

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

Councilors Present: Jones, Price, Brownson, and Mayor LaMear. Councilor Nemlowill arrived at 3:05 pm.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Cosby, Parks Maintenance Supervisor Dart-McLean, 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.

City Council recessed into Executive Session at this time.

EXECUTIVE SESSION

ORS192.660(2)(i) – Performance Evaluations of Public Officers and Employees

The City Council met in executive session to discuss a performance evaluation at 3:00 pm.

The regular session reconvened at 5:00 pm.

Mayor LaMear noted City Manager Estes received very good reviews as part of his performance evaluation.

City Council Action: Motion made by Councilor Price, seconded by Councilor Jones, to approve a 2.5 percent cost of living wage increase for City Manager Estes, retroactive to the last increase or the anniversary date of his hiring. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Mayor LaMear continued the meeting to 7:00 pm.

CITY BOARDS AND COMMISSIONS RECEPTION

Immediately following the reception, the City Council meeting reconvened at 7:00 pm.

Mayor LaMear noted that the reception held just prior to the meeting was in honor of Astoria's 140 volunteers who work on the City's boards and commissions.

PRESENTATIONS

Item 3(a): OpenGov

Chris Jung from OpenGov will provide an update on this program. OpenGov is a web-based platform that can provide City financial information for internal and external users. The platform provides an intuitive, user-friendly view of financial information in varying degrees of summary and detail. OpenGov enables users to see financial data in both a graphical/visual format, review/analyze trends over time, and make side-by-side comparisons.

Director Brooks explained that the OpenGov project would help make the City's data more transparent and available to the public. The data would be published live on the Finance tab of the City's website in January.

Chris Jung (via telephone), OpenGov, gave a PowerPoint presentation on OpenGov's services and software. He explained how all of the City's data would be organized in a way that benefits the City and citizens. The data

would include financial records from 2015. He gave an interactive tour of Astoria's OpenGov portal, showing what data was available and options for displaying, sharing, and printing the data.

Councilor Price said she advocated for OpenGov when she ran for Council three years ago, adding the data will be a benefit.

REPORTS OF COUNCILORS

Item 4(a): Councilor Nemlowill thanked all of the volunteers who serve on boards and commissions. She was on the Planning Commission for nine years and understood that it could be a thankless job at times. However, the job is very important to democracy. She thanked Mayor LaMear and the Councilors for their service. Councilors are only paid \$60 a month and the Mayor is paid \$100 a month, so serving on City Council is really a volunteer job as well.

Item 4(b): Councilor Brownson said he appreciated everyone who attended because he loved a large turnout. He wished everyone a happy holiday.

Item 4(c): Councilor Price noted the costumes were beautiful. She thanked everyone for attending and wished everyone a happy holiday.

Item 4(d): Councilor Jones thanked the volunteers who serve on boards and commissions. He wished everyone a wonderful holiday.

Item 4(e): Mayor LaMear reported that the Executive Session, held from 3:00 pm to 5:00 pm that day, was to review City Manager Estes' performance evaluation. He received wonderful reviews and Council approved a 2.5 percent cost of living increase, retroactive to the anniversary of his date of hire, which was in September. She spoke at a graduation ceremony for Lives in Transition at Clatsop Community College. Students in the program had dropped out of school and some are first in their families to go to college. The Fire Department held a three-night Christmas food drive. She rode in the fire engine for two nights. City Council held a work session on December 13th on homestay lodgings, which is a big issue in many cities.

CHANGES TO AGENDA

City Manager Estes suggested Item 7(b) be discussed prior to Item 7(a). The agenda was approved with changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council Work Session Minutes of 11/8/17
- 6(b) City Council Meeting Minutes of 11/20/17
- 6(c) Salary Resolution Updates (Finance)

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

City Council proceeded to Item 7(b) at this time.

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing on Ordinance Modifying City Code Chapter 8 Prohibiting Resale of Firearms by Pawnbrokers and Secondhand Dealers

At the November City Council Work Session, there was dialogue amongst Councilors about whether pawnshops should be a prohibited use within Astoria city limits. There was also discussion regarding prohibiting the resale of second hand firearms. It was requested that Interim Police Chief Spalding address the

Council at a subsequent meeting regarding information and experiences working with pawnshops. An agenda item is included on December 18th to discuss this matter. Subsequently, a request was made for an ordinance prohibiting the sale of firearms by pawnshops or second hand dealers to be prepared for possible consideration at the December 18th meeting. City Attorney Henningsgaard prepared the attached ordinance for Council review and deliberation.

It is recommended that Council hold a public hearing and consider holding a first reading of the ordinance amending City Code Chapter 8.

This item was addressed immediately following Item 7(b).

Mayor LaMear opened the public hearing at 7:47 pm and called for testimony on prohibiting the resale of firearms by pawnbrokers and secondhand dealers.

Nell Christensen, 926 Sunset Ct., Clatskanie, said that before he became a firearms dealer, he had no idea how many regulations were involved. He owns a business in Astoria and serves on City Council in Clatskanie. He hoped to be a resource for the City as they move forward on this issue. He understood how difficult it was to form legislation and ordinances that encompass all concerns. Most people selling used firearms are doing so to liquidate estates. Firearms cannot be disposed of without licensed firearms dealers. State law requires shops to fax a description of all firearms that come into the shop along with information about the individual that brought the firearm in. When firearms are found to have been reported stolen upon being entered into the database, Oregon State Police confiscates the firearm and attempts to return it to the owner. If firearms are reported stolen after being entered into the database, the report is identified during the background check processed when the shop attempts to sell the firearm. After confiscating the firearm, the State Police will interview the individual who sold the firearm to the shop and decide if prosecution is necessary. The regulations are overwhelming and his shop spends massive amounts of time ensuring all the requirements are met. He was concerned about the City implementing more reporting requirements because the existing requirements are already counterproductive.

