

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

Councilors Present: Brownson, Rocka, Herman, West, and Mayor Jones.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Dart-Mclean, Community Development Director Leatherman, Finance Director Brooks, Fire Chief Crutchfield, Police Chief Spalding, Public Works Director Harrington, Library Director Pearson, and City Attorney Henningsgaard. The meeting was live streamed and recorded, and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS

Item 3(a): Councilor Herman reported that she attended the Astoria Downtown Historic District Association (ADHDA) monthly membership meeting. She welcomed Shelby Meyers, the Association's new marketing and promotions manager. She is also the manger of the Sunday Market. She encouraged everyone to order take out from a local restaurant and shop at local businesses.

Item 3(b): Councilor Brownson reported that he had been elected to another term on the City Council. He attended the League of Oregon Cities (LOC) call on winter shelter and housing, which was very informative. The LOC had said \$35 million was available for communities to invest in shelters, so he would follow up and look into it.

Item 3(c): Councilor West reported she also attended the LOC meeting. She wanted to see Astoria participate since funding is available. She encouraged people to spend locally. Many businesses have online ordering available.

Item 3(d): Councilor Rocka reported that the Health Department stated a few hours ago that a Clatsop County resident had died from COVID-19. The person had been hospitalized in another county. There is a statewide freeze that beings on Wednesday. Seniors could get free help with Medicare enrollment from the Northwest Senior and Disability Services. He posted details about the freeze and the Medicare service on Astoria1.org. The Astoria Warming Center would open this month. Due to COVID-19, the warming center would be staffed by trained employees and not volunteers to reduce exposure. KMUN's annual meeting showcased a successful year and they exceeded their fundraising goal.

Item 3(e): Mayor Jones congratulated Councilor Brownson on his election win. He reported that Clatsop County statistics compared to the rest of the State show that the county is doing well with COVID-19. The State has not yet announced it's re-opening criteria for December 3rd, but he encouraged everyone to keep doing what they have been doing.

CHANGES TO AGENDA

No changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of October 5, 2020
- 5(b) City Council Minutes of October 19, 2020
- 5(c) Liquor License Application from Inferno Lounge, LLC doing business as Inferno Lounge located at 77 11th Street for an Off-Premises sales license
- 5(d) Waiver of Fees for Holiday Downtown Parking

Councilor Brownson noted the following correction to Item 5(a): City Council Minutes of October 5, 2020:

- Page 5, Paragraph 5 – Darrell Khan should be spelled Darrock Cahen.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman, to approve the Consent Calendar as amended. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

REGULAR AGENDA ITEMS

Item 6(a): Consider Resolution Authorizing Infrastructure Finance Authority (IFA) Refunding of Interim Loan for Waterfront Bridges Project Loan #B17002

In April 2018, the City entered into a Local Agency Agreement with the Oregon Department of Transportation (ODOT) for the construction phase of the Waterfront Bridges Replacement Project. The interim loan was initiated with the intention refinancing would be necessary with a bond issuance that would establish the permanent interest rate and amortization schedule once construction was completed. Now that construction is substantially completed, Business Oregon is planning for the issuance of bonds in January 2021. A resolution authorizing the bond refunding is attached for Council consideration. It is recommended that City Council consider authorizing the bond refunding as presented in the attached resolution.

Councilor Herman said it was great that most of the \$15 million for this project was borne by the State and Federal governments and not local taxpayers.

Councilor Brownson asked how long it would take to pay of the final promissory note.

Director Brooks said the note had a 25-year payback period.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor West, to approve the resolution authorizing IFA refunding of the interim Waterfront Bridges Project Loan #B17002 as presented. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

Item 6(b): Consider Amendment to Resolution 20-11 for Temporary Policy for Tables and Chairs on Sidewalks in Public Rights-of-Way

Due to the COVID -19 pandemic, the City Council recently approved a temporary prescriptive standard for businesses to follow to place tables and chairs in the sidewalk portion of the street rights-of-way without a permit. This is in addition to an existing City Code section which allowed for tables and chairs with a permit. More recently, the City has been contacted by representatives of a business who has outdoor sidewalk dining and have asked the Astoria Police Department to remove someone sitting at the establishment's outdoor tables and chairs but not dining. Staff met with City Attorney Henningsgaard to discuss options which the City Council could consider to address the concern. This amendment brought to the Council for consideration will allow the City to assist business owners in excluding non-patrons from their outdoor seating area. The business would need to put up a temporary sign indicating the area is for patrons only and clearly depict the seating area on a site plan filed with the City.

It is recommended that the City Council consider this amendment to the temporary policy and associated resolution.

Councilor Rocka asked if Chief Spalding had any concerns about the amendment.

Chief Spalding stated he recommended approval of the request because the amendment would make it easier for the Police Department to take action if a business owner called with a concern.

Councilor Rocka said the ordinance requires restaurants to maintain a five-foot right-of-way on the sidewalk and he had seen that some restaurants were not doing that. He asked who was enforcing the ordinance.

