

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

Councilors Present: Brownson, Rocka, Herman, Hilton, 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, City Engineer Crater, Assistant City Engineer Moore, Library Director Pearson, and City Attorney Henningsgaard. The meeting was live streamed and recorded, and will be transcribed by ABC Transcription Services, LLC.

PROCLAMATIONS

Item 3(a): National Public Safety Telecommunicators Week

Mayor Jones read the proclamation declaring April 10 - 16, 2022 National Public Safety Telecommunicators Week in Astoria.

Chief Spalding noted this year had been difficult for the dispatchers. An excessive amount of overtime was necessary to cover all shifts and provide public safety. He appreciated that Seaside offered assistance. He thanked City Council for the recognition.

PRESENTATIONS

Item 4(a): Industrial Pretreatment Ordinance Discussion

In order to formalize the City's new Industrial Pretreatment Program, an ordinance was developed to establish the foundation of the program including information about topics such as permitting, compliance, reporting, and enforcement. The final draft of the Pretreatment Ordinance has been developed over many months using the EPA template with the guidance and contribution from multiple technical experts including Richwine Environmental, our consulting attorney Ring Bender, City Attorney Henningsgaard, and City staff. Staff will be giving a presentation that will focus on the content of the Pretreatment Ordinance. There are two resolutions that accompany this ordinance, but those documents will be presented at later Council meetings: resolution establishing waste allocations to specific fermentation industry businesses and resolution establishing the new rate structure. The Pretreatment Ordinance must be adopted prior to approving any associated resolutions.

The anticipated schedule of Council items related to the Industrial Pretreatment Program is as follows:

April 18 City Council Meeting – present the Pretreatment Ordinance.

May 2 City Council Meeting – public hearing and first reading of the Pretreatment Ordinance.

May 16 City Council Meeting – second reading and consider adoption of the Pretreatment Ordinance.

June 6 City Council Meeting – consideration of sewer resolution for revised methodology for sewer rates and resolution establishing waste allocation to specific businesses.

Public Works staff will give an overview of the ordinance during this presentation time.

Assistant City Engineer Moore gave a slideshow presentation on the industrial pretreatment ordinance. During the presentation, she provided a history of the establishment of an industrial pretreatment program, an overview of the ordinance, and next steps. After the presentation, she, City Engineer Crater, and Director Harrington answered clarifying questions from Councilors about Staff's analysis of the City's and current and projected wastewater treatment capacity, the importance of oxygen levels in wastewater treatment, and the City's wastewater treatment requirements.

Kevin Leahy, Clatsop County Enterprise Zone Manager, said the brewery sector was important to the local economy. As of December 2021, 546 people were employed by the craft brewery and fermentation sector in Clatsop County. Fort George and Buoy Beer have made investments totaling over \$20 million. Additionally, other craft brewers were growing. The Advance Astoria economic development initiative identified craft breweries and fermentation as one of the top industries. Exports from Fort George and Buoy Beer are growing at a fast pace as well. Col-Pac was working on a more detailed economic analysis that would be presented at a City Council meeting in May. He questioned where Astoria would be without craft breweries and the fermentation cluster.

Chris Nemlowill, 1483 Duane St., Astoria, stated Fort George had invested over \$15 million because they had to pivot to a new wastewater treatment system and a side streaming system. They have developed good relationships with local farmers who are happy to take their brewing water for nine months each year. However, Fort George has not yet found a solution for the remaining three months. Astoria is lucky to have such a great watershed and water is very important to the fermentation sector. However, Astoria's wastewater treatment plant is 50 years old. The plant was designed to last 20 years and it has never been cleaned. The City needed to get the plant cleaned out and make use of new technologies to make the plant more efficient. The grant funded project will not do enough to create an environment that will allow the fermentation sector to grow. Fort George started 15 years ago with eight employees and now has 124 employees. This ordinance is a template that seems to be pulled off the rack Astoria deserves a custom ordinance. He wanted the opportunity to talk about the ordinance with City Staff. The implementation schedule is short and hundreds of downtown jobs would be impacted.