John Decker, 91715 Akerstedt Rd, Astoria, said he worked at Gun and Boot and Gear and was a retired Astoria police officer. He had a vested interest in the city, which is his home. He must do many different things when someone comes into the store wanting to sell, trade, or consign. A form is filled out and he must check the customer's photo identification, which must be current and valid. The identification could be a driver's license, military identification, or travel orders. The identification information goes on a form that is sent to the Astoria Police Department. When a person puts property on consignment, all of the information goes on a form that explains how they will be reimbursed, if and when the property is sold, and how they can get their property back. It also states that if a firearm is on the Oregon State Police Stolen Database, it will be confiscated. That has happened, but he could not say how the situation turned out because the store is not notified about what happened. When a person wants to purchase a used or new firearm, they must fill out Firearms Transaction Form 4473. He must physically see their valid government issued photograph identification. The customer must supply their thumbprints and swear that their information is true. If they are denied, the store usually has a State Trooper show up. When he was working for Astoria, the Astoria Police would be dispatched to check the person. The rules are cut and dry. He and the others who work the gun counter are pretty good at having gut feelings about people who probably should not have a firearm.

Bernie Biork, 36293 Bartoldus Loop, Astoria, said he was a third generation Astorian. His grandfather owned a business in Astoria from 1922 to 1960. His father also had businesses in downtown Astoria. He has a hotel and a second hand store on Marine Drive. He sees a slippery slope starting. He questioned where this discussion would go next and asked what the problem was. If his second hand store leaves, he would lose money. Everyone is going to Warrenton. As a commercial fisherman, he left Astoria in the 1990s and moved to Warrenton. City Council needs to slow down. Rules and regulations got the current president elected. There are way too many rules and regulations. The City is putting Astoria's second hand and antique stores out of business.

Mel Christensen, 7971 Olson Rd., Clatskanie, said his father started a store in Clatskanie in 1931, so his family has been selling clothes and shoes along the Columbia River for 86 years. Family businesses are disappearing. He would like to stay in Astoria and did not want to go to Warrenton. He sells on the internet, sending about a dozen packages a day. His store is the largest dealer in the United States of a couple different wines. Guns are a part of his business. Other businesses like his, Englund Marine, and Sea Lumber are all third generation

family-owned businesses. Only five to eight percent of family-owned businesses make it to the third generation. Less than one percent makes it to the fourth generation. Astoria has treasures that need to be nurtured. His family has been in Astoria for 25 years. Powel's started in 1947, selling work clothes in Astoria for 71 years now. He has had several dealers from around the northwest model their stores after what his has done. His customers come from Bandon, Seattle, British Columbia, and California to purchase items from his store that they cannot get elsewhere. When people come from California, they stay a night or two in a hotel and eat at restaurants. This helps the economy.

Mayor LaMear closed the public hearing at 7:59 pm and called for Council discussion and deliberation.

Councilor Price confirmed that Guns, Boots, and Gear would be considered a secondhand dealer if they buy and resell used firearms and that the store was not a pawn shop. She asked for an explanation of the difference between a secondhand dealer and a pawn shop.

Mr. Decker stated he was not familiar with pawn shops or second hand stores. His store does not offer loans on personal property. The store buys used firearms and resells them. They also accept used firearms on trade in exchange for a discount on a new firearm. When a customer does not know what a firearm is worth, the store will do research to find out what it would sell for in this area. If the customer wants the store to sell the firearm, they must relinquish ownership to the store until it sells.

Mr. Christensen added that pawn brokers must have a different firearms license than his store must have. A firearm cannot stay overnight in his store without logging possession of it in their books. The log also states who owns the firearm. The only way that a firearm can leave the store's possession is through a background check or transfer to another firearms dealer. All of the owner's information is faxed to the police department and the store has legal possession even though the owner retains ownership. When the store sells the firearm for the owner, a background check must be done before the buyer can take possession and ownership. For consignments, the store's firearms license allows them to facilitate the transactions.

Councilor Nemlowill confirmed that the gun business was not part of M and N Workwear.

Mr. Christensen explained that his store in Clatskanie subleased a small area in Suomi Hall. The gun business is separate and wholly owned by him. He is part owner of M and N. Work clothing is not a growing industry and he hoped to buy out his father for the rest of the business. Work stores are turning into farm stores or sporting goods stores. He chose to go with sporting goods, which includes firearms, because he believed it would allow their business to continue.

Councilor Nemlowill asked if second hand gun sales were an integral part of the gun business. Mr. Christensen said the money is made on firearm accessories. However, used guns do have a higher profit margin than new guns and big box stores do not sell used guns.

Councilor Nemlowill asked if Mr. Christensen had problems with illegal activity, gun violence, or police calls. She also wanted to know if he understood what the problem was and why City Council was discussing firearms.

Mr. Christensen stated that Astoria has always had firearms and this is a hunting community. As a Councilor, he understood concerns about new businesses coming in. But once people see and understand how the firearms industry is regulated, they understand that there are no stolen firearms being sold at stores. Since 2014, his store has only received two stolen firearms that were stolen in the 1960s. His store works together with the Police Department to help track items that have been reported stolen.

Mr. Decker added that every firearm that comes into the store for sale, resale, or maintenance has its serial number run through the database to make sure it is not stolen.

Mel Christensen said if a consigned gun does not sell and the owner wants it back, they must go through a background check again.

Councilor Brownson appreciated this discussion, which resulted from a conversation about the new pawn shop. He was surprised to see the request for an ordinance on firearms because that did not seem to be the nature of the discussion on the pawn shop. He appreciated Chief Spalding's presentation because City Council wanted to

know more. He was concerned about imposing upon the secondhand dealers in Astoria. Established firearms businesses offer a service; they check on firearms as they move from owner to owner. As long as firearms laws are what they are, these checks are good. This ordinance is overstepping and premature. However, he wanted to continue the discussion because he believed it would be a good idea to have an ordinance in line with other communities that regulate pawn shops and pawnbrokers.

Mayor LaMear asked if the software would be more onerous for shop owners. Chief Spalding explained that pawnbrokers already use the system. However, requiring secondhand dealers to use the system would mean additional work on their part. Mayor LaMear asked if the electronic system could take the place of paperwork. Chief Spalding said second dealers without a system are unknowingly taking in stolen property. If a system were in place, the Police Department would know when stolen property ends up at a particular business.

Councilor Brownson confirmed that the Police Department is alerted to all firearms transactions. Chief Spalding added that the alerts would be more immediate and easier to track if a computerized system were used. Pawnbrokers are already required to keep a log, so Staff's proposal would not add any additional requirements.

