

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

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

Councilors Excused: None

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

PRESENTATIONS

Item 3(a): Chamber of Commerce

Skip Hauke and David Reid will provide the annual update on Chamber of Commerce activities.

Skip Hauke, 92732 Deer Valley Rd, Astoria, announced he would retire in two weeks and David Reid would take his place as Director. He reported on media coverage from July through December 2017, first and second quarter fiscal year transient room tax collection, and the six-month financial report ending December 31, 2017. Copies of the report were made available at the dais. He provided details on advertising and marketing, income, operating expenses, and annual events. He explained that the Budget Committee often asks the Chamber to separate what money goes to Visitor Services, which Astoria funds, and what money goes to the Chamber. He had not been able to figure out how to do that. All of staff's number one priority was giving service to visitors, regardless of their title. Therefore, with every person in the organization working as part of Visitor Service, he did not know how to spit up the financial figures. The Visitor Services aspect of the Chamber's contract with Astoria is supplemented by the Chamber. He briefly reviewed a five-year history of room tax dollars and noted that off-season income had increased by 200 percent in that time. He also announced the Chamber's lobby had recently been remodeled. The remodel was funded by a \$60,000 loan from a local bank and a \$1,000 grant from Clatsop County. He invited the community to see the new lobby. He spoke about the great relationship between Astoria, Warrenton, the Visitor's Center, the marketing group, and the Chamber, noting it was typical in most areas for these groups to be at odds with each other. He was proud of what the community had accomplished together.

Councilor Jones asked if the Chamber had seen any impacts of the increase in lodging taxes that was implemented on January 1st. Mr. Hauke did not believe the increase had any impact on tourism because other areas nearby were charging higher rates. He believed people were used to the idea that taxes would increase.

Mayor LaMear thanked Mr. Hauke for his service and wished him a happy retirement. She asked the students in the audience to introduce themselves.

Vanessa Inman, Alyssa White, and Sophia Hansen from Knappa High School said they were required to attend three City meetings for a class project. In addition to the City Council meeting, they planned to attend a School Board and one other meeting.

Mr. Hauke added that the community should be proud of City Manager Estes, who was an advisory member of the Chamber's Board of Directors. City Manager Estes has been the only city manager to serve on the board and he attends meetings regularly. He appreciated the support that City Manager Estes has given the Chamber.

REPORTS OF COUNCILORS

Item 4(a): Councilor Nemlowill said she would miss Mr. Hauke and congratulated him on a successful career.

Item 4(b): Councilor Brownson reported that he attended the League of Oregon Cities Taxation and Finance Committee meeting earlier that day where State shared revenue was discussed. He learned that each phone line is taxed \$0.75 for the 9/11 Fund. Despite the proliferation of cell phones, revenues were flat and the government does not know why. Revenues collected for the 9/11 Fund fully fund state costs, but only 25 percent of local costs. The committee is looking for ways to resolve this and other inequities.

Item 4(c): Councilor Price congratulated Mr. Hauke on a great career. She reported that she had delivered a \$5,000 check from the Samuel Johnson Foundation to Director Cosby for a comprehensive renovation of the Doughboy monument. She explained that a truck had run into the monument and some lampposts a few months ago. The City had a grant from another organization for a partial renovation. The Samuel Johnson Foundation made the donation because the family had a military history and because Staff did such a great job on the budget report for the renovation project.

Item 4(d): Councilor Jones wished Mr. Hauke a happy retirement and welcomed Mr. Reid.

Item 4(e): Mayor LaMear reported that Officers Andrew Murray and Levi Winfrey graduated from the Department of Public Safety Standards and Training (DPSST) on Friday. The officers would complete a three- to four-month field training program before working as regular officers. She reported that John Goodenberger would receive an Oregon Heritage Excellence Award for his consultation, his work with non-profits, and his part in creating the Historic Preservation and Restoration Program at Clatsop Community College. He is an asset to the city. She also reported that Jim Hatcher was Astoria's new Public Works Superintendent. She toured the USS Portland when it was at the Port and shared a photograph taken on the flight deck of the ship. It was windy and rainy, but she was able to see the osprey. That evening, she attended dinner with the crew at The Elks. She and City Manager Estes presented to an Encore class about their roles with the City. The class was on the U.S. Constitution. She and Councilor Price attended the Ghadar Party presentation. She had dressed in a rain suit because the event was originally planned for outside, but was moved indoors. The other women were dressed in beautiful saris and the men wore suits with beautiful turbans. She felt like she was dressed more like the gardener, but the plaque was amazing. She also attended American Association of University Women (AAUW) candidate's forum. She was introduced as the ex-mayor and jokingly asked if there had been a coup.

