



AGENDA

ASTORIA CITY COUNCIL

June 6, 2016

7:00 p.m.

2nd Floor Council Chambers
1095 Duane Street · Astoria OR 97103

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **REPORTS OF COUNCILORS**

4. **CHANGES TO AGENDA**

5. **PRESENTATIONS**

- (a) Cameron Moore, Clatsop County Manager
- (b) Dr. Edward Harvey Historic Preservation Awards
- (c) Carbon Credits

6. **CONSENT CALENDAR**

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

- (a) Boards and Commissions Minutes
 - (1) Historic Landmarks Commission Meeting of 4/19/16
 - (2) Library Board Meeting of 4/26/16
 - (3) Planning Commission Meeting of 4/26/16
 - (4) Planning Commission Work Session of 4/26/16
- (b) Renewal of Contract for Professional Services with ABC Transcription (City Manager)
- (c) Request by John Fenton for Tree Trimming Permit on City Property adjacent to 570 W. Lexington (Public Works)
- (d) Agreement for Telecommunication Service Audit (Finance)
- (e) Resolution Establishing Rules, Regulations, Rate Changes and Conditions for Solid Waste Service (Finance)

7. **REGULAR AGENDA ITEMS**

All agenda items are open for public comment following deliberation by the City Council. Rather than asking for public comment after each agenda item, the Mayor asks that audience members raise their hands if they want to speak to the item and they will be recognized. In order to respect everyone's time, comments will be limited to 3 minutes.

- (a) Public Hearing and Resolution regarding Columbia Memorial Hospital Bonds (Finance)
- (b) Resolution to Elect to Receive State Shared Revenues (Finance)
- (c) Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2017 (Finance)

7. REGULAR AGENDA ITEMS (continued)

- (d) Liquor License Application from Erica Miltenberger for Oregon Lass, LLC, dba Workmans Irish Pub, Located at 218 W. Marine Drive, for a New Outlet for a Full On-Premises Sales Commercial Establishment License (Finance)
- (e) Authorization to Bid 2016 Paving Project (Public Works)

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

9. EXECUTIVE SESSION

- (a) ORS 192.660(2)(f) – Exempt Public Records

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



CITY OF ASTORIA

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June 2, 2016

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF JUNE 6, 2016

PRESENTATIONS

Item 5(a): Cameron Moore, Clatsop County Manager

Recently hired Clatsop County Manager Cameron Moore will introduce himself to the City Council.

Item 5(b): Dr. Edward Harvey Historic Preservation Awards (Community Development)

The City of Astoria Historic Landmarks Commission has selected the 2016 recipient for the Dr. Edward Harvey Historic Preservation Award. The award is presented each year to recognize a property owner(s) who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. This year there is one property owner who will be presented with a certificate in the residential category: Laura A. Rogers for the restoration work that has been done at 3720 Duane Street. A framed certificate will be presented by the Mayor to the recipient at the June 6, 2016 Council meeting.

Item 5(c): Carbon Credits

Public Works Director Ken Cook will be introducing Sean Penrith, Executive Director of the Climate Trust, who will be presenting the City with a ceremonial check in the amount of \$1,028,000 for the first of two purchases of carbon credits in the City's watershed. This money has already been deposited in the City's Capital Improvement Fund. In May of 2017, there will be another \$1,028,000 deposited with the City to complete the purchase of carbon credits. Ken Cook will also be introducing the City's consultant team, Mike Barnes, City Forester, and David Ford, Carbon Forester.

CONSENT CALENDAR

Item 6(a): Boards and Commissions Minutes

The minutes of the (1) Historic Landmarks Commission Meeting of 4/19/16, (2) Library Board Meeting of 4/26/16, (3) Planning Commission Meeting of 4/26/16, and (4) Planning Commission Work Session of 4/26/16 are enclosed. Unless

there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 6(b): Renewal of Contract for Professional Services with ABC Transcription (City Manager)

The City of Astoria has contracted with ABC Transcription Services, Inc., (ABC) since April 2010 for the transcription of meeting minutes for the City Council/ADC, Budget Committee, Planning Commission, Historic Landmarks Commission, Design Review Committee, Parks Board, Maritime Memorial Committee, Parks Master Plan Citizen Advisory Committee, and Library Board. The current contract expires on June 30, 2016. After three years with minimal increases, ABC is proposing a \$2.00 increase to their base transcription labor rate for the coming fiscal year. The new rate essentially results in a \$10 increase per meeting for the City. A total of \$ \$25,000 (\$18,660 for Fiscal Year 2015-16) is allocated as part of the Fiscal Year 2016-2017 budget for these services. This fee increase would be accommodated in the budgeted amount. ABC has been both responsive and timely. The draft contract has been reviewed and approved as to form by City Attorney Henningsgaard. It is recommended that Council approve a Contract for Professional Services with ABC Transcription Services, Inc., for the period July 1, 2016 to June 30, 2017.