Councilor Jones stated he had not heard anything that would put him in favor of the proposed ordinance.

Councilor Price said this ordinance came about because of a conversation about pawn shops. At that time, at least three Council members were concerned about having a pawn shop in the middle of the downtown historic district. Downtown business owners are concerned about this as well. Councilors concerns were about predatory loans and that vulnerable people would be selling goods, including firearms. She did not want to say anything bad about the owner of the new business, but the owner was not Mr. Decker, a former police officer and gunsmith with a very reputable business that has been in Astoria for a long time. The Council had talked a little bit about banning pawn shops and there was no interest in pursuing a ban. She was glad to see there was interest in updating the Municipal Code. The Council talked a lot about guns. She was very concerned about guns in America. There are a lot of guns in America. In her opinion, it would be good if Astoria could use laws to keep at least a few guns outside of the city's core. She was also concerned about secondhand dealers. She did not want to prohibit the way Mr. Decker conducts business because he was not offering predatory loans that people cannot pay back. Therefore, she would be in favor of the ordinance if it were limited to pawnbrokers and did not include secondhand dealers.

Mayor LaMear agreed with Councilor Price and found the discussion at this meeting very interesting because she is not a gun owner. It was interesting to learn about the regulations already being used to keep the community safe. She feels helpless when she reads stories about all the terrible tragedies that happen across the country. She would love to figure out a way for Astoria to contribute to safety in the community. She did not know if this ordinance would be an answer, but believed the ordinance was a good way to bring City codes up to standard.

City Council Action: Motion made by Councilor Price to adopt the ordinance amending City Code Chapter 8 to prohibit the resale of firearms by pawnbrokers, amended to state the following:

"No used firearms may be purchased, pawned, pledged, received and pledged redeemed, or sold by any pawnbroker."

Motion died for lack of a second.

City Council proceeded to Item 7(c) at this time.

Item 7(b): Pawn Shop (Pawnbroker) and Secondhand Dealer Discussion (Police)

At the November City Council Work Session, there was Council discussion on whether pawn shops should be a prohibited use in the City. Chief of Police Spalding was asked to provide comments regarding pawnshops and has prepared the attached memorandum. The Chief will provide additional information at the meeting. It should be noted that Chief Spalding has provided some recommendations to update the City Code regarding pawn shops and secondhand dealers. It is recommended that Council consider providing direction on this matter. Should the Council wish to provide direction that staff initiates the process to amend the Development Code to prohibit pawn shops, then Community Development staff would begin that work. The time frame to do

so would be approximately four to six months as coordination with Oregon Department of Land Conservation and Development and Planning Commission public hearing/consideration is required prior to an ordinance being brought to City Council.

This item was addressed immediately following Item 6: Consent Calendar.

Chief Spalding gave a PowerPoint presentation on pawn shops and other topics he believed were relevant to the conversation. His presentation included the legal definitions, licensing requirements and laws, a map of existing pawn shops in Oregon, a list of secondhand dealers in Astoria, a list of federal firearms licenses in Clatsop County, details of the federal Firearm Safety Act of 2015, transaction requirements, Astoria's existing ordinances regulating pawnbrokers, and his recommendations. During the presentation, Chief Spalding made the following key comments:

- Pawnbrokers are secondhand dealers, but not all secondhand dealers are pawnbrokers.
 - Secondhand dealers are businesses that buy and sell used or new property that are frequently the subject of regulated property. They are not licensed by the State, but must follow federal firearms license laws if they buy and sell firearms.
 - Pawnbrokers provide loans on personal property with an interest rate in excess of 10 percent.
- In 2016, there were 302,000 firearms transaction in Oregon.
- Three cities responded to the sound-off request sent through the Oregon Association of Chiefs of Police. The cities of Albany and Medford indicated their problems were with stolen property, not firearms. The cities of Albany and Canby have comprehensive ordinances regulating secondhand dealers. All of the cities indicated that as long as the pawn shops had good management, the shops were run well.
 - The cities also subscribed to the same nation-wide electronic database system that the secondhand dealers subscribed to. Secondhand dealers and pawn shops are required to enter personal information about the customer and the property they purchase into this database. Updates to the database are transferred to law enforcement agencies daily so that stolen property can be identified and located.
- Staff believes the current City ordinances do not effectively regulate pawn shops and secondhand dealers. Other cities' ordinances include a permitting process that allows for the revocation and suspension of a license, more detailed reporting requirements, the tagging and inspection of property, requiring transaction details to be submitted via computer, holding period requirements, outlining prohibited property, and fees charged to customers to offset the City's cost of the database software and subscription.

Chief Spalding answered City Council's questions as follows:

- The City's cost of the database would be about \$17,000 per year for a basic law enforcement license. The pawn shops and pawnbrokers purchase a different license that offers other database options for the businesses. He would find out what the database costs for the pawn shops and pawnbrokers.
- Only regulated property must be entered into the database. The only exceptions are donations to non-profits and consignments. The City could add its own additional exceptions as well. The long list of regulated property includes certain precious metals, audio and video equipment, construction equipment, and tools. He would email the entire list to Councilors.
- He only knew of two recent cases that involved stolen property in Astoria showing up on the database.
- After meeting with the owner and manager of the pawn shop in Astoria, Staff was comfortable about the business and their processes. The owners chose to open a second location in Astoria because many of their customers were driving from Seaside and Astoria to their Longview store.

City Manager Estes read aloud Portland's list of regulated property.

City Council Action: Motion made by Councilor Price, seconded by Councilor Brownson, to approve Staff's recommendations and direct Staff to draft an ordinance regulating pawn shops, pawnbrokers, and secondhand dealers. Motion carried 4 to 1. Ayes: Councilors Price, Jones, Brownson, and Mayor LaMear; Nays: Councilor Nemlowill.

City Manager Estes confirmed that a public hearing would be required for these amendments to the City Code and Staff could update Council on the software at that time.

City Council returned to Item 7(a) at this time.