Mayor Jones said the City Council appreciated the economic and cultural impact of Astoria's fermentation cluster. However, the City must comply with the Clean Water Act. He asked how effluent from breweries would be handled if the wastewater treatment plant was newer.

Staff explained that if the City had a newer treatment plant, the City would also be subject to more strict permit limits and the breweries would have to install full pretreatment systems at their facilities. Astoria's lagoon system is subject to different discharge limits than a more modern plant. Additionally, cleaning out one lagoon will not increase the capacity to a level that would eliminate the need for the industrial pretreatment program. Astoria continues to use the lagoon system because it is a simple system and is cost effective. A new treatment plant and the ongoing maintenance would not be cost effective. Most jurisdictions that have a mandatory pretreatment program also have mechanical wastewater treatment systems.

Jeremy Towsey-French 1450 Exchange St., Astoria, said he founded Revielle Ciderworks. He is a small producer in the middle of an expansion on Fort George's site. This community embraces his ability to grow and he wanted the City to take a thoughtful approach. His business has different but similar impacts on the City's infrastructure and Assistant City Engineer Moore had been great to work with. His company was building processes to limit its impact and wanted to know if there would be any civic investments into the industry. He believed the burden should be shared fairly between the City and the industry because as his business grows, its impact would expand. He planned to be a partner with the City, but urged the Council to proceed with caution.

Melanie Olson, Regional Development Officer, Business Oregon, stated this was a crisis that no one intended. However, because this program was voluntary and locally managed, the City had the flexibility to design a program that worked for the local community. She encouraged the City to look for ways to increase the capacity of their system. The fermentation cluster will have to side stream and deal with their own biological oxygen demand (BOD) issues, but if they do not have the ability to grow, that would be detrimental to the businesses. The City should investigate non-traditional technologies and partner with others to address capacity and BOD issues. She was concerned that the City expects a 20 percent increase in capacity because new businesses and businesses that want to grow will have to fight for a share of that extra capacity. It would not be fair to make new businesses compete with Fort George and Buoy Beer. New breweries would have minimal employment and it would be difficult for them to grow and be successful. Currently, job losses at Fort George and Buoy Beer are a real risk. She encouraged the City to look beyond the cost of new technologies. Business Oregon gets new money all the time and has several opportunities to fund innovative projects.

David Kroening, 566 Olney Ave., Astoria, said he had been working with Staff for months to address issues and explore options. The issues have to be addressed and everyone has to be good stewards of the publicly owned infrastructure and the environment. He did not believe the breweries felt that a mechanical plant would be a viable option. The breweries were really in favor of the City looking for ways to drive capacity and opportunities,

just as the breweries are being asked to do. There are still a lot of unknowns because the breweries are very early into operating their new systems. Fort George and Buoy Beer have invested a lot of money that was not planned for as part of their expansions. The breweries do not yet have feedback to indicate whether the program is going well or whether they are meeting the assumptions that have been made during early planning. They are running on theoretical guesses because good data was not available. However, now that the systems are in place, breweries can start monitoring. He was concerned that the ordinance will require a fine of \$5,000 a day or more if breweries are out of compliance. The breweries are still in the middle of working through this program, so if the ordinance passed today, penalties could be assessed. Three years from now when the breweries have established systems and processes in place, then the violations would be on the breweries. However, they are still trying to figure things out. He did not believe there was enough information available yet to say whether everything being done now would solve the issues. The permits were put in place using best guesses, so other changes might be necessary. He did not want to invest all of this money now and then get into issues in three years, only to find out that millions more would need to be spent. He wanted to work with the City to find creative solutions for their capacity issues because the City's capacity limits any business that wants to grow. There were also funding limitations, but infrastructure seemed to be a challenge everywhere.

Mayor Jones asked what technologies Staff would consider if the funding was available.

City Manager Estes responded that there were newer technologies for the pretreatment facilities that are installed at the breweries. He had already spoken to Ms. Olson about funding for shared and individual pretreatment systems at breweries. If funding were available to the City for a new sewer treatment plant, the breweries would be subject to different BOD thresholds. The City wants to continue using the existing plant because the Combined Sewer Overflow (CSO) Project will continue to incur debt over the next few years and that impacts Astoria's rate payers. The City is required to complete the CSO project in order to comply with the Clean Water Act.

