, coordination, and other procedures and discuss the contractor's general workplan and requirements for the project. Attend by conference call.
2. The CITY shall provide day-to-day observation of the work. The CONSULTANT will assist the CITY's monitoring of the performance of the work by being available to remotely answer questions and by providing up to four onsite visits.
3. Review submittals for conformance with contract documents and provide review comments to CITY.
4. Assist the CITY with the issuance of changes to the contract for construction. CONSULTANT will receive and review the contractor's response to the request for change and will obtain such further information as is necessary to evaluate the basis for the contractor's proposal. Assist the CITY with negotiations of the proposal.
5. Review the contractor's requests for information or clarification of the contract for construction, and provide guidance to the CITY has requested to support the CITY's coordination with the contractor.

## **Compensation**

The work will be performed as described on a time and materials basis. The not-to-exceed budget for the final design and bid services is \$53,000. This budget will not be exceeded without prior written authorization of the CITY. The plan is to finalize the scope of work and the budget for the construction services following completion of the final design and bidding of the project.



## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

April 15, 2015

### MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: AERIAL FIRE TRUCK OPTIONS

### DISCUSSION/ANALYSIS

At the April 21, 2014 City Council meeting, Fire Chief Ames made a presentation regarding the need for new Fire Department apparatus. The Chief cited the need for a replacement pumper fire engine as well as a ladder truck. At the October 13, 2014 Council meeting, City Council authorized the purchase of a new Pierce Arrow XT pumper truck in the amount of \$488,251.00. Funds to acquire the pumper truck are coming from lease revenue from the 17<sup>th</sup> Street Dock Fund. There was also City Council discussion about the possibility of placing a bond measure on the November 2014 ballot for the purchase of the ladder truck. Ultimately, it was decided to hold off until a later date to determine if a bond should be placed on a future ballot or whether other financing measures should be used. During the 2015-16 City Council Goal Setting session, staff stated that options would be brought to the City Council in spring 2015 to receive direction as to how to move forward on this matter.

### Lease of Ladder Truck

One option for the acquisition of a new ladder truck is to enter into a lease purchase agreement with Oshkosh financing as the City did for the pumper fire engine. The proposal price on the April 9, 2015 quote from Pierce is \$929,650.

As with the pumper financing, there are a variety of discounts available. If the City takes advantage of these discounts, the discounted price is \$880,814. The discount of \$48,836 represents a 5.3% discount. The way that the City takes advantage of this discounted price is to finance the cost through Oshkosh Financing as the City did with the pumper.

As indicated in the proposed General Fund budget for FYE June 30, 2016, the fund is projected to have a beginning fund balance of \$2,500,000. The increase in the beginning fund balance is attributed to a combination of increased revenues over the past several years of expenses from vacant positions, particularly the City Manager,

Finance Director and Community Development Director positions. It is proposed to transfer \$500,000 of the beginning fund balance to the Capital Improvement Fund as a down payment on a replacement aerial truck for service in the Fire Department. This would significantly reduce the financed amount and, thereby, make the annual lease payments more manageable. Subsequent annual payments on a lease would be made from the Capital Improvement Fund. It is anticipated that these payments would be made from the carbon credit proceeds that would be deposited in the Capital Improvement Fund.

Staff has not pursued the details of this option. If Council gives direction in this regard, staff will follow up to get more information.

### Bond Measure

If the City Council chooses to pursue a bond levy for the purchase of a new aerial ladder truck, the City would have the option of two dates in 2015. The first option is a special election scheduled to be held on September 15, 2015. Filing for this election would require a Ballot Title for publication of notice by June 26, 2015, and a Notice of Measure Election by July 16, 2015. The second option is the regular election scheduled for November 3, 2015. Filing for the November 3, 2015 regular election requires a Ballot Title for publication of notice by August 14, 2015, and a Notice of Measure Election by September 3, 2015.

An election for a bond levy would require the City to engage Bond Council and a Bond Broker. The costs associated with a bond levy election and the associated requirements have the possibility of adding more cost to the replacement of the aerial ladder truck than a down payment and resulting lease purchase agreement. Staff has not pursued exact costs or details with pursuing a bond levy option. If Council gives direction in this regard, staff will follow up to get more information.

### RECOMMENDATION

It is recommended that Council consider the two options for acquisition of an aerial ladder truck and provide direction as to a preferred approach.

By: Ted Ames  
Ted Ames, Fire Chief

By: John J. Snyder  
John Snyder, Financial Analyst



CITY OF ASTORIA  
POLICE DEPARTMENT

April 16, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: WAGE ADJUSTMENT – DEPUTY POLICE CHIEF

**DISCUSSION/ANALYSIS**

In October 2014 Astoria City Council adjusted the compensation and incentives for Police Sergeants. At the time wages were increased by 4%. This increase, along with adjustments to incentives for certification, was made to relieve the issue of wage compression between Police Officers (represented employees) and Police Sergeants (non-represented employees). Prior to the adjustment the Department was unable to recruit candidates for the vacant Police Sergeant position. At the time, no adjustment to wage was made to the Deputy Police Chief and Police Chief positions causing compression to occur at this level.

The Department desires to promote a Sergeant to Deputy Police Chief and again finds itself in a position where qualified applicants are dissuaded by the pay differential. With the individual selected to be promoted the change in annual compensation would be \$1,100.00. Raising the Deputy Police Chief wage 4% will cause the difference in annual compensation to be an increase of \$4,500 and place the total compensation available for Deputy Police Chief to be comparable to the compensation for Deputy Fire Chief.

As a clerical matter, the Deputy Police Chief and Police Chief will move from Schedule E2A (They are the only employees on this schedule) to C with other Police Employees. Similarly Police Sergeants will move from E-2B (they are the only employees on this schedule) to C. A similar clerical move has been made with the Fire Department management positions.

**RECOMMENDATION**

Staff recommends increasing the pay rate for the Deputy Police Chief by 4% and simplifying the salary resolution by moving the Police Sergeants, Deputy Police Chief, and Police Chief to Schedule C.

A handwritten signature in black ink, appearing to read "Brad Johnston".

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Brad Johnston  
Chief of Police / Assistant City Manager

**RESOLUTION NO. 15-\_\_\_\_\_**

**A RESOLUTION ESTABLISHING A BASIC COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF ASTORIA AND ESTABLISHING REGULATIONS FOR THE PLACEMENT OF PRESENT EMPLOYEES WITHIN THE WAGE AND SALARY SCHEDULES PROVIDED**

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

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

**SECTION 1. ESTABLISHING PAY PLAN**

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

**SECTION 2. SALARY AND WAGE SCHEDULES**

That the following salary and wage schedules shall constitute the basic compensation plan, consisting of a base or entry rate (A) and four merit steps in the corresponding range on the schedule. Stability Pay shall be part of the basic compensation plan. (See Section 3.12 of the Personnel Policies and Procedures).