Item 7(c): Second Reading and Adoption: Ordinance Modifying City Code 6.510 Adding Additional Towing Authority to Vehicle Seizure and Impound Section (Police)

This ordinance received its first reading at the December 4, 2017 City Council Meeting. On October 27, 2017, the Astoria Police Department received a noise complaint, concerning a car alarm on a car parked for over 24 hours on Commercial St. adjacent to the Commodore Hotel. The alarm would sound and then reset and sound again. The car was licensed out of state and we were unable to locate the owner. We were unable to address the noise complaint, as there was no provision in the City's ordinance to tow the vehicle. Other cities have enacted ordinances to address this nuisance.

The additional language proposed will provide officers with a tool to abate these nuisances. The changes proposed to the ordinance are attached for Council consideration.

It is recommended that Council hold a second reading and adopt the ordinance amending City Code 6.510.

This item was addressed immediately following Item 7(a).

Director Brooks conducted the second reading of the ordinance.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Brownson to adopt the ordinance amending City Code 6.510. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(d): Authorization to Award Contract to Arbor Care Inc. to Remove and Replace Priority 1 Hazard Trees (Parks)

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

The inventory also brought to staff's attention the fact that a small portion of trees that pose an elevated risk to the public or infrastructure and should be removed. The levels of risk associated with each identified tree is classified into Priority 1, 2, and 3, based off the combination of the likelihood of a tree to fall, the likelihood of it hitting something of value (person or property), and the tree's overall condition and position. Using the tree inventory as a guide, staff was able to generate a solicitation for bids to remove all Priority 1 and 2 trees (trees presenting a risk of failure that may cause harm due to the presence of defects, disease, or other factors contributing to their instability). The solicitation requested delineation of the costs to remove Priority 1 and 2 trees separately; so that in the event the cost of carrying out removal for both priority levels was infeasible due to financial concerns, there would be the opportunity to address the highest risk trees for removal at once and formulate a course of action to remove the lower risk trees subsequently. Acting as good stewards of natural resources, staff directed bidders responding to the solicitation to provide the cost of replanting a new tree in the same or adjacent location, at a ratio of 1:1 for each removal. As a long-range planning method, staff requested that identical or similar tree species be replanted, relying on a trained arborists' recommendations for site-specific trees to have the greatest odds of success and be cohesive in each location. This method is employed to ensure that the City of Astoria's parks and green-spaces are being replenished with new trees as our older species age and fail and require removal. Bidders were directed to provide costs for replacement trees large enough in size to be more easily managed and cared for by staff. Bidders were also asked to provide recommendations for best management practices in the first three years after planting to promote successful establishment and strong growth. This stipulation increases the price of replacement trees in the short-term, but will save effort and costs in future staff time by planting more substantial trees that are easier to monitor and protect.

The sole respondent to the solicitation, Arbor Care Tree Services from Astoria, provided a detailed bid of \$29,262 to remove and replace all Priority 1 trees throughout Parks properties. This bid includes site safety and oversight, best management practices for lessening impacts of removal, site specific replanting species

based on local knowledge of ecosystems, and replanting to International Society of Arboriculture standards for best chances of survival.

A list of each tree to be removed and the Park it is located in is provided in the memo, along with the complete Solicitation for Bids for Hazard Tree Removal and Replacement and the bid and supplemental information provided by Arbor Care Inc.

Also included in the memo are details regarding comments from concerned citizen, Ron Zilli and recommendations from City County Insurance Services' Risk Manager, John Zakariassen.

If approved, work will commence this winter and be completed by spring. It is anticipated that a similar scope of work and budget allocation will be requested in the next fiscal year to address Priority 2 and 3 trees. City Attorney Henningsgaard has approved the contract to form.

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

Parks Maintenance Supervisor Dart-McLean gave a PowerPoint presentation on tree management in public spaces, the details of Astoria's most recent tree inventory, the criteria used to determine the priority level of trees, and a review of the Priority 1 trees currently recommended for removal.

Director Cosby stated the same presentation was given to the Parks Advisory Board at their December 6th meeting. The Board and others had many questions, concerns, and ideas about tree removal, planting, and what to do with the wood. Generally, everyone agreed the trees need to be removed. One recommendation was to coordinate with the Sheriff's Office to get some of the wood to homes participating in their low income program. Staff is pursuing this idea. Staff was opposed to the recommendation to invite the public to use their own chainsaws and take some of the wood because doing so could set a precedent and involved safety hazards.

Councilor Brownson asked if the tree removal company offered a discount if they were allowed to keep the wood. Director Cosby understood the company preferred to give the wood to the Sheriff's program.

Austin Winekey, 1477 Lexington, Astoria, Arbor Care Tree Services, said the company does not accept wood as payment because they do not do logging. If the City saw value in any of the wood pieces, the City would need to talk with a mill, but Arbor Care would be happy to move the wood to the mill. If the City cannot get a response from the Sheriff's Office, other organizations will get the wood to low income households. The U.S. Forest Service offers cutting permits at \$14 for a cord of wood, so much of that wood likely goes to low income individuals because a cord of wood typically costs between \$100 and \$150. There are creative ways to distribute wood to useful endpoints. He explained that the bid was to remove debris in areas where it was economically and ecologically feasible. In other more natural areas, the wood would be left to rot as a nurse log. The wood being removed from the manicured parks would be taken to a holding site for the Sheriff or Forest Service, or the City's disposal site. Wood chips that cannot be used are donated to the City or private individuals.

Mayor LaMear called for public comments.

Ron Zilli, 1444 16th Street, Astoria, said he was speaking as a citizen and park user, but he was also a professional forester with the Oregon Department of Forestry. He has lived in this community for over 20 years and has extensive experience with native tree species. He has observed Astoria's parks in different weather conditions and environments. He appreciated the work that the Parks Department has done and their accommodation to engage with him on this project, which he learned about the day the agenda came out. He was concerned that the City was making determinations without a developed maintenance plan and guidelines, which was recommended in the Parks Master Plan. The stewardship value of replanting trees in the same or adjacent location at the ratio of one to one is a very good value, but it lacks intentionality, understanding where the trees came from, and whether it is wise or necessary to replant them. The assessment of some of the trees is very conservative and he disagreed that these trees presented the same level of hazard that the City believes they do. Some of the trees do not need to be removed. He also believed the costs for this project are very high. In the absence of competition, some of the services being requested are very high, like stump grinding and tree replanting. The price premium of having a certified arborist may not be necessary for tree removal. He

suggested the City consider having a non-arborist refine the list of trees to be removed. He had an issue with the hazard assessment of one specific tree, which he did not believe should be removed. He offered to replant at his own expense the conifer trees in Shively Park, which would save the City about \$1,800.