Assistant City Engineer Moore added that it was always easier, more cost effective and efficient to prevent pollution at the source rather than trying to clean it out after it has been mixed in with everything else. If money is available for regional or joint treatment near the sites, the collection systems would not deteriorate. The County had been discussing a regional biodigester, but the City has had to focus on its own water treatment plant.

Nathan Lampson [1:05:57] 1331 Irving, Astoria, said he was working on a brewery startup called Obelisk Beer Co. He was told by City engineers that if they needed to dump an entire full-strength batch of beer, the City's wastewater treatment lagoon would not be noticeably impacted. However, he was still required to get an industrial discharge permit and comply with residential wastewater standards, which are pretty strict. The existing treatment capacity was allocated only to existing entities, so compliance has been burdensome for him. Treatment solutions in other cities cost breweries a few hundred dollars, but he had to implement a full biological treatment system in order to be in compliance. The intent of the ordinance is to reduce the BOD load on the lagoons. In Astoria, 95 percent of the fermentation capacity is allocated to two breweries. Those two breweries create a significant positive economic impact on the area, but small producers create synergistic and cultural value to the community as well. He spoke to a gluten free brewery and a sake brewery that were considering Astoria. He was concerned that the ordinance would create conditions where only those businesses with significant financial means could exist. He advocated for the small and new fermentation cluster businesses. He proposed that a little bit of capacity be reallocated to the new businesses. It would only take five percent of the existing fermentation cluster wastewater treatment capacity to make those businesses viable. In order to guard against unchecked growth, which is a concern of engineering Staff, a threshold could be put in place and producers over that threshold could be required to provide comprehensive pretreatment. Additionally, producers should still side stream their waste and use pH neutralization. Future fermentation cluster business would not have the opportunity to self-advocate for capacity at the work sessions. They are producing hundreds of gallons, not millions. According to City engineering, effluent from the small businesses is not concerning to the capacity of the wastewater lagoon so it did not make sense that the City was creating a hardship for the small producers.

Councilor Brownson said he would spend the next few weeks learning the details, talking with Staff, and exploring solutions. He wanted all businesses to prosper and these issues were growing pains. He also wanted to speak with individuals about their concerns and to hear ideas. Even when funding comes in, there would be challenges to allocating those funds so that infrastructure can be fixed in a timely manner because industrial contractors will be busy all across the state. He thanked the breweries for their input and for working with the City.

REPORTS OF COUNCILORS

Item 5(a): **Councilor Hilton** reported that he attended the City Council work session on childcare. He met with citizens to hear input on Heritage Square and the Owens Adair property.

Item 5(b): **Councilor Herman** reported that more than 40 volunteers participated in the Love Our Streets event on Saturday. The volunteers cleaned up downtown by weeding planters and flower beds, cleaning trash cans, and doing other odd jobs. She thanked the Parks Department for collecting yard debris. She also thanked United Way of Clatsop County for providing volunteers for the Day of Caring event, organized by the Astoria Downtown Historic District Association (ADHDA).

Item 5(c): **Councilor Rocka** had no reports.

Item 5(d): **Councilor Brownson** reported that Senator Wyden held a town hall, which he listed in on. He attended the Port of Astoria Commission meeting on Tuesday where the Commission approved the Waterfront Master Plan for the West Mooring Basin area. For 20 years, the Commission had been working with the Department of Environmental Quality (DEQ) about cleaning up the former McCall Oil site. They have finally come to an agreement and cleanup would begin soon. That property could be developed and used for something more productive. He reported that the Koningsdam cruise ship made an inaugural visit to Astoria. Astoria would have about 22 cruise ships in 2022, which will enhance the tourist activity in town.