City Manager Estes responded that several code enforcement actions were in place with the business owners. Most of the issues are with businesses that have a permit, which in some circumstances allows for less than five feet.

Councilor West was concerned about remaining ADA accessible. She supported the amendment. She understood how difficult it was for restaurants to enforce a patron only policy without an adopted resolution. The restaurants already have limited seating, so it is important to designate seating for customers.

Councilor Herman asked if the Governor's order applied to outdoor seating.

City Manager Estes explained that all restaurants would only be allowed to offer take out from November 18th to at least December 2nd.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Herman, seconded by Councilor West, to adopt the amendment to Resolution 20-11 Temporary Policy for tables and chairs on sidewalks in public rights-of-way. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

Item 6(c): Consider Resolution to Adopt Supplemental Budget for Promote Astoria Fund #410

ORS 294.471(1)(a) provides guidance for a municipality to approve a resolution for a supplemental budget to adjust for changes which could not reasonably be foreseen when preparing the original budget. Supplemental appropriations provided in the resolution are not related to property tax and represent 3.45 percent of total budgeted expenditures. The supplemental budget adoption by resolution process requires advertisement of the meeting information for consideration of the supplemental budget not less than 5 days before a Council meeting and appropriation change of not more than 10 percent for the governing body to approve the resolution without a public hearing. The current budget for Promote Astoria # 410 did not anticipate increased services required to maintain sanitary public restroom facilities and need or availability of resources which could provide grant assistance to small businesses which is necessary to combat the strains of COVID 19. Additional cleaning of public facilities for four months will add \$ 11,260 of unanticipated expense and the small business grant funding is \$40,000 of unanticipated expense. Offsetting resources of \$51,260 will be drawn from the Oregon Coronavirus Relief Funds designated for City of Astoria use.

It is recommended that City Council approve the supplemental budget as presented in the attached resolution for approval.

Councilor Herman said she believed this was an excellent use of funds.

Councilor Rocka added that assistance for businesses was welcomed and appropriate. Restrooms have to be cleaned.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Rocka to approve the resolution adopting the supplemental budget for Promote Astoria Fund #410. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

City Manager Estes noted that the coronavirus relief funds would only be allocated through the end of December. Therefore, the Council might need to consider funds for restroom cleaning in January.

Item 6(d): Consider Intergovernmental License Agreement with Sunset Empire Transportation District for Bus Shelters

The City has received a request from the Sunset Empire Transportation District for an Intergovernmental License Agreement for eleven bus shelters that they own and operate within City limits. They have been experiencing an increase in people using the shelters for other purposes thereby denying riders from being able to use the shelters while they wait for their bus. The license agreement will allow the District to use their existing enforcement ordinance allowing them a means of enforcement for people refusing to comply with their

rules. City staff has reviewed the request and can support issuance of an Intergovernmental License Agreement with conditions, with Council's concurrence.

It is recommended that City Council consider an Intergovernmental License Agreement for the District for the purpose of operating and maintaining their bus shelters for the benefit of their riders.

Councilor Brownson asked how this agreement was different from the way enforcement is being done now.

Mr. Hazen Sunset Empire, explained that in 2017, the transportation district board passed a police ordinance because they were having a lot of problems with people setting fires in the restrooms, damaging property, and not using the transit center and bus shelters for their intended uses. Enforcement is difficult because Sunset Empire owns the bus shelters but not the property the shelters sit on. This agreement would make enforcement easier.

Councilor Rocka said this community does not have a place for people with no homes to get shelter. The community will have to come to grips with that. There are many different homeless communities and some are harder to get along with, but they are all looking to get out of the rain and wind. The City needs to figure out how to deal with that because it is not Sunset Empire's issue.

Councilor West agreed that it was not Sunset Empire's responsibility to provide a place for people who need shelter. She hoped the City would address through the Homelessness Solutions Taskforce or through City Council.

Councilor Herman believed it was important for the City, County, neighboring jurisdictions, and all community members to share the cost of a daytime drop-in center. People must leave the warming center by 8:00 am and the library is now closed. She asked if any recent federal court rulings would have any bearing on prohibiting people from hanging out in the bus shelters.

City Attorney Henningsgaard said no, none of the recent cases involved transit districts.

Councilor Brownson stated this was similar to the City's policy prohibiting people from seeking shelter in doorways.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman to approve the intergovernmental license agreement with Sunset Empire Transportation District for bus shelters. Motion carried unanimously. Ayes: Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

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

Zachary Keslar 342 14th Street, Astoria, asked if the agreement between Astoria and Sunset Empire would change the way new stops were established.

Mr. Hazen responded that the agreement would make it easier for Sunset Empire to make decisions about adding shelters in the city. They do want to expand the number of shelters in several areas of their district.

Mayor Jones recommended that Mr. Keslar attend a transportation district committee meeting to discuss the addition of new bus shelters.

Councilors Herman and Rocka congratulated Councilor Brownson on his election win.

Mayor Jones noted that Ward 4 had to do a mandatory recount because the race was so close.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:41 pm.

ATTEST:

APPROVED:



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Finance Director

City Manager

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