Austin Winekey, 1477 Lexington, Astoria, Arbor Care Tree Services, said the request for bids was a blind bid. Arbor Care bid conservatively and competitively for the market. After the bidding ended, they learned they were only company that submitted a bid. They will not be replanting small saplings. The cost of replanting reflects that they will be putting in established two-inch diameter trees, which cost a minimum of between \$160 and \$170 each. The cost in the bid also takes into account that skilled individuals would be planting the trees. Tree mortality caused by incorrect planting is a waste of an investment. He is a trained tree risk assessor and has compared the trees to the hazard assessment. As part of his extensive background and experience, he has preserved more trees than he has removed probably at a 10 to 1 ratio. It is in an arborist's best interest to consider the urban canopy a resource. The company only makes money one time from a removal, but trees need to be pruned about every five years. Arborists get into the field because they love trees.

Mayor LaMear called for Council discussion and deliberation.

Councilor Jones thanked Staff for the presentation and for being so responsive to the community. He concurred with Staff's recommendations.

Councilor Price stated she had a problem with the cost of the new trees, but did not blame Arbor Care. Arbor Care did not identify the trees. She had objections to the costs, the priority, and the need for stump grinding. A chestnut tree to be removed at McClure Park already has a stump next to it and is located in area where no one goes. She was also concerned about the large tree at Shively Park because it was beautiful and did not appear to have any problems. She planned to vote against the contract.

Councilor Nemlowill thanked City Manager Estes for presenting the contract to City Council because the contract could have been signed without Council's approval or public input. There has been a lot of focus on Parks and how Capital Improvement Fund expenditures are prioritized to implement the Parks Master Plan. The contract included a lot more tree removal when it appeared on the agenda the first time. She was concerned that the City was not considering a more financially sustainable Parks program, like a Cemetery Master Plan or a combined recreation and aquatic center. However, she was glad the price was reduced from the initial proposal. She was glad to see that preliminary work was being done to combine the Recreation Center with the Aquatic Center. The City needs to keep looking for long-term solutions for the Parks and Recreation Department. This was not the first time Mr. Zilli has come to the Council with important observations. She respected his opinion. She wanted to know why the City would not take Mr. Zilli up on his offer to replant the conifers at Shively Park. Mr. Zilli also recommended the list of trees be refined and Arbor Care has not looked at the trees. She wanted the contract amended to give Arbor Care the option to refrain from cutting down any trees their certified arborists believed should not be cut.

Director Cosby confirmed that Arbor Care evaluated the trees that were recommended for removal by the company that conducted the tree inventory.

Councilor Nemlowill said she supported the proposal, but did not understand why the City would not take Mr. Zilli up on his offer.

Mayor LaMear stated she supported the contract. The photographs show some real dangers in leaving the trees the way they are. Trees are crossing electrical lines and pathways.

Councilor Brownson said he deferred to the expertise of those who assessed the trees because he is not an arborist. He asked for more details about insurance and liability. He understood that once the City became aware of dangerous trees, the City became liable.

Director Cosby explained that she spoke with City County Insurance about reasonable risk management levels. The insurance company confirmed that once the City received the evaluation from certified arborists, the City was on notice and the trees must be removed right away. Failing to remove the trees puts the City in a state of negligence, their insurance premiums could increase, or the underwriters could exempt the City from coverage of any harm or damage caused by the trees.

Councilor Brownson stated that a City employee was working towards an arborist certification, so in the future, much of this work could be done in house.

Councilor Nemlowill asked if there was support to take Mr. Zilli up on his offer to replant trees at Shively Park.

Mr. Zilli noted the City would pay \$316 per tree if Arbor Care did the work.

Councilor Brownson asked Mr. Zilli if he would be willing to replace any of the trees he planted that did not survive the transplant. Arbor Care would plant fairly mature trees to mitigate against sapling loss.

Mr. Zilli explained that there is a lot of shade in the area where the trees are being removed. Arbor Care's intention is to replant trees in the same or nearby locations. This is not practical in most cases and the recommended species will not survive in the location they are to be planted. The contract specifies Douglas fir, which will not live in shade. Additionally, large conifers grown in pots are not suited to forest environments. He would plant two-year old, bare root nursery stock, but they would not meet the caliper requirements of the contract. Arbor Care would not be obligated to do anything other than plant the trees, but they did make recommendations to Staff about the care and maintenance of the trees.

Councilor Brownson asked if all of the trees removed had to be replaced.

Director Cosby explained that Staff requires trees to be replanted nearby the trees that are removed because the trees do not necessarily need to be replaced one for one or in the exact same spot. However, the City does want to maintain the existing tree density.

Councilor Brownson understood that Mr. Zilli intended to plant the trees where they would get enough sun to survive.

Councilor Jones asked if it would be easy to remove the replanting requirements from the bid and scope of work.

City Attorney Henningsgaard stated that if the City changed the scope of work, Arbor Care would have the opportunity to accept or reject the changes.

Mayor LaMear said there are other trees in other areas that need to be replanted, not just the conifers in Shively Park. She believed the City would want Arbor Care to replant in those other areas.

Councilor Price agreed with Councilor Nemlowill's recommendation to allow Mr. Zilli to replant trees at Shively Park. She also suggested that Tree #11 at Shively Park and a couple of the large cedars at Violet LaPlante Park be removed until the Oregon State University Extension Forester has an opportunity to see them. She encouraged the Council to look at the trees and see for themselves why they should remain standing. She also wanted to know how far was nearby. The small dead vine maple at Portal Park is located in a landscaped planting with other trees. No one would notice it was removed, so that tree would not need to be replaced. However, vine maples of the same size are only about \$20 at Brim's.

Councilor Jones stated he was comfortable with removing the replanting work from the contract, but he was not comfortable with City Council directing Mr. Zilli to do the replanting. He knows nothing of the quality of Mr. Zilli's work or what trees he would plant. The Council could invite Mr. Zilli to present a proposal at a future meeting for the Council to approve or reject. Staff should be allowed to manage their own departments, especially with regard to details like this one.