Item 5(e): **Mayor Jones** reported that Senators Merkley and Wyden, and Ambassador Tai who oversees trade with foreign countries, visited Astoria on Wednesday. They were in town to discuss the impact of overfishing by Chinese vessels on the local fishing industry. He participated in a panel with them and spoke about the importance of Astoria's fisheries. He also reported that he had been interviewed by Dave Miller of Think Out Loud on Oregon Public Broadcasting (OPB) about the Heritage Square project and housing needs in Astoria. He shared the interview on his Facebook page and it was available on OPB's website. Lastly, he reported that Chief Spalding's last day as Chief of Police was April 19th. Deputy Chief Halverson would step up as Interim Chief and Chief Spalding would stay on part time in a new position.

City Manager Estes said it had been a pleasure to work with Chief Spalding. He appreciated the opportunity to work alongside such a great Chief. He thanked Chief Spalding for everything he had done for the City and the citizens. He announced that last week, Chief Spalding had won the Special Service Award at the Oregon Chiefs of Police conference.

CHANGES TO AGENDA

No changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 7(a) City Council Work Session Minutes of March 16, 2022
- 7(b) City Council Work Session Minutes of March 21, 2022
- 7(c) Commission Meeting Minutes
- 7(d) Department Status Updates
- 7(e) Liquor License Application from Dad Man's Isle, LLC doing business as Dead Man's Isle, located at 1239 Duane St. for a Full On-Premises Commercial Sales License
- 7(f) Acceptance of Certified Local Government Grant 2022 OR22-03
- 7(g) Combined Sewer Overflow (CSO) Program Modeling Support – Contract Amendment

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

REGULAR AGENDA ITEMS

Item 8(a): Consideration of Proposals for Lease Agreement for use of the Astoria Recreation Center Building a Preschool Childcare Center

At the February 16, 2022 City Council Work Session, Council requested that staff to continue to seek partnerships and alternative methods to support childcare services in our area and to plan to discontinue the Sprouts Learning Center as a program of the Astoria Parks and Recreation Department by June 30, 2022. Staff subsequently received two proposals for possible uses of the Astoria Recreation Center building in March that would provide childcare and preschool services to the community. Bumble Preschool & Art Studio and Community Action Team's Headstart program both submitted proposals that were presented to Council at their April 15th Work Session. From that meeting, Council indicated that wished to evaluate both proposals and determine which provider to engage in a lease agreement within order to provide childcare and pre-school services using of the City's items and spaces at the Astoria Recreation Center building. Staff has worked with both proposers to draft lease agreements that outline the responsibilities of both proposers; if an agreement is undertaken. Both proposals and lease agreements are presented here for Council's deliberation and consideration to accept.

Director Dart-McLean presented the details of both proposals and lease agreements, noting updates that had been made to the proposals since they were reviewed at the February 16th work session.

Mayor Jones called for comments from Bumble Preschool and Community Action Team. There were none.

Councilor Herman asked if both proposals were for services that would follow the school district's calendar. Director Dart-McLean clarified that both childcare entities would provide year-round care and the Headstart program would run through the school year.

Mayor Jones called for public comments.

Brandy 70462 Schumacher Rd., Rainier, WA, said her children attended Li'l Sprouts. She asked what the rate increase would be for Bumble Preschool.

Amy Atkinson 1197 SW Pine Dr., Warrenton, Owner of Bumble Preschool, responded that the rate increase would align with what the preschool currently offers. The childcare rates have to increase in order to be sustainable. Bumble would honor the rates currently being paid by families at Li'l Sprouts, but there would be an increase. As a private business, Bumble could offer scholarships, apply for grant funding and was partnering with Preschool Promise to offer spots for children of families that meet specific economic criteria. Rates will be about 15 to 20 percent less than what is offered in Portland and they were working out the details.

Mayor Jones noted that the details of both proposals was available on the City website and in the Agenda packet for this meeting.

Tamara Gaan 90788 Youngs River Rd., Astoria, asked if the hours of operation would be the same during the work week.

Director Dart-McLean said childcare would be provided from 8:15 am to 5:30 pm at Bumble and from 7:00 am to 5:00 pm at Loren Gwendon.

Mayor Jones called for Council discussion.

Councilor Rocka said each proposal had its strengths and gaps. The City needed both childcare providers because the waiting lists were so long. He wanted the City to come up with a way to work with both providers. Both providers face the same challenges that Li'l Sprouts has; they need to hire employees.