CHANGES TO AGENDA No changes

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council Special Session Minutes of 3/14/2018
- 6(b) City Council Minutes of 3/19/2018

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

REGULAR AGENDA ITEMS

Item 7(a): Authorization to Award Contract for Spur 1 Combo Harvest 2018

A commercial thinning and variable retention treatment is proposed on approximately 50 acres of the Bear Creek Watershed property for the summer of 2018. The harvest is located near the north-eastern boundary of the property, on a flat ridge between Cedar Creek and Fat Buck Creek. All treatments have been designed for long-term water quality and forest health goals, increasing diversity, structural complexity, and resilience of the forest on the Bear Creek Watershed.

The harvest unit is bisected by the Spur 1 road, which may require minor repairs. In addition, two other small spurs will be restored, providing greater fire access towards the edge of the property. Both the variable retention and thinned areas will receive some re-planting post-harvest.

At their March 5 meeting, Council authorized staff to solicit bids for the project. On March 26, the City received the following responsive bid for the harvest:

Hampton Tree Farms

\$ 450.97 per mbf for Douglas Fir
\$ 300.81 per mbf for Hemlock
\$ 250.00 per mbf for Sitka Spruce
\$ 350.00 per mbf for Alder
\$ 7.00 per ton for Pulp logs

The harvest is estimated to result in gross revenue of \$259,400.86. Net revenues after paying for required expenses such as road improvements and replanting should provide an estimated \$199,500.86 to be deposited into the Capital Improvement Fund.

It is recommended that Council award the Ridge-Line Spur 1 Combo Harvest to Hampton Tree Farms, LLC.

Councilor Price said she and Mayor LaMear received an email asking if the harvest could be delayed until after the hatchlings are gone from the trees. She had assured the writer that the harvest would be done over the summer, but she did not know about the hatchlings.

City Forester Ben Hays said the company operates within a very restricted season while most operate year-round. Harvesting has been restricted to summer months primarily for water quality issues, but that is also after the primary breeding season. The City consulted Audubon's Best Management Practices for nesting birds. Astoria's typical operating window occurs after two breeding seasons. The City also contacted the Oregon Department of Forestry for each annual timber sale. The closest threatened and endangered bird species have known habitats two to four miles away. The harvest could begin as early as June, but it typically begins in late July or August. He confirmed that the Bear Creek Watershed had a total of just over 3,700 acres.

City Manager Estes noted the Staff report contained a typographical error. The harvest would be done along Spur 1, not the Ridge Line.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Brownson, to award the Spur 1 Combo Harvest to Hampton Tree Farms, LLC. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(b): Waterfront Bridge Replacement Project – Local Agency Agreement for Construction Phase and Project Status Update

Where each of the City's numbered streets between 6th and 11th Streets meet the Columbia River, a short bridge connects the solid-ground road to the over-water pier structure. These waterfront bridge structures are of utmost importance to the City as they provide access to critical portions of our waterfront. They provide both pedestrian, vehicular, and trolley access to many businesses and attractions. In addition, they provide essential emergency vehicle access to the waterfront. Currently the structures are all vehicular load limited.

The project has been designed and is now ready to go out for bid. ODOT has prepared the attached Local Agency Agreement for the construction phase of the project. As the Agreement states, the total estimated project cost for the construction phase is \$9,508,000, which includes construction by the low-bid contractor (not yet determined) and inspection and construction management services that will be provided by the design consultant. The City's portion of the project cost is 10.27 percent or \$976,471.60 with the remaining \$8,531,528.40 being an ODOT grant. In addition to the eligible project costs, there are expenses not covered by the ODOT funding framework during construction. The three major City expenses are utility relocations, additional 4 feet of sidewalk on 11th Street, and repairs to the 11th Street extension outside the project limits to achieve highway load capacity. These expenses are currently estimated at \$337,000 and this entire cost must be paid solely by the City. Current total City construction phase portion is estimated at \$1,313,471.60 to be paid by the Business Oregon Infrastructure Finance Authority (IFA) loan that was authorized by Council in February 2018.