Councilor Nemlowill said she appreciated Mr. Zilli's offer, but understood the implications of changing the contract at this point.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Jones to authorize the City Manager to enter into a contract with Arbor Care Tree Services in the amount of \$29,262, to remove and replant Priority 1 trees. Motion carried 4 to 1. Ayes: Councilors Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: Councilor Price.

Item 7(e): Scandinavian Heritage Park (Parks)

Over the past couple years, the City Council and staff have been discussing the construction of the Scandinavian Heritage Monument with the Astoria Scandinavian Heritage Association (ASHA). The Monument is proposed to be located at People Places Park. City Council has provided direction to staff to establish an agreement that meets the needs of the Astoria Scandinavian Heritage Association (ASHA) and the Parks and Recreation Department. There was subsequent Council direction that the agreement should comply with the recommendations of the Parks and Recreation Master Plan and corporate sponsorships should be solicited to support adoption of the park. A history of the ongoing discussions has been included in earlier memoranda on this matter. That information (updated) has been attached. Since the City Council provided this direction, Parks staff has been working with ASHA to develop a proposal to bring back to City Council for consideration.

The latest version of a Memorandum of Agreement (MOA) is attached to the memo and will provide conceptual approval for construction of the Monument within People Places Park and would grant permission to ASHA to proceed with the planning and design. ASHA would be responsible for the costs associated with design and construction as well as City expenses needed for a construction manager. A final design would be submitted to City Council; however, this will have to be coordinated with the land use review process since it will also have to go to the Historic Landmarks Commission for design review consideration. The draft agreement also states that upon completion of Monument construction, the Council will pass a resolution renaming People Places Park to Scandinavian Heritage Park.

The draft agreement states that ASHA will conduct maintenance on the monument as noted as well as items for the Association to address.

As the agreement is proposed, it is expected that the new Monument would increase Parks Department maintenance expenses by approximately \$4500 per year, compounding with inflation. It should be noted that without the services that ASHA are to complete per the draft, maintenance expenses would increase by approximately \$7500 per year, compounding with inflation. The Astoria Scandinavian Heritage Association has requested Council Consideration of this latest proposal. A letter conveying this request is attached to this memorandum. City Attorney Henningsgaard has reviewed and approved the agreement as to form.

It is recommended that City Council consider the Memorandum of Agreement with Astoria Scandinavian Heritage Association for Installation and Maintenance of a Scandinavian Heritage Monument at People Places Park.

Councilor Nemlowill supported the agreement.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Jones, to approve the Memorandum of Agreement with Astoria Scandinavian Heritage Association for Installation and Maintenance of a Scandinavian Heritage Monument at People Places Park. Motion carried 4 to 1. Ayes: Councilors Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: Councilor Price.

Councilor Price explained that she voted against the MOA because the City spent so much time on the Parks Department budget and agreed not to engage in any new parks. This new park will cost an additional \$5,000 a year in maintenance after the generous contribution by the Heritage Association and the Rotary. The City receives complaints weekly about the cemetery and other areas of the city that it cannot maintain. Until the Parks Department is fully funded, she could not vote for this MOA. She wished the Heritage Association luck.

Item 7(f): Memorandum of Understanding with Clatsop County Master Gardner's Association for Installation and Maintenance of Demonstration Garden at Alderbrook Park (Parks)

Through the Parks and Recreation Comprehensive Master Planning process, citizen outreach and discussions with the Citizens Advisory Committee strongly indicated that partnerships among local services providers is of high importance and resulted in recommendation 6.5, Partnerships – Evaluate Partnership Agreements for Shared Facility Use and Maintenance. Providing direction to “evaluate existing agreements to ensure a fair balance” and “establish new or more formal agreements where appropriate.”

The Master Gardener Program is an Oregon State University Extension Service Program that helps Oregon gardeners learn more about the art and science of growing and caring for plants. The program enables trained volunteers to extend sustainable gardening information to their communities through education outreach programs. The Clatsop County Master Gardener's Association (CCMGA), has outgrown their current space at the Clatsop County Fairgrounds and is looking to expand their services in a location that will be able to serve a greater population and have amenities such as a meeting location, water and electrical utilities, and be best situated to receive year-round sunlight. Through coordination with the Parks and Recreation Department, CCMGA has determined that Alderbrook Park and Hall will meet the needs they have identified and will provide a site that will mutually benefit both organizations.

The attached Memorandum of Agreement outlines the obligations of the City and CCGMA in providing for the maintenance of the park and has been reviewed by the CCGMA and is acceptable to them.

The agreement's duration is through the useful lifespan of the Demonstration Garden and associated infrastructure and the City will have the prerogative to remove it, if any of the conditions of the agreement are not met.

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

It is recommended that City Council approve the Memorandum of Agreement with Clatsop County Master Gardener's Association for Installation and Maintenance of a Demonstration Garden at Alderbrook Park.

Councilor Brownson asked for clarification about the Master Gardener's maintenance responsibilities. Director Cosby explained that the association would maintain the area highlighted in green on the screen. They would also maintain the exterior perimeter of their fenced-in garden. The contract also requires over \$2,000 in labor in exchange for their use of Alderbrook Hall and restroom facilities. Two service projects each year would satisfy the labor requirements.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill, to approve the Memorandum of Agreement with Clatsop County Master Gardener's Association for Installation and Maintenance of a Demonstration Garden at Alderbrook Park. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(g): Memorandum of Understanding with David and Pam Armstrong for Maintenance and Beautification of Old Post Office Park (Parks)

David and Pam Armstrong, who own the Rose River Inn and Bed and Breakfast, recently approached the Parks Department with a proposal to maintain Old Post Office Park. The park abuts their property to the north and their patrons often inquire about the site's history and comment that it appears to be in disrepair. The Armstrongs are excited to provide their efforts to improve and enhance the park and make it more attractive for use by their neighbors and the many tourists they observe visiting the park throughout the year.

The attached Memorandum of Agreement outlines the obligations of the City and the Armstrongs in providing for the maintenance of the park. This agreement has been reviewed by the Armstrongs and is acceptable to them.