**SECTION 3. CLASSIFIED POSITION ALLOCATION**

That the following is a computed salary schedule and position allocation. All increases above the base rate for each range are called merit steps. Step increases are merit increases and are not automatic but must be earned by the employee. (See Section 3.11 of the Personnel Policies and Procedures). Each range is identified by a number. Each step within the range is identified by a letter; A is the entry rate, with Steps B, C, D, and E. The following salary schedules are listed by employee groups:

**SECTION 4. GENERAL/PARKS EMPLOYEES**

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

**SCHEDULE A**

| POSITION   | RANGE |
|--|-------|
| LIBRARY ASSISTANT  | 12    |
| ACCOUNTING SUPPORT CLERK                                       | 14    |
| ACCOUNTING CLERK<br>ENGINEERING SECRETARY<br>PERMIT TECHNICIAN | 18    |

### SCHEDULE A

| POSITION   | RANGE |
|--|-------|
| SENIOR LIBRARY ASSISTANT   | 20    |
| RECREATION COORDINATOR   | 23    |
| COMPUTER ASSISTED DRAFTING (CAD) TECHNICIAN<br>ENGINEERING TECHNICIAN<br>FACILITY COORDINATOR<br>GROUNDS COORDINATOR | 26    |
| SENIOR ENGINEERING TECHNICIAN  | 30    |

### SECTION 5. FIRE DEPARTMENT

The following Positions and Ranges comprise the Fire Department Unit. See "Schedule B" for salaries.

### SCHEDULE B

| POSITION                           | RANGE |
|------------------------------------|-------|
| FIREFIGHTER*                       | 22    |
| DRIVER/ENGINEER*                   | 24    |
| FIRE LIEUTENANT*                   | 28    |
| DEPUTY FIRE CHIEF/TRAINING OFFICER | 42    |
| FIRE CHIEF                         | 48    |

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

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

### SECTION 6. POLICE DEPARTMENT

The following Positions and Ranges comprise the Police Department Unit. See "Schedule C" for salaries.

**SCHEDULE C**

| POSITION   | RANGE |
|--|-------|
| RECORDS SPECIALIST   | 12    |
| SENIOR RECORDS SPECIALIST  | 14    |
| COMMUNICATIONS OPERATOR  | 22    |
| POLICE OFFICER   | 29    |
| COMMUNITY POLICING OFFICER (ROTATING)<br>DETECTIVE (ROTATING ASSIGNMENT) | 33    |
| SERGEANT   | 36    |
| DEPUTY CHIEF OF POLICE   | 42    |
| POLICE CHIEF/ASSISTANT CITY MANAGER                                      | 48    |

**SECTION 7. PUBLIC WORKS**

The following positions and Ranges comprise the Public Works Unit. See "Schedule D" for salaries.

**SCHEDULE D**

| POSITION   | RANGE |
|--|-------|
| EQUIPMENT SERVICER   | 14    |
| UTILITY WORKER   | 18    |
| EQUIPMENT MECHANIC I<br>SWEEPER OPERATOR<br>UTILITY TECHNICIAN   | 20    |
| UTILITY WORKER II  | 22    |
| WASTEWATER TREATMENT PLANT OPERATOR<br>WATER QUALITY TECHNICIAN  | 24    |
| EQUIPMENT MECHANIC II<br>SENIOR BUILDING FACILITIES TECHNICIAN<br>SENIOR UTILITY TECHNICIAN<br>SENIOR UTILITY WORKER<br>STORES SUPERVISOR<br>WATER SOURCE OPERATOR | 26    |

**SCHEDULE D**

| POSITION   | RANGE |
|--|-------|
| LEAD UTILITY WORKER<br>WASTEWATER TREATMENT PLANT SUPERVISOR<br>WATER QUALITY SUPERVISOR | 28    |

**SECTION 8. MANAGEMENT AND CONFIDENTIAL**

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

**SCHEDULE E**

| POSITION  | RANGE |
|---|-------|
| ADMINISTRATIVE ASSISTANT  | 18    |
| EXECUTIVE SECRETARY   | 20    |
| ADMINISTRATIVE SERVICES MANAGER<br>FINANCIAL ANALYST<br>PLANNER   | 28    |
| FINANCE OPERATIONS SUPERVISOR   | 30    |
| EQUIPMENT MAINTENANCE SUPERVISOR  | 32    |
| ASSISTANT PUBLIC WORKS SUPERINTENDENT<br>FINANCIAL REPORT MANAGER   | 34    |
| AQUATIC PROGRAM MANAGER   | 35    |
| PARKS MAINTENANCE SUPERVISOR  | 36    |
| BUILDING OFFICIAL/CODE ENFORCEMENT OFFICER<br>PUBLIC WORKS SUPERINTENDENT                                 | 38    |
| EMERGENCY COMMUNICATIONS MANAGER<br>LIBRARY DIRECTOR  | 40    |
| ASSISTANT CITY ENGINEER   | 45    |
| CITY ENGINEER   | 47    |
| DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES<br>PARKS AND RECREATION DIRECTOR<br>PUBLIC WORKS DIRECTOR | 49    |
| COMMUNITY DEVELOPMENT DIRECTOR  | 51    |

**SECTION 9. TEMPORARY PERSONNEL**

Police Reserve: \$11.00 (Schedule F, Range 1A 9) per training session, \$11.00 per hour assigned duty. Police Reserve rate of pay for dances, festivals, and similar duties shall be 1-1/2 times Range 29A.

All drills and training sessions must be officially approved.

**CONTINGENT SEASONAL WORK**

The following are positions for which temporary or seasonal employees may be hired. See "Schedule F-1" and "Schedule F-2" for salaries.

**SCHEDULE F-1**

| DEPARTMENT                 | JOB TITLES   |
|----------------------------|--|
| LIBRARY                    | LIBRARY ASSISTANT  |
| PARKS & COMMUNITY SERVICES | LIFEGUARD<br>SWIM INSTRUCTOR<br>RECREATION LEADER I<br>RECREATION LEADER II<br>PARKS LABORER |
| POLICE                     | TEMPORARY COMMUNITY SERVICE OFFICER  |
| DEPARTMENT                 | JOB TITLES   |
| PUBLIC WORKS               | PUBLIC WORKS LABORER<br>WEEKEND WATER OPERATOR   |

**SCHEDULE F-2**

| DEPARTMENT                 | JOB TITLES  | STEP                 |
|----------------------------|---|----------------------|
| ALL DEPARTMENTS            | CLERICAL AIDE   | 14                   |
| FINANCE                    | ACCOUNTING SUPPORT<br>CLERK<br>PARKING CONTROL<br>OFFICER                             | 19<br>24             |
| LIBRARY                    | LIBRARY PAGE I<br>LIBRARY PAGE II<br>LIBRARY ASSISTANT<br>SENIOR LIBRARY<br>ASSISTANT | 14<br>16<br>19<br>31 |
| PARKS & COMMUNITY SERVICES | CASHIER<br>HEAD CASHIER   | 14<br>16             |

**SECTION 10. ADVANCEMENT WITHIN RANGE**

As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 3.