This Local Agency Agreement must be fully executed prior to bidding the project construction. City Attorney, Blair Henningsgaard has reviewed the agreement and approved as to form.

Current project schedule is construction of the odd numbered street structures (7th St, 9th St and 11th St) to begin by October 1, 2018 and the even numbered street structures (6th St, 8th St and 10th St) to begin after September 3, 2019.

It is recommended that City Council approve the Local Agency Agreement with ODOT for the Waterfront Bridges Replacement Project.

Assistant City Engineer Cindy Moore gave a brief update on the project and displayed images of project area. She noted the Marine Mammal Permit, all private property easements and deeds, final plans and specs, and this agreement with ODOT had been completed. The last item remaining is the State Historic Preservation Office (SHPO) permit. In order to keep the project on schedule, the City will need this permit granted in the next three weeks. The project team, ODOT, the consultants, and the Federal Highway Administration have become involved because this is a federally funded project and they all have money at stake. The SHPO permit will be incorporated into the Army Corps of Engineers joint permit. This project is being bid under ODOT's authority, so the City is at the mercy of what the State will allow. Staff is tracking this very closely and she expected to give City Council an update at their second meeting in May.

Councilor Nemlowill thanked everyone on Staff who had been working on this project. She hoped SHPO would cooperate within the City's timeline. She asked if the City should be considering any future planning for waterfront development. She noted the City was working to implement the last section of the Riverfront Vision Plan and wanted to know if the City or private developers should be responsible for updating the bridges. Engineer Moore said the bridges were being built to a 75-year design life and should easily last 100 years. Designs are simple, so any private development that might connect to the bridges would be supported. City Manager Estes added that this project would include the areas under the City's jurisdiction, so areas north of the bridges would continue to be privately owned and maintained. The Riverfront Vision Plan anticipates that any privately owned and maintained structures in the rights-of-way would have to provide public access. He believed the City would take on very little additional maintenance of City improvements in rights-of-way.

Councilor Brownson asked what the condition of the structure between the bridges was like. If there is development, it would extend out from the Riverwalk, so the structure could need maintenance. City Manager Estes explained that the City separates street ends from trestles. Street ends are in the public right-of-way and provides access to waterfront properties. The trestles are between the street ends. This project will include the connection between the trestles and street ends and rebuilding those connections is funded by a loan, not the grant. The Public Works Department is working on a larger project to rebuild the trestles. The City is budgeting \$300,000 each year for the next ten years in the Promote Astoria Fund for that project.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Nemlowill, to approve the Local Agency Agreement with ODOT for the Waterfront Bridges Replacement Project. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(c): Supplemental Budget and Public Hearing for Waterfront Bridges Fund 190

ORS 294.473 provides guidance for a municipality to hold a public hearing on a supplemental budget to adjust for changes which could not reasonably be foreseen when preparing the original budget. The process requires advertisement of a supplemental budget not less than 5 days before a Council meeting. There will be a public hearing for consideration of the supplemental budgets being presented. Council may consider a resolution to adopt the supplemental budgets as advertised.

Council approved establishment of the Waterfront Bridges Fund 190 at the February 5, 2018 meeting with the understanding a supplemental budget would be presented after additional information related to the project funding requirements was developed and available.

Staff is presenting a supplemental budget to establish the requirements for the Waterfront Bridges Project in FY 17-18 and the associated resources to be provided through an IFA loan approved for execution by Council on February 20, 2018.

It is recommended that City Council conduct a public hearing and approve the supplemental budget as presented in the attached draft resolution which outlines funding amounts.