Mayor Jones clarified that both childcare providers would continue their operations regardless of which proposal the Council chooses. The proposals are to use the City's facility and take the families currently at Li'l Sprouts.

Councilor Herman stated both proposals were strong and it was great that shutting down Li'l Sprouts had made room for another organization to expand. Both provide quality childcare. However, Bumble needed to make ends

meet and giving them free rent would give Bumble a better chance of succeeding. Headstart would not go anywhere because they had a steady source of funding.

Councilor Hilton agreed with Councilor Herman. The City could not lose Bumble and the City could provide them with an opportunity.

Councilor Brownson stated that while both proposals were great, he was also leaning towards Bumble. Headstart would still have their facility at Grey School and would continue to operate.

Mayor Jones said he believed Bumble had the greatest opportunity to expand capacity in the future, but the City should support Headstart in other ways if possible.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton, to authorize a lease agreement with Bumble Preschool for the use of the former Astoria Recreation Building and authorize the Mayor to sign the lease agreement. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(b): Continuation of Public Hearing of Ordinance Amendments to City Code 6.010, 6.065, 6.070 and 6.400 to Provide Additional Provisions to Existing Abandoned Vehicle Ordinances

On March 16, 2022, Staff presented at the Council Work Session on the proposal to address the increasing number of abandoned, stored and derelict vehicles on public rights-of-way. Staff have reviewed ordinance modifications adopted in other jurisdictions that have experienced similar challenges addressing these vehicles. Staff is proposing to amend the definition of "abandoned vehicles" to include vehicles left on the right-of-way that are expired/unregistered, without license plates, inoperative vehicles, dismantled and partially dismantled vehicles. Additionally, vehicles that are stored on the street pose an immediate danger to the public such as leaking fluids, etc. can be immediately removed. The ordinance also allows for the removal of a vehicle that simply moves a short distance to avoid towing if it meets one of the required violations.

At the April 4, 2022 City Council meeting, a public hearing was opened to obtain feedback through Council and public discussion as a means to fine tune the proposal. Attached to the memo is the first draft of the proposed Astoria Code ordinance modifications presented at the last meeting. It was noted that further legal review was necessary from City Attorney Henningsgaard as well as with some other legal professionals specializing in this arena. As staff and City Attorney Henningsgaard have been delving in to the livability issues more, it was felt that having an on call specialized attorney to assist could be of benefit. In coordination with City Attorney Henningsgaard, the City retained the services of an attorney who specializes in this area. Chad Jacobs of Beery, Elsner and Hammond has been engaged to assist.

Mr. Jacobs continued the review of the ordinance and that review was not completed in time for posting for the April 18th agenda packet. Chief Spalding will provide an update at the continued hearing on the 18th.

Mayor Jones opened the public hearing at 7:47 pm and called for Staff's presentation.

Chief Spalding said that as Staff began to draft this ordinance, they learned the details were more complicated than they originally realized. Staff would be going through the proposed language for the abandoned vehicle ordinance to make sure the proper level of due process will be provided. Some situations would involve the taking of an individual's property, which creates complications. Staff also wanted to identify potential unintended consequences and address them accordingly through the ordinance. The City needs measures in place to ensure that social service partners are involved when vehicles are occupied. Staff has also updated the recommended camping ordinance to ensure the City is in compliance with House Bill 3115 and case law. The ordinance would specifically address the time and manner components and the place component would be identified in a separate document that would be approved through a Council resolution. The camping ordinance will allow Staff to address complaints and concerns. The recommended ordinance would allow for at least eight hours of sleep and the manner would be contingent on the weather. There may be some advantages to identifying places where camping is and is not allowed.

Mayor Jones confirmed that Councilors had no questions for Staff and called for public comments. There were none.