**SECTION 11. EXCEPTIONAL AND ADDITIONAL INCREASES**

As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 3.

**SECTION 12. STABILITY PAY**

As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 3.12.

Range 29 Step A is the highest range upon which stability pay can be based for the following groups:

|                               |               |
|-------------------------------|---------------|
| Fire Employees                | Schedule B    |
| Nonunion Employees (Nonsworn) | Schedule E-1  |
| Nonunion Employees (Sworn)    | Schedule E-2A |

All stability pay percentages are at Step E of the employee's salary range, not to exceed Range 29, Step E for the following group:

|                        |            |
|------------------------|------------|
| Public Works Employees | Schedule D |
|------------------------|------------|

The following receive stability pay based upon Step E of the employee's base range:

|  |               |
|--|---------------|
| General Employees/Parks  | Schedule A    |
| Police Employees (Sworn & Nonsworn)                                  | Schedule C    |
| Chief of Police/Assistant City Manager<br>and Deputy Chief of Police | Schedule E-2A |
| Sergeants  | Schedule E-2B |

**SECTION 13. RESPONSIBILITY PAY**

As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Sections 3.13.

**SECTION 14. REPEAL OF RESOLUTIONS**

Resolution No. 15-07 adopted by the City Council on February 17, 2015, is hereby repealed and superseded by this resolution.

**SECTION 15. EFFECTIVE DATE**

The provisions of this resolution shall become effective upon passage.

ADOPTED BY THE CITY COUNCIL THIS 20<sup>TH</sup> DAY OF APRIL, 2015.

APPROVED BY THE MAYOR THIS 20<sup>TH</sup> DAY OF APRIL, 2015

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Mayor

ATTEST:

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City Manager

ROLL CALL ON ADOPTION:                    YEA                    NAY                    ABSENT

Councilor Nemlowill  
                  Herzig  
                  Price  
                  Warr  
Mayor LaMear

MANAGER\RES\SALARY RES CURRENT 4-20-2015.DOC

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# SALARY SCHEDULES

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**GENERAL/PARKS EMPLOYEES  
SCHEDULE A  
EFFECTIVE JULY 1, 2014**

| <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
|--------------|-------------|----------------|---------------|---------------|
| 12           | A           | 2,452.44       | 29,429        | 14.15         |
|              | B           | 2,575.06       | 30,901        | 14.86         |
|              | C           | 2,703.82       | 32,446        | 15.60         |
|              | D           | 2,839.01       | 34,068        | 16.38         |
|              | E           | 2,980.96       | 35,771        | 17.20         |
| 14           | A           | 2,565.29       | 30,784        | 14.80         |
|              | B           | 2,693.56       | 32,323        | 15.54         |
|              | C           | 2,828.24       | 33,939        | 16.32         |
|              | D           | 2,969.65       | 35,636        | 17.13         |
|              | E           | 3,118.13       | 37,418        | 17.99         |
| 16           | A           | 2,698.42       | 32,381        | 15.57         |
|              | B           | 2,833.34       | 34,000        | 16.35         |
|              | C           | 2,975.00       | 35,700        | 17.16         |
|              | D           | 3,123.75       | 37,485        | 18.02         |
|              | E           | 3,279.94       | 39,359        | 18.92         |
| 17           | A           | 2,760.46       | 33,125        | 15.93         |
|              | B           | 2,898.48       | 34,782        | 16.72         |
|              | C           | 3,043.41       | 36,521        | 17.56         |
|              | D           | 3,195.58       | 38,347        | 18.44         |
|              | E           | 3,355.35       | 40,264        | 19.36         |
| 18           | A           | 2,832.68       | 33,992        | 16.34         |
|              | B           | 2,974.32       | 35,692        | 17.16         |
|              | C           | 3,123.03       | 37,476        | 18.02         |
|              | D           | 3,279.18       | 39,350        | 18.92         |
|              | E           | 3,443.14       | 41,318        | 19.86         |
| 20           | A           | 2,979.70       | 35,756        | 17.19         |
|              | B           | 3,128.68       | 37,544        | 18.05         |
|              | C           | 3,285.12       | 39,421        | 18.95         |
|              | D           | 3,449.37       | 41,392        | 19.90         |
|              | E           | 3,621.84       | 43,462        | 20.90         |
| 23           | A           | 3,210.57       | 38,527        | 18.52         |
|              | B           | 3,371.10       | 40,453        | 19.45         |
|              | C           | 3,539.66       | 42,476        | 20.42         |
|              | D           | 3,716.64       | 44,600        | 21.44         |
|              | E           | 3,902.47       | 46,830        | 22.51         |
| 24           | A           | 3,290.19       | 39,482        | 18.98         |
|              | B           | 3,454.70       | 41,456        | 19.93         |
|              | C           | 3,627.43       | 43,529        | 20.93         |
|              | D           | 3,808.81       | 45,706        | 21.97         |
|              | E           | 3,999.25       | 47,991        | 23.07         |
| 26           | A           | 3,456.23       | 41,475        | 19.94         |
|              | B           | 3,629.05       | 43,549        | 20.94         |
|              | C           | 3,810.50       | 45,726        | 21.98         |
|              | D           | 4,001.02       | 48,012        | 23.08         |
|              | E           | 4,201.07       | 50,413        | 24.24         |
| 30           | A           | 3,809.83       | 45,718        | 21.98         |
|              | B           | 4,000.32       | 48,004        | 23.08         |
|              | C           | 4,200.34       | 50,404        | 24.23         |
|              | D           | 4,410.36       | 52,924        | 25.44         |
|              | E           | 4,630.87       | 55,570        | 26.72         |