Mayor LaMear opened the public hearing at 7:47 pm and called for public testimony on the proposed supplemental budget. Hearing none, she closed the public testimony at 7:47 pm.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill to adopt Resolution 18-04 and approve the supplemental budget for the Waterfront Bridges Fund 190. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(d): Accessory Dwelling Units One Year Report

At its April 17, 2017 meeting, the City Council adopted Amendment A17-03 (Ordinance 17-07) to amend the regulations concerning Accessory Dwelling Units (ADUs). When the amendment was adopted, the Council noted in the Ordinance that "The Community Development Director shall evaluate the accessory dwelling unit program in April 2018 to recommend if any additional changes are required to make improvements. A staff report shall be produced and reviewed by the Astoria Planning Commission with a recommendation to the City Council."

A report from staff is included in the packet, with policy items suggested for review.

It is recommended that Council provide policy direction on the items noted and provide feedback on the items staff has suggested for review. Feedback from the Council will provide direction for staff and the Planning Commission in moving forward on further analysis of the issues. Ultimately, it is expected that a code amendment process will be initiated with public hearings on the matter.

Mayor LaMear asked for clarification on Staff's questions about allowing ADUs with duplexes (Page 91 of the Agenda Packet, 3rd Bullet). City Manager Estes explained that owners of duplexes in R-1 Single Family zones have requested ADUs. City Council needs to consider whether this is appropriate.

Councilor Nemlowill asked if all of Staff's points listed in the Staff report should be presented to the Planning Commission. City Manager Estes stated the second set of bullet points on Page 91 of the packet should definitely be reviewed by the Planning Commission. However, it would be up to Council to provide direction on the first set of bullets.

Councilor Nemlowill asked what the implications would be if the conditional use for an ADU was changed to an administrative Type 2 conditional use. City Manager Estes explained that potential applicants have indicated that the process was too costly or onerous. The cost savings would not be tremendous, but the processing time would be faster. Council should consider whether they would like to see ADUs incentivized.

Councilor Nemlowill asked what the advantages to residents in R-1 zones would be if the code was not changed. City Manager Estes said applicants would either go before the Planning Commission or go through Staff with a public testimony component. If a neighborhood was fine with an application, a permit could be processed faster. But if there were concerns, the application would go through a more formal process and the decision could still be appealed.

Councilor Nemlowill said she did not have a problem bringing any of Staff's points to the Planning Commission for review. Mayor LaMear agreed.

Councilor Price did not agree with the third and fourth bullet points on the policy questions, adding 1,000 sq ft seemed too small. ADUs shall not exceed 40 percent of the primary structure. That is almost half of what is typical in the State, which is generally 75 percent. The Lower Columbia Preservation Society (LCPS) had recommended Council consider allowing ADUs to be placed in front of a main dwelling. She could not recall the conversation, but the City allows this. She believed it was big mistake, particularly in historic neighborhoods. Decreasing the fees by moving the reviews from Type 2 to Type 3 would make an ADU permit \$100. She believed the fee should be increased. City Manager Estes explained that the Mattsen's have a wide lot and a very deep setback. They wanted to place an ADU in the front of their lot with a 25-foot setback.

Councilor Price confirmed the Mattsen's were not in a historic district and said that made a difference. She wanted the Development Code to state that ADUs needed to be in the back or on a non-street side in historic districts.

City Manager Estes confirmed for Councilor Brownson that the Mattsen's mobile home was 1,000 sq ft. The issue was that the Code prohibits manufactured homes. The Mattsen's were asking that their ADU be classified differently. A manufactured home on its own lot would not have met the standards, but the Mattsen's wanted their manufactured home to be used as an ADU. Therefore, there was no minimum or maximum floor area size with their proposal for the ADU. One option was to divide their lot into two lots, but that would have required the manufactured home to be a double wide. However, the Mattsen's only wanted a small park model.

Councilor Jones asked if the Mattsen's could have applied for a variance. City Manager Estes explained that the City cannot grant use variances.

Councilor Nemlowill said she was wary about allowing manufactured homes as ADUs in terms of character compatibility.

Councilor Jones noted the purpose for amending the Code last year was to address the permanent housing shortage by making it easier for people to have ADUs and to incentivize people to rent ADUs to permanent residents. He was in favor of the additional flexibilities because they are in keeping with the intent of what was done last year.