City Council Action: Motion made by Mayor Jones, seconded by Councilor Brownson, to continue the hearing on the Ordinance amending City Codes 6.010, 6.065, 6.070, and 6.400 to May 2, 2022 at 7:00 pm in City Hall Council Chambers. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(c): Consideration of Memorandum of Agreement with Columbia Memorial Hospital to Locate an Emergency Communications Pole on City Property Located at 170 Irving Avenue

The City has received a request from Columbia Memorial Hospital (CMH) to place a pole for emergency communications on City property at 170 Irving Avenue. The Skyline Water Tank and public communications infrastructure are currently located on this property. This request was originally brought to City Council for occupying the right-of-way near 185 W Irving Avenue, but adjacent property owner concerns prompted a search for alternate locations. City staff has reviewed the application and can support placement of the pole and associated communications equipment on City property at 170 Irving Avenue through a Memorandum of Agreement (MOA). City Attorney Blair Henningsgaard has reviewed and approved as to form. It is recommended that City Council approve the Memorandum of Agreement for the emergency radio communications pole on City property at 170 Irving Avenue.

Mayor Jones said he appreciated that CMH and Staff were able to work through the concerns of the neighbor and the power company. He called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton to approve the Memorandum of Agreement for the emergency radio communications pole on City property at 170 Irving Avenue. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(d): Consider Authorization of Oregon Business Development Department Grant Agreement for the Wastewater Treatment Plant Headworks Improvement Project

The City's Wastewater Treatment Plant (WWTP) is in need of upgrades as outlined in our 2019 Wastewater Facilities Plan Update and Headworks Concept Plan prepared by Richwine Environmental. The City's WWTP is a three-lagoon system constructed in 1974. The influent loads, in the form of BOD (Biological Oxygen Demand), to the WWTP have increased dramatically over the past six to eight years due to increased discharge from expanding breweries. As a result, the City is creating a new Industrial Pretreatment Program to manage industrial discharges. In addition, it is critical to construct improvements at the WWTP to maintain compliance with the City's National Pollutant Discharge Elimination System (NPDES) Permit for the next 20-year planning window. The proposed WWTP Headworks Improvement Project includes new flow measurement, screening, influent grit removal, pond baffles, and removal of existing accumulated solids.

The project design schedule and milestones have been based on project funding availability. The City budgeted \$50,000 for fiscal year 21/22 to start preliminary design work, then the remaining design and construction was expected to be funded with an allocation of American Rescue Plan Act (ARPA) Coronavirus State Fiscal Recovery Fund managed by the Oregon Business Development Department (OBDD). Since the timeline for ARPA funds distribution was unclear, OBDD supported proceeding with the preliminary engineering work that would be paid with City funds ahead of the ARPA agreement. This early start on the project has positioned the City to be ready to finalize design and begin construction in a timely manner that is expected to be beneficial to both the project budget and schedule.

In July 2021, the City solicited Statement of Qualifications from qualified engineering firms and chose Gibbs & Olson to prepare a scope and fee for the project. Gibbs & Olson prepared a scope and fee for both the preliminary engineering services, and for the complete engineering design and bidding support services for the project. Preliminary engineering services includes gathering and reviewing background data, survey, and

geotechnical field explorations for a not to exceed fee of \$50,000. The entire engineering services contract through final design of the project is estimated to be an additional \$505,000.

In December 2021, Council approved a contract with Gibbs & Olson for preliminary engineering and this work is nearly complete. As anticipated, the City recently received the attached Grant Agreement for the amount of \$4,860,000 from OBDD for the design and construction of the WWTP Headworks Improvement Project. It is recommended that the City Council approve the Grant Agreement with the Oregon Business Development Department utilizing American Rescue Plan Act Coronavirus State Fiscal Recovery Funds for the Wastewater Treatment Plant Headworks Improvement Project in the amount of \$4,860,000.

Mayor Jones thanked Public Works for always being prepared with proposals for short and long term needs to that when grant funding becomes available, they can immediately push the projects forward. He thanked Business Oregon and state representatives for their support.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson to approve the Grant Agreement with the Oregon Business Development Department utilizing American Rescue Plan Act Coronavirus State Fiscal Recovery Funds for the Wastewater Treatment Plant Headworks Improvement Project in the amount of \$4,860,000. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(e): Resolution to Transfer Appropriations within 17th Street Dock Fund #330 Budget for FY2021-22