| FIRE EMPLOYEES<br>SCHEDULE B<br>EFFECTIVE JANUARY 1, 2015 |      |          |        |         |          |
|---|------|----------|--------|---------|----------|
| RANGE   | STEP | MONTHLY  | YEARLY | HOURLY  | OVERTIME |
| 22  | A    | 4,260.19 | 51,122 | 17.5076 | 26.2614  |
|   | B    | 4,473.20 | 53,678 | 18.3830 | 27.5745  |
|   | C    | 4,696.86 | 56,362 | 19.3022 | 28.9532  |
|   | D    | 4,931.70 | 59,180 | 20.2673 | 30.4009  |
|   | E    | 5,178.29 | 62,139 | 21.2806 | 31.9209  |
| Includes 2.0% Stability                                   |      |          |        |         |          |
|   | C    | 4,782.06 | 57,385 | 19.6523 | 29.4785  |
|   | D    | 5,016.90 | 60,203 | 20.6174 | 30.9261  |
|   | E    | 5,263.49 | 63,162 | 21.6308 | 32.4462  |
| Includes 3.5% Stability                                   |      |          |        |         |          |
|   | C    | 4,845.96 | 58,152 | 19.9149 | 29.8724  |
|   | D    | 5,080.81 | 60,970 | 20.8800 | 31.3201  |
|   | E    | 5,327.39 | 63,929 | 21.8934 | 32.8401  |
| Includes 4.5% Stability                                   |      |          |        |         |          |
|   | C    | 4,888.65 | 58,664 | 20.0903 | 30.1355  |
|   | D    | 5,123.49 | 61,482 | 21.0555 | 31.5832  |
|   | E    | 5,370.08 | 64,441 | 22.0688 | 33.1032  |
| Includes 6.0% Stability                                   |      |          |        |         |          |
|   | C    | 4,952.55 | 59,431 | 20.3530 | 30.5294  |
|   | D    | 5,187.40 | 62,249 | 21.3181 | 31.9771  |
|   | E    | 5,433.98 | 65,208 | 22.3314 | 33.4971  |
|   |      |          |        |         |          |
| 24  | A    | 4,478.39 | 53,741 | 18.4044 | 27.6065  |
|   | B    | 4,702.31 | 56,428 | 19.3246 | 28.9869  |
|   | C    | 4,937.43 | 59,249 | 20.2908 | 30.4362  |
|   | D    | 5,184.21 | 62,211 | 21.3050 | 31.9575  |
|   | E    | 5,443.42 | 65,321 | 22.3702 | 33.5554  |
| Includes 2.0% Stability                                   |      |          |        |         |          |
|   | C    | 5,027.00 | 60,324 | 20.6589 | 30.9883  |
|   | D    | 5,273.78 | 63,285 | 21.6731 | 32.5096  |
|   | E    | 5,532.99 | 66,396 | 22.7383 | 34.1075  |
| Includes 3.5% Stability                                   |      |          |        |         |          |
|   | C    | 5,094.17 | 61,130 | 20.9350 | 31.4024  |
|   | D    | 5,340.96 | 64,091 | 21.9491 | 32.9237  |
|   | E    | 5,600.17 | 67,202 | 23.0144 | 34.5216  |
| Includes 4.5% Stability                                   |      |          |        |         |          |
|   | C    | 5,138.96 | 61,667 | 21.1190 | 31.6785  |
|   | D    | 5,385.74 | 64,629 | 22.1332 | 33.1998  |
|   | E    | 5,644.95 | 67,739 | 23.1984 | 34.7976  |
| Includes 6.0% Stability                                   |      |          |        |         |          |
|   | C    | 5,206.13 | 62,474 | 21.3951 | 32.0926  |
|   | D    | 5,452.92 | 65,435 | 22.4092 | 33.6139  |
|   | E    | 5,712.13 | 68,546 | 23.4745 | 35.2117  |

| <b>FIRE EMPLOYEES<br/>SCHEDULE B<br/>EFFECTIVE JANUARY 1, 2015</b> |             |                |               |               |                 |
|--|-------------|----------------|---------------|---------------|-----------------|
| <b>RANGE</b>   | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> | <b>OVERTIME</b> |
| 28   | A           | 4,934.58       | 59,215        | 20.2791       | 30.4186         |
|  | B           | 5,181.30       | 62,176        | 21.2930       | 31.9396         |
|  | C           | 5,440.37       | 65,284        | 22.3577       | 33.5365         |
|  | D           | 5,712.39       | 68,549        | 23.4756       | 35.2134         |
|  | E           | 5,998.01       | 71,976        | 24.6493       | 36.9740         |
| Includes 2.0% Stability  | C           | 5,538.89       | 66,467        | 22.7626       | 34.1439         |
|  | D           | 5,810.91       | 69,731        | 23.8805       | 35.8207         |
|  | E           | 6,096.70       | 73,160        | 25.0549       | 37.5824         |
| Includes 3.5% Stability  | C           | 5,612.91       | 67,355        | 23.0668       | 34.6002         |
|  | D           | 5,885.10       | 70,621        | 24.1853       | 36.2780         |
|  | E           | 6,170.72       | 74,049        | 25.3591       | 38.0387         |
| Includes 4.5% Stability  | C           | 5,662.26       | 67,947        | 23.2696       | 34.9043         |
|  | D           | 5,934.44       | 71,213        | 24.3881       | 36.5822         |
|  | E           | 6,220.06       | 74,641        | 25.5619       | 38.3429         |
| Includes 6.0% Stability  | C           | 5,736.28       | 68,835        | 23.5737       | 35.3606         |
|  | D           | 6,008.46       | 72,102        | 24.6923       | 37.0385         |
|  | E           | 6,294.08       | 75,529        | 25.8661       | 38.7991         |

| <b>FIRE MANAGEMENT<br/>SCHEDULE B<br/>EFFECTIVE FEBRUARY 2, 2015</b> |                |               |               |
|--|----------------|---------------|---------------|
| <b>JOB TITLE</b>   | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
| Deputy Fire Chief  | 7,478.29       | 92,456        | 43.1440       |
| Fire Chief   | 8,244.01       | 98,928        | 47.5616       |

**POLICE EMPLOYEES (UNION & MANAGEMENT)  
(SWORN & NONSWORN)  
SCHEDULE C  
EFFECTIVE MAY 1, 2015**

| <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
|--------------|-------------|----------------|---------------|---------------|
| 12           | A           | 2,623.03       | 31,476        | 15.13         |
|              | B           | 2,754.18       | 33,050        | 15.89         |
|              | C           | 2,891.89       | 34,703        | 16.68         |
|              | D           | 3,036.48       | 36,438        | 17.52         |
|              | E           | 3,188.30       | 38,260        | 18.39         |
| 14           | A           | 2,754.36       | 33,052        | 15.89         |
|              | B           | 2,892.08       | 34,705        | 16.69         |
|              | C           | 3,036.68       | 36,440        | 17.52         |
|              | D           | 3,188.51       | 38,262        | 18.40         |
|              | E           | 3,347.94       | 40,175        | 19.31         |
| 22           | A           | 3,363.79       | 40,365        | 19.41         |
|              | B           | 3,531.98       | 42,384        | 20.38         |
|              | C           | 3,708.58       | 44,503        | 21.40         |
|              | D           | 3,894.01       | 46,728        | 22.47         |
|              | E           | 4,088.71       | 49,065        | 23.59         |
| 29           | A           | 3,996.95       | 47,963        | 23.06         |
|              | B           | 4,196.80       | 50,362        | 24.21         |
|              | C           | 4,406.64       | 52,880        | 25.42         |
|              | D           | 4,626.97       | 55,524        | 26.69         |
|              | E           | 4,858.32       | 58,300        | 28.03         |
| 30           | A           | 4,091.52       | 49,098        | 23.60         |
|              | B           | 4,296.10       | 51,553        | 24.79         |
|              | C           | 4,510.91       | 54,131        | 26.02         |
|              | D           | 4,736.46       | 56,838        | 27.33         |
|              | E           | 4,973.28       | 59,679        | 28.69         |
| 33           | A           | 4,405.50       | 52,866        | 25.42         |
|              | B           | 4,625.78       | 55,509        | 26.69         |
|              | C           | 4,857.07       | 58,285        | 28.02         |
|              | D           | 5,099.92       | 61,199        | 29.42         |
|              | E           | 5,354.92       | 64,259        | 30.89         |