Item 6(c): Request by John Fenton for Tree Trimming Permit on City Property adjacent to 570 W. Lexington (Public Works)

John Fenton, owner of the property at 570 W Lexington, submitted an application to trim trees on City property. The City owned property is to the northwest of the applicant's. The trees proposed to be trimmed are maple and alder and it appears that the maple has been trimmed in the past. The applicant will be hiring a tree cutting service to do the trimming. The trees are located within a known slide area. Most of these trees are young alders. Since the trees are only being topped and not removed, a geologic report is not required. Should Council approve this request, staff recommends the following conditions: Applicant shall employ any erosion control measures required to stabilize all disturbed areas and assure that new growth is fully established and tree height reduction shall be no more than 25%. Based on a site visit by City staff, it is recommended that the request to trim trees on City property be approved.

Item 6(d): Agreement for Telecommunication Service Audit (Finance)

The SpyGlass Group, LLC, reviews telecommunication invoicing to retroactively identify billing errors. In addition, Spyglass utilizes proprietary software to analyze invoices to review dormant or underused services and identify potential cost savings opportunities through the use of market analysis, volume leveraging, consolidation and rate improvement. Periodic review of these services is advisable and a no cost audit is a reasonable approach utilizing a party independent from the telecommunication providers. The two-prong approach of retroactive review and savings opportunities will be of no additional expense to the City than would have been incurred without taking action. The historical review of paid invoices may potentially produce a refund or credit if

errors are identified in the City's billings. The refund or credit would be split on a 50/50 basis with SpyGlass. The analysis of existing rate plans, usage and leveraging will provide a review of potential savings opportunities. Should the City decide to initiate changes, the first year of savings will be due to SpyGlass, and if the City does not pursue recommendations, nothing is due to SpyGlass. The cities of Newport, Silverton, Stayton, and Sandy have utilized their services. City Attorney Henningsgaard has reviewed and approved the attached Audit Agreement as to form. It is recommended that Council approve the Audit Agreement with The SpyGlass Group, LLC.

Item 6(e): Resolution Establishing Rules, Regulations, Rate Changes and Conditions for Solid Waste Service (Finance)

The City's franchise agreement with Recology requires them to render financial statements and rate review of the Solid Waste Collection Franchise no later than April 30 each year. The annual rate review was received April 1, 2016. Staff concurs with the assessment and conclusions. The purpose of the annual rate review is to determine whether Recology's "Operating Ratio" for their solid waste collection and transfer station operations fall within the limits set by the Franchise Agreements with the City. Fred Stemmler, Recology's Western Oregon General Manager, indicated the Operating Ratios for the current calendar year are projected to be within the limits of the Operating Ratio Range of 88% to 92%. As a result, the collection and transfer station rates will remain the same for the coming year. Recommended increases from Recology include increases to medical waste collection reflecting pass through of increased vendor costs and addition of a 20% surcharge for debris box/compactor haul fees to account for additional time required to provide service. The debris box/compactor change will result in a nominal change to the overall charge for service, approximately 2%. These updates are contained in Exhibit A of the attached resolution to be effective July 1, 2016. It is recommended that Council consider the attached resolution with rate changes as indicated.

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing and Resolution regarding Columbia Memorial Hospital Bonds (Finance)

Columbia Lutheran Charities, dba Columbia Memorial Hospital (CMH), an Oregon nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue code of 1986 (the "Code"), has requested The Hospital Facilities Authority of the City of Astoria, Oregon (the "Authority") issue non-recourse revenue bonds for and on behalf of Columbia Memorial in an aggregate principal amount not exceeding \$ 20,000,000, and, on May 19, 2016, the Authority adopted a Bond Resolution approving such request. Section 147(f) of the Code requires qualified 501(c)(3) bonds be approved by the applicable elected representatives of the governmental unit issuing such bonds and the governmental unit having jurisdiction over the area in which the Project is located. The Mayor and City Council of the City are the elected representatives; the Board of Directors of the Authority are not elected representatives.

The principal and interest on the Bonds will not constitute a debt of the City of Astoria or the Authority, nor shall the Bonds be payable from a tax of any nature levied upon any property within the City of Astoria nor any other political subdivision of the State of Oregon. The Bonds will be payable only from the revenues and resources of CMH. The Oregon Revised Statutes provide a municipality may establish a Hospital Facilities Authority (HFA) to oversee the development of hospital facilities within the city. The City of Astoria has established such an authority to oversee the development of Columbia Memorial Hospital (CMH). The HFA may issue bonds for hospital facilities but only after the City Council approves the bond issue.