Councilor Nemlowill agreed. She noted that the State standards say there should be one ADU for each detached single-family dwelling in the city. She asked how that would impact the size. City Manager Estes explained that the State is saying the City must allow one ADU per single-family dwelling unit, but has recommended the City allow two ADUs per unit. That is why Staff recommended the minimum area for a main house be reduced to 1,000 sq ft. However, allowing a larger ADU could allow for more capacity.

Councilor Brownson added that the State statute allows cities to enforce reasonable restrictions.

Mayor LaMear called for public comments.

Rick Culver, 3506 Harrison, Astoria, said he had been dealing with the City Planner and the Planning Commission on parking issues and had gotten nowhere. He did not follow what the City Manager had said about allowing ADUs with duplexes other than allowing the possibility of trying to make a duplex into a short-term rental. The duplex immediately across the street from his house has long-term renters and parking issues are minimal.

City Manager Estes explained that this discussion did not involve short-term rentals or homestays at all. He was saying that if someone owned and occupied one side of a duplex, Council should decide if someone could build an additional dwelling unit detached from the duplex. ADUs are permanent residences.

Mr. Culver said a lot with a house and an ADU was separated into two different lots, which resulted in parking issues. The ADU was a garage with an apartment above it. The residents of the house now park on the street because the off-street parking was taken away by the Planning Commission. Harrison and 35th is a busy intersection and the on-street parking has created a hazard. He tried to address this 10 years ago when he received the letter about the public hearing. His neighborhood had a motor home and a travel trailer that are now being rented out as ADUs, as well as several vacation homes that were in violation of City ordinances. He had spoken with neighbors about the parking issues, which were becoming hazardous. Astoria's neighborhoods were not made for large numbers of cars. He had spoken to Planner Ferber about the parking issues at 35th and Harrison and she told him something different from what was actually happening. He was still discussing the approved ADU with Planner Ferber. He could not follow what was being said about duplexes and ADUs, but he was opposed to Airbnb rentals in residential neighborhoods. His neighborhood had an excessive amount of Airbnb rentals and some of them did not have a business license. He found numerous rentals on Airbnb and other weekend rental sites.

Councilor Price explained that ADUs were prohibited from becoming vacation rentals.

Mr. Culver stated he realized that restriction was part of the ordinance, but there was no enforcement.

Councilor Brownson said he understood Mr. Culver was talking about enforcement issues on illegal vacation rentals. City Council and Staff were in the process of addressing that issue and looking for ways to enforce the ordinances.

City Manager Estes offered to speak with Mr. Culver after the meeting.

Chris Haefker, 687 12th Street, Astoria, said the ADU ordinance was a strategy for the housing crisis. He asked if there had been any discussion about the possibility of allowing development on 2,500 sq ft lots instead of 5,000 sq ft. Other municipalities have done this and have eliminated parking requirements. He was sympathetic to parking issues in Astoria because there are a lot of narrow streets, but there are areas with wide streets where parked cars and traffic could be accommodated. On his block, there are six nonconforming historic homes that are about 2,500 sq ft. He wanted to make sure something else could be built on those lots if something were to happen to the homes. He suggested the City discuss allowing the addition of ADUs on 2,500 square foot lots because it was common practice in other cities and Astoria was limited by growth boundaries.

City Manager Estes asked if City Council wanted any of the discussion items to be reviewed by the Planning Commission.

Mayor LaMear and Councilor Brownson answered yes.

Councilor Nemlowill said this was not the first time City Council had heard concerns about parking. She believed more people from congested neighborhoods would provide comments if the City eliminated the requirement for one off-street parking space for an ADU.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Price to direct Staff and the Planning Commission to review the bulleted items in the memorandum on the ADU ordinance. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

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

There was none.

ADJOURNMENT

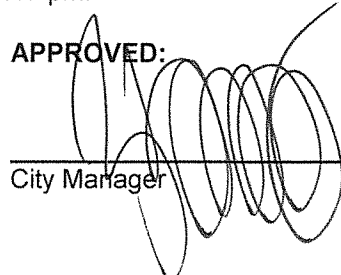
There being no further business, the meeting was adjourned at 8:17 pm.

ATTEST:



Finance Director

APPROVED:


City Manager