**POLICE EMPLOYEES (UNION & MANAGEMENT)  
(SWORN & NONSWORN)  
SCHEDULE C  
EFFECTIVE MAY 1, 2015**

| <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
|--------------|-------------|----------------|---------------|---------------|
| 36           | A           | 4,724.75       | 56,697        | 27.26         |
|              | B           | 4,960.98       | 59,531        | 28.62         |
|              | C           | 5,209.03       | 62,508        | 30.05         |
|              | D           | 5,469.48       | 65,634        | 31.55         |
|              | E           | 5,742.96       | 68,915        | 33.13         |
| 42           | A           | 5,417.26       | 65,007        | 31.25         |
|              | B           | 5,688.12       | 68,257        | 32.81         |
|              | C           | 5,972.52       | 71,670        | 34.46         |
|              | D           | 6,271.15       | 75,254        | 36.18         |
|              | E           | 6,584.71       | 79,017        | 37.99         |
| 48           | A           | 6,032.36       | 72,388        | 34.80         |
|              | B           | 6,333.97       | 76,008        | 36.54         |
|              | C           | 6,650.67       | 79,808        | 38.37         |
|              | D           | 6,983.21       | 83,798        | 40.29         |
|              | E           | 7,332.37       | 87,988        | 42.30         |

| PUBLIC WORKS EMPLOYEES<br>SCHEDULE D<br>EFFECTIVE JULY 1, 2014 |      |          |        |        |
|--|------|----------|--------|--------|
| RANGE  | STEP | MONTHLY  | YEARLY | HOURLY |
| 14   | A    | 2,759.45 | 33,113 | 15.92  |
|  | B    | 2,897.42 | 34,769 | 16.72  |
|  | C    | 3,042.29 | 36,508 | 17.55  |
|  | D    | 3,194.41 | 38,333 | 18.43  |
|  | E    | 3,354.13 | 40,250 | 19.35  |
| 16   | A    | 2,895.40 | 34,745 | 16.70  |
|  | B    | 3,040.18 | 36,482 | 17.54  |
|  | C    | 3,192.18 | 38,306 | 18.42  |
|  | D    | 3,351.79 | 40,222 | 19.34  |
|  | E    | 3,519.38 | 42,233 | 20.30  |
| 18   | A    | 3,042.07 | 36,505 | 17.55  |
|  | B    | 3,194.17 | 38,330 | 18.43  |
|  | C    | 3,353.88 | 40,247 | 19.35  |
|  | D    | 3,521.57 | 42,259 | 20.32  |
|  | E    | 3,697.65 | 44,372 | 21.33  |
| 20   | A    | 3,199.14 | 38,390 | 18.46  |
|  | B    | 3,359.10 | 40,309 | 19.38  |
|  | C    | 3,527.05 | 42,325 | 20.35  |
|  | D    | 3,703.40 | 44,441 | 21.37  |
|  | E    | 3,888.57 | 46,663 | 22.43  |
| 22   | A    | 3,370.46 | 40,445 | 19.44  |
|  | B    | 3,538.98 | 42,468 | 20.42  |
|  | C    | 3,715.93 | 44,591 | 21.44  |
|  | D    | 3,901.73 | 46,821 | 22.51  |
|  | E    | 4,096.81 | 49,162 | 23.64  |
| 24   | A    | 3,535.19 | 42,422 | 20.40  |
|  | B    | 3,711.95 | 44,543 | 21.42  |
|  | C    | 3,897.55 | 46,771 | 22.49  |
|  | D    | 4,092.43 | 49,109 | 23.61  |
|  | E    | 4,297.05 | 51,565 | 24.79  |
| 25   | A    | 3,625.67 | 43,508 | 20.92  |
|  | B    | 3,806.95 | 45,683 | 21.96  |
|  | C    | 3,997.30 | 47,968 | 23.06  |
|  | D    | 4,197.16 | 50,366 | 24.21  |
|  | E    | 4,407.02 | 52,884 | 25.43  |
| 26   | A    | 3,715.94 | 44,591 | 21.44  |
|  | B    | 3,901.74 | 46,821 | 22.51  |
|  | C    | 4,096.83 | 49,162 | 23.64  |
|  | D    | 4,301.67 | 51,620 | 24.82  |
|  | E    | 4,516.75 | 54,201 | 26.06  |
| 28   | A    | 3,893.74 | 46,725 | 22.46  |
|  | B    | 4,088.43 | 49,061 | 23.59  |
|  | C    | 4,292.85 | 51,514 | 24.77  |
|  | D    | 4,507.49 | 54,090 | 26.00  |
|  | E    | 4,732.87 | 56,794 | 27.31  |

**NONUNION MANAGEMENT AND CONFIDENTIAL EMPLOYEES  
SCHEDULE E  
EFFECTIVE JULY 1, 2014**

| <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
|--------------|-------------|----------------|---------------|---------------|
| 18           | A           | 2,861.07       | 34,333        | 16.51         |
|              | B           | 3,004.12       | 36,049        | 17.33         |
|              | C           | 3,154.33       | 37,852        | 18.20         |
|              | D           | 3,312.04       | 39,745        | 19.11         |
|              | E           | 3,477.64       | 41,732        | 20.06         |
| 20           | A           | 3,001.98       | 36,024        | 17.32         |
|              | B           | 3,152.07       | 37,825        | 18.19         |
|              | C           | 3,309.68       | 39,716        | 19.09         |
|              | D           | 3,475.16       | 41,702        | 20.05         |
|              | E           | 3,648.92       | 43,787        | 21.05         |
| 28           | A           | 3,658.44       | 43,901        | 21.11         |
|              | B           | 3,841.36       | 46,096        | 22.16         |
|              | C           | 4,033.43       | 48,401        | 23.27         |
|              | D           | 4,235.10       | 50,821        | 24.43         |
|              | E           | 4,446.85       | 53,362        | 25.65         |
| 29           | A           | 3,753.50       | 45,042        | 21.65         |
|              | B           | 3,941.17       | 47,294        | 22.74         |
|              | C           | 4,138.23       | 49,659        | 23.87         |
|              | D           | 4,345.14       | 52,142        | 25.07         |
|              | E           | 4,562.40       | 54,749        | 26.32         |
| 30           | A           | 3,841.49       | 46,098        | 22.16         |
|              | B           | 4,033.56       | 48,403        | 23.27         |
|              | C           | 4,235.24       | 50,823        | 24.43         |
|              | D           | 4,447.00       | 53,364        | 25.66         |
|              | E           | 4,669.35       | 56,032        | 26.94         |
| 32           | A           | 4,038.09       | 48,457        | 23.30         |
|              | B           | 4,240.00       | 50,880        | 24.46         |
|              | C           | 4,452.00       | 53,424        | 25.68         |
|              | D           | 4,674.60       | 56,095        | 26.97         |
|              | E           | 4,908.33       | 58,900        | 28.32         |
| 34           | A           | 4,240.82       | 50,890        | 24.47         |
|              | B           | 4,452.87       | 53,434        | 25.69         |
|              | C           | 4,675.51       | 56,106        | 26.97         |
|              | D           | 4,909.28       | 58,911        | 28.32         |
|              | E           | 5,154.75       | 61,857        | 29.74         |
| 35           | A           | 4,350.86       | 52,210        | 25.10         |
|              | B           | 4,568.41       | 54,821        | 26.36         |
|              | C           | 4,796.83       | 57,562        | 27.67         |
|              | D           | 5,036.67       | 60,440        | 29.06         |
|              | E           | 5,288.50       | 63,462        | 30.51         |
| 36           | A           | 4,454.69       | 53,456        | 25.70         |
|              | B           | 4,677.43       | 56,129        | 26.99         |
|              | C           | 4,911.30       | 58,936        | 28.33         |
|              | D           | 5,156.87       | 61,882        | 29.75         |
|              | E           | 5,414.71       | 64,977        | 31.24         |