ORS 294.463(1) provides guidance for the transfer of appropriations within a fund, when authorized by resolution of the governing body. At the time, the 17th Street Dock Fund budget was prepared a \$76,500 transfer from 17th Street Dock Fund to Capital Improvement Fund was no longer required to pay for debt service related to a Fire Department apparatus. The adopted budget anticipated utilizing these resources freed up by the debt pay off to be utilized for 17th Street Dock capital projects. The two capital projects, floating dock replacement and parking lot improvements have been delayed due to limited staff resources and other more pressing priorities. As a strategic effort to be in a better financial position should the lease terminate before the loan is paid off, it is desirable to continue to apply available resources against the 4 percent interest bearing construction loan to further reduce the payoff balance and timeline.

A transfer in the amount of \$76,500 from Capital Outlay to Debt Service is required to provide sufficient appropriation to make an additional principal payment anticipated to reduce the scheduled payoff by 12/1/2031. A resolution is attached for consideration and approval. It is recommended that City Council approve the resolution transferring \$76,500 from Capital Outlay to Debt Service within the 17th Street Dock Fund # 330.

Councilor Brownson said he was concerned about putting off the dock replacement because it had issues.

City Engineer Crater explained that temporary repairs had been made to the floating dock recently and it was working okay. A full replacement is still necessary, but not in the near term.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Herman, seconded by Councilor Brownson, to approve the resolution transferring \$76,500 from Capital Outlay to Debt Service within the 17th Street Dock Fund # 330. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(f): Resolution to Transfer Appropriations within General Fund #001 for FY2021-22

ORS 294.463(2) provides guidance for the transfer of contingency to an appropriation category within a fund in aggregate for the budget period of less than 15 percent of the original adopted budget total fund appropriation, when authorized by resolution of the governing body.

At the time the City Attorney budget was prepared, Land Use Board of Appeals (LUBA) appeals were not

anticipated. Associated costs of \$15,200 for the appeal are known and a transfer is necessary to appropriate funds to cover these costs. A transfer in the amount of \$15,200 represents less than 1 percent of the General Fund appropriations. A transfer from contingency to City Attorney department is required to provide sufficient appropriation for initial expenses associated with LUBA appeal work. A resolution is attached for consideration and approval. It is recommended that City Council approve the transfer of \$15,200 from Contingency to the City Attorney Department within General Fund #001.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve the transfer of \$15,200 from Contingency to the City Attorney Department within General Fund #001. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(g): Consider Approval of Job Description for One New Position: Special Projects Manager

The Astoria Police Department has prioritized project work based on City Council goals and objectives to address community livability concerns. After evaluation of tasks, projects and workflow within the Police Department, City staff has determined it would be beneficial for retiring Chief of Police Geoff Spalding to provide part-time assistance with project work to include development and revisions to City ordinances. The scope and assignment of projects would be directed by Interim Chief of Police Eric Halverson. This short-term assignment will conclude when assigned project work is completed which is anticipated to last approximately 1-2 months.

This position would be placed on the F- 2 Schedule of the Salary Resolution and will be funded in the Police Department budget through salary savings associated with the Chief of Police vacancy following Chief Spalding's retirement.

It is recommended that City Council approve the addition of the Special Projects Manager job description. A salary resolution for this position would be provided at a later time.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman, to approve the addition of the Special Projects Manager job description. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(h): Consideration of License to Occupy a Portion of the 8th Street Right-of-Way Adjacent to 57 9th Street

The City has received a request from River Barrel Brewing Inc. to occupy a portion of 8th Street right-of-way adjacent to 57 9th Street. The purpose of this request is to install a utility bridge and process piping across the 8th Street right-of-way. It also includes documentation of existing stairs that encroach in the right-of-way. An exhibit map and copy of the proposed license agreement are attached to this memo. City staff has reviewed the application and can support issuance of a License to Occupy (LTO) with conditions. River Barrel Brewing Inc. is aware of and is agreeable with these conditions. City Attorney Blair Henningsgaard has reviewed and approved as to form the License Agreement.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve the License to Occupy a portion of the 8th Street right-of-way adjacent to 57 9th Street. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(i): Consideration of License to Occupy a Portion of the Commercial Street Right-of-Way Adjacent to 1015 Commercial Street