The agreement's duration for five years and will be reviewed annually by both parties to ensure that all conditions are being met.

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

It is recommended that City Council approve the Memorandum of Agreement with the Armstrongs for the Maintenance and Beautification of Old Post Office Park.

Councilor Nemlowill asked if the City had plans to sell or use the property. Director Cosby said the Parks Department has contracted with former City Planner Rosemary Johnson to evaluate the potential sale of four park properties. Her evaluation of the four properties has revealed that Post Office Park has the highest level of challenges due to its historic designation.

David Armstrong, 1510 Franklin Ave., Astoria, said the park should be named First Post Office Park instead of Old Post Office Park. He displayed a photograph of the park, which was not in good condition.

David Hawkins, 698 15th St., Astoria, stated the Armstrongs have done a great job on their place and it is a blessing that they are offering to do this work for the community. Mr. Armstrong was right, the site was not just an old Post Office, it was the first Post Office on this side of the Rocky Mountains. When letters came from the East Coast, they were shipped all the way around to Astoria. The site is very historic and he knew many people who came to Astoria just to visit the Post Office site. Currently, the park does not look as good as it did in the photograph. He works for the Postal Service and takes a lot of pride in the park. When mail carriers from other areas find out he works in Astoria, they are blown away that he lives where the first Post Office this side of the Rockies was located. Carriers come to Astoria just to see the overgrown lot. Astoria is so rich in history and everyone appreciates the Armstrong's offer.

Councilor Brownson wanted to know why the Postal Service was not interested in doing something with the park. Mr. Hawkins suggested the City speak to the postmaster.

City Council Action: Motion made by Councilor Price, seconded by Councilor Brownson, to approve the Memorandum of Agreement with the Armstrongs for the Maintenance and Beautification of Old Post Office Park. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(h): Discussion Regarding Maintenance and Beautification of Tide Rock Park Including Temporary Visual Art Displays By Jessica Schleif (Parks)

In the past year, there has been a groundswell of interest throughout the community by individuals and groups hoping to offer their services to assist the Parks Department in its goal of improving maintenance and care to park sites. Jessica Schleif, Professional Gardener/Landscape Designer, visual-artist, and member of the Parks and Recreation Advisory Board, has secured grant funding through the Andy Warhol Visual Arts Foundation and the Regional Arts and Culture Council's Precipice Fund in the amount of \$3,500 and has procured matching funds of \$1,500 for total of \$5,000. Ms. Schleif wishes to utilize the grant award to adopt, beautify, and add temporary visual art displays to Tide Rock Park for one year.

The City Attorney has stated that it is important to receive feedback from City Council on how the public art installation should be vetted.

Ms. Schleif will make a presentation at the Council meeting regarding the design intent of the art to be placed in the Park. That being said, Council should provide direction as to how the art proposals should specifically be reviewed and how first amendment issues should be addressed.

Once policy direction has been provided by Council, an agreement with Ms. Schleif would be prepared and brought back to Council for consideration. It is recommended that Council discuss and provide staff direction on the proposal.

City Attorney Henningsgaard believed Tide Rock Park needed as much work as any park in Astoria. The original proposal was that Ms. Schleif would take care of the park and would then erect temporary visual art. He knew the Council has had issues with private displays of public art along the Riverwalk. Public art raises several issues. First, art is a form of self-expression and the First Amendment limits the City's ability to monitor the content of such expressions allowed in parks. This invites counter expressions in other places and it is difficult for the City to pick and choose where people are allowed to express themselves publicly with art. Second, the parameters of the art itself are not contained in the agreement. Is this a commercial project to promote Ms. Schleif's art? Is the art Ms. Schleif's own expression? The answers to these questions present legal issues. There would also be issues if someone wanted to compete with or oppose Ms. Schleif's art. Third, the Council

would need to decide if it wanted to create a policy to allow people to express themselves in exchange for services to the City in this manner.

Jessica Schleif, 731 Alameda, Astoria, said she attended a Precipice Fund granting session in July and was excited about the idea of combining cleaning a neglected space with making sculpture out of blackberries. The grant is a collective artist grant. The artist collective was thankful that the Parks Department worked with them on the memorandum of understanding (MOU). She thanked City Council for considering the MOU. She thought she had reached out to the City for permission before she applied for the grant, which was awarded. This urban green space has recently been neglected due to lack of funds, but the tiny plot of land is very historically important. Former Mayor Edith Henningsgaard was a champion of the park and helped secure its historic designation for the tidal rock and the chair walls at the park. In 1996, Fort Astoria used the tidal rock to measure tide lines.

Rebecca Rubens [2:31:28], 87509 Lewis and Clark Rd., Astoria, said the project is a collaboration between several artists, Agnes Field, Ms. Schleif, Brenda Harper, and herself. She is an artist and curator. Ms. Schleif is a wonderful gardener, horticulturists, and environmental installation artist. Ms. Harper is a mixed-media video artist. The Precipice Fund is administered by the Portland Institute for Contemporary Art (PICA), which is part of the Andy Warhol Foundation's re-granting program for the region. They receive significant financial support from Calligram Foundation. Grants are awarded to unincorporated visual art collectives, alternative spaces, and collaborative projects like the one being proposed. The Precipice Fund supports artist driven projects that exist on the edge of new practice and cultivates a culture of grant making that emphasizes community over competition. It is important to remember that artists are the makers of meaning and culture in the community. Tide Rock is a collaborative, site-specific installation using the support of the community to activate the Tide Rock space. They applied for \$3,500 and received it. They have a \$5,000 budget that she would be happy to share with City Council. The project would include clearing of the preexisting platform and rock wall hidden underneath the blackberries while keeping the natural beauty of the space. Invasive plants would be removed and replaced with native plants. They wanted to present a culminating temporary general public friendly art event later in the spring. The event would be a onetime art event for two days that would include visual art, performance, video projection, and sound. Ms. Schleif has a great idea to use the blackberries to form living, growing sculptures. Since Tide Rock is a high water mark for the 1811 Columbia River, they want to project water rising and falling within the park area space with some sound. Another possible display would be video projection of the pioneers and natives canoeing up to tie up to Tide Rock. They are not interested in putting up permanent sculptures or paintings. The only thing they would leave in the park would be the native plants and a cleaner park.