| NONUNION EMPLOYEES<br>SCHEDULE E<br>EFFECTIVE JULY 1, 2014 |      |          |        |        |
|--|------|----------|--------|--------|
| RANGE  | STEP | MONTHLY  | YEARLY | HOURLY |
| 38   | A    | 4,689.54 | 56,275 | 27.06  |
|  | B    | 4,924.02 | 59,088 | 28.41  |
|  | C    | 5,170.22 | 62,043 | 29.83  |
|  | D    | 5,428.73 | 65,145 | 31.32  |
|  | E    | 5,700.17 | 68,402 | 32.89  |
| 40   | A    | 4,932.00 | 59,184 | 28.45  |
|  | B    | 5,178.60 | 62,143 | 29.88  |
|  | C    | 5,437.53 | 65,250 | 31.37  |
|  | D    | 5,709.41 | 68,513 | 32.94  |
|  | E    | 5,994.88 | 71,939 | 34.59  |
| 42   | A    | 5,183.00 | 62,196 | 29.90  |
|  | B    | 5,442.15 | 65,306 | 31.40  |
|  | C    | 5,714.26 | 68,571 | 32.97  |
|  | D    | 5,999.97 | 72,000 | 34.62  |
|  | E    | 6,299.97 | 75,600 | 36.35  |
| 45   | A    | 5,577.33 | 66,928 | 32.18  |
|  | B    | 5,856.19 | 70,274 | 33.79  |
|  | C    | 6,149.00 | 73,788 | 35.48  |
|  | D    | 6,456.45 | 77,477 | 37.25  |
|  | E    | 6,779.27 | 81,351 | 39.11  |
| 47   | A    | 5,858.06 | 70,297 | 33.80  |
|  | B    | 6,150.96 | 73,812 | 35.49  |
|  | C    | 6,458.51 | 77,502 | 37.26  |
|  | D    | 6,781.43 | 81,377 | 39.12  |
|  | E    | 7,120.50 | 85,446 | 41.08  |
| 48   | A    | 6,003.86 | 72,046 | 34.64  |
|  | B    | 6,304.05 | 75,649 | 36.37  |
|  | C    | 6,619.25 | 79,431 | 38.19  |
|  | D    | 6,950.22 | 83,403 | 40.10  |
|  | E    | 7,297.73 | 87,573 | 42.10  |
| 49   | A    | 6,154.70 | 73,856 | 35.51  |
|  | B    | 6,462.44 | 77,549 | 37.28  |
|  | C    | 6,785.56 | 81,427 | 39.15  |
|  | D    | 7,124.84 | 85,498 | 41.10  |
|  | E    | 7,481.08 | 89,773 | 43.16  |
| 51   | A    | 6,462.62 | 77,551 | 37.28  |
|  | B    | 6,785.75 | 81,429 | 39.15  |
|  | C    | 7,125.04 | 85,500 | 41.11  |
|  | D    | 7,481.29 | 89,776 | 43.16  |
|  | E    | 7,855.36 | 94,264 | 45.32  |

**TEMPORARY EMPLOYEES  
SCHEDULE F  
EFFECTIVE JANUARY 1, 2014**

| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
|--------------|-------------|---------------|--------------|-------------|---------------|
| 1A           | 1           | 9.10          | 2            | 1           | 21.00         |
|              | 2           | 9.25          |              | 2           | 22.00         |
|              | 3           | 9.50          |              | 3           | 23.00         |
|              | 4           | 9.75          |              | 4           | 24.00         |
|              | 5           | 10.00         |              | 5           | 25.00         |
|              | 6           | 10.25         |              | 6           | 26.00         |
|              | 7           | 10.50         |              | 7           | 27.00         |
|              | 8           | 10.75         |              | 8           | 28.00         |
|              | 9           | 11.00         |              | 9           | 29.00         |
|              | 10          | 11.25         |              | 10          | 30.00         |
|              | 11          | 11.50         |              | 11          | 31.00         |
|              | 12          | 11.75         |              | 12          | 32.00         |
|              | 13          | 12.00         |              | 13          | 33.00         |
|              | 14          | 12.25         |              | 14          | 34.00         |
|              | 15          | 12.50         |              | 15          | 35.00         |
| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
| 1B           | 1           | 12.75         | 3            | 1           | 37.50         |
|              | 2           | 13.00         |              | 2           | 40.00         |
|              | 3           | 13.25         |              | 3           | 42.50         |
|              | 4           | 13.50         |              | 4           | 45.00         |
|              | 5           | 13.75         |              | 5           | 47.50         |
|              | 6           | 14.00         |              | 6           | 50.00         |
|              | 7           | 14.25         |              | 7           | 52.50         |
|              | 8           | 14.50         |              | 8           | 55.00         |
|              | 9           | 14.75         |              | 9           | 57.50         |
|              | 10          | 15.00         |              | 10          | 60.00         |
|              | 11          | 15.25         |              | 11          | 62.50         |
|              | 12          | 15.50         |              | 12          | 65.00         |
|              | 13          | 15.75         |              | 13          | 67.50         |
|              | 14          | 16.00         |              | 14          | 70.00         |
|              | 15          | 16.25         |              | 15          | 72.50         |
|              |             |               |              | 16          | 75.00         |
| <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
| 1C           | 1           | 16.50         | 4            | 1           | 80.00         |
|              | 2           | 16.75         |              | 2           | 85.00         |
|              | 3           | 17.00         |              | 3           | 90.00         |
|              | 4           | 17.25         |              | 4           | 95.00         |
|              | 5           | 17.50         |              | 5           | 100.00        |
|              | 6           | 17.75         |              | 6           | 105.00        |
|              | 7           | 18.00         |              | 7           | 110.00        |
|              | 8           | 18.25         |              | 8           | 115.00        |
|              | 9           | 18.50         |              | 9           | 120.00        |
|              | 10          | 18.75         |              | 10          | 125.00        |
|              | 11          | 19.00         | <b>RANGE</b> | <b>STEP</b> | <b>HOURLY</b> |
|              | 12          | 19.25         | 5            | 1           | 130.00        |
|              | 13          | 19.50         |              | 2           | 140.00        |
|              | 14          | 19.75         |              | 3           | 150.00        |
|              | 15          | 20.00         |              | 4           | 160.00        |
|              |             | 5             |              | 170.00      |               |
|              |             | 6             |              | 180.00      |               |
|              |             | 7             |              | 190.00      |               |
|              |             | 8             |              | 200.00      |               |