The City has received a request from Jessamyn West with Astoria Odd Fellows LLC. to occupy a portion of Commercial Street right-of-way adjacent to 1015 Commercial Street. The purpose of this request is to install an outdoor air conditioning unit/condenser outside to provide better climate control for the building. An exhibit map and copy of the proposed license agreement are included. City staff has reviewed the application and can support issuance of a License to Occupy (LTO) conditions. Astoria Odd Fellows LLC. is aware of and is agreeable with these conditions. City Attorney Blair Henningsgaard has reviewed and approved as to form the attached License Agreement. It is recommended that City Council approve a license to occupy, subject to the above conditions, for the condenser in the Commercial Street right-of-way adjacent to 1015 Commercial Street.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to approve the License to Occupy a portion of the Commercial Street right-of-way adjacent to 1015 Commercial Street, with conditions. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 8(j): Review of City Council Goals 2021-2023

Following the City Council's decision to no longer pursue a public private partnership for workforce housing at Heritage Square, Mayor Jones has asked the City Council Goals for 2021- 2023 be brought back to Council for dialogue and consideration. The second goal includes mention of this issue. A copy of the approved goals is attached.

The Council discussed the goal on housing. Mayor Jones recommended replacing the second half with, "changes to Code to facilitate greater density and missing middle housing." Councilor Herman believed the goal should include supporting the Northwest Oregon Housing Authority and Clatsop County's efforts to locate affordable or workforce housing in the City limits.

The goal on homelessness was discussed. Mayor Jones recommended replacing everything from the word "explore" with, "implement revised ordinances to enhance community quality of life and explore housing opportunities with Clatsop County."

The library goal was also discussed. Mayor Jones recommended replacing all of the existing language with, "advance the library remodel project by either a bond measure if public support is indicated or phase one remodel using existing funds."

There was consensus among the Council to revise the goals as recommended. The revised goals would be approved by the Council at their May 2nd meeting.

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

Dillon Howser Shawk 432 Chinook St., Astoria, suggested the City use a pop filter on the microphone at the next meeting.

City Manager Estes said technology upgrades had already been planned for City Council chambers.

Lisa Morley 4908 Cedar St., Astoria, asked how the census data would impact housing density in Astoria. She was trying to figure out how accurate the census data was because it did not seem as if enough housing had been built to accommodate the additional people. She also wanted to know if the City was going to determine whether the data was accurate before increasing the housing density.

Mayor Jones said the last census had Astoria at just under 10,000 people and the current census put Astoria at just over 10,000 people, so there was not a big change in population. Most of the Code changes to allow increased density have been recommended by numerous authorities irrespective of the population.

City Manager Estes added that several multi-family developments have been built over the past 10 years. Those additional units have brought new residents to the community.

Jessamyn West, 3409 Irving Ave., Astoria, said goodbye to Chief Spalding. She thanked City Council and Public Works for approving the 1015 Theater's license to occupy because it would allow the theater to improve circulation and install air conditioning. She also thanked Public Works for the massive sewer repair project in front of the building. The work was done very quickly.

The Council recessed into Executive Session at 8:26 pm.

EXECUTIVE SESSION

Item 10(a): ORS192.660(2)(d) – Labor Negotiator Consultations

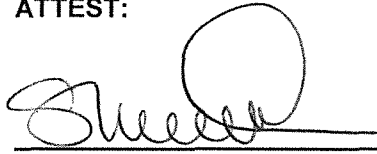
The City Council will meet in executive session to consult with a labor negotiator.

The regular session reconvened.

ADJOURNMENT

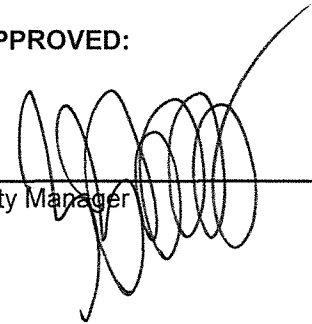
There being no further business, the meeting was adjourned at 9:00 pm.

ATTEST:



Finance Director

APPROVED:



City Manager