Ms. Schleif added that the proposal was to adopt the park for one year because the grant is for one year.

Mayor LaMear understood the proposal was for a festival that would last one or two days.

Ms. Reubens clarified the event would not be a festival and the proposal was for a presentation of visual art, video projection, and sound during that time. The funders require the transformation of the space to be documented, which means they will take video of some of the artists, workers, and volunteers while cleaning and planting. She confirmed the art would only be on display for a few days in the spring. The platform and rock wall need to be cleared, and part of their budget includes money for security. She hoped this project would develop more interest in the space, inspire more people to adopt the space, and come forward with funds to help maintain the space. The project is a way to highlight and clean the historic space. She has heard many people say they had never heard of Tide Rock.

Ms. Schleif said the cleaning would be documented and nothing would be left in the park. The artists would have continuous conversations about anything they planned to do throughout the year.

Councilor Nemlowill believed Tide Rock was too close to her property, so she would not vote on the proposal at this time.

Ms. Schleif used a map to show the exact location of the rock and shared details about the concrete platform that had become buried. The whole park can be seen from above and the platform could provide space for temporary sculptures or performances.

Councilor Price said she was excited to hear that Astoria received a Precipice Grant from an Andy Warhol organization. She believed that spoke to the quality of art in Astoria and the grant writing ability that the artists have developed. The grant would recover the lost park that most people believe is a dump. Mr. Henningsgaard's mother spent a lot of time getting the park designated and it is a tremendous piece of history. Astoria has previously had many examples of art in parks, like the lanterns in the Chinese garden. This type of project is not new to Astoria. However, she agreed with the City Attorney that in the future, it would be a good idea for City Council to think about public art. She did not believe the City needed to worry about this project because the MOU included a much less invasive plan than the Scandinavian memorial.

City Attorney Henningsgaard confirmed that Staff could develop an MOU that contained this project sufficiently if City Council is comfortable with idea of labor for art.

Councilor Brownson believed the project was a great idea. He also believed a precedent for temporary public art existed all over. He was sure Staff could develop an agreement that kept the City out of trouble.

Ms. Schleif recommended the term "family friendly" be used in the MOU.

Councilor Brownson said he did not see anything controversial about the project, but was concerned that the blackberries would start growing back after the MOU expired.

Ms. Schleif stated that within the year, she would love to find someone to adopt the park.

City Manager Estes asked if the Council wanted Staff or the Parks Board to review the MOU.

Councilor Jones said the MOU should use language from Staff's recommendation that a process be identified on how public installations should be vetted. He thanked City Attorney Henningsgaard for his cautionary notes, which were important. Down the road, a different group could decide their art installation would be rebel flags. Establishing a precedent and a vetting process would let future groups know how these projects have been approved all along.

Councilor Price believed developing a process is a great discussion to have, but not at 9:45 pm.

Ms. Schleif recommended a work session on the topic.

City Attorney Henningsgaard stated he had not seen the application and approval from the Warhol Foundation. However, he believed the granting process had already provided sufficient parameters for this project to move forward without the City creating a formal process. If the general concept of art in parks is okay with City Council, Staff can develop an MOU.

City Council Action: Motion made by Councilor Price, seconded by Councilor Brownson, to direct Staff to develop a Memorandum of Understanding with Jessica Schleif for the beautification of and to display art at Tide Rock Park. Motion carried 4 to 0 to 1. Ayes: Councilors Price, Jones, Brownson, and Mayor LaMear; Nays: None. Abstentions: Councilor Nemlowill.

Item 7(i): Waterfront Bridges - Private Easements and ROW Dedications (Public Works)

As part of the Waterfront Bridges Replacement Project, multiple easements are required from private property owners. Temporary construction easements are needed for eleven of the properties adjacent to the bridge construction. These temporary construction easements will only be used during construction and the property will be restored to as good or better condition as it was prior to the work. Permanent right-of-way dedication is necessary for six of the properties for the purpose of placing, installing, and maintaining small portions of the new bridge structures.

At the September 5 Council meeting, three of the eleven temporary construction easements and one of the six dedication deeds were approved. Then at the October 16 Council meeting, one more temporary construction easement and dedication deed was approved. On November 20, Council approved four temporary construction easements and two dedications deeds. The final three temporary construction easements and

two dedication deeds have been signed by the owners. Upon Council approval of these easements and dedication deeds, the property owners will be paid the following:

NO. 10 6 TH STREET, LTD temporary construction easement	east side of 6 th St.	\$1,320.00
NO. 10 6 TH STREET, LTD dedication deed	east side of 6 th St.	\$7,680.00
JB HOLDINGS, LLC temporary construction easement	west side of 7 th St.	\$1,168.00
JB HOLDINGS, LLC dedication deed	west side of 7 th St.	\$475.00
JB HOLDINGS, LLC temporary construction easement	east side of 7 th St.	\$457.00
TOTAL		\$11,100.00

Procurement of easements was included in the project budget and is eligible for reimbursement through the project funding. The City will be responsible for 10.27 percent of the bridge project final cost. The 10.27 percent is proposed to be paid through Surface Transportation Program (STP) Funds. The total cost for the easements and dedication deeds was estimated at up to \$90,000; however, the total cost came in at \$35,320.

It is recommended that City Council approve the three private easements and two dedication deeds at a total cost of \$11,100.00.

Councilor Brownson thanked Staff for working hard to get this done. He was impressed that Staff went to so much effort to make these agreements work out.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Brownson, to approve three private easements and two dedication deeds for the Waterfront Bridges Project at a total cost of \$11,100.00. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Item 7(j): Resolution in Support for the National Parks System

Mayor LaMear has included the attached resolution for Council review and consideration.

Mayor LaMear read the resolution aloud.

City Council Action: Motion made by Councilor Jones, seconded by Councilor Price, to approve the resolution in support for the National Parks System. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

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

Judy thanked the Parks and Recreation Department and City Manager Estes for working with the Scandinavian Heritage Association. Citizens should be proud of Staff's professionalism. City Staff has the City and the citizens in mind. The association will make the City proud with a beautiful park.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:53 pm.

ATTEST:



 Finance Director

APPROVED:



 City Manager