**GENERAL TEMPORARY EMPLOYEES  
SCHEDULE F-2  
EFFECTIVE JULY 1, 2013**

| <b>RANGE</b> | <b>STEP</b> | <b>MONTHLY</b> | <b>YEARLY</b> | <b>HOURLY</b> |
|--------------|-------------|----------------|---------------|---------------|
| 14           | A           | 1,585.94       | 19,031        | 9.1496        |
|              | B           | 1,665.23       | 19,983        | 9.6071        |
|              | C           | 1,748.50       | 20,982        | 10.0870       |
|              | D           | 1,835.92       | 22,031        | 10.5920       |
|              | E           | 1,927.72       | 23,133        | 11.1210       |
| 16           |             | 1,666.40       | 19,997        | 9.6139        |
|              | B           | 1,749.72       | 20,997        | 10.0950       |
|              | C           | 1,837.21       | 22,047        | 10.5990       |
|              | D           | 1,929.07       | 23,149        | 11.1290       |
|              | E           | 2,025.52       | 24,306        | 11.6860       |
| 19           | A           | 1,792.86       | 21,514        | 10.3430       |
|              | B           | 1,882.50       | 22,590        | 10.8610       |
|              | C           | 1,976.63       | 23,720        | 11.4040       |
|              | D           | 2,075.46       | 24,906        | 11.9740       |
|              | E           | 2,179.23       | 26,151        | 12.5730       |
| 24           | A           | 2,029.61       | 24,355        | 11.7090       |
|              | B           | 2,131.09       | 25,573        | 12.2950       |
|              | C           | 2,237.65       | 26,852        | 12.9100       |
|              | D           | 2,349.53       | 28,194        | 13.5550       |
|              | E           | 2,467.01       | 29,604        | 14.233        |
| 31           | A           | 2,380.73       | 28,569        | 13.7350       |
|              | B           | 2,499.77       | 29,997        | 14.4220       |
|              | C           | 2,624.75       | 31,497        | 15.1430       |
|              | D           | 2,755.99       | 33,072        | 15.9000       |
|              | E           | 2,893.79       | 34,726        | 16.6950       |

**CITY OF ASTORIA COUNCIL RULES OF PROCEDURE**

**2015**

## SECTION 1-AUTHORITY

**1.1 Authority** - These rules are adopted by the Common Council of the City of Astoria.

## SECTION 2 - MEETINGS OF THE COMMON COUNCIL

**2.1 Open Meetings** - Meetings of the Common Council will be conducted in accordance with the Oregon Public Meetings Law.

**2.2 Regular Meeting** - The Common Council will meet in regular session on the first and third Mondays of each month at 7:00 p.m. in the Astoria City Hall, Council Chambers, 1095 Duane Street, or at such another time and place in the City as designated by the City Council.

**2.3 Special Meetings** - Special meetings of the Council may be called by the Mayor, or upon the request of at least two members of the Council.

**2.4 Emergency Meeting** - Emergency meetings may be called by the mayor pursuant to ORS 192.640(3).

**2.5 Executive Sessions** - Executive sessions shall be held in accordance with the provisions of ORS 192.660.

**2.6 Work Sessions** - The Astoria City Council may hold work sessions at such time and place as will allow the City Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject.

**2.7 Quorum** - A majority of the Council constitutes a quorum for its business, but a smaller number of the Council may meet and compel attendance of absent Councilors. *Charter of the City of Astoria* § 4.2.

**2.8 Vote Required** - Except in the following cases, the express concurrence of a majority of the Council members present and constituting a quorum is necessary to decide affirmatively a question before the Council. *Charter of the City of Astoria* § 4.6

- The City Manager, City Attorney and Municipal Judge, shall be appointed and removed only by majority vote of all incumbent members of the Council.
- A vacancy in the Council shall be filled by appointment by a majority of the Council.
- During a Council member's temporary disability to serve on the Council or during a member's temporary absence from the City, a majority of the other Council members may, by appointment, fill the vacancy pro tem.

- The Council may adopt an ordinance at a single meeting by the express unanimous votes of all Council members present.

**2.9 Rules of Order** - The presiding officer shall conduct all meetings in accordance with these rules and standards previously observed by the council. In the event of a dispute or controversy concerning the conduct of a meeting reference may be made to *Robert's Rules of Order Newly Revised*.

**2.10 Address by Council Members** - Any Council member desiring to speak shall address the presiding officer and upon recognition, shall confine remarks to the issue under debate. Councilmembers soliciting input from staff shall direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

**2.11 Electronic Attendance** - If a Council member is unable to attend a meeting, the member may attend by conference telephone or other means of electronic communication through which all members of the council and public may hear or read the other's communications. At least 24 hours' advance notice shall normally be given of such participation.

### SECTION 3- THE PRESIDING OFFICER

**3.1 Mayor** - The Mayor is a voting member of the Council. When present at Council meetings, the Mayor shall, preside over deliberations of the Council, preserve order; enforce Council rules; and determine the order of business. the Mayor may temporarily cease to chair a Council meeting and delegate the functions described in subsection (1) to another Council member. *Charter of the City of Astoria, §4.4.*

**3.2 Council President** - At the first meeting of each year, the Council shall appoint a president from its Councilors. The president shall function as Mayor when the Mayor is absent from a Council meeting; or unable to function as Mayor. *Charter of the City of Astoria, §4.4.*

### SECTION 4- DECORUM AND ORDER

**4.1 Presiding Officer** - The Presiding Officer shall enforce Council rules, has authority to preserve decorum and shall determine points of order. The Presiding Officer may control Council debate and public testimony to the question under discussion.

**4.2 Councilors** - Council members shall maintain order, good conduct, and decorum during Council meetings, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or Council rules.