CMH is seeking approval for financing the following projects: i) capital construction, remodeling and equipping of facilities used to provide health care, including, without limitation, a cancer center, ii) funding a debt service reserve fund, if required, iii) financing the payment of interest on the Bonds during construction, and iv) certain costs relating to the issuance of the Bonds. ORS 441.565 states very clearly the obligations of the HFA and CMH are not the obligation of the municipality. The statutes make it clear the debt is the debt of CMH and CMH is required to pay off the bonds. Additionally, the attached resolution highlights the Bonds do not constitute a debt of the City and are payable by the Borrower (CMH). The bond issues are in not an obligation of the City, are not debt backed by the full faith and credit of the City and the City's General Fund is in no way liable for any payment related to these bonds. HFA is asking the Council to hold a hearing regarding issuance of the bonds. If the hearing is without consequence, the HFA is requesting Council to approve the attached resolution. This is a technical exercise required to satisfy the legal requirements for CMH to sell the bonds. City Attorney Blair Henningsgaard has reviewed the attached materials as to form and concurs that the request is appropriate. It is requested that Council hold a hearing regarding issuing the bonds and consider approval of the attached resolution authorizing the sale of bonds.

Item 7(b): Resolution to Elect to Receive State Shared Revenues (Finance)

Oregon Revised Statute 221.770 requires the City to adopt a resolution to declare its intent to receive state revenue for each new fiscal year. State shared revenues include the state gas tax, alcohol tax, cigarette tax and state shared revenues. The attached resolution expresses the City's intention to receive state shared revenues for FY 2016-2017. It is recommended that the City Council consider this resolution for adoption.

Item 7(c): Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2017 (Finance)

Oregon Local Budget Law requires that the City Council hold a public hearing on the budget, as recommended for approval by the Budget Committee. Notice of this hearing, scheduled for June 6, 2016, was published in the Daily Astorian on Wednesday, May 18, 2016. The budget for the City of Astoria, as discussed and recommended for approval by the Budget Committee, is ready for the City Council to consider for adoption. The changes from the proposed budget that

the Budget Committee considered are as follows: The Ending Fund Balance of the Capital Improvement Fund is reduced by \$60,000 and the Capital Outlay – Machinery and Equipment is increased to recognize the additional cost for the Spur 14 Project brought before Council at the May 16, 2016 meeting. The attached resolution will adopt resources and appropriations and authorize the collection of taxes at a rate of \$8.1738 per thousand for FYE June 30, 2017. It is recommended that the City Council hold a public hearing on the FYE June 30, 2017 budget as recommended by the Budget Committee. After the hearing, it is recommended that the Council consider the resolution to adopt this budget.

Item 7(d): Liquor License Application from Erica Miltenberger for Oregon Lass, LLC, dba Workmans Irish Pub, Located at 218 W. Marine Drive, for a New Outlet for a Full On-Premises Sales Commercial Establishment License (Finance)

A Liquor License Application has been filed by Erica Miltenberger for Oregon Lass LLC doing business as Workmans Irish Pub. This Application is a New Outlet for a Full On-Premises Sales Commercial Establishment License. The appropriate Departments have reviewed the Application. A memo from the Police Department is attached along with the Application. It is recommended that Council consider the request.

Item 7(e): Authorization to Bid 2016 Paving Project (Public Works)

The Public Works Department developed a list of the following streets to be included in the 2016 Paving Project. These locations were chosen using input from the City’s pavement maintenance software, anticipated future project needs, stopgap maintenance obligations, field evaluation, and cost efficiency considerations.

Road Description	From	To
Exchange Street	14 th Street	16 th Street
Duane Street	15 th Street	16 th Street
13 th Street	Duane Street	Exchange Street
Bond Street	4 th Street	6 th Street
W. Lexington Ave.	1 st Street	Sonora Ave.
16 th Street	Niagara Ave.	James Street
Irving Ave.	11 th Street	14 th Street
39 th Street	Franklin Ave.	Grand Ave.
Nimitz Road	Kincaid Road	Halsey Road

The project includes asphalt pavement overlay, asphalt grinding, ADA ramp upgrades, road base reconstruction, striping and other associated improvements. The construction estimate for this project is \$430,000, including a 10% contingency. Funding for this project is available in the Astoria Road District Fund (Local Fuel Tax Fund). At the City Council meeting, Assistant City Engineer Nathan Crater will provide additional background on pavement management and the areas to be paved. It is recommended that City Council authorize staff to solicit bids for the 2016 Paving Project.

EXECUTIVE SESSION

Item 9(a) ORS 192.660(2)(f) – Exempt Public Records

The City Council will recess to executive session to consider information or records that are exempt by law from public inspection.