**4.3 Staff and Public** - Staff Members, City employees and all other persons attending Council meetings shall observe the same rules, decorum and good conduct applicable to the members of the Council.

**4.4 Removal of Any Person** - The Presiding Officer may order the removal of any person making disruptive or threatening remarks or actions during a meeting and may summon the assistance of the police or other administrative staff for that purpose.

## **SECTION 6- AGENDA AND ORDER OF BUSINESS**

**6.1 Agenda Preparation** - The City Manager with approval from the Presiding Officer shall prepare the Agenda for each meeting, specifying the time, place, and purpose of the meeting and listing the subjects anticipated to be considered at the meeting.

At least four days prior to the meeting, the agenda and packet;

- should be delivered to the Council;
- posted on the City's website; and
- delivered to the City Library.

At least four days prior to the meeting, the agenda should be:

- posted on bulletin boards at City Hall and Library; and
- be distributed to media representatives, and other interested parties upon written request.

**6.2 Changing Order of Business** - At any meeting of the Council, the order of the business may be changed or any part thereof suspended or items added for such meeting upon consensus of the majority of the Councilmembers present

## **SECTION 7- PUBLIC TESTIMONY**

**7.1 Public Comment Generally** - Any member of the general public wishing to address the Council on an issue not on the agenda may do so at the time set aside for Citizen Communications during each regular session of the Council. Any member so addressing the Council regarding a non-public hearing item, regardless as to whether on the agenda or not, shall be limited to a period of five (5) minutes, unless additional time is granted by the Presiding Officer. The time limit policy may be waived at the discretion of the Presiding Officer.

**7.2 Public Comment on Regular Agenda Items** - A time for public comment shall be allowed for on each regular agenda item.

## **SECTION 8 - PUBLIC HEARINGS, CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS**

**8.1 Public Hearings** - Public Hearings shall be held on matters required by State law or City policy. Quasi-judicial hearing procedures shall be conducted in

accordance with Oregon law and the Astoria Development Code. At the beginning of each hearing the Presiding Officer shall announce the purpose and type of hearing and summarize guidelines for the conduct of the hearing.

**8.2 Call for Abstentions** - The Presiding Officer shall call for abstentions from the Council. No Council member shall participate in discussion or vote on a matter in which the Councilmember has a direct personal or pecuniary interest.

**8.4 Ex-Parte Contact/Conflict of Interest/Prehearing Bias** - Prior to opening any quasi-judicial hearing the Presiding Officer shall ask if there any ex parte contacts, conflicts of interest, or matters of bias. If a Councilmember discloses an ex-parte contact or conflict of interest, the Councilmember shall disclose the nature of the contact and information obtained or the specific conflict. If a Council member discloses a prehearing bias, the Council member shall not participate in discussion or vote on the matter. The Council member will be counted however for the purpose of establishing a quorum.

If a Council member's participation is challenged in advance of the hearing, where a declaration of an exparte contact, conflict of interest, or prehearing bias would be made, the Council member may participate and may make statement in response to the challenge. Such challenge must be made prior to the commencement of the Public Hearing and shall be incorporated into the record of the hearing.

**8.5 Objections to Jurisdiction** - The Presiding Officer shall inquire if there are objections to the jurisdiction of the Council to hear the matter, and if such objections are received, conduct further inquiry if necessary to determine the question. The Presiding Officer shall terminate the hearing if the inquiry results in substantial evidence the Council lacks jurisdiction or the procedural requirements are not met.

**8.6 Time Limits for Public Hearings** - The following time limits shall apply to public hearings:

- a) Applicant shall be provided fifteen (15) minutes to make their presentation
- b) Individuals speaking in favor, impartial, or in opposition shall be provided five (5) minutes to testify
- c) The applicant shall have seven (7) minutes for rebuttal.

The time limit policy may be waived at the discretion of the Presiding Officer.

## **SECTION 9 - RECORD OF MEETINGS**

**9.1 Council Record of Meetings** - Pursuant to City Charter, Section 4.3, An accurate record of Council proceedings shall be kept.

**9.2 Responsibility** - The City Manager is responsible to ensure that accurate minutes are prepared and furnished to all City Council Members for review and approval.

**9.3 Content of Minutes** - Minutes of meetings of the City Council shall comply with the provisions of ORS 192.650 and contain the following:

- a) Names of all Council members present or absent and City staff present;
- b) Name and address, if provided, of all persons testifying;
- c) All motions, proposals, ordinances, resolutions, orders and their disposition;
- d) Results of all votes and the vote of each Councilmember by name;
- e) Substance of any discussion on any matter;
- f) Reflect the matters discussed and views of the participants;
- g) Reference any document or exhibits discussed at the meeting.

**9.4 Preparation of Minutes and Retention of Audio** - Official proceedings of the City Council shall be audio recorded and be maintained in accordance with the Oregon Archives Law (pursuant to OAR 166).

**9.5 Executive Session Minutes** - Minutes of executive sessions shall be kept in accordance with ORS 192. No transcription of executive session minutes will be made unless requested by a Council member or otherwise required by State law.

## **SECTION 10- PROCLAMATIONS**

**10.1 Request for Proclamations** - Organizations, citizens, or Council members may request proclamations to recognize the efforts of community groups and individuals. Upon receipt, the City Manager will notify the Mayor and the approval of the Mayor, the City Manager shall prepare the proclamation.

**10.2 Reading of Proclamations** - At the discretion of the Mayor, a proclamation shall be read at the Council meeting and presented or mailed to the requesting organization or group.

## **SECTION 10-CREATION OF CITIZEN ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES AND OTHER COUNCIL AD-HOC COMMITTEES**

**10.1 Committee Formation** - The Council may establish any Commission, Committee, or Task Force and assign its function and responsibilities. The Mayor, shall appoint members of all committees established by the Council. *Charter of the City of Astoria*, §5.1.

## **SECTION 11- ELECTRONIC COMMUNICATIONS**

**11.1 Communications** - Councilmembers should observe the following guidelines when using electronic methods in corresponding in their elected roles:

- a) Council members should use city e-mail addresses for all communications dealing with matter of City concern. These communications should be made via City supplied iPad or other electronic device and are subject to City record retention policies and to the Oregon Public Records Laws.
- b) E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or City Department Directors.
- c) E-Mail may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of a standing advisory body in any manner which would be in violation of the Oregon Public Meetings Law.

## **SECTION 12- CITY COUNCIL TRAINING AND STIPENDS**

**12.1 Council Training** - All Council members may attend training seminars or conferences related to their service as members of the council.

**12.2 Reimbursement Allowance** - Councilors shall be entitled to reimbursement of any expenses for registration, travel, meals and overnight accommodations incurred in attending in-state training and conferences. Requests for reimbursement shall be submitted to the City Manager, or designee, who will make necessary arrangements on behalf of the requester.

**12.3 Council Training Budget** - The Budget Committee shall set the Council Training Budget annually at the recommendation of the City